

FILED
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4/18/2023 3:56 PM
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Carol Hale, CLERK

SOAH DOCKET NO. 582-23-10368
TCEQ DOCKET NO. 2022-1731-MWD

ACCEPTED
582-23-10368
4/18/2023 5:56:21 pm
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Carol Hale, CLERK

APPLICATION BY § **BEFORE THE STATE OFFICE**
R040062 LP §
FOR § **OF**
TPDES PERMIT NO. WQ0016008001 §
ADMINISTRATIVE HEARING

APP. EX. A

STATE OF TEXAS

FILED
582-23-10368
3/24/2023 11:03 AM
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Crystal Rosas, CLERK**AFFIDAVIT**§
§
§

COUNTY OF TRAVIS

**CERTIFICATION OF THE ADMINISTRATIVE RECORD FOR
R040062, LP
TCEQ Docket No. 2022-1731-MWD; SOAH Docket No. 582-23-10368**

I, the undersigned, Laurie Gharis, Chief Clerk of the Texas Commission on Environmental Quality, am the legal custodian of records for the Office of the Chief Clerk. I hereby certify that the links within this document contain the true and correct copies of documents regarding the application by R040062, LP for Permit Number WQ0016008001 that are required by 30 TAC Chapter 80 to be included in the Administrative Record for all permit hearings on permit applications filed on or after September 1, 2015. The documents listed and linked below are **certified** copies.

Tab A: 80.6(b)(4)(B) Any Public Comment and the Executive Director's Response to Comments:

List of disputed issues for the application by R040062, LP for Permit Number WQ0016008001.

Pages 00001-00148

Tab B: 80.118(a)(5) Documents provided by the Office of the Chief Clerk:

Copies of public notices relating to the permit application, including affidavits of public notices, and tear sheets.

Pages 00001-00088

Tab C: 80.118(a)(1)-(4) and (6) Documents provided by the Executive Director:

Documents listed in 30 TAC § 80.118(a)(1)-(4) and (6) from the TCEQ Environmental Law Division.

Cover Letter and Pages 0001-0043

Tab D: 80.118(c)(2) Documents provided by the Applicant:

Application submitted by the Applicant, including revisions to the original submittal.

Pages 001-250

WITNESS MY HAND AND SEAL of the Texas Commission on Environmental Quality on this the 24th day of March 2023.



Laurie Gharis
Chief Clerk
Texas Commission on Environmental Quality

SUBSCRIBED AND SWORN TO before me this 24th day of March 2023, by Laurie Gharis, to certify which, witness my hand and the seal of office.

/s/ Mehgan Marie Taack
Notary Public in and for the State of Texas
Notary ID No: 12608612-6
My Commission expires: February 18, 2024

APP. EX. A

Tab A

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 7, 2022

TO: All interested persons.

RE: R040062, LP
TPDES Permit No. WQ0016008001

Decision of the Executive Director.

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

Enclosed with this letter is a copy of the Executive Director's Response to Public Comments. A copy of the complete application, draft permit and related documents, including public comments, is available for review at the TCEQ Central Office. A copy of the complete application, the draft permit, and executive director's preliminary decision are available for viewing and copying at Georgetown Public Library, 402 West 8th Street, Georgetown, Texas.

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

How to Request a Contested Case Hearing.

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

The request must include the following:

- (1) Your name, address, daytime telephone number, and, if possible, a fax number.
- (2) The name of the applicant, the permit number and other numbers listed above so that your request may be processed properly.

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

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

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

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

How to Request Reconsideration of the Executive Director's Decision.

Unlike a request for a contested case hearing, anyone may request reconsideration of the executive director's decision. A request for reconsideration should contain your name, address, daytime phone number, and, if possible, your fax number. The request must state that you are requesting reconsideration of the executive director's decision, and must explain why you believe the decision should be reconsidered.

Deadline for Submitting Requests.

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

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

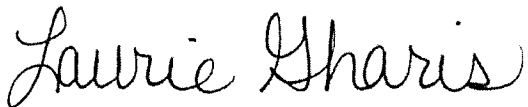
Processing of Requests.

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

How to Obtain Additional Information.

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

Sincerely,



Laurie Gharis
Chief Clerk

LG/erg

Enclosure

EXECUTIVE DIRECTOR'S RESPONSE TO PUBLIC COMMENTS
for
R040062, LP
TPDES Permit No. WQ0016008001

The Executive Director has made the Response to Public Comment (RTC) for the application by R040062, LP for TPDES Permit No. WQ0016008001 available for viewing on the Internet. You may view and print the document by visiting the TCEQ Commissioners' Integrated Database at the following link:
<https://www.tceq.texas.gov/goto/cid>

In order to view the RTC at the link above, enter the TCEQ ID Number for this application (WQ0016008001) and click the "Search" button. The search results will display a link to the RTC.

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

Additional Information

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

You may also view a copy of the RTC, the complete application, the draft permit, and related documents, including comments, at the TCEQ Central Office in Austin, Texas.

Additionally, a copy of the complete application, the draft permit, and executive director's preliminary decision are available for viewing and copying at Georgetown Public Library, 402 West 8th Street, Georgetown, Texas.

MAILING LIST
for
Ro40062, LP
TPDES Permit No. WQ0016008001

FOR THE APPLICANT:

Eli Dragon, Principal
Ro40062, LP
5599 San Felipe Street, Suite 565
Houston, Texas 77056

Janet Sims, Senior Project Manager
Perkins Engineering Consulting, Inc.
13740 North Highway 183, Unit L-6
Austin, Texas 78750

INTERESTED PERSONS:

See attached list.

FOR THE EXECUTIVE DIRECTOR
via electronic mail:

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FOR PUBLIC INTEREST COUNSEL
via electronic mail:

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via electronic mail:

Laurie Gharis, Chief Clerk
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AUSTIN TX 78759-7262

TCEQ PERMIT NO. WQ0016008001

APPLICATION BY	§	BEFORE THE
R040062 LP	§	TEXAS COMMISSION
FOR TPDES PERMIT NO.	§	ON
WQ0016008001	§	ENVIRONMENTAL QUALITY

EXECUTIVE DIRECTOR'S RESPONSE TO PUBLIC COMMENT

The Executive Director (ED) of the Texas Commission on Environmental Quality (the commission or TCEQ) files this Response to Public Comment (Response) on the Indigo Water Resources Recovery Facility by R040062 LP for a new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016008001 and the ED's preliminary decision. As required by 30 Texas Administrative Code (TAC) Section (§) 55.156, before a permit is issued, the ED prepares a response to all timely, relevant, and material, or significant comments. The Office of the Chief Clerk received timely comment letters from Shawn D. Bichsel, John J. Carlton on behalf of Jonah Water Special Utility District (Jonah), and Patricia Erlinger Carls and William Faulk on behalf of the City of Georgetown (City). This Response addresses all such timely public comments received, whether or not withdrawn.

If you need more information about this permit application or the wastewater permitting process, please call the TCEQ Public Education Program at 1-800-687-4040. General information about the TCEQ can be found at our website at www.tceq.texas.gov.

BACKGROUND

(A) Description of Facility

R040062, LP has applied for a new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016008001, to authorize the discharge of

treated domestic wastewater at a daily average flow not to exceed 200,000 gallons per day. The plant site will be located off the west end of Madison Drive, approximately 1,500 feet northwest of the intersection of County Road 105 and Jacobs Way, in Williamson County, Texas 78626.

The treated effluent will be discharged to an unnamed tributary of Mankins Branch, thence to Mankins Branch, thence to the San Gabriel/North Fork San Gabriel River in Segment No. 1248 of the Brazos River Basin. The unclassified receiving water uses are limited aquatic life use for the unnamed tributary and Mankins Branch (intermittent with perennial pools), and high aquatic life use for Mankins Branch (perennial). The designated uses for Segment No. 1248 are primary contact recreation, public water supply, aquifer protection, and high aquatic life use. The aquifer protection use applies to the contributing, recharge, and transition zones of the Edwards Aquifer. Portions of the discharge route are within the transition zone.

In accordance with 30 Texas Administrative Code Section 307.5 and the TCEQ's *Procedures to Implement the Texas Surface Water Quality Standards* (June 2010), for the Texas Surface Water Quality Standards, an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected Mankins Branch, which has been identified as having high aquatic life use. Existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received.

Outfall Location:

Outfall Number	Latitude	Longitude
001	30.60811 N	97.6196 W

The draft permit authorizes a discharge of treated domestic wastewater at an Interim volume not to exceed a daily average flow of 0.075 MGD and a Final volume not to exceed a daily average flow of 0.2 MGD.

The effluent limitations in both phases of the draft permit, based on a 30-day average, are 10 mg/l five-day carbonaceous biochemical oxygen demand (CBOD₅), 15 mg/l total suspended solids (TSS), 3.0 mg/l ammonia-nitrogen (NH₃-N), 0.5 mg/l total phosphorus (TP), 126 CFU or MPN of *E. coli* per 100 ml, and 4.0 mg/l minimum dissolved oxygen (DO). The effluent shall contain a total chlorine residual of at least 1.0 mg/l and shall not exceed a total chlorine residual of 4.0 mg/l after a detention time of at least 20 minutes based on peak flow.

(B) Procedural Background

TCEQ received this application for a new TPDES permit on June 11, 2021, and declared it administratively complete on August 24, 2021. The Applicant published the Notice of Receipt and Intent to Obtain a Water Quality Permit (NORI) in English on August 29, 2021, in the *Williamson County Sun* and in Spanish on September 2, 2021, in *El Mundo*. The application was determined to be technically complete on November 16, 2021. The Applicant published the Notice of Application and Preliminary Decision (NAPD) in English on May 18, 2022, in *Williamson County Sun*, and in Spanish on May 19, 2022, in *El Mundo*. The public comment period ended on June 20, 2022. The application is subject to the procedural requirements adopted pursuant to House Bill 801, 76th Legislature, 1999.

This application was filed on or after September 1, 2015; therefore, this application is subject to the procedural requirements adopted pursuant to House Bill (HB) 801, 76th Legislature (1999), and Senate Bill (SB) 709, 84th Legislature (2015), both implemented by the Commission in its rules in 30 TAC Chapter 39, 50, and 55. The Texas Legislature enacted Senate Bill 709, effective September 1, 2015, amending the requirements for comments and contested case hearings. This application is subject to those changes in the law.

(C) Access to rules, statutes, and records

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

- for the Secretary of State website: www.sos.state.tx.us;
- for TCEQ rules in Title 30 of the Texas Administrative Code (TAC): www.sos.state.tx.us/tac/ (select "View the current Texas Administrative Code" on the right, then "Title 30 Environmental Quality");
- for Texas statutes: www.statutes.capitol.texas.gov/
- to access the TCEQ website: www.tceq.texas.gov (for downloadable rules in Adobe PDF format, select "Rules" then "Download TCEQ Rules");
- for Federal rules in Title 40 of the Code of Federal Regulations: www.ecfr.gov; and
- for Federal environmental laws: <https://www.epa.gov/laws-regulations>

Commission records for this facility are available for viewing and copying at the TCEQ's main office in Austin, 12100 Park 35 Circle, Building F, 1st Floor (Office of Chief Clerk). The application, draft permit, statement of basis/technical summary, and ED's preliminary decision for this facility are available for viewing and copying at Georgetown Public Library, 402 West 8th Street, Georgetown, Texas.

COMMENTS AND RESPONSES

COMMENT 1

The City of Georgetown and Jonah Water Special Utility District request to be added to the mailing list.

RESPONSE 1

The Executive Director acknowledges these requests.

COMMENT 2

Shawn Bichsel is concerned about the impact from the proposed facility on his already existing flood problems, given that that the property is in the 100-Year Flood Plain and experiences flooding issues. The City comments that the Application fails to demonstrate that the Applicant's proposed facilities satisfy TCEQ's requirements for unsuitable site characteristics in regard to the 100-Year Floodplain and nearby wetlands.

RESPONSE 2

The TCEQ does not have jurisdiction to regulate flooding in the context of a wastewater discharge permit. The permitting process is limited to controlling the discharge of pollutants into water in the state and protecting the water quality of the state's rivers, lakes, and coastal waters. However, to the extent that an issue related to flooding also involves water quality, the applicant is required to comply with all the numeric and narrative effluent limitations and other conditions in the proposed permit at all times, including during flooding conditions.

The TCEQ does not prohibit the location of a wastewater treatment facility in a floodplain, as long as the facility design adheres to TCEQ rules. The proposed Indigo Water Resource Recovery Facility WWTP shall be subject to

plans and specifications review prior to construction. Part of this review will include adherence to 30 TAC § 217.35, relating to the “One Hundred-Year Flood Plain Requirements.” The draft permit requires that the facility design must provide protection from inundation during a 100-Year flood event.

For flooding concerns, please contact the local floodplain administrator for the area where the proposed facility will be located.

COMMENT 3

Shawn Bichsel states that he went to the City of Georgetown public library to view the draft permit on September 22, 2021; however, the library had no record of the draft permit being on file.

RESPONSE 3

TCEQ records indicate that the TCEQ Office of the Chief Clerk received a public notice verification form (dated August 28, 2021) on September 22, 2021, verifying that the application had been placed in a public location (Georgetown Public Library, 402 W. 8th Street) for viewing and coping by the public for the NORI notice process. TCEQ Office of the Chief Clerk received the verification form for the NAPD notice process on May 26, 2022. TCEQ also contacted the Applicant and requested any additional information that verifies the timely placement of the application for TPDES Permit No. WQ0016008001. The Applicant provided a copy of an Excel document that indicates that the application was originally placed at Georgetown Public Library on September 1, 2021, for the NORI notice process, and the draft permit and any supporting documentation used to draft the permit was placed at Georgetown Public Library on May 17, 2022.

COMMENT 4

Jonah Water Special Utility District (Jonah) commented that the proposed facility does not comply with TCEQ's regionalization policy. Further, Jonah does not believe that the Applicant has demonstrated that obtaining wastewater services from Jonah would be cost prohibitive. The City comments that the Applicant fails to demonstrate a need for the facility in the context of regionalization, given that the City has existing wastewater collection systems located within a 3-mile radius of the proposed service area. They further point out that the City is capable of providing services to the Applicant, that the proposed facility is within the City's updated wastewater master plan which generally describes how wastewater services will be provided to the region, that there are faster and less costly alternatives for connecting to the City's existing facility, and that TCEQ fails to consider that there is a plant approximately one mile away.

RESPONSE 4

The Applicant provided documentation in Attachment K of the application that verifies that the City of Georgetown offered wastewater services to the applicant. However, the applicant indicates that connection to the City of Georgetown wastewater services would ultimately cost more than the applicant constructing its own wastewater treatment plant, and connection to services with the City of Georgetown is contingent on annexation of the proposed development into the City of Georgetown.

The ED considers annexation as a requirement for receiving wastewater services from a City tantamount to a denial of requested service. Therefore, the requirement for annexation coupled with the cost of connecting versus

construction of a separate wastewater treatment system indicate that the Applicant meets the requirements for regionalization.

COMMENT 5

Jonah comments that the Applicant falsely states that the proposed service area is not located inside another utility's CCN area.

RESPONSE 5

TCEQ provides a link to the Public Utility Commission of Texas Water and Sewer CCN viewer for applicants and other members of the public to use to see where a CCN for water or sewer services is located. The Applicant indicates in item B.2 of Domestic Technical Report 1.1 that no portion of the proposed sewer service area lies within another utility's sewer service. The CCN viewer that TCEQ has available for Applicants to use on its website indicates that the proposed facility is within the CCN for water services for Jonah Water SUD, but not within any CCN for sewer services.

COMMENT 6

The City comments that the application is not substantially complete and accurate because the Applicant fails to provide information required to be included in its topographic map, including schools and playgrounds near the proposed discharge point, as well as not including information about the receiving water, which should have been included in Domestic Worksheet 2.1.

RESPONSE 6

The topographic map included in the application and referred to by the City is included in the administrative review performed by the Water Quality Division Application Review and Processing (ARP) Team. The application was declared administratively complete by the ARP Team on June 11, 2021. A review

of the topographic map confirms that no schools or playgrounds were indicated on the map within the one-mile radius that the application requires this map to indicate. Domestic Worksheet 2.1 is not required to be completed and submitted by the Applicant, because the discharge is to an intermittent stream. The instructions at the top of Worksheet 2.1, located at the top of the worksheet to qualify the need to complete the worksheet, indicates that the worksheet is not required for discharges to intermittent streams. The discharge from the proposed facility to an intermittent stream is confirmed by the information provided by the TCEQ Water Quality Standards review of the receiving waterbodies. This review indicates that the discharge will be to an unnamed tributary of Mankins Branch and lists it as an intermittent stream with perennial pools.

COMMENT 7

The City comments that the draft permit is not protective of water quality of the receiving streams in accordance with Texas Surface Water Quality Standards.

REPONSE 7

The proposed permit was developed in accordance with the TSWQS to be protective of human health, water quality, and the environment, provided the Applicant operates and maintains the proposed facility according to TCEQ rules and the proposed permit's requirements. The designated uses for Segment No. 1248 are primary contact recreation, public water supply, aquifer protection, and high aquatic life use. The ED's staff developed the effluent limitations in the draft permit to maintain and protect the existing in-stream uses. The Tier I antidegradation review, which was performed in accordance with 30 TAC

§ 307.5 and the IPs, preliminarily determined that existing water quality uses will not be impaired by this permit action and that the numerical and narrative criteria, to protect existing uses, will be maintained. The Tier II antidegradation review preliminarily determined that no lowering of water quality by more than a de minimis extent is expected in Brazos River Basin. The effluent limitations in both phases of the draft permit, based on a 30-day average, are 10 mg/l five-day carbonaceous biochemical oxygen demand (CBOD₅), 15 mg/l total suspended solids (TSS), 3.0 mg/l ammonia-nitrogen (NH₃-N), 0.5 mg/l total phosphorus (TP), 126 CFU or MPN of *E. coli* per 100 ml, and 4.0 mg/l minimum dissolved oxygen (DO). These limits are predicted to maintain water quality along the discharge route.

Additionally, Operational Requirement No. 1 requires the Applicant to ensure that the proposed facility and all its systems of collection, treatment, and disposal are properly operated and maintained at all times. Operational Requirement No. 4 makes the Applicant “responsible for installing, prior to plant start-up, and subsequently maintaining, adequate safeguards to prevent the discharge of untreated or inadequately treated wastes during electrical power failures by means of alternate power sources, standby generators, and/or retention of inadequately treated wastewater.” As required by Operational Requirement No. 8(b), “the plans and specifications for domestic sewage collection and treatment works associated with [this facility] must be approved by the Commission and failure to secure approval before commencing construction of such works or making a discharge is a violation of this permit and each day is an additional violation until approval has been secured.” Likewise, the proposed facility must be designed in accordance with 30 TAC

Chapter 217 (Design Criteria for Domestic Wastewater Systems). Permit Condition 2(g) prohibits unauthorized discharge of wastewater or any other waste.

COMMENT 8

The City comments that the draft permit is not protective of the existing uses of the stream.

RESPONSE 8

The Texas Surface Water Quality Standards (TSWQS) in 30 TAC Chapter 307 require that discharges not degrade the receiving waters and not result in situations that impair existing, attainable or designated uses, and that surface waters not be toxic to aquatic life, terrestrial wildlife, livestock, or domestic animals. The effluent limits in the draft permit are set to maintain and protect the existing instream uses.

In this case, the designated uses for San Gabriel/North Fork San Gabriel River Segment No. 1248 are primary contact recreation, public water supply, aquifer protection, and high aquatic life use. The aquifer protection use applies to the contributing, recharge, and transition zones of the Edwards Aquifer. Portions of the discharge route are within the transition zone. The Executive Director determined that these uses should be protected if the facility is operated and maintained as required by the proposed permit and regulations. Additionally, the treated effluent is required to be disinfected prior to discharge to protect human health.

In accordance with 30 Texas Administrative Code Section 307.5 and the TCEQ's *Procedures to Implement the Texas Surface Water Quality Standards*

(June 2010), for the Texas Surface Water Quality Standards, an antidegradation review of the receiving waters was performed.

A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected for Mankins Branch, which has been identified as having high aquatic life use. Existing uses will be maintained and protected.

The ED has made a preliminary determination that the draft permit, if issued, meets all statutory and regulatory requirements. The TCEQ also submitted the draft permit to the U.S. Environmental Protection Agency (EPA) Region 6 for review. The EPA reviewed the draft permit and did not have any objections to the issuance of the draft permit.

COMMENT 9

The City comments that the draft permit is not protective of public health and safety of nearby residents.

RESPONSE 9

The TCEQ has a legislative responsibility to protect water quality in the State of Texas and to authorize TPDES permits under Texas Water Code (TWC) Chapter 26, and 30 TAC Chapters 305, 307 and 309, including specific sections regarding wastewater treatment systems under 30 TAC Chapters 217 and 309. The proposed draft permit was developed in accordance with the Texas Surface Water Quality Standards to be protective of water quality, provided that the Applicant operates and maintains the proposed facility according to TCEQ rules and the proposed permit's requirements.

The ED has determined that the draft permit is protective of public health and safety within the authority the TCEQ has. This is evidenced in the implementation of applicable rules and laws, the development and enforcement of numerical and narrative limits and requirements in the permit, which also include the requirements for disinfection of effluent into water in the state.

If the facility is found to be out of compliance with the terms or conditions of the permit, the Applicant may be subject to enforcement. If anyone experiences any suspected incidents of noncompliance with the permit or TCEQ rules, they may report these to the TCEQ by calling the toll-free number, **1-888-777-3186**, or the TCEQ Region 11 Office in Austin at **512-339-2929**. Citizen complaints may also be filed on-line at <https://www.tceq.texas.gov/compliance/complaints>.

COMMENT 10

The City comments that the draft permit is not protective of aquatic and terrestrial life, or the livestock of nearby landowners.

RESPONSE 10

The Texas Surface Water Quality Standards, in specific Chapter 307.6, Item 4, requires that all water in the state must be maintained to preclude adverse toxic effects to aquatic life, terrestrial life, livestock, or domestic animals resulting from contact, consumption of aquatic organisms, consumption of water or any combination of the three. The Standards Implementation reviewed this application in accordance with the TSWQS and applied uses and permit limits to ensure compliance with this requirement.

COMMENT 11

The City comments that the draft permit is not protective of the habitats of endangered species.

RESPONSE 11

The Standards Implementation Team reviews the permits and identifies whether the discharge will affect endangered species within the discharge route. If an endangered species is identified, a memo is written to request further review from the Environmental Protection Agency and US Fish and Wildlife Service. The discharge flows to Mankins Branch, thence to the San Gabriel River in Segment 1248. Segment 1248 is not known to have any endangered species. Within the Brazos River Basin, which encompasses Williamson County, there is a basin wide species known as the Coffin Cave Mold Beetle that is listed, however this beetle is only affected by Municipal Separate Storm Sewer System (MS4) and general permits for stormwater; therefore the discharge in question is not likely to affect this species. Further, notice of the application was provided to TPWD and they did not offer any comments.

COMMENT 12

The City comments that the application fails to show the proposed discharge satisfied TCEQ's antidegradation policy.

RESPONSE 12

In accordance with 30 Texas Administrative Code Section 307.5 and the TCEQ's *Procedures to Implement the Texas Surface Water Quality Standards* (June 2010), for the Texas Surface Water Quality Standards, an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be

impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected Mankins Branch, which has been identified as having high aquatic life use. Existing uses will be maintained and protected.

Effluent limitations in the draft permit for the conventional effluent parameters (i.e. BOD₅, TSS, and minimum DO) are based on stream standards and waste load allocations for water quality-limited streams as established in the TSWQS and the State of Texas Water Quality Management Plan (WQMP).

COMMENT 13

The City states that the draft permit does not contain sufficient operational requirements to ensure water quality is protected. Specifically, the draft permit does not require a sufficiently licensed and experienced operator.

RESPONSE 13

The draft permit requires that the Permittee employ or contract with one or more licensed wastewater treatment facility operators or wastewater system operations companies holding a valid license or registration according to the requirements of 30 TAC Chapter 30, Occupational Licenses and Registrations, and in particular 30 TAC Chapter 30, Subchapter J, Wastewater Operators and Operations Companies.

The permit goes on to state that this Category C facility must be operated by a chief operator or an operator holding a Class C license or higher. The facility must be operated a minimum of five days per week by the licensed chief operator or an operator holding the required level of license or higher. The licensed chief operator or operator holding the required level of license or

higher must be available by telephone or pager seven days per week. Where shift operation of the wastewater treatment facility is necessary, each shift that does not have the on-site supervision of the licensed chief operator must be supervised by an operator in charge who is licensed not less than one level below the category for the facility.

TCEQ believes that individuals holding a Class C (or higher) license are capable of properly operating the facility that will meet the requirements of the permit.

CHANGES MADE TO THE DRAFT PERMIT IN RESPONSE TO COMMENT

No changes to the draft permit have been made in response to public comment.

Respectfully submitted,

Texas Commission on Environmental Quality

Toby Baker, Executive Director

Erin E. Chancellor, Director
Environmental Law Division

Charmaine Backens, Acting Deputy Director
Environmental Law Division



Aubrey Pawelka, Staff Attorney
Environmental Law Division
State Bar No. 24121770
P. O. Box 13087, MC 173
Austin, Texas 78711-3087
Phone: (512) 239 - 0622
Fax: (512) 239-0606
REPRESENTING THE EXECUTIVE
DIRECTOR OF THE TEXAS COMMISSION
ON ENVIRONMENTAL QUALITY

CERTIFICATE OF SERVICE

I certify that on August 30, 2022, the Executive Director's Response to Public Comment for Permit No. WQ0016008001 was filed with the Texas Commission on Environmental Quality's Office of the Chief Clerk.



Aubrey Pawelka, Staff Attorney
Environmental Law Division
State Bar No. 24121770
P. O. Box 13087, MC 173
Austin, Texas 78711-3087
Phone: (512) 239 - 0622
Fax: (512) 239-0606

Debbie Zachary

WQ
124974

From: PUBCOMMENT-OCC
Sent: Monday, October 10, 2022 10:44 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016008001
Attachments: 2022.10.07 Request for Contested Case Hearing - FINAL.pdf

H

From: katy@carltonlawaustin.com <katy@carltonlawaustin.com>
Sent: Friday, October 7, 2022 4:34 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016008001

REGULATED ENTY NAME INDIGO WATER RESOURCES RECOVERY FACILITY

RN NUMBER: RN111287538

PERMIT NUMBER: WQ0016008001

DOCKET NUMBER:

COUNTY: WILLIAMSON

PRINCIPAL NAME: R040062 LP

CN NUMBER: CN605905942

FROM

NAME: John J. Carlton

EMAIL: katy@carltonlawaustin.com

COMPANY: The Carlton Law Firm, P.L.L.C.

ADDRESS: 4301 WESTBANK DR Suite B-130
AUSTIN TX 78746-6568

PHONE: 5126140901

FAX: 5129002855

COMMENTS: I am counsel for Jonah Water Special Utility District and am writing on its behalf to request a contested case hearing on the proposed permit.

The Carlton Law Firm, P.L.L.C.

4301 Westbank Drive, Suite B-130
Austin, Texas 78746

Phone: (512) 614-0901
Facsimile: (512) 900-2855

John J. Carlton
john@carltonlawaustin.com

October 7, 2022

Via Electronic Submission: www14.tceq.texas.gov/epic/eComment/

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

Re: Jonah Water Special Utility District's Request for Contested Case Hearing on R040062 LP's Application for a proposed Texas Pollutant Discharge Elimination System Permit No. WQ0016008001 to Authorize a Domestic Wastewater Treatment Facility and the Discharge of Treated Domestic Wastewater in Williamson County, Texas ("Proposed Permit").

Dear Ms. Gharis:

On behalf of Jonah Water Special Utility District ("Jonah"), please accept this letter as Jonah's request for a contested case hearing on the Proposed Permit.

Jonah is a political subdivision of the State of Texas operating under Texas Water Code Chapter 65 and the holder of Certificates of Convenience and Necessity ("CCNs") for water and sewer, numbers 10970 and 21053, in Williamson County, Texas. Jonah provides service for approximately 9,000 customers and 30,000 people in its service area. The proposed facility is located within Jonah's certificated territory and will have a negative impact on the local community within Jonah. Jonah has an interest in maintaining its service areas and protecting its investments in its infrastructure, and the quality of water sources used to serve its customers, that may be adversely affected by the outcome of this Application. Finally, Jonah has not consented to R040062, LP's ("Applicant's") provision of sewer service within Jonah.

Jonah believes the Proposed Permit does not comply with TCEQ's regionalization policy and disputes that Applicant has demonstrated that obtaining wastewater service from Jonah would be cost prohibitive. The TCEQ has adopted a policy of regionalization as a means to safeguard water quality in the state. Texas Water Code ("TWC") § 26.081 provides that the Commission should "encourage and promote the development and use of regional and area-wide waste collection, treatment, and disposal systems to serve the waste disposal needs of the citizens of the state and to prevent pollution and maintain and enhance the quality of water in the state."¹ Similarly, TWC § 26.0282 allows the Commission, when considering the issuance of a wastewater permit, to deny a proposed permit based on consideration of need, including "the availability of existing or proposed areawide or

¹ TWC § 26.081.

regional waste collection, treatment, and disposal systems”² In its permit application, Applicant acknowledged that there are domestic permitted wastewater treatment facilities or collection systems located within a three-mile radius of the proposed facility. Applicant also falsely stated that the proposed service area is not located inside another utility’s CCN area.

The Proposed Permit is for a development located within Jonah’s CCN, and Applicant has already negotiated with Jonah to provide retail water service to its property. Applicant’s proposed facility is planned to service the development – a manufactured home community located on an approximately 64.3-acre tract of land immediately west and south of the proposed facility. On November 11, 2021, Jonah approved Resolution 1112021-02, authorizing a Non-Standard Service Agreement with R040062, LP.

Applicant’s permit application indicated that it intends to discharge its wastewater into a tributary to Mankins Branch, then ultimately to the San Gabriel/North Fork San Gabriel River. Jonah provides to its customers water obtained from both surface water and wells, including water from the San Gabriel River. Jonah is concerned about increases in algal growth and blooms, and other unsanitary or unsafe water quality conditions in these creek beds, tributaries, Mankins Branch, and the San Gabriel River.

Jonah is willing and able to provide wastewater service to Applicant for future residential customers within the proposed service area and pursuant to Jonah’s tariff. Nothing in the Application indicates that Applicant requested wastewater service from Jonah, nor that Jonah is unable or unwilling to provide such service. Jonah believes the Application is insufficient for that reason.

For the reasons listed above, Jonah requests a contested case hearing on the issuance of this permit.

Thank you for your attention to this matter. Please contact me at (512) 614-0901 or john@carltonlawaustin.com if you have any questions regarding this request for a contested case hearing.

Sincerely,

THE CARLTON LAW FIRM, P.L.L.C.



John J. Carlton
Attorney for Jonah Water Special Utility
District

² TWC § 26.0282.

Debbie Zachary

From: PUBCOMMENT-OCC
Sent: Monday, October 10, 2022 10:45 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016008001
Attachments: 2022.10.07 Request for Decision Reconsideration - FINAL.pdf

RFR

From: katy@carltonlawaustin.com <katy@carltonlawaustin.com>
Sent: Friday, October 7, 2022 4:25 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016008001

REGULATED ENTY NAME INDIGO WATER RESOURCES RECOVERY FACILITY

RN NUMBER: RN111287538

PERMIT NUMBER: WQ0016008001

DOCKET NUMBER:

COUNTY: WILLIAMSON

PRINCIPAL NAME: R040062 LP

CN NUMBER: CN605905942

FROM

NAME: John J. Carlton

EMAIL: katy@carltonlawaustin.com

COMPANY: The Carlton Law Firm, P.L.L.C.

ADDRESS: 4301 WESTBANK DR Suite B-130
AUSTIN TX 78746-6568

PHONE: 5126140901

FAX: 5129002855

COMMENTS: I am counsel for Jonah Water Special Utility District and am writing on its behalf to request reconsideration of the decision on this permit application.

The Carlton Law Firm, P.L.L.C.

4301 Westbank Drive, Suite B-130
Austin, Texas 78746

Phone: (512) 614-0901
Facsimile: (512) 900-2855

John J. Carlton
john@carltonlawaustin.com

October 7, 2022

Via Electronic Submission: www14.tceq.texas.gov/epic/eComment/

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

Re: Jonah Water Special Utility District's Request for Reconsideration of the Executive Director's Decision regarding R040062 LP's Application for a proposed Texas Pollutant Discharge Elimination System Permit No. WQ0016008001 to Authorize a Domestic Wastewater Treatment Facility and the Discharge of Treated Domestic Wastewater in Williamson County, Texas.

Dear Ms. Gharis:

On behalf of Jonah Water Special Utility District ("Jonah"), please accept this letter as Jonah's Request for Reconsideration ("Request") of the Executive Director's Decision ("Decision") finding that the above-referenced permit application ("Application") meets the requirements of applicable law.

The Decision must be reconsidered due to fatal flaws in the Application. The Texas Commission on Environmental Quality's ("TCEQ's") Domestic Wastewater Permit Application states that the information requested on the Application is required for *all* new applications. "Section 1. Justification for Permit" of the Application requires applicants to state if any portion of the proposed service area is located inside another utility's CCN area. If any portion of the proposed service area is located inside another utility's CCN area, an applicant must additionally attach a justification for the proposed facility and cost analysis to its application. In the Application, Applicant falsely stated that the proposed service area is not located inside another utility's CCN area, and further did not include the required justification or cost analysis.

Jonah does not consent to the provision of wastewater service by R040062 LP ("Applicant") within its CCN area. Jonah is willing and able to provide wastewater service to Applicant for future residential customers within the proposed service area and pursuant to Jonah's tariff. Nothing in the Application indicates that Applicant requested wastewater service from Jonah, nor that Jonah is unable or unwilling to provide such service.

Due to the foregoing deficiencies, the District hereby requests that the Executive Director grant Jonah's request for reconsideration.

Sincerely,

THE CARLTON LAW FIRM, P.L.L.C.



John J. Carlton
Attorney for Jonah Water Special Utility District

WQ
124974

Debbie Zachary

From: PUBCOMMENT-OCC
Sent: Monday, June 6, 2022 9:13 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016008001
Attachments: 2022.06.06 [FINAL] Public Comment2.pdf

From: kelsey@carltonlawaustin.com <kelsey@carltonlawaustin.com>
Sent: Monday, June 6, 2022 9:10 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016008001

REGULATED ENTY NAME INDIGO WATER RESOURCES RECOVERY FACILITY

RN NUMBER: RN111287538

PERMIT NUMBER: WQ0016008001

DOCKET NUMBER:

COUNTY: WILLIAMSON

PRINCIPAL NAME: R040062 LP

CN NUMBER: CN605905942

FROM

NAME: John J. Carlton

EMAIL: kelsey@carltonlawaustin.com

COMPANY: The Carlton Law Firm, P.L.L.C.

ADDRESS: 4301 WESTBANK DR Suite B-130
AUSTIN TX 78746-6568

PHONE: 5126140901

FAX: 5129002855

COMMENTS: I am general counsel for Jonah Water Special Utility District (Jonah) and am writing on their behalf to protest the issuance of the permit referenced above.

The Carlton Law Firm, P.L.L.C.

4301 Westbank Drive, Suite B-130
Austin, Texas 78746

Phone: (512) 614-0901
Facsimile: (512) 900-2855

John J. Carlton
john@carltonlawaustin.com

June 6, 2022

VIA e-file to: www14.tceq.texas.gov/epic/eComment/

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

Re: Jonah Water Special Utility District's Comments on R040062 LP's Application for a proposed Texas Pollutant Discharge Elimination System Permit No. WQ0016008001 to Authorize a Domestic Wastewater Treatment Facility and the Discharge of Treated Domestic Wastewater in Williamson County, Texas.

Dear Ms. Gharis:

On behalf of Jonah Water Special Utility District ("Jonah"), please accept this letter as Jonah's comments in opposition to the above-referenced permit application submitted by R040062, LP. Jonah further requests to be placed on the permanent mailing list to receive all future public notices on this application.

Jonah is a political subdivision of the State of Texas operating under Texas Water Code Chapter 65 and the holder of Certificates of Convenience and Necessity (CCNs) for water and sewer, numbers 10970 and 21053, in Williamson County, Texas. Jonah provides both water and sewer service for approximately 9,000 customers and 30,000 people in its service area. The proposed facility is located within Jonah's certificated territory and will have a negative impact on the local community within Jonah's CCN. Jonah has an interest in maintaining its CCN areas and protecting its investments in its infrastructure, and the quality of water sources used to serve its customers, that may be adversely affected by the outcome of this Application. Finally, Jonah has not consented to R040062, LP's ("Applicant's") provision of sewer service within Jonah's CCN area.

Jonah believes the proposed facility does not comply with TCEQ's regionalization policy and disputes that Applicant has demonstrated that obtaining wastewater service from Jonah would be cost prohibitive. The TCEQ has adopted a policy of regionalization as a means to safeguard water quality in the state. Texas Water Code ("TWC") § 26.081 provides that the Commission should "encourage and promote the development and use of regional and area-wide waste collection, treatment, and disposal systems to serve the waste disposal needs of the citizens of the state and to prevent pollution and maintain and enhance the quality of water in the state."¹ Similarly, TWC § 26.0282 allows the Commission, when considering the issuance of a wastewater permit, to deny a proposed permit based on consideration of need, including "the availability of

¹ TWC § 26.081.

existing or proposed areawide or regional waste collection, treatment, and disposal systems”²
In its permit application, Applicant acknowledged that there are domestic permitted wastewater treatment facilities or collection systems located within a three-mile radius of the proposed facility. Applicant also falsely stated that the proposed service area is not located inside another utility’s CCN area.

Applicant’s permit application is for a development located within Jonah’s CCN, that Applicant has already negotiated with Jonah to provide water service for. Applicant’s proposed facility is planned to service the development – a manufactured home community located on an approximately 64.3-acre tract of land immediately west and south of the proposed facility. On November 11, 2021, Jonah approved Resolution 1112021-02, authorizing a Non-Standard Service Agreement with R040062, LP.

Applicant’s permit application indicated that it intends to discharge its wastewater into a tributary to Mankins Branch, then ultimately to the San Gabriel/North Fork San Gabriel River. Jonah provides to its customers water obtained from both surface water and wells, including water from the San Gabriel River. Jonah is concerned about increases in algal growth and blooms, and other unsanitary or unsafe water quality conditions in these creek beds, tributaries, Mankins Branch, and the San Gabriel River.

Jonah is willing and able to provide wastewater service to Applicant for future residential customers within the proposed service area and pursuant to Jonah’s tariff. Nothing in the Application indicates that Applicant requested wastewater service from Jonah, nor that Jonah is unable or unwilling to provide such service. Jonah believes the Application is insufficient for that reason.

Thank you for your attention to this matter. Please contact me at (512) 614-0901 or john@carltonlawaustin.com if you have any questions regarding these comments.

Sincerely,

THE CARLTON LAW FIRM, P.L.L.C.



John J. Carlton
Attorney for Jonah Water Special Utility District

² TWC § 26.0282.

Debbie Zachary

From: PUBCOMMENT-OCC
Sent: Friday, October 7, 2022 11:42 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016008001
Attachments: Part 1 - 2022.10.07 City of Georgetown's Request for Contested Case Hearing.pdf

H
RFR

From: hcampbell@spencerfane.com <hcampbell@spencerfane.com>
Sent: Friday, October 7, 2022 10:52 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016008001

REGULATED ENTY NAME INDIGO WATER RESOURCES RECOVERY FACILITY

RN NUMBER: RN111287538

PERMIT NUMBER: WQ0016008001

DOCKET NUMBER:

COUNTY: WILLIAMSON

PRINCIPAL NAME: R040062 LP

CN NUMBER: CN605905942

FROM

NAME: MR William A Faulk, III

EMAIL: hcampbell@spencerfane.com

COMPANY: Spencer Fane LLP

ADDRESS: 9442 N CAPITAL OF TEXAS HWY Plaza I - Suite 500
AUSTIN TX 78759-7262

PHONE: 5128404557

FAX:

COMMENTS: Part 1 of 4: The City of Georgetown, Texas' Request for Contested Case Hearing

October 7, 2022

Via e-File to: www.tceq.texas.gov/agency/decisions/cc/comments.html

Ms. Laurie Gharis, Chief Clerk (MC 105)
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

Re: The City of Georgetown, Texas' Request for Contested Case Hearing

Applicant Name: R040062 LP (CN605905942)
Regulated Entity Name: Indigo Water Resources Recovery Facility (RN111287538)
Application: TPDES Permit No. WQ0016008001
Location: Williamson County, Texas
EPA I.D.: TX0141437

Dear Ms. Gharis:

On behalf of the City of Georgetown (the "**City**"), please accept this request ("**Request**") for a contested case hearing and/or reconsideration of the Executive Director's decision regarding the application by R040062, LP (the "**Applicant**") for proposed new Texas Pollutant Discharge Elimination System ("**TPDES**") Permit No. WQ0016008001, to authorize a domestic wastewater treatment facility in Williamson County, Texas (the "**Application**"). The City's contact persons for this matter are below:

Cody Faulk, Partner
Carlota Hopinks-Baul, Attorney
Maris Chambers, Attorney
Spencer Fane LLP
9442 North Capital of Texas Highway
Plaza I Suite 500
Austin, TX 78759
(512) 840-4555
cfaulk@spencerfane.com
chbaul@spencerfane.com
mchambers@spencerfane.com

Patricia Erlinger Carls
Law Offices of Patricia Erlinger Carls
3100 Glenview Avenue
Austin, Texas 78703
(512) 567-0125
tcarsls@tcarslaw.com

I. INTRODUCTION

A. Description of the Proposed Package Plant

If approved, draft TPDES Permit No. WQ0016008001 (the “**Draft Permit**”) would authorize the discharge of effluent from a pre-fabricated domestic wastewater treatment facility (the “**Proposed Package Plant**”) at a daily average flow not to exceed 0.075 million gallons per day (“**MGD**”) in the Interim Phase and a daily average flow not to exceed 0.2 MGD in the Final Phase. The Proposed Package Plant would be located within the City’s extraterritorial jurisdiction (“**ETJ**”), off the west end of Madison Drive, approximately 1,500 feet northwest of the intersection of County Road 105 and Jacobs Way, in Williamson County, Texas 78626. If the Draft Permit is issued, the Proposed Package Plant will be a decentralized activated sludge process plant operated in the extended aeration mode.

The proposed discharge route for the effluent is to an unnamed tributary of Mankins Branch, thence to Mankins Branch, thence to the San Gabriel/North Fork San Gabriel River in Segment No. 1248 of the Brazos River Basin. The presumed aquatic life uses are limited aquatic life use for the unnamed tributary and Mankins Branch, and high aquatic life use for Mankins Branch. Other existing uses of the unnamed tributary of Mankins Branch and Mankins Branch itself are primary contact recreation and agricultural uses, including livestock watering and irrigation, as well as terrestrial wildlife uses. The designated uses for Segment No. 1248 are primary contact recreation, public water supply, aquifer protection, and high aquatic life use. The aquifer protection use applies to the contributing, recharge, and transition zones of the Edwards Aquifer, and portions of the discharge route are within the transition zone. Mankins Branch, identified as Classified Segment No. 1248C, is currently listed on the 2022 Texas Integrated Report—Texas 303(d) List (Category 5) of impaired and threatened waters (the “**303(d) List**”) for bacteria in the water.

B. Procedural History

The Application was received by the Texas Commission on Environmental Quality (the “**TCEQ**”) on June 11, 2021, and the Executive Director (“**ED**”) declared it administratively complete on August 24, 2021. The Notice of Application and Preliminary Decision—that the ED had completed technical review of the Application and prepared the Draft Permit—was issued on May 5, 2022, and published on May 18, 2022. The public comment period on the Application and Draft Permit ended on June 20, 2022, on which date the City filed timely public comments, none of which have been withdrawn. The ED filed its Response to Public Comments (“**RTC**”) on August 30, 2022. In the RTC, the ED identifies a total of 13 public comments, recommending that no changes to the Draft Permit be made in response thereto. Notice of the ED’s final decision that the Application meets the requirements of applicable law was provided via letter dated September 7, 2022, which indicated that the deadline for submitting a request for a contested case hearing and/or reconsideration of the ED’s decision on the Application and Draft Permit is October 7, 2022. Therefore, this Request is timely filed.

II. REQUEST FOR A CONTESTED CASE HEARING

Given the significant City interests affected by the Application and Draft Permit, the City hereby respectfully requests a contested case hearing based on the relevant and material disputed issues raised herein, all of which were originally raised by the City during the public comment period, which have not been withdrawn. In support thereof, the City's June 20, 2022 comment letter, addressing 10 primary issues of concern and several sub-issues, is attached hereto as **EXHIBIT 1** and incorporated into this Request in full by this reference (the "**City Comment Letter**").¹

In brief, the City is requesting a contested case hearing based on its Legislatively-mandated interest in promoting and protecting the general health, safety, and welfare of persons residing inside its city limits and ETJ from the deleterious effects of a new source of potential contamination: the Proposed Package Plant. Among other things, that unique and justiciable interest is affected by the Application and Draft Permit because the Proposed Package Plant, outfall, and service area are all within the City's ETJ—though very proximate to the City's corporate limits—and the proposed discharge route is within both the City's ETJ and city limits. Under such circumstances, the TCEQ's rules in 30 Texas Administrative Code ("**TAC**") § 55.203(b) expressly deem local governmental entities in the City's position to be "affected persons" with standing to request a contested case hearing on the Application at issue.

A. Legal Standards and Requirements for Hearing Requests

In order to be granted, a contested case hearing request must: (1) comply with the applicable form and filing requirements set forth in the Texas Water Code ("**TWC**") and TAC; and (2) be filed by an affected person. Specifically, a contested case hearing request must satisfy the conditions prescribed by TCEQ rules set forth in Title 30 TAC, Chapter 55,² and the TCEQ "may not grant a request for a contested case hearing unless [it] determines that the request was filed by an affected person as defined by Section 5.115" of the TWC.³

1. This Request fully satisfies the form and filing requirements for hearing requests.

The TCEQ's procedural requirements for contested case hearing requests are set forth in 30 TAC § 55.201. Pursuant to that rule, a contested case hearing request must be: (1) submitted in writing; (2) timely filed "no later than 30 days after the chief clerk mails (or otherwise transmits) the [ED]'s decision and [RTC];" and (3) based on an issue or issues raised in the requestor's own timely filed, and not later withdrawn, public comments. A procedurally sufficient hearing request must also do the following:

¹ Letter dated June 20, 2022 from Patricia Erlinger Carls, William ("Cody") Faulk, and Carlotta Hopinks-Baul on behalf of the City of Georgetown to TCEQ Chief Clerk [hereinafter *City Comment Letter*].

² 30 TAC §§ 55.101, .201.

³ TWC § 5.556.

- (1) give the name, address, daytime telephone number, and, where possible, fax number of the person who files the request;
- (2) identify the person's personal justiciable interest affected by the application, including a brief, but specific, written statement explaining in plain language the requestor's location and distance relative to the proposed facility or activity that is the subject of the application, and how and why the requestor believes he or she will be adversely affected by the proposed facility or activity in a manner not common to members of the general public;
- (3) request a contested case hearing;
- (4) list all relevant and material disputed issues of fact that were raised by the requestor during the public comment period and that are the basis of the hearing request, specifying, to the extent possible, any of the ED's responses to the requestor's comments that the requestor disputes, the factual basis of the dispute, and any disputed issues of law; and
- (5) provide any other information specified in the public notice of application.⁴

As demonstrated in Section I.B, above, this request is timely filed. Further, this Request is based on the City's timely-filed and not later withdrawn City Comment Letter. The required contact information for the City is provided on the first page of this Request. The introduction to this Section II, identifies the City's personal justiciable interest affected by the Application, and specifically explains, both the City's proximity to the Proposed Package Plant and discharge route, and how and why the City will be adversely affected by the Proposed Package Plant in a manner not common to members of the general public. An explicit request for a contested case hearing is contained, among other places, in the introductory paragraph of this Section II. Finally, Section III, below, lists the relevant and material disputed issues of fact raised by the City during the public comment period and specifies those of the ED's responses to public comment that the City disputes. Thus, the City has satisfied all of the procedural requirements for a contested case hearing request.

2. The City is an "affected person" with unique justiciable interests in and authority over matters affected by the Application and Draft Permit.

For the purpose of an administrative hearing involving a contested matter, TWC § 5.115 defines an "affected person" as one "who has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by the administrative hearing."⁵ Section 5.115 further clarifies that "[a]n interest common to members of the general public does not qualify

⁴ 30 TAC § 55.201.

⁵ TWC § 5.115; *accord* 30 TAC § 55.203.

as a personal justiciable interest.”⁶ Further, as directed by the TWC, TCEQ has adopted rules specifying factors to be considered in determining whether a person is an affected person entitled to standing in a contested case hearing.⁷ Specifically, in determining who is an “affected person,” the relevant TCEQ rule provides as follows:

RULE § 55.203 Determination of Affected Person

- (a) For any application, an affected person is one who has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by the application. An interest common to members of the general public does not qualify as a personal justiciable interest.
- (b) Except as provided by § 55.103 of this title (relating to Definitions)⁸, governmental entities, including local governments and public agencies, with authority under state law over issues raised by the application may be considered affected persons.
- (c) *In determining whether a person is an affected person, all factors shall be considered, including, but not limited to, the following:*
 - (1) *whether the interest claimed is one protected by the law under which the application will be considered;*
 - (2) *distance restrictions or other limitations imposed by law on the affected interest;*
 - (3) *whether a reasonable relationship exists between the interest claimed and the activity regulated;*
 - (4) *likely impact of the regulated activity on the health and safety of the person, and on the use of property of the person;*
 - (5) *likely impact of the regulated activity on use of the impacted natural resource by the person;*
 - (6) *for a hearing request on an application filed on or after September 1, 2015, whether the requestor timely submitted comments on the application that were not withdrawn; and*
 - (7) *for governmental entities, their statutory authority over or interest in the issues relevant to the application.*
- (d) *In determining whether a person is an affected person for the purpose of granting a hearing request for an application filed on or after September 1, 2015, the commission may also consider the following:*
 - (1) *the merits of the underlying application and supporting documentation in the commission's administrative record, including whether the application meets the requirements for permit issuance;*
 - (2) *the analysis and opinions of the executive director; and*
 - (3) *any other expert reports, affidavits, opinions, or data submitted by the executive director, the applicant, or hearing requestor.*
- (e) *In determining whether a person is an affected person for the purpose of granting a hearing request for an application filed before September 1, 2015, the commission may also consider the factors in subsection (d) of this section to the extent consistent with case law.*⁹

As discussed in more detail below, the City not only has interests related to legal rights, duties, privileges, powers, or economic interests affected by the Application that are not common to the general public, as required under 30 TAC § 55.203(a), but also has “statutory authority over”

⁶ *Id.*

⁷ TWC § 5.115; 30 TAC § 55.203.

⁸ Barring participation by non-river authority state agencies in contested case hearings unless the state agency is the applicant. See 30 TAC § 55.103.

⁹ 30 TAC § 55.203 (emphasis added).

and “interest in” the issues relevant to the Application within the meaning of 30 TAC §§ 55.203(b) and (c)(7). In addition, this Request (and the City Comment Letter) provide information relevant to the “affected person” considerations enumerated in 30 TAC § 55.203(d). Simply put, as a governmental entity providing wastewater treatment services to areas both inside and outside of its corporate limits, and because wastewater from the Proposed Package Plant will be discharged into waterways within the City’s corporate limits and ETJ, the City has a unique interest in the effects the Proposed Package Plant will have on the environment and on public health, safety, and welfare within its jurisdiction. Therefore, considering the factors enumerated above, and as addressed in more detail below, the City is an “affected person” entitled to a contested case hearing on the issues raised in its timely-filed City Comment Letter and reiterated herein.

- a. **As a home-rule municipality operating its own regional wastewater treatment and collection system, the City’s Legislatively-mandated interest in and statutory authority over the general health, safety, and welfare of persons residing within its corporate limits and ETJ is affected by the Application and Draft Permit.**

According to the Application, the Proposed Package Plant, an activated sludge process plant operated in the extended aeration mode, would service 600 manufactured homes, each having an estimated three persons per unit, located on approximately 64.345 acres of land (the “**Proposed Service Area.**”) The Proposed Package Plant, proposed outfall, and Proposed Service Area are all within the City’s ETJ, only approximately 1,850 feet from the closest City limit line. The proposed discharge route flows not only through the City’s ETJ, but also within its city limits.

The City is a home-rule municipality, having the full powers of self-governance, and is authorized to exercise all authority incident to local self-government.¹⁰ In addition to having the powers granted to it as a home-rule city via the Texas Constitution, the Legislature has also expressly granted home-rule cities regulatory authority within the ETJ over issues raised by or relevant to the Application. The Legislature created municipal ETJ areas for all cities in order “to promote and protect the general health, safety, and welfare of persons residing in and adjacent to the municipalities.”¹¹ Thus, the City has a Legislatively-mandated interest in promoting and

¹⁰ See Tex. Const. art. XI, § 5; Tex. Loc. Gov’t Code § 51.072(a) and (b) (“(a) The [home-rule] municipality has full power of local self-government. (b) The grant of powers to the municipality by this code does not prevent, by implication or otherwise, the municipality from exercising the authority incident to local self-government.”); *Lower Colo. Riv. Auth. v. City of San Marcos*, 523 S.W.2d 641, 643 (Tex. 1975), *Quick v. City of Austin*, 7 S.W.3d 109, 122 (Tex. 1999), *Dallas Merch. & Concessionaires Ass’n v. City of Dallas*, 852 S.W.2d 489, 490-91 (Tex. 1993) (Home-rule cities do not depend on the Legislature for specific grants of authority but, instead, have a constitutional right of self-government and, look to the Legislature only for specific limitations on their power). See also, *In re Sanchez*, 81 S.W.3d 794, 796 (Tex. 2002); *Proctor v. Andrews*, 972 S.W.2d 729, 733 (Tex. 1998) (For the Legislature to divest home-rule cities of their Constitutional authority, the Legislature’s intent to do so must be expressed with “unmistakable clarity.”)

¹¹ Tex. Loc. Gov’t Code § 42.001 (“PURPOSE OF EXTRATERRITORIAL JURISDICTION. The legislature declares it the policy of the state to designate certain areas as the extraterritorial jurisdiction of municipalities to promote and protect the general health, safety, and welfare of persons residing in and adjacent to the municipalities.”).

protecting the general health, safety, and welfare of persons residing inside its city limits and ETJ. In the context of the Application, the City's interests are to promote and protect the general health, safety, and welfare of persons residing both in the ETJ and inside the city limits from the potentially harmful effects of an unnecessary package plant.

The Legislature has also granted cities statutory authority over or interest in issues relative to the Application via specific statutes, including, among others, the following:

- TWC Ch. 26, Subchapter E (relating to disposal system rules and water pollution control duties of cities);¹²
- TWC Ch. 7, Subchapter H (relating to water quality enforcement);¹³
- Tex. Health and Safety Code § 121.003(a) ("The governing body of a municipality . . . may enforce any law that is reasonably necessary to protect the public health.");
- Tex. Loc. Gov't Code § 551.002 ("A home-rule municipality may prohibit the pollution or degradation of and may police a stream, drain, recharge feature, recharge area, or tributary that may constitute or recharge the source of water supply of any municipality" and "may provide for the protection of and may police any watersheds . . . inside the municipality's boundaries or inside the municipality's [ETJ].");
- Tex. Loc. Gov't Code § 212.003(a) (relating to the ability of a municipality to adopt rules governing plats and subdivisions of land within its corporate boundaries and ETJ, including rules related to the provision of water and sewer service to platted areas, in order to promote the healthful development of the city and public health, safety, and general welfare);¹⁴
- Tex. Loc. Gov't Code § 217.042 (A home-rule municipality, like the City, "may define and prohibit any nuisance within the limits of the municipality and within 5,000 feet outside the limits" and "enforce all ordinances necessary to prevent and summarily abate and remove a nuisance.");

¹² See e.g., TWC § 26.177 ("A city may establish a water pollution control and abatement program for the city," which "shall encompass the entire city and . . . may include areas within its [ETJ] which in the judgment of the city should be included to enable the city to achieve the objectives of the city for the area within its territorial jurisdiction. The city shall include in the program the services and functions which, in the judgment of the city . . . will provide effective water pollution control and abatement for the city.").

¹³ The enforcement authority and rights granted to cities via TWC § 7.351(a) are different from those of the general public, and having been granted special statutory enforcement rights over water quality matters, the City has authority under state law over issues raised by the Application and Draft Permit. TWC § 7.351(a) authorizes local governments to bring an action against a person for a violation or threatened violation of Chapter 26 of the TWC occurring in the jurisdiction of that local government in the same manner as the TCEQ may do so—that is, for injunctive relief, a civil penalty, or both.

¹⁴ Accord Tex. Loc. Gov't Code § 214.013 ("A municipality may . . . require property owners to connect to [its] sewer system.").

- Tex. Loc. Gov't Code § 552.001 (“A municipality may [(1)]purchase, construct, or operate a utility system,” including a sewer system, “inside or outside the municipal boundaries;” (2) “regulate the system in a manner that protects the interests of the municipality;” (3) “extend the lines of its utility systems outside the municipal boundaries;” (4) “sell water [or] sewer . . . service to any person outside its boundaries;” (5) “prescribe the kind of water . . . mains [and] sewer pipes . . . that may be used inside or outside the municipality;” and (6) “inspect those facilities and appliances, require that they be kept in good condition at all times, and prescribe the necessary rules, which may include penalties, concerning them.”);
- Tex. Loc. Gov't Code Ch. 552, Subchapter C (relating to municipal drainage systems); and
- Tex. Loc. Gov't Code § 552.002(b) (“A home-rule municipality may buy, own, construct inside or outside the municipal limits, and maintain and operate a . . . sewage plant.”).

In addition to the statutory interests enumerated above, regionalization and need in wastewater permitting cases are issues on which cities that operate wastewater collection and treatment systems, like the City, are uniquely poised to offer evidence. This is recognized by TWC § 26.003, which states that:

“It is the policy of this state and the purpose of this subchapter to . . . encourage and promote the development and use of regional and areawide waste collection, treatment, and disposal systems to serve the waste disposal needs of the citizens of this state; and to require the use of all reasonable methods to implement this policy.”

This guiding principle of regionalization and need is enshrined in the introductory provisions of Chapter 26, listed second only to the recognition of private ownership rights of groundwater. Two other pieces of legislation were adopted to underscore this policy—TWC §§ 26.081¹⁵ and 26.0282¹⁶—both relating to the TCEQ’s consideration of the regionalization policy, need, and the availability of existing or proposed areawide or regional wastewater collection, treatment, and disposal systems in the issuance of TPDES permits.

The state regionalization policy articulated three times in the TWC is entirely consistent with the Legislature’s creation of ETJs via the Texas Local Government Code. The issues of

¹⁵ TWC § 26.081(a) (“The legislature finds and declares that it is necessary to the health, safety, and welfare of the people of this state to implement the state policy to encourage and promote the development and use of regional and area-wide waste collection, treatment, and disposal systems to serve the waste disposal needs of the citizens of the state and to prevent pollution and maintain and enhance the quality of the water in the state.”).

¹⁶ TWC § 26.0282 (“In considering the issuance, amendment, or renewal of a permit to discharge waste, the commission may deny or alter the terms and conditions of the proposed permit, amendment, or renewal based on consideration of need, including the expected volume and quality of the influent and the availability of existing or proposed areawide or regional waste collection, treatment, and disposal systems not designated as such by commission order pursuant to provisions of this subchapter. This section is expressly directed to the control and treatment of conventional pollutants normally found in domestic wastewater.”).

wastewater treatment regionalization and need cannot be evaluated or implemented without the ability to look “regionally” and “areawide”—i.e., beyond a city’s corporate boundaries. The Legislature has adopted statutes that underscore a city’s status as an affected person in cases such as the one at hand by creating ETJs; acknowledging cities’ interest in the environment, and issues affecting the health, safety, and welfare in those areas; granting cities authority over issues such as those raised in wastewater permitting applications; and adopting policies relating to regionalization and need in wastewater permitting cases. As recognized by 30 TAC §§ 55.203(b) and 55.203(c)(7)—which establish “affected person” status for governmental entities that have authority under state law over issues raised in an application—this statutory framework means that it is entirely consistent with state law to allow a city’s participation in wastewater permitting cases such as this, in which the proposed facility, outfall, and discharge route are all within such city’s corporate boundaries and/or ETJ.

Further, decentralized, pre-manufactured treatment facilities, like the Proposed Package Plant, are designed to serve areas that could not be easily connected to an existing sewage treatment plant, which is not the case here. On the contrary, the City owns and operates—again, under legislative mandate—an extensive wastewater treatment and collection system that eliminates the need for package plants such as one described in the Application. The City owns and operates five existing wastewater treatment plants and has a permit for a sixth to be constructed in the near future.¹⁷ The City employs approximately 15 licensed wastewater treatment plant operators and 38 licensed wastewater collection system operators. The City currently provides wastewater service to approximately 35,891 customers. One of the City’s wastewater treatment plants, the Dove Springs Wastewater Treatment Facility (“WWTF”), is located within three miles of the Proposed Package Plant (*see* **EXHIBIT 1** (City Comment Letter, **Attachment 1**)). Moreover, the Dove Springs WWTF is interconnected with the two largest City owned wastewater treatment plants, the Pecan Branch WWTF and the San Gabriel WWTF. Collectively, just these three City owned wastewater treatment facilities can treat up to 8.0 MGD of wastewater, giving the City capacity to meet the service needs of approximately 80,000 people (at 100 gallons per day (“GPD”) per person). The City’s two other wastewater treatment facilities—the Cimarron Hills WWTF and the Berry Creek WWTF—can treat up to 0.2 MGD and 0.3 MGD, respectively, providing the capacity for the City to serve approximately 5,000 more people (at 100 GPD/person). All in all, the City’s five existing wastewater treatment facilities have the capacity to provide service to about 85,000 customers. Based on information from the US Census Bureau, the City population as of the April 1, 2020 census was 67,176.¹⁸ So, the City clearly has more than enough capacity to provide wastewater treatment service to customers within its city limits and ETJ, including those within the Proposed Service Area.

¹⁷ The City owns and operates the following wastewater treatment facilities: (1) the Cimarron Hills WWTF (TPDES Permit No. WQ0014232001); (2) the San Gabriel WWTF (TPDES Permit No. WQ0010489002); (3) the Dove Springs Plant (TPDES Permit No. WQ0010489003); (4) the Pecan Branch WWTF (TPDES Permit No. WQ0010489005); and (5) the Berry Creek WWTF (TPDES Permit No. WQ0010489006). In addition, the City holds TPDES Permit No. WQ0010489007 for the Northlands WWTF, which is not yet under construction. The City also owns a site in the subject drainage basin on which a seventh WWTF is planned.

¹⁸ U.S. Census Bureau, *Quick Facts, Georgetown [C]ity, Texas*, <https://www.census.gov/quickfacts/fact/table/georgetowncitytexas/PST045221>.

In addition to its treatment facilities, the City has existing wastewater collection systems located within three miles of the Proposed Service Area. The City also has additional collection system infrastructure under construction that would be even closer to the Proposed Service Area. The existing collection system is located approximately 0.75 mile from the western boundary of the Proposed Service Area, and a lift station and associated wastewater collection system is currently under construction at a subdivision located less than 1,000 feet from the western boundary of the Proposed Service Area (see **EXHIBIT 1** (City Comment Letter, **Attachment 1**)).

In summary, the City is an “affected person,” with significant interests in issues relevant to the Application, because the Proposed Package Plant, Proposed Service Area, and proposed outfall would all be located within the City’s ETJ, and the planned discharge route flows through both the City’s corporate limits and its ETJ. That proximity directly affects the people and environment the City has a Legislative mandate to protect. Moreover, because the City owns and operates an extensive wastewater treatment and collection system that can serve the Proposed Service Area, there is absolutely no need for the Proposed Package Plant and the associated risk of water quality degradation, nuisance odors, and other threats to public and environmental health that are typical of such plants. Therefore, the City should be granted a contested case hearing so that it may represent and protect its interests in and uphold its statutory duties related to regionalization and need, environmental protection, and public health, safety and welfare.

III. THE CITY’S DISPUTED ISSUES

While the City does not dispute RTC No. 1, RTC No. 3, and RTC No. 5, it does dispute the ten other RTCs provided by the ED. The City further disputes that the ED provided responses to all of the public comments submitted in its June 20, 2022 City Comment Letter. As such, the City hereby reiterates its request for a contested case hearing and/or reconsideration of the ED’s decision on the relevant and material disputed issues raised in the City Comment Letter and identified below.

A. RTC No. 2 (City Comment B)—Flooding, Floodplain, and Wetland Issues

While not identifying the City as providing such comment, the ED’s RTC No. 2 appears intended to respond to Comment B from the City regarding the TCEQ’s wastewater treatment facility location standards pertaining to 100-year floodplains and wetlands.¹⁹ The City disputes the ED’s RTC No.2.

The City’s Comment B addressed two TCEQ facility siting rules—30 TAC §§ 309.13(a) and (b). Section 309.13(a) states that a wastewater treatment plant cannot be located in the 100-year floodplain unless the plant unit is protected from inundation and damage that may occur during such a flood event. Section 309.13(b) states that a wastewater treatment plant may not be located in wetlands.

¹⁹ City Comment Letter at 9–10.

With regard to the 100-year floodplain issue, the City commented that the FEMA Map cited by the Application to support its contention that the Proposed Package Plant would not be in the 100-year floodplain was not reliable if the study from which that map was produced did not include the subject area.²⁰ The ED responded by stating that it does not really matter whether the Proposed Package Plant site is in the 100-year floodplain because if it is, the TCEQ's construction plan review team will require compliance with the TCEQ's design criteria for facilities in the 100-year floodplain during the construction plan approval stage—a stage that occurs outside of public scrutiny, and after permit issuance. But the point of the City's comment is that no such review will occur if, in reliance on a FEMA Map that does not include the site of the Proposed Package Plant in its study area, the Application on which the permit would be based states that the Proposed Package Plant will not be in the 100-year floodplain. As such, the City disputes the ED's RTC No. 2 as it relates to the 100-year floodplain. The ED should have responded by remanding the Application to its staff or the Applicant to determine whether the FEMA Map cited in the Application included the site of the Proposed Package Plant in its study area. If it did not, the map cannot be relied upon to determine whether the Proposed Package Plant would be in the 100-year floodplain and a more detailed floodplain analysis should be required. Without reliable floodplain information, the Application is not complete.

The City also commented that the Proposed Package Plant is near a wetland identified as such on the U.S. Fish & Wildlife Service National Wetlands Inventory.²¹ The ED did not respond to this comment. The RTC is totally silent as to wetlands.

The ED's RTC No. 2 also purports to address a comment from Shawn and Ena Bichsel regarding concerns about the proposed discharge of effluent onto and flooding of their property. Shawn and Ena Bichsel's property is shown on the Affected Landowner Map as Tract 21.²² The Bichsels commented that their property is located along the proposed discharge route, approximately 600 feet from the proposed outfall. Theirs is the first tract that would receive the effluent. The Bichsels explain that the proposed discharge route, as it exists on their property, is less than 3 feet wide and usually dry, only becoming wet after the point at which it receives wet weather flow from a different tributary that enters their property from the west. They also explain that the western portion of their land already floods during wet weather because of the flow from the western tributary and the effect of their northern neighbor's dam. They are concerned that their land will flood more often when the portion of the proposed discharge route on their property that is usually dry carries effluent year-round. The ED responds by stating that it has no jurisdiction over flooding in the context of a wastewater discharge permit, thereby overlooking critical aspects of the comment. The Bichsel's comment that the first part of the discharge route is over dry land that does not carry water even during wet weather periods is confirmed by the photos in the Application showing a solid area of vegetation unbroken by any indication of a bed or banks.²³ The ED should have responded to this comment by investigating whether the entirety

²⁰ City Comment Letter at 9–10.

²¹ City Comment Letter at 10.

²² Application, Attachment C, Affected Landowner Information, Technical Report 1.1, Section 1.

²³ Application, Attachment D, Original Photographs, Administrative Report 1.1, Section 2.1.

of the proposed discharge route is to a state owned watercourse or to private land to which the Applicant has no right to discharge without an easement or other deed-recorded right. And, if the proposed discharge is over dry land, the ED should also have evaluated the quantitative and qualitative standards applicable to such an area, including whether a Texas Land Application Permit, not a TPDES permit, is required.

In summary, the City disputes the ED's RTC No. 2 as it relates to facility siting requirements and design criteria pertaining to 100-year floodplains and wetlands, and requests that the issue of whether the Application is complete and accurate with regard to facility siting criteria and evaluation of same, and whether the Draft Permit contains terms and conditions to ensure the Proposed Package Plant will comply with the TCEQ's rules and regulations pertaining to facility siting, be referred to the State Office of Administrative Hearings ("SOAH"). In addition, the City disputes the ED's RTC No.2 as it relates to whether the proposed discharge route, as it exists on the Bichsels' land, is a watercourse, and even if so, whether the Draft Permit is adequately protective of water quality, livestock, terrestrial and aquatic wildlife, existing and known "future"²⁴ uses. At a minimum, the ED was required to review "the characteristics of the affected water body" and "determine which aquatic life uses are appropriate." 30 TAC § 307.4(l). Nothing in the ED's statement of basis for the Draft Permit or its memoranda for the Application review process evidences that the ED analyzed the *actual* characteristics of the affected water body and determined the appropriate aquatic life uses for the same.

B. RTC No. 4 (City Comment C)—Regionalization

The City disputes the ED's RTC No. 4 as it: (1) does not fully address the Commission's past interpretations and implementation of the Legislature's policy directives regarding wastewater regionalization in Texas; and (2) fails to respond to any of City's very specific comments regarding whether the Application and Draft Permit are consistent with those Legislative policy directives.

The City provided approximately six pages of detailed comments on Regionalization, and four detailed engineering attachments prepared by CDM-Smith.²⁵ The ED's RTC No. 4 does not address any of the City's comments on this topic. Instead, it states, "[t]he ED considers annexation as a requirement for receiving wastewater services from a [c]ity tantamount to denial of requested service." The ED may take that position, but the Commissioners do not. The Commissioners are actually divided on this issue, having issued two orders with exact opposite findings of fact and conclusions of law relating to a City of San Marcos ordinance with annexation provisions similar

²⁴ The TPDES application instructions require that future residential and other developments be identified on a topographic map for the proposed project. Such known developments (referred to above as known "future" uses) may constitute existing uses by the time the Proposed Package Plant is developed and may, in turn, result in the support of higher aquatic life uses that must be protected where they are attainable. See, e.g., 30 TAC § 307.4(h)(4).

²⁵ City Comment Letter at 8–9, 10–13, and Attachments 1–4.

to the City's.²⁶ Both cases are on appeal.²⁷ More recently, a SOAH Proposal for Decision, specifically addressing the City's ordinance, reached no conclusion on the question.²⁸ Further, in response to a petition for rulemaking on the topic and to demonstrate to the Sunset Commission that the Commissioners are honoring the Legislature's policy directives set forth in the TWC, the Commissioners have ordered the ED to work with stakeholders to update its wastewater regionalization guidance and permit application documents and provide a report (or actual draft guidance and draft revised permit application forms) to the Commissioners by the end of 2022.²⁹ The ED's RTC No. 4 fails to mention this critical regulatory context. Of course, the Commissioners are aware of their past orders and directions to the ED, but the ED's superficial consideration of the City's regionalization comments and complete failure to acknowledge either past Commission orders or its own Commission-mandated effort to devise a comprehensive and comprehensible wastewater regionalization guidance document is, at the very least, surprising. Therefore, the City reasserts the comments it made in the City Comment Letter on the issues of need and regionalization, and requests that the issue of whether the Application and Draft Permit are consistent with the Legislature's statutory directives regarding wastewater need and regionalization codified in TWC §§ 26.003 and 26.081-26.086.

C. RTC No. 6 (City Comment D)—Application Accuracy and Completeness

The City disputes the ED's RTC No. 6. As noted in the RTC, City Comment D indicates that the Application is materially incomplete in that it fails to provide relevant information that is necessary for the TCEQ to conduct a full analysis of the possible effects of the Proposed Package Plant on water quality and surrounding existing uses. As noted in City Comment D, this includes,

²⁶ *An Order Granting the Application by Crystal Clear Special Utility District and MCLB Land, LLC for TPDES Permit No. WQ001526602 in Hays County, Texas*, TCEQ Docket No. 2020-0411-MWD; SOAH Docket No. 582-20-4141 (Jun. 14, 2021) (Finding of Fact ("FOF") No. 47. "San Marcos's response requiring annexation of the Subdivision was properly considered a denial of service by the Applicants and the ED's staff."). *An Order Granting the Application by Regal, LLC for TPDES Permit No. WQ001581701 in Guadalupe County, Texas*; SOAH Docket No. 582-21-0576; TCEQ Docket No. 2020-0973-MWD) (Nov. 29, 2021) ("Regal") (FOF No. 38 "The City [of San Marcos's] ordinance requiring annexation for wastewater service is not tantamount to a denial of service because the requirement may be waived by City Council.").

²⁷ *City of San Marcos, Texas v. TCEQ*, in the 459th Judicial District Court of Travis County, Texas, Cause No. D-1-GN-21-003110 (Jul. 2, 2021); *City of Can Marcos, Texas v. TCEQ*, in the 200th Judicial District Court of Travis County, Texas, Cause No. D-1-GN-21-007272 (Dec. 16, 2021).

²⁸ SOAH Docket No. 582-22-1016; TCEQ Docket No. 2021-1214-MWD; *Application by AIR-W 2017-7 L.P. for TPDES Permit No. WQ0015878001* (Aug. 23, 2022).

²⁹ <https://www.youtube.com/watch?v=qa2PnSovmul>, Commission Agenda, May 18, 2022, Item 23, TCEQ Docket No. 2022-0382-PET, 1:27:06–2:06:54 (Motion by Commissioner Lindley, approved 3-0, to deny the rulemaking petition filed by Cities of San Marcos, McAllen, and Jarrell requesting adoption of their proposed wastewater regionalization rule, but simultaneously directing the ED to work with interested persons to present a proposal to the Commissioners at a future work session or an agenda, preferably in the third quarter of 2022, for a regionalization guidance document and necessary changes to the permit application form, expressly acknowledging attention of Sunset Commission on the regionalization issue.) The Commission's Water Quality Advisory Group (WQAG) prepared a draft TCEQ Regulatory Guidance Document for Evaluation Regionalization for Potential New Wastewater Systems, and is accepting comments on the draft guidance document until October 23, 2022. https://www.tceq.texas.gov/permitting/wastewater/WQ_advisory_group.html.

but is not limited to: (1) the Applicant failing to provide the information required to be included in its topographic map, including schools and playgrounds near the proposed discharge point; as well as (2) not including information about the receiving water, which should have been included as Domestic Worksheet 2.1.

First, the insufficiency of the topographic map provided with the Application is expressly confirmed by the ED's RTC No. 6, which states that "no schools or playgrounds were indicated on the map within the one-mile radius that the application requires this map to indicate." While that statement is factually correct, the ED fails to grasp that the lack of schools or playgrounds on the map is, in and of itself, the issue. Specifically, the Applicant's topographic map should depict Everette L. Williams Elementary School ("**Williams Elementary School**"), which is located less than one mile from the site of the Proposed Package Plant, at 4101 Southwestern Blvd., Georgetown, Texas 78626. In support thereof, please see **EXHIBIT 2**, containing a screenshot from the online property tax parcel mapping tool provided by the Williamson Central Appraisal District ("**Williamson CAD**"), which demonstrates that the outermost boundaries of Tax Parcel No. R040062, the planned location for the Proposed Package Plant, and Tax Parcel No. R584127, where Williams Elementary School is located, are separated by little more than one half mile. Also included in **EXHIBIT 2** is documentation confirming that the parcels depicted in the screenshot are those described above.

Second, the City disputes the ED's contention in RTC No.6 that "Domestic Worksheet 2.1 is not required to be completed and submitted by the Applicant." On the contrary, according to Page 69 of TCEQ-10053ins (05/07/2021) Instructions for Completing the Domestic Wastewater Permit Application ("**Instructions**"), the Instructions in affect at the time the Application was submitted on June 11, 2021, applicants should complete and submit Domestic Worksheet 2.1 "if the application is for a new permit," as is the case here. The ED's RTC No. 6, however, is not based on the Instructions themselves, but rather "[t]he instructions at the top of Worksheet 2.1." While the ED correctly points out that Page 32 of TCEQ-10054 (06/01/2017) Domestic Wastewater Permit Application, Technical Reports ("**Domestic Worksheet 2.1**"), the form in affect at the time the Application was submitted, did state that "Worksheet 2.1 is not required for discharges to intermittent streams," RTC No. 6 does not address the apparent inconsistency between Domestic Worksheet 2.1 and the Instructions for completing it. As such, a factual dispute exists as to whether the Applicant should have completed Domestic Worksheet 2.1. The issue of whether the Applicant was required to complete Domestic Worksheet 2.1 is further exacerbated by the potential mischaracterization of the receiving water in the Application, as described in more detail in Section III.A, above. Simply put, given the contradictory instructions and uncertainty as to the actual character of the receiving water, it is clear that the ED lacked the information necessary to make an informed decision as to whether the Applicant should have completed and submitted Domestic Worksheet 2.1 with the Application.

The City disputes the ED's RTC No. 6, and requests that the issue of whether the Application is substantially complete and accurate be referred to SOAH.

D. RTC No. 7 (City Comment E)—Protection of Water Quality in Receiving Streams

The City disputes the ED's contention in RTC No. 7 that the effluent limitations in the Draft Permit will maintain water quality along the proposed discharge route. On the contrary, the City is concerned that the proposed discharge of treated effluent will adversely affect the already-impaired receiving waters, which are within the City's ETJ and corporate limits, and, therefore, subject to protection by the City pursuant to numerous mandates of the Texas Legislature (*see* Section II.A.2.a, above).

As indicated above, the Draft Permit authorizes the discharge of treated domestic wastewater from the Proposed Package Plant to an unnamed tributary of Mankins Branch, thence to Mankins Branch, which is identified as Classified Segment No. 1248C on TCEQ's 303(d) List of impaired and threatened waters for bacteria in the water, thence to the San Gabriel/North Fork San Gabriel River in Segment No. 1248 of the Brazos River Basin. That segment is already subject to discharges from four of the City's existing wastewater treatment facilities.³⁰ Because the City is willing and able to treat and discharge the wastewater from the Proposed Service Area using its existing wastewater treatment and collection system, there is no need to authorize the discharge of said effluent from a redundant, decentralized, pre-fabricated, and likely less efficacious package plant rather than from the City's superior and already-permitted regional facilities. Doing so would not only contravene the state's express policy to encourage and promote the development and use of such regional and area-wide systems, but would also needlessly risk unsanitary or unsafe water quality conditions in the already-impaired receiving waters and threaten the health and safety of the City's citizens.

In addition, the ED's RTC fails to address all of the water quality concerns raised in the City Comment Letter. Specifically, although the TCEQ's review included an evaluation of aquatic life use, the City is concerned that such review was based on the accuracy of general assumptions that have not been confirmed as appropriate in this specific circumstance given that the intermittent stream flowing through the Proposed Service Area appears to be fed by one or more springs or groundwater baseflow. The RTC so grossly overlooks this concern that it does not even contain the word groundwater, let alone address whether the receiving stream contains aquatic life that might be dependent on the water quality of such spring water or groundwater and, therefore, particularly sensitive to changes in water quality resulting from the proposed discharge. In the absence of an investigation into and evaluation of the potential interconnection of the receiving waters with shallow groundwater, the City fears that the ED lacked the information necessary to

³⁰ Just like that from the Proposed Package Plant, the discharge route from the City's existing Dove Springs WWTF (TPDES Permit No. WQ0010489003) is to an unnamed tributary of Mankins Branch, thence to Mankins Branch, thence to the San Gabriel/North Fork San Gabriel River in Segment No. 1248 of the Brazos River Basin. The discharge route from the City's existing Pecan Branch WWTF (TPDES Permit No. WQ0010489005) is to Berry Creek, thence to San Gabriel/North Fork San Gabriel River in Segment No. 1248 of the Brazos River Basin. The discharge route from the City's San Gabriel WWTF (TPDES Permit No. WQ0010489002) is directly to San Gabriel/North Fork San Gabriel River in Segment No. 1248 of the Brazos River Basin. The discharge route from the City's existing Berry Creek WWTF (TPDES Permit No. WQ0010489006) is to Berry Creek; thence to the San Gabriel/North Fork San Gabriel River in Segment No. 1248 of the Brazos River Basin.

make an informed decision as to whether the Draft Permit will be sufficiently protective of water quality under Texas law.

Finally, the ED's RTC fails to satisfactorily address the City's concern that the Draft Permit does not contain adequate measures to protect against discharges of untreated or partially untreated effluent. According to the RTC, it does not really matter whether the Draft Permit contains such measures because the TCEQ's construction plan review team will require compliance with the TCEQ's design criteria during the construction plan approval stage and "Operational Requirement No. 4 makes the Applicant 'responsible for installing, prior to plant start-up, and subsequently maintaining, adequate safeguards to prevent the discharge of untreated or inadequately treated wastes.'" As noted in Section III.A, above, however, the construction plan approval stage occurs outside of public scrutiny, and after permit issuance. Therefore, RTC No. 7 fails to confirm that the Draft Permit is adequately protective against discharges of untreated or partially untreated effluent. Because this creates an unnecessary risk of contamination of the unnamed tributary to Mankins Branch, the already-impaired downstream Mankins Branch segments, and groundwater, the Draft Permit should be denied.

E. RTC No. 8 (City Comment E)—Protection of Existing Uses

The City disputes the ED's contention in RTC No. 8 that existing uses will be protected "if the [Proposed Package Plant] is operated and maintained as required by the [Draft Permit] and regulations." To the contrary, the City is concerned that the proposed discharge of treated effluent will adversely affect existing uses of the receiving waters, which are within the City's ETJ and corporate limits, and, therefore, subject to regulation by the City pursuant to numerous mandates of the Texas Legislature (*see* Sections II.A.2.a and III.D, above).

The Draft Permit authorizes the discharge of treated domestic wastewater from the Proposed Package Plant to an unnamed tributary of Mankins Branch, thence to Mankins Branch, thence to the San Gabriel/North Fork San Gabriel River in Segment No. 1248 of the Brazos River Basin. The unclassified receiving water uses are limited aquatic life use for the unnamed tributary and Mankins Branch, and high aquatic life use for Mankins Branch. The designated uses for Segment No. 1248 are primary contact recreation, public water supply, aquifer protection, and high aquatic life use. The aquifer protection use applies to the contributing, recharge, and transition zones of the Edwards Aquifer, and portions of the discharge route are within the transition zone. TCEQ's own rules express a policy to protect such higher uses when it is possible to do so.³¹ In this circumstance, these higher uses could be maintained simply by denying the Application and upholding the state's regionalization policy. Failing to do so by issuing the Draft Permit for an unnecessary package plant risks the creation of unsanitary or unsafe water quality conditions in the receiving waters that would threaten the health and safety of any wildlife, livestock, or people using them. This is especially true given that such risks could be avoided, or at least substantially diminished, if wastewater from the Proposed Service Area was collected, treated, and discharged by the City in accordance with the state's regionalization policy.

³¹ *See* 30 TAC § 307.4(h).

F. RTC No. 9 (City Comment F)—Protection of Health and Safety of Nearby Residents

For the numerous reasons outlined above and in the City Comment Letter, the City disputes the ED's contention in RTC No. 9 that "the [D]raft [P]ermit is protective of public health and safety," and hereby reiterates its concern that issuance of the Draft Permit would threaten the City's ability to comply with its legislative mandate to protect the health, safety, and welfare of the people, animals, and environment within its territorial jurisdiction.

G. RTC No. 10 (City Comment G)—Protection of Aquatic, Terrestrial, and Livestock

As addressed in more detail above and in the City Comment Letter, the City disputes the ED's contention in RTC No. 10 that limitations in the Draft Permit will "ensure compliance" with the Texas Surface Water Quality Standards requiring that all water in the state be maintained to preclude adverse toxic effects to aquatic life, terrestrial life, livestock, or domestic animals resulting from contact, consumption of aquatic organisms, consumption of water or any combination of the three. To the contrary, the City reiterates that because the area surrounding the Proposed Package Plant and discharge route is agricultural in nature and home to large numbers of livestock, issuing a Draft Permit based on a potentially incomplete and inaccurate Application would expose these animals to adverse effects from growth of algae, high nitrogen content, and bacterial contamination from the proposed discharge.

H. RTC No. 11 (City Comment G)—Protection of Endangered Species

The ED's RTC No. 11 confirms the City's concerns that the Application was approved without the proper authorities having conducted the requisite endangered species review.

As noted in the City Comment Letter, because the area surrounding the Proposed Package Plant, including the San Gabriel River, is home to several endangered species—including the Texas Shiner and Guadalupe Bass as well as several endangered salamanders—issuing the Draft Permit would expose these animals to adverse effects from growth of algae, high nitrogen content, and bacterial contamination from the proposed discharge. These concerns are compounded by the fact that portions of the receiving water for the proposed discharge are already listed on TCEQ's 303(d) List of waters impaired by high levels of bacteria.

In response to such comment, the ED's RTC No. 11 first describes the process used by the TCEQ to investigate the presence of endangered species prior to issuing a TPDES permit. According to the RTC, "[i]f an endangered species is identified, a memo is written to request further review from the Environmental Protection Agency [(“EPA”)] and US Fish and Wildlife Service [(“USFWS”).]” Here, there are a number of endangered species affected by the proposed discharge, the Texas Shiner, Guadalupe Bass, several salamander species, and—as identified by the ED—the Coffin Cave Mold Beetle. Despite acknowledging the existence of at least one endangered species in the area of the Proposed Package Plant, outfall, and discharge route, the RTC makes absolutely no mention of the TCEQ having written the requisite memo to the EPA or USFWS. Instead, the ED's RTC No. 11 provides only the conclusory statement that the Coffin

Cave Mold Beetle “is only affected by Municipal Separate Storm Sewer System (MS4) and general permits for stormwater; therefore the discharge in question is not likely to affect this species.” The RTC makes no mention whatsoever of the other endangered species identified in the City Comment Letter.

Further, the ED’s RTC No. 11 notes that “notice of the [A]pplication was provided to [the Texas Parks and Wildlife Department (“TPWD”)] and they did not offer any comments.” The City is not only troubled by the ED’s failure to acknowledge the existence of several endangered species with habitat in the area affected by the proposed discharge, but also by the admitted failure to follow TCEQ’s stated protocol for investigating the affects a potential discharge will have on endangered species. In other words, if TCEQ was aware of the existence of an endangered species, which the ED’s RTC No. 11 indicates it was, and TCEQ protocol requires requesting further review from the EPA and USFWD under such circumstances, why wasn’t that protocol followed? Why was “notice of the [A]pplication” provided to TPWD instead? Given that TCEQ protocol, as described in the RTC, doesn’t contemplate an endangered species review by TPWD, it should come as no surprise that such agency “did not offer any comments.” As confirmed by the express language of the RTC, it is apparent that TCEQ failed to complete the requisite endangered species review prior to issuing the Draft Permit.

I. RTC No. 12 (City Comment H)—Antidegradation

For the reasons described in more detail in Sections III.E and III.F, above, as well as the City Comment Letter, the City disputes the ED’s assertion in RTC No. 12 that “existing water quality uses will not be impaired by this permit action,” but “will be maintained and protected.”

J. RTC No. 13 (City Comment J)—Operational Requirements

The City disputes the ED’s contention in RTC No.13 that “individuals holding a Class C (or higher) license are capable of properly operating the [Proposed Package Plant] that will meet the requirements of the [Draft P]ermit.” As explained in greater detail in the City Comment Letter, the Draft Permit should require the chief operator of the Proposed Package Plant to hold at least a Class B wastewater license.

Further, the ED’s RTC completely fails to address the City’s comment that the Draft Permit does not require adequate sampling and monitoring to be protective of public and environmental health and safety within its territorial jurisdiction.

IV. SUMMARY OF DISPUTED ISSUES FOR REFERRAL

The City has identified critical issues that the Commission should explore through an open and public contested case hearing. At a minimum, the City requests that the following issues be referred to SOAH for a contested case hearing:

1. Whether the Application and Draft Permit are consistent with the Legislature's statutory directives regarding wastewater regionalization as expressed in TWC §§ 26.003 and 26.081–26.086, including whether issuance of the Draft Permit is contrary to the state's regionalization policy;
2. Whether there is a need for the Proposed Package Plant;
3. Whether the Draft Permit contains terms and conditions to ensure the Proposed Package Plant will comply with the TCEQ's rules and regulations pertaining to facility siting, specifically, whether the planned location for the Proposed Package Plant complies with the 100-year floodplain location standards found in 30 TAC § 309.13(a);
4. Whether the Application is substantially complete and accurate;
5. Whether the Draft Permit is adequately protective of water quality;
6. Whether the Draft Permit is adequately protective of the existing uses of the receiving waters in accordance with the Texas Surface Water Quality Standards, including applicable antidegradation review requirements;
7. Whether the Draft Permit includes adequate provisions to protect the health of nearby residents and their families and aquatic and terrestrial wildlife;
8. Whether the Draft Permit includes adequate provisions to protect the health of nearby endangered species;
9. Whether the discharge route and receiving waters have been properly characterized including whether issuance of the Draft Permit would be adequately protective of groundwater;
10. Whether the Draft Permit complies with applicable requirements to abate and control nuisances;
11. Whether the Applicant has substantially complied with all applicable notice requirements; and
12. Whether the draft permit contains adequate provisions to protect the requesters' use and enjoyment of property.

The City reserves the right to raise and pursue any and all issues that may be relevant to its interest in the event of a contested case hearing.

Ms. Laurie Gharis, Chief Clerk
Re: TPDES Permit No. WQ0016008001
October 7, 2022
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Respectfully submitted,

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**ATTORNEYS FOR CITY OF
GEORGETOWN**

EXHIBIT 1

From: PUBCOMMENT-OCC
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: WQ0016008001 - Public Comments
Date: Tuesday, June 21, 2022 10:28:09 AM
Attachments: City of Georgetown Comments and Hearing Request 6.20.2022.pdf

H

From: Laurie Gharis <Laurie.Gharis@tceq.texas.gov>
Sent: Monday, June 20, 2022 5:16 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: FW: WQ0016008001 - Public Comments

Laurie Gharis
Office of the Chief Clerk
Texas Commission on Environmental Quality
Office Phone: 512-239-1835
Cell Phone: 512-739-4582

How is our customer service? Fill out our online customer satisfaction survey at:
www.tceq.texas.gov/customersurvey

From: Trish Erlinger Carls <tcarls@tcarlslaw.com>
Sent: Monday, June 20, 2022 5:08 PM
To: Laurie Gharis <Laurie.Gharis@tceq.texas.gov>
Cc: Faulk, Cody <cfaulk@spencerfane.com>; Hopinks-Baul, Carlota <chbaul@spencerfane.com>
Subject: WQ0016008001 - Public Comments

Laurie –
Please see the attached document that we have trying to file as comments regarding the referenced application.

Trish Erlinger Carls
512-567-0125
tcarls@tcarlslaw.com

Law Offices of
Patricia Erlinger Carls

June 20, 2022

via e-file to: www14.tceq.texas.gov/epic/eComment/

Ms. Laurie Gharis, Chief Clerk (MC 105)
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

Re: The City of Georgetown, Texas' Public Comments and Request for Contested Case Hearing

Applicant Name: R040062 LP (CN605905942)
Regulated Entity Name: Indigo Water Resources Recovery Facility (RN111287538)
Application: TPDES Permit No. WQ0016008001
Location: Williamson County, Texas
EPA I.D.: TX0141437

Dear Ms. Gharis:

On behalf of the City of Georgetown (the "**City**"), please accept these public comments and request for a contested case hearing on the application by R040062, LP (the "**Applicant**") for proposed new Texas Pollutant Discharge Elimination System ("**TPDES**") Permit No. WQ0016008001, to authorize a domestic wastewater treatment facility in Williamson County, Texas (the "**Application**"). The City's contact persons for this matter are below:

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I. INTRODUCTION

The Application was received by the TCEQ on June 11, 2021 and declared administratively complete on August 24, 2021. The Executive Director completed its technical review and prepared a draft permit. The Notice of Application and Preliminary Decision was issued on May 5, 2022 and published on May 18, 2022. The public comment period on the Application ends on June 20, 2022. These public comments and request for a contested case hearing are timely and properly filed under 30 Tex. Admin. Code ("TAC") 55.201(c) and (d).

If approved, the draft permit would authorize the discharge of effluent from a package plant (the "**Proposed Package Plant**") at a daily average flow not to exceed 0.075 million gallons per day ("MGD") in the Interim Phase and a daily average flow not to exceed 0.2 MGD in the Final Phase. The Proposed Package Plant would be located off the west end of Madison Drive, approximately 1,500 feet northwest of the intersection of County Road 105 and Jacobs Way, in Williamson County, Texas 78626, within the City's extraterritorial jurisdiction ("ETJ"). The effluent will be discharged to an unnamed tributary of Mankins Branch, thence to Mankins Branch, thence to the San Gabriel/North Fork San Gabriel River in Segment No. 1248 of the Brazos River Basin.

II. REQUEST FOR A CONTESTED CASE HEARING

A. AFFECTED PERSON ANALYSIS/STANDING

(1) Applicable Rules

In determining who is an "affected person," the TCEQ rule provides as follows:

RULE § 55.203 Determination of Affected Person

(a) For any application, an affected person is one who has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by the application. An interest common to members of the general public does not qualify as a personal justiciable interest.

(b) Except as provided by § 55.103 of this title (relating to Definitions)¹, governmental entities, including local governments and public agencies, with authority under state law over issues raised by the application may be considered affected persons.

¹ Barring participation by non-river authority state agencies in contested case hearings unless the state agency is the applicant. See 30 TAC § 55.103.

(c) In determining whether a person is an affected person, all factors shall be considered, including, but not limited to, the following:

- (1) whether the interest claimed is one protected by the law under which the application will be considered;*
- (2) distance restrictions or other limitations imposed by law on the affected interest;*
- (3) whether a reasonable relationship exists between the interest claimed and the activity regulated;*
- (4) likely impact of the regulated activity on the health and safety of the person, and on the use of property of the person;*
- (5) likely impact of the regulated activity on use of the impacted natural resource by the person;*
- (6) for a hearing request on an application filed on or after September 1, 2015, whether the requestor timely submitted comments on the application that were not withdrawn; and*
- (7) for governmental entities, their statutory authority over or interest in the issues relevant to the application.*

(d) In determining whether a person is an affected person for the purpose of granting a hearing request for an application filed on or after September 1, 2015, the commission may also consider the following:

- (1) the merits of the underlying application and supporting documentation in the commission's administrative record, including whether the application meets the requirements for permit issuance;*
- (2) the analysis and opinions of the executive director; and*
- (3) any other expert reports, affidavits, opinions, or data submitted by the executive director, the applicant, or hearing requestor.*

(e) In determining whether a person is an affected person for the purpose of granting a hearing request for an application filed before September 1, 2015, the commission may also consider the factors in subsection (d) of this section to the extent consistent with case law.²

The City is an "affected person" entitled to a contested case hearing on issues raised in its hearing request because the City has interests related to legal rights, duties, privileges, powers, or economic interests affected by the Application that are not common to the general public and is an affected person under 30 TAC § 55.203(a). In addition, the City has "statutory authority over" and "interest in the issues relevant to the Application within the meaning of 30 TAC § 55.203(b). The City is also providing additional information to the Commission in this letter, per 30 TAC § 55.203(d)(1), (d)(3) and (e). For example, as discussed more fully below, the City provides wastewater treatment services to areas both inside and outside of its corporate limits, the City has authority over or an interest in the effects on the environment and on public health, safety, and welfare from the Proposed Package Plant, the Proposed Package Plant's wastewater discharges into

² 30 TAC § 55.203 (*emphasis added*).

waterways within the City's corporate limits and ETJ, and the City has an interest in eliminating new potential sources of contamination.

(2) The City's Wastewater Treatment System

According to the Application, the Proposed Package Plant would service 600 manufactured homes, having an estimated three persons per unit, located on approximately 64.345 acres of land (the "**Proposed Service Area.**") The Proposed Package Plant, proposed outfall, and Proposed Service Area are all within the City's ETJ, approximately 1,850 feet from the closest City limit line. The proposed discharge route is partially in the City's ETJ and partially inside its city limits.

The City has an interest in reducing or eliminating the number of wastewater package plants so as to reduce or eliminate additional point sources of pollution, and protect water quality and public health and safety. To that end, the City owns and operates an extensive wastewater system that eliminates the regional need for package plants such as one described in the Application. The City owns and operates five existing wastewater treatment plants, and has a permit for a sixth to be constructed in the near future.³ The City employs approximately 15 licensed wastewater treatment plant operators and 38 licensed wastewater collection system operators. The City currently provides wastewater service to approximately 35,891 customers. One of the City's wastewater treatment plants, the Dove Springs Wastewater Treatment Plant ("Dove Springs Plant"), is within a three mile radius of the Proposed Facility (*see **Attachment 1***). The Dove Springs Plant is actually interconnected with the City's two other largest wastewater treatment plants, the Pecan Branch Plant and the San Gabriel Plant. Together, just the three, large, connected plants can treat 8.0 MGD, which is the equivalent of 80,000 people (at 100 gpd/ person). The two other plants – the Cimarron Hills Plant and the Berry Creek Plant – can treat 0.2 MGD and 0.3 MGD, respectively – which is the combined equivalent of 5,000 people (at 100 gpd/person). Based on information from the US Census Bureau available at <https://www.census.gov/quickfacts/fact/table/georgetowncitytexas#>, the City population as of the April 1, 2020 census was 67,176. So, the City clearly has more than enough capacity to provide wastewater treatment service to its customers within its city limits and ETJ.

³ The City owns and operates the following wastewater treatment facilities: Cimarron Hills WWTP (WQ0014232001); San Gabriel WWTP (WQ0010489002); Dove Springs WWTP (WQ0010489003); Pecan Branch WWTP (WQ0010489005); Berry Creek WWTP (WQ0010489006). Georgetown also has a permit for the Northlands WWTP (WQ WQ0010489007), which is not yet under construction. The City also owns a site in the subject drainage basin on which a seventh WWTP is planned.

The City also has existing wastewater collection systems located within a three mile radius of the Proposed Service Area, and there is additional collection system infrastructure under construction that would be even closer to the Proposed Service Area. The existing collection system is located approximately 3/4 feet/miles away from the western boundary of the Proposed Service Area, and a lift station and associated wastewater collection system is currently under construction at a subdivision located less than 1,000 feet from the western boundary of the Proposed Service Area (*see Attachment 1*).

(3) The City's Interests in the Application

The City is a home-rule municipality, having the full powers of self-governance, and is authorized to exercise all authority incident to local self-government.⁴ In addition to having the powers granted to it as a home-rule city via the Texas Constitution, the Legislature has also expressly granted home-rule cities regulatory authority within the ETJ over issues raised by or relevant to the Application. The Legislature created municipal extraterritorial jurisdiction areas for all cities for the following purposes: "to promote and protect the general health, safety, and welfare of persons residing in and adjacent to the municipalities."⁵ Thus, the City has a Legislatively-mandated interest in promoting and protecting the general health, safety, and welfare of persons residing inside its city limits and ETJ. In the context of the Application, the City's interests are to promote and protect the general health, safety, and welfare of persons residing in the ETJ AND inside the city limits from deleterious effects caused by the Proposed Package Plant.

The Legislature has also granted cities statutory authority over or interest in issues relative to the Application via specific statutes. For example:

⁴ See Tex. Const. art. XI, § 5; TEX. LOC. GOV. CODE ANN. § 51.072(a) and (b) ("(a) The [home-rule] municipality has full power of local self-government. (b) The grant of powers to the municipality by this code does not prevent, by implication or otherwise, the municipality from exercising the authority incident to local self-government."); *Lower Colo. Riv. Auth. v. City of San Marcos*, 523 S.W.2d 641, 643 (Tex. 1975), *Quick v. City of Austin*, 7 S.W.3d 109, 122 (Tex. 1999), *Dallas Merch. & Concessionaires Ass'n v. City of Dallas*, 852 S.W.2d 489, 490-91 (Tex. 1993) (Home-rule cities do not depend on the Legislature for specific grants of authority but, instead, have a constitutional right of self-government and, look to the Legislature only for specific limitations on their power). See also, *In re Sanchez*, 81 S.W.3d 794, 796 (Tex. 2002); *Proctor v. Andrews*, 972 S.W.2d 729, 733 (Tex. 1998) (For the Legislature to divest home-rule cities of their Constitutional authority, the Legislature's intent to do so must be expressed with "unmistakable clarity.")

⁵ TEX. LOCAL GOV'T CODE ANN. § 42.001 ("PURPOSE OF EXTRATERRITORIAL JURISDICTION. The legislature declares it the policy of the state to designate certain areas as the extraterritorial jurisdiction of municipalities to promote and protect the general health, safety, and welfare of persons residing in and adjacent to the municipalities.")

- TEX. WATER CODE ANN. Ch. 26, Subchapter E (disposal system rules and water pollution control and abatement)
- TEX. WATER CODE ANN. Ch. 7, Subchapter H (water quality enforcement)⁶
- TEX. HEALTH & SAFETY CODE ANN. § 121.003(a) (public health)
- TEX. LOC. GOV'T CODE ANN. § 551.002 (pollution or degradation of water supplies and watersheds)
- TEX. LOC. GOV'T CODE ANN. § 212.003(a) (subdivision and platting (including the provision of water and sewer service platted areas))
- TEX. LOC. GOV'T CODE ANN. § 217.042 (nuisances within 5,000 feet)
- TEX. LOC. GOV'T CODE ANN. § 552.001 (municipal utility systems) and Subchapter C (municipal drainage systems)
- TEX. LOC. GOV'T CODE ANN. Ch. 551.002 (protection of streams and watercourses)

In addition, regionalization and need in wastewater permitting cases are issues on which cities that operate wastewater collection and treatment systems, like the City, are uniquely poised to offer evidence. TWC § 26.003 states that:

“It is the policy of this state and the purpose of this subchapter to . . . encourage and promote the development and use of regional and areawide waste collection, treatment, and disposal systems to serve the waste disposal needs of the citizens of this state; and to require the use of all reasonable methods to implement this policy.”

This guiding principle of regionalization and need is enshrined in the introductory provisions of Chapter 26, listed second only to the recognition of private ownership rights of groundwater. Two other pieces of legislation were adopted to underscore this policy

⁶ The enforcement authority and rights granted to cities via TWC § 7.351(a) are different from those of the general public, and having been granted special statutory enforcement rights over water quality matters, the City has authority under state law over issues raised by the Application or statutory authority over or interests in the issues relevant to the Application. TWC § 7.351(a) authorizes local governments to bring an action against a person for a violation or threatened violation of Chapter 26 of the TWC occurring in the jurisdiction of that local government in the same manner as the Commission may do so – that is, for injunctive relief or a civil penalty or both. Although that section also gives similar powers to “a person affected” the term “person affected” as used in Section 7.351(a) does not have the same meaning as the term “affected person” under the Texas Water Code. As used in Section 7.351(a), the term “person affected” refers only to a select group of persons defined in Section 401 of the Texas Health and Safety Code and only as to violations of Chapter 401 of the Texas Health and Safety Code (relating to Radioactive Materials and Other Sources of Radiation).

-- TEX. WATER CODE ANN. §§ 26.081⁷ and 26.0282⁸ -- relating to the consideration of the regionalization policy, need, and the availability of existing or proposed areawide or regional wastewater collection, treatment, and disposal systems.

The state regionalization policy articulated three times in the Texas Water Code is entirely consistent with the Legislature's creation of ETJs via the Texas Local Government Code. The issues of wastewater treatment regionalization and need cannot be evaluated or implemented without the ability to look "regionally" and "areawide" -- beyond a city's corporate boundaries. The Legislature has adopted statutes that underscore a city's status as an affected person in cases such as the one at hand by creating ETJs, acknowledging cities' interest in the environment, and issues affecting the health, safety, and welfare in those areas, granting cities authority over issues such as those raised in wastewater permitting applications, and adopting policies relating to regionalization and need in wastewater permitting cases. It is consistent with state law to allow a city's participation in wastewater permitting cases when the facility, outfall, and discharge route are within a city's ETJ. Therefore, the City has authority under state law over issues raised in the application as required for governmental entities under 30 TAC §§ 55.203(b) and 55.203(c)(7).

In summary, the City has interests in issues relevant to the Application because the Proposed Facility and outfall are both in the City's ETJ and the planned discharge route is located within both the City's corporate limits and ETJ. The City owns and operates a wastewater treatment plant that can serve the Proposed Service Area. As is detailed more fully below, the City should be granted a contested case hearing to represent the City's interests in regionalization and need, environmental effect, and public health, safety and welfare including pursuing a reduction of package plants and eliminating risk of water quality degradation and nuisance odors and upsets from such plants, to ensure that the health, safety, and welfare of residents in the City limits and in its ETJ will be maintained, and that the plant operator has the technical, managerial, and

⁷ TEX. WATER CODE ANN. § 26.081(a) ("The legislature finds and declares that it is necessary to the health, safety, and welfare of the people of this state to implement the state policy to encourage and promote the development and use of regional and area-wide waste collection, treatment, and disposal systems to serve the waste disposal needs of the citizens of the state and to prevent pollution and maintain and enhance the quality of the water in the state.")

⁸ TEX. WATER CODE ANN. § 26.0282 ("In considering the issuance, amendment, or renewal of a permit to discharge waste, the commission may deny or alter the terms and conditions of the proposed permit, amendment, or renewal based on consideration of need, including the expected volume and quality of the influent and the availability of existing or proposed areawide or regional waste collection, treatment, and disposal systems not designated as such by commission order pursuant to provisions of this subchapter. This section is expressly directed to the control and treatment of conventional pollutants normally found in domestic wastewater.")

to ensure that the Applicant and/or plant owner/operator has a good compliance history and the financial capability to construct, operate and maintain the plant. There is a reasonable relationship between Georgetown's stated concerns and the proposed activities to be regulated under the draft permit.

B. REQUEST FOR CONTESTED CASE HEARING

The Proposed Package Plant, outfall, and Proposed Service Area are all within the City's ETJ but very proximate to the City's corporate limits. The proposed discharge route is both the City's ETJ and city limits. The City has a Legislatively-mandated interest in promoting and protecting the general health, safety, and welfare of persons residing inside its city limits and ETJ. Local governments, such as the City, with authority under state law over issues contemplated by an application, are considered affected persons under 30 TAC § 55.203. For the reasons articulated above, the City has justiciable interests that will be adversely affected by this Application.

The City requests that it be granted party status. The City also requests a contested case hearing.

III. COMMENTS ON THE APPLICATION

A. The City has existing permitted wastewater treatment capacity that could meet the need expressed by the Applicant, and the Applicant fails to demonstrate the need for the facility in the context of Regionalization.

The City owns and operates an extensive wastewater system that eliminates the need for package plants such as one described in the Application. The City owns and operates five existing wastewater treatment plants, has a permit for a sixth to be constructed in the near future.⁹ The City employs approximately 15 licensed wastewater treatment plant operators and 38 licensed wastewater collection system operators. The City currently provides sewer service to approximately 35,891 wastewater customers.

⁹ The City owns and operates the following wastewater treatment facilities: Cimarron Hills WWTP (WQ0014232001); San Gabriel WWTP (WQ0010489002); Dove Springs WWTP (WQ0010489003); Pecan Branch WWTP (WQ0010489005); Berry Creek WWTP (WQ0010489006). Georgetown also has a permit for the Northlands WWTP (WQ WQ0010489007), which is not yet under construction. The City also owns a site in the subject drainage basin on which a seventh WWTP is planned.

One of the City's wastewater treatment plants, the Dove Springs Plant, is within a three mile radius of the Proposed Facility (see **Attachment 1**). The Dove Springs Plant is actually interconnected with the City's two other largest wastewater treatment plants, the Pecan Branch Plant and the San Gabriel Plant. Together, just the three, large, connected plants can treat 8.0 MGD, which is the equivalent of 80,000 people (at 100 gpd/person). The two other plants – the Cimarron Hills Plant and the Berry Creek Plant – can treat 0.2 MGD and 0.3 MGD, respectively – which is the combined equivalent of 5,000 people (at 100 gpd/person). Based on information from the US Census Bureau available at <https://www.census.gov/quickfacts/fact/table/georgetowncitytexas#>, the City population as of the April 1, 2020 census was 67,176. So, the City clearly has more than enough capacity to provide wastewater treatment service to the 600 manufactured homes proposed to be constructed in the Proposed Service Area at the Applicant's requested levels.

The City also has existing wastewater collection systems located within a three mile radius of the Proposed Service Area. The Applicant wholly failed to show the City's collection system on Attachment K.1-1 of the Application, even though information about the City's system is readily available on the internet.¹⁰ The City's existing collection system network is located about 1½ miles away from the Proposed Package Plant, and about one mile away from the western boundary of the Proposed Service Area. Additional collection system infrastructure is currently under construction that would be even closer to the Proposed Service Area. Specifically, a new lift station and associated collection system is currently under construction at a subdivision located under ¼ mile away from the western boundary of the Proposed Service Area (see **Attachment 1**). This information should have been included in the Application.

The City has planned and constructed its wastewater treatment and collection system to eliminate the need for small package plants serving single subdivisions such as the Proposed Package Plant, consistent with the State's regionalization policy.

B. The Application fails to demonstrate that the Applicant's proposed facilities satisfy TCEQ's requirements for unsuitable site characteristics.

TCEQ regulations do not allow wastewater treatment facilities to be located within a 100-year floodplain. 30 TEX.ADMIN.CODE §309.13. The Applicant represented that

¹⁰ See City of Georgetown Utility Information at this link:
<https://georgetowntx.maps.arcgis.com/apps/webappviewer/index.html?id=43e000b1e2f54464acf9ccb2a7dbe50b>

none of its proposed facilities would fall within the unnamed tributary of Mankins Branch 100-year floodplain. To support this assertion, the Applicant relied on FEMA FIRM Panel 48491C0505F. (the "FEMA Map"). That reliance was misplaced.

The absence of a floodplain on the FEMA Map in the area of the proposed discharge and related facilities does not mean that the Proposed Package Plant is not in a 100-year floodplain. The FEMA floodplain maps typically only show watersheds that are one square mile or more in size. So the fact that no floodplain is shown for the small area in question does not mean that there is not 100-year floodplain present. More thorough analysis of the floodplain extent and water surface elevation is required to accurately assess whether the site of the Proposed Package Plant is suitable. Placement of the Proposed Package Plant within a 100-year floodplain would pose a significant threat to the surface water and groundwater quality in the receiving stream and in the aquifers that the receiving stream recharge.

The site of the Proposed Package Plant is also unsuitable because it is near a potential wetland, as identified as such on the USF&W National Wetlands Inventory. TCEQ does not allow the construction of wastewater treatment facilities in a wetland. 10 TEX. ADMIN. CODE §309.13.

C. Granting the draft permit is not consistent with the Legislature's policy directive to encourage and promote the development and use of regional and areawide waste collection, treatment, and disposal systems per Tex. Water Code §§ 26.003, 26.081(a), and 26.0282, and the TCEQ's Regionalization Policy for Wastewater Treatment.

- (1) The City owns and operates a wastewater treatment facility or collection system located within three miles of the Proposed Package Plant and can provide wastewater treatment services to the Applicant at the levels requested.**

The City owns and operates a wastewater treatment plant and wastewater collection system located with three miles of the Proposed Package Plant. As detailed in above, the City actually currently owns and operates five wastewater treatment plants (one of which is within a three mile radius of the Proposed Package Plant). The City also has a permit to construct a sixth wastewater treatment plant, and owns land on which it plans to see authorization to construct a seventh wastewater treatment plant. The City's existing wastewater treatment plants together provide 8.5 MGD in treatment capacity – sufficient to provide wastewater service to 85,000 people. The City currently provides

sewer service to approximately 35,891 wastewater customers. So, the City clearly has more than enough capacity to provide wastewater treatment service to the 600 manufactured homes proposed to be constructed in the Proposed Service Area at the Applicant's requested levels of 0.085 to 0.09 MGD. As detailed elsewhere in this letter, the City also has existing wastewater collection systems for all of its plants, and such a system is currently located within a three mile radius of the Proposed Service Area. In addition, construction of a new collection is currently underway within about ¼ mile from the western boundary of the Proposed Service Area. Finally, the City employs approximately 15 licensed wastewater treatment plant operators and 38 licensed wastewater collection system operators who are fully trained and capable of operating the City's extensive wastewater treatment and collection system.

(2) The Proposed Service Area is Located Within the City's Updated Wastewater Master Plan, which Generally Describes How Wastewater Service Will Be Provided to the Studied Region

The City updated its 2018 Wastewater Master Plan in 2020, and the Proposed Service Area is located within area including in the Updated Wastewater Master Plan (see Attachment 2). As with all municipal master plans, the Updated Wastewater Master Plan provides a general outline for all accomplishing the City's and community's mutual goals – in this case the goal of providing wastewater services to about 10,760 acres on the east side of the City.

With regard to the City's provision of wastewater service to the Proposed Service Area, the Applicant asked, and the City provided, information pertaining to the type and cost of connecting infrastructure, reiterating what is set forth in the Updated Wastewater Master Plan. The City's responses to the Applicant assumed that there would be no other development in the area and no cost-sharing or economies of scale that would mitigate the cost to the Applicant or relieve it of the burden of bearing the entire cost of new regional infrastructure. However, as is discussed below, there is other development occurring in the area and there are alternatives to the connecting infrastructure described in the City's Updated Wastewater Master Plan that could be considered and approved by the City Council.

(3) Other Faster and Less Costly Alternatives for Connecting to the City's Wastewater Exist

The Updated Wastewater Master Plan covers a 10,760 acre area, so it is a given that some portions of the will develop faster or differently than planned. Therefore, the City has several processes or mechanisms to provide more nimble and nuanced evaluations of how wastewater service might be provided in a specific instance. Those alternatives have not been discussed by the City and the Applicant since the Applicant chose instead to file the Application. But, as the Application reveals, the City alerted the Applicant to the fact that a path forward for its project may be available via a development agreement.¹¹

There is significant other development in the area (including significant new wastewater system infrastructure), which is either ahead of the Applicant's schedule or generally in line with the Applicant's schedule. Some of this new infrastructure may be able to be utilized by the Applicant either as is, or with some upsizing, and may significantly reduce Applicant's cost to connect to the City's wastewater system compared to the costs of the regional infrastructure described in the Updated Wastewater Master Plan. In other words, there are service alternatives available to the Applicant that are not presented in the Application that make connection to the City's wastewater system both timely and cost-effective. These service alternatives are generally described in **Attachment 3**. On approval by the City Council, those alternatives are available to the Applicant.

(4) The TCEQ Fails to Consider Another Proposed Stand-Alone Package Plant Service One Subdivision Approximately One Mile Away

Another standalone package plant is proposed to be located approximately one mile away from the Proposed Package Plant. The Applicant and the TCEQ should have considered the pending *Application of AIRW2017-7, LP for TPDES Permit No. WQ0015878001*, SOAH Docket No. 582-22-106; TCEQ Docket No. 2021-1214-MWD (the "AIRW2017-7, LP Package Plant"). The locations of both proposed package plants are shown on **Attachment 4**.

Nothing in the Application or the TCEQ's memorandums reference the AIRW2017-7, LP Package Plant, even though the same firm prepared both applications and both applicants are represented by the same lawyer. The Executive Director is supporting the AIRW2017-7, LP Package Plant in a pending contested case hearing, so is clearly aware of it. Failure to disclose the AIRW2017-7, LP Application, coupled with the

¹¹ Application, Exhibit K.2, Pre-Application Meeting – Planning Notes dated 5/20/2021.

Executive Director's apparent failure to consider it in its analysis of the Application, signals disregard of any meaningful effort to implement the State's regionalization policy. As a result, the City is left playing wack-a-mole trying to single-handedly implement the State's wastewater regionalization policy. Allowing two stand-alone package plants within one mile of each other in an ETJ of a city having five, soon to be six, wastewater treatment plants wholly thwarts regionalization, encouraging balkanization rather than regionalization per the Legislature's directive to the TCEQ in the Texas Water Code.

D. The Application is not substantially complete and accurate.

The Application is materially incomplete in that it fails to provide relevant information that is necessary for the TCEQ to conduct a full analysis of the possible effects of the Proposed Facility on water quality and surrounding existing uses. This includes, but is not limited to, the Applicant failing to provide the information required to be included in its topographic map, including schools and playgrounds near the proposed discharge point; as well as not including information about the receiving water, which should have been included as Domestic Worksheet 2.1.

E. The draft permit is not protective of water quality and existing uses of the receiving waters in accordance with Texas Surface Water Quality Standards, including protection of public health and enjoyment of waters in the state and aquatic and terrestrial life.

The City is concerned that the proposed discharge of treated effluent will adversely affect the receiving water, which is within the City's extraterritorial jurisdiction and its City limits, and existing and future uses thereof. The Statement of Basis for the draft permit indicates that the TCEQ's evaluation of the Application did not investigate or duly consider all existing uses (for example, agricultural uses like livestock watering and irrigation) or water quality standards protective of all existing uses (for example, aesthetic parameters related to recreational uses that are implicated in public health and enjoyment of waters in the state, criteria protective of livestock and other terrestrial and aquatic life). And although the TCEQ's review included an evaluation of the aquatic life use, this review was based on general assumptions whose accuracy has not been confirmed as appropriate in this specific circumstance. For example, the intermittent stream coursing through the future residential development that is to be served by the Proposed Package Plant appears to be fed by one or more springs or groundwater baseflow. However, the TCEQ did not evaluate whether the receiving stream contains

aquatic life that is dependent on the water quality of such spring water or groundwater and would be particularly sensitive to changes in water quality resulting from the proposed discharge. In the absence of an investigation into and evaluation of existing uses and relevant water quality standards, the City is concerned that the draft permit does not contain conditions that will be protective of water quality and all existing uses in accordance with Texas law.

Given that the slightest plant upset would adversely affect the water quality in the receiving streams and rivers, the City is concerned that the proposed discharge poses risks to the receiving water quality and may create unsanitary or unsafe water quality conditions in the receiving waters and the health and safety of its citizens.

The draft permit for the Proposed Package Plant is concerning as it is inconsistent with Texas' regionalization policy, which includes the promotion of use of existing area-wide waste collection, treatment, and disposal systems to prevent pollution. The Proposed Package Plant will discharge treated effluent to a receiving stream in an area of shallow groundwater, yet the Statement of Basis for this draft permit does not indicate that the TCEQ considered the potential interconnection of the receiving waters with shallow groundwater. The failure to consider shallow groundwater and how it may be contaminated by the proposed discharge is troubling.

In addition, the draft permit does not contain measures to protect against discharges of untreated or partially untreated effluent. Because this creates an unnecessary risk of contamination of the unnamed tributary to Mankins Branch, the downstream Mankins Branch segments, and groundwater, the draft permit should be denied.

E. The Draft Permit is not protective of the public health and safety of nearby residents.

The City is also concerned about the public health risk posed by the Proposed Package Plant to nearby residents. . The City is concerned that the very close distance of the Proposed Package Plant to adjacent residences poses health risks, including the potential exposure of residents to harmful pathogens via vectors (e.g., flies), aerosols (e.g., bacteria containing mists), and the receiving water (e.g., bacteria and viruses in the treated wastewater).

G. The Draft Permit does not protect the health and safety of landowners' livestock and the habitats of endangered species.

The area surrounding the plant and discharge route is agricultural in nature and contains many livestock as noted by the Application. Also, the surrounding area as well as the San Gabriel River is home to several endangered species including the Texas Shiner and Guadalupe Bass as well as several endangered salamanders.¹² Granting the Permit would expose these animals to adverse effects from growth of algae, high nitrogen content, and bacterial contamination from the proposed discharge.

H. The Application failed to show the proposed discharge satisfied TCEQ's antidegradation policy.

As noted above, the Statement of Basis for this draft permit indicates that the TCEQ did not consider all existing uses and water quality protective thereof. Without this information, it is not clear how the TCEQ could have conducted its Tier 1 and Tier 2 antidegradation review consistent with the Texas antidegradation policy and procedures implementing the same.

The standard Implementation Team's Interoffice Memorandum related to the Application classifies unnamed tributary of Mankins Branch as limited aquatic life use and Mankins Branch as presumed high aquatic life use. Nothing in TCEQ's materials indicate that TCEQ conducted a site visit to the unnamed tributary of Mankins Branch to determine whether the unnamed tributary of Mankins Branch has been appropriately classified. Also, no information from TCEQ shows a site visit to unnamed tributary of Mankins Branch or Mankins Branch to confirm the actual conditions, such as the hydraulics, of these receiving waters to determine what the impact of the proposed discharge will be.

Therefore, TCEQ's analysis of the discharge relied on an uncalibrated model based on default values that do not reflect the actual conditions of the unnamed tributary of Mankins Branch or Mankins Branch. Due to the potential from accidental releases from this small unmanned facility, and its potential for untreated or partially treated discharges resulting impact on the receiving waters. The use of site-specific data of the

¹² These endangered species can be found by using the Texas Parks and Wildlife Endangered Species by Counties search *available at* tpwd.texas.gov/gis/test and cross-referencing using the United States Geological Survey species list *available at* nas.er.usgs.gov/queries.

receiving waters is necessary to ensure the proper antidegradation analysis is conducted and that improper degradation of water quality is avoided.

In addition, the City is also concerned about elevated nitrogen levels in the receiving watercourses and its effect on water quality in the immediate receiving unnamed intermittent tributary and in downstream segments of this receiving water body.

Finally, the City is concerned that the TCEQ is using an incorrect standard in conducting its Tier 2 antidegradation review. The Statement of Basis for this draft permit indicate the TCEQ used a "no significant degradation" standard in conducting its Tier 2 evaluation. Such a standard is inconsistent with Texas antidegradation policy, which provides that no degradation is allowed unless it can be shown that the lowering of water quality is necessary for important economic or social development. Here, there is no indication that such economic or social development considerations were contemplated or that such a determination was made.

J. The draft permit does not contain sufficient operational requirements to ensure that water quality is protected.

(1) The draft permit does not require a sufficiently licensed and experienced chief operator.

The draft permit should require the chief operator to hold at least a Class B wastewater license. The draft permit only requires the chief operator to hold a Class C license. Holders of a Class C license are not experienced enough to operate and maintain a facility such as the Proposed Package Plant, especially since they will only be on-site to perform the required sampling. To obtain a Class C wastewater license, a person only needs a high school diploma or GED and either two years of work experience, or one year of work experience with minimal college hours or TCEQ-certified training. For example, applicants can substitute up to one year of experience with 32 semester hours of college or 40 additional hours of approved. The draft permit should require the chief operator to hold at least a Class B license. Holders of a Class B license are required to have a Bachelor's degree in chemistry, biology, engineering, microbiology, bacteriology or similar discipline, and 2 ½ years of hands on experience, or a high school diploma or GED and 5 years of hands on experience.

(2) The draft permit does not require adequate sampling and monitoring.

The Proposed Package Plant would operate 24/7, but only be monitored by grab sample once a week, or even less frequently for *E. Coli*. This level of frequency and sampling method does not provide adequate assurances to the City or the public that the remainder of the time the plant is producing an effluent meeting the requirements of the draft permit. For example, for Interim I Phase, the draft permit only requires a single grab sample once every quarter. This means that that less than 15 minutes of the facility's operations over a three-month period must be monitored. And because grab samples in two consecutive quarters could be taken as much as 89 days apart, discharges could violate water quality standards for some or all of that time without any means of detection or notice. For the Final Phase, the draft permit only requires a single grab sample once every month. This means that less than 15 minutes of the facility's operations over an entire month must be monitored. And because grab samples in two consecutive months could be taken as much as 59 days apart, discharges in the Final Phase discharges could violate water quality standards for some or all of that time without any means of detection or notice. Because the receiving water flows into Segment 1248, which is an impaired waterway due to high bacteria levels, sampling only quarterly or monthly is not sufficient protect the water quality of Segment 1248.

With regard to the type of sampling, a grab sample only reflects performance at the single, short point in time when the sample was collected, and then only if the sample is properly collected. The results can change depending on time of day or whether the plant is operating near its average daily flow rate. More than likely, these samples will be taken during daylight hours when flows are at their lowest part of the diurnal curve, so plant performance will be at its best. Also, it is not unheard of for operators who collect a bad grab sample to make changes to the plant and then to keep collecting grab samples until they collect enough to demonstrate compliance. Composite sampling consists of a collection of numerous individual discrete samples taken at regular intervals over a period of time, like 24 hours, or continuous sampling. Composite sampling techniques are more representative of the characteristics of the effluent over a longer period of time and more accurately reflect how the treatment plant is performing at all points along the diurnal curve. Although grab sampling may be fine for pH, DO, or total residual chlorine, which can change quickly in water once the sample is taken, it is not appropriate for BOD, TSS, Ammonia Nitrogen, Total Phosphorous, or *E. Coli*. Also, if a single grab sample does not meet permit conditions, adjustments to the plant can be made and additional grab samples taken to get the average back in compliance with the permit parameter. While unscrupulous, such a practice would still meet the permit's sampling

Ms. Laurie Gharis, Chief Clerk
Re: TPDES Permit No. WQ0016008001
June 20, 2022
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requirements. This is a widely known problem in the industry and should not be exacerbated by issuing permits with lax sampling requirements.

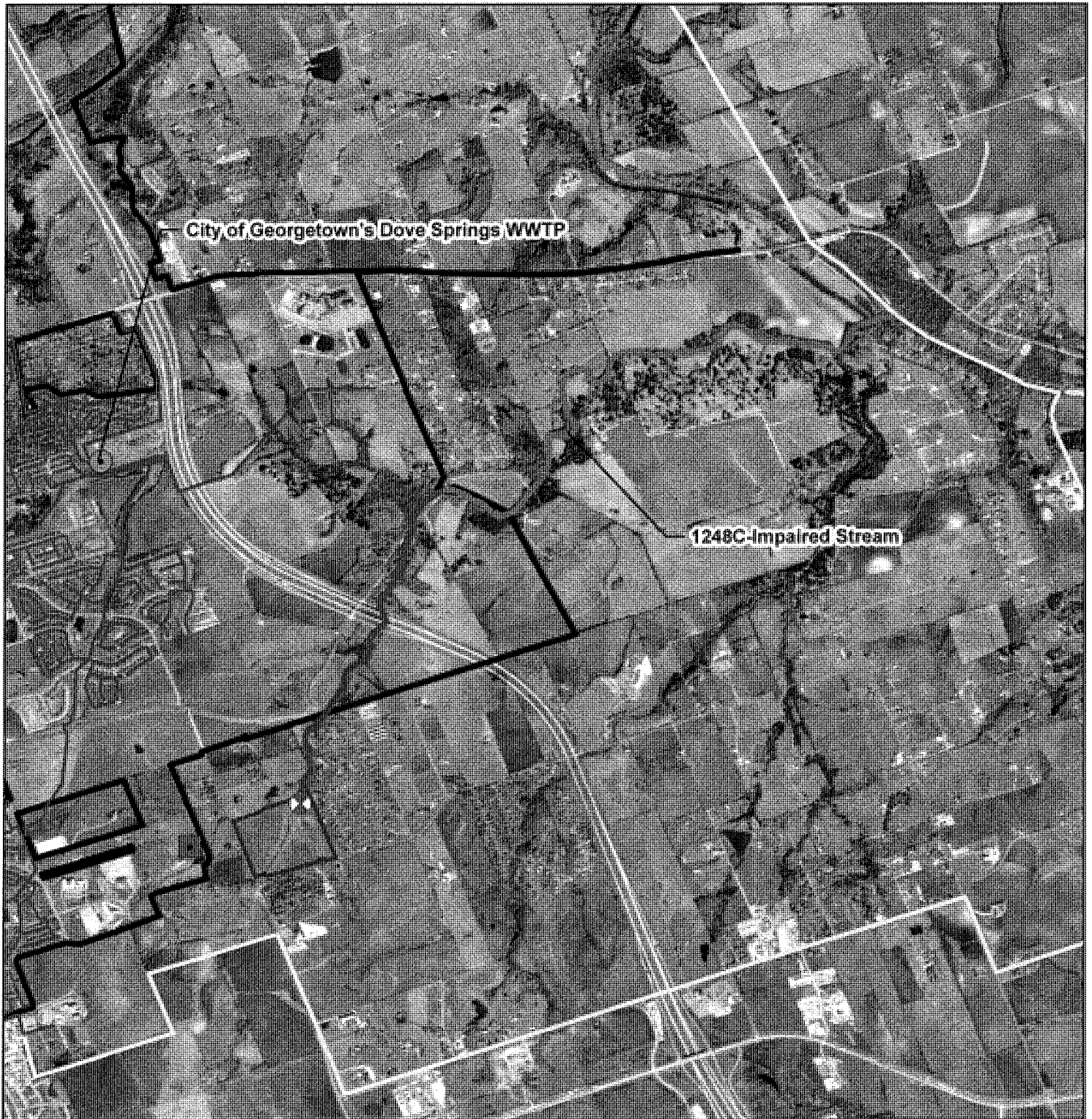
Respectfully submitted,

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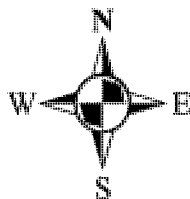
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**ATTORNEYS FOR CITY OF
GEORGETOWN**



Legend

- Paradise Ranch Lift Station - Under Construction
- City of Georgetown's Dove Springs WWTP
- R040062, LP Proposed Discharge Point
- City's Wastewater Collection Lines (Existing)
- Parcel Boundaries
- Georgetown City Limits
- Georgetown ETJ
- R040062, LP Proposed Discharge Route
- Impaired
- Un-Impaired



R040062, LP Proposed Package Plant

0 0.25 0.5 1 1.5 Miles

**CDM
Smith**

00073

ATTACHMENT 1

Debbie Zachary

From: PUBCOMMENT-OCC
Sent: Friday, October 7, 2022 11:42 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016008001
Attachments: Part 2 - 2022.10.07 City of Georgetown's Request for Contested Case Hearing.pdf

H
RFR

From: hcampbell@spencerfane.com <hcampbell@spencerfane.com>
Sent: Friday, October 7, 2022 10:54 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016008001

REGULATED ENTY NAME INDIGO WATER RESOURCES RECOVERY FACILITY

RN NUMBER: RN111287538

PERMIT NUMBER: WQ0016008001

DOCKET NUMBER:

COUNTY: WILLIAMSON

PRINCIPAL NAME: R040062 LP

CN NUMBER: CN605905942

FROM

NAME: MR William A Faulk, III

EMAIL: hcampbell@spencerfane.com

COMPANY: Spencer Fane LLP

ADDRESS: 9442 N CAPITAL OF TEXAS HWY Plaza I - Suite 500
AUSTIN TX 78759-7262

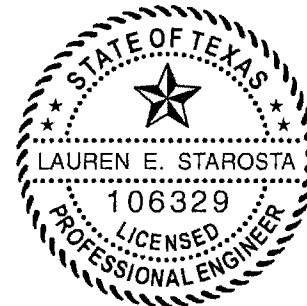
PHONE: 5128404557

FAX:

COMMENTS: Part 2 of 4: The City of Georgetown, Texas' Request for Contested Case Hearing



Technical Memorandum



Digitally signed by
Lauren Starosta
Date: 2020.11.10
08:19:43-07'00'

To: Wesley Wright, P.E., Systems Engineering Director
David Munk, P.E., Water Utility Engineer
City of Georgetown

From: Lauren Starosta, P.E. (#106329)
Allen Woelke, P.E. (#54386), BCEE
CDM Smith, TBPE Firm No. F-3043

Date: November 10, 2020

Subject: Southeast Georgetown Wastewater Master Plan – Phase 1 (FINAL)

1.0 General

This Technical Memorandum (TM) is the first phase of an interim wastewater master plan for the southeast region of Georgetown's extraterritorial jurisdiction (ETJ) which is outside the City's water service area defined by its Certificate of Convenience and Necessity (CCN). The study area is located within the Jonah Water Special Utility District (SUD) CCN. Historically, Georgetown has not considered providing wastewater service outside their water CCN; therefore, the area was not included in the City of Georgetown 2018 Wastewater Master Plan (2018 master plan), or previous master plans. Recent development proposals requesting wastewater service from Georgetown have prompted the utility provider to consider how they may serve the area within the City's ETJ now and into the future.

For this first phase, the collection system model, used by the City and CDM Smith to evaluate the system and develop master plan projects for the future, was expanded to include the southeast region. Buildout condition wastewater flows for the southeast were developed and added to the model using the same methods as described in the 2018 master plan with some modifications as described herein. The model was then used to develop and evaluate alternatives to provide wastewater service. A recommended alternative was selected and is presented herein with estimated capital costs.

A second phase of this study will consider the timing of future developments to phase the proposed projects and assimilative capacity of the San Gabriel River for treatment plant discharges.

This TM includes the following sections:

- Section 2.0 Study Area and Wastewater Flow Assumptions
- Section 3.0 Model Updates
- Section 4.0 Analysis and Recommended Projects
- Section 5.0 Conclusions

2.0 Study Area and Future Land Use Assumptions

The study area, existing collection system and existing wastewater treatment plants (WWTPs) are shown in **Figure 1**. The total study area covers about 10,760 acres. This southeast region slopes mostly east to the San Gabriel river. Past master plans considered a regional wastewater plant referred to as “Mankins” at the location shown in Figure 1. The location is ideal because it is located at the confluence of streams where gravity interceptors could be built to relieve the Pecan Branch and Dove Springs WWTPs in the future. However, master plans over the last ten years excluded a Mankins plant because Georgetown was not intending to serve the area within the Jonah water CCN. Interest in developing this area has increased in recent years and Georgetown would like to have a plan to provide service within the study area.

The first step in expanding the City’s collection system model to include the southeast study area was to delineate subcatchments and develop the parameters to simulate each component of wastewater flow. The components of wastewater flow include dry weather flow (DWF) and rainfall-dependent inflow and infiltration (RDII). DWF consists of groundwater infiltration (GWI) and base wastewater flow (BWF). GWI is groundwater that leaks into the system through cracks in pipes, joints, and other structural defects; BWF consists of residential and non-residential (commercial, industrial, institutional, etc.) sanitary wastewater flows that enter the wastewater collection system from everyday water uses. RDII consists of direct inflow through openings or stormwater connections in the system, and infiltration, similar to GWI, that enters the system during or immediately after a rainfall event. The wastewater flow criteria used in this study for each of these components and consistent with the 2018 wastewater master plan are summarized in **Table 1**.

Southeast Georgetown Wastewater Master Plan – Phase 1 (FINAL)

November 10, 2020

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Table 1. Wastewater Flow Criteria for Evaluation of the Proposed Development

Wastewater Flow Category	Criteria
Ground Water Infiltration (GWI)	
Residential	30 gallons per capita/day (gpcd)
Non-Residential	25% of Avg. Non-Residential BWF
Base Wastewater Flow (BWF)	
Typical Residential	70 gpcd
Non-Residential	Based on Future Land Use densities (see Table 2)
BWF Peaking Factors	
Residential	2.1
Non-Residential	1.5
Rainfall Dependent Inflow & Infiltration (RDII)	
Peak RDII	Based on flow monitoring or criteria of 750 gal/ac/day for new areas ¹

¹ The area used for RDII is the contributing area, which excludes open space, parks and flood plains

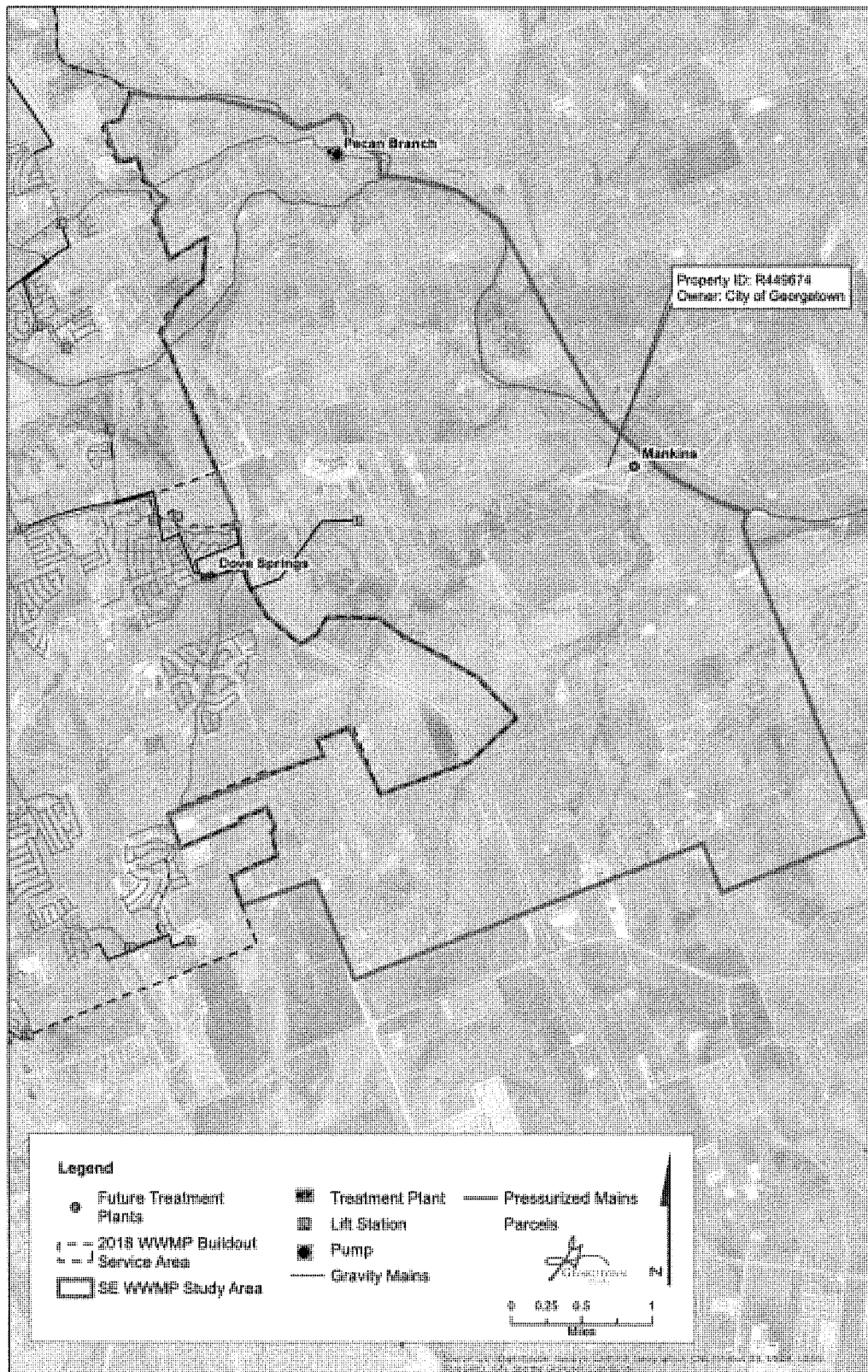


Figure 1 Study Area, Collection System, and Existing WWTPs

Wastewater flow parameters were developed using the same methods and assumptions from the 2018 master plan. The primary underlying assumption for the master plan is the City's future land use plan, which covers the entire ETJ. **Table 2** summarizes the assumptions for calculating the wastewater flow parameters for each subcatchment based on land use acreage. Since the 2018 master plan, the City's future land use database was updated. While the updated database was used for this southeast master plan, some assumptions, changes and exceptions were made per discussions with the City:

- The names of some land use categories changed. The following assumptions were made to equate the new names to the categories used in the 2018 master plan:
 - Mixed Density Neighborhood = Moderate Density Residential
 - Neighborhood = Moderate Density Residential
 - Community Center = Community Commercial
 - Regional Center = Regional Commercial Destination
- Areas defined as "rural residential" within the southeast study area were changed to "moderate-density residential", which changes the projected single-family units per acre from 0.2 to 3.5. This is the change being investigated by this southeast master plan study. If the City provides wastewater service to this area, the assumption is that the area will develop at a density greater than what the current forecast is in the future land use plan.
- Any development requests for land parcels that have been received within the study area were assumed as better information for those parcels and were used to simulate wastewater flows for those properties.
- Neighborhoods in the study area that are currently on private on-site wastewater treatment systems were assumed to be converted and served by the collection system for this study. Wastewater flow parameters assumed for such areas were assumed based on the number of houses currently existing within the neighborhood.

The parcels with development request, private on-site wastewater treatment system neighborhoods and future land use areas with the modification changing the rural residential areas to moderate density residential are shown in **Figure 2**.

Table 2. Future Land Use Parameters

Future Land Use Category	Residential		Non-Residential	
	% of Area	Dwelling Units per Acre ¹	% of Area	Average Day Flow (gpd/ac)
Agricultural / Rural Residential	100%	0.2 SFU		
Low-Density Residential	100%	2 SFUs		
Conservation Subdivision	100%	2.3 SFUs		
Moderate-Density Residential	100%	3.5 SFUs		
High-Density Residential	100%	7 SFUs and 14 MFUs		
Community Commercial	10%	10 MFUs	90%	1200
Regional Commercial Destination	10%	10 MFUs	90%	1500
Institutional Use			100%	950
Mixed Use Community	50% / 25%	3 SFUs / 7 SFUs and 7 MFUs	25%	1200
Mixed Use Neighborhood Center	25%	7 SFUs and 7 MFUs	75%	1200
Specialty Mixed Use Area	20%	7 SFUs and 7 MFUs	10% (hotels) / 70%	14600 / 1500
Employment Center	10%	10 MFUs	90%	900

¹ SFU = Single-Family Unit = 2.5 people; MFU = Multi-Family Unit = 1.9 people

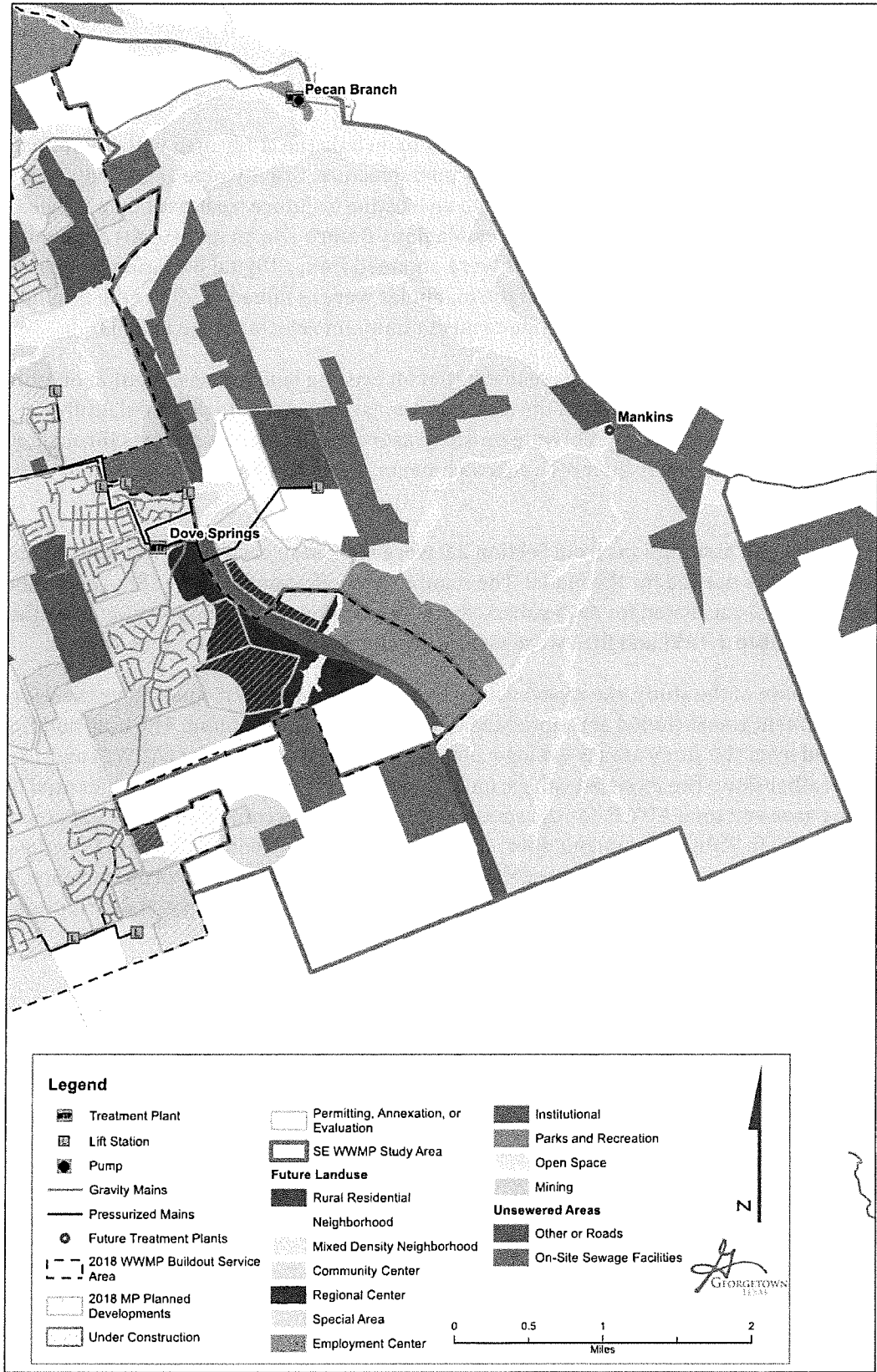


Figure 2 Future Land Use for Study Area

3.0 Model Updates

The future conditions buildout model was expanded to include the study area with additional subcatchments and proposed future wastewater infrastructure. Gravity pipe alignments and profiles were approximated along streamlines to an existing or future treatment plant. These alignments follow the path of San Gabriel River, Mankins Branch (North and South) and County Road 130. Ground elevations for the profiles were obtained from a Digital Elevation Model raster file from the USGS. The invert elevations of the manholes were assumed to follow the ground slope and were adjusted to produce enough slope to meet minimum velocity requirements.

Subcatchments in the study area were created based on existing land parcels, location of future gravity interceptors, the topography of the site, and drainage direction to potential future connection sites. Neighborhoods on private on-site wastewater treatment systems throughout the study areas were delineated as their own subcatchments. **Figure 3** shows the delineated subcatchments.

The information and assumptions from Section 2.0 were applied to each subcatchments to develop the flow parameters needed for the model. The number of single-family units (SFUs) and multi-family units (MFUs) calculated for each subcatchment were converted to population using the information in **Table 2**. GWI and RDII were included using the criteria describe in Table 1.

For this first phase of the study, the model was only updated for buildout conditions; therefore, each subcatchment was included and simulated in the model at full buildout. The total additional flow projected from the study area is 6.4 mgd average daily wastewater flow (ADWF) and 13.7 mgd peak wet weather flow. The modeled values, including modeled population, non-residential flows, contributing area and total ADWF, for the southeast study area are compared to the updated total buildout scenario in **Table 3**. Total buildout values include intermittent updates made to the model since the 2018 master plan. Note that modeled values are an overestimate of projected total growth within the wastewater service area to account for the uncertainties in the spatial distribution of growth when sizing infrastructure.

Table 3. Wastewater Model Values Summary

Wastewater Model Value	Southeast Study Area	Total System Buildout
Modeled Population	68,208	500,134
Non-Residential Average Day Flow (mgd)	0.49	13.2
Contributing Area (ac)	8,961	71,520
Total ADWF (mgd)	6.4	65.5

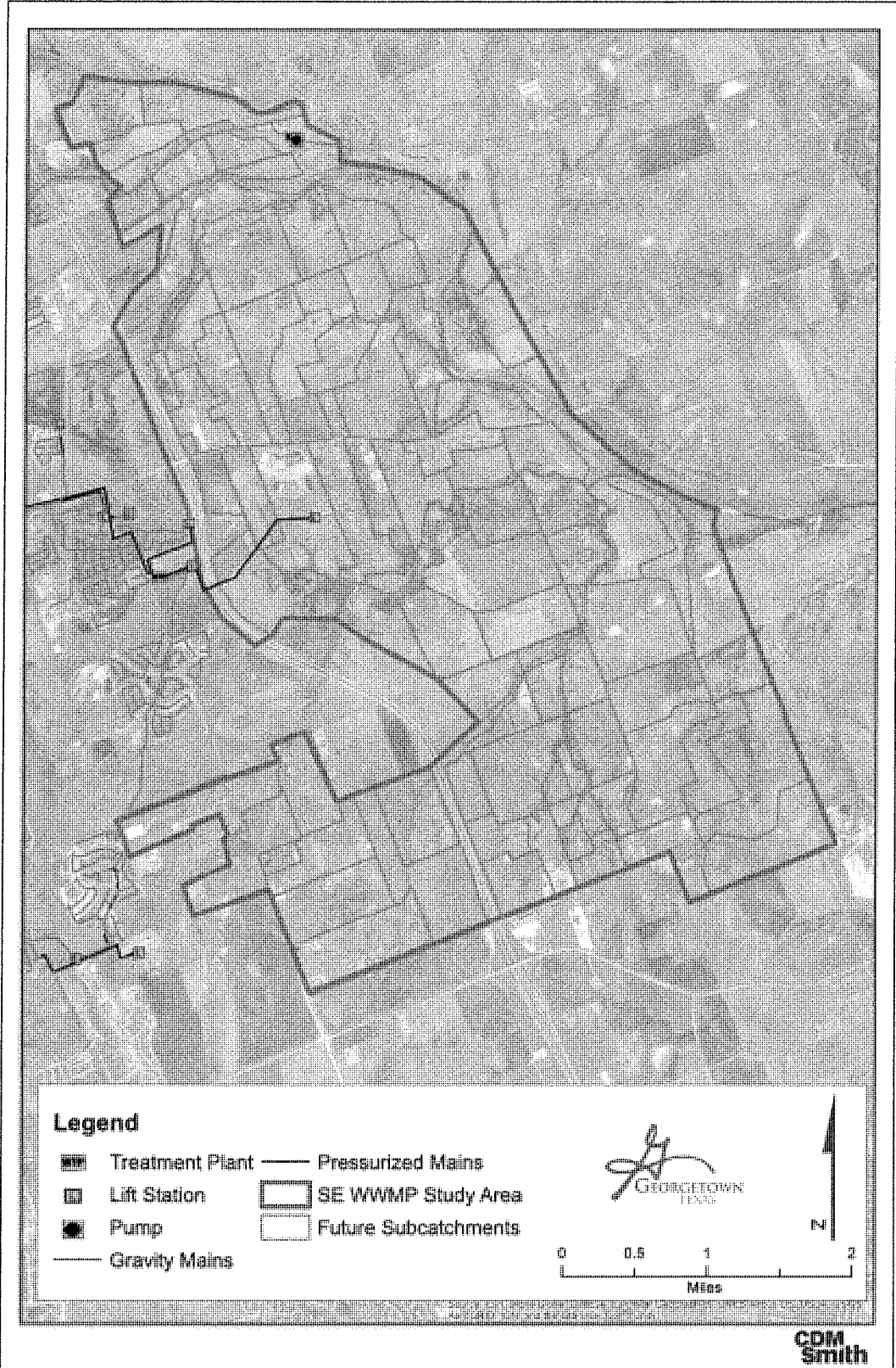


Figure 3 Future Subcatchments

4.0 Analysis and Recommended Projects

Three alternatives were considered to provide wastewater service to the study area. Two bookend alternatives were analyzed through modeling and capital cost estimates that considered an all-gravity system to a future Mankins WWTP versus mostly pumping back to existing WWTPs that would then be expanded. The recommended alternative analyzed and discussed herein is a combination of the bookend alternatives that more evenly distributes flows to existing and future WWTPs and provides service sooner for recently proposed developments so developers can assist with project costs.

Infrastructure was sized according to the flows predicted in the model: peak wet weather flows for gravity lines, lift stations and force mains and ADWF for treatment plants. Given that the study area is at the downstream end of much of the Georgetown collection system, the infrastructure is sized to include upstream flows. Projects from the 2018 master plan that can be replaced with the newly recommended projects are discussed. Cost information was developed for the recommended projects according to the costing methodology in the 2018 master plan and are in 2018 dollars. One update is that the unit construction cost for a lift station was reduced from \$0.50/gpd to \$0.30/gpd. Costs for the force main and other indirect costs are still added to this unit construction cost for the lift station according to the 2018 master plan costing methodology. The reduction in the construction cost was based on a recent bid tab for a large lift station, similar in magnitude to those proposed in this study.

The recommended projects distribute flow to three WWTPs: Pecan Branch, Dove Springs and a future Mankins. Pecan Branch and Dove Springs are existing and would be expanded while Mankins would be a new facility. The San Gabriel WWTP will remain at 2.5 mgd ADWF capacity, and it is assumed that 1.0 mgd will continue to be pumped to the Pecan Branch interceptor, which drains to Pecan Branch WWTP, via the Crystal Knoll lift station. Although this flow is not directly modeled, it is accounted for in future treatment capacity estimates. Flows in excess of 2.5 mgd (and after pumping 1.0 mgd to Pecan Branch) are routed to the SG3-A force main, which will be converted or replaced with a gravity main to drain back to the lift station and to master plan project SGI-1.

Current WWTP capacities compared to year 2020 ADWF from January through August are shown in **Figure 4** for Pecan Branch, San Gabriel and Dove Springs. They are all at about 65 percent of capacity with a total remaining capacity of about 5.2 mgd in total. The predicted buildout ADWF to Pecan Branch, Dove Springs and Mankins WWTPs totals 50.3 mgd. This is compared to the projected buildout ADWF for the whole system of 65.5 mgd presented in Table 3 to understand the proportion of the area that would be served by these three WWTPs. The contributing area is about 54,900 acres of the approximately 71,500 acres of contributing area at buildout. The remaining 15.2 mgd is to be treated by a new Northlands WWTP and the existing San Gabriel, Berry Creek and Cimarron Hills WWTPs.

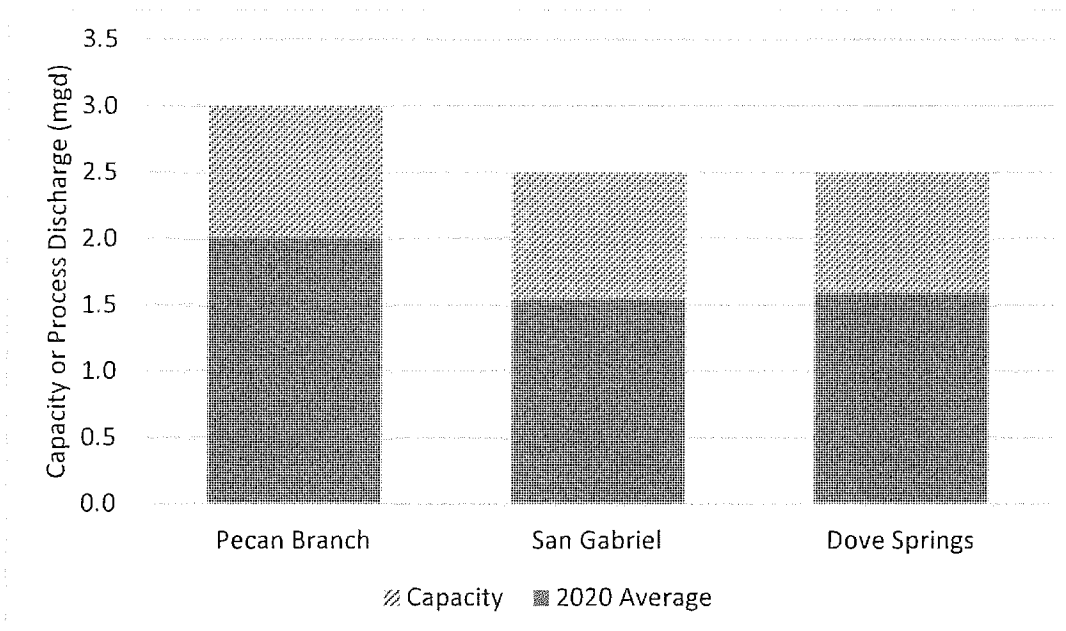


Figure 4 WWTP Capacity Compared to Year 2020 ADWF

Figure 5 shows the existing capacities of Pecan Branch, Dove Springs and San Gabriel WWTPs along with the recommended expansion of Pecan Branch and the ultimate proposed capacity of Mankins. The future capacity estimated for system buildout at these four WWTPs totals 44.8 mgd. Most of the needed future capacity would be divided between Pecan Branch and Mankins. The cost of additional treatment was excluded from this study since it considers buildout flows and the unit costs for treatment at all of the plants is about the same. Expansions will need to be phased and costs considered at that time.

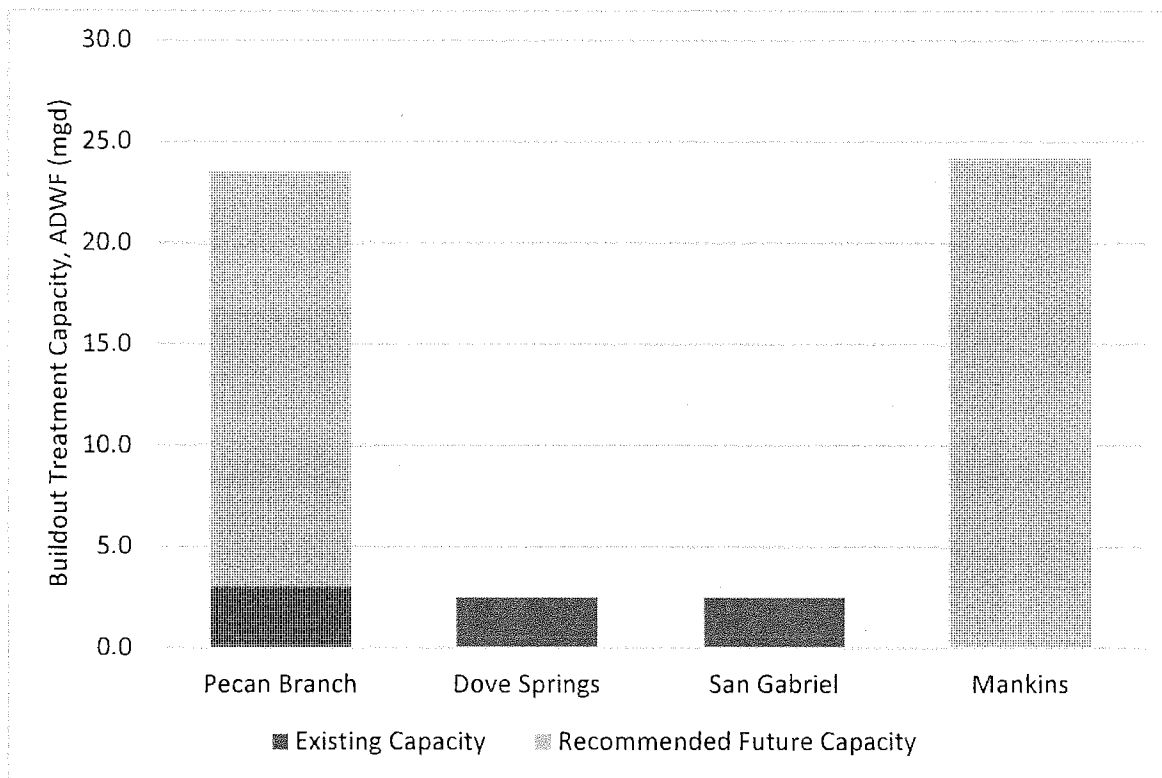


Figure 5 Existing and Future Buildout Recommended Treatment Capacity

The proposed projects are shown in **Figure 6**, which include 113,800 linear feet of gravity pipe, 1 lift station 5,600 linear feet of force main, a temporary lift station with 16,700 linear feet of force main, and a new WWTP and an expanded WWTP. The projects proposed, exclusive of treatment, are shown with capital cost information in **Table 4**. The total capital cost, which sizes all infrastructure for buildout conditions, is \$97.4 million. The table and costs do not include the 2018 master plan projects SGI-1 and SGI-PB_LS, which are shown in Figure 6; however, these projects are necessary for the proposed projects in this study. Master plan projects from 2018 replaced or modified by the proposed projects include MB-LS, MB-4 and MB-5.

The projections of treatment capacity were shown in Figure 5. Future flows are routed to an expanded Pecan Branch WWTP, Dove Springs WWTP remains at its existing capacity, and a future Mankins WWTP is sized similarly to an expanded Pecan Branch WWTP. Flow to the Pecan Branch WWTP that exceeds the proposed expansion is diverted to the Mankins WWTP through SGI-5. The treatment projections assume that a new Northlands WWTP is online to treat flows north and west of Sun City.

The projects include gravity interceptors in the Mankins basin, but instead of building a Mankins WWTP immediately, a temporary lift station with a capacity of 2.0 mgd is first constructed. A temporary lift station would pump back to Dove Springs and postpone the Mankins WWTP until the capacity at Dove Springs WWTP is exceeded. Due to the distance that the lift station would need to pump, a second, or re-lift, lift station would be needed along the route. The total estimated cost of this temporary infrastructure is \$7.7 million.

An alternative to a temporary lift station is a temporary membrane bioreactor (MBR) treatment plant at the Mankins WWTP site. A temporary MBR plant would treat up to 0.5 mgd of average daily flows, which would be equivalent to the capacity of a 2.0 mgd lift station that pumps back to Dove Springs WWTP. Either option is a temporary solution to a Mankins WWTP. A 0.5-mgd MBR treatment plant will cost more than the lift station or a typical WWTP at \$11.7 million; however, it will extend the capacity of the Dove Springs WWTP.

Another option would be to decommission Dove Springs WWTP in the future and size the gravity interceptors to Mankins WWTP to convey the additional flow. This would require upsizing MKN-1 and MKN-2 as described below:

- MKN-1 would be increased from 30 inches to 36 and 42 inches for an estimated cost increase of \$2.2 million
- MKN-2 would be increased from 24 inches to 30 and 36 inches for an estimated cost increase of \$2.5 million

The total estimated capital cost increase would be \$4.7 million for a total of \$102.1 million. Although an increase in cost, this option would avoid rehabilitation costs for the Dove Springs WWTP.

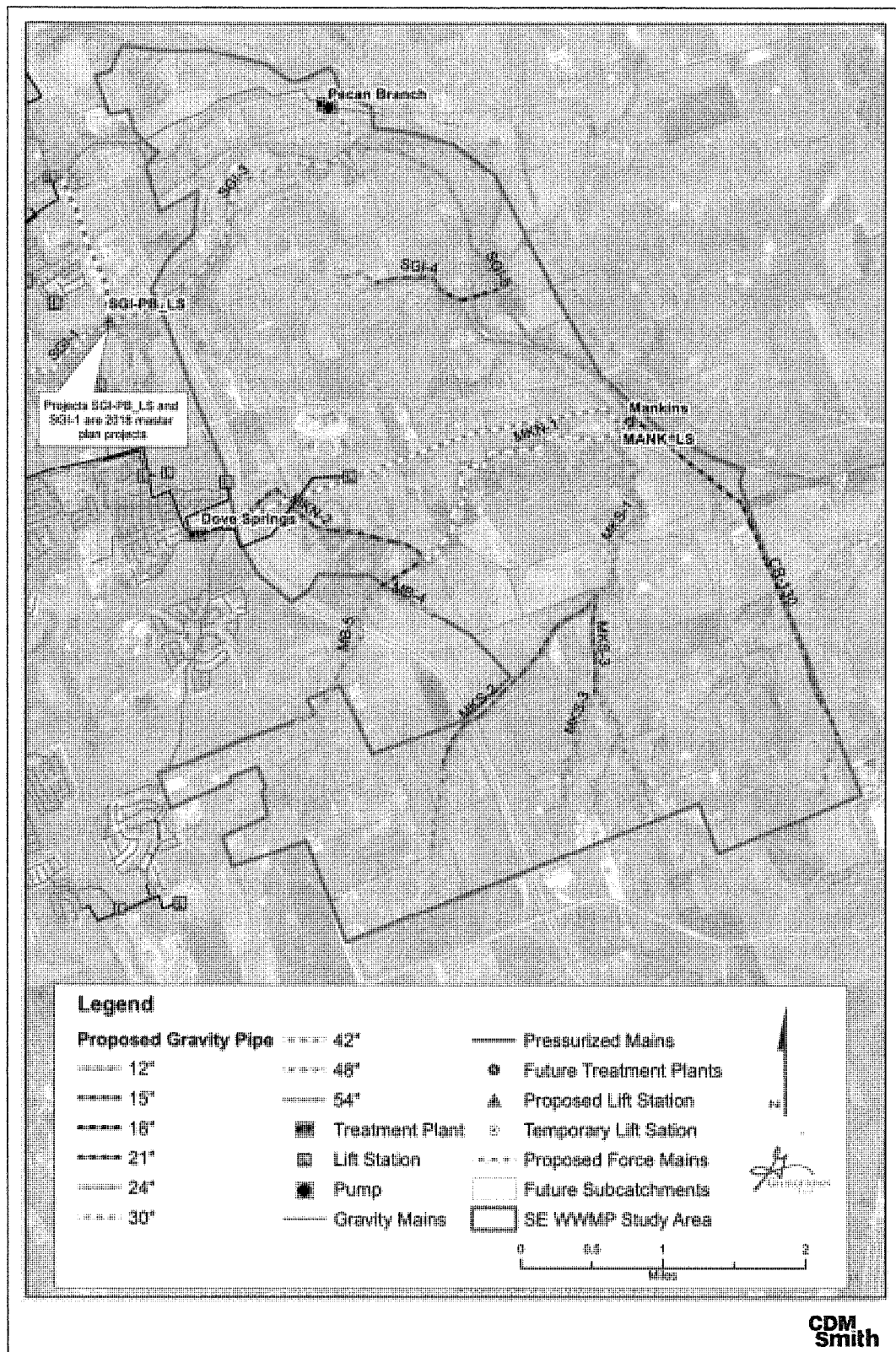


Figure 6 Proposed Projects

Southeast Georgetown Wastewater Master Plan – Phase 1 (FINAL)

November 10, 2020

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Table 4 Proposed Projects and Cost Estimates

GRAVITY MAINS				
Project ID	Diameter (in)	Length (ft)		Project Total Cost
SGI-3	48	12,336		\$15.7
SGI-4	12	2,884		\$2.8
	15	3,059		
	18	1,991		
SGI-5	54	14,992		\$23.4
	42	2,000		
MKN-1	30	11,308		\$6.9
MKN-2	21	8,600		\$4.3
MB-4	12	2,149		\$0.7
MB-5	12	6,375		\$3.3
	18	1,909		
MKS-1	24	7,779		\$4.6
MKS-2	12	3,389		\$4.2
	15	8,678		
MKS-3	12	8,668		\$4.0
	15	3,710		
CR130	12	2,611		\$7.5
	15	5,470		
	18	9,336		
GRAVITY MAINS TOTAL				\$77.3
FORCE MAINS AND LS				
Project ID	Force Main Diameter (in)	Force Main Length (lf)	Lift Station Capacity (mgd)	Project Total Cost (in million \$)
MANK_LS ¹	12	16,728	2.0 ²	\$7.7
SGI-PB_LS	30	5,600	18	\$12.3
LIFT STATIONS TOTAL				\$20.0
ALTERNATIVE TOTAL				\$97.3

¹. Alternative to MANK_LS is a temporary MBR treatment plant at 0.5 mgd ADWF capacity. Estimated cost is \$11.7 million.

². Two lift stations, each at 2.0 mgd are required due to the length of the force main back to Dove Springs WWTP.

5.0 Conclusions and Recommendations

This interim master plan lays out the wastewater collection, pumping and treatment infrastructure needed to serve the southeast portion of Georgetown's ETJ. The infrastructure presented was sized for buildout conditions and includes capacity to serve more than the study area alone because much of Georgetown drains towards the east side. In that regard, the study area cannot be analyzed in a vacuum and the projects overlap the 2018 wastewater master plan. This includes SGI-1 and SGI-PB_LS, which are included in this study as planned, while master plan projects removed or modified by the proposed projects include MB-LS, MB-4 and MB-5.

This interim master plan also considers the amount of treatment capacity that would be needed for the existing Pecan Branch and Dove Springs WWTPs and a new Mankins WWTP. The plan proposes delaying the Mankins WWTP with a temporary lift station or temporary MBR plant so that service can be provided before design and construction of a larger Mankins WWTP. The master plan project SGI-PB_LS is already in design and will allow the City to utilize the recently added capacity at the Pecan Branch WWTP. An option to the proposed projects is to decommission the Dove Springs WWTP in the future to avoid rehabilitation costs. The gravity interceptor consisting of MKN-1 and MKN-2 would need to be upsized as previously described.

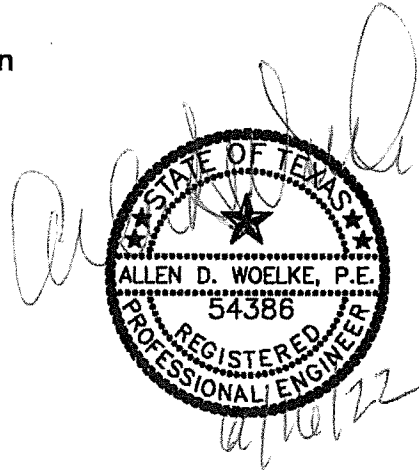
The final division of capacity between an expanded Pecan Branch WWTP and a future Mankins WWTP may need to be revised based on the ability to permit 24 mgd at the Pecan Branch WWTP. The next phase of this project is to evaluate the assimilative capacity of the San Gabriel River and determine the amount of capacity that can be constructed at the Pecan Branch site.



Technical Memorandum for the City of Georgetown

To: Georgetown Utility Systems

From: Allen Woelke, P.E. (#54386), BCEE
Ryan Tordella, P.E.
Jenn McNeill, EIT
CDM Smith, TBPE Firm No. F-3043



Date: June 16, 2022

Subject: Wastewater Collection System Analysis for R040062, LP

Purpose

The City of Georgetown (City) has received a request for wastewater service for the R040062, LP development to be located west of HWY 130 off of Rockride Ln. The proposed development is to include 600 single-family mobile homes and cover 65 acres in total. The purpose of this memorandum is to summarize the impact of the proposed development on the City's wastewater collection system and recommend improvements, if required.

Summary and Recommendations

The predicted flow from the proposed development exceeds the planned flows; therefore, the model was used to simulate future flows for this area. The incremental flow increase from the proposed development does not change the recommended improvements from the 2022 Wastewater Master Plan (WWMP). Additionally, as part of this evaluation, CDM Smith reviewed a short-term wastewater service option and confirmed there is adequate capacity for flow from the proposed development to be sent West to the Patterson Ranch Lift Station and pumped to the existing 18-inch gravity sewer upstream of Saddle Creek lift station.

To provide wastewater service, the developer will be required to construct a lift station and force main to route flow to the manhole upstream of the Patterson Ranch Lift Station. Additionally, the developer will need to coordinate with the Patterson Ranch developers to ensure that the pumps installed will be sized to handle the additional flow.

Wastewater Collection System Model

As part of a separate contract, CDM Smith developed and calibrated a wastewater collection system hydraulic model using InfoWorks ICM software. The model is continually updated as needed to complete these utility evaluations. The last comprehensive update was completed in 2022 as part of the 2022 Wastewater Master Plan (2022 WWMP). The criteria for calculating current and future

wastewater flows are documented in the 2022 WWMP and are summarized in **Table 1** specifically for proposed developments.

The collection system model is evaluated under peak wet weather flow (WWF) conditions based on a 2-year design storm to determine the impact of the proposed development on the collection system. The system is evaluated under future buildout conditions to determine if planned improvements as determined in the 2018 WWMP are sufficient to serve the proposed development. Future 10-year and existing conditions are simulated with the proposed development and evaluated when necessary to fully evaluate the conditions under which the proposed development may be causing an impact.

Peak WWF is made up of the following components:

- Groundwater Infiltration (GWI), which is input as a constant flow;
- Base Wastewater Flow (BWF), which is made up of residential or non-residential sanitary wastewater flow and will follow a diurnal pattern that has a max peaking factor; and
- Rainfall Dependent Inflow and Infiltration (RDII), which is based on hydrographs developed from the 2008, 2010, 2018, and 2022 flow monitoring efforts in specific basins or design criteria.

Peak Dry Weather Flow (DWF) is the sum of GWI and the peak BWF. Peak WWF is the sum of peak DWF and peak RDII. The criteria shown in Table 1 are used to calculate the components of peak WWF for the proposed development.

Table 1. Wastewater Flow Criteria for Evaluation of the Proposed Development

Wastewater Flow Category		Criteria
Ground Water Infiltration (GWI)		
Residential		30 gallons per capita/day (gpcd)
Non-Residential		25% of Avg. Non-Residential BWF
Base Wastewater Flow (BWF)		
Typical Residential		70 gpcd
Age Restricted (AR) PUD		55 gpcd
Non-Residential		Based on Future Land Use densities or information provided by developer
BWF Peaking Factors		
Residential		2.1
Non-Residential		1.5
Rainfall Dependent Inflow & Infiltration (RDII)		
Peak RDII		Based on flow monitoring or criteria of 1,000 gal/ac/day

Note: gpcd is gallons per capita per day

Figure 1 shows the proposed development and other pertinent information.

Proposed Development Area

The proposed development area covers 65 acres in total. The proposed development consists of single-family development. No area will be remaining as open space; therefore, 65 acres are considered to be contributing to RDII.

To provide wastewater service to the proposed development, the developer will be required to construct the proposed lift station and force main and connect them to the Patterson Ranch Lift Station via the upstream manhole.

Figure 1 shows the required lift station and force main and the Patterson Ranch Lift Station and Force Main. Flows from the Patterson Ranch lift station force main tie into the existing gravity sewer and will be conveyed to the Dove Springs WWTP.

Planned Wastewater Flows

Future wastewater flows were determined in the 2022 WMP using the future land use maps with the table of land use densities or planned development information to determine system capacity status and required capital improvements. This proposed development area is located in the development pipeline area where the City previously specified a development with 600 multi-family units. The resulting peak WWF predicted for the area based on the development pipeline and unit flow rates is **265,780 gpd**.

Proposed Wastewater Flows

The proposed development consists of 600 single-family units covering an area of 65 acres, and all 65 acres are considered to be contributing to RDII. Given the criteria in Table 1, the peak wet weather flow was calculated as follows:

- Population = 600 SFUs * 3 people per SFU = 1,800 people
- Total GWI = 1800 people * 30 gpcd = 54,000 gpd
- Peak DWF = 1800 * 70 gpcd * 2.1 + Total GWI = 318,600 gpd
- Total Peak WWF = Total Peak DWF + 65 * 1,000 gal/ac/day = **383,600 gpd**

The proposed peak WWF flow is greater than the peak WWF predicted based on future land use in the area; therefore, the model was used to simulate the greater flows and evaluate the impact on the system.

Model Evaluation

To provide wastewater service to the proposed development, the buildout model scenario was evaluated to determine if the recommended improvements from the master plan were adequately

sized for the additional flow. The incremental flow increase from the proposed development does not change the recommended improvements.

This memorandum also evaluated a short-term wastewater solution. The model was used to evaluate flow from the proposed development being routed through the Patterson Ranch Lift Station and force main. There is adequate capacity for the additional flow in the Patterson Ranch force main and downstream gravity sewer. The Developer will need to coordinate with the Patterson Ranch developers to ensure that the pumps installed will be sized to handle the additional flow.

Recommendation

To provide wastewater service, the developer will be required to construct a lift station and force main to route flow to the manhole upstream of the Patterson Ranch Lift Station. Additionally, the developer will need to coordinate with the Patterson Ranch developers to ensure that the pumps installed will be sized to handle the additional flow.

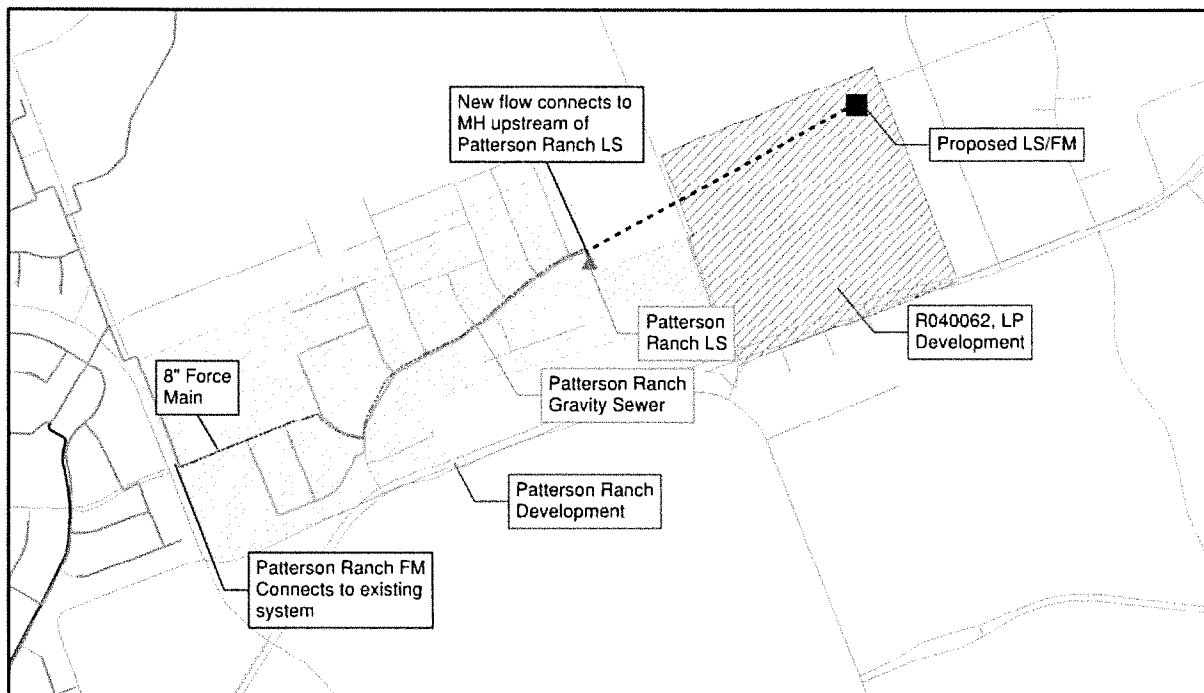


Figure 1 R040062 LP Development Evaluation

Debbie Zachary

From: PUBCOMMENT-OCC
Sent: Friday, October 7, 2022 11:42 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016008001
Attachments: Part 3 - 2022.10.07 City of Georgetown's Request for Contested Case Hearing.pdf

H
RFR

From: hcampbell@spencerfane.com <hcampbell@spencerfane.com>
Sent: Friday, October 7, 2022 10:55 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016008001

REGULATED ENTY NAME INDIGO WATER RESOURCES RECOVERY FACILITY

RN NUMBER: RN111287538

PERMIT NUMBER: WQ0016008001

DOCKET NUMBER:

COUNTY: WILLIAMSON

PRINCIPAL NAME: R040062 LP

CN NUMBER: CN605905942

FROM

NAME: MR Cody A Faulk, III

EMAIL: hcampbell@spencerfane.com

COMPANY: Spencer Fane LLP

ADDRESS: 9442 N CAPITAL OF TEXAS HWY Plaza I - Suite 500
AUSTIN TX 78759-7262

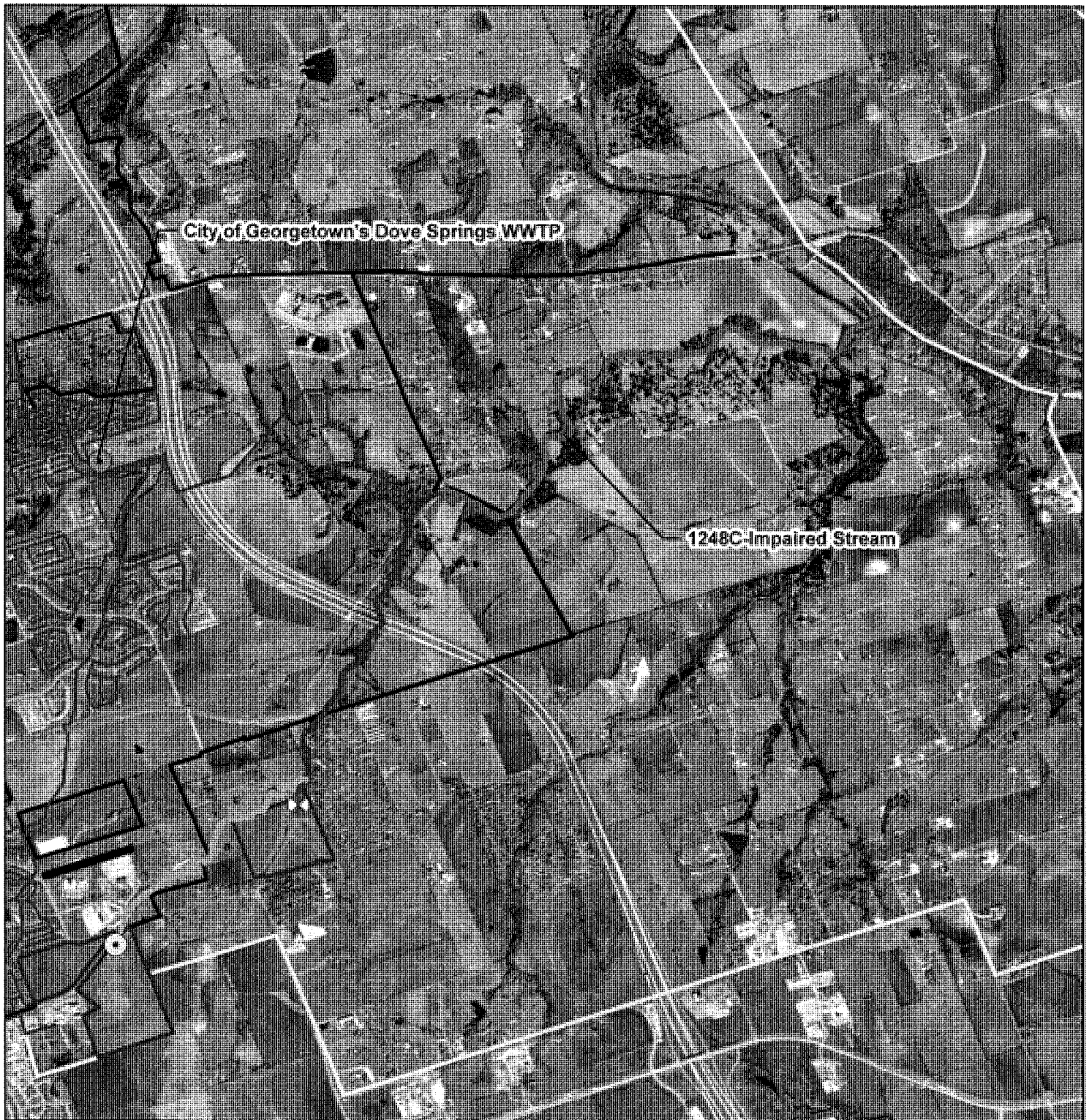
PHONE: 5128404557

FAX:

COMMENTS: Part 3 of 4: The City of Georgetown, Texas' Request for Contested Case Hearing

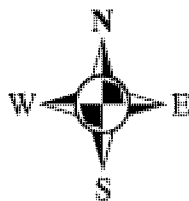
**Georgetown Water Utility
Indigo Interim Lift Station and Force Main
Opinion of Probable Construction Cost**

Item No.	Description	Quantity	Unit	Unit Price	Total Cost
1	8-inch Force Main	3400	LF	\$ 96	\$ 326,400
2	20-inch Bored Road Crossing	100	LF	\$ 1,050	\$ 105,000
3	Trench Safety/Silt Fence	3300	LF	\$ 5	\$ 16,500
4	Revegetation	3300	LF	\$ 7	\$ 23,100
5	Traffic Control	1	LS	\$ 5,000	\$ 5,000
6	0.8 mgd Lift Station	0.8	mgd	\$ 750,000	\$ 600,000
7	Miscellaneous	1	LS	\$ 200,000	\$ 200,000
	Construction Subtotal				\$ 1,276,000
8	Bonds and Insurance				\$ 38,300
9	Mobilization/Demobilization				\$ 63,800
10	Contractor Overhead & Profit				\$ 255,200
	Construction Subtotal				\$ 1,633,300
11	Professional Services				\$ 326,700
12	Easements: 25-ft Permanent				\$ 189,400
13	40-ft Temporary Construction				\$ 151,500
	Project Total				\$ 2,300,900



Legend

- AIRW 2017-7 LP's Discharge Point
- City of Georgetown's Dove Springs WWTP
- R040062, LP's Discharge Point
- AIRW 2017-7 LP's Discharge Route
- City's Wastewater Collection Lines (Existing)
- Parcel Boundaries
- Georgetown City Limits
- Georgetown ETJ
- R040062, LP's and AIRW 2017-7 LP's Combined Discharge Route
- Impaired
- Un-Impaired



AIRW 2017-7, LP and R040062, LP Proposed Package Plants

0 0.25 0.5 1 1.5 Miles

**CDM
Smith**

00097

ATTACHMENT 5

Debbie Zachary

From: PUBCOMMENT-OCC
Sent: Friday, October 7, 2022 11:43 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WQ0016008001
Attachments: Part 4 - 2022.10.07 City of Georgetown's Request for Contested Case Hearing1.pdf

H
RFR

From: hcampbell@spencerfane.com <hcampbell@spencerfane.com>
Sent: Friday, October 7, 2022 10:58 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016008001

REGULATED ENTY NAME INDIGO WATER RESOURCES RECOVERY FACILITY

RN NUMBER: RN111287538

PERMIT NUMBER: WQ0016008001

DOCKET NUMBER:

COUNTY: WILLIAMSON

PRINCIPAL NAME: R040062 LP

CN NUMBER: CN605905942

FROM

NAME: MR William A Faulk, III

EMAIL: hcampbell@spencerfane.com

COMPANY: Spencer Fane LLP

ADDRESS: 9442 N CAPITAL OF TEXAS HWY Plaza I - Suite 500
AUSTIN TX 78759-7262

PHONE: 5128404557

FAX:

COMMENTS: Part 4 of 4: The City of Georgetown, Texas' Request for Contested Case Hearing

EXHIBIT 2

WCAD

Property Owner Property Address Tax Year 2023 Market Value
 R584127 GEORGETOWN ISD 4101 SOUTHWESTERN BLVD, GEORGETOWN, TX 78626 2023 N/A

2023 GENERAL INFORMATION

Property Status Active
 Property Type C1
 Legal Description S12011 - SOUTH ROCKRIDE, BLOCK 1, Lot 1, ACRES 21.224
 Neighborhood G90CS - West Georgetown Isd
 Account R-20-1101-0001-0001
 Map Number 3-1937

2023 VALUE INFORMATION

Improvement Homesite Value N/A
 Improvement Non-Homesite Value N/A
 Total Improvement Market Value N/A

Land Homesite Value N/A
 Land Non-Homesite Value N/A
 Land Agricultural Market Value N/A

Total Land Market Value N/A

Total Market Value N/A

Agricultural Use N/A

Timber Use N/A

Total Appraised Value N/A

Homestead Cap Loss N/A

Total Assessed Value N/A

2023 OWNER INFORMATION

Owner Name GEORGETOWN ISD
 Owner ID
 Exemptions Exempt Property
 Percent Ownership 100%
 Mailing Address 507 E UNIVERSITY AVE GEORGETOWN, TX 78626
 Agent -

2023 ENTITIES & EXEMPTIONS

Special Exemptions EX - Exempt Property

TAXING ENTITY	EXEMPTIONS	EXEMPTIONS AMOUNT	TAXABLE VALUE	TAX RATE PER 100	TAX CEILING
CAD- Williamson CAD		N/A	N/A	N/A	N/A
<input checked="" type="checkbox"/> CGT- City of Georgetown		N/A	N/A	N/A	N/A
<input checked="" type="checkbox"/> GWI- Williamson CO		N/A	N/A	N/A	N/A
<input checked="" type="checkbox"/> RFM- Wmsn CO FM/RD		N/A	N/A	N/A	N/A
<input checked="" type="checkbox"/> SGT- Georgetown ISD		N/A	N/A	N/A	N/A

2023 IMPROVEMENTS

✕ Expand/Collapse All

Improvement #1 State Code Homesite Total Main Area (Exterior Measured) Market Value
 - XV - Other Exemptions No - N/A

RECORD	TYPE	YEAR BUILT	SQ. FT	VALUE	ADD'L INFO
1	Main Area	2019	-	N/A	✕ Details

2023 LAND SEGMENTS

LAND SEGMENT TYPE	STATE CODE	HOMESITE	MARKET VALUE	AG USE	TIM USE	LAND SIZE
1 - Commercial	XV - Other Exemptions	No	N/A	N/A	N/A	924,517 Sq. ft

TOTALS

924,517 Sq. ft / 21.224000 acres

VALUE HISTORY

YEAR	IMPROVEMENT	LAND	MARKET	AG MARKET	AG USE	APPRAISED	HS CAP LOSS	ASSESS
2022	\$20,000,000	\$1,664,131	\$21,664,131	\$0	\$0	\$21,664,131	\$0	\$21,664,131

00101

PublicAccess > Property Detail

2021	\$20,000,000	\$1,386,776	\$21,386,776	\$0	\$0	\$21,386,776	\$0	\$21,386,776
2020	\$19,000,000	\$1,317,437	\$20,317,437	\$0	\$0	\$20,317,437	\$0	\$20,317,437

WCAD

Property	Owner	Property Address	Tax Year	2023 Market Value
R040062	R040062 LP	CR 105, GEORGETOWN, TX 78626	2023	N/A

2023 GENERAL INFORMATION

Property Status	Active
Property Type	LTRR-Land Transitional Residential
Legal Description	AW0426 AW0426 - Mcqueen, J. Sur., ACRES 64.358
Neighborhood	G305M50H - E Gtown ISD Abstracts
Account	R-20-0426-0000-0028
Map Number	3-1943,3-1937

2023 OWNER INFORMATION

Owner Name	R040062 LP
Owner ID	
Exemptions	
Percent Ownership	100%
Mailing Address	5599 SAN FELIPE ST STE 565 HOUSTON, TX 77056-2753
Agent	O'CONNOR & ASSOCIATES (A1479)

2023 VALUE INFORMATION

Improvement Homesite Value	N/A
Improvement Non-Homesite Value	N/A
Total Improvement Market Value	N/A
Land Homesite Value	N/A
Land Non-Homesite Value	N/A
Land Agricultural Market Value	N/A
Total Land Market Value	N/A
Total Market Value	N/A
Agricultural Use	N/A
Timber Use	N/A
Total Appraised Value	N/A
Homestead Cap Loss	N/A
Total Assessed Value	N/A

2023 ENTITIES & EXEMPTIONS

TAXING ENTITY	EXEMPTIONS	EXEMPTIONS AMOUNT	TAXABLE VALUE	TAX RATE PER 100	TAX CEILING
CAD- Williamson CAD		N/A	N/A	N/A	N/A
<input checked="" type="checkbox"/> F08- Wmsn ESD #8		N/A	N/A	N/A	N/A
<input checked="" type="checkbox"/> GWI- Williamson CO		N/A	N/A	N/A	N/A
<input checked="" type="checkbox"/> RFM- Wmsn CO FM/RD		N/A	N/A	N/A	N/A
<input checked="" type="checkbox"/> SGT- Georgetown ISD		N/A	N/A	N/A	N/A

2023 LAND SEGMENTS

LAND SEGMENT TYPE	STATE CODE	HOMESITE	MARKET VALUE	AG USE	TIM USE	LAND SIZE
1 - Vacant Land	E4 - Vacant Acreage (unless platted)	No	N/A	N/A	N/A	64.358000 acres

TOTALS

2,803,434 Sq. ft /
64.358000 acres

VALUE HISTORY

YEAR	IMPROVEMENT	LAND	MARKET	AG MARKET	AG USE	APPRAISED	HS CAP LOSS	ASSESSED
2022	\$0	\$3,200,000	\$3,200,000	\$0	\$0	\$3,200,000	\$0	\$3,200,000
2021	\$0	\$0	\$0	\$1,462,929	\$2,188	\$2,188	\$0	\$2,188
2020	\$0	\$0	\$0	\$1,389,782	\$5,083	\$5,083	\$0	\$5,083
2019	\$0	\$0	\$0	\$965,175	\$4,890	\$4,890	\$0	\$4,890
2018	\$0	\$0	\$0	\$1,023,450	\$4,708	\$4,708	\$0	\$4,708

SALES HISTORY

DEED DATE	SELLER	BUYER	INSTR #	VOLUME/PAGE
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PublicAccess > Property Detail

3/18/2021	KIMBRO, ERNEST W	R040062 LP	2021042165
12/1/2006	KIMBRO, JAMES R & ERNEST W	KIMBRO, ERNEST W	2007004401
2/11/2005	KIMBRO, Y W & JAMES & ERNEST	KIMBRO, JAMES R & ERNEST W	2005045198
3/23/1998	KIMBRO, JAMES/ERNEST/TOMMIE	KIMBRO, Y W & JAMES & ERNEST	9848735
9/19/1987	KIMBRO, Y W & VIRGINA KIMBRO	KIMBRO, JAMES/ERNEST/TOMMIE	- 1615/485
	VETERANS LAND BOARD OF TEXAS	KIMBRO, Y W & VIRGINA KIMBRO	- 501/577

Debbie Zachary

WQ
124974

From: PUBCOMMENT-OCC
Sent: Tuesday, June 21, 2022 10:28 AM
To: PUBCOMMENT-WQ; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: WQ0016008001 - Public Comments
Attachments: City of Georgetown Comments and Hearing Request 6.20.2022.pdf

H

From: Laurie Gharis <Laurie.Gharis@tceq.texas.gov>
Sent: Monday, June 20, 2022 5:16 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: FW: WQ0016008001 - Public Comments

Laurie Gharis
Office of the Chief Clerk
Texas Commission on Environmental Quality
Office Phone: 512-239-1835
Cell Phone: 512-739-4582

How is our customer service? Fill out our online customer satisfaction survey at:
www.tceq.texas.gov/customersurvey

From: Trish Erlinger Carls <tcarls@tcarlslaw.com>
Sent: Monday, June 20, 2022 5:08 PM
To: Laurie Gharis <Laurie.Gharis@tceq.texas.gov>
Cc: Faulk, Cody <cfaulk@spencerfane.com>; Hopinks-Baul, Carlota <chbaul@spencerfane.com>
Subject: WQ0016008001 - Public Comments

Laurie –
Please see the attached document that we have trying to file as comments regarding the referenced application.

Trish Erlinger Carls
512-567-0125
tcarls@tcarlslaw.com

Law Offices of
Patricia Erlinger Carls

June 20, 2022

via e-file to: www14.tceq.texas.gov/epic/eComment/

Ms. Laurie Gharis, Chief Clerk (MC 105)
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

Re: **The City of Georgetown, Texas' Public Comments and Request for Contested Case Hearing**

Applicant Name: R040062 LP (CN605905942)
Regulated Entity Name: Indigo Water Resources Recovery Facility (RN111287538)
Application: TPDES Permit No. WQ0016008001
Location: Williamson County, Texas
EPA I.D.: TX0141437

Dear Ms. Gharis:

On behalf of the City of Georgetown (the "**City**"), please accept these public comments and request for a contested case hearing on the application by R040062, LP (the "**Applicant**") for proposed new Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0016008001, to authorize a domestic wastewater treatment facility in Williamson County, Texas (the "**Application**"). The City's contact persons for this matter are below:

Cody Faulk, Partner
Carlota Hopinks-Baul, Attorney
Spencer Fane LLP
9442 North Capital of Texas Highway
Plaza I Suite 500 | Austin, TX 78759
O 512.840.4555
cfaulk@spencerfane.com
chbaul@spencerfane.com

Patricia Erlinger Carls
Law Offices of Patricia Erlinger Carls
3100 Glenview Avenue
Austin, Texas 78703
(512) 567-0125
tcarls@tcarlslaw.com

3100 Glenview Ave. | Austin, Texas 78703 | 512-567-0125

I. INTRODUCTION

The Application was received by the TCEQ on June 11, 2021 and declared administratively complete on August 24, 2021. The Executive Director completed its technical review and prepared a draft permit. The Notice of Application and Preliminary Decision was issued on May 5, 2022 and published on May 18, 2022. The public comment period on the Application ends on June 20, 2022. These public comments and request for a contested case hearing are timely and properly filed under 30 Tex. Admin. Code ("TAC") 55.201(c) and (d).

If approved, the draft permit would authorize the discharge of effluent from a package plant (the "**Proposed Package Plant**") at a daily average flow not to exceed 0.075 million gallons per day ("MGD") in the Interim Phase and a daily average flow not to exceed 0.2 MGD in the Final Phase. The Proposed Package Plant would be located off the west end of Madison Drive, approximately 1,500 feet northwest of the intersection of County Road 105 and Jacobs Way, in Williamson County, Texas 78626, within the City's extraterritorial jurisdiction ("ETJ"). The effluent will be discharged to an unnamed tributary of Mankins Branch, thence to Mankins Branch, thence to the San Gabriel/North Fork San Gabriel River in Segment No. 1248 of the Brazos River Basin.

II. REQUEST FOR A CONTESTED CASE HEARING

A. AFFECTED PERSON ANALYSIS/STANDING

(1) Applicable Rules

In determining who is an "affected person," the TCEQ rule provides as follows:

RULE § 55.203 Determination of Affected Person

(a) For any application, an affected person is one who has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by the application. An interest common to members of the general public does not qualify as a personal justiciable interest.

(b) Except as provided by § 55.103 of this title (relating to Definitions)¹, governmental entities, including local governments and public agencies, with authority under state law over issues raised by the application may be considered affected persons.

¹ Barring participation by non-river authority state agencies in contested case hearings unless the state agency is the applicant. See 30 TAC § 55.103.

(c) In determining whether a person is an affected person, all factors shall be considered, including, but not limited to, the following:

- (1) whether the interest claimed is one protected by the law under which the application will be considered;*
- (2) distance restrictions or other limitations imposed by law on the affected interest;*
- (3) whether a reasonable relationship exists between the interest claimed and the activity regulated;*
- (4) likely impact of the regulated activity on the health and safety of the person, and on the use of property of the person;*
- (5) likely impact of the regulated activity on use of the impacted natural resource by the person;*
- (6) for a hearing request on an application filed on or after September 1, 2015, whether the requestor timely submitted comments on the application that were not withdrawn; and*
- (7) for governmental entities, their statutory authority over or interest in the issues relevant to the application.*

(d) In determining whether a person is an affected person for the purpose of granting a hearing request for an application filed on or after September 1, 2015, the commission may also consider the following:

- (1) the merits of the underlying application and supporting documentation in the commission's administrative record, including whether the application meets the requirements for permit issuance;*
- (2) the analysis and opinions of the executive director; and*
- (3) any other expert reports, affidavits, opinions, or data submitted by the executive director, the applicant, or hearing requestor.*

(e) In determining whether a person is an affected person for the purpose of granting a hearing request for an application filed before September 1, 2015, the commission may also consider the factors in subsection (d) of this section to the extent consistent with case law.²

The City is an "affected person" entitled to a contested case hearing on issues raised in its hearing request because the City has interests related to legal rights, duties, privileges, powers, or economic interests affected by the Application that are not common to the general public and is an affected person under 30 TAC § 55.203(a). In addition, the City has "statutory authority over" and "interest in the issues relevant to the Application within the meaning of 30 TAC § 55.203(b). The City is also providing additional information to the Commission in this letter, per 30 TAC § 55.203(d)(1), (d)(3) and (e). For example, as discussed more fully below, the City provides wastewater treatment services to areas both inside and outside of its corporate limits, the City has authority over or an interest in the effects on the environment and on public health, safety, and welfare from the Proposed Package Plant, the Proposed Package Plant's wastewater discharges into

² 30 TAC § 55.203 (*emphasis added*).

waterways within the City's corporate limits and ETJ, and the City has an interest in eliminating new potential sources of contamination.

(2) The City's Wastewater Treatment System

According to the Application, the Proposed Package Plant would service 600 manufactured homes, having an estimated three persons per unit, located on approximately 64.345 acres of land (the "**Proposed Service Area.**") The Proposed Package Plant, proposed outfall, and Proposed Service Area are all within the City's ETJ, approximately 1,850 feet from the closest City limit line. The proposed discharge route is partially in the City's ETJ and partially inside its city limits.

The City has an interest in reducing or eliminating the number of wastewater package plants so as to reduce or eliminate additional point sources of pollution, and protect water quality and public health and safety. To that end, the City owns and operates an extensive wastewater system that eliminates the regional need for package plants such as one described in the Application. The City owns and operates five existing wastewater treatment plants, and has a permit for a sixth to be constructed in the near future.³ The City employs approximately 15 licensed wastewater treatment plant operators and 38 licensed wastewater collection system operators. The City currently provides wastewater service to approximately 35,891 customers. One of the City's wastewater treatment plants, the Dove Springs Wastewater Treatment Plant ("Dove Springs Plant"), is within a three mile radius of the Proposed Facility (*see **Attachment 1***). The Dove Springs Plant is actually interconnected with the City's two other largest wastewater treatment plants, the Pecan Branch Plant and the San Gabriel Plant. Together, just the three, large, connected plants can treat 8.0 MGD, which is the equivalent of 80,000 people (at 100 gpd/ person). The two other plants – the Cimarron Hills Plant and the Berry Creek Plant – can treat 0.2 MGD and 0.3 MGD, respectively – which is the combined equivalent of 5,000 people (at 100 gpd/person). Based on information from the US Census Bureau available at <https://www.census.gov/quickfacts/fact/table/georgetowncitytexas#>, the City population as of the April 1, 2020 census was 67,176. So, the City clearly has more than enough capacity to provide wastewater treatment service to its customers within its city limits and ETJ.

³ The City owns and operates the following wastewater treatment facilities: Cimarron Hills WWTP (WQ0014232001); San Gabriel WWTP (WQ0010489002); Dove Springs WWTP (WQ0010489003); Pecan Branch WWTP (WQ0010489005); Berry Creek WWTP (WQ0010489006). Georgetown also has a permit for the Northlands WWTP (WQ 0010489007), which is not yet under construction. The City also owns a site in the subject drainage basin on which a seventh WWTP is planned.

The City also has existing wastewater collection systems located within a three mile radius of the Proposed Service Area, and there is additional collection system infrastructure under construction that would be even closer to the Proposed Service Area. The existing collection system is located approximately 3/4 feet/miles away from the western boundary of the Proposed Service Area, and a lift station and associated wastewater collection system is currently under construction at a subdivision located less than 1,000 feet from the western boundary of the Proposed Service Area (see Attachment 1).

(3) The City's Interests in the Application

The City is a home-rule municipality, having the full powers of self-governance, and is authorized to exercise all authority incident to local self-government.⁴ In addition to having the powers granted to it as a home-rule city via the Texas Constitution, the Legislature has also expressly granted home-rule cities regulatory authority within the ETJ over issues raised by or relevant to the Application. The Legislature created municipal extraterritorial jurisdiction areas for all cities for the following purposes: "to promote and protect the general health, safety, and welfare of persons residing in and adjacent to the municipalities."⁵ Thus, the City has a Legislatively-mandated interest in promoting and protecting the general health, safety, and welfare of persons residing inside its city limits and ETJ. In the context of the Application, the City's interests are to promote and protect the general health, safety, and welfare of persons residing in the ETJ AND inside the city limits from deleterious effects caused by the Proposed Package Plant.

The Legislature has also granted cities statutory authority over or interest in issues relative to the Application via specific statutes. For example:

⁴ See Tex. Const. art. XI, § 5; TEX. LOC. GOV. CODE ANN. § 51.072(a) and (b) ("(a) The [home-rule] municipality has full power of local self-government. (b) The grant of powers to the municipality by this code does not prevent, by implication or otherwise, the municipality from exercising the authority incident to local self-government."); *Lower Colo. Riv. Auth. v. City of San Marcos*, 523 S.W.2d 641, 643 (Tex. 1975), *Quick v. City of Austin*, 7 S.W.3d 109, 122 (Tex. 1999), *Dallas Merch. & Concessionaires Ass'n v. City of Dallas*, 852 S.W.2d 489, 490-91 (Tex. 1993) (Home-rule cities do not depend on the Legislature for specific grants of authority but, instead, have a constitutional right of self-government and, look to the Legislature only for specific limitations on their power). See also, *In re Sanchez*, 81 S.W.3d 794, 796 (Tex. 2002); *Proctor v. Andrews*, 972 S.W.2d 729, 733 (Tex. 1998) (For the Legislature to divest home-rule cities of their Constitutional authority, the Legislature's intent to do so must be expressed with "unmistakable clarity.")

⁵ TEX. LOCAL GOV'T CODE ANN. § 42.001 ("PURPOSE OF EXTRATERRITORIAL JURISDICTION. The legislature declares it the policy of the state to designate certain areas as the extraterritorial jurisdiction of municipalities to promote and protect the general health, safety, and welfare of persons residing in and adjacent to the municipalities.")

- TEX. WATER CODE ANN. Ch. 26, Subchapter E (disposal system rules and water pollution control and abatement)
- TEX. WATER CODE ANN. Ch. 7, Subchapter H (water quality enforcement)⁶
- TEX. HEALTH & SAFETY CODE ANN. § 121.003(a) (public health)
- TEX. LOC. GOV'T CODE ANN. § 551.002 (pollution or degradation of water supplies and watersheds)
- TEX. LOC. GOV'T CODE ANN. § 212.003(a) (subdivision and platting (including the provision of water and sewer service platted areas))
- TEX. LOC. GOV'T CODE ANN. § 217.042 (nuisances within 5,000 feet)
- TEX. LOC. GOV'T CODE ANN. § 552.001 (municipal utility systems) and Subchapter C (municipal drainage systems)
- TEX. LOC. GOV'T CODE ANN. Ch. 551.002 (protection of streams and watercourses)

In addition, regionalization and need in wastewater permitting cases are issues on which cities that operate wastewater collection and treatment systems, like the City, are uniquely poised to offer evidence. TWC § 26.003 states that:

"It is the policy of this state and the purpose of this subchapter to . . . encourage and promote the development and use of regional and areawide waste collection, treatment, and disposal systems to serve the waste disposal needs of the citizens of this state; and to require the use of all reasonable methods to implement this policy."

This guiding principle of regionalization and need is enshrined in the introductory provisions of Chapter 26, listed second only to the recognition of private ownership rights of groundwater. Two other pieces of legislation were adopted to underscore this policy

⁶ The enforcement authority and rights granted to cities via TWC § 7.351(a) are different from those of the general public, and having been granted special statutory enforcement rights over water quality matters, the City has authority under state law over issues raised by the Application or statutory authority over or interests in the issues relevant to the Application. TWC § 7.351(a) authorizes local governments to bring an action against a person for a violation or threatened violation of Chapter 26 of the TWC occurring in the jurisdiction of that local government in the same manner as the Commission may do so – that is, for injunctive relief or a civil penalty or both. Although that section also gives similar powers to "a person affected" the term "person affected" as used in Section 7.351(a) does not have the same meaning as the term "affected person" under the Texas Water Code. As used in Section 7.351(a), the term "person affected" refers only to a select group of persons defined in Section 401 of the Texas Health and Safety Code and only as to violations of Chapter 401 of the Texas Health and Safety Code (relating to Radioactive Materials and Other Sources of Radiation).

-- TEX. WATER CODE ANN. §§ 26.081⁷ and 26.0282⁸ -- relating to the consideration of the regionalization policy, need, and the availability of existing or proposed areawide or regional wastewater collection, treatment, and disposal systems.

The state regionalization policy articulated three times in the Texas Water Code is entirely consistent with the Legislature's creation of ETJs via the Texas Local Government Code. The issues of wastewater treatment regionalization and need cannot be evaluated or implemented without the ability to look "regionally" and "areawide" -- beyond a city's corporate boundaries. The Legislature has adopted statutes that underscore a city's status as an affected person in cases such as the one at hand by creating ETJs, acknowledging cities' interest in the environment, and issues affecting the health, safety, and welfare in those areas, granting cities authority over issues such as those raised in wastewater permitting applications, and adopting policies relating to regionalization and need in wastewater permitting cases. It is consistent with state law to allow a city's participation in wastewater permitting cases when the facility, outfall, and discharge route are within a city's ETJ. Therefore, the City has authority under state law over issues raised in the application as required for governmental entities under 30 TAC §§ 55.203(b) and 55.203(c)(7).

In summary, the City has interests in issues relevant to the Application because the Proposed Facility and outfall are both in the City's ETJ and the planned discharge route is located within both the City's corporate limits and ETJ. The City owns and operates a wastewater treatment plant that can serve the Proposed Service Area. As is detailed more fully below, the City should be granted a contested case hearing to represent the City's interests in regionalization and need, environmental effect, and public health, safety and welfare including pursuing a reduction of package plants and eliminating risk of water quality degradation and nuisance odors and upsets from such plants, to ensure that the health, safety, and welfare of residents in the City limits and in its ETJ will be maintained, and that the plant operator has the technical, managerial, and

⁷ TEX. WATER CODE ANN. § 26.081(a) ("The legislature finds and declares that it is necessary to the health, safety, and welfare of the people of this state to implement the state policy to encourage and promote the development and use of regional and area-wide waste collection, treatment, and disposal systems to serve the waste disposal needs of the citizens of the state and to prevent pollution and maintain and enhance the quality of the water in the state.")

⁸ TEX. WATER CODE ANN. § 26.0282 ("In considering the issuance, amendment, or renewal of a permit to discharge waste, the commission may deny or alter the terms and conditions of the proposed permit, amendment, or renewal based on consideration of need, including the expected volume and quality of the influent and the availability of existing or proposed areawide or regional waste collection, treatment, and disposal systems not designated as such by commission order pursuant to provisions of this subchapter. This section is expressly directed to the control and treatment of conventional pollutants normally found in domestic wastewater.")

to ensure that the Applicant and/or plant owner/operator has a good compliance history and the financial capability to construct, operate and maintain the plant. There is a reasonable relationship between Georgetown's stated concerns and the proposed activities to be regulated under the draft permit.

B. REQUEST FOR CONTESTED CASE HEARING

The Proposed Package Plant, outfall, and Proposed Service Area are all within the City's ETJ but very proximate to the City's corporate limits. The proposed discharge route is both the City's ETJ and city limits. The City has a Legislatively-mandated interest in promoting and protecting the general health, safety, and welfare of persons residing inside its city limits and ETJ. Local governments, such as the City, with authority under state law over issues contemplated by an application, are considered affected persons under 30 TAC § 55.203. For the reasons articulated above, the City has justiciable interests that will be adversely affected by this Application.

The City requests that it be granted party status. The City also requests a contested case hearing.

III. COMMENTS ON THE APPLICATION

A. The City has existing permitted wastewater treatment capacity that could meet the need expressed by the Applicant, and the Applicant fails to demonstrate the need for the facility in the context of Regionalization.

The City owns and operates an extensive wastewater system that eliminates the need for package plants such as one described in the Application. The City owns and operates five existing wastewater treatment plants, has a permit for a sixth to be constructed in the near future.⁹ The City employs approximately 15 licensed wastewater treatment plant operators and 38 licensed wastewater collection system operators. The City currently provides sewer service to approximately 35,891 wastewater customers.

⁹ The City owns and operates the following wastewater treatment facilities: Cimarron Hills WWTP (WQ0014232001); San Gabriel WWTP (WQ0010489002); Dove Springs WWTP (WQ0010489003); Pecan Branch WWTP (WQ0010489005); Berry Creek WWTP (WQ0010489006). Georgetown also has a permit for the Northlands WWTP (WQ WQ0010489007), which is not yet under construction. The City also owns a site in the subject drainage basin on which a seventh WWTP is planned.

One of the City's wastewater treatment plants, the Dove Springs Plant, is within a three mile radius of the Proposed Facility (see **Attachment 1**). The Dove Springs Plant is actually interconnected with the City's two other largest wastewater treatment plants, the Pecan Branch Plant and the San Gabriel Plant. Together, just the three, large, connected plants can treat 8.0 MGD, which is the equivalent of 80,000 people (at 100 gpd/person). The two other plants – the Cimarron Hills Plant and the Berry Creek Plant – can treat 0.2 MGD and 0.3 MGD, respectively – which is the combined equivalent of 5,000 people (at 100 gpd/person). Based on information from the US Census Bureau available at <https://www.census.gov/quickfacts/fact/table/georgetowncitytexas#>, the City population as of the April 1, 2020 census was 67,176. So, the City clearly has more than enough capacity to provide wastewater treatment service to the 600 manufactured homes proposed to be constructed in the Proposed Service Area at the Applicant's requested levels.

The City also has existing wastewater collection systems located within a three mile radius of the Proposed Service Area. The Applicant wholly failed to show the City's collection system on Attachment K.1-1 of the Application, even though information about the City's system is readily available on the internet.¹⁰ The City's existing collection system network is located about 1½ miles away from the Proposed Package Plant, and about one mile away from the western boundary of the Proposed Service Area. Additional collection system infrastructure is currently under construction that would be even closer to the Proposed Service Area. Specifically, a new lift station and associated collection system is currently under construction at a subdivision located under ¼ mile away from the western boundary of the Proposed Service Area (see **Attachment 1**). This information should have been included in the Application.

The City has planned and constructed its wastewater treatment and collection system to eliminate the need for small package plants serving single subdivisions such as the Proposed Package Plant, consistent with the State's regionalization policy.

B. The Application fails to demonstrate that the Applicant's proposed facilities satisfy TCEQ's requirements for unsuitable site characteristics.

TCEQ regulations do not allow wastewater treatment facilities to be located within a 100-year floodplain. 30 TEX.ADMIN.CODE §309.13. The Applicant represented that

¹⁰ See City of Georgetown Utility Information at this link:
<https://georgetowntx.maps.arcgis.com/apps/webappviewer/index.html?id=43e000b1e2f54464acf9ccb2a7dbe50b>

none of its proposed facilities would fall within the unnamed tributary of Mankins Branch 100-year floodplain. To support this assertion, the Applicant relied on FEMA FIRM Panel 48491C0505F. (the "FEMA Map"). That reliance was misplaced.

The absence of a floodplain on the FEMA Map in the area of the proposed discharge and related facilities does not mean that the Proposed Package Plant is not in a 100-year floodplain. The FEMA floodplain maps typically only show watersheds that are one square mile or more in size. So the fact that no floodplain is shown for the small area in question does not mean that there is not 100-year floodplain present. More thorough analysis of the floodplain extent and water surface elevation is required to accurately assess whether the site of the Proposed Package Plant is suitable. Placement of the Proposed Package Plant within a 100-year floodplain would pose a significant threat to the surface water and groundwater quality in the receiving stream and in the aquifers that the receiving stream recharge.

The site of the Proposed Package Plant is also unsuitable because it is near a potential wetland, as identified as such on the USF&W National Wetlands Inventory. TCEQ does not allow the construction of wastewater treatment facilities in a wetland. 10 TEX. ADMIN. CODE §309.13.

C. Granting the draft permit is not consistent with the Legislature's policy directive to encourage and promote the development and use of regional and areawide waste collection, treatment, and disposal systems per Tex. Water Code §§ 26.003, 26.081(a), and 26.0282, and the TCEQ's Regionalization Policy for Wastewater Treatment.

(1) The City owns and operates a wastewater treatment facility or collection system located within three miles of the Proposed Package Plant and can provide wastewater treatment services to the Applicant at the levels requested.

The City owns and operates a wastewater treatment plant and wastewater collection system located with three miles of the Proposed Package Plant. As detailed in above, the City actually currently owns and operates five wastewater treatment plants (one of which is within a three mile radius of the Proposed Package Plant). The City also has a permit to construct a sixth wastewater treatment plant, and owns land on which it plans to see authorization to construct a seventh wastewater treatment plant. The City's existing wastewater treatment plants together provide 8.5 MGD in treatment capacity – sufficient to provide wastewater service to 85,000 people. The City currently provides

sewer service to approximately 35,891 wastewater customers. So, the City clearly has more than enough capacity to provide wastewater treatment service to the 600 manufactured homes proposed to be constructed in the Proposed Service Area at the Applicant's requested levels of 0.085 to 0.09 MGD. As detailed elsewhere in this letter, the City also has existing wastewater collection systems for all of its plants, and such a system is currently located within a three mile radius of the Proposed Service Area. In addition, construction of a new collection is currently underway within about ¼ mile from the western boundary of the Proposed Service Area. Finally, the City employs approximately 15 licensed wastewater treatment plant operators and 38 licensed wastewater collection system operators who are fully trained and capable of operating the City's extensive wastewater treatment and collection system.

(2) The Proposed Service Area is Located Within the City's Updated Wastewater Master Plan, which Generally Describes How Wastewater Service Will Be Provided to the Studied Region

The City updated its 2018 Wastewater Master Plan in 2020, and the Proposed Service Area is located within area including in the Updated Wastewater Master Plan (see Attachment 2). As with all municipal master plans, the Updated Wastewater Master Plan provides a general outline for all accomplishing the City's and community's mutual goals – in this case the goal of providing wastewater services to about 10,760 acres on the east side of the City.

With regard to the City's provision of wastewater service to the Proposed Service Area, the Applicant asked, and the City provided, information pertaining to the type and cost of connecting infrastructure, reiterating what is set forth in the Updated Wastewater Master Plan. The City's responses to the Applicant assumed that there would be no other development in the area and no cost-sharing or economies of scale that would mitigate the cost to the Applicant or relieve it of the burden of bearing the entire cost of new regional infrastructure. However, as is discussed below, there is other development occurring in the area and there are alternatives to the connecting infrastructure described in the City's Updated Wastewater Master Plan that could be considered and approved by the City Council.

(3) Other Faster and Less Costly Alternatives for Connecting to the City's Wastewater Exist

The Updated Wastewater Master Plan covers a 10,760 acre area, so it is a given that some portions of the will develop faster or differently than planned. Therefore, the City has several processes or mechanisms to provide more nimble and nuanced evaluations of how wastewater service might be provided in a specific instance. Those alternatives have not been discussed by the City and the Applicant since the Applicant chose instead to file the Application. But, as the Application reveals, the City alerted the Applicant to the fact that a path forward for its project may be available via a development agreement.¹¹

There is significant other development in the area (including significant new wastewater system infrastructure), which is either ahead of the Applicant's schedule or generally in line with the Applicant's schedule. Some of this new infrastructure may be able to be utilized by the Applicant either as is, or with some upsizing, and may significantly reduce Applicant's cost to connect to the City's wastewater system compared to the costs of the regional infrastructure described in the Updated Wastewater Master Plan. In other words, there are service alternatives available to the Applicant that are not presented in the Application that make connection to the City's wastewater system both timely and cost-effective. These service alternatives are generally described in Attachment 3. On approval by the City Council, those alternatives are available to the Applicant.

(4) The TCEQ Fails to Consider Another Proposed Stand-Alone Package Plant Service One Subdivision Approximately One Mile Away

Another standalone package plant is proposed to be located approximately one mile away from the Proposed Package Plant. The Applicant and the TCEQ should have considered the pending *Application of AIRW2017-7, LP for TPDES Permit No. WQ0015878001*, SOAH Docket No. 582-22-106; TCEQ Docket No. 2021-1214-MWD (the "AIRW2017-7, LP Package Plant"). The locations of both proposed package plants are shown on Attachment 4.

Nothing in the Application or the TCEQ's memorandums reference the AIRW2017-7, LP Package Plant, even though the same firm prepared both applications and both applicants are represented by the same lawyer. The Executive Director is supporting the AIRW2017-7, LP Package Plant in a pending contested case hearing, so is clearly aware of it. Failure to disclose the AIRW2017-7, LP Application, coupled with the

¹¹ Application, Exhibit K.2, Pre-Application Meeting – Planning Notes dated 5/20/2021.

Executive Director's apparent failure to consider it in its analysis of the Application, signals disregard of any meaningful effort to implement the State's regionalization policy. As a result, the City is left playing wack-a-mole trying to single-handedly implement the State's wastewater regionalization policy. Allowing two stand-alone package plants within one mile of each other in an ETJ of a city having five, soon to be six, wastewater treatment plants wholly thwarts regionalization, encouraging balkanization rather than regionalization per the Legislature's directive to the TCEQ in the Texas Water Code.

D. The Application is not substantially complete and accurate.

The Application is materially incomplete in that it fails to provide relevant information that is necessary for the TCEQ to conduct a full analysis of the possible effects of the Proposed Facility on water quality and surrounding existing uses. This includes, but is not limited to, the Applicant failing to provide the information required to be included in its topographic map, including schools and playgrounds near the proposed discharge point; as well as not including information about the receiving water, which should have been included as Domestic Worksheet 2.1.

E. The draft permit is not protective of water quality and existing uses of the receiving waters in accordance with Texas Surface Water Quality Standards, including protection of public health and enjoyment of waters in the state and aquatic and terrestrial life.

The City is concerned that the proposed discharge of treated effluent will adversely affect the receiving water, which is within the City's extraterritorial jurisdiction and its City limits, and existing and future uses thereof. The Statement of Basis for the draft permit indicates that the TCEQ's evaluation of the Application did not investigate or duly consider all existing uses (for example, agricultural uses like livestock watering and irrigation) or water quality standards protective of all existing uses (for example, aesthetic parameters related to recreational uses that are implicated in public health and enjoyment of waters in the state, criteria protective of livestock and other terrestrial and aquatic life). And although the TCEQ's review included an evaluation of the aquatic life use, this review was based on general assumptions whose accuracy has not been confirmed as appropriate in this specific circumstance. For example, the intermittent stream coursing through the future residential development that is to be served by the Proposed Package Plant appears to be fed by one or more springs or groundwater baseflow. However, the TCEQ did not evaluate whether the receiving stream contains

aquatic life that is dependent on the water quality of such spring water or groundwater and would be particularly sensitive to changes in water quality resulting from the proposed discharge. In the absence of an investigation into and evaluation of existing uses and relevant water quality standards, the City is concerned that the draft permit does not contain conditions that will be protective of water quality and all existing uses in accordance with Texas law.

Given that the slightest plant upset would adversely affect the water quality in the receiving streams and rivers, the City is concerned that the proposed discharge poses risks to the receiving water quality and may create unsanitary or unsafe water quality conditions in the receiving waters and the health and safety of its citizens.

The draft permit for the Proposed Package Plant is concerning as it is inconsistent with Texas' regionalization policy, which includes the promotion of use of existing area-wide waste collection, treatment, and disposal systems to prevent pollution. The Proposed Package Plant will discharge treated effluent to a receiving stream in an area of shallow groundwater, yet the Statement of Basis for this draft permit does not indicate that the TCEQ considered the potential interconnection of the receiving waters with shallow groundwater. The failure to consider shallow groundwater and how it may be contaminated by the proposed discharge is troubling.

In addition, the draft permit does not contain measures to protect against discharges of untreated or partially untreated effluent. Because this creates an unnecessary risk of contamination of the unnamed tributary to Mankins Branch, the downstream Mankins Branch segments, and groundwater, the draft permit should be denied.

E. The Draft Permit is not protective of the public health and safety of nearby residents.

The City is also concerned about the public health risk posed by the Proposed Package Plant to nearby residents. . The City is concerned that the very close distance of the Proposed Package Plant to adjacent residences poses health risks, including the potential exposure of residents to harmful pathogens via vectors (e.g., flies), aerosols (e.g., bacteria containing mists), and the receiving water (e.g., bacteria and viruses in the treated wastewater).

G. The Draft Permit does not protect the health and safety of landowners' livestock and the habitats of endangered species.

The area surrounding the plant and discharge route is agricultural in nature and contains many livestock as noted by the Application. Also, the surrounding area as well as the San Gabriel River is home to several endangered species including the Texas Shiner and Guadalupe Bass as well as several endangered salamanders.¹² Granting the Permit would expose these animals to adverse effects from growth of algae, high nitrogen content, and bacterial contamination from the proposed discharge.

H. The Application failed to show the proposed discharge satisfied TCEQ's antidegradation policy.

As noted above, the Statement of Basis for this draft permit indicates that the TCEQ did not consider all existing uses and water quality protective thereof. Without this information, it is not clear how the TCEQ could have conducted its Tier 1 and Tier 2 antidegradation review consistent with the Texas antidegradation policy and procedures implementing the same.

The standard Implementation Team's Interoffice Memorandum related to the Application classifies unnamed tributary of Mankins Branch as limited aquatic life use and Mankins Branch as presumed high aquatic life use. Nothing in TCEQ's materials indicate that TCEQ conducted a site visit to the unnamed tributary of Mankins Branch to determine whether the unnamed tributary of Mankins Branch has been appropriately classified. Also, no information from TCEQ shows a site visit to unnamed tributary of Mankins Branch or Mankins Branch to confirm the actual conditions, such as the hydraulics, of these receiving waters to determine what the impact of the proposed discharge will be.

Therefore, TCEQ's analysis of the discharge relied on an uncalibrated model based on default values that do not reflect the actual conditions of the unnamed tributary of Mankins Branch or Mankins Branch. Due to the potential from accidental releases from this small unmanned facility, and its potential for untreated or partially treated discharges resulting impact on the receiving waters. The use of site-specific data of the

¹² These endangered species can be found by using the Texas Parks and Wildlife Endangered Species by Counties search *available at* tpwd.texas.gov/gis/test and cross-referencing using the United States Geological Survey species list *available at* nas.er.usgs.gov/queries.

receiving waters is necessary to ensure the proper antidegradation analysis is conducted and that improper degradation of water quality is avoided.

In addition, the City is also concerned about elevated nitrogen levels in the receiving watercourses and its effect on water quality in the immediate receiving unnamed intermittent tributary and in downstream segments of this receiving water body.

Finally, the City is concerned that the TCEQ is using an incorrect standard in conducting its Tier 2 antidegradation review. The Statement of Basis for this draft permit indicate the TCEQ used a "no significant degradation" standard in conducting its Tier 2 evaluation. Such a standard is inconsistent with Texas antidegradation policy, which provides that no degradation is allowed unless it can be shown that the lowering of water quality is necessary for important economic or social development. Here, there is no indication that such economic or social development considerations were contemplated or that such a determination was made.

J. The draft permit does not contain sufficient operational requirements to ensure that water quality is protected.

(1) The draft permit does not require a sufficiently licensed and experienced chief operator.

The draft permit should require the chief operator to hold at least a Class B wastewater license. The draft permit only requires the chief operator to hold a Class C license. Holders of a Class C license are not experienced enough to operate and maintain a facility such as the Proposed Package Plant, especially since they will only be on-site to perform the required sampling. To obtain a Class C wastewater license, a person only needs a high school diploma or GED and either two years of work experience, or one year of work experience with minimal college hours or TCEQ-certified training. For example, applicants can substitute up to one year of experience with 32 semester hours of college or 40 additional hours of approved. The draft permit should require the chief operator to hold at least a Class B license. Holders of a Class B license are required to have a Bachelor's degree in chemistry, biology, engineering, microbiology, bacteriology or similar discipline, and 2 ½ years of hands on experience, or a high school diploma or GED and 5 years of hands on experience.

(2) The draft permit does not require adequate sampling and monitoring.

The Proposed Package Plant would operate 24/7, but only be monitored by grab sample once a week, or even less frequently for *E. Coli*. This level of frequency and sampling method does not provide adequate assurances to the City or the public that the remainder of the time the plant is producing an effluent meeting the requirements of the draft permit. For example, for Interim I Phase, the draft permit only requires a single grab sample once every quarter. This means that that less than 15 minutes of the facility's operations over a three-month period must be monitored. And because grab samples in two consecutive quarters could be taken as much as 89 days apart, discharges could violate water quality standards for some or all of that time without any means of detection or notice. For the Final Phase, the draft permit only requires a single grab sample once every month. This means that less than 15 minutes of the facility's operations over an entire month must be monitored. And because grab samples in two consecutive months could be taken as much as 59 days apart, discharges in the Final Phase discharges could violate water quality standards for some or all of that time without any means of detection or notice. Because the receiving water flows into Segment 1248, which is an impaired waterway due to high bacteria levels, sampling only quarterly or monthly is not sufficient protect the water quality of Segment 1248.

With regard to the type of sampling, a grab sample only reflects performance at the single, short point in time when the sample was collected, and then only if the sample is properly collected. The results can change depending on time of day or whether the plant is operating near its average daily flow rate. More than likely, these samples will be taken during daylight hours when flows are at their lowest part of the diurnal curve, so plant performance will be at its best. Also, it is not unheard of for operators who collect a bad grab sample to make changes to the plant and then to keep collecting grab samples until they collect enough to demonstrate compliance. Composite sampling consists of a collection of numerous individual discrete samples taken at regular intervals over a period of time, like 24 hours, or continuous sampling. Composite sampling techniques are more representative of the characteristics of the effluent over a longer period of time and more accurately reflect how the treatment plant is performing at all points along the diurnal curve. Although grab sampling may be fine for pH, DO, or total residual chlorine, which can change quickly in water once the sample is taken, it is not appropriate for BOD, TSS, Ammonia Nitrogen, Total Phosphorous, or *E. Coli*. Also, if a single grab sample does not meet permit conditions, adjustments to the plant can be made and additional grab samples taken to get the average back in compliance with the permit parameter. While unscrupulous, such a practice would still meet the permit's sampling

Ms. Laurie Gharis, Chief Clerk
Re: TPDES Permit No. WQ0016008001
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requirements. This is a widely known problem in the industry and should not be exacerbated by issuing permits with lax sampling requirements.

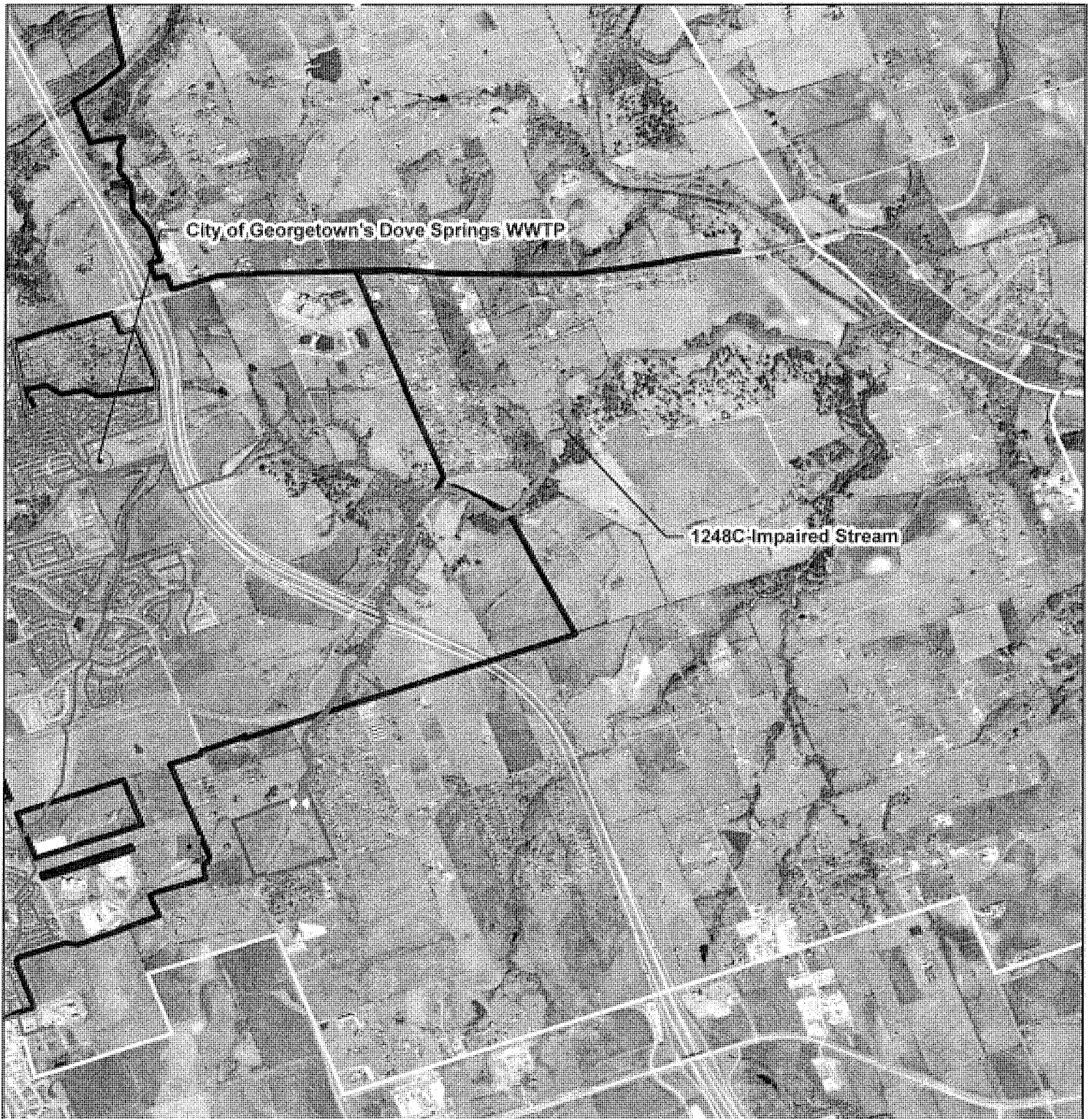
Respectfully submitted,

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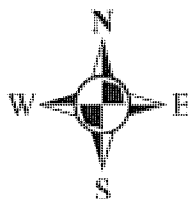
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**ATTORNEYS FOR CITY OF
GEORGETOWN**



Legend

-  Patterson Ranch L/L Station Under Construction
-  City of Georgetown's Dove Springs WWTP
-  R040062, LP Proposed Discharge Point
-  City's Wastewater Collection Lines (Existing)
-  Parcel Boundaries
-  Georgetown City Limits
-  Georgetown ETL
-  R040062, LP Proposed Discharge Route
-  Impaired
- Un-Impaired



R040062, LP Proposed Package Plant

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Miles

**CDM
Smith**

00124

ATTACHMENT 1



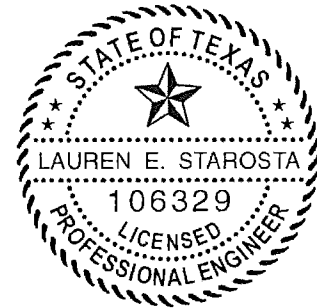
Technical Memorandum

To: Wesley Wright, P.E., Systems Engineering Director
David Munk, P.E., Water Utility Engineer
City of Georgetown

From: Lauren Starosta, P.E. (#106329)
Allen Woelke, P.E. (#54386), BCEE
CDM Smith, TBPE Firm No. F-3043

Date: November 10, 2020

Subject: Southeast Georgetown Wastewater Master Plan – Phase 1 (FINAL)



Digitally signed by
Lauren Starosta
Date: 2020.11.10
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1.0 General

This Technical Memorandum (TM) is the first phase of an interim wastewater master plan for the southeast region of Georgetown's extraterritorial jurisdiction (ETJ) which is outside the City's water service area defined by its Certificate of Convenience and Necessity (CCN). The study area is located within the Jonah Water Special Utility District (SUD) CCN. Historically, Georgetown has not considered providing wastewater service outside their water CCN; therefore, the area was not included in the City of Georgetown 2018 Wastewater Master Plan (2018 master plan), or previous master plans. Recent development proposals requesting wastewater service from Georgetown have prompted the utility provider to consider how they may serve the area within the City's ETJ now and into the future.

For this first phase, the collection system model, used by the City and CDM Smith to evaluate the system and develop master plan projects for the future, was expanded to include the southeast region. Buildout condition wastewater flows for the southeast were developed and added to the model using the same methods as described in the 2018 master plan with some modifications as described herein. The model was then used to develop and evaluate alternatives to provide wastewater service. A recommended alternative was selected and is presented herein with estimated capital costs.

A second phase of this study will consider the timing of future developments to phase the proposed projects and assimilative capacity of the San Gabriel River for treatment plant discharges.

This TM includes the following sections:

- Section 2.0 Study Area and Wastewater Flow Assumptions
- Section 3.0 Model Updates
- Section 4.0 Analysis and Recommended Projects
- Section 5.0 Conclusions

2.0 Study Area and Future Land Use Assumptions

The study area, existing collection system and existing wastewater treatment plants (WWTPs) are shown in **Figure 1**. The total study area covers about 10,760 acres. This southeast region slopes mostly east to the San Gabriel river. Past master plans considered a regional wastewater plant referred to as “Mankins” at the location shown in Figure 1. The location is ideal because it is located at the confluence of streams where gravity interceptors could be built to relieve the Pecan Branch and Dove Springs WWTPs in the future. However, master plans over the last ten years excluded a Mankins plant because Georgetown was not intending to serve the area within the Jonah water CCN. Interest in developing this area has increased in recent years and Georgetown would like to have a plan to provide service within the study area.

The first step in expanding the City’s collection system model to include the southeast study area was to delineate subcatchments and develop the parameters to simulate each component of wastewater flow. The components of wastewater flow include dry weather flow (DWF) and rainfall-dependent inflow and infiltration (RDII). DWF consists of groundwater infiltration (GWI) and base wastewater flow (BWF). GWI is groundwater that leaks into the system through cracks in pipes, joints, and other structural defects; BWF consists of residential and non-residential (commercial, industrial, institutional, etc.) sanitary wastewater flows that enter the wastewater collection system from everyday water uses. RDII consists of direct inflow through openings or stormwater connections in the system, and infiltration, similar to GWI, that enters the system during or immediately after a rainfall event. The wastewater flow criteria used in this study for each of these components and consistent with the 2018 wastewater master plan are summarized in **Table 1**.

Table 1. Wastewater Flow Criteria for Evaluation of the Proposed Development

Wastewater Flow Category	Criteria
Ground Water Infiltration (GWI)	
Residential	30 gallons per capita/day (gpcd)
Non-Residential	25% of Avg. Non-Residential BWF
Base Wastewater Flow (BWF)	
Typical Residential	70 gpcd
Non-Residential	Based on Future Land Use densities (see Table 2)
BWF Peaking Factors	
Residential	2.1
Non-Residential	1.5
Rainfall Dependent Inflow & Infiltration (RDII)	
Peak RDII	Based on flow monitoring or criteria of 750 gal/ac/day for new areas ¹

¹The area used for RDII is the contributing area, which excludes open space, parks and flood plains

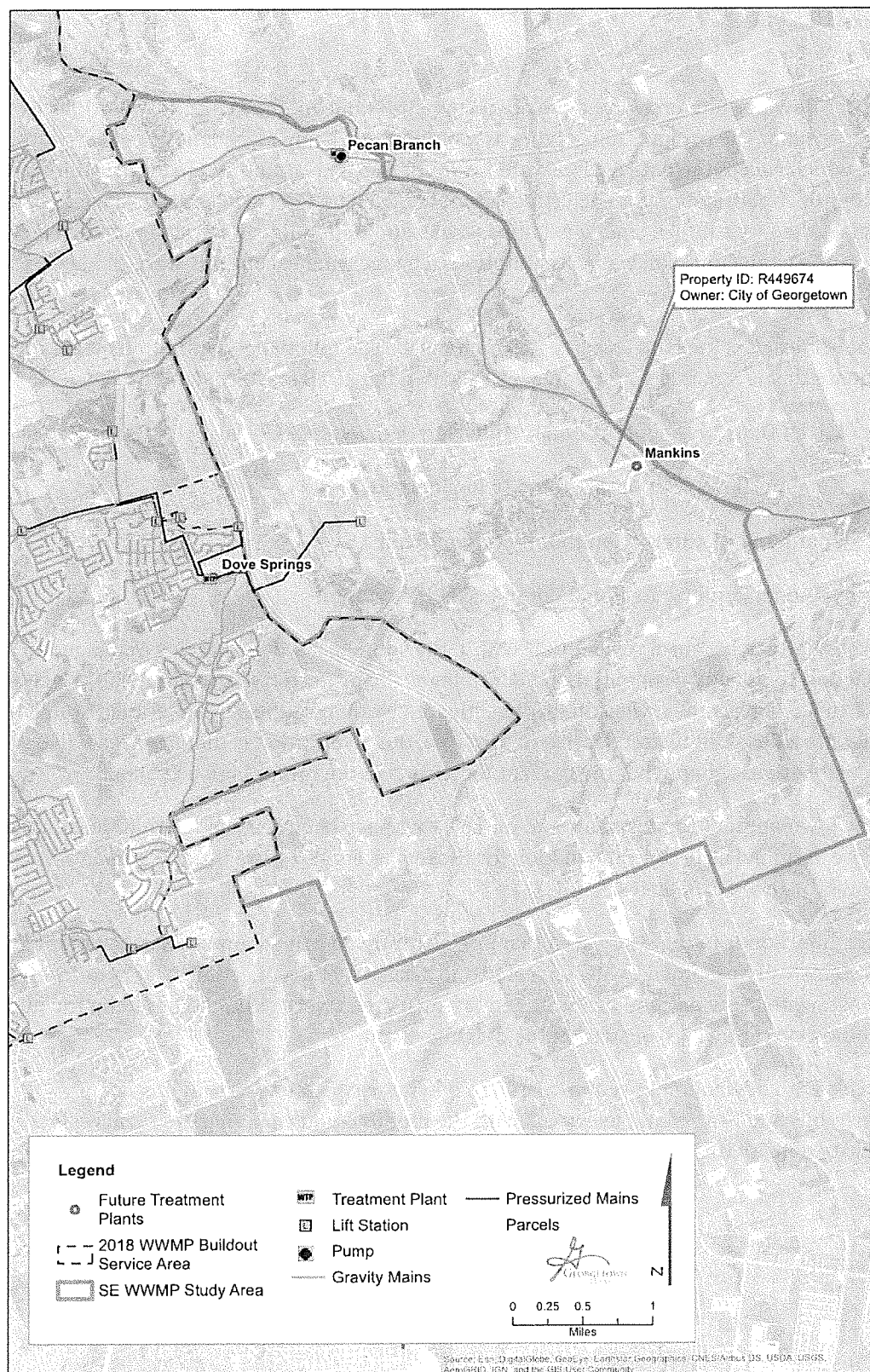


Figure 1 Study Area, Collection System, and Existing WWTPs

Wastewater flow parameters were developed using the same methods and assumptions from the 2018 master plan. The primary underlying assumption for the master plan is the City's future land use plan, which covers the entire ETJ. **Table 2** summarizes the assumptions for calculating the wastewater flow parameters for each subcatchment based on land use acreage. Since the 2018 master plan, the City's future land use database was updated. While the updated database was used for this southeast master plan, some assumptions, changes and exceptions were made per discussions with the City:

- The names of some land use categories changed. The following assumptions were made to equate the new names to the categories used in the 2018 master plan:
 - Mixed Density Neighborhood = Moderate Density Residential
 - Neighborhood = Moderate Density Residential
 - Community Center = Community Commercial
 - Regional Center = Regional Commercial Destination
- Areas defined as “rural residential” within the southeast study area were changed to “moderate-density residential”, which changes the projected single-family units per acre from 0.2 to 3.5. This is the change being investigated by this southeast master plan study. If the City provides wastewater service to this area, the assumption is that the area will develop at a density greater than what the current forecast is in the future land use plan.
- Any development requests for land parcels that have been received within the study area were assumed as better information for those parcels and were used to simulate wastewater flows for those properties.
- Neighborhoods in the study area that are currently on private on-site wastewater treatment systems were assumed to be converted and served by the collection system for this study. Wastewater flow parameters assumed for such areas were assumed based on the number of houses currently existing within the neighborhood.

The parcels with development request, private on-site wastewater treatment system neighborhoods and future land use areas with the modification changing the rural residential areas to moderate density residential are shown in **Figure 2**.

Southeast Georgetown Wastewater Master Plan – Phase 1 (FINAL)

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Table 2. Future Land Use Parameters

Future Land Use Category	Residential		Non-Residential	
	% of Area	Dwelling Units per Acre ¹	% of Area	Average Day Flow (gpd/ac)
Agricultural / Rural Residential	100%	0.2 SFU		
Low-Density Residential	100%	2 SFUs		
Conservation Subdivision	100%	2.3 SFUs		
Moderate-Density Residential	100%	3.5 SFUs		
High-Density Residential	100%	7 SFUs and 14 MFUs		
Community Commercial	10%	10 MFUs	90%	1200
Regional Commercial Destination	10%	10 MFUs	90%	1500
Institutional Use			100%	950
Mixed Use Community	50% / 25%	3 SFUs/ 7 SFUs and 7 MFUs	25%	1200
Mixed Use Neighborhood Center	25%	7 SFUs and 7 MFUs	75%	1200
Specialty Mixed Use Area	20%	7 SFUs and 7 MFUs	10% (hotels) / 70%	14600 / 1500
Employment Center	10%	10 MFUs	90%	900

¹ SFU = Single-Family Unit = 2.5 people; MFU = Multi-Family Unit = 1.9 people



Figure 2 Future Land Use for Study Area

3.0 Model Updates

The future conditions buildout model was expanded to include the study area with additional subcatchments and proposed future wastewater infrastructure. Gravity pipe alignments and profiles were approximated along streamlines to an existing or future treatment plant. These alignments follow the path of San Gabriel River, Mankins Branch (North and South) and County Road 130. Ground elevations for the profiles were obtained from a Digital Elevation Model raster file from the USGS. The invert elevations of the manholes were assumed to follow the ground slope and were adjusted to produce enough slope to meet minimum velocity requirements.

Subcatchments in the study area were created based on existing land parcels, location of future gravity interceptors, the topography of the site, and drainage direction to potential future connection sites. Neighborhoods on private on-site wastewater treatment systems throughout the study areas were delineated as their own subcatchments. **Figure 3** shows the delineated subcatchments.

The information and assumptions from Section 2.0 were applied to each subcatchments to develop the flow parameters needed for the model. The number of single-family units (SFUs) and multi-family units (MFUs) calculated for each subcatchment were converted to population using the information in **Table 2**. GWI and RDII were included using the criteria describe in Table 1.

For this first phase of the study, the model was only updated for buildout conditions; therefore, each subcatchment was included and simulated in the model at full buildout. The total additional flow projected from the study area is 6.4 mgd average daily wastewater flow (ADWF) and 13.7 mgd peak wet weather flow. The modeled values, including modeled population, non-residential flows, contributing area and total ADWF, for the southeast study area are compared to the updated total buildout scenario in **Table 3**. Total buildout values include intermittent updates made to the model since the 2018 master plan. Note that modeled values are an overestimate of projected total growth within the wastewater service area to account for the uncertainties in the spatial distribution of growth when sizing infrastructure.

Table 3. Wastewater Model Values Summary

Wastewater Model Value	Southeast Study Area	Total System Buildout
Modeled Population	68,208	500,134
Non-Residential Average Day Flow (mgd)	0.49	13.2
Contributing Area (ac)	8,961	71,520
Total ADWF (mgd)	6.4	65.5

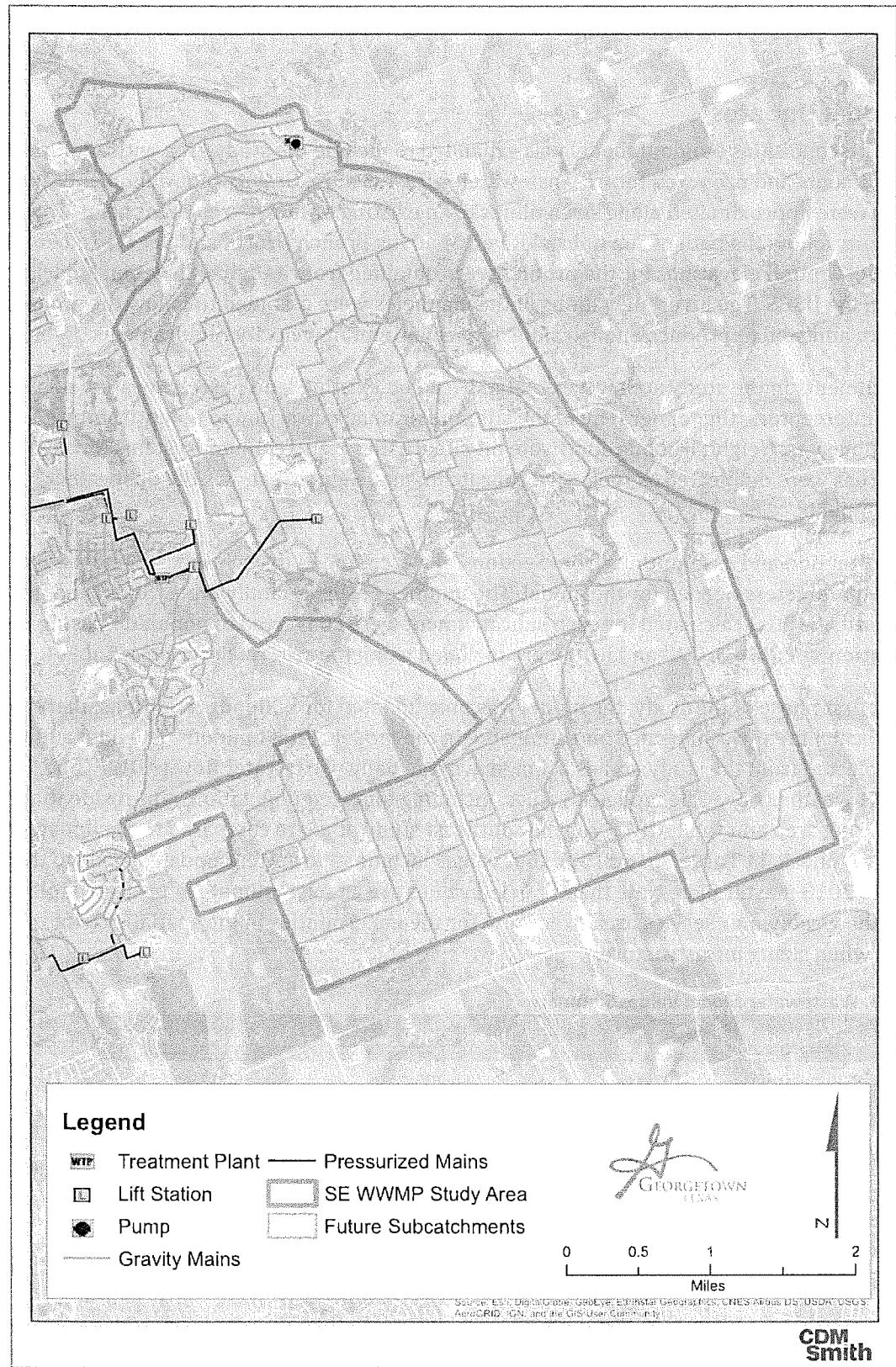


Figure 3 Future Subcatchments

4.0 Analysis and Recommended Projects

Three alternatives were considered to provide wastewater service to the study area. Two bookend alternatives were analyzed through modeling and capital cost estimates that considered an all-gravity system to a future Mankins WWTP versus mostly pumping back to existing WWTPs that would then be expanded. The recommended alternative analyzed and discussed herein is a combination of the bookend alternatives that more evenly distributes flows to existing and future WWTPs and provides service sooner for recently proposed developments so developers can assist with project costs.

Infrastructure was sized according to the flows predicted in the model: peak wet weather flows for gravity lines, lift stations and force mains and ADWF for treatment plants. Given that the study area is at the downstream end of much of the Georgetown collection system, the infrastructure is sized to include upstream flows. Projects from the 2018 master plan that can be replaced with the newly recommended projects are discussed. Cost information was developed for the recommended projects according to the costing methodology in the 2018 master plan and are in 2018 dollars. One update is that the unit construction cost for a lift station was reduced from \$0.50/gpd to \$0.30/gpd. Costs for the force main and other indirect costs are still added to this unit construction cost for the lift station according to the 2018 master plan costing methodology. The reduction in the construction cost was based on a recent bid tab for a large lift station, similar in magnitude to those proposed in this study.

The recommended projects distribute flow to three WWTPs: Pecan Branch, Dove Springs and a future Mankins. Pecan Branch and Dove Springs are existing and would be expanded while Mankins would be a new facility. The San Gabriel WWTP will remain at 2.5 mgd ADWF capacity, and it is assumed that 1.0 mgd will continue to be pumped to the Pecan Branch interceptor, which drains to Pecan Branch WWTP, via the Crystal Knoll lift station. Although this flow is not directly modeled, it is accounted for in future treatment capacity estimates. Flows in excess of 2.5 mgd (and after pumping 1.0 mgd to Pecan Branch) are routed to the SG3-A force main, which will be converted or replaced with a gravity main to drain back to the lift station and to master plan project SGI-1.

Current WWTP capacities compared to year 2020 ADWF from January through August are shown in **Figure 4** for Pecan Branch, San Gabriel and Dove Springs. They are all at about 65 percent of capacity with a total remaining capacity of about 5.2 mgd in total. The predicted buildout ADWF to Pecan Branch, Dove Springs and Mankins WWTPs totals 50.3 mgd. This is compared to the projected buildout ADWF for the whole system of 65.5 mgd presented in Table 3 to understand the proportion of the area that would be served by these three WWTPs. The contributing area is about 54,900 acres of the approximately 71,500 acres of contributing area at buildout. The remaining 15.2 mgd is to be treated by a new Northlands WWTP and the existing San Gabriel, Berry Creek and Cimarron Hills WWTPs.

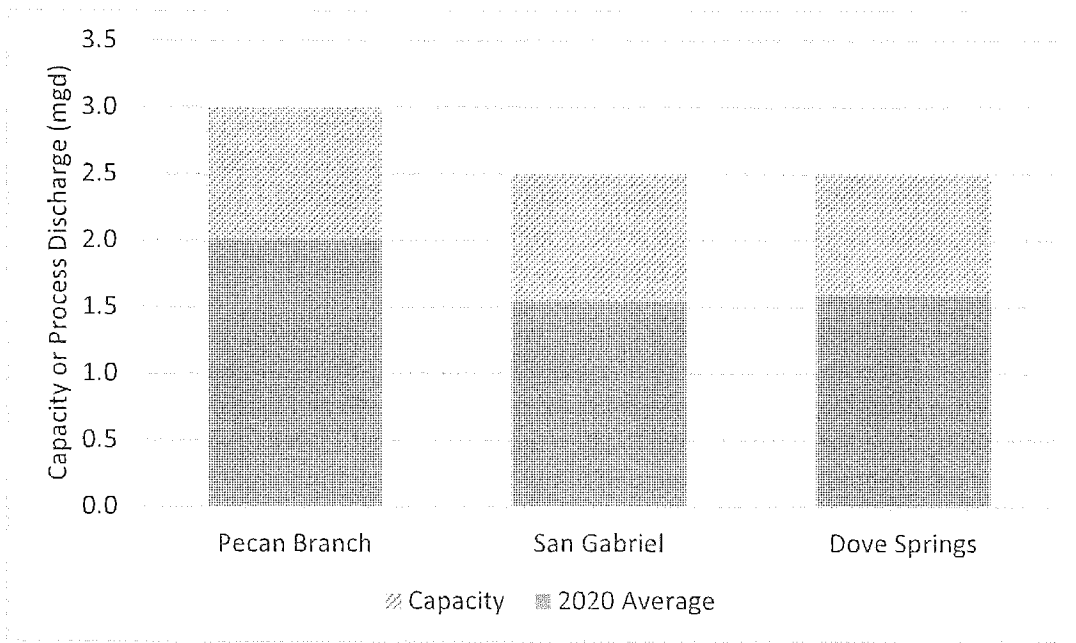


Figure 4 WWTP Capacity Compared to Year 2020 ADWF

Figure 5 shows the existing capacities of Pecan Branch, Dove Springs and San Gabriel WWTPs along with the recommended expansion of Pecan Branch and the ultimate proposed capacity of Mankins. The future capacity estimated for system buildout at these four WWTPs totals 44.8 mgd. Most of the needed future capacity would be divided between Pecan Branch and Mankins. The cost of additional treatment was excluded from this study since it considers buildout flows and the unit costs for treatment at all of the plants is about the same. Expansions will need to be phased and costs considered at that time.

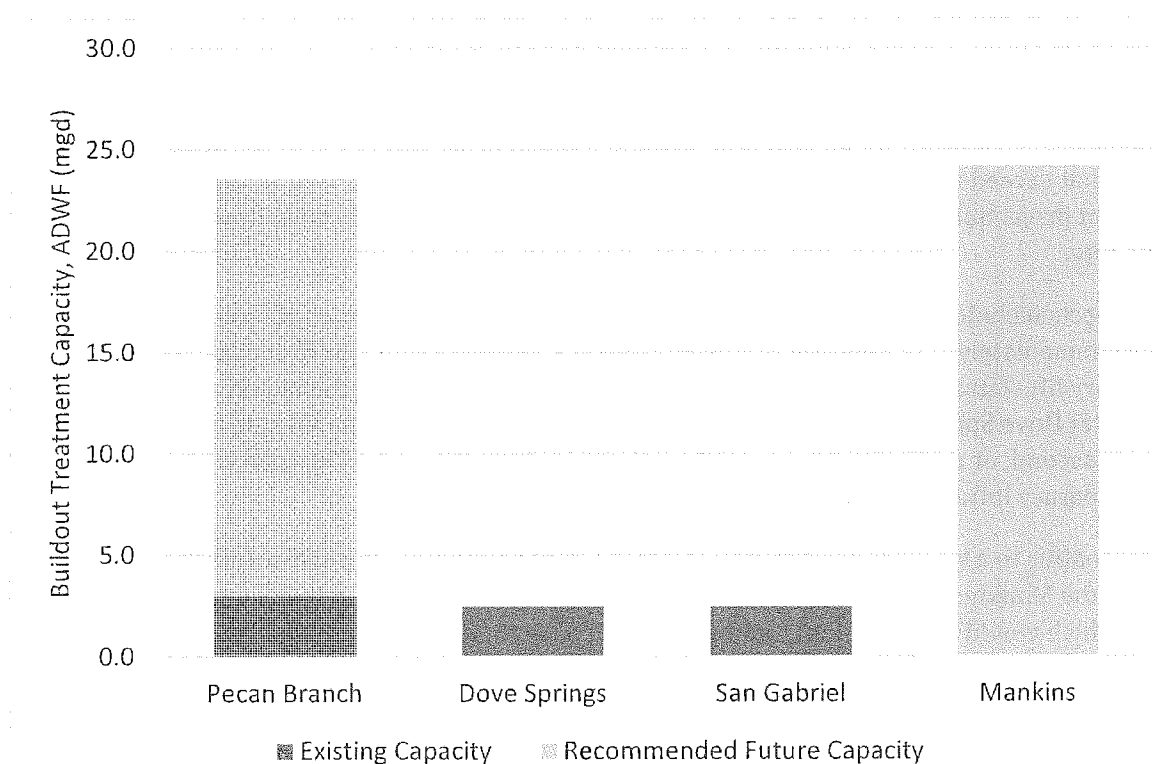


Figure 5 Existing and Future Buildout Recommended Treatment Capacity

The proposed projects are shown in **Figure 6**, which include 113,800 linear feet of gravity pipe, 1 lift station 5,600 linear feet of force main, a temporary lift station with 16,700 linear feet of force main, and a new WWTP and an expanded WWTP. The projects proposed, exclusive of treatment, are shown with capital cost information in **Table 4**. The total capital cost, which sizes all infrastructure for buildout conditions, is \$97.4 million. The table and costs do not include the 2018 master plan projects SGI-1 and SGI-PB_LS, which are shown in Figure 6; however, these projects are necessary for the proposed projects in this study. Master plan projects from 2018 replaced or modified by the proposed projects include MB-LS, MB-4 and MB-5.

The projections of treatment capacity were shown in Figure 5. Future flows are routed to an expanded Pecan Branch WWTP, Dove Springs WWTP remains at its existing capacity, and a future Mankins WWTP is sized similarly to an expanded Pecan Branch WWTP. Flow to the Pecan Branch WWTP that exceeds the proposed expansion is diverted to the Mankins WWTP through SGI-5. The treatment projections assume that a new Northlands WWTP is online to treat flows north and west of Sun City.

The projects include gravity interceptors in the Mankins basin, but instead of building a Mankins WWTP immediately, a temporary lift station with a capacity of 2.0 mgd is first constructed. A temporary lift station would pump back to Dove Springs and postpone the Mankins WWTP until the capacity at Dove Springs WWTP is exceeded. Due to the distance that the lift station would need to pump, a second, or re-lift, lift station would be needed along the route. The total estimated cost of this temporary infrastructure is \$7.7 million.

An alternative to a temporary lift station is a temporary membrane bioreactor (MBR) treatment plant at the Mankins WWTP site. A temporary MBR plant would treat up to 0.5 mgd of average daily flows, which would be equivalent to the capacity of a 2.0 mgd lift station that pumps back to Dove Springs WWTP. Either option is a temporary solution to a Mankins WWTP. A 0.5-mgd MBR treatment plant will cost more than the lift station or a typical WWTP at \$11.7 million; however, it will extend the capacity of the Dove Springs WWTP.

Another option would be to decommission Dove Springs WWTP in the future and size the gravity interceptors to Mankins WWTP to convey the additional flow. This would require upsizing MKN-1 and MKN-2 as described below:

- MKN-1 would be increased from 30 inches to 36 and 42 inches for an estimated cost increase of \$2.2 million
- MKN-2 would be increased from 24 inches to 30 and 36 inches for an estimated cost increase of \$2.5 million

The total estimated capital cost increase would be \$4.7 million for a total of \$102.1 million. Although an increase in cost, this option would avoid rehabilitation costs for the Dove Springs WWTP.

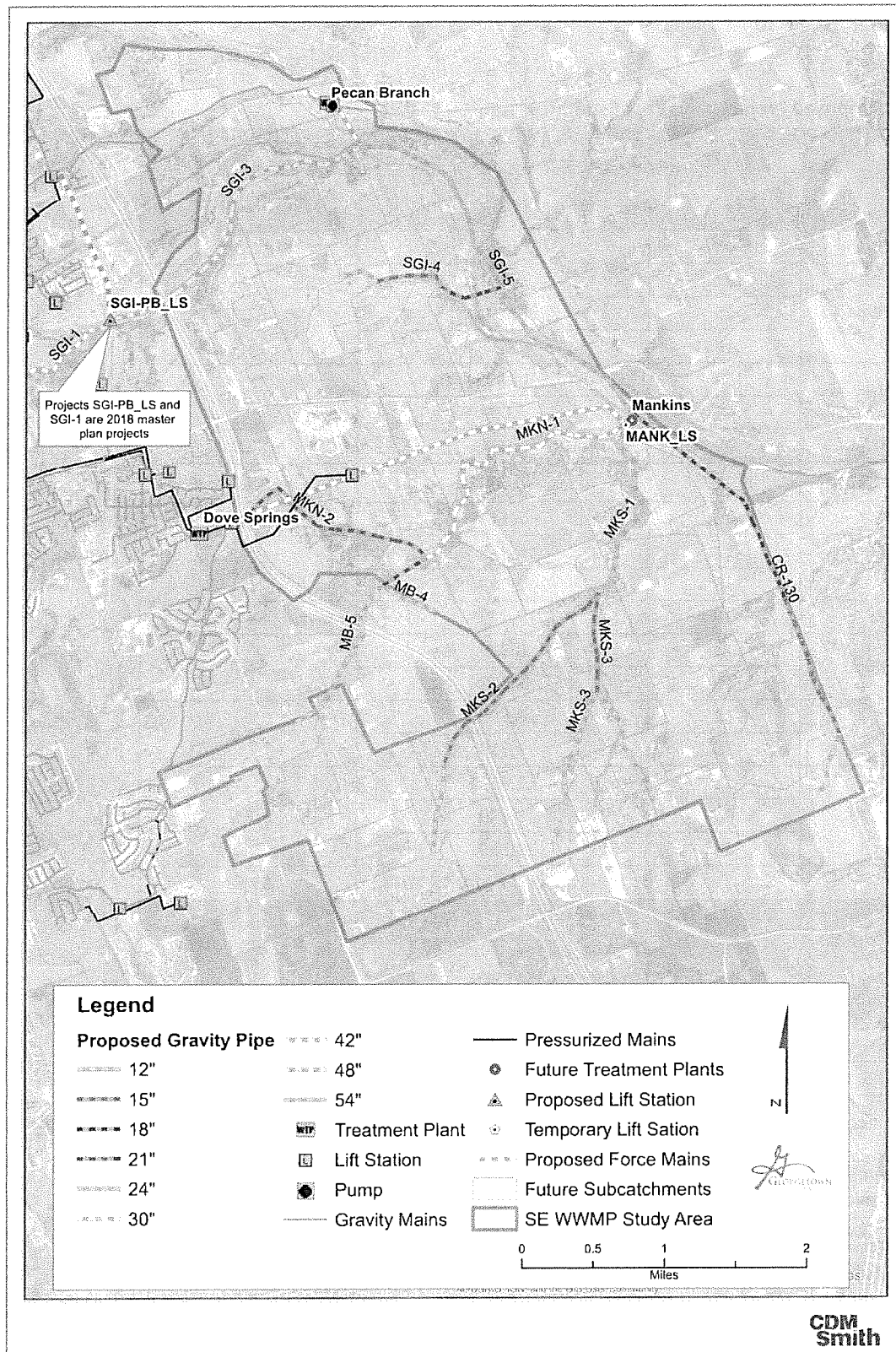


Figure 6 Proposed Projects

Southeast Georgetown Wastewater Master Plan – Phase 1 (FINAL)

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Table 4 Proposed Projects and Cost Estimates

GRAVITY MAINS				
Project ID	Diameter (in)	Length (ft)		Project Total Cost
SGI-3	48	12,336		\$15.7
SGI-4	12	2,884		\$2.8
	15	3,059		
	18	1,991		
SGI-5	54	14,992		\$23.4
	42	2,000		
MKN-1	30	11,308		\$6.9
MKN-2	21	8,600		\$4.3
MB-4	12	2,149		\$0.7
MB-5	12	6,375		\$3.3
	18	1,909		
MKS-1	24	7,779		\$4.6
MKS-2	12	3,389		\$4.2
	15	8,678		
MKS-3	12	8,668		\$4.0
	15	3,710		
CR130	12	2,611		\$7.5
	15	5,470		
	18	9,336		
GRAVITY MAINS TOTAL				\$77.3
FORCE MAINS AND LS				
Project ID	Force Main Diameter (in)	Force Main Length (lf)	Lift Station Capacity (mgd)	Project Total Cost (in million \$)
MANK_LS ¹	12	16,728	2.0 ²	\$7.7
SGI-PB_LS	30	5,600	18	\$12.3
LIFT STATIONS TOTAL				\$20.0
ALTERNATIVE TOTAL				\$97.3

¹. Alternative to MANK_LS is a temporary MBR treatment plant at 0.5 mgd ADWF capacity. Estimated cost is \$11.7 million.

². Two lift stations, each at 2.0 mgd are required due to the length of the force main back to Dove Springs WWTP.

5.0 Conclusions and Recommendations

This interim master plan lays out the wastewater collection, pumping and treatment infrastructure needed to serve the southeast portion of Georgetown's ETJ. The infrastructure presented was sized for buildout conditions and includes capacity to serve more than the study area alone because much of Georgetown drains towards the east side. In that regard, the study area cannot be analyzed in a vacuum and the projects overlap the 2018 wastewater master plan. This includes SGI-1 and SGI-PB_LS, which are included in this study as planned, while master plan projects removed or modified by the proposed projects include MB-LS, MB-4 and MB-5.

This interim master plan also considers the amount of treatment capacity that would be needed for the existing Pecan Branch and Dove Springs WWTPs and a new Mankins WWTP. The plan proposes delaying the Mankins WWTP with a temporary lift station or temporary MBR plant so that service can be provided before design and construction of a larger Mankins WWTP. The master plan project SGI-PB_LS is already in design and will allow the City to utilize the recently added capacity at the Pecan Branch WWTP. An option to the proposed projects is to decommission the Dove Springs WWTP in the future to avoid rehabilitation costs. The gravity interceptor consisting of MKN-1 and MKN-2 would need to be upsized as previously described.

The final division of capacity between an expanded Pecan Branch WWTP and a future Mankins WWTP may need to be revised based on the ability to permit 24 mgd at the Pecan Branch WWTP. The next phase of this project is to evaluate the assimilative capacity of the San Gabriel River and determine the amount of capacity that can be constructed at the Pecan Branch site.



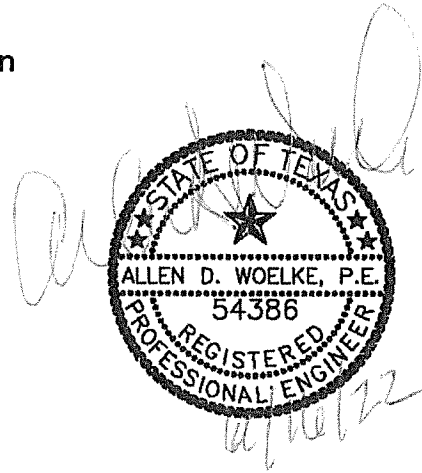
Technical Memorandum for the City of Georgetown

To: Georgetown Utility Systems

From: Allen Woelke, P.E. (#54386), BCEE
Ryan Tordella, P.E.
Jenn McNeill, EIT
CDM Smith, TBPE Firm No. F-3043

Date: June 16, 2022

Subject: Wastewater Collection System Analysis for R040062, LP



Purpose

The City of Georgetown (City) has received a request for wastewater service for the R040062, LP development to be located west of HWY 130 off of Rockride Ln. The proposed development is to include 600 single-family mobile homes and cover 65 acres in total. The purpose of this memorandum is to summarize the impact of the proposed development on the City's wastewater collection system and recommend improvements, if required.

Summary and Recommendations

The predicted flow from the proposed development exceeds the planned flows; therefore, the model was used to simulate future flows for this area. The incremental flow increase from the proposed development does not change the recommended improvements from the 2022 Wastewater Master Plan (WWMP). Additionally, as part of this evaluation, CDM Smith reviewed a short-term wastewater service option and confirmed there is adequate capacity for flow from the proposed development to be sent West to the Patterson Ranch Lift Station and pumped to the existing 18-inch gravity sewer upstream of Saddle Creek lift station.

To provide wastewater service, the developer will be required to construct a lift station and force main to route flow to the manhole upstream of the Patterson Ranch Lift Station. Additionally, the developer will need to coordinate with the Patterson Ranch developers to ensure that the pumps installed will be sized to handle the additional flow.

Wastewater Collection System Model

As part of a separate contract, CDM Smith developed and calibrated a wastewater collection system hydraulic model using InfoWorks ICM software. The model is continually updated as needed to complete these utility evaluations. The last comprehensive update was completed in 2022 as part of the 2022 Wastewater Master Plan (2022 WWMP). The criteria for calculating current and future

wastewater flows are documented in the 2022 WWMP and are summarized in **Table 1** specifically for proposed developments.

The collection system model is evaluated under peak wet weather flow (WWF) conditions based on a 2-year design storm to determine the impact of the proposed development on the collection system. The system is evaluated under future buildout conditions to determine if planned improvements as determined in the 2018 WWMP are sufficient to serve the proposed development. Future 10-year and existing conditions are simulated with the proposed development and evaluated when necessary to fully evaluate the conditions under which the proposed development may be causing an impact.

Peak WWF is made up of the following components:

- Groundwater Infiltration (GWI), which is input as a constant flow;
- Base Wastewater Flow (BWF), which is made up of residential or non-residential sanitary wastewater flow and will follow a diurnal pattern that has a max peaking factor; and
- Rainfall Dependent Inflow and Infiltration (RDII), which is based on hydrographs developed from the 2008, 2010, 2018, and 2022 flow monitoring efforts in specific basins or design criteria.

Peak Dry Weather Flow (DWF) is the sum of GWI and the peak BWF. Peak WWF is the sum of peak DWF and peak RDII. The criteria shown in Table 1 are used to calculate the components of peak WWF for the proposed development.

Table 1. Wastewater Flow Criteria for Evaluation of the Proposed Development

Wastewater Flow Category	Criteria
Ground Water Infiltration (GWI)	
Residential	30 gallons per capita/day (gpcd)
Non-Residential	25% of Avg. Non-Residential BWF
Base Wastewater Flow (BWF)	
Typical Residential	70 gpcd
Age Restricted (AR) PUD	55 gpcd
Non-Residential	Based on Future Land Use densities or information provided by developer
BWF Peaking Factors	
Residential	2.1
Non-Residential	1.5
Rainfall Dependent Inflow & Infiltration (RDII)	
Peak RDII	Based on flow monitoring or criteria of 1,000 gal/ac/day

Note: gpcd is gallons per capita per day

Figure 1 shows the proposed development and other pertinent information.

Proposed Development Area

The proposed development area covers 65 acres in total. The proposed development consists of single-family development. No area will be remaining as open space; therefore, 65 acres are considered to be contributing to RDII.

To provide wastewater service to the proposed development, the developer will be required to construct the proposed lift station and force main and connect them to the Patterson Ranch Lift Station via the upstream manhole.

Figure 1 shows the required lift station and force main and the Patterson Ranch Lift Station and Force Main. Flows from the Patterson Ranch lift station force main tie into the existing gravity sewer and will be conveyed to the Dove Springs WWTP.

Planned Wastewater Flows

Future wastewater flows were determined in the 2022 WMP using the future land use maps with the table of land use densities or planned development information to determine system capacity status and required capital improvements. This proposed development area is located in the development pipeline area where the City previously specified a development with 600 multi-family units. The resulting peak WWF predicted for the area based on the development pipeline and unit flow rates is **265,780 gpd**.

Proposed Wastewater Flows

The proposed development consists of 600 single-family units covering an area of 65 acres, and all 65 acres are considered to be contributing to RDII. Given the criteria in Table 1, the peak wet weather flow was calculated as follows:

- Population = 600 SFUs * 3 people per SFU = 1,800 people
- Total GWI = 1800 people * 30 gpcd = 54,000 gpd
- Peak DWF = 1800 * 70 gpcd * 2.1 + Total GWI = 318,600 gpd
- Total Peak WWF = Total Peak DWF + 65 * 1,000 gal/ac/day = **383,600 gpd**

The proposed peak WWF flow is greater than the peak WWF predicted based on future land use in the area; therefore, the model was used to simulate the greater flows and evaluate the impact on the system.

Model Evaluation

To provide wastewater service to the proposed development, the buildout model scenario was evaluated to determine if the recommended improvements from the master plan were adequately

sized for the additional flow. The incremental flow increase from the proposed development does not change the recommended improvements.

This memorandum also evaluated a short-term wastewater solution. The model was used to evaluate flow from the proposed development being routed through the Patterson Ranch Lift Station and force main. There is adequate capacity for the additional flow in the Patterson Ranch force main and downstream gravity sewer. The Developer will need to coordinate with the Patterson Ranch developers to ensure that the pumps installed will be sized to handle the additional flow.

Recommendation

To provide wastewater service, the developer will be required to construct a lift station and force main to route flow to the manhole upstream of the Patterson Ranch Lift Station. Additionally, the developer will need to coordinate with the Patterson Ranch developers to ensure that the pumps installed will be sized to handle the additional flow.

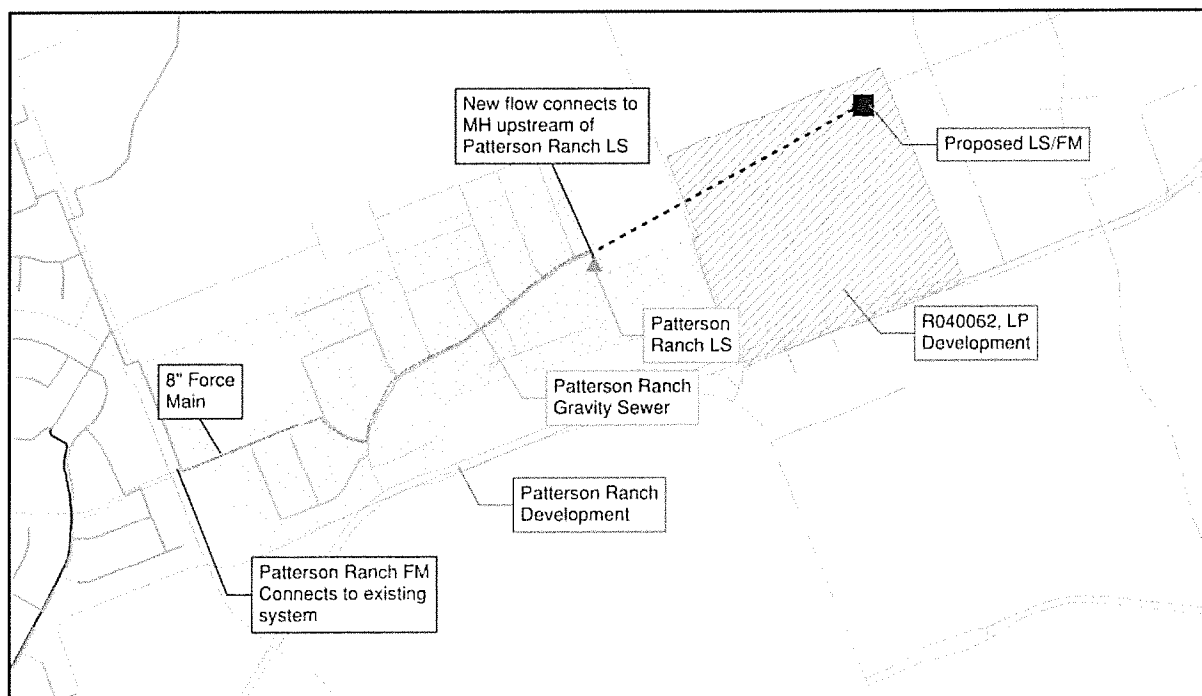
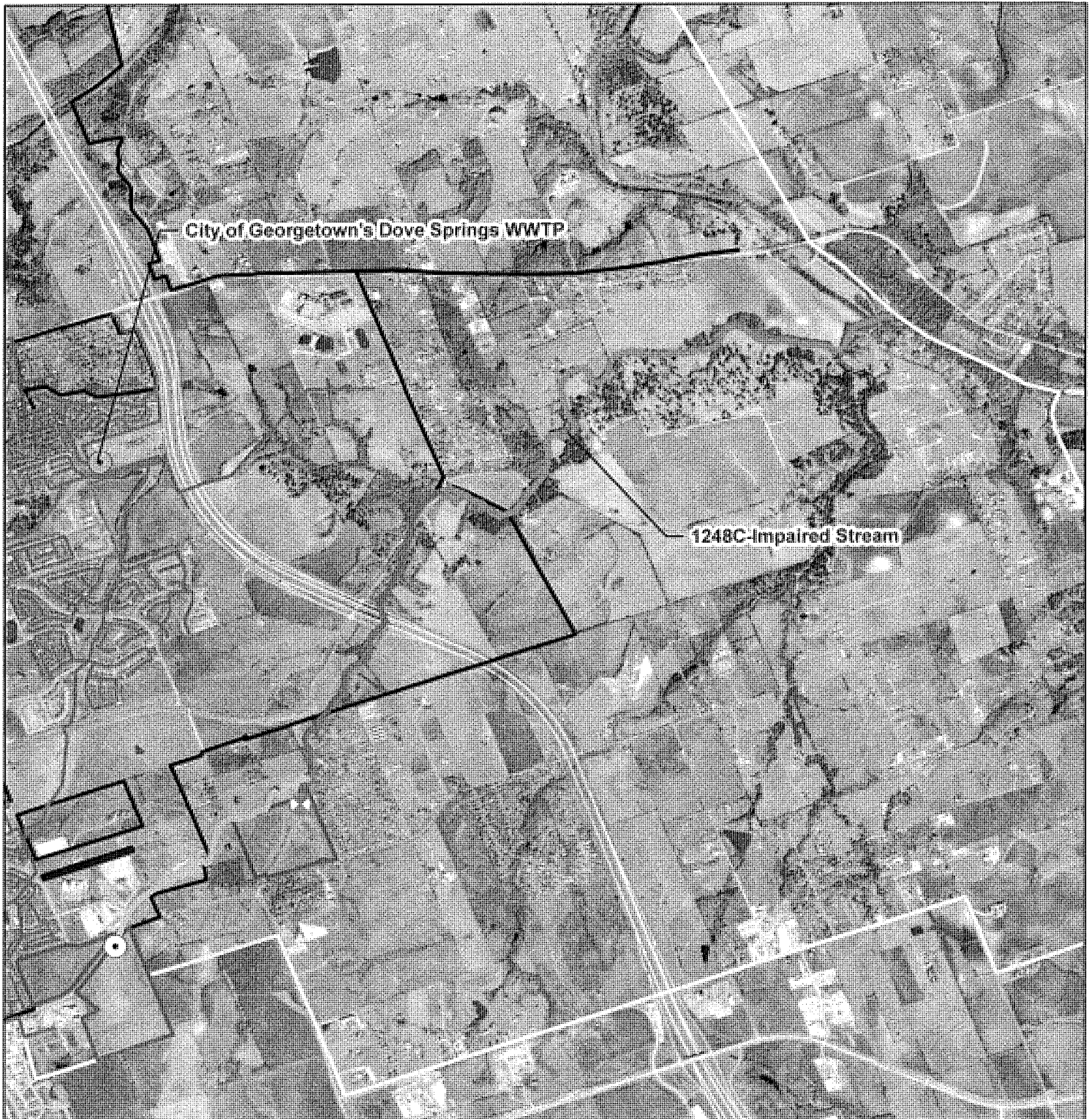


Figure 1 R040062 LP Development Evaluation

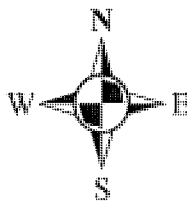
Georgetown Water Utility
Indigo Interim Lift Station and Force Main
Opinion of Probable Construction Cost

Item No.	Description	Quantity	Unit	Unit Price	Total Cost
1	8-inch Force Main	3400	LF	\$ 96	\$ 326,400
2	20-inch Bored Road Crossing	100	LF	\$ 1,050	\$ 105,000
3	Trench Safety/Silt Fence	3300	LF	\$ 5	\$ 16,500
4	Revegetation	3300	LF	\$ 7	\$ 23,100
5	Traffic Control	1	LS	\$ 5,000	\$ 5,000
6	0.8 mgd Lift Station	0.8	mgd	\$ 750,000	\$ 600,000
7	Miscellaneous	1	LS	\$ 200,000	\$ 200,000
Construction Subtotal					\$ 1,276,000
8	Bonds and Insurance			\$	\$ 38,300
9	Mobilization/Demobilization			\$	\$ 63,800
10	Contractor Overhead & Profit			\$	\$ 255,200
Construction Subtotal					\$ 1,633,300
11	Professional Services			\$	\$ 326,700
12	Easements: 25-ft Permanent			\$	\$ 189,400
13	40-ft Temporary Construction			\$	\$ 151,500
Project Total					\$ 2,300,900



Legend

- AIRW 2017-7 LP's Discharge Point
- City of Georgetown's Dove Springs WWTP
- RD40062, LP's Discharge Point
- AIRW 2017-7 LP's Discharge Route
- City's Wastewater Collection Lines (Existing)
- Parcel Boundaries
- Georgetown City Limits
- Georgetown ETJ
- RD40062, LP's and AIRW 2017-7 LP's Combined Discharge Route
- Impaired
- Un-Impaired



AIRW 2017-7, LP and R040062, LP Proposed Package Plants

0 0.25 0.5 1 1.5
Miles

**CDM
Smith**
00146

ATTACHMENT 5

Copy from re:SearchTX

APP. EXHIBIT A000149

Lori Rowe

From: PUBCOMMENT-OCC
Sent: Wednesday, September 22, 2021 3:33 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ
Subject: FW: Public comment on Permit Number WQ0016008001

MWD
124974

From: sbichsel@gmail.com <sbichsel@gmail.com>
Sent: Wednesday, September 22, 2021 3:07 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WQ0016008001

REGULATED ENTY NAME INDIGO WATER RESOURCES RECOVERY FACILITY

RN NUMBER: RN111287538

PERMIT NUMBER: WQ0016008001

DOCKET NUMBER:

COUNTY: WILLIAMSON

PRINCIPAL NAME: R040062 LP

CN NUMBER: CN605905942

FROM

NAME: Shawn D Bichsel

E-MAIL: sbichsel@gmail.com

COMPANY:

ADDRESS: 211 JACOBS WAY
HUTTO TX 78634-3045

PHONE: 5129664620

FAX:

COMMENTS: Shawn and Ena Bichsel 211 Jacobs Way, Hutto TX, 78634 512-966-4620 or 512-966-4630 sbichsel@gmail.com / enabixel@msn.com I am writing with concern about Permit NO. WQ0016008001, applicant R040062, LP. My name, address, phone number, and email address should be recorded as part of this message. Our property is directly downstream on Mankins Branch from the preliminary location of the outfall identified. By my measurement it is roughly 600' away and is the first downstream property affected by the flow from this outfall.

Mankins Branch enters our property at that point and continues through it until it reaches my neighbors property directly to the north of me. Mankins branch merges with another tributary on our property. The creek bed for Mankins Branch on our property is not more than 3 feet wide and we have concerns about what impact a year-round flow would have. The west 1/3 of our property falls within the FEMA Designated 100 Year flood plain and in fact floods far more frequently than every 100 years. Almost all the flow that cause the flooding on our property, comes from the property identified in this Permit. Our neighbor to the north has built a land bridge across Mankins Branch on his property that greatly impedes the flow during wet weather. This bridge / impediment can only be seen by foot from one of our properties. This man-made impediment only amplifies the flood problems on our property. So, we have another concern about what impact this facility would have on the flood problems we already experience. As stated in the letter sent to us and our neighbors, we can view and copy the permit at the Georgetown Public Library at 402 West 8th Street, Georgetown TX. I went to the library this morning (9/22/2021) and they have no record of this being on file. They questioned if this letter was real and why I would think it would be on file at the library. I spoke to 4 people there and all had great concern that the direction from TCEQ would be to visit them regarding this issue and this guidance would be put in a public facing document without their knowledge. Any contact information or additional documentation you can provide would be greatly appreciated. Preferably in a timely and expedited manner. As we have stated above, we believe we would be adversely affected by this facility in a way not common to the general public. We are available to talk in person at the numbers above or contact us via the email addresses provided. Please advise on what steps we should take next regarding our concerns with this permit and what forms of communication we should be expecting. If additional information is needed from us, do not hesitate to contact us.

APP. EX. A
Tab B

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



STATE OF TEXAS §

COUNTY OF TRAVIS §

I, Laurie Gharis, Chief Clerk of the Texas Commission on Environmental Quality, do hereby certify that the attached mailing list provides the persons to whom the notice of the public hearing for Ro40062, LP., SOAH Docket No. 582-23-10368, TCEQ Docket No. 2022-1731-MWD, was mailed on March 15, 2023.

Given under my hand and the seal of the Texas Commission on Environmental Quality, this the 15th day of March 2023.

Laurie Gharis

Laurie Gharis, Chief Clerk
Texas Commission on Environmental Quality

SEAL

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 15, 2023

Via Certified and First Class Mail

Receipt #7021 0350 0000 2412 4892

Peter T. Gregg, Attorney
Gregg Law, PC
910 West Avenue, Suite #3
Austin, Texas 78701

Via Certified and First Class Mail

Receipt #7021 0350 0000 2412 4885

Eli Dragon, Principal
Ro40062, LP
5599 San Felipe Street, Suite 565
Houston, Texas 77056

RE: Notice of Hearing Package
Applicant Name: Ro40062, LP
Facility Location: Williamson County, Texas
Permit Number: WQ0016008001
Type of Authorization: New

Dear Mr. Gregg and Mr. Dragon,

As you know, the Chief Clerk's Office has referred this matter over to the State Office of Administrative Hearings (SOAH) for a contested case hearing on your application.

SOAH will conduct a preliminary hearing via Zoom video conference at:

10:00 a.m. – April 24, 2023

You are now required to publish notice for this hearing. To help you meet the requirements associated with this notice, we have enclosed the following items:

- Notice for Newspaper Publication
- Instructions for Notice of Hearing
- Affidavit of Publication

Please note that it is VERY IMPORTANT that you follow ALL directions in the ENCLOSED INSTRUCTIONS. If you do not, you may be required to republish the notice. One of the most common mistakes we see is the unauthorized changing of notice wording or font. If you have any questions, please contact us before you proceed with publication.

The following items and time limitations are also described in the enclosed instructions. However, due to their importance, we want to highlight them for you.

1. Publish the enclosed notice within at least **30 calendar days** prior to the date of the hearing.
2. Return **acceptable proof of publication** of the complete notice, which shows publication date and newspaper name, to the TCEQ Office of the Chief Clerk within **10 business days** after notice is published in the newspaper.
3. File the original enclosed *Affidavit of Publication* with the TCEQ Office of the Chief Clerk within **30 calendar days** after the notice is published in the newspaper.

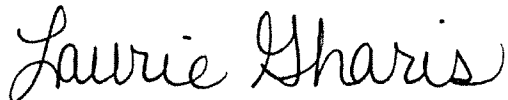
If you do not comply with all requirements described in the instructions, further processing of your application may be suspended or the commission may take other actions.

As required by 30 TAC § 80.118(c), the TCEQ Office of the Chief Clerk (OCC) will provide the administrative record to SOAH, and will retain one copy for its files. In addition, one copy of the administrative record will be provided to you by the OCC on CD. Neither SOAH nor TCEQ is responsible for providing additional copies to the parties. However, the OCC can provide copies upon request.

The administrative record is not in evidence until properly offered by motion of a party, and subsequently admitted by the Administrative Law Judge, pursuant to 30 TAC § 80.127(h). The party seeking admission of the administrative record must supply copies to the other parties in the proceeding at the time it is offered, or by agreement of the parties.

If you have any questions regarding publication requirements, or obtaining copies of the administrative record, please contact the SOAH Docket Clerk in the OCC at 512-239-3300. If you have any other questions, please contact Aubrey Pawelka at 512-239-0622.

Sincerely,



Laurie Gharis
Chief Clerk

LG/mt

Enclosures

cc: Janet Sims, P.E., Mead & Hunt, 8217 Shoal Creek Boulevard, Suite 203
Austin, Texas 78757

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF HEARING Ro40062, LP SOAH Docket No. 582-23-10368 TCEQ Docket No. 2022-1731-MWD TPDES Permit No. WQ0016008001

APPLICATION.

Ro40062, LP, 5599 San Felipe Street, Suite 565, Houston, Texas 77056, has applied to the Texas Commission on Environmental Quality (TCEQ) for new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016008001, to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 200,000 gallons per day. This application was submitted to the TCEQ on June 11, 2021.

The facility will be located off the west end of Madison Drive, approximately 1,500 feet northwest of the intersection of County Road 105 and Jacobs Way, in Williamson County, Texas 78626. The treated effluent will be discharged to an unnamed tributary of Mankins Branch, thence to Mankins Branch, thence to the San Gabriel/North Fork San Gabriel River in Segment No. 1248 of the Brazos River Basin. The unclassified receiving water uses are limited aquatic life use for the unnamed tributary and Mankins Branch (intermittent with perennial pools), and high aquatic life use for Mankins Branch (perennial). The designated uses for Segment No. 1248 are primary contact recreation, public water supply, aquifer protection, and high aquatic life use. The aquifer protection use applies to the contributing, recharge, and transition zones of the Edwards Aquifer. Portions of the discharge route are within the transition zone. In accordance with 30 Texas Administrative Code Section 307.5 and the TCEQ's *Procedures to Implement the Texas Surface Water Quality Standards* (June 2010), for the Texas Surface Water Quality Standards, an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected Mankins Branch, which has been identified as having high aquatic life use. Existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received. This link to an electronic map of the site or facility's general location is provided as a public courtesy and is 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=-97.619%2C30.60798&level=12>

The TCEQ Executive Director has prepared a draft permit which, if approved, would establish the parameters and limitations within 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 Georgetown Public Library, 402 West 8th Street, Georgetown, Texas.

DIRECT REFERRAL.

The Notice of Application and Preliminary Decision was published in English on May 18, 2022, and in Spanish on May 19, 2022. On November 17, 2022, the Applicant filed a request for direct referral to the State Office of Administrative Hearings (SOAH). Therefore, the chief clerk has referred this application directly to SOAH for a hearing on whether the application complies with all applicable statutory and regulatory requirements.

CONTESTED CASE HEARING.

Considering directives to protect public health, the State Office of Administrative Hearings (SOAH) will conduct a preliminary hearing via Zoom videoconference. A Zoom meeting is a secure, free meeting held over the internet that allows video, audio, or audio/video conferencing.

10:00 a.m. - April 24, 2023

To join the Zoom meeting via computer:

<https://soah-texas.zoomgov.com/>

Meeting ID: 161 313 2461

Password: TCEQ368

or

To join the Zoom meeting via telephone:

(669) 254-5252 or (646) 828-7666

Meeting ID: 161 313 2461

Password: 4729123

**Visit the SOAH website for registration at: <http://www.soah.texas.gov/>
or call SOAH at 512-475-4993.**

The purpose of a preliminary hearing is to establish jurisdiction, name the parties, establish a procedural schedule for the remainder of the proceeding, and to address other matters as determined by the judge. The evidentiary hearing phase of the proceeding, which will occur at a later date, will be similar to a civil trial in state district court. The hearing will be conducted in accordance with Chapter 2001, Texas Government Code; Chapter 361, Texas Health and Safety Code; TCEQ rules including 30 Texas Administrative Code (TAC) Chapter 305; and the procedural rules of the TCEQ and SOAH, including 30 TAC Chapter 80 and 1 TAC Chapter 155.

To request to be a party, you must attend the hearing and show you would be adversely affected by the application in a way not common to members of the general public. Any person may attend the hearing and request to be a party. Only persons named as parties may participate at the hearing.

In accordance with 1 Tex. Admin. Code § 155.401(a), Notice of Hearing, “Parties that are not represented by an attorney may obtain information regarding contested case hearings on the public website of the State Office of Administrative Hearings at <https://www.soah.texas.gov/>, or in printed format upon request to SOAH.”

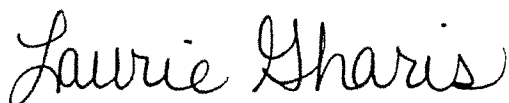
INFORMATION.

If you need more information about the hearing process for this application, please call the Public Education Program, toll free, at 800-687-4040. General information about the TCEQ can be found at our web site at www.tceq.texas.gov. The mailing address for the TCEQ is P.O. Box 13087, Austin Texas 78711-3087.

Further information may also be obtained from R040062, LP at the address stated above or by calling Mr. Rahul Jain at 832-548-0960.

Persons with disabilities who need special accommodations at the hearing should call the SOAH Docketing Department at 512-475-4993, at least one week prior to the hearing.

Issued: March 15, 2023



Laurie Gharis, Chief Clerk
Texas Commission on Environmental Quality

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



INSTRUCTIONS FOR PUBLIC NOTICE For Water Quality Permit

NOTICE OF HEARING

A hearing was requested on issues related to your application and the Commission granted this request. The matter has been referred to the State Office of Administrative Hearings. Now you must comply with the following instructions:

Please Review Notice

We have included in the hearing notice all of the information which we believe is necessary. Please read it carefully and notify us immediately if it contains any errors or omissions. You are responsible for ensuring the accuracy of all information published. You may not change the text of the notice without prior approval from the TCEQ.

Newspaper Notice

- You must publish the enclosed Notice of Hearing no less than **30** days before the hearing.
- You must publish the enclosed Notice of Hearing at least once and at your expense, in a newspaper that is regularly published or circulated in each county where, by virtue of the county's geographical relation to the subject matter of the hearing, a person may reasonably believe persons reside who may be affected by the action that may be taken as a result of the hearing. A list of the appropriate counties provided by the executive director is described in the cover letter.

Proof of Publication

- For each published notice, you must submit proof of publication that shows the notice, the date of publication, and the name of the newspaper to the Office of the Chief Clerk within **10 business days** after the date of publication. Acceptable proof of publication is 1) a copy of the published notice or 2) the original newspaper clipping of the published notice. If you choose to submit a copy of the published notice to the Office of the Chief Clerk, 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. Please note, submitting a copy of your published notice could result in faster processing of your application. It is recommended that you maintain the original newspaper clipping or tear sheet of the notice for your records.

- You must submit a **publisher's affidavit** to the Office of the Chief Clerk within **30 calendar days** after the date of publication. **You must use the enclosed affidavit form.** The affidavit must clearly identify the applicant's name and permit number.
- You are encouraged to submit the affidavit with the proof of publication described above; however, the affidavit must be submitted no later than **30 calendar days** after publication of notice.
- The **publisher's affidavit** and **proof of publication of each published notice** may be filed with the Chief Clerk electronically at www.tceq.texas.gov/goto/efilings or mailed to:

TCEQ
Office of the Chief Clerk, MC 105
Attn: SOAH Docket Clerk
P.O. Box 13087
Austin, Texas 78711-3087

- Please ensure that the affidavit you send to the Chief Clerk is original and that all blanks on the affidavit are filled in correctly.

Failure to Publish and Submit Proof of Publication

You must meet all publication requirements. **If you fail to publish the notice or submit proof of publication on time**, the TCEQ may suspend further processing of your application or take other actions.

General Information

When contacting the Commission regarding this application, please refer to the permit number and TCEQ Docket number at the top of the Notice of Hearing.

If you have questions or need assistance regarding this notice, please contact the staff attorney listed in the cover letter or the SOAH Docket Clerk in the Office of the Chief Clerk at (512) 239-3300.

TCEQ - Office of the Chief Clerk
MC-105 Attn: SOAH Docket Clerk
PO Box 13087
Austin TX 78711-3087

Applicant Name: R040062, LP
TCEQ Docket Number: 2022-1731-MWD
Notice of Hearing

AFFIDAVIT OF PUBLICATION

STATE OF TEXAS §
COUNTY OF: _____ §

Before me, the undersigned authority, on this day personally appeared _____, who being by me duly
(name of newspaper representative)
sworn, deposes and says that (s)he is the _____
(title of newspaper representative)
of the _____; that said newspaper is
(name of newspaper)
regularly published or generally circulated in _____
(county/counties)
County/Countries, Texas; that the attached notice was published in said newspaper on the
following date(s): _____
(date(s))

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 _____
00009

MAILING LIST
for
Ro40062, LP
TCEQ Docket No. 2022-1731-MWD
TPDES Permit No. WQ0016008001

FOR THE APPLICANT:

Peter T. Gregg, Attorney
Gregg Law, PC
910 West Avenue, Suite #3
Austin, Texas 78701

Eli Dragon, Principal
Ro40062, LP
5599 San Felipe Street, Suite 565
Houston, Texas 77056

Janet Sims, P.E.
Mead & Hunt
8217 Shoal Creek Boulevard, Suite 203
Austin, Texas 78757

INTERESTED PERSONS:

See attached list.

FOR THE EXECUTIVE DIRECTOR
via electronic mail:

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

Aubrey Pawelka, Staff Attorney
Texas Commission on Environmental
Quality
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HUTTO TX 78634-3019

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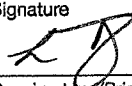
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NOTICE OF APPLICATION AND
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STATE OF TEXAS §

COUNTY OF Williamson §

Before me, the undersigned authority, on this day personally appeared

Kathryn Manasco, who being by me duly
(name of person representing newspaper)

sworn, deposes and says that (s)he is the General Manager
(title of person representing newspaper)

of the Williamson County Sun; that this newspaper is
(name of newspaper)

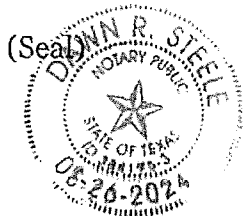
regularly published or circulated in Williamson County/Counties, Texas,
(same county as proposed facility)

and that the enclosed notice was published in said newspaper on the following date(s):

May 18, 2022
(date or dates, of publication in the newspaper)

Kathryn Manasco
Newspaper Representative's Signature

Subscribed and sworn to before me this the 23rd day of May,
2022, to certify which witness my hand and seal of office.



Dawn Steele
Notary Public in and for the State of Texas

Dawn R. Steele
Print or Type Name of Notary Public

My Commission Expires 8-26-24

G'town resident advocates for public transit options

By BRIGID COOLEY

Since discontinuing its fixed-route bus service last year, the City of Georgetown has provided paratransit transportation services to residents with disabilities via the Capital Area Rural Transportation System, also known as CARTS.

The service, however, is unable to meet the day-to-day needs of Georgetown resident Abby Gober.

"My disability is autism and one of my limitations is driving," Ms. Gober said during the public comments portion of last Tuesday's Georgetown City Council meeting. "The special needs community needs transportation to get to where we need to go and public transportation plays a vital role in the ability of the special needs population to develop independence."

Ms. Gober, 21, has lived with her family in Georgetown since her early childhood. She said she currently works at a local coffee shop and is enrolled in the GISD Bridges 18+ program, which provides additional



Georgetown resident Abby Gober advocated for improved public transportation within the city during a May 10 city council meeting.

week.

In addition to receiving rides from her family members, Ms. Gober relies on CARTS paratransit service to get around. Currently, CARTS offers

Reservations can be made by calling 512-478-7433 or by visiting <https://gogeo.georgetown.org/paratransit-schedule>. The city has \$244,026 budgeted toward the trans-

tion options, such as Uber and Lyft, are available within the city, Ms. Gober relies on CARTS because she said it is affordable. However, everyday use of the service has proven difficult.

CARTS only requires reservations be made 24 hours in advance, Ms. Gober said she has had to schedule her rides up to two-weeks in advance due to local demand.

"I use CARTS and it's okay, but it's not enough," Ms. Gober said in an interview with the Sun. "What if they don't come at all and my parents aren't home and I get fired? Special needs people get fired because they don't have transportation."

At the May 10 City Council meeting, Ms. Gober advocated for the city to consider using a service called CARTS Now.

Recently adopted by Central Texas communities including Taylor and Bastrop, CARTS Now is an on-demand ride service. It provides users with curb-to-curb pick up with as little as 15 minutes of notice. Reservations can be made in participating cities via a downloadable app.

According to the CARTS Now Taylor website, rides in that city are priced at \$2 each way with discounted rates for veterans using the service for medical trips, in-

as well as other populations underserved," Ms. Gober said.

Council members have looked into services similar to CARTS Now before, with the most recent review taking place in 2020, Mr. Hutchinson said.

"The City Council decided not to provide a micro-transit service at that time," Mr. Hutchinson said. "Citing lower-than-expected ridership numbers, the city council last year voted to discontinue fixed-route GoGeo bus service, but continue CARTS paratransit service to those who qualify."

Annual average ridership for GoGeo was 14,431 in 2020. Council members have not revisited the possible micro-transit options since 2020, Mr. Hutchinson said.

Ms. Gober said she had not heard from city officials after speaking at last Tuesday's meeting. Still, she hopes her presentation made a difference.

"I'm hoping [city officials] will do something," she said. "It needs to be done, right away, as soon as

education for individuals with special needs who are transitioning from high school to adult life. Ms. Gober is graduating from the program later this

\$2 rides to eligible users living throughout Georgetown. Curb-to-curb service is available from 7 a.m.-7 p.m., Monday through Friday, and must be reserved at least 24 hours in advance.

portation service for fiscal year 2022, which spans from October 1 of 2021 to September 30, according to Keith Hutchinson, the city's communication manager. While other transporta-

According to a press release published in August of last year, there is only one CARTS vehicle operating inside of Georgetown, with more than 200 people using the service. While

dividuals with disabilities, seniors 65 and up and children under the age of 12. "Since we are on a limited income, the reduced rates are affordable for the special needs community,

possible. I'm [advocating] for everybody with special needs. It's not just for me - the whole city needs it. Old people, kids, everyone. Especially since gas prices are going up."

Public Notice

Incident Management (License 0653289 USF) 512-252-2727 has the following vehicle impounded at 16205 Terrace Dr, Austin, TX 78728. This vehicle was removed for unauthorized parking at 12001 Dessau Rd, Austin, TX 78754. Magnum utility trailer bearing the no visible VIN. Charges \$185.00 plus \$21.03 per day storage beginning on April 24th 2022. Vehicles must be claimed and charged paid by the registered owner by June 14th 2022 or will be sold at public auction to the highest bidder. Failure of the owner or lien holder to claim the vehicle before the date of sale is a waiver of all right, title, and interest in the vehicle and said owner or lien holder consents the sale of the vehicle at a public sale. Lien holder further appoints Tithon Incident Management as agent to execute said release and any and all documents as may be required to dispose of the vehicle.

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Rio Rancho, New Mexico 87124
Dated on this 13th Day of May, 2022
I/ Hope K.K. Gilchrist
Hope K.K. Gilchrist
Independent Administrator
By: I/ Hett Finlayson
Hett Finlayson
SBN: 15393020
3233 West Dallas, #1307
Houston, Texas 77019
Ph: (713) 289-0550
Fax: (713) 585-8468
Email: hfinlay581@sopobol.net
Attorney for Hope K. Gilchrist
Independent Administrator
NOTICE TO CREDITORS
Notice is hereby given that original Letters Testamentary for the Estate of J. GORDON BRISTOW, JR., Deceased, were issued on May 12, 2022, in Cause No. 22-0124-CP4, pending in the County Court-At-Law Number 4, Williamson County, Texas, to: Tiffany Bristow and Jessica Bristow Tinsdale.
All persons having claims against this Estate which is currently being administered are required to present them to the undersigned within the time and in the manner prescribed by law.
Tiffany Bristow and Jessica Bristow Tinsdale
c/o: Leslie Herges Dolliver, PLLC
3700 Ranch Road 620 South, Suite A
Austin, TX 78738
DATED the 12th day of May, 2022.
/s/ Leslie Dolliver
Leslie Herges Dolliver
Attorney for Independent Co-Executors
Tiffany Bristow and Jessica Bristow Tinsdale
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3700 Ranch Road 620 South, Suite A
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Facsimile: (512) 782-0145
E-mail: leslie@lesliedolliver.com

NOTICE TO ALL PERSONS HAVING CLAIMS AGAINST THE ESTATE OF WILLIAM GEORGE GINAC, DECEASED
Administration of the Estate of William George Ginac, Deceased, has been commenced by the issuance of original Letters Testamentary to William George Ginac, Jr. on April 14, 2022, by the County Court at Law No. 4, Williamson County, Texas, acting in Cause No. 22-0307-CP4, styled Estate Of William George Ginac, Deceased, in which Court the matter is pending.
All persons having claims against the Estate are hereby notified to present them to the executor, care of the undersigned at the address shown

below within the time prescribed by law.
Dated May 12, 2022.
I/ Gary Greif
GARY W. GREIF, Attorney for William George Ginac, Jr., Independent Executor of the Estate.
c/o LAW OFFICES OF GARY W. GREIF, P.C.
P.O. Box 1924 Manchaca, TX 78652
(512) 454-7635
gary@greif.com
NOTICE TO CREDITORS
Notice is given that original Letters Testamentary for the Estate of Patricia L. Clark aka Patricia La Verne Clark were issued on April 6, 2022, in docket number 22-0280-CP4, pending in

the County Court at Law Number 4 of Williamson County, Texas, to Rommie L. McPherson aka Rommie Lee McPherson. All persons having claims against the estate, which is presently being administered, are required to submit them, within the time and manner prescribed by law, and before the estate is closed, addressed as follows:
Rommie L. McPherson aka Rommie Lee McPherson, Representative
Estate of Patricia L. Clark, aka Patricia La Verne Clark
c/o Christina Peterson
1205 S. Austin Avenue
Georgetown, TX 78626

GEORGETOWN INDEPENDENT SCHOOL DISTRICT

507 E. UNIVERSITY DRIVE
GEORGETOWN, TEXAS 78626
512-943-5008

TENTON: PRIVATE NON-PROFIT SCHOOLS LOCATED WITHIN THE GEORGETOWN ISD BOUNDARY LINES.
YOUR PRIVATE, NON-PROFIT SCHOOL MAY BE ELIGIBLE TO RECEIVE EDUCATIONAL SERVICES FROM CERTAIN SPECIAL PROGRAMS, SUCH AS SPECIAL EDUCATION UNDER THE NO CHILD LEFT BEHIND ACT.
PLEASE ATTEND A MEETING, VIA THE FOLLOWING INFORMATION AT 8:30AM ON MAY 24, 2022
Join with Google Meet
meet.google.com/yuz-qrbg-ndm
(US) +1 636-591-1431 PIN: 525 169 083#
CONTACT PERSON: CANDICE MILLS
PHONE: 512-943-5008
FAX: 512-943-5168
EMAIL: MILLSC@GEORGETOWNISD.ORG

CITY OF GEORGETOWN
The City of Georgetown is accepting sealed SOCs for the following:
Request for Qualifications No. 202232 titled Engineering Services for Sprinkler and Fire Line Plan Reviews
Due May 25, 2022, 2:00 PM CST
Electronic Statement of Qualifications must be submitted through the City's web site at:
<https://georgetown.iomwave.net/Login.aspx>.
To obtain information on the solicitation and to register for the bid list, go to <https://iowmwave.net/CurrentSourcingEvents.aspx>

CITY OF GEORGETOWN
The City of Georgetown is accepting sealed proposals to the following:
Request for Proposal No. 202231 titled Overhead and Underground Electrical Construction
Due May 26, 2022 at 2:00 PM CST
Electronic Statement of Qualifications must be submitted through the City's web site at:
<https://georgetown.iomwave.net/Login.aspx>.
To obtain information on the solicitation and to register for the bid list, go to <https://iowmwave.net/CurrentSourcingEvents.aspx>

NOTICE TO ALL PERSONS HAVING CLAIMS AGAINST THE ESTATE OF JUDITH ANN CARLSON, DECEASED
The administration of the Estate of Judith Ann Carlson, Deceased, has been commenced by the issuance of original Letters Testamentary to Forrest Kevin Faulkner, on May 11, 2022, by the County Court at Law Number Four, Williamson County, Texas, acting in Cause Number 22-0413-CP4, styled IN RE: ESTATE OF JUDITH ANN CARLSON, DECEASED, in which Court the matter is pending. All persons having claims against the estate are hereby notified to present them to Forrest Kevin Faulkner c/o ROBERT E. BLACK, 2499 S. Capital of Texas Hwy, Ste. A-205, Austin, Texas 78746.

NOTICE OF APPLICATION AND PRELIMINARY DECISION FOR TIDES PERMIT FOR MUNICIPAL WASTEWATER
NEW
PERMIT NO. WQ00016008001
APPLICATION AND PRELIMINARY DECISION, R040062, LP, 5599 San Felipe Street,
Suite 565, Houston, Texas 77056, has applied to the Texas Commission on Environmental Quality (TCEQ) for new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ00016008001, to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 200,000 gallons per day. TCEQ received this application on June 11, 2021.

The facility will be located off the west end of Madison Drive, approximately 1,500 feet northwest of the intersection of County Road 105 and Jacobs Way, in Williamson County, Texas 78626. The treated



Texas Commission on Environmental Quality

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 Georgetown Public Library, 402 West 8th Street, Georgetown, Texas.

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 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

EXECUTIVE DIRECTOR ACTION. The Executive Director may issue final approval of the application unless a timely contested case hearing 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

MAILING ADDRESS 507 E. UNIVERSITY AVENUE GEORGETOWN TX 78626 GEORGETOWN INDEPENDENT SCHOOL DISTRICT

8:30AM ON MAY 24, 2022
Join with Google Meet
meet.google.com/yuz-qrbg-ndm
Join by phone
(US) +1 636-591-1431 PIN: 525 169 083#
AVISO PUBLICO: LOS PADRES QUE ESTAN PREOCUPADOS POR LA INTERVENCION DEL IDIOMA O EL APRENDIZAJE DE SU HIJO PUEDE TENER A SU HIJO PROBADO SIN CARGO PARA DETERMINAR SI ELLOS CALIFICAN PARA LOS SERVICIOS DE EDUCACION ESPECIAL. CUALQUIER NIÑO DE 3-21 ANOS DE EDAD QUE VIVEN EN EL DISTRITO DE GEORGETOWN, TIENEDERECHO A UNA EDUCACION PUBLICA GRATUITA Y APROPIADA. SI DESHA UNA EVALUACION DE SU NIÑO PARA SERVICIOS DE EDUCACION ESPECIAL. O TIENE PRECUNIAS AGECRA EN ESTE PROCESO. PONGASE EN CONTACTO CON CANDICE MILLS AL NUMERO 512-943-5008.
FAVOR ASISTE A UNA REUNION A TRAVES DE LA SIGUIENTE INFORMACION A LA 8:30AM DEL 24 DE MAYO DE 2022:
Join with Google Meet
meet.google.com/yuz-qrbg-ndm
(US) +1 636-591-1431 PIN: 525 169 083#

Rio Rancho, New Mexico 87124
Dated on this 13th Day of May, 2022
I/ Hope K.K. Gilchrist
Hope K.K. Gilchrist
Independent Administrator
By: I/ Hett Finlayson
Hett Finlayson
SBN: 15393020
3233 West Dallas, #1307
Houston, Texas 77019
Ph: (713) 289-0550
Fax: (713) 585-8468
Email: hfinlay581@sopobol.net
Attorney for Hope K. Gilchrist
Independent Administrator
NOTICE TO CREDITORS
Notice is hereby given that original Letters Testamentary for the Estate of J. GORDON BRISTOW, JR., Deceased, were issued on May 12, 2022, in Cause No. 22-0124-CP4, pending in the County Court-At-Law Number 4, Williamson County, Texas, to: Tiffany Bristow and Jessica Bristow Tinsdale.
All persons having claims against this Estate which is currently being administered are required to present them to the undersigned within the time and in the manner prescribed by law.
Tiffany Bristow and Jessica Bristow Tinsdale
c/o: Leslie Herges Dolliver, PLLC
3700 Ranch Road 620 South, Suite A
Austin, TX 78738
DATED the 12th day of May, 2022.
/s/ Leslie Dolliver
Leslie Herges Dolliver
Attorney for Independent Co-Executors
Tiffany Bristow and Jessica Bristow Tinsdale
State Bar No.: 00764252
3700 Ranch Road 620 South, Suite A
Austin, TX 78738
Telephone: (512) 283-5665
Facsimile: (512) 782-0145
E-mail: leslie@lesliedolliver.com

NOTICE TO ALL PERSONS HAVING CLAIMS AGAINST THE ESTATE OF WILLIAM GEORGE GINAC, DECEASED
Administration of the Estate of William George Ginac, Deceased, has been commenced by the issuance of original Letters Testamentary to William George Ginac, Jr. on April 14, 2022, by the County Court at Law No. 4, Williamson County, Texas, acting in Cause No. 22-0307-CP4, styled Estate Of William George Ginac, Deceased, in which Court the matter is pending.
All persons having claims against the Estate are hereby notified to present them to the executor, care of the undersigned at the address shown

below within the time prescribed by law.
Dated May 12, 2022.
I/ Gary Greif
GARY W. GREIF, Attorney for William George Ginac, Jr., Independent Executor of the Estate.
c/o LAW OFFICES OF GARY W. GREIF, P.C.
P.O. Box 1924 Manchaca, TX 78652
(512) 454-7635
gary@greif.com
NOTICE TO CREDITORS
Notice is given that original Letters Testamentary for the Estate of Patricia L. Clark aka Patricia La Verne Clark were issued on April 6, 2022, in docket number 22-0280-CP4, pending in

the County Court at Law Number 4 of Williamson County, Texas, to Rommie L. McPherson aka Rommie Lee McPherson. All persons having claims against the estate, which is presently being administered, are required to submit them, within the time and manner prescribed by law, and before the estate is closed, addressed as follows:
Rommie L. McPherson aka Rommie Lee McPherson, Representative
Estate of Patricia L. Clark, aka Patricia La Verne Clark
c/o Christina Peterson
1205 S. Austin Avenue
Georgetown, TX 78626

EDUCATION UNIFORM THE NO CHILD LEFT BEHIND ACT.

CurrentSourceEvents.aspx

CLAIMS AGAINST THE ESTATE OF JUDITH ANN CARLSON, DECEASED

Felipa Street, Suite 565, Houston, Texas 77056.

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.

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.

PLEASE ATTEND A MEETING VIA THE FOLLOWING INFORMATION AT 8:30AM ON MAY 24, 2022

The City of Georgetown is accepting sealed proposals for the following: Request for Proposal No. 202231 titled Overhead and Underground Electrical Construction

The administration of the Estate of Judith Ann Carlson, Deceased, has been commenced by the issuance of original Letters Testamentary to Forrest Kevin Faulkner, on May 11, 2022, by the County Court at Law Number Four, Williamson County, Texas, acting in Cause Number 22-0413-C-04, styled IN RE: ESTATE OF JUDITH ANN CARLSON, DECEASED.

The facility will be located off the west end of Madison Drive, approximately 1,500 feet northwest of the intersection of County Road 105 and Jacobs Way in Williamson County, Texas 76826. The treated effluent will be discharged to an unnamed tributary of Mankins Branch, thence to Mankins Branch, thence to the San Gabriel/North Fork San Gabriel River in Segment No. 1248 of the Brazos River Basin.

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.

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.

CONTACT PERSON: CANDICE MILLS PHONE: 512-943-5006 FAX: 512-943-5168 EMAIL: MILLSC@GEORGETOWNUSD.ORG MAILING ADDRESS 507 E. UNIVERSITY AVENUE GEORGETOWN TX 78626 GEORGETOWN INDEPENDENT SCHOOL DISTRICT

Notice is hereby given that Letters of Administration with Will annexed for the Estate of Beverly Jeanette Landers, Deceased, were issued on March 17, 2022 in Cause No. 21-1344, pending in the County Court at Law No. 4 of Williamson County, Texas to Hope K. Glickert, Independent Administrator of the Estate.

Notice is hereby given that original Letters Testamentary for the Estate of Jean F. Shelton, Deceased, were issued on May 10, 2022, in Cause No. 22-0403-C-04, pending in the Probate Court, Number Four of Williamson County, Texas to: Lisa S. Jaubert. Claims against this Estate may be presented at the following address: Cook Brooks Johnson PLLC c/o Michael Johnson 7800 North Mopac Expressway Suite 215 Austin, Texas 78759

The aquifer protection use applies to the contributing, recharge, and transition zones of the Edwards Aquifer. Portions of the discharge route are within the transition zone. In accordance with 30 Texas Administrative Code Section 307.5 and the TCEQ's Procedures to Implement the Texas Surface Water Quality Standards (June 2010), for the Texas Surface Water Quality Standards, an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected. Mankins Branch, which has been identified as having high aquatic life use. Existing uses will be maintained and protected.

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 address 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.

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.

NOTICE TO CREDITORS Notice is hereby given that Letters of Administration with Will annexed for the Estate of Beverly Jeanette Landers, Deceased, were issued on March 17, 2022 in Cause No. 21-1344, pending in the County Court at Law No. 4 of Williamson County, Texas to Hope K. Glickert, Independent Administrator of the Estate.

Notice is hereby given that original Letters Testamentary for the Estate of Jean F. Shelton, Deceased, were issued on May 10, 2022, in Cause No. 22-0403-C-04, pending in the Probate Court, Number Four of Williamson County, Texas to: Lisa S. Jaubert. Claims against this Estate may be presented at the following address: Cook Brooks Johnson PLLC c/o Michael Johnson 7800 North Mopac Expressway Suite 215 Austin, Texas 78759

All persons having claims against this Estate which is currently being administered, are required to present them within the time and in the manner prescribed by law. Claims should be presented to Hope K. Glickert, Independent Administrator of the Estate of Beverly Jeanette Landers, whose address is as follows: Hope K. Glickert 4436 Sunflower Ct., S. E. Dated the 15th day of May, 2022

The facility will be located off the west end of Madison Drive, approximately 1,500 feet northwest of the intersection of County Road 105 and Jacobs Way in Williamson County, Texas 76826. The treated effluent will be discharged to an unnamed tributary of Mankins Branch, thence to Mankins Branch, thence to the San Gabriel/North Fork San Gabriel River in Segment No. 1248 of the Brazos River Basin. The undesignated receiving water uses are limited aquatic life use for the unnamed tributary and Mankins Branch (intermittent with perennial pools), and high aquatic life use for Mankins Branch (perennial). The designated uses for Segment No. 1248 are primary contact recreation, public water supply, aquifer protection, and high aquatic life use. The aquifer protection use applies to the contributing, recharge, and transition zones of the Edwards Aquifer. Portions of the discharge route are within the transition zone. In accordance with 30 Texas Administrative Code Section 307.5 and the TCEQ's Procedures to Implement the Texas Surface Water Quality Standards (June 2010), for the Texas Surface Water Quality Standards, an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected. Mankins Branch, which has been identified as having high aquatic life use. Existing uses will be maintained and protected.

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 address 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.

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TABC Permits

Application has been made with the Texas Alcoholic Beverage Commission for a Distiller's & Rectifier's Permit by Bushel & Bale, LLC d/b/a shel & Bale, LLC located at 308 Sturgis Street, Taylor, Williams County, Texas 76574. Andrew Braiberg and Lisa Braunberg - Managers.

Application has been made with the Texas Alcoholic Beverage Commission for a Wine and Malt Beverage Retailer's Off-Premise Permit by 3405 Williams Operating LLC Dba Smart Stop #6 to be located at 6601 Ranch Road 2338, Georgetown, Williams County, Texas. Managers of said LLC are Samir Maradita - Manager & Moiz Maknoja - Manager

Application has been made with the Texas Alcoholic Beverage Commission for a Wine and Malt Beverage Retail Dealer's Off-Premise Permit by Exin Real Estate Development, LLC d/b/a Town & Country Market located at 855 W FM 487, Jarrell, Williamson County, Texas 76537. Anisha Momin and Natasa Momin - Managers.

Application has been made with the Texas Alcoholic Beverage Commission for a Wine and Malt Beverage Retail Dealer's Permit by Pho MPH, LLC dba Pho MPH to be located at 904 W University Ave, Ste 115, Georgetown, Williamson County, Texas. Tran Tanh, President and Secretary.

The TCEQ Executive Director has 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.

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TCEQ-OFFICE OF THE CHIEF CLERK
MC-105 Attn: Notice Team
PO BOX 13087
AUSTIN TX 78711-3087

APPLICANT NAME: R040062 LP
PERMIT NO.: WQ0016008001
CCO#: 124974
NOTICE OF APPLICATION AND
PRELIMINARY DECISION

ALTERNATIVE LANGUAGE PUBLISHER'S AFFIDAVIT

STATE OF TEXAS §

COUNTY OF Travis §

Before me, the undersigned authority, on this day personally appeared

Luis H. Diaz, who being by me duly
(name of person representing newspaper)

sworn, deposes and says that (s)he is the Circulation Manager
(title of person representing newspaper)

of the El Mundo Newspaper; that this newspaper is
(name of newspaper)

generally circulated in Williamson County, Texas,
(same county as proposed facility)

and is published primarily in Spanish language;
(alternative language)

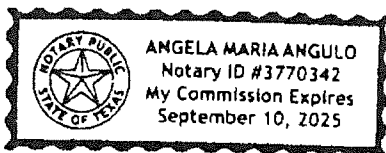
the enclosed notice was published in said newspaper on the following date(s):

May 19, 2022
(date or dates, of publication in the newspaper)

Luis H. Diaz
Newspaper Representative's Signature

Subscribed and sworn to before me this the 19th day of May,
2022, to certify which witness my hand and seal of office.

(Seal)



Notary Public in and for the State of Texas

Angela Maria Angulo
Print or Type Name of Notary Public

My Commission Expires September 10, 2025

[illegible]

INCONFERENZA PROVVISORIA DI LUGLI

La prima conferenza provinciale di politica economica, che si è svolta a Lugli, ha avuto come tema principale la "Strategia di sviluppo per la Campania". L'incontro, presieduto dal presidente della Regione, ha visto la partecipazione di tutti i sindaci della Campania, nonché di numerosi esponenti della classe politica e della società civile. Durante la conferenza, si è discusso di vari temi, tra cui la programmazione economica, la politica regionale, la politica sociale e la politica culturale. In particolare, si è discusso della necessità di una maggiore coordinazione tra le diverse amministrazioni locali, al fine di realizzare una politica economica coerente e di promuovere lo sviluppo della regione.



**AHORA
CONTRATANDO
carpinteros
y obreros**

para trabajos de concreto
en San Antonio

Por favor llame al
(713) 320-8861

SOLICITA

golden



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Public Notice Verification Form
Notice of Application and Preliminary Decision
(NAPD)
Water Quality Permit

All applicants must complete this page.

Applicant Name: R040062 LP

Site or Facility Name: INDIGO WATER RESOURCES RECOVERY FACILITY

Water Quality Permit Number: WQ0016008001

Regulated Entity Number: RN111287538 Customer Number: CN605905942

PUBLIC VIEWING LOCATION

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 1st 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: Georgetown Public Library

Address of Public Place: 402 W 8th Street Georgetown, TX 78626

Applicant or Applicant Representative Signature: 

Title: Manager Date: 5/17/2022

Paul Worrall

From: Todd Ten Have <ttenhave@scipioventures.com>
Sent: Thursday, May 26, 2022 4:00 PM
To: PROOFS
Cc: Rahul Jain; Louis Mertz
Subject: NAPD Proofs/Affidavits - WQ0016008001
Attachments: Publication Affidavits_20220517_NAPD.pdf

Please see attached for our NAPD affidavit/proof support for WQ0016008001.

1. Publication Notice Verification Form (NAPD) – Water Quality Permit
2. English Affidavit w/ proofs
3. Spanish Affidavit w/ proofs

Thank you,

Todd Ten Have
Controller
Scipio Ventures
5599 San Felipe St, Suite 565
Houston, TX 77056
Office: (832) 844-5114
Cell: (713) 702-6297

WQ STANDARD MAIL LIST

APPLICANT:

MR ELI DRAGON

Ro40062 LP

5599 SAN FELIPE ST STE 565

HOUSTON, TX 77056-2724

Other Applicant Representatives:

MS JANET SIMS

PERKINS ENGINEERING
CONSULTANTS INC

13740 N HWY 183 STE L6

AUSTIN, TX 78750-1833

PERMIT #: WQ0016008001

BASIN:

REGION: 11

COUNTY: WILLIAMSON

PERMITTEE:

Ro40062 LP

TO BE PUBLISHED BY:

MR ELI DRAGON

DATE NOTICE MAILED: 05/05/2022

CCO #: 124974

NOTICE TECH INITIALS: RAXIMENE

EVELYN ROSBOROUGH
USEPA REGION 6
1445 ROSS AVE STE 1200
MAIL CODE 6WQ
DALLAS TX 75202-2733
rosborough.evelyn@epa.gov

(Rosborough only gets notices with TPDES language.)

CYRUS REED PHD
LONE STAR CHAPTER SIERRA CLUB
PO BOX 4998
AUSTIN TX 78765
cyrus.reed@sierraclub.org

MYRON J HESS
1705 MARGARET ST
AUSTIN TX 78704
myron@myronhess.com

ANNIE SCHMITT
NATIONAL WILDLIFE FEDERATION
505 E HUNTLAND DR STE 485
AUSTIN TX 78752
schmitta@nwf.org

ANNE ROGERS
COASTAL FISHERIES DIVISION – FPP
TEXAS PARKS AND WILDLIFE
INTERAGENCY MAIL
wqnotice@tpwd.state.tx.us

SARA THORNTON
LLOYD GOSSELINK ROCHELLE & TOWNSEND
816 CONGRESS AVE STE 1900
AUSTIN TX 78701
sthornton@lglawfirm.com

RAILROAD COMMISSION OF TEXAS
TECHNICAL PERMITTING, ENVIRONMENTAL SUPPORT
INTERAGENCY MAIL

DONNA MCCARVER
ARCHEOLOGY DIVISION
TEXAS HISTORICAL COMMISSION
INTERAGENCY MAIL
donna.mccarver@thc.texas.gov

NICHOLE SAUNDERS
ENVIRONMENTAL DEFENSE FUND
5400 MUSKET RDG
AUSTIN, TX 78759
nsaunders@edf.org

DAVID T VILLARREAL PH.D.
ENVIRONMENTAL QUALITY PROGRAM
TEXAS DEPARTMENT OF AGRICULTURE
INTERAGENCY MAIL

HEIDI BOJES PH.D.
TEXAS DEPARTMENT OF STATE HEALTH SERVICES
INTERAGENCY MAIL
heidi.bojes@dshs.state.tx.us
(Bojes gets IHW, MSW, and WQ notices.)

TONY WILLIAMS
GRANT PROGRAM AND SUPPORT DIVISION
COASTAL RESOURCES PROGRAM
TEXAS GENERAL LAND OFFICE
INTERAGENCY MAIL
federal.consistency@glo.texas.gov
(WILLIAMS only gets notices with CMP language.)

MICHAEL BOOTH
5701 W SLAUGHTER A130-404
AUSTIN TX 78749

Texas Commission on Environmental Quality



NOTICE OF APPLICATION AND PRELIMINARY DECISION FOR TPDES PERMIT FOR MUNICIPAL WASTEWATER

NEW

PERMIT NO. WQ0016008001

APPLICATION AND PRELIMINARY DECISION. Ro40062, LP, 5599 San Felipe Street, Suite 565, Houston, Texas 77056, has applied to the Texas Commission on Environmental Quality (TCEQ) for new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016008001, to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 200,000 gallons per day. TCEQ received this application on June 11, 2021.

The facility will be located off the west end of Madison Drive, approximately 1,500 feet northwest of the intersection of County Road 105 and Jacobs Way, in Williamson County, Texas 78626. The treated effluent will be discharged to an unnamed tributary of Mankins Branch, thence to Mankins Branch, thence to the San Gabriel/North Fork San Gabriel River in Segment No. 1248 of the Brazos River Basin. The unclassified receiving water uses are limited aquatic life use for the unnamed tributary and Mankins Branch (intermittent with perennial pools), and high aquatic life use for Mankins Branch (perennial). The designated uses for Segment No. 1248 are primary contact recreation, public water supply, aquifer protection, and high aquatic life use. The aquifer protection use applies to the contributing, recharge, and transition zones of the Edwards Aquifer. Portions of the discharge route are within the transition zone. In accordance with 30 Texas Administrative Code Section 307.5 and the TCEQ's *Procedures to Implement the Texas Surface Water Quality Standards* (June 2010), for the Texas Surface Water Quality Standards, an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected Mankins Branch, which has been identified as having high aquatic life use. Existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received. This link to an electronic map of the site or facility's general location is provided as a public courtesy and is 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=-97.619%2C30.60798&level=12>

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 Georgetown Public Library, 402 West 8th Street, Georgetown, Texas.

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 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.**

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 www14.tceq.texas.gov/epic/eComment/ 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. 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 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. 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. Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained from R040062, LP at the address stated above or by calling Mr. Rahul Jain at 832-548-0960.

Issuance Date: May 5, 2022

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

May 5, 2022

MR ELI DRAGON
Ro40062 LP
5599 SAN FELIPE ST STE 565
HOUSTON, TX 77056-2724

RE: Applicant Name: Ro40062 LP
Facility Location: Williamson County
Permit Number: WQ0016008001
Customer Reference Number: CN605905942
Regulated Entity Number: RN111287538
Type of Authorization: NEW

DEAR MR DRAGON:

The executive director has completed the technical review of the above referenced application and has prepared a preliminary decision and draft permit.

You are now required to publish another notice of your proposed activity. 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 Affidavit
- 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.

MR ELI DRAGON

May 5, 2022

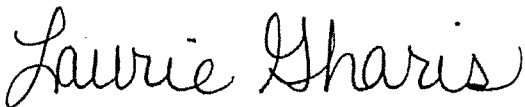
Page 2 of 2

- You must publish the enclosed notice as soon as possible, but no later than 45 days from the date on the 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.**
- 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.
- 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.
- 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 (3)

Texas Commission on Environmental Quality

Instructions for Public Notice for a Water Quality Permit

Notice of Application and Preliminary Decision (NAPD)

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

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. SUBMIT PROOFS TO TCEQ

Scan and email the proof of publication documents (Step 5) and the completed Public Notice Verification Form (Step 6) within 30 days of publication to PROOFS@tceq.texas.gov;

Or Mail 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 www.tceq.texas.gov/agency/decisions/cc/cc_db.html or www.tceq.texas.gov/agency/decisions/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.

OFFICE OF THE CHIEF CLERK PROOFS EMAIL GUIDANCE

PROOFS@tceq.texas.gov

Before emailing your proofs to the Office of the Chief Clerk (OCC), please review your email and proofs for the following:

1. Make sure the proofs are all legible. For instance, if the proofs you are emailing has been scanned, make sure the scan is clear and centered on the paper. Tearsheets must have the name of the newspaper and the date published, along with the full notice visible on the page.
2. Check to make sure the applicant name and permit number are correct on any document where they appear.
3. Check to make sure the correct documents (Affidavits, Public Notice Verification Forms) have been used - the documents provided to the applicant contact in the notice packet. Check for signatures, notary stamp/signature, publish dates, the full document completed.
4. In the subject line of the email, please include the following information: Applicant Name, Permit Number, and Notice Type or Program (e.g. NORI, NAPD, WQ, NSR, FOP, MSW, IHW, DIST, etc.).
5. Please email proofs for one permit at a time. Please do not attach several different permit proofs on one email.
6. Please only send the email to the PROOFS email box, no need to copy other OCC staff. A return receipt will be sent to you immediately from the PROOFS email box, confirming receipt of your email and proofs. If more information is needed, you will be contacted.
7. Please hold the original hardcopies for your files, no need to mail the hardcopies to the OCC. However, if you have already mailed the hardcopies to OCC, no need to email to the PROOFS email box as well unless requested by OCC staff.

NOTE: If there are any questions regarding proofs, please contact the Notice Team Work Leader, Georgia Carroll-Warren, 512-239-3314, or georgia.carroll-warren@tceq.texas.gov.

TCEQ-OFFICE OF THE CHIEF CLERK
MC-105 Attn: Notice Team
PO BOX 13087
AUSTIN TX 78711-3087

APPLICANT NAME: R040062 LP
PERMIT NO.: WQ0016008001
CCO#: 124974
NOTICE OF APPLICATION AND
PRELIMINARY DECISION

**PUBLISHER'S AFFIDAVIT
FOR ALL APPLICATIONS FOR WATER QUALITY PERMITS
OTHER THAN RENEWALS**

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
(name of newspaper)

regularly published or circulated in _____ County/Countries, Texas,
(same county as proposed facility)

and that the enclosed 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: R040062 LP
PERMIT NO.: WQ0016008001
CCO#: 124974
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
(name of newspaper)

generally circulated in _____ County, Texas,
(same county as proposed facility)

and is published primarily in _____ language;
(alternative language)

the enclosed 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 _____



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Public Notice Verification Form
Notice of Application and Preliminary Decision
(NAPD)
Water Quality Permit

All applicants must complete this page.

Applicant Name: R040062 LP

Site or Facility Name: INDIGO WATER RESOURCES RECOVERY FACILITY

Water Quality Permit Number: W00016008001

Regulated Entity Number: RN111287538 Customer Number: CN605905942

PUBLIC VIEWING LOCATION

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 1st 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: _____



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Public Notice Verification Form
Notice of Application and Preliminary Decision
(NAPD)
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: R040062 LP

Site or Facility Name: INDIGO WATER RESOURCES RECOVERY FACILITY

Water Quality Permit Number: WQ0016008001

Regulated Entity Number: RN111287538 Customer Number: CN605905942

ALTERNATIVE LANGUAGE EXEMPTION

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: _____

040062, LP — New TPDES Permit

CARLOS E CASAS & ALBERTO R DE
CASA
520 OLIVIA CT
HUTTO TX 78634-3064

JOSE FELIX & JOSE MEJIA HERNANDEZ
129 JACOBS WAY
HUTTO TX 78634-3019

WILEY R HENNIG
117 JACOBS WAY
HUTTO TX 78634-3019

MARILYN A SOTER (TOD) TO CLAUDIA
NEWMAN
4125 EAST PIKE
ZANESVILLE OH 43701-8426

DANIEL WISE
102 JENNIFER CIR
GEORGETOWN TX 78626-9612

BERNARD S ANDERSON TR OF
BERNARD & GLADYS ANDERSON
TRUST
16233 CAMERON RD
PFLUGERVILLE TX 78660

DONALD RAY ROBBINS
P.O. BOX 1088
GEORGETOWN TX 78627-1088

JOHN PIONTKOWSKI
125 JACOBS WAY
HUTTO TX 78634-3019

REX NOWLIN
113 JACOBS WAY
HUTTO TX 78634

ANDREW L & MAEDELLE T
101 JACOBS WAY
HUTTO TX 78634

DONNA L MOORE
101 MELISSA CIR
GEORGETOWN TX 78626-9606

NATHAN MENDEZ & TRAM VO
137 JACOBS WAY
HUTTO TX 78634-3021

LENARD C & GARNETTA D SMITH
121 JACOBS WAY
HUTTO TX 78634-3019

ESTHER SALAZAR
109 JACOBS WAY
HUTTO TX 78634

HOMER R THOMAS
350 COUNTY ROAD 105
GEORGETOWN TX 78626-7426

ARCANGELS INVESTMENTS LLC
501 LONE STAR DR
CEDAR PARK TX 78613

ps2
00044

CURRENT RESIDENT
341 ALYSON LN
HUTTO TX 78634

CURRENT RESIDENT
341 ALYSON LN
HUTTO TX 78634

CURRENT RESIDENT
341 ALYSON LN
HUTTO TX 78634

pg 3
00045

MYRA L VALENTA
3801 COUNTY ROAD 110
GEORGETOWN TX 78626

JIMMY C WEBB
2929 BELL GIN RD
GEORGETOWN TX 78626-7428

KENT E. WEBB
3100 BELL GIN RD
GEORGETOWN TX 78626-7402

IIM & VIRGINIA WEBB
2929 BELL GIN RD
GEORGETOWN TX 78626-7428

EQUITY TRUST DBA STERLING TRUST
408 RIVER CHASE BLVD
GEORGETOWN TX 78628

JOSHUA L RICHARDS
PO BOX 1366
TAYLOR TX 76574-6366

EMMA L LAWHON FAMILY LAND
PARTNERSHIP
2200 PATRIOT WAY
GEORGETOWN TX 78626-7421

RIVER CITY PARTNERS LTD
501 E KOENIG LN
AUSTIN TX 7875

ALEX CIFUENTES
223 JACOBS WAY
HUTTO TX 78634

RADY RICHARD Z & AGATHA O CO TRS
RADY FAMILY TRUST
13276 RESEARCH BLVD #105
AUSTIN TX 78750-3225

HILARIO & MARIA A VELAZQUEZ
215 JACOBS WAY
HUTTO TX 78634-3045

SHAWN & ENA BICHSEL
211 JACOBS WAY
HUTTO TX 78634

JOSE & ESMERALDA ARREOLA
209 JACOBS WAY
HUTTO TX 78634

LORENZO & MINERVA VELAZQUEZ
RENOJ
205 JACOBS WAY
HUTTO TX 78634

VENANCIO SUAREZ FLORES
300 ALYSON LN
HUTTO TX 78634

PAULINA DE LUNA
153 JACOBS WAY
HUTTO TX 78634

MISAEAL HERNANDEZ & TOMASA
CHAVEZ & RENE ALVAREZ & CECILIA
CHAVEZ
149 JACOBS WAY
HUTTO TX 78634

VICENTE & ANAGELICA T MACIAS
145 JACOBS WAY
HUTTO TX 78634

JUAN P VO
19841 COCHRANE WAY
SAITHERSBURG MD 20879

JACK & DIANNE MOORE
% HOMER THOMAS
350 COUNTY ROAD 105
GEORGETOWN TX 78626-7426

ARCANGELS INVESTMENTS LLC
501 LONE STAR DR
CEDAR PARK TX 78613

GREGORY J & MARY D FREDERICK
101 BRIAN CIR
GEORGETOWN TX 78626-9607

THOMAS BROWNFIELD
102 BRIAN CIR
GEORGETOWN TX 78626-9607

ELIZABETH RAMSEY DRISCOLL
513 MALLORY CT
EL PASO TX 79912-4228

RICHARD A & KAREN T SLIVA
717 COUNTY ROAD 105
HUTTO TX 78634-3013

LARRY J & RHONDA G REID
707 COUNTY ROAD 105
HUTTO TX 78634-3013

LORIS TRAN & TRUNG NGUYEN
2801 W 45TH ST
AUSTIN TX 78731

DOMINGO GRANADOS
137 ALYSON LN
HUTTO TX 78634-3051

KRISTI SWANN
6106 GLEN MEADOW DR
AUSTIN TX 78745-4143

TALON R RICHARDS
PO BOX 1366
TAYLOR TX 76574

00046
1091

THE HONORABLE DAWN BUCKINGHAM
TEXAS SENATE
DISTRICT ROOM E1.808
TEXAS STATE CAPITOL
Dawn.buckingham@senate.texas.gov

THE HONORABLE CHARLES SCHWERTNER
TEXAS SENATE
DISTRICT ROOM 3E.10
TEXAS STATE CAPITOL
Charles.schwertner@senate.texas.gov

THE HONORABLE JOHN BUCY
TEXAS HOUSE OF REPRESENTATIVES
DISTRICT ROOM E2.602
TEXAS STATE CAPITOL
john.bucy@house.texas.gov

THE HONORABLE JAMES TALARICO
TEXAS HOUSE OF REPRESENTATIVES
DISTRICT ROOM E2.418
TEXAS STATE CAPITOL
james.talarico@house.texas.gov

THE HONORABLE TERRY WILSON
TEXAS HOUSE OF REPRESENTATIVES
DISTRICT ROOM E2.714
TEXAS STATE CAPITOL
Terry.wilson@house.texas.gov

State

CITY OF GEORGETOWN
MAYOR
PO BOX 409
GEORGETOWN TX 78627-0409

CITY OF GEORGETOWN
HEALTH OFFICIAL
KAREN WILSON DIRECTOR
100 W 3RD ST
GEORGETOWN TX 78626-5030

City

CAPITAL AREA COUNCIL OF GOVERN
6800 BURLESON RD STE 165
AUSTIN TX 78744-2325

CITY OF AUSTIN WATERSHED DEPT.
TPDES PERMIT
PO BOX 1088
AUSTIN TX 78767-1088

PUBLIC HEALTH REGION 7
TEXAS DEPARTMENT OF STATE HEAL
2408 S 37TH ST
TEMPLE TX 76504-7168

US ARMY CORPS OF ENGINEERS REG
CESWS-PER-R
PO BOX 17300
FORT WORTH TX 76102-0300

FIELD SUPERVISOR
US FISH & WILDLIFE SERVICE
10711 BURNET RD STE 200
AUSTIN TX 78758-4460

WILLIAMSON COUNTY & CITIES HEA
355 TEXAS AVE
ROUND ROCK TX 78664-2565

WILLIAMSON COUNTY JUDGE
710 S MAIN ST STE 101
GEORGETOWN TX 78626-5701

JIM BRIGGS
CITY OF GEORGETOWN UTILITY SYS
PO BOX 409
GEORGETOWN TX 78627-0409

MR MICHAEL THANE DIR OF UTI
CITY OF ROUND ROCK
2008 ENTERPRISE DR
ROUND ROCK TX 78664-2120

MR MICHAEL THANE DIR OF UTI
CITY OF ROUND ROCK
2008 ENTERPRISE DR
ROUND ROCK TX 78664

LAURALEE VALLON GENERAL CO
BRAZOS RIVER AUTHORITY
4600 COBBS DR
PO BOX 7555
WACO TX 76714-7555

County

RACHEL AUSTIN
CITY OF JONESTOWN
PO BOX 5023
JONESTOWN TX 78645-0002

SUZY BATES
16249 W STATE HIGHWAY 29
LIBERTY HILL TX 78642-3803

SHAWN D BICHSEL
211 JACOBS WAY
HUTTO TX 78634-3045

PATRICIA ERLINGER CARLS
LAW OFFICES OF PATRICIA ERLINGER CARLS
3100 GLENVIEW AVE
AUSTIN TX 78703-1443

MR JOHN J CARLTON
THE CARLTON LAW FIRM PLLC
STE B130
4301 WESTBANK DR
AUSTIN TX 78746-6568

SHARON H CASSADY
1541 ORCHARD DR
LEANDER TX 78641-1370

JAMES R CLARNO
108 TRINITY LN
GEORGETOWN TX 78633-4118

CONCERNED CITIZEN
CITY OF AUSTIN - AUSTIN WATER UTILITY
ATTN DIRECTOR
PO BOX 1088
AUSTIN TX 78767-1088

NOELKE COTTON
LAW DEPARTMENT CITY OF AUSTIN
PO BOX 1088
AUSTIN TX 78767-1088

BETTY & CHESTER CRITCHFIELD
PECAN SPRINGS RANCH
801 COUNTY ROAD 344
JARRELL TX 76537-1194

DAVID O FREDERICK
PERALES ALLMON & ICE PC
1206 SAN ANTONIO ST
AUSTIN TX 78701-1834

JUDY GRACI
15775 BOOTH CIR
VOLENTE TX 78641-9684

JP/PROL 1 of 2

LORAIN HOANE
4920 N INTERSTATE 35
AUSTIN TX 78751-2716

M D HOSSAIN
CITY OF KILLEEN
PUBLIC WORKS/ENGINEERING
200 E AVENUE D
KILLEEN TX 76541-5228

MONICA JACOBS
KELLY HART & HALLMAN LLP
STE 2000
303 COLORADO ST
AUSTIN TX 78701-4653

MR & MRS GARY JOHNSON
1011 RED CLIFF DR
AUSTIN TX 78758-5133

CORY R JUBY
826 LINGER LN
AUSTIN TX 78721-3650

CHUCK & DALE L MARTIN
187 ESTRELLA XING
GEORGETOWN TX 78628-6973

CHUCK & DALE L MARTIN
APT 152
10600 JOLLYVILLE RD
AUSTIN TX 78759-6276

KEN MARTIN PE
MARTIN PRATER & ASSOCIATES
2109 CRAIG PATRICK WAY
AUSTIN TX 78748-3537

LYLE A MCELDERRY
406 WYNDHAM HILL PKWY
TEMPLE TX 76502-1974

SUSAN MECKEL
LOWER COLORADO RIVER AUTHORITY
L106
PO BOX 220
AUSTIN TX 78767-0220

ANDREW S MILLER
KEMP SMITH LLP
STE 205
2905 SAN GABRIEL ST
AUSTIN TX 78705

ROSANA NAREZ
PO BOX 93331
SOUTHLAKE TX 76092-0113

ROSANA NAREZ
TEX-MEX NEWS
PO BOX 8665
WACO TX 76714-8665

MARK NUNEZ
CITY OF HUTTO
356 COUNTY ROAD 199
HUTTO TX 78634-4271

KENNETH & RITA SCHOEN
1437 SLAWSON LN
KILLEEN TX 76542-4271

STEVEN SMELTZER
ALAMO AREA COUNCIL OF GOVERNMENTS
STE 110
2700 NE LOOP 410
SAN ANTONIO TX 78217-4840

STEVEN SMELTZER
ALAMO AREA COUNCIL OF GOVERNMENTS
STE 160
8700 TESORO DR
SAN ANTONIO TX 78217-6208

MR S SORENSON
BRUSH BEND PROPERTY OWNERS ASSOC
901 BRUSHY BEND DR
ROUND ROCK TX 78681-1401

MICHAEL D THANE
3400 SUNRISE RD
ROUND ROCK TX 78665-2398

ALLISON THRASH
15100 FM 2769
VOLENTE TX 78641-9139

NANCY WEBBER
4128 LAWLESS ST
AUSTIN TX 78723-5393

GREGORY J WHITE IND PRETREAT
CEDAR PARK PUBLIC WORKS DEPT
2315 BRUSHY CREEK LOOP
CEDAR PARK TX 78613-3162

Ip/psr 2 of 2

7020 1810 0000 2649 1478

U.S. Postal Service™	
CERTIFIED MAIL® RECEIPT	
<i>Domestic Mail Only</i>	
For delivery information, visit our website at www.usps.com ®	
Co	TCEQ: MC 105.....
\$	R040062 LP
Ex	
<input type="checkbox"/>	124974
<input type="checkbox"/>	WQ0016008001
<input type="checkbox"/>	CN605905942
<input type="checkbox"/>	Adult Signature Restricted Delivery \$ _____
Postage	
\$	MR ELI DRAGON
Total P	R040062 LP
\$	5599 SAN FELIPE ST STE 565
Sent To	HOUSTON TX 77056-2724
Street	
City, State, ZIP+4	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

SENDER: COMPLETE THIS SECTION

TCEQ: MC 105
R040062 LP
124974
WQ0016008001
CN605905942

MR ELI DRAGON
R040062 LP
5599 SAN FELIPE ST STE 565
HOUSTON TX 77056-2724

9590 9402 6893 1104 1200 30

2. Article Number (Transfer from service label)
7020 1810 0000 2649 1478

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature **X** *ELI* ☐ Agent ☐ Addressee

B. Received by (Printed Name) *ELI*

C. Date of Delivery *5-10*

D. Is delivery address different from item ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☒ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery

☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

all Restricted Delivery

Domestic Return Receipt

TEXAS
COMMISSIONER
OF ENVIRONMENTAL
QUALITY
MAY 16 AM 9:48
CLERKS OFFICE



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: R040062, LP

Site or Facility Name: Indigo Water Resource Recovery Facility

Water Quality Permit Number: WQ0016008001

Regulated Entity Number: RN111287538 Customer Number: CN605905942

PUBLIC VIEWING LOCATION

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 1st 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: Georgetown Public Library

Address of Public Place: 402 W. 8th Street

Applicant or Applicant Representative Signature: _____

Title: _____

Manager

Date: _____

[Signature]

8/28/2021

TCEQ-OFFICE OF THE CHIEF CLERK
MC-105 Attn: Notice Team
P.O. BOX 13087
AUSTIN, TX 78711-3087

Applicant Name: R040062, LP
Permit No.: WQ0016008001

**ALTERNATIVE LANGUAGE
PUBLISHER'S AFFIDAVIT**

STATE OF TEXAS §
COUNTY OF Travis §

Before me, the undersigned notary public, on this day personally appeared

Luis H. Diaz, who being by me duly sworn, deposes
(name of person representing newspaper)

and says that (s)he is the Traffic Manager of the
(title of person representing newspaper)

El Mundo Newspaper; that said newspaper is
(name of newspaper)

generally circulated in Williamson County, Texas and
(same county as proposed facility)

is published primarily in Spanish language; that the
(alternative language)

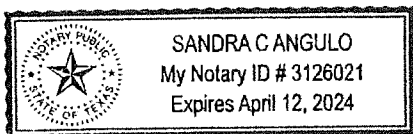
enclosed notice was published in said newspaper on the following date(s):

September 2, 2021.

Subscribed and sworn to before me this the 22 day of September,

20 21, by Luis H. Diaz
(newspaper representative's signature)

(Seal)



Sandra C. Angulo
Notary Public in and for the State of Texas

Sandra Carolina Angulo
Print or Type Name of Notary Public

My Commission Expires 04/12/2024

TCEQ-OFFICE OF THE CHIEF CLERK
MC-105 Attn: Notice Team
P.O. BOX 13087
AUSTIN, TX 78711-3087

Applicant Name: R040062.LP
Permit No.: WQ0016008001

**PUBLISHER'S AFFIDAVIT
FOR WATER QUALITY PERMITS**

STATE OF TEXAS §
COUNTY OF Texas §

Before me, the undersigned authority, on this day personally appeared

Kathryn Manasco who being by me duly sworn, deposes
(name of person representing newspaper)

and says that (s)he is the General Manager
(title of person representing newspaper)

of the Williamson County Sun that this newspaper is a newspaper of
(name of newspaper)

largest circulation in Williamson County, Texas or is
(name of county)

a newspaper of general circulation in Georgetown,
(name of municipality)

Texas; and that the enclosed notice was published in said newspaper on the following date(s):

Aug. 29, 2021

Kathryn Manasco
(newspaper representative's signature)

Subscribed and sworn to before me this the 9th day of Sept,
2021.

(Seal)



Dawn Steele
Notary Public in and for the State of Texas

Dawn Steele
Print or Type Name of Notary Public

My Commission Expires 8-26-2024

Paul Worrall

From: Todd Ten Have <ttenhave@scipioventures.com>
Sent: Wednesday, September 22, 2021 3:12 PM
To: PROOFS
Cc: Lynette Batte; Eli Dragon
Subject: FW: INCOMPLETE NORI PROOFS - WQ0016008001
Attachments: Public Notice Verification Form_NORI_Water Quality Permit.pdf; Publication Affidavit_El Mundo_09022021.pdf; Publication Affidavit_Williamson County Sun_08292021.pdf

Please see attached for our proof support for WQ0016008001.

1. Publication Notice Verification Form (NORI) – Water Quality Permit
2. English Affidavit (with seal)
3. Spanish Affidavit (Corrected to show Williamson)

Thank you,

Todd Ten Have
Controller
Scipio Ventures
Cell: (713) 702-6297

From: Eli Dragon <edragon@scipioventures.com>
Sent: Tuesday, September 21, 2021 2:39 PM
To: Lynette Batte <Lynette.Batte@tceq.texas.gov>; Janet Sims <jsims@perkinsconsultants.com>
Cc: Susan Klingspor <Susan.Klingspor@tceq.texas.gov>; Todd Ten Have <ttenhave@scipioventures.com>; Louis Mertz <lmertz@scipioventures.com>
Subject: RE: INCOMPLETE NORI PROOFS - WQ0016008001

Lynette –

Thank you. Will resolve and re-send immediately.

Eli Dragon
Scipio Ventures
779 W Main St
Coppell, TX 75019
Office: +1 (832) 487-0576
Cell: +1 (214) 460-9121
edragon@scipioventures.com

Houston Office (Headquarters):
5599 San Felipe St, Suite 565
Houston, TX 77056

From: Lynette Batte <Lynette.Batte@tceq.texas.gov>
Sent: Tuesday, September 21, 2021 2:24 PM
To: Janet Sims <jsims@perkinsconsultants.com>; Eli Dragon <edragon@scipioventures.com>

Cc: Lynette Batte <Lynette.Batte@tceq.texas.gov>; Susan Klingspor <Susan.Klingspor@tceq.texas.gov>

Subject: INCOMPLETE NORI PROOFS - WQ0016008001

Good Afternoon,

This is a courtesy email to let you know the NORI Publication Proofs we received by mail on 9/17/21 for R040062 LP Permit Number WQ0016008001 are incomplete for the following reasons:

- The Public Notice Verification was the NAPD form which cannot be accepted for the NORI. Please use the attached form (PG1_NORI_PN.PDF).
- The English Affidavit is missing the Notary Seal. Please submit Affidavit with Notary Seal.
- The Alternative Language Affidavit listed the county as "Travis" which does not match the information we have showing the county as Williamson. If this was in error you may submit a corrected Alternative Language Affidavit.

For your convenience, proofs may now be emailed to PROOFS@TCEQ.TEXAS.GOV or if you prefer you may continue to mail them in.

Thank you for your time. If you need any assistance please reply to this email.

Sincerely,

Lynette Batte

License & Permit Specialist II
Texas Commission on Environmental Quality (TCEQ)
Office of the Chief Clerk - Notice Team
Email: lynette.batte@tceq.texas.gov

TCEQ-OFFICE OF THE CHIEF CLERK
MC-105 Attn: Notice Team
P.O. BOX 13087
AUSTIN, TX 78711-3087

Applicant Name: Ro40062, LP
Permit No.: WQ0016008001

**ALTERNATIVE LANGUAGE
PUBLISHER'S AFFIDAVIT**

CHIEF CLERKS OFFICE

2021 SEP 17 PM 2:21

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

STATE OF TEXAS §
COUNTY OF Travis §

Before me, the undersigned notary public, on this day personally appeared

Luis H. Diaz, who being by me duly sworn, deposes
(name of person representing newspaper)

and says that (s)he is the Circulation Manager of the
(title of person representing newspaper)

El Mundo Newspaper; that said newspaper is
(name of newspaper)

generally circulated in Travis County, Texas and
(same county as proposed facility)

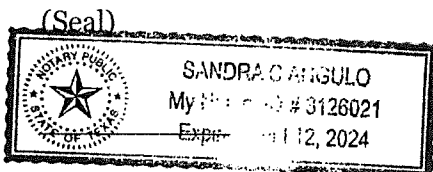
is published primarily in Spanish language; that the
(alternative language)

enclosed notice was published in said newspaper on the following date(s):

September 2, 2021.

Subscribed and sworn to before me this the 2nd day of September,

2021, by Luis H. Diaz
(newspaper representative's signature)



Sandra Carolina Angulo
Notary Public in and for the State of Texas

Sandra Carolina Angulo

Print or Type Name of Notary Public

My Commission Expires 04/12/2024

EMPLEOS EMPLEOS EMPLEOS EMPLEOS EMPLEOS EMPLEOS EMPLEOS

questiones de hecho en disputa e

BUSCO AYUDANTE
con transportación
propia para taller
de soldadura en el
área de Leander.
Interesados llamar al
(512) 922-5252

Divorcio
Casos de Ley Familiar
Paternidad • Manutención
3736 Bee Caves Rd. #1-PMB1120 • Austin, TX 78746

TCEQ-OFFICE OF THE CHIEF CLERK
MC-105 Attn: Notice Team
P.O. BOX 13087
AUSTIN, TX 78711-3087

Applicant Name: Ro40062, LP
Permit No.: WQ0016008001

**PUBLISHER'S AFFIDAVIT
FOR WATER QUALITY PERMITS**

STATE OF TEXAS §
COUNTY OF Texas §

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2021 SEP 17 PM 2:22
CHIEF CLERKS OFFICE

Before me, the undersigned authority, on this day personally appeared

Kathryn Manasco who being by me duly sworn, deposes
(name of person representing newspaper)

and says that (s)he is the General Manager
(title of person representing newspaper)

of the Williamson County Sun that this newspaper is a newspaper of
(name of newspaper)

largest circulation in Williamson County, Texas or is
(name of county)

a newspaper of general circulation in Georgetown,
(name of municipality)

Texas; and that the enclosed notice was published in said newspaper on the following date(s):

Aug. 29, 2021

Kathryn Manasco
(newspaper representative's signature)

Subscribed and sworn to before me this the 9th day of Sept,
2021.

(Seal)

Dawn Steele
Notary Public in and for the State of Texas

Dawn Steele
Print or Type Name of Notary Public

My Commission Expires 8-26-2024

TCEQ-OFFICE OF THE CHIEF CLERK
MC-105 Attn: Notice Team
P.O. BOX 13087
AUSTIN, TX 78711-3087

Applicant Name: Ro40062, LP
Permit No.: WQ0016008001

**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 _____

ing an interest therein, retained, the property their interest therein if allowed, within the time and in the manner provided by law.

L SALES SHALL BE BY CONSTATABLES EED AND ARE WITHOUT WARRANTY AS TO TITLE OR CONDITION, EXPRESS OR IMPLIED, AS EVIDENCED BY CONSTATABLES EED.

ne Minimum Bid is All Costs Of Suit And Sale. ublished in: The Williamson County Sun, eorgetown, Texas. August 22, 2021, August 29, 2021, and ptember 5, 2021

LE TO BE HELD: October 5, 2021, between a hours of 10:00 a.m. and 4:00 p.m.

irms: Cash, Cashiers Check, or Money Order. irdional Terms: Any Liens associated with operty are to be assumed by highest bidder. If Anderson, Constable

ect No. 2, Williamson County, Texas

f. Wade Fowler, #5203

lice Inviting Proposals For Legal Services e Georgetown Housing Authority is requesting oposals for professional legal services. ervices are described in Solicitation for gals. See more found on htm web at www: georgetownh.org/vendors.htm Proposals are e addressed to:

iki Brennan, Executive Director e Georgetown Housing Authority 10 West 8th Street eorgetown, TX 78626

oposals must be received no later than 2:00 m. on or before September 16, 2021. Proposals will e reviewed, and those firms whose proposals ot appropriately meet the Housing Authority's eds will be considered.

PUBLIC NOTICE
WILLIAMSON COUNTY
NOTICE OF SOLICITATION

Williamson County Commissioners Court ves the submission of sealed responses for: RFP# RFP-Jai Food Service

aled responses will be publicly opened and ad in the Williamson County Purchasing lice located at 100 Wilco Way, Suite P101, eorgetown, Texas 78626 on September 6th, 21 at 10 AM. All sealed responses must e opened on or before September 6th, 2021

lication documents can be viewed by iling the Williamson County Bonfire rial at <https://wico.bonfirehub.com/rta/t7ab-on/Opportunities> or by visiting e Williamson County Purchasing website at <https://wico.bonfirehub.com/portal/t7ab-on> id selecting the link register for bids. There is a fee to register as a supplier or to participate the County's solicitation process.

y bonds that may be required for this ilitation will be specified in the solicitation uments.

Williamson County Commissioners Court serves the right to accept the best value opense as deemed by the Court, or reject any idor all responses.

re receipt of electronic responses will e gistered in Bonfire. The Time-Date Stamp ck located at the Williamson County rchasing Department will serve as the official ck for the purpose of verifying the date and e of receipt of paper responses.

respondents shall submit pricing as specified e solicitation documents. Payment will e by the respondents preferred method as id with the Williamson County Auditors' Office, ived that respondents preferred method of yment is a form of payment acceptable to 'Williamson County.

e designated Purchasing Agent for this ilitation is Erica Smith, Purchasing Specialist nder the direction of Joy Simonon, rchasing Agent for Williamson County, 512-13-1554.

ued by order of the Williamson County mmissioners Court.

ll Gravel Jr., County Judge.

PUBLIC NOTICE
WILLIAMSON COUNTY
NOTICE OF SOLICITATION

Williamson County Commissioners Court ves the submission of sealed responses for: FP #214918 TPA for Indigent Health Care rgan for Williamson County

aled responses will be publicly opened and ad in the Williamson County Purchasing lice located at 100 Wilco Way, Suite P101, eorgetown, Texas 78626 on September 15, 21 at 2:00 PM CST. All sealed responses ued to be received on or before the stated ate.

lication documents can be viewed by iling the Williamson County Bonfire rial at <https://wico.bonfirehub.com/rta/t7ab-on/Opportunities> or by visiting e Williamson County Purchasing website at <https://wico.bonfirehub.com/portal/t7ab-on> id selecting the link register for bids. There is a fee to register as a supplier or to participate the County's solicitation process.

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Williamson County Commissioners Court serves the right to accept the best value opense as deemed by the Court, or reject any idor all responses.

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respondents shall submit pricing as specified e solicitation documents. Payment will e by the respondents preferred method as id with the Williamson County Auditor's Office, ived that respondents preferred method of yment is a form of payment acceptable to 'Williamson County.

e designated Purchasing Agent for this ilitation is Brenda Fuller, Senior Purchasing ordinator nder the direction of Joy Simonon, Purchasing Agent for Williamson ounty, 512-943-1555.

ued by order of the Williamson County mmissioners Court.

ll Gravel Jr., County Judge.

NOTICE OF PUBLIC HEARING ON WILLIAMSON CENTRAL APPRAISAL DISTRICT BUDGET

Williamson Central Appraisal District will ad a public hearing on a proposed budget for e 2022 fiscal year. The public hearing will e on Thursday, September 9, 2021, at 9:00 m. at 825 PM 1460, Georgetown, Texas. A summary of the appraisal district budget follows: e total amount of the proposed budget is 10,257,900. The total amount of decrease r the current year's budget is \$382,800. The number of employees compensated under the oposed budget will be 78 (full-time equivalent). e number of employees compensated under e current budget is 73 (full-time equivalent). e appraisal district is supported solely by yments from the local taxing units served y the appraisal district. If the appraisal district's budget of directors at the ublic hearing, this proposed budget will take

NOTICE OF PUBLIC HEARING ON WILLIAMSON CENTRAL APPRAISAL DISTRICT BUDGET

Williamson Central Appraisal District will ad a public hearing on a proposed budget for e 2022 fiscal year. The public hearing will e on Thursday, September 9, 2021, at 9:00 m. at 825 PM 1460, Georgetown, Texas. A summary of the appraisal district budget follows: e total amount of the proposed budget is 10,257,900. The total amount of decrease r the current year's budget is \$382,800. The number of employees compensated under the oposed budget will be 78 (full-time equivalent). e number of employees compensated under e current budget is 73 (full-time equivalent). e appraisal district is supported solely by yments from the local taxing units served y the appraisal district. If the appraisal district's budget of directors at the ublic hearing, this proposed budget will take

Male

NOTICE OF PUBLIC MEETING
REGIONAL WATER PLANNING

Notice is hereby given that the Brazos G Regional Water Planning Group (Brazos G) is seeking input from the public on the scope of planning activities to be considered during the Sixth Cycle of Regional Water Planning. The Pre-Planning Public Meeting will be held at the Brazos River Authority (BRA) Central Office, 4600 Cobbs Drive, Waco, Texas on Wednesday, September 29, 2021 at 10:00 a.m., prior to the upcoming regular Brazos G Planning Group Meeting. Written and oral comments to be submitted (5 minutes per speaker) regarding the scope of activities to be considered during the Sixth Cycle of Regional Water Planning will be accepted at this meeting. Written comments will be accepted for 30 days preceding the Public Meeting. Comments may be submitted by email to pamela.hannemann@brazos.org or by mail to: Brazos G Regional Water Planning Group Attn: Pamela Hannemann P.O. Box 7555 4600 Cobbs Drive Waco, TX 76711

The Brazos G planning area includes the following counties: Bell, Bosque, Brazos, Burleson, Callahan, Comanche, Coryell, Eastland, Ellis, Fisher, Grimes, Hamilton, Haskell, Hill, Hood, Johnson, Jones, Kent, Knox, Lampasas, Lee, Limestone, McLennan, Milam, Nolan, Palo Pinto, Robertson, Shackelford, Stephens, Tarrant, Taylor, Travis, Taylor, Throckmorton, Washington, Williamson, and Young.

For additional information, please contact the Brazos G Administrator Pamela Hannemann directly at (254) 781-3135 or Email pamela.hannemann@brazos.org or submit comments to the address listed above. The meeting notice is also posted on the Brazos G website at www.brazoswater.org.

Notice to Creditors

Notice is hereby given that original Letters Testamentary of the Estate of Gary K. Plassman, Deceased, were issued on July 26, 2021, in Cause No. 21-0411-CP4, pending in County Court at Law No. 4 of Williamson County, Texas, to Kristine Plassman aka Jeanne D. Plassman, Independent Executor.

Claims may be presented in care of the attorney for the Estate, addressed as follows: Estate of Gary K. Plassman c/o Kara L. O'Shaughnessy Gray Becker, PC 900 West Avenue Austin, TX 78701-2210

All persons having claims against this Estate, which is currently being administered, are required to present them within the time and in the manner prescribed by law.

/s/ Kara L. O'Shaughnessy Texas SBN 24089848 Attorney for Independent Executor

NOTICE TO CREDITORS

Notice is hereby given that the original Letters of Administration for the Estate of Richard Eugene Bertelson, Deceased, were issued on June 24, 2021, in Cause No. 21-0129-CP4, pending in the County Court at Law Number 4 of Williamson County, Texas, to: Ricky Eugene Bertelson.

All persons having claims against this Estate which is currently being administered, are required to present them to the undersigned within the time and in the manner prescribed by law.

Ricky Eugene Bertelson
c/ Michelle Lohmkohl
200 Josie Lane
Rockdale, Texas 76567
Dated May 27, 2021.
/s/ Michelle Lohmkohl
Michelle Lohmkohl
State Bar No.: 24036964
200 Josie Lane
Rockdale, Texas 76567
Telephone: (512) 446-9529
Facsimile: (512) 446-9529
Email: michelle@milkenlawfirm.com
Attorney for Ricky Eugene Bertelson

NOTICE TO CREDITORS

Notice is hereby given that original Letters Testamentary of the Estate of James W. Sansom, Jr., Deceased, were issued on May 27, 2021, in Cause No. 21-0501-CP4, pending in the County Court at Law Number Four of Williamson County, Texas, to James W. Sansom, Jr.

All persons having claims against this Estate which is currently being administered are required to present them to the undersigned within the time and in the manner prescribed by law.

James Alan Sansom
c/o Michelle Lohmkohl
200 Josie Lane
Rockdale, Texas 76567
DATED May 27, 2021.
/s/ Michelle Lohmkohl
Michelle Lohmkohl
State Bar No.: 24036964
200 Josie Lane
Rockdale, Texas 76567
Telephone: (512) 446-9529
Facsimile: (512) 446-9528
E-mail: michelle@milkenlawfirm.com
Attorney for James Alan Sansom

Application has been made with the TEXAS ALCOHOLIC BEVERAGE COMMISSION for a Wine and Beer Retailer's Off-Premise Permit by ICON RETAIL INC dba WEIRDO, to be located at 3601 SUNRISE RD ROUND ROCK (WILLIAMSON COUNTY), TX 78665. The Principals of said Company are Sohli Momin, PRESIDENT/SECRETARY/DIRECTOR.

NOTICE OF PUBLIC HEARING
THE STATE OF TEXAS COUNTY OF WILLIAMSON

TO ALL PERSONS INTERESTED IN THE ESTATE OF KELLY SUE PITTLLO, DECEASED.

Cause No. 21-0926-CP4, in County Court at Law #4 of Williamson County, 405 Martin Luther King Street, Georgetown, Texas 78626.

GREGORY CHARLES VILLINES, Applicant.

In the above numbered and entitled estate, filed on the 23rd day of August, 2021 an APPLICATION TO DECLARE HEIRSHIP AND FOR ISSUANCE OF LETTERS OF INDEPENDENT ADMINISTRATION of the said estate and requests that the said Court determine who are the heirs and only heirs of the said KELLY SUE PITTLLO, DECEASED, and their respective shares and interest in such estate.

Said application may be heard at 10:00 o'clock a.m. on or after the first Monday next after the

and selecting the link register for bids. There is no fee to register as a supplier or to participate in the County's solicitation process.

Any bonds that may be required for this solicitation will be specified in the solicitation documents.

The Williamson County Commissioners Court reserves the right to accept the best value response as determined by the Court, or reject any and/or all responses.

The receipt of electronic responses will be registered in Bonfire. The Time-Date Stamp clock located at the Williamson County Purchasing Department will serve as the official clock for the purpose of verifying the date and time of receipt of paper responses.

Residents who submit pricing as specified in the solicitation documents. Payment will be made by the respondents preferred method as with the Williamson County Auditor's Office, provided that respondents preferred method of payment is a form of payment acceptable to Williamson County.

The designated Purchasing Agent for this solicitation is Johnny S. Grimaldo, Senior Purchasing Coordinator, under the direction of Joy Simonon, Purchasing Agent for Williamson County, 512-943-1555.

Issued by order of the Williamson County Commissioners Court.

Bill Gravel Jr., County Judge.

PUBLIC NOTICE
WILLIAMSON COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT REQUEST FOR COMMENTS

Date of Publication: August 29, 2021

Williamson County (Responsible Entity) 710 Main Street Georgetown, TX 78626 512-943-3757

Notice is hereby given that the Williamson County Community Development Block Grant is considering a Substantial Amendment to the Fiscal Year 2020 Annual Action Plan. The County is an Entitlement Community in the U.S. Department of Housing and Urban Development's (HUD) Community Development Block Grant (CDBG) program.

As outlined in the County's Citizen Participation Plan, a Substantial Amendment requires a 30-day public comment period. The comment period will begin on August 30, 2021 and will end on September 28, 2021.

Proposed Changes:

Decrease: Williamson County Crisis Center dba Hope Alliance was awarded \$220 CDBG funds in the amount of \$22,134. Funds were to be utilized for shelter repair. Decrease funding by \$22,134.

Increase: Williamson County Crisis Center dba Hope Alliance has requested reallocation of \$22,134 to counseling services. Project will provide counseling services to victims of family or sexual violence. Increase funding by \$22,134.

Comment Period:

The comment period will begin on August 30, 2021 and will end on September 28, 2021.

Any individual, group, or agency may submit written comments on the Substantial Amendment to the Williamson County CDBG Office, 710 Main Street, Ste 101, Georgetown, Texas 78626. All comments received by September 28, 2021 will be considered by Williamson County prior to completing the Substantial Amendment. Comments should specify which Notice they are addressing.

CITATION BY PUBLICATION
THE STATE OF TEXAS COUNTY OF WILLIAMSON

TO ALL PERSONS INTERESTED IN THE ESTATE OF BILLY JACK HOWARD, DECEASED, Cause No. 21-0930-CP4, in County Court at Law #4 of Williamson County, 405 Martin Luther King Street, Georgetown, Texas 78626.

LISA HOWARD, Applicant in the above numbered and entitled estate, filed on the 24th day of August, 2021 an APPLICATION TO DECLARE HEIRSHIP AND FOR ISSUANCE OF LETTERS OF INDEPENDENT ADMINISTRATION of the said estate and requests that the said Court determine who are the heirs and only heirs of the said BILLY JACK HOWARD, DECEASED, and their respective shares and interest in such estate.

Said application may be heard at 10:00 o'clock a.m. on or after the first Monday next after the expiration of ten days from the date of publication of this citation, at the Williamson County Justice Center in Georgetown, Williamson County, Texas.

All persons interested in said estate are hereby cited to appear before said Honorable Court on or before above mentioned time and place by filing a written answer contesting such application should they desire to do so.

If this citation is not served within 90 days after the date of its issuance, it shall be returned unused.

Issued and given under my hand and seal of office at Georgetown, Texas, this 24th day of August, 2021.

Nancy E. Rister
405 MLK Street, Box 14
Georgetown, Texas 78626
By: /s/Kathy Kingsberger, Deputy Applicant's Attorney: Charles E. Lance 36115 Williams Drive Suite 102 Georgetown, TX 78628

CITATION BY PUBLICATION
THE STATE OF TEXAS COUNTY OF WILLIAMSON

TO ALL PERSONS INTERESTED IN THE ESTATE OF LINDA WALKER HOWARD, DECEASED, Cause No. 21-0932-CP4, in County Court at Law #4 of Williamson County, 405 Martin Luther King Street, Georgetown, Texas 78626.

LISA HOWARD, Applicant in the above numbered and entitled estate, filed on the 23rd day of August, 2021 an APPLICATION TO DECLARE HEIRSHIP AND FOR ISSUANCE OF LETTERS OF INDEPENDENT ADMINISTRATION of the said estate and requests that the said Court determine who are the heirs and only heirs of the said LINDA WALKER HOWARD, DECEASED, and their respective shares and interest in such estate.

Said application may be heard at 10:00 o'clock a.m. on or after the first Monday next after the expiration of ten days from the date of publication of this citation, at the Williamson County Justice Center in Georgetown, Williamson County, Texas.

All persons interested in said estate are hereby cited to appear before said Honorable Court on or before above mentioned time and place by filing a written answer contesting such application should they desire to do so.

If this citation is not served within 90 days after the date of its issuance, it shall be returned unused.

Issued and given under my hand and seal of office at Georgetown, Texas, this 24th day of August, 2021.

Nancy E. Rister
405 MLK Street, Box 14
Georgetown, Texas 78626

APPLICATION, R040062, LP, 5599 San Felipe 565 West, Suite 100, Austin, Texas 78705

has applied to the Texas Commission on Environmental Quality (TCEQ) for proposed Texas Pollutant Discharge Elimination System (TPDES) Permit No. W0010000001 (EPA I.D. No. TX0141437) to authorize the discharge of treated wastewater at a volume not to exceed a daily average flow of 200,000 gallons per day.

The domestic wastewater treatment facility will be located off the west end of Madison Drive, approximately 1,500 feet northwest of the intersection of County Road 105 and Jacobs Way in Williamson County, Texas 78628. The discharge route will be from the plant site to an unnamed tributary of Markins Branch, thence to Markins Branch, thence to the San Gabriel/North Fork San Gabriel River. TCEQ received this application on June 11, 2021. The permit application is available for viewing and copying at Georgetown Public Library, 402 West 8th Street, Georgetown, 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=db5baac4a16c4e68b0d3d30181852018a> markers=97.6194230,60738492

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 preliminary 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 controversy, as conveyed to TCEQ by a local legislator. A public meeting is not a contested case hearing.

OPPORTUNITY FOR A CONTESTED CASE HEARING. If you wish to submit 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 advise individuals requesting reconsideration of the Executive Director's decision and for requesting a contested case hearing. A contested case hearing is a formal 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 the place of your property/activities relative to the proposed facility; a specific description of how you would be adversely affected by the facility if you are not included in 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 a 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 relative to the permanent address and 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.texas.gov/ocio/ocio or 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 <https://www.t14.tceq.texas.gov/ocio/ocio/>, 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 permit process, please call the TCEQ Public Education Program, Toll Free, at 1-800-687-4040 or visit their website at www.tceq.texas.gov/ocio/ocio/. Please inform the public of the status of the application, visit the Commissioners' Integrated Database at www.texas.gov/ocio/ocio/ or 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 <https://www.t14.tceq.texas.gov/ocio/ocio/>, 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 permit process, please call the TCEQ Public Education Program, Toll Free, at 1-800-687-4040 or visit their website at www.tceq.texas.gov/ocio/ocio/. Please inform the public of the status of the application, visit the Commissioners' Integrated Database at www.texas.gov/ocio/ocio/ or search the database using the permit number for this application, which is provided at the top of this notice.

NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN TO ALL INTERESTED PERSONS, THAT: THE CITY COUNCIL OF THE CITY OF GEORGETOWN (1) PROPOSES TO INSTITUTE ANNEXATION (2) PROPOSES TO ENLARGE AND EXTEND

boundary line of said 127.58 acre tract of land, same being the east boundary line of said 127.58 acre tract, a distance of 913.47 feet, to a 1/2 inch iron rod with cap stamped "STEEGER BIZZELL" set for the easternmost southeast corner of the herein described tract, from which point a 1/2 inch iron rod found for an interior corner of said 28.11 acre tract of land bears N 78°55'00" East, a distance of 27.58 feet.

THENCE, South 68°15'34" West, with the south boundary line of said 127.58 acre tract, a distance of 200.00 feet, to a 1/2 inch iron rod with cap stamped "STEEGER BIZZELL" set for the northeast corner of the herein described tract, and for an interior corner of the herein described tract;

THENCE, South 21°44'26" East, with a west boundary line of said 127.58 acre tract of land, a distance of 194.09 feet, to a 1/2 inch iron rod with cap stamped "STEEGER BIZZELL" set for the northeast corner of that certain called 165.5 acres tract conveyed to Charles Marvin Walker, et ux, by Deed of record in Volume 543, Page 611, Deed Records of Williamson County, Texas, for the southeastern southeast corner of said 127.58 acre tract, and for the southernmost southeast corner of the herein described tract;

THENCE, South 68°16'03" West, with the north boundary line of said 165.5 acre tract of land, same being the south boundary line of said 127.58 acre tract, a distance of 2498.29 feet, to a fence corner post found;

THENCE, South 70°42'00" West, with the north boundary line of said 165.5 acre tract of land, a distance of 1978.50 feet, to a point in the centerline of a creek;

THENCE, with the centerline of a creek, same being the south boundary line of said 165.5 acre tract of land, the following six (6) courses and distances:

South 71°18'06" West, a distance of 181.24 feet, to a calculated point;

South 41°45'43" West, a distance of 112.78 feet, to a calculated point;

South 32°57'07" West, a distance of 110.19 feet, to a calculated point;

South 29°24'01" East, a distance of 102.42 feet, to a calculated point;

South 38°10'28" West, a distance of 106.44 feet, to a calculated point;

South 71°46'12" West, a distance of 128.01 feet, to a calculated point in the east-right-of-way line of County Road 120, a variable width roadway, as conveyed to Williamson County (called 0.223 acres of land) in said Document No. 24060505315, for the southwest corner of the herein described tract of land;

THENCE, with said east right-of-way line of County Road 120, the following three (3) courses and distances:

North 21°11'31" West, a distance of 313.02 feet, to a 1/2 inch iron rod with cap stamped "STEEGER BIZZELL" set for the northeast corner of said 0.223 acre tract of land;

North 50°42'10" West, a distance of 57.45 feet, to a 1/2 inch iron rod with cap stamped "STEEGER BIZZELL" set in the west boundary line of said 127.58 acre tract of land, for the northwest corner of said 0.223 acre tract of land;

North 21°03'43" West, with the west boundary line of said 127.58 acre tract, a distance of 1114.15 feet, to a 1/2 inch iron rod with cap stamped "STEEGER BIZZELL" set for the southwest corner of said 240.4'x91' tract of land, from which point a 3/8 inch iron rod with cap stamped "CCC 4835" found bears North 61°07'46" West, a distance of 3.25 feet.

THENCE, North 78°44'50" West, with the south boundary line of said 240.4'x91' tract, a distance of 240.00 feet, to a 3/8 inch iron rod found for the southeast corner of said 240.4'x91' tract of land, for an interior corner of the 127.58 acre tract, and for an interior corner of the herein described tract;

THENCE, North 20°49'32" West, with the east boundary line of said 240.4'x91' tract of land, same being the west boundary line of said 127.58 acre tract of land, a distance of 90.82 feet, to the POINT OF BEGINNING, and containing 127.36 acres of land, more or less, within these metes and bounds.

(2) 2021-2022 BUDGET

The City of Weir, Texas will discuss the 2021-2022 Budget.

The City of Weir encourages all citizens to participate in this meeting and request to make their views known at this public hearing. TWO PUBLIC HEARINGS WILL BE HELD BY AND BEFORE THE CITY COUNCIL OF the City of Weir, Texas on the 8th day of September, 2021, at 7:00 pm in the City Council Chambers of City Hall of the City of Weir, Texas, for all persons interested in the above proposed zoning changes.

At said time and place such persons shall have the right to appear and be heard. Of all said matters and things, all interested persons in the same and things herein mentioned will take notice.

By order of the Weir City Council, Weir, Texas, this 26th day of August, 2021.

Abner Walker, Mayor, City of Weir
Mayor, City of Weir
Attorney:
Veronica Garner
Secretary, City of Weir

CITATION BY PUBLICATION
THE STATE OF TEXAS COUNTY OF WILLIAMSON

TO ALL PERSONS INTERESTED IN THE ESTATE OF ROBERTA ANN HUGHES, DECEASED, Cause No. 21-0933-CP4, in County Court at Law #4 of Williamson County, 405 Martin Luther King Street, Georgetown, Texas 78626.

ELLEN JEKOT, Applicant in the above numbered and entitled estate, filed on the 23rd day of August, 2021 an APPLICATION FOR DETERMINATION OF HEIRSHIP AND FOR LETTERS OF INDEPENDENT ADMINISTRATION WITHOUT BOND of the said estate and requests that the said Court determine who are the heirs and only heirs of the said ROBERTA ANN HUGHES, DECEASED, and their respective shares and interest in such estate.

Said application may be heard at 10:00 o'clock a.m. on or after the first Monday next after the expiration of ten days from the date of publication of this citation, at the Williamson County Justice Center in Georgetown, Williamson County, Texas.

All persons interested in said estate are hereby cited to appear before said Honorable Court on or before above mentioned time and place by filing a written answer contesting such application should they desire to do so.

If this citation is not served within 90 days after the date of its issuance, it shall be returned unused.

Issued and given under my hand and seal of office at Georgetown, Texas, this 24th day of August, 2021.

Nancy E. Rister
405 MLK Street, Box 14
Georgetown, Texas 78626
By: /s/Kathy Kingsberger, Deputy Applicant's Attorney: Jack R. Hales, Jr. 10440 N. Central Express Suite 800 Dallas, TX 75231



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Public Notice Verification Form
Notice of Application and Preliminary Decision
(NAPD)
Water Quality Permit

All applicants must complete this page.

Applicant Name: R040062, LP

Site or Facility Name: Indigo Water Resource Recovery Facility

Water Quality Permit Number: WQ0016008001

Regulated Entity Number: ■ RN111287538 Customer Number: ■ CN605905942

PUBLIC VIEWING LOCATION

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 1st 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: Georgetown Public Library

Address of Public Place: 402 W. 8th Street

Applicant or Applicant Representative Signature: _____

Title: Manager

Date: 8/28/2021

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2021 SEP 17 PM 2:22
CHIEF CLERKS OFFICE

Senate Bill 709 (84th Legislative Session, 2015) amended the Texas Water Code by adding new Section 5.5553, which requires the Texas Commission on Environmental Quality (TCEQ) to provide written notice to you at least thirty (30) days prior to the TCEQ's issuance of draft permits for applications that are located in your district.

Ro40062, LP, 5599 San Felipe Street, Suite 565, Houston, Texas 77056, has applied to the TCEQ for proposed Texas Pollutant Discharge Elimination System No. WQ0016008001 (EPA I.D. No. TX0141437) to authorize the discharge of treated wastewater at a volume not to exceed a daily average flow of 200,000 gallons per day. The domestic wastewater treatment facility will be located off the west end of Madison Drive, approximately 1,500 feet northwest of the intersection of County Road 105 and Jacobs Way, in Williamson County, Texas 78626. The discharge route will be from the plant site to an unnamed tributary of Mankins Branch, thence to Mankins Branch, thence to the San Gabriel/North Fork San Gabriel River in Segment No. 1248 of the Brazos River Basin. TCEQ received this application on June 11, 2021. The permit application is available for viewing and copying at Georgetown Public Library, 402 West 8th Street, Georgetown, 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=-97.619%2C30.60798&level=12>

TCEQ is preparing the initial draft permit. At the time the draft permit is issued, the applicant will be required to publish notice in a newspaper of general circulation, and the TCEQ will provide a copy of the notice of draft permit to persons who have requested to be on a mailing list.

Questions regarding this application may be directed to Mr. Firoj Vahora by calling 512-239-4540.

Issuance Date: September 10, 2021

Notice was emailed at 02:00 PM on 09/10/2021 to enotice@tceq.texas.gov, Charles.schwertner@senate.texas.gov, james.talarico@house.texas.gov, john.bucy@house.texas.gov, Terry.wilson@house.texas.gov, PUBCOMMENT-WQ@TCEQ.TEXAS.GOV

Documents

FileName

☐ WQ0016008001_SB709.pdf

Prev

Next

Save

Cancel

Print

WQ STANDARD MAIL LIST

APPLICANT:

MR ELI DRAGON

Ro40062 LP

5599 SAN FELIPE ST STE 565

HOUSTON, TX 77056-2724

Other Applicant Representatives:

MS JANET SIMS

PERKINS ENGINEERING
CONSULTANTS INC

13740 N HWY 183 STE L6

AUSTIN, TX 78750-1833

PERMIT #: WQ0016008001

BASIN:

PERMITTEE:

Ro40062 LP

REGION: 11

COUNTY: WILLIAMSON

TO BE PUBLISHED BY:

MR ELI DRAGON

DATE NOTICE MAILED: 09/09/2021

CCO #: 124974

NOTICE TECH INITIALS: SCOOK

EVELYN ROSBOROUGH
USEPA REGION 6
1445 ROSS AVE STE 1200
MAIL CODE 6WQ
DALLAS TX 75202-2733
rosborough.evelyn@epa.gov

(Rosborough only gets notices with TPDES language.)

CYRUS REED PHD
LONE STAR CHAPTER SIERRA CLUB
PO BOX 4998
AUSTIN TX 78765
cyrus.reed@sierraclub.org

MYRON J HESS
1705 MARGARET ST
AUSTIN TX 78704
myron@myronhess.com

ANNIE SCHMITT
NATIONAL WILDLIFE FEDERATION
505 E HUNTLAND DR STE 485
AUSTIN TX 78752
schmitta@nwf.org

ANNE ROGERS
COASTAL FISHERIES DIVISION – FPP
TEXAS PARKS AND WILDLIFE
INTERAGENCY MAIL
wqnotice@tpwd.state.tx.us

SARA THORNTON
LLOYD GOSSELINK ROCHELLE & TOWNSEND
816 CONGRESS AVE STE 1900
AUSTIN TX 78701
sthornton@lglawfirm.com

RAILROAD COMMISSION OF TEXAS
TECHNICAL PERMITTING, ENVIRONMENTAL
SUPPORT
INTERAGENCY MAIL

DONNA MCCARVER
ARCHEOLOGY DIVISION
TEXAS HISTORICAL COMMISSION
INTERAGENCY MAIL
donna.mccarver@thc.texas.gov

DAVID T VILLARREAL PH.D.
ENVIRONMENTAL QUALITY PROGRAM
TEXAS DEPARTMENT OF AGRICULTURE
INTERAGENCY MAIL

HEIDI BOJES PH.D.
TEXAS DEPARTMENT OF STATE HEALTH SERVICES
INTERAGENCY MAIL
heidi.bojes@dshs.state.tx.us

(Bojes gets IHW, MSW, and WQ notices.)

KATE ZULTNER
GRANT PROGRAM AND SUPPORT DIVISION
COASTAL RESOURCES PROGRAM
TEXAS GENERAL LAND OFFICE
INTERAGENCY MAIL
federal.consistency@glo.texas.gov

(Zultner only gets notices with CMP language.)

MICHAEL BOOTH
5701 W Slaughter A130-404
AUSTIN TX 78749

00067

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF RECEIPT OF APPLICATION AND INTENT TO OBTAIN WATER QUALITY PERMIT

PROPOSED PERMIT NO. WQ0016008001

APPLICATION. Ro40062, LP, 5599 San Felipe Street, Suite 565, Houston, Texas 77056, has applied to the Texas Commission on Environmental Quality (TCEQ) for proposed Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016008001 (EPA I.D. No. TX0141437) to authorize the discharge of treated wastewater at a volume not to exceed a daily average flow of 200,000 gallons per day. The domestic wastewater treatment facility will be located off the west end of Madison Drive, approximately 1,500 feet northwest of the intersection of County Road 105 and Jacobs Way, in Williamson County, Texas 78626. The discharge route will be from the plant site to an unnamed tributary of Mankins Branch; thence to Mankins Branch; thence to the San Gabriel/North Fork San Gabriel River. TCEQ received this application on June 11, 2021. The permit application is available for viewing and copying at Georgetown Public Library, 402 West 8th Street, Georgetown, 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=db5bac44afbc468bbddd36of8168250f&marker=-97.619%2C30.60798&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 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 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 <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. Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained from RO40062, LP at the address stated above or by calling Mr. Eli Dragon at 832-487-0576.

Issuance Date: August 24, 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

August 24, 2021

Mr. Eli Dragon
Principal
R040062, LP
5599 San Felipe Street, Suite 565
Houston, Texas 77056

RE: Declaration of Administrative Completeness
Applicant Name: R040062, LP (CN605905942)
Permit No.: WQ0016008001 (EPA I.D. No. TX0141437)
Site Name: Indigo Water Resource Recovery Facility (RN111287538)
Type of Application: New

Dear Mr. Dragon:

The executive director has declared the above referenced application, received on June 11, 2021 administratively complete on August 24, 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

August 24, 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 Ms. Michelle Teller at (512) 239-0084.

Sincerely,



Deirdre Shepphard, Manager
Applications Review and Processing Team (MC-148)
Water Quality Division

DS/mat

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. 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

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 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
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: [REDACTED]

Site or Facility Name: [REDACTED]

Water Quality Permit Number: [REDACTED]

Regulated Entity Number: RN [REDACTED] Customer Number: CN [REDACTED]

PUBLIC VIEWING LOCATION

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 1st 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: [REDACTED]

Address of Public Place: [REDACTED]

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: [REDACTED]

Site or Facility Name: [REDACTED]

Water Quality Permit Number: [REDACTED]

Regulated Entity Number: RN [REDACTED] Customer Number: CN [REDACTED]

ALTERNATIVE LANGUAGE EXEMPTION

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: [REDACTED]

Language: [REDACTED]

Applicant or Applicant Representative Signature: _____

Title: _____ Date: _____

Applicant Name: Ro40062, LP
Permit No.: WQ0016008001

TCEQ-OFFICE OF THE CHIEF CLERK
MC-105 Attn: Notice Team
P.O. BOX 13087
AUSTIN, TX 78711-3087

Applicant Name: Ro40062, LP
Permit No.: WQ0016008001

**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 _____

Comisión de Calidad Ambiental del Estado de Texas



AVISO DE RECIBO DE LA SOLICITUD Y EL INTENTO DE OBTENER PERMISO PARA LA CALIDAD DEL AGUA

PERMISO PROPUESTO NO. WQoo_____

SOLICITUD. _____ *[Applicant's name and address]* ha solicitado a la Comisión de Calidad Ambiental del Estado de Texas (TCEQ) para el propuesto Permiso No. WQoo_____ (EPA I.D. No. TX _____) del Sistema de Eliminación de Descargas de Contaminantes de Texas (TPDES) para autorizar la descarga de aguas residuales tratadas en un volumen que no sobrepasa un flujo promedio diario de _____ *[daily average flow in gallons per day]* galones por día. La planta está ubicada _____ *[plant site location]* en el Condado de _____ *[County]*, Texas. La ruta de descarga es del sitio de la planta a _____ *[description of the discharge route]*. La TCEQ recibió esta solicitud el _____ *[date application received by TCEQ]*. La solicitud para el permiso está disponible para leerla y copiarla en _____ *[street address of public place where application is available in the county]*. 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.
[Insert web link from English notice]

[Include the following non-italicized sentence if the facility is located in the Coastal Management Program boundary. The Coastal Management Program boundary is the area along the Texas Coast of the Gulf of México as depicted on the map in 31 TAC §503.1 and includes part or all of the following counties: Cameron, Willacy, Kenedy, Kleberg, Nueces, San Patricio, Aransas, Refugio, Calhoun, Victoria, Jackson, Matagorda, Brazoria, Galveston, Harris, Chambers, Jefferson y Orange.] El Director Ejecutivo de la TCEQ ha revisado esta medida para ver si está de acuerdo con los objetivos y las regulaciones del Programa de Administración Costero de Texas (CMP) de acuerdo con las regulaciones del Consejo Coordinador de la Costa (CCC) y ha determinado que la acción es conforme con las metas y regulaciones pertinentes del CMP.

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 a lo 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 todo 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 cómo 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 presente durante el período 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 representa al grupo para recibir correspondencia en el futuro; identificar el nombre y la dirección de un miembro del grupo que sería afectado adversamente por la planta o la actividad propuesta; proveer la información indicada anteriormente con respecto a la ubicación del miembro afectado y su distancia de la planta o actividad propuesta; explicar cómo y porqué 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 períodos 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 programada de la Comisión. La Comisión sólo 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 período 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 correos siguientes (1) la lista de correo permanente para recibir los avisos de el solicitante indicado por nombre y número del permiso específico y/o (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 cual lista(s) y envía 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 presentadas electrónicamente vía <http://www14.tceq.texas.gov/epic/eComment/> o por escrito dirigidos a la **Comisión de Texas de Calidad Ambiental, Oficial 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 del _____ *[name of applicant]* a la dirección indicada arriba o llamando a _____ *[name of applicant's representative]* al _____ *[applicant's telephone number]*.

Fecha de emisión _____ *[Date notice issued]*

MYRA L VALENTA
3801 COUNTY ROAD 110
GEORGETOWN TX 78626

JIMMY C WEBB
2929 BELL GIN RD
GEORGETOWN TX 78626-7428

KENT E. WEBB
3100 BELL GIN RD
GEORGETOWN TX 78626-7402

JIM & VIRGINIA WEBB
2929 BELL GIN RD
GEORGETOWN TX 78626-7428

EQUITY TRUST DBA STERLING TRUST
408 RIVER CHASE BLVD
GEORGETOWN TX 78628

JOSHUA L RICHARDS
PO BOX 1366
TAYLOR TX 76574-6366

EMMA L LAWHON FAMILY LAND
PARTNERSHIP
2200 PATRIOT WAY
GEORGETOWN TX 78626-7421

RIVER CITY PARTNERS LTD
501 E KOENIG LN
AUSTIN TX 7875

ALEX CIFUENTES
223 JACOBS WAY
HUTTO TX 78634

RADY RICHARD Z & AGATHA O CO TRS
RADY FAMILY TRUST
13276 RESEARCH BLVD #105
AUSTIN TX 78750-3225

HILARIO & MARIA A VELAZQUEZ
215 JACOBS WAY
HUTTO TX 78634-3045

SHAWN & ENA BICHSEL
211 JACOBS WAY
HUTTO TX 78634

OSE & ESMERALDA ARREOLA
209 JACOBS WAY
HUTTO TX 78634

LORENZO & MINERVA VELAZQUEZ
RENOJ
205 JACOBS WAY
HUTTO TX 78634

VENANCIO SUAREZ FLORES
300 ALYSON LN
HUTTO TX 78634

PAULINA DE LUNA
153 JACOBS WAY
HUTTO TX 78634

MISAEAL HERNANDEZ & TOMASA
CHAVEZ & RENE ALVAREZ & CECILIA
CHAVEZ
149 JACOBS WAY
HUTTO TX 78634
JACK & DIANNE MOORE
% HOMER THOMAS
350 COUNTY ROAD 105
GEORGETOWN TX 78626-7426

VICENTE & ANAGELICA T MACIAS
145 JACOBS WAY
HUTTO TX 78634

JUAN P VO
19841 COCHRANE WAY
BATHERSBURG MD 20879

ARCANGELS INVESTMENTS LLC
501 LONE STAR DR
CEDAR PARK TX 78613

GREGORY J & MARY D FREDERICK
101 BRIAN CIR
GEORGETOWN TX 78626-9607

THOMAS BROWNFIELD
102 BRIAN CIR
GEORGETOWN TX 78626-9607

ELIZABETH RAMSEY DRISCOLL
513 MALLORY CT
EL PASO TX 79912-4228

RICHARD A & KAREN T SLIVA
17 COUNTY ROAD 105
HUTTO TX 78634-3013

LARRY J & RHONDA G REID
707 COUNTY ROAD 105
HUTTO TX 78634-3013

LORIS TRAN & TRUNG NGUYEN
2801 W 45TH ST
AUSTIN TX 78731

DOMINGO GRANADOS
37 ALYSON LN
HUTTO TX 78634-3051

KRISTI SWANN
6106 GLEN MEADOW DR
AUSTIN TX 78745-4143

TALON R RICHARDS
PO BOX 1366
TAYLOR TX 76574

CARLOS E CASAS & ALBERTO R DE
CASA
520 OLIVIA CT
HUTTO TX 78634-3064

JOSE FELIX & JOSE MEJIA HERNANDEZ
129 JACOBS WAY
HUTTO TX 78634-3019

WILEY R HENNIG
117 JACOBS WAY
HUTTO TX 78634-3019

MARILYN A SOTER (TOD) TO CLAUDIA
NEWMAN
4125 EAST PIKE
ZANESVILLE OH 43701-8426

DANIEL WISE
102 JENNIFER CIR
GEORGETOWN TX 78626-9612

BERNARD S ANDERSON TR OF
BERNARD & GLADYS ANDERSON
TRUST
16233 CAMERON RD
PFLUGERVILLE TX 78660

DONALD RAY ROBBINS
P.O. BOX 1088
GEORGETOWN TX 78627-1088

JOHN PIONTKOWSKI
125 JACOBS WAY
HUTTO TX 78634-3019

REX NOWLIN
113 JACOBS WAY
HUTTO TX 78634

ANDREW L & MAEDELLE T
101 JACOBS WAY
HUTTO TX 78634

DONNA L MOORE
101 MELISSA CIR
GEORGETOWN TX 78626-9606

NATHAN MENDEZ & TRAM VO
137 JACOBS WAY
HUTTO TX 78634-3021

LENARD C & GARNETTA D SMITH
121 JACOBS WAY
HUTTO TX 78634-3019

ESTHER SALAZAR
109 JACOBS WAY
HUTTO TX 78634

HOMER R THOMAS
350 COUNTY ROAD 105
GEORGETOWN TX 78626-7426

ARCANGELS INVESTMENTS LLC
501 LONE STAR DR
CEDAR PARK TX 78613

Landowners pg 2 of 3

CURRENT RESIDENT
341 ALYSON LN
HUTTO TX 78634

CURRENT RESIDENT
341 ALYSON LN
HUTTO TX 78634

CURRENT RESIDENT
341 ALYSON LN
HUTTO TX 78634

CURRENT RESIDENT
341 ALYSON LN
HUTTO TX 78634

Landowners pg 3 of 3

THE HONORABLE CHARLES SCHWERTNER
TEXAS SENATE
DISTRICT ROOM 3E.10
TEXAS STATE CAPITOL
Charles.schwertner@senate.texas.gov

THE HONORABLE JOHN BUCY
TEXAS HOUSE OF REPRESENTATIVES
DISTRICT ROOM E2.602
TEXAS STATE CAPITOL
john.bucy@house.texas.gov

THE HONORABLE JAMES TALARICO
TEXAS HOUSE OF REPRESENTATIVES
DISTRICT ROOM E2.418
TEXAS STATE CAPITOL
james.talarico@house.texas.gov

THE HONORABLE TERRY WILSON
TEXAS HOUSE OF REPRESENTATIVES
DISTRICT ROOM E2.714
TEXAS STATE CAPITOL
Terry.wilson@house.texas.gov

State

9/8/21

CITY OF GEORGETOWN
HEALTH OFFICIAL
KAREN WILSON DIRECTOR
100 W 3RD ST
GEORGETOWN TX 78626-5030

CITY OF GEORGETOWN
MAYOR
PO BOX 409
GEORGETOWN TX 78627-0409

City

CAPITAL AREA COUNCIL OF GOVERN
6800 BURLESON RD STE 165
AUSTIN TX 78744-2325

CITY OF AUSTIN WATERSHED DEPT.
TPDES PERMIT
PO BOX 1088
AUSTIN TX 78767-1088

PUBLIC HEALTH REGION 7
TEXAS DEPARTMENT OF STATE HEAL
2408 S 37TH ST
TEMPLE TX 76504-7168

US ARMY CORPS OF ENGINEERS REG
CESWS-PER-R
PO BOX 17300
FORT WORTH TX 76102-0300

FIELD SUPERVISOR
US FISH & WILDLIFE SERVICE
10711 BURNET RD STE 200
AUSTIN TX 78758-4460

WILLIAMSON COUNTY & CITIES HEA
355 TEXAS AVE
ROUND ROCK TX 78664-2565

WILLIAMSON COUNTY JUDGE
710 S MAIN ST STE 101
GEORGETOWN TX 78626-5701

JIM BRIGGS
CITY OF GEORGETOWN UTILITY SYS
PO BOX 409
GEORGETOWN TX 78627-0409

MR MICHAEL THANE DIR OF UTI
CITY OF ROUND ROCK
2008 ENTERPRISE DR
ROUND ROCK TX 78664-2120

MR MICHAEL THANE DIR OF UTI
CITY OF ROUND ROCK
2008 ENTERPRISE DR
ROUND ROCK TX 78664

LAURALEE VALLON GENERAL CO
BRAZOS RIVER AUTHORITY
4600 COBBS DR
PO BOX 7555
WACO TX 76714-7555

County

RACHEL AUSTIN
CITY OF JONESTOWN
PO BOX 5023
JONESTOWN TX 78645-0002

SUZY BATES
16249 W STATE HIGHWAY 29
LIBERTY HILL TX 78642-3803

MR JOHN J CARLTON
THE CARLTON LAW FIRM PLLC
STE B130
4301 WESTBANK DR
AUSTIN TX 78746-6568

SHARON H CASSADY
1541 ORCHARD DR
LEANDER TX 78641-1370

JAMES R CLARNO
108 TRINITY LN
GEORGETOWN TX 78633-4118

CONCERNED CITIZEN
CITY OF AUSTIN - AUSTIN WATER UTILITY
ATTN DIRECTOR
PO BOX 1088
AUSTIN TX 78767-1088

NOELKE COTTON
LAW DEPARTMENT CITY OF AUSTIN
PO BOX 1088
AUSTIN TX 78767-1088

BETTY & CHESTER CRITCHFIELD
PECAN SPRINGS RANCH
801 COUNTY ROAD 344
JARRELL TX 76537-1194

DAVID O FREDERICK
PERALES ALLMON & ICE PC
1206 SAN ANTONIO ST
AUSTIN TX 78701-1834

JUDY GRACI
15775 BOOTH CIR
VOLENTE TX 78641-9684

LORAIN HOANE
4920 N INTERSTATE 35
AUSTIN TX 78751-2716

M D HOSSAIN
CITY OF KILLEEN
PUBLIC WORKS/ENGINEERING
200 E AVENUE D
KILLEEN TX 76541-5228

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9/8/21

MONICA JACOBS
KELLY HART & HALLMAN LLP
STE 2000
303 COLORADO ST
AUSTIN TX 78701-4653

MR & MRS GARY JOHNSON
1011 RED CLIFF DR
AUSTIN TX 78758-5133

CORY R JUBY
826 LINGER LN
AUSTIN TX 78721-3650

CHUCK & DALE L MARTIN
APT 152
10600 JOLLYVILLE RD
AUSTIN TX 78759-6276

CHUCK & DALE L MARTIN
187 ESTRELLA XING
GEORGETOWN TX 78628-6973

KEN MARTIN PE
MARTIN PRATER & ASSOCIATES
2109 CRAIG PATRICK WAY
AUSTIN TX 78748-3537

LYLE A MCELDERRY
406 WYNDHAM HILL PKWY
TEMPLE TX 76502-1974

SUSAN MECKEL
LOWER COLORADO RIVER AUTHORITY
L106
PO BOX 220
AUSTIN TX 78767-0220

ANDREW MILLER
STE 370-134
6001 W PARMER LN
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PO BOX 93331
SOUTHLAKE TX 76092-0113

ROSANA NAREZ
TEX-MEX NEWS
PO BOX 8665
WACO TX 76714-8665

MARK NUNEZ
CITY OF HUTTO
356 COUNTY ROAD 199
HUTTO TX 78634-4271

MS MARILYN SAMUELSON
14914 SVENSKA RD
COUPLAND TX 78615-4874

KENNETH & RITA SCHOEN
1437 SLAWSON LN
KILLEEN TX 76542-4271

STEVEN SMELTZER
ALAMO AREA COUNCIL OF GOVERNMENTS
STE 110
2700 NE LOOP 410
SAN ANTONIO TX 78217-4840

STEVEN SMELTZER
ALAMO AREA COUNCIL OF GOVERNMENTS
STE 160
8700 TESORO DR
SAN ANTONIO TX 78217-6208

MR S SORENSON
BRUSH BEND PROPERTY OWNERS ASSOC
901 BRUSHY BEND DR
ROUND ROCK TX 78681-1401

MICHAEL D THANE
3400 SUNRISE RD
ROUND ROCK TX 78665-2398

ALLISON THRASH
15100 FM 2769
VOLENTE TX 78641-9139

GWENDOLYN HILL WEBB
PO BOX 368
HOUSTON TX 77001-0368

GWENDOLYN HILL WEBB
4TH FL
900 BAGBY ST
HOUSTON TX 77002-2527

NANCY WEBBER
4128 LAWLESS ST
AUSTIN TX 78723-5393

GREGORY J WHITE IND PRETREAT
CEDAR PARK PUBLIC WORKS DEPT
2315 BRUSHY CREEK LOOP
CEDAR PARK TX 78613-3162

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APP. EX. A
Tab C

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 21, 2023

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

Re: Application by R040062, LP
TPDES No. WQ0016008001
TCEQ Docket No. 2022-1731-MWD

Dear Ms. Gharis:

I have enclosed the following copies of documents to be included in the Administrative Record for the above-referenced case as required by 30 Tex. Admin Code § 80.118. The documents included are as follows:

- Draft Permit No. WQ0016008001
- The ED's Technical Memos (includes fact sheet, the ED's Preliminary decision, and Compliance History Report)

Sincerely,

A handwritten signature in cursive script that reads "Aubrey Pawelka".

Aubrey Pawelka
Staff Attorney
Environmental Law Division



TPDES PERMIT NO. WQ0016008001
*[For TCEQ office use only - EPA I.D.
No. TX0141437]*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
P.O. Box 13087
Austin, Texas 78711-3087

PERMIT TO DISCHARGE WASTES
under provisions of
Section 402 of the Clean Water Act
and Chapter 26 of the Texas Water Code

R040062, LP

whose mailing address is

5599 San Felipe Street, Suite 565
Houston, Texas 77056

is authorized to treat and discharge wastes from the Indigo Water Resource Recovery Facility, SIC Code 6552

located off the west end of Madison Drive, approximately 1,500 feet northwest of the intersection of County Road 105 and Jacobs Way, in Williamson County, Texas 78626

to an unnamed tributary of Mankins Branch, thence to Mankins Branch, thence to the San Gabriel/North Fork San Gabriel River in Segment No. 1248 of the Brazos River Basin

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

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

ISSUED DATE:

For the Commission

INTERIM EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTSOutfall Number 001

1. During the period beginning upon the date of issuance and lasting through the completion of expansion to the 0.2 million gallons per day (MGD) facility, the permittee is authorized to discharge subject to the following effluent limitations:

The daily average flow of effluent shall not exceed 0.075 MGD, nor shall the average discharge during any two-hour period (2-hour peak) exceed 208 gallons per minute.

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>				<u>Min. Self-Monitoring Requirements</u>	
	Daily Avg mg/l (lbs/day)	7-day Avg mg/l	Daily Max mg/l	Single Grab mg/l	Report Daily Avg. & Max. Single Grab Measurement Frequency	Sample Type
Flow, MGD	Report	N/A	Report	N/A	Continuous	Totalizer Meter
Carbonaceous Biochemical Oxygen Demand (5-day)	10 (6.3)	15	25	35	One/week	Grab
Total Suspended Solids	15 (9.4)	25	40	60	One/week	Grab
Ammonia Nitrogen	3 (1.9)	6	10	15	One/week	Grab
Total Phosphorus	0.5 (0.31)	1	2	3	One/week	Grab
<i>E. coli</i> , colony-forming units or most probable number per 100 ml	126	N/A	N/A	399	One/quarter	Grab

2. The effluent shall contain a total chlorine residual of at least 1.0 mg/l and shall not exceed a total chlorine residual of 4.0 mg/l after a detention time of at least 20 minutes (based on peak flow), and shall be monitored five times per week by grab sample. An equivalent method of disinfection may be substituted only with prior approval of the Executive Director.
3. The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored once per month by grab sample.
4. There shall be no discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.
5. Effluent monitoring samples shall be taken at the following location(s): Following the final treatment unit.
6. The effluent shall contain a minimum dissolved oxygen of 4.0 mg/l and shall be monitored once per week by grab sample.

FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTSOutfall Number 001

1. During the period beginning upon the completion of expansion to the 0.20 million gallons per day (MGD) facility and lasting through the date of expiration, the permittee is authorized to discharge subject to the following effluent limitations:

The daily average flow of effluent shall not exceed 0.20 MGD, nor shall the average discharge during any two-hour period (2-hour peak) exceed 556 gallons per minute.

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>				<u>Min. Self-Monitoring Requirements</u>	
	Daily Avg mg/l (lbs/day)	7-day Avg mg/l	Daily Max mg/l	Single Grab mg/l	Report Daily Avg. & Max. Single Grab Measurement Frequency	Sample Type
Flow, MGD	Report	N/A	Report	N/A	Continuous	Totalizer Meter
Carbonaceous Biochemical Oxygen Demand (5-day)	10 (17)	15	25	35	One/week	Grab
Total Suspended Solids	15 (25)	25	40	60	One/week	Grab
Ammonia Nitrogen	3 (5.0)	6	10	15	One/week	Grab
Total Phosphorus	0.5 (0.83)	1	2	3	One/week	Grab
<i>E. coli</i> , colony-forming units or most probable number per 100 ml	126	N/A	N/A	399	One/month	Grab

2. The effluent shall contain a total chlorine residual of at least 1.0 mg/l and shall not exceed a total chlorine residual of 4.0 mg/l after a detention time of at least 20 minutes (based on peak flow), and shall be monitored five times per week by grab sample. An equivalent method of disinfection may be substituted only with prior approval of the Executive Director.
3. The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored once per month by grab sample.
4. There shall be no discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.
5. Effluent monitoring samples shall be taken at the following location(s): Following the final treatment unit.
6. The effluent shall contain a minimum dissolved oxygen of 4.0 mg/l and shall be monitored once per week by grab sample.

DEFINITIONS AND STANDARD PERMIT CONDITIONS

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

1. Flow Measurements

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

2. Concentration Measurements

- a. Daily average concentration - the arithmetic average of all effluent samples, composite or grab as required by this permit, within a period of one calendar month, consisting of at least four separate representative measurements.
 - i. For domestic wastewater treatment plants - When four samples are not available in a calendar month, the arithmetic average (weighted by flow) of all values in the previous four consecutive month period consisting of at least four measurements shall be utilized as the daily average concentration.

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

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

- e. Bacteria concentration (*E. coli* or Enterococci) - Colony Forming Units (CFU) or Most Probable Number (MPN) of bacteria per 100 milliliters effluent. The daily average bacteria concentration is a geometric mean of the values for the effluent samples collected in a calendar month. The geometric mean shall be determined by calculating the n th root of the product of all measurements made in a calendar month, where n equals the number of measurements made; or, computed as the antilogarithm of the arithmetic mean of the logarithms of all measurements made in a calendar month. For any measurement of bacteria equaling zero, a substituted value of one shall be made for input into either computation method. If specified, the 7-day average for bacteria is the geometric mean of the values for all effluent samples collected during a calendar week.
 - f. Daily average loading (lbs/day) - the arithmetic average of all daily discharge loading calculations during a period of one calendar month. These calculations must be made for each day of the month that a parameter is analyzed. The daily discharge, in terms of mass (lbs/day), is calculated as (Flow, MGD x Concentration, mg/l x 8.34).
 - g. Daily maximum loading (lbs/day) - the highest daily discharge, in terms of mass (lbs/day), within a period of one calendar month.
3. Sample Type
- a. Composite sample - For domestic wastewater, a composite sample is a sample made up of a minimum of three effluent portions collected in a continuous 24-hour period or during the period of daily discharge if less than 24 hours, and combined in volumes proportional to flow, and collected at the intervals required by 30 TAC § 319.9 (a). For industrial wastewater, a composite sample is a sample made up of a minimum of three effluent portions collected in a continuous 24-hour period or during the period of daily discharge if less than 24 hours, and combined in volumes proportional to flow, and collected at the intervals required by 30 TAC § 319.9 (b).

- b. Grab sample - an individual sample collected in less than 15 minutes.
- 4. Treatment Facility (facility) - wastewater facilities used in the conveyance, storage, treatment, recycling, reclamation and/or disposal of domestic sewage, industrial wastes, agricultural wastes, recreational wastes, or other wastes including sludge handling or disposal facilities under the jurisdiction of the Commission.
- 5. The term "sewage sludge" is defined as solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in 30 TAC Chapter 312. This includes the solids that have not been classified as hazardous waste separated from wastewater by unit processes.
- 6. The term "biosolids" is defined as sewage sludge that has been tested or processed to meet Class A, Class AB, or Class B pathogen standards in 30 TAC Chapter 312 for beneficial use.
- 7. Bypass - the intentional diversion of a waste stream from any portion of a treatment facility.

MONITORING AND REPORTING REQUIREMENTS

1. Self-Reporting

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

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

2. Test Procedures

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

3. Records of Results

- a. Monitoring samples and measurements shall be taken at times and in a manner so as to

be representative of the monitored activity.

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

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

4. Additional Monitoring by Permittee

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

5. Calibration of Instruments

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

6. Compliance Schedule Reports

Reports of compliance or noncompliance with, or any progress reports on, interim and final

requirements contained in any compliance schedule of the permit shall be submitted no later than 14 days following each schedule date to the Regional Office and the Compliance Monitoring Team of the Enforcement Division (MC 224).

7. Noncompliance Notification

- a. In accordance with 30 TAC § 305.125(9) any noncompliance which may endanger human health or safety, or the environment shall be reported by the permittee to the TCEQ. Except as allowed by 30 TAC § 305.132, report of such information shall be provided orally or by facsimile transmission (FAX) to the Regional Office within 24 hours of becoming aware of the noncompliance. A written submission of such information shall also be provided by the permittee to the Regional Office and the Compliance Monitoring Team of the Enforcement Division (MC 224) within five working days of becoming aware of the noncompliance. For Publicly Owned Treatment Works (POTWs), effective December 21, 2023, the permittee must submit the written report for unauthorized discharges and unanticipated bypasses that exceed any effluent limit in the permit using the online electronic reporting system available through the TCEQ website unless the permittee requests and obtains an electronic reporting waiver. The written submission shall contain a description of the noncompliance and its cause; the potential danger to human health or safety, or the environment; the period of noncompliance, including exact dates and times; if the noncompliance has not been corrected, the time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance, and to mitigate its adverse effects.
 - b. The following violations shall be reported under Monitoring and Reporting Requirement 7.a.:
 - i. Unauthorized discharges as defined in Permit Condition 2(g).
 - ii. Any unanticipated bypass that exceeds any effluent limitation in the permit.
 - iii. Violation of a permitted maximum daily discharge limitation for pollutants listed specifically in the Other Requirements section of an Industrial TPDES permit.
 - c. In addition to the above, any effluent violation which deviates from the permitted effluent limitation by more than 40% shall be reported by the permittee in writing to the Regional Office and the Compliance Monitoring Team of the Enforcement Division (MC 224) within 5 working days of becoming aware of the noncompliance.
 - d. Any noncompliance other than that specified in this section, or any required information not submitted or submitted incorrectly, shall be reported to the Compliance Monitoring Team of the Enforcement Division (MC 224) as promptly as possible. For effluent limitation violations, noncompliances shall be reported on the approved self-report form.
8. In accordance with the procedures described in 30 TAC §§ 35.301 - 35.303 (relating to Water Quality Emergency and Temporary Orders) if the permittee knows in advance of the need for a bypass, it shall submit prior notice by applying for such authorization.
9. Changes in Discharges of Toxic Substances

All existing manufacturing, commercial, mining, and silvicultural permittees shall notify the Regional Office, orally or by facsimile transmission within 24 hours, and both the Regional

Office and the Compliance Monitoring Team of the Enforcement Division (MC 224) in writing within five (5) working days, after becoming aware of or having reason to believe:

- a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant listed at 40 CFR Part 122, Appendix D, Tables II and III (excluding Total Phenols) which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
 - i. One hundred micrograms per liter (100 µg/L);
 - ii. Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/L) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;
 - iii. Five (5) times the maximum concentration value reported for that pollutant in the permit application; or
 - iv. The level established by the TCEQ.
- b. That any activity has occurred or will occur which would result in any discharge, on a nonroutine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
 - i. Five hundred micrograms per liter (500 µg/L);
 - ii. One milligram per liter (1 mg/L) for antimony;
 - iii. Ten (10) times the maximum concentration value reported for that pollutant in the permit application; or
 - iv. The level established by the TCEQ.

10. Signatories to Reports

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

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

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

PERMIT CONDITIONS**1. General**

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

2. Compliance

- a. Acceptance of the permit by the person to whom it is issued constitutes acknowledgment and agreement that such person will comply with all the terms and conditions embodied in the permit, and the rules and other orders of the Commission.
- b. The permittee has a duty to comply with all conditions of the permit. Failure to comply with any permit condition constitutes a violation of the permit and the Texas Water Code or the Texas Health and Safety Code, and is grounds for enforcement action, for permit amendment, revocation, or suspension, or for denial of a permit renewal application or an application for a permit for another facility.
- c. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.
- d. The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal or other permit violation that has a reasonable likelihood of adversely affecting human health or the environment.
- e. Authorization from the Commission is required before beginning any change in the permitted facility or activity that may result in noncompliance with any permit requirements.
- f. A permit may be amended, suspended and reissued, or revoked for cause in accordance

with 30 TAC §§ 305.62 and 305.66 and TWC§ 7.302. The filing of a request by the permittee for a permit amendment, suspension and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

- g. There shall be no unauthorized discharge of wastewater or any other waste. For the purpose of this permit, an unauthorized discharge is considered to be any discharge of wastewater into or adjacent to water in the state at any location not permitted as an outfall or otherwise defined in the Other Requirements section of this permit.
- h. In accordance with 30 TAC § 305.535(a), the permittee may allow any bypass to occur from a TPDES permitted facility which does not cause permitted effluent limitations to be exceeded or an unauthorized discharge to occur, but only if the bypass is also for essential maintenance to assure efficient operation.
- i. The permittee is subject to administrative, civil, and criminal penalties, as applicable, under TWC §§ 7.051 - 7.075 (relating to Administrative Penalties), 7.101 - 7.111 (relating to Civil Penalties), and 7.141 - 7.202 (relating to Criminal Offenses and Penalties) for violations including, but not limited to, negligently or knowingly violating the federal CWA §§ 301, 302, 306, 307, 308, 318, or 405, or any condition or limitation implementing any sections in a permit issued under the CWA § 402, or any requirement imposed in a pretreatment program approved under the CWA §§ 402 (a)(3) or 402 (b)(8).

3. Inspections and Entry

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

4. Permit Amendment and/or Renewal

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

regulations that established those standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

5. Permit Transfer

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

6. Relationship to Hazardous Waste Activities

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

7. Relationship to Water Rights

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

8. Property Rights

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

9. Permit Enforceability

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

10. Relationship to Permit Application

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

11. Notice of Bankruptcy

- a. Each permittee shall notify the Executive Director, in writing, immediately following the filing of a voluntary or involuntary petition for bankruptcy under any chapter of Title 11 (Bankruptcy) of the United States Code (11 USC) by or against:
 - i. the permittee;
 - ii. an entity (as that term is defined in 11 USC, § 101(14)) controlling the permittee or listing the permit or permittee as property of the estate; or
 - iii. an affiliate (as that term is defined in 11 USC, § 101(2)) of the permittee.

- b. This notification must indicate:
 - i. the name of the permittee;
 - ii. the permit number(s);
 - iii. the bankruptcy court in which the petition for bankruptcy was filed; and
 - iv. the date of filing of the petition.

OPERATIONAL REQUIREMENTS

1. The permittee shall at all times ensure that the facility and all of its systems of collection, treatment, and disposal are properly operated and maintained. This includes, but is not limited to, the regular, periodic examination of wastewater solids within the treatment plant by the operator in order to maintain an appropriate quantity and quality of solids inventory as described in the various operator training manuals and according to accepted industry standards for process control. Process control, maintenance, and operations records shall be retained at the facility site, or shall be readily available for review by a TCEQ representative, for a period of three years.
2. Upon request by the Executive Director, the permittee shall take appropriate samples and provide proper analysis in order to demonstrate compliance with Commission rules. Unless otherwise specified in this permit or otherwise ordered by the Commission, the permittee shall comply with all applicable provisions of 30 TAC Chapter 312 concerning sewage sludge or biosolids use and disposal and 30 TAC §§ 319.21 - 319.29 concerning the discharge of certain hazardous metals.
3. Domestic wastewater treatment facilities shall comply with the following provisions:
 - a. The permittee shall notify the Municipal Permits Team, Wastewater Permitting Section (MC 148) of the Water Quality Division, in writing, of any facility expansion at least 90 days prior to conducting such activity.
 - b. The permittee shall submit a closure plan for review and approval to the Municipal Permits Team, Wastewater Permitting Section (MC 148) of the Water Quality Division, for any closure activity at least 90 days prior to conducting such activity. Closure is the act of permanently taking a waste management unit or treatment facility out of service and includes the permanent removal from service of any pit, tank, pond, lagoon, surface impoundment and/or other treatment unit regulated by this permit.
4. The permittee is responsible for installing prior to plant start-up, and subsequently maintaining, adequate safeguards to prevent the discharge of untreated or inadequately treated wastes during electrical power failures by means of alternate power sources, standby generators, and/or retention of inadequately treated wastewater.
5. Unless otherwise specified, the permittee shall provide a readily accessible sampling point and, where applicable, an effluent flow measuring device or other acceptable means by which effluent flow may be determined.
6. The permittee shall remit an annual water quality fee to the Commission as required by 30

TAC Chapter 21. Failure to pay the fee may result in revocation of this permit under TWC § 7.302(b)(6).

7. Documentation

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

8. Facilities that generate domestic wastewater shall comply with the following provisions; domestic wastewater treatment facilities at permitted industrial sites are excluded.

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

If in the judgment of the Executive Director the population to be served will not cause permit noncompliance, then the requirement of this section may be waived. To be effective, any waiver must be in writing and signed by the Director of the Enforcement Division (MC 219) of the Commission, and such waiver of these requirements will be reviewed upon expiration of the existing permit; however, any such waiver shall not be interpreted as condoning or excusing any violation of any permit parameter.

- b. The plans and specifications for domestic sewage collection and treatment works associated with any domestic permit must be approved by the Commission and failure to secure approval before commencing construction of such works or making a discharge is a violation of this permit and each day is an additional violation until approval has been secured.

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

container, drum, salt dome waste containment cavern, or any other structure vessel, appurtenance, or other improvement on land used to manage industrial solid waste.

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

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

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

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SLUDGE PROVISIONS

The permittee is authorized to dispose of sludge or biosolids only at a Texas Commission on Environmental Quality (TCEQ) authorized land application site, co-disposal landfill, wastewater treatment facility, or facility that further processes sludge. **The disposal of sludge or biosolids by land application on property owned, leased or under the direct control of the permittee is a violation of the permit unless the site is authorized with the TCEQ. This provision does not authorize Distribution and Marketing of Class A or Class AB Biosolids. This provision does not authorize the permittee to land apply biosolids on property owned, leased or under the direct control of the permittee.**

SECTION I. REQUIREMENTS APPLYING TO ALL SEWAGE SLUDGE OR BIOSOLIDS LAND APPLICATION

A. General Requirements

1. The permittee shall handle and dispose of sewage sludge or biosolids in accordance with 30 TAC § 312 and all other applicable state and federal regulations in a manner that protects public health and the environment from any reasonably anticipated adverse effects due to any toxic pollutants that may be present in the sludge or biosolids.
2. In all cases, if the person (permit holder) who prepares the sewage sludge supplies the sewage sludge to another person for land application use or to the owner or lease holder of the land, the permit holder shall provide necessary information to the parties who receive the sludge to assure compliance with these regulations.
3. The land application of processed or unprocessed chemical toilet waste, grease trap waste, grit trap waste, milk solids, or similar non-hazardous municipal or industrial solid wastes, or any of the wastes listed in this provision combined with biosolids, WTP residuals or domestic septage is prohibited unless the grease trap waste is added at a fats, oil and grease (FOG) receiving facility as part of an anaerobic digestion process.

B. Testing Requirements

1. Sewage sludge or biosolids shall be tested once during the term of this permit **in** accordance with the method specified in both 40 CFR Part 261, Appendix II and 40 CFR Part 268, Appendix I [Toxicity Characteristic Leaching Procedure (TCLP)] or other method that receives the prior approval of the TCEQ for the contaminants listed in 40 CFR Part 261.24, Table 1. Sewage sludge or biosolids failing this test shall be managed according to RCRA standards for generators of hazardous waste, and the waste's disposition must be in accordance with all applicable requirements for hazardous waste processing, storage, or disposal. Following failure of any TCLP test, the management or disposal of sewage sludge or biosolids at a facility other than an authorized hazardous waste processing, storage, or disposal facility shall be prohibited until such time as the permittee can demonstrate the sewage sludge or biosolids no longer exhibits the hazardous waste toxicity characteristics (as demonstrated by the results of the TCLP tests). A written report shall be provided to both the TCEQ Registration and Reporting Section (MC 129) of the Permitting and Registration Support Division and the Regional Director (MC Region 11) within seven (7) days after failing the TCLP Test.

The report shall contain test results, certification that unauthorized waste management has stopped and a summary of alternative disposal plans that comply with RCRA standards for the management of hazardous waste. The report shall be addressed to: Director, Permitting and Registration Support Division (MC 129), Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087. In addition, the permittee shall prepare an annual report on the results of all sludge toxicity testing. This annual report shall be submitted to the TCEQ Regional Office (MC Region 11) and the Compliance Monitoring Team (MC 224) of the Enforcement Division by September 30th of each year. Effective December 21, 2020, the permittee must submit this annual report using the online electronic reporting system available through the TCEQ website unless the permittee requests and obtains an electronic reporting waiver.

2. Biosolids shall not be applied to the land if the concentration of the pollutants exceeds the pollutant concentration criteria in Table 1. The frequency of testing for pollutants in Table 1 is found in Section I.C. of this permit.

TABLE 1

<u>Pollutant</u>	<u>Ceiling Concentration</u> <u>(Milligrams per kilogram)*</u>
Arsenic	75
Cadmium	85
Chromium	3000
Copper	4300
Lead	840
Mercury	57
Molybdenum	75
Nickel	420
PCBs	49
Selenium	100
Zinc	7500

* Dry weight basis

3. Pathogen Control

All sewage sludge that is applied to agricultural land, forest, a public contact site, or a reclamation site must be treated by one of the following methods to ensure that the sludge meets either the Class A, Class AB or Class B biosolids pathogen requirements.

- a. For sewage sludge to be classified as Class A biosolids with respect to pathogens, the density of fecal coliform in the sewage sludge must be less than 1,000 most probable number (MPN) per gram of total solids (dry weight basis), or the density of *Salmonella* sp. bacteria in the sewage sludge must be less than three MPN per four grams of total solids (dry weight basis) at the time the sewage sludge is used or disposed. In addition, one of the alternatives listed below must be met:

Alternative 1 - The temperature of the sewage sludge that is used or disposed shall be maintained at or above a specific value for a period of time. See 30 TAC § 312.82(a)(2)(A) for specific information;

Alternative 5 (PFRP) - Sewage sludge that is used or disposed of must be treated in one of the Processes to Further Reduce Pathogens (PFRP) described in 40 CFR Part 503, Appendix B. PFRP include composting, heat drying, heat treatment, and thermophilic aerobic digestion; or

Alternative 6 (PFRP Equivalent) - Sewage sludge that is used or disposed of must be treated in a process that has been approved by the U. S. Environmental Protection Agency as being equivalent to those in Alternative 5.

- b. For sewage sludge to be classified as Class AB biosolids with respect to pathogens, the density of fecal coliform in the sewage sludge must be less than 1,000 MPN per gram of total solids (dry weight basis), or the density of *Salmonella* sp. bacteria in the sewage sludge be less than three MPN per four grams of total solids (dry weight basis) at the time the sewage sludge is used or disposed. In addition, one of the alternatives listed below must be met:

Alternative 2 - The pH of the sewage sludge that is used or disposed shall be raised to above 12 std. units and shall remain above 12 std. units for 72 hours.

The temperature of the sewage sludge shall be above 52° Celsius for 12 hours or longer during the period that the pH of the sewage sludge is above 12 std. units.

At the end of the 72-hour period during which the pH of the sewage sludge is above 12 std. units, the sewage sludge shall be air dried to achieve a percent solids in the sewage sludge greater than 50%; or

Alternative 3 - The sewage sludge shall be analyzed for enteric viruses prior to pathogen treatment. The limit for enteric viruses is less than one Plaque-forming Unit per four grams of total solids (dry weight basis) either before or following pathogen treatment. See 30 TAC § 312.82(a)(2)(C)(i-iii) for specific information. The sewage sludge shall be analyzed for viable helminth ova prior to pathogen treatment. The limit for viable helminth ova is less than one per four grams of total solids (dry weight basis) either before or following pathogen treatment. See 30 TAC § 312.82(a)(2)(C)(iv-vi) for specific information; or

Alternative 4 - The density of enteric viruses in the sewage sludge shall be less than one Plaque-forming Unit per four grams of total solids (dry weight basis) at the time the sewage sludge is used or disposed. The density of viable helminth ova in the sewage sludge shall be less than one per four grams of total solids (dry weight basis) at the time the sewage sludge is used or disposed.

- c. Sewage sludge that meets the requirements of Class AB biosolids may be classified a Class A biosolids if a variance request is submitted in writing that is supported by substantial documentation demonstrating equivalent methods for reducing odors and written approval is granted by the executive director. The executive director may deny the variance request or revoke that approved variance if it is determined that the variance may potentially endanger human health or the environment, or create nuisance odor conditions.
- d. Three alternatives are available to demonstrate compliance with Class B biosolids

criteria.

Alternative 1

- i. A minimum of seven random samples of the sewage sludge shall be collected within 48 hours of the time the sewage sludge is used or disposed of during each monitoring episode for the sewage sludge.
- ii. The geometric mean of the density of fecal coliform in the samples collected shall be less than either 2,000,000 MPN per gram of total solids (dry weight basis) or 2,000,000 Colony Forming Units per gram of total solids (dry weight basis).

Alternative 2 - Sewage sludge that is used or disposed of shall be treated in one of the Processes to Significantly Reduce Pathogens (PSRP) described in 40 CFR Part 503, Appendix B, so long as all of the following requirements are met by the generator of the sewage sludge.

- i. Prior to use or disposal, all the sewage sludge must have been generated from a single location, except as provided in paragraph v. below;
- ii. An independent Texas Licensed Professional Engineer must make a certification to the generator of a sewage sludge that the wastewater treatment facility generating the sewage sludge is designed to achieve one of the PSRP at the permitted design loading of the facility. The certification need only be repeated if the design loading of the facility is increased. The certification shall include a statement indicating the design meets all the applicable standards specified in Appendix B of 40 CFR Part 503;
- iii. Prior to any off-site transportation or on-site use or disposal of any sewage sludge generated at a wastewater treatment facility, the chief certified operator of the wastewater treatment facility or other responsible official who manages the processes to significantly reduce pathogens at the wastewater treatment facility for the permittee, shall certify that the sewage sludge underwent at least the minimum operational requirements necessary in order to meet one of the PSRP. The acceptable processes and the minimum operational and record keeping requirements shall be in accordance with established U.S. Environmental Protection Agency final guidance;
- iv. All certification records and operational records describing how the requirements of this paragraph were met shall be kept by the generator for a minimum of three years and be available for inspection by commission staff for review; and
- v. If the sewage sludge is generated from a mixture of sources, resulting from a person who prepares sewage sludge from more than one wastewater treatment facility, the resulting derived product shall meet one of the PSRP, and shall meet the certification, operation, and record keeping requirements of this paragraph.

Alternative 3 - Sewage sludge shall be treated in an equivalent process that has been approved by the U.S. Environmental Protection Agency, so long as all of the following requirements are met by the generator of the sewage sludge.

- i. Prior to use or disposal, all the sewage sludge must have been generated from a

single location, except as provided in paragraph v. below;

- ii. Prior to any off-site transportation or on-site use or disposal of any sewage sludge generated at a wastewater treatment facility, the chief certified operator of the wastewater treatment facility or other responsible official who manages the processes to significantly reduce pathogens at the wastewater treatment facility for the permittee, shall certify that the sewage sludge underwent at least the minimum operational requirements necessary in order to meet one of the PSRP. The acceptable processes and the minimum operational and record keeping requirements shall be in accordance with established U.S. Environmental Protection Agency final guidance;
- iii. All certification records and operational records describing how the requirements of this paragraph were met shall be kept by the generator for a minimum of three years and be available for inspection by commission staff for review;
- iv. The Executive Director will accept from the U.S. Environmental Protection Agency a finding of equivalency to the defined PSRP; and
- v. If the sewage sludge is generated from a mixture of sources resulting from a person who prepares sewage sludge from more than one wastewater treatment facility, the resulting derived product shall meet one of the Processes to Significantly Reduce Pathogens, and shall meet the certification, operation, and record keeping requirements of this paragraph.

In addition to the Alternatives 1 – 3, the following site restrictions must be met if Class B biosolids are land applied:

- i. Food crops with harvested parts that touch the biosolids /soil mixture and are totally above the land surface shall not be harvested for 14 months after application of biosolids.
- ii. Food crops with harvested parts below the surface of the land shall not be harvested for 20 months after application of biosolids when the biosolids remain on the land surface for 4 months or longer prior to incorporation into the soil.
- iii. Food crops with harvested parts below the surface of the land shall not be harvested for 38 months after application of biosolids when the biosolids remain on the land surface for less than 4 months prior to incorporation into the soil.
- iv. Food crops, feed crops, and fiber crops shall not be harvested for 30 days after application of biosolids.
- v. Domestic livestock shall not be allowed to graze on the land for 30 days after application of biosolids.
- vi. Turf grown on land where biosolids are applied shall not be harvested for 1 year after application of the biosolids when the harvested turf is placed on either land with a high potential for public exposure or a lawn.
- vii. Public access to land with a high potential for public exposure shall be restricted for 1 year after application of biosolids.

viii. Public access to land with a low potential for public exposure shall be restricted for 30 days after application of biosolids.

ix. Land application of biosolids shall be in accordance with the buffer zone requirements found in 30 TAC § 312.44.

4. Vector Attraction Reduction Requirements

All bulk sewage sludge that is applied to agricultural land, forest, a public contact site, or a reclamation site shall be treated by one of the following Alternatives 1 through 10 for vector attraction reduction.

Alternative 1 - The mass of volatile solids in the sewage sludge shall be reduced by a minimum of 38%.

Alternative 2 - If Alternative 1 cannot be met for an anaerobically digested sludge, demonstration can be made by digesting a portion of the previously digested sludge anaerobically in the laboratory in a bench-scale unit for 40 additional days at a temperature between 30° and 37° Celsius. Volatile solids must be reduced by less than 17% to demonstrate compliance.

Alternative 3 - If Alternative 1 cannot be met for an aerobically digested sludge, demonstration can be made by digesting a portion of the previously digested sludge with percent solids of two percent or less aerobically in the laboratory in a bench-scale unit for 30 additional days at 20° Celsius. Volatile solids must be reduced by less than 15% to demonstrate compliance.

Alternative 4 - The specific oxygen uptake rate (SOUR) for sewage sludge treated in an aerobic process shall be equal to or less than 1.5 milligrams of oxygen per hour per gram of total solids (dry weight basis) at a temperature of 20° Celsius.

Alternative 5 - Sewage sludge shall be treated in an aerobic process for 14 days or longer. During that time, the temperature of the sewage sludge shall be higher than 40° Celsius and the average temperature of the sewage sludge shall be higher than 45° Celsius.

Alternative 6 - The pH of sewage sludge shall be raised to 12 or higher by alkali addition and, without the addition of more alkali shall remain at 12 or higher for two hours and then remain at a pH of 11.5 or higher for an additional 22 hours at the time the sewage sludge is prepared for sale or given away in a bag or other container.

Alternative 7 - The percent solids of sewage sludge that does not contain unstabilized solids generated in a primary wastewater treatment process shall be equal to or greater than 75% based on the moisture content and total solids prior to mixing with other materials. Unstabilized solids are defined as organic materials in sewage sludge that have not been treated in either an aerobic or anaerobic treatment process.

Alternative 8 - The percent solids of sewage sludge that contains unstabilized solids generated in a primary wastewater treatment process shall be equal to or greater than 90% based on the moisture content and total solids prior to mixing with other materials at the time the sludge is used. Unstabilized solids are defined as organic materials in sewage sludge that have not been treated in either an aerobic or anaerobic treatment process.

Alternative 9 -

- i. Biosolids shall be injected below the surface of the land.
- ii. No significant amount of the biosolids shall be present on the land surface within one hour after the biosolids are injected.
- iii. When sewage sludge that is injected below the surface of the land is Class A or Class AB with respect to pathogens, the biosolids shall be injected below the land surface within eight hours after being discharged from the pathogen treatment process.

Alternative 10 -

- i. Biosolids applied to the land surface or placed on a surface disposal site shall be incorporated into the soil within six hours after application to or placement on the land.
- ii. When biosolids that is incorporated into the soil is Class A or Class AB with respect to pathogens, the biosolids shall be applied to or placed on the land within eight hours after being discharged from the pathogen treatment process.

C. Monitoring Requirements

Toxicity Characteristic Leaching Procedure (TCLP) Test	- once during the term of this permit
PCBs	- once during the term of this permit

All metal constituents and fecal coliform or *Salmonella* sp. bacteria shall be monitored at the appropriate frequency shown below, pursuant to 30 TAC § 312.46(a)(1):

<u>Amount of biosolids (*) metric tons per 365-day period</u>	<u>Monitoring Frequency</u>
0 to less than 290	Once/Year
290 to less than 1,500	Once/Quarter
1,500 to less than 15,000	Once/Two Months
15,000 or greater	Once/Month

(*) *The amount of bulk biosolids applied to the land (dry wt. basis).*

Representative samples of sewage sludge shall be collected and analyzed in accordance with the methods referenced in 30 TAC § 312.7

Identify each of the analytic methods used by the facility to analyze enteric viruses, fecal coliforms, helminth ova, *Salmonella* sp., and other regulated parameters.

Identify in the following categories (as applicable) the sewage sludge or biosolids treatment process or processes at the facility: preliminary operations (e.g., sludge or biosolids grinding and degritting), thickening (concentration), stabilization, anaerobic digestion, aerobic digestion, composting, conditioning, disinfection (e.g., beta ray irradiation, gamma ray irradiation, pasteurization), dewatering (e.g., centrifugation, sludge drying beds, sludge lagoons), heat drying, thermal reduction, and methane or biogas capture and recovery.

Identify the nature of material generated by the facility (such as a biosolid for beneficial use or land-farming, or sewage sludge or biosolids for disposal at a landfill) and whether the material is ultimately conveyed off-site in bulk or in bags.

SECTION II. REQUIREMENTS SPECIFIC TO BULK SEWAGE SLUDGE FOR APPLICATION TO THE LAND MEETING CLASS A, CLASS AB or B BIOSOLIDS PATHOGEN REDUCTION AND THE CUMULATIVE LOADING RATES IN TABLE 2, OR CLASS B PATHOGEN REDUCTION AND THE POLLUTANT CONCENTRATIONS IN TABLE 3

For those permittees meeting Class A, Class AB or B pathogen reduction requirements and that meet the cumulative loading rates in Table 2 below, or the Class B pathogen reduction requirements and contain concentrations of pollutants below listed in Table 3, the following conditions apply:

A. Pollutant Limits

Table 2

<u>Pollutant</u>	Cumulative Pollutant Loading Rate (pounds per acre)*
Arsenic	36
Cadmium	35
Chromium	2677
Copper	1339
Lead	268
Mercury	15
Molybdenum	Report Only
Nickel	375
Selenium	89
Zinc	2500

Table 3

<u>Pollutant</u>	Monthly Average Concentration (milligrams per kilogram)*
Arsenic	41
Cadmium	39
Chromium	1200
Copper	1500
Lead	300
Mercury	17
Molybdenum	Report Only
Nickel	420
Selenium	36
Zinc	2800

*Dry weight basis

B. Pathogen Control

All bulk sewage sludge that is applied to agricultural land, forest, a public contact site, a reclamation site, shall be treated by either Class A, Class AB or Class B biosolids pathogen reduction requirements as defined above in Section I.B.3.

C. Management Practices

1. Bulk biosolids shall not be applied to agricultural land, forest, a public contact site, or a reclamation site that is flooded, frozen, or snow-covered so that the bulk biosolids enters a wetland or other waters in the State.
2. Bulk biosolids not meeting Class A biosolids requirements shall be land applied in a manner which complies with Applicability in accordance with 30 TAC §312.41 and the Management Requirements in accordance with 30 TAC § 312.44.
3. Bulk biosolids shall be applied at or below the agronomic rate of the cover crop.
4. An information sheet shall be provided to the person who receives bulk Class A or AB biosolids sold or given away. The information sheet shall contain the following information:
 - a. The name and address of the person who prepared the Class A or AB biosolids that are sold or given away in a bag or other container for application to the land.
 - b. A statement that application of the biosolids to the land is prohibited except in accordance with the instruction on the label or information sheet.
 - c. The annual whole sludge application rate for the biosolids application rate for the biosolids that does not cause any of the cumulative pollutant loading rates in Table 2 above to be exceeded, unless the pollutant concentrations in Table 3 found in Section II above are met.

D. Notification Requirements

1. If bulk biosolids is applied to land in a State other than Texas, written notice shall be provided prior to the initial land application to the permitting authority for the State in which the bulk biosolids are proposed to be applied. The notice shall include:
 - a. The location, by street address, and specific latitude and longitude, of each land application site.
 - b. The approximate time period bulk biosolids will be applied to the site.
 - c. The name, address, telephone number, and National Pollutant Discharge Elimination System permit number (if appropriate) for the person who will apply the bulk biosolids.
2. The permittee shall give 180 days prior notice to the Executive Director in care of the Wastewater Permitting Section (MC 148) of the Water Quality Division of any change planned in the biosolids disposal practice.

E. Record keeping Requirements

The documents will be retained at the facility site and/or shall be readily available for review by a TCEQ representative. The person who prepares bulk sewage sludge or a biosolids material shall develop the following information and shall retain the information at the facility site and/or shall be readily available for review by a TCEQ representative for a period

of five years. If the permittee supplies the sludge to another person who land applies the sludge, the permittee shall notify the land applier of the requirements for record keeping found in 30 TAC § 312.47 for persons who land apply.

1. The concentration (mg/kg) in the sludge of each pollutant listed in Table 3 above and the applicable pollutant concentration criteria (mg/kg), or the applicable cumulative pollutant loading rate and the applicable cumulative pollutant loading rate limit (lbs/ac) listed in Table 2 above.
2. A description of how the pathogen reduction requirements are met (including site restrictions for Class AB and Class B biosolids, if applicable).
3. A description of how the vector attraction reduction requirements are met.
4. A description of how the management practices listed above in Section II.C are being met.
5. The following certification statement:

“I certify, under penalty of law, that the applicable pathogen requirements in 30 TAC § 312.82(a) or (b) and the vector attraction reduction requirements in 30 TAC § 312.83(b) have been met for each site on which bulk biosolids are applied. This determination has been made under my direction and supervision in accordance with the system designed to ensure that qualified personnel properly gather and evaluate the information used to determine that the management practices have been met. I am aware that there are significant penalties for false certification including fine and imprisonment.”

6. The recommended agronomic loading rate from the references listed in Section II.C.3. above, as well as the actual agronomic loading rate shall be retained. The person who applies bulk biosolids shall develop the following information and shall retain the information at the facility site and/or shall be readily available for review by a TCEQ representative indefinitely. If the permittee supplies the sludge to another person who land applies the sludge, the permittee shall notify the land applier of the requirements for record keeping found in 30 TAC § 312.47 for persons who land apply:
 - a. A certification statement that all applicable requirements (specifically listed) have been met, and that the permittee understands that there are significant penalties for false certification including fine and imprisonment. See 30 TAC § 312.47(a)(4)(A)(ii) or 30 TAC § 312.47(a)(5)(A)(ii), as applicable, and to the permittee's specific sludge treatment activities.
 - b. The location, by street address, and specific latitude and longitude, of each site on which biosolids is applied.
 - c. The number of acres in each site on which bulk biosolids are applied.
 - d. The date and time biosolids are applied to each site.
 - e. The cumulative amount of each pollutant in pounds/acre listed in Table 2 applied to each site.
 - f. The total amount of biosolids applied to each site in dry tons.

The above records shall be maintained on-site on a monthly basis and shall be made available to the Texas Commission on Environmental Quality upon request.

F. Reporting Requirements

The permittee shall report annually to the TCEQ Regional Office (MC Region 11) and Compliance Monitoring Team (MC 224) of the Enforcement Division, by September 30th of each year the following information. Effective December 21, 2020, the permittee must submit this annual report using the online electronic reporting system available through the TCEQ website unless the permittee requests and obtains an electronic reporting waiver.

1. Identify in the following categories (as applicable) the sewage sludge or biosolids treatment process or processes at the facility: preliminary operations (e.g., sludge or biosolids grinding and degritting), thickening (concentration), stabilization, anaerobic digestion, aerobic digestion, composting, conditioning, disinfection (e.g., beta ray irradiation, gamma ray irradiation, pasteurization), dewatering (e.g., centrifugation, sludge drying beds, sludge lagoons), heat drying, thermal reduction, and methane or biogas capture and recovery.
2. Identify the nature of material generated by the facility (such as a biosolid for beneficial use or land-farming, or sewage sludge for disposal at a monofill) and whether the material is ultimately conveyed off-site in bulk or in bags.
3. Results of tests performed for pollutants found in either Table 2 or 3 as appropriate for the permittee's land application practices.
4. The frequency of monitoring listed in Section I.C. that applies to the permittee.
5. Toxicity Characteristic Leaching Procedure (TCLP) results.
6. PCB concentration in sludge or biosolids in mg/kg.
7. Identity of hauler(s) and TCEQ transporter number.
8. Date(s) of transport.
9. Texas Commission on Environmental Quality registration number, if applicable.
10. Amount of sludge or biosolids disposal dry weight (lbs/acre) at each disposal site.
11. The concentration (mg/kg) in the sludge of each pollutant listed in Table 1 (defined as a monthly average) as well as the applicable pollutant concentration criteria (mg/kg) listed in Table 3 above, or the applicable pollutant loading rate limit (lbs/acre) listed in Table 2 above if it exceeds 90% of the limit.
12. Level of pathogen reduction achieved (Class A, Class AB or Class B).
13. Alternative used as listed in Section I.B.3.(a. or b.). Alternatives describe how the pathogen reduction requirements are met. If Class B biosolids, include information on how site restrictions were met.
14. Identify each of the analytic methods used by the facility to analyze enteric viruses, fecal coliforms, helminth ova, *Salmonella* sp., and other regulated parameters.
15. Vector attraction reduction alternative used as listed in Section I.B.4.

16. Amount of sludge or biosolids transported in dry tons/year.
17. The certification statement listed in either 30 TAC § 312.47(a)(4)(A)(ii) or 30 TAC § 312.47(a)(5)(A)(ii) as applicable to the permittee's sludge or biosolids treatment activities, shall be attached to the annual reporting form.
18. When the amount of any pollutant applied to the land exceeds 90% of the cumulative pollutant loading rate for that pollutant, as described in Table 2, the permittee shall report the following information as an attachment to the annual reporting form.
 - a. The location, by street address, and specific latitude and longitude.
 - b. The number of acres in each site on which bulk biosolids are applied.
 - c. The date and time bulk biosolids are applied to each site.
 - d. The cumulative amount of each pollutant (i.e., pounds/acre) listed in Table 2 in the bulk biosolids applied to each site.
 - e. The amount of biosolids (i.e., dry tons) applied to each site.

The above records shall be maintained on a monthly basis and shall be made available to the Texas Commission on Environmental Quality upon request.

SECTION III. REQUIREMENTS APPLYING TO ALL SEWAGE SLUDGE OR BIOSOLIDS DISPOSED IN A MUNICIPAL SOLID WASTE LANDFILL

- A. The permittee shall handle and dispose of sewage sludge or biosolids in accordance with 30 TAC § 330 and all other applicable state and federal regulations to protect public health and the environment from any reasonably anticipated adverse effects due to any toxic pollutants that may be present. The permittee shall ensure that the sewage sludge or biosolids meets the requirements in 30 TAC § 330 concerning the quality of the sludge disposed in a municipal solid waste landfill.
- B. If the permittee generates sewage sludge or biosolids and supplies that sewage sludge or biosolids to the owner or operator of a municipal solid waste landfill (MSWLF) for disposal, the permittee shall provide to the owner or operator of the MSWLF appropriate information needed to be in compliance with the provisions of this permit.
- C. The permittee shall give 180 days prior notice to the Executive Director in care of the Wastewater Permitting Section (MC 148) of the Water Quality Division of any change planned in the sewage sludge or biosolids disposal practice.
- D. Sewage sludge or biosolids shall be tested once during the term of this permit in accordance with the method specified in both 40 CFR Part 261, Appendix II and 40 CFR Part 268, Appendix I (Toxicity Characteristic Leaching Procedure) or other method, which receives the prior approval of the TCEQ for contaminants listed in Table 1 of 40 CFR § 261.24. Sewage sludge or biosolids failing this test shall be managed according to RCRA standards for generators of hazardous waste, and the waste's disposition must be in accordance with all applicable requirements for hazardous waste processing, storage, or disposal.

Following failure of any TCLP test, the management or disposal of sewage sludge or biosolids at a facility other than an authorized hazardous waste processing, storage, or disposal facility shall be prohibited until such time as the permittee can demonstrate the sewage sludge or biosolids no longer exhibits the hazardous waste toxicity characteristics (as demonstrated by the results of the TCLP tests). A written report shall be provided to both the TCEQ Registration and Reporting Section (MC 129) of the Permitting and Registration Support Division and the Regional Director (MC Region 11) of the appropriate TCEQ field office within 7 days after failing the TCLP Test.

The report shall contain test results, certification that unauthorized waste management has stopped and a summary of alternative disposal plans that comply with RCRA standards for the management of hazardous waste. The report shall be addressed to: Director, Permitting and Registration Support Division (MC 129), Texas Commission on Environmental Quality, P. O. Box 13087, Austin, Texas 78711-3087. In addition, the permittee shall prepare an annual report on the results of all sludge toxicity testing. This annual report shall be submitted to the TCEQ Regional Office (MC Region 11) and the Compliance Monitoring Team (MC 224) of the Enforcement Division by September 30 of each year.

- E. Sewage sludge or biosolids shall be tested as needed, in accordance with the requirements of 30 TAC Chapter 330.
- F. Record keeping Requirements

The permittee shall develop the following information and shall retain the information for five years.

1. The description (including procedures followed and the results) of all liquid Paint Filter Tests performed.
2. The description (including procedures followed and results) of all TCLP tests performed.

The above records shall be maintained on-site on a monthly basis and shall be made available to the Texas Commission on Environmental Quality upon request.

G. Reporting Requirements

The permittee shall report annually to the TCEQ Regional Office (MC Region 11) and Compliance Monitoring Team (MC 224) of the Enforcement Division by September 30th of each year the following information. Effective December 21, 2020, the permittee must submit this annual report using the online electronic reporting system available through the TCEQ website unless the permittee requests and obtains an electronic reporting waiver.

1. Identify in the following categories (as applicable) the sewage sludge or biosolids treatment process or processes at the facility: preliminary operations (e.g., sludge or biosolids grinding and degritting), thickening (concentration), stabilization, anaerobic digestion, aerobic digestion, composting, conditioning, disinfection (e.g., beta ray irradiation, gamma ray irradiation, pasteurization), dewatering (e.g., centrifugation, sludge drying beds, sludge lagoons), heat drying, thermal reduction, and methane or biogas capture and recovery.
2. Toxicity Characteristic Leaching Procedure (TCLP) results.
3. Annual sludge or biosolids production in dry tons/year.
4. Amount of sludge or biosolids disposed in a municipal solid waste landfill in dry tons/year.
5. Amount of sludge or biosolids transported interstate in dry tons/year.
6. A certification that the sewage sludge or biosolids meets the requirements of 30 TAC § 330 concerning the quality of the sludge disposed in a municipal solid waste landfill.
7. Identity of hauler(s) and transporter registration number.
8. Owner of disposal site(s).
9. Location of disposal site(s).
10. Date(s) of disposal.

The above records shall be maintained on-site on a monthly basis and shall be made available to the Texas Commission on Environmental Quality upon request.

SECTION IV. REQUIREMENTS APPLYING TO SLUDGE OR BIOSOLIDS TRANSPORTED TO ANOTHER FACILITY FOR FURTHER PROCESSING

These provisions apply to sludge or biosolids that is transported to another wastewater treatment facility or facility that further processes sludge or biosolids. These provisions are intended to allow transport of sludge or biosolids to facilities that have been authorized to accept sludge or biosolids. These provisions do not limit the ability of the receiving facility to determine whether to accept the sludge or biosolids, nor do they limit the ability of the receiving facility to request additional testing or documentation.

A. General Requirements

1. The permittee shall handle and dispose of sewage sludge or biosolids in accordance with 30 TAC Chapter 312 and all other applicable state and federal regulations in a manner that protects public health and the environment from any reasonably anticipated adverse effects due to any toxic pollutants that may be present in the sludge.
2. Sludge or biosolids may only be transported using a registered transporter or using an approved pipeline.

B. Record Keeping Requirements

1. For sludge or biosolids transported by an approved pipeline, the permittee must maintain records of the following:
 - a. the amount of sludge or biosolids transported;
 - b. the date of transport;
 - c. the name and TCEQ permit number of the receiving facility or facilities;
 - d. the location of the receiving facility or facilities;
 - e. the name and TCEQ permit number of the facility that generated the waste; and
 - f. copy of the written agreement between the permittee and the receiving facility to accept sludge or biosolids.
2. For sludge transported by a registered transporter, the permittee must maintain records of the completed trip tickets in accordance with 30 TAC § 312.145(a)(1)-(7) and amount of sludge or biosolids transported.
3. The above records shall be maintained on-site on a monthly basis and shall be made available to the TCEQ upon request. These records shall be retained for at least five years.

C. Reporting Requirements

The permittee shall report the following information annually to the TCEQ Regional Office (MC Region 11) and Compliance Monitoring Team (MC 224) of the Enforcement Division, by September 30th of each year. Effective December 21, 2020, the permittee must submit this annual report using the online electronic reporting system available through the TCEQ website unless the permittee requests and obtains an electronic reporting waiver.

1. Identify in the following categories (as applicable) the sewage sludge or biosolids treatment process or processes at the facility: preliminary operations (e.g., sludge or biosolids grinding and degritting), thickening (concentration), stabilization, anaerobic digestion, aerobic digestion, composting, conditioning, disinfection (e.g., beta ray irradiation, gamma ray irradiation, pasteurization), dewatering (e.g., centrifugation, sludge drying beds, sludge lagoons), heat drying, thermal reduction, and methane or biogas capture and recovery.
2. the annual sludge or biosolids production;
3. the amount of sludge or biosolids transported;
4. the owner of each receiving facility;
5. the location of each receiving facility; and
6. the date(s) of disposal at each receiving facility.

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OTHER REQUIREMENTS

1. The permittee shall employ or contract with one or more licensed wastewater treatment facility operators or wastewater system operations companies holding a valid license or registration according to the requirements of 30 TAC Chapter 30, Occupational Licenses and Registrations, and in particular 30 TAC Chapter 30, Subchapter J, Wastewater Operators and Operations Companies.

This Category C facility must be operated by a chief operator or an operator holding a Class C license or higher. The facility must be operated a minimum of five days per week by the licensed chief operator or an operator holding the required level of license or higher. The licensed chief operator or operator holding the required level of license or higher must be available by telephone or pager seven days per week. Where shift operation of the wastewater treatment facility is necessary, each shift that does not have the on-site supervision of the licensed chief operator must be supervised by an operator in charge who is licensed not less than one level below the category for the facility.

2. The facility is not located in the Coastal Management Program boundary.
3. The permittee shall comply with the requirements of 30 TAC § 309.13(a) through (d). In addition, by ownership of the required buffer zone area, the permittee shall comply with the requirements of 30 TAC § 309.13(e).
4. The permittee shall provide facilities for the protection of its wastewater treatment facility from a 100-year flood.
5. In accordance with 30 TAC § 319.9, a permittee that has at least twelve months of uninterrupted compliance with its bacteria limit may notify the commission in writing of its compliance and request a less frequent measurement schedule. To request a less frequent schedule, the permittee shall submit a written request to the TCEQ Wastewater Permitting Section (MC 148) for each phase that includes a different monitoring frequency. The request must contain all of the reported bacteria values (Daily Avg. and Daily Max/Single Grab) for the twelve consecutive months immediately prior to the request. If the Executive Director finds that a less frequent measurement schedule is protective of human health and the environment, the permittee may be given a less frequent measurement schedule. For this permit, 1/quarter may be reduced to 1/6 months in the Interim phase and 1/month may be reduced to 1/quarter in the Final phase. **A violation of any bacteria limit by a facility that has been granted a less frequent measurement schedule will require the permittee to return to the standard frequency schedule and submit written notice to the TCEQ Wastewater Permitting Section (MC 148).** The permittee may not apply for another reduction in measurement frequency for at least 24 months from the date of the last violation. The Executive Director may establish a more frequent measurement schedule if necessary, to protect human health or the environment.
6. Prior to construction of the treatment facility, the permittee shall submit to the TCEQ Wastewater Permitting Section (MC 148) a summary transmittal letter in accordance with the requirements in 30 TAC § 217.6(d). If requested by the Wastewater Permitting Section, the permittee shall submit plans and specifications and a final engineering design report which comply with 30 TAC Chapter 217, Design Criteria for Domestic Wastewater Systems. The permittee shall clearly show how the treatment system will meet the permitted effluent limitations required on Pages 2 and 2a of this permit. A copy of the summary transmittal letter shall be available at the plant site for inspection by authorized representatives of the TCEQ.
7. Reporting requirements according to 30 TAC §§ 319.1-319.11 and any additional effluent reporting requirements contained in this permit are suspended from the effective date of the permit until plant startup or discharge from the facility described by this permit, whichever occurs first. The permittee

shall provide written notice to the TCEQ Regional Office (MC Region 11) and the Applications Review and Processing Team (MC 148) of the Water Quality Division at least forty-five days prior to plant startup or anticipated discharge, whichever occurs first, and prior to completion of each additional phase on Notification of Completion Form 20007.

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

DESCRIPTION OF APPLICATION

Applicant: R040062, LP;
Texas Pollutant Discharge Elimination System (TPDES) Permit No.
WQ0016008001, EPA I.D. No. TX0141437

Regulated Activity: Domestic Wastewater Permit

Type of Application: New Permit

Request: New Permit.

Authority: Federal Clean Water Act (CWA) § 402; Texas Water Code § 26.027; 30
Texas Administrative Code (TAC) Chapters 30, 305, 307, 309, 312, and
319; Commission policies; and United States Environmental Protection
Agency (EPA) guidelines.

EXECUTIVE DIRECTOR RECOMMENDATION

The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The draft permit includes an expiration date of **five years from the date of issuance**.

REASON FOR PROJECT PROPOSED

The applicant has applied to the Texas Commission on Environmental Quality (TCEQ) for a new permit to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 0.075 million gallons per day (MGD) in the Interim phase and a daily average flow not to exceed 0.2 MGD in the Final phase. The proposed wastewater treatment facility will serve the Indigo Water Recourse Recovery Facility.

PROJECT DESCRIPTION AND LOCATION

The Indigo Water Recourse Recovery Facility Wastewater Treatment Facility will be an activated sludge process plant operated in the extended aeration mode. Treatment units in the Interim phase will include one aeration basin, one final clarifier, one sludge holding tank, and a chlorine contact chamber. Treatment units added in the Final phase will include two aeration basins, one final clarifier, one sludge holding tank, and a chlorine contact chamber. The facility has not been constructed.

Sludge generated from the treatment facility will be hauled by a registered transporter and disposed of at a TCEQ-permitted sludge processing facility, Austin Wastewater Processing Facility, Permit No. 2384, in Travis County. The draft permit also authorizes the disposal of sludge at a TCEQ-authorized land application site, co-disposal landfill, wastewater treatment facility, or facility that further processes sludge.

The plant site will be located off the west end of Madison Drive, approximately 1,500 feet northwest of the intersection of County Road 105 and Jacobs Way, in Williamson County, Texas 78626.

Outfall Location:

Outfall Number	Latitude	Longitude
001	30.60811 N	97.6196 W

The treated effluent will be discharged to an unnamed tributary of Mankins Branch, thence to Mankins Branch, thence to the San Gabriel/North Fork San Gabriel River in Segment No. 1248 of the Brazos River Basin. The unclassified receiving water uses are limited aquatic life use for the unnamed tributary and Mankins Branch (intermittent with perennial pools), and high aquatic life use for Mankins Branch (perennial). The designated uses for Segment No. 1248 are primary contact recreation, public water supply, aquifer protection, and high aquatic life use. The aquifer protection use applies to the contributing, recharge, and transition zones of the Edwards Aquifer. Portions of the discharge route are within the transition zone. The effluent limitations in the draft permit will maintain and protect the existing instream uses. In accordance with 30 TAC § 307.5 and the TCEQ's *Procedures to Implement the Texas Surface Water Quality Standards* (June 2010), for the Texas Surface Water Quality Standards, an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected Mankins Branch, which has been identified as having high aquatic life use. Existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received.

Effluent limitations for the conventional effluent parameters (i.e., Biochemical Oxygen Demand or Carbonaceous Biochemical Oxygen Demand, Ammonia Nitrogen, etc.) are based on stream standards and waste load allocations for water-quality limited streams as established in the Texas Surface Water Quality Standards (TSWQS) and the State of Texas Water Quality Management Plan (WQMP).

In a case such as this, end-of-pipe compliance with pH limits between 6.0 and 9.0 standard units reasonably assures instream compliance with the TSWQS for pH when the discharge authorized is from a minor facility. This technology-based approach reasonably assures instream compliance with TSWQS criteria due to the relatively smaller discharge volumes authorized by these permits. This conservative assumption is based on TCEQ sampling conducted throughout the state which indicates that instream buffering quickly restores pH levels to ambient conditions. Similarly, this approach has been historically applied within EPA issued NPDES general permits where technology-based pH limits were established to be protective of water quality criteria.

The effluent limits recommended above have been reviewed for consistency with the State of Texas Water Quality Management Plan (WQMP). The proposed limits are not contained in the approved WQMP. However, these limits will be included in the next WQMP update.

The discharge from this permit action is not expected to have an effect on any federal endangered or threatened aquatic or aquatic-dependent species or proposed species or their critical habitat. This determination is based on the United States Fish and Wildlife Service's (USFWS's) biological opinion on the State of Texas authorization of the TPDES (September 14, 1998; October 21, 1998, update). To make this determination for TPDES permits, TCEQ and EPA only considered aquatic or aquatic-dependent species occurring in watersheds of critical concern or high priority as listed in Appendix A of the USFWS biological opinion. The determination is subject to reevaluation due to subsequent updates or amendments to the biological opinion. The permit does not require EPA review with respect to the presence of endangered or threatened species.

Segment No. 1248 is not currently listed on the State's inventory of impaired and threatened waters (2020 CWA §303(d) list). However, Mankins Branch is currently listed on the 2020 303(d) list. The Mankins Branch listing is specifically for elevated bacteria levels in water (recreation use) from the confluence with the San Gabriel River upstream to the intersection of County Road 105 and County Road 104 in Williamson County (AU 1248C_01). This facility is designed to provide adequate

disinfection and, when operated properly, should not add to the bacterial impairment of the segment. In addition, in order to ensure that the proposed discharge meets the stream bacterial standard, an effluent limitation of 126 colony-forming units (CFU) or most probable number (MPN) of *Escherichia coli* per 100 ml has been added to the draft permit.

SUMMARY OF EFFLUENT DATA

Self-reporting data is not available since the facility is not in operation.

DRAFT PERMIT CONDITIONS

The draft permit authorizes a discharge of treated domestic wastewater at an Interim volume not to exceed a daily average flow of 0.075 MGD and a Final volume not to exceed a daily average flow of 0.2 MGD.

The effluent limitations in both phases of the draft permit, based on a 30-day average, are 10 mg/l five-day carbonaceous biochemical oxygen demand (CBOD₅), 15 mg/l total suspended solids (TSS), 3.0 mg/l ammonia-nitrogen (NH₃-N), 0.5 mg/l total phosphorus (TP), 126 CFU or MPN of *E. coli* per 100 ml, and 4.0 mg/l minimum dissolved oxygen (DO). The effluent shall contain a total chlorine residual of at least 1.0 mg/l and shall not exceed a total chlorine residual of 4.0 mg/l after a detention time of at least 20 minutes based on peak flow.

The draft permit includes Sludge Provisions according to the requirements of 30 TAC Chapter 312, Sludge Use, Disposal, and Transportation. Sludge generated from the treatment facility will be hauled by a registered transporter and disposed of at a TCEQ-permitted sludge processing facility, Austin Wastewater Processing Facility, Permit No. 2384, in Travis County. The draft permit also authorizes the disposal of sludge at a TCEQ-authorized land application site, co-disposal landfill, wastewater treatment facility, or facility that further processes sludge.

SUMMARY OF CHANGES FROM APPLICATION

The applicant did not request the total phosphorus limits that are proposed for both the Interim I (0.075 MGD) phase and the Final (0.20 MGD).

BASIS FOR DRAFT PERMIT

The following items were considered in developing the draft permit:

1. Application received on June 10, 2021, and additional information received on July 19, 2021.
2. The effluent limitations and conditions in the draft permit comply with EPA-approved portions of the 2018 Texas Surface Water Quality Standards (TSWQS), 30 TAC §§ 307.1 - 307.10, effective March 1, 2018; 2014 TSWQS, effective March 6, 2014; 2010 TSWQS, effective July 22, 2010; and 2000 TSWQS, effective July 26, 2000.
3. The effluent limitations in the draft permit meet the requirements for secondary treatment and the requirements for disinfection according to 30 TAC Chapter 309, Subchapter A: Effluent Limitations.
4. Interoffice memoranda from the Water Quality Assessment Section of the TCEQ Water Quality Division.
5. Consistency with the Coastal Management Plan: The facility is not located in the Coastal

Management Program boundary.

6. *Procedures to Implement the Texas Surface Water Quality Standards* (IP), Texas Commission on Environmental Quality, June 2010, as approved by EPA, and the IP, January 2003, for portions of the 2010 IP not approved by EPA.
7. Texas 2020 Clean Water Act Section 303(d) List, Texas Commission on Environmental Quality, March 25, 2020; approved by the U.S. Environmental Protection Agency on May 12, 2020.
8. Texas Natural Resource Conservation Commission, Guidance Document for Establishing Monitoring Frequencies for Domestic and Industrial Wastewater Discharge Permits, Document No. 98-001.000-OWR-WQ, May 1998.

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, the Notice of Application and Preliminary Decision will be mailed to the same people and published in the same newspaper as the prior notice. This notice sets a deadline for making public comments. The applicant must place a copy of the Executive Director's preliminary decision and draft permit in the public place with the application.

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

R040062, LP
TPDES Permit No. WQ0016008001
Statement of Basis/Technical Summary and Executive Director's Preliminary Decision

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 Sonia Bhuiya at (512) 239-1205.

December 26, 2022

Sonia Bhuiya
Municipal Permits Team
Wastewater Permitting Section (MC 148)

Sonia Bhuiya

Date



Compliance History Report

Compliance History Report for CN605905942, RN111287538, Rating Year 2021 which includes Compliance History (CH) components from September 1, 2016, through August 31, 2021.

Customer, Respondent, or Owner/Operator:	CN605905942, R040062, LP	Classification: UNCLASSIFIED	Rating: -----
Regulated Entity:	RN111287538, INDIGO WATER RESOURCES RECOVERY FACILITY	Classification: UNCLASSIFIED	Rating: -----
Complexity Points:	3	Repeat Violator:	NO
CH Group:	14 - Other		
Location:	LOCATED OFF THE WEST END OF MADISON DRIVE APPROXIMATELY 5500 FT W OF THE TX 130 TOLL ROAD OVERPASS TO CR 105 WILLIAMSON, TX, WILLIAMSON COUNTY		
TCEQ Region:	REGION 11 - AUSTIN		
ID Number(s):			
WASTEWATER PERMIT	WQ0016008001	WASTEWATER EPA ID	TX0141437
Compliance History Period:	September 01, 2016 to August 31, 2021	Rating Year:	2021
		Rating Date:	09/01/2021
Date Compliance History Report Prepared:	November 01, 2021		
Agency Decision Requiring Compliance History:	Permit - Issuance, renewal, amendment, modification, denial, suspension, or revocation of a permit.		
Component Period Selected:	June 11, 2016 to November 01, 2021		
TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.			
Name:	WH		Phone: (512) 239-1000

Site and Owner/Operator History:

- 1) Has the site been in existence and/or operation for the full five year compliance period? NO
- 2) Has there been a (known) change in ownership/operator of the site during the compliance period? YES
- 3) Who is the current owner/operator? R040062, LP OWNER since 6/11/2021
- 4) Who was/were the prior owner(s)/operator(s)? Scipio Ventures, LLC, OWNER, 6/11/2021 to 6/11/2021

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

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

N/A

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

N/A

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

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

N/A

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

APP. EX. A
Tab D

R040062 LP

Indigo Water Resource Recovery Facility

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

APPLICATION FOR NEW

**TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM
PERMIT**

June 2021





TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

DOMESTIC WASTEWATER PERMIT APPLICATION CHECKLIST



Complete and submit this checklist with the application.

APPLICANT: R040062, LP

PERMIT NUMBER: [click here to enter text](#)

Indicate if each of the following items is included in your application.

	Y	N		Y	N
Administrative Report 1.0	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Original USGS Map	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Administrative Report 1.1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Affected Landowners Map	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SPIF	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Landowner Disk or Labels	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Core Data Form	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Buffer Zone Map	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Technical Report 1.0	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Flow Diagram	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Technical Report 1.1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Site Drawing	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Worksheet 2.0	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Original Photographs	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Worksheet 2.1	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Design Calculations	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Worksheet 3.0	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Solids Management Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Worksheet 3.1	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Water Balance	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Worksheet 3.2	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
Worksheet 3.3	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
Worksheet 4.0	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
Worksheet 5.0	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
Worksheet 6.0	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
Worksheet 7.0	<input type="checkbox"/>	<input checked="" type="checkbox"/>			

For TCEQ Use Only

Segment Number _____ County _____
 Expiration Date _____ Region _____
 Permit Number _____



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

APPLICATION FOR A DOMESTIC WASTEWATER PERMIT

ADMINISTRATIVE REPORT 1.0

If you have questions about completing this form please contact the Applications Review and Processing Team at 512-239-4671.

Section 1. Application Fees (Instructions Page 29)

Indicate the amount submitted for the application fee (check only one).

Flow	New/Major Amendment	Renewal
<0.05 MGD	\$350.00 <input type="checkbox"/>	\$315.00 <input type="checkbox"/>
≥0.05 but <0.10 MGD	\$550.00 <input type="checkbox"/>	\$515.00 <input type="checkbox"/>
≥0.10 but <0.25 MGD	\$850.00 <input checked="" type="checkbox"/>	\$815.00 <input type="checkbox"/>
≥0.25 but <0.50 MGD	\$1,250.00 <input type="checkbox"/>	\$1,215.00 <input type="checkbox"/>
≥0.50 but <1.0 MGD	\$1,650.00 <input type="checkbox"/>	\$1,615.00 <input type="checkbox"/>
≥1.0 MGD	\$2,050.00 <input type="checkbox"/>	\$2,015.00 <input type="checkbox"/>

Minor Amendment (for any flow) \$150.00 ☐

Payment Information:

Mailed Check/Money Order Number:

Check/Money Order Amount:

Name Printed on Check:

EPAY Voucher Number: 515528, 515529

Copy of Payment Voucher enclosed? Yes ☒

Section 2. Type of Application (Instructions Page 29)

- | | |
|---|---|
| <input checked="" type="checkbox"/> New TPDES | <input type="checkbox"/> New TLAP |
| <input type="checkbox"/> Major Amendment <u>with</u> Renewal | <input type="checkbox"/> Minor Amendment <u>with</u> Renewal |
| <input type="checkbox"/> Major Amendment <u>without</u> Renewal | <input type="checkbox"/> Minor Amendment <u>without</u> Renewal |
| <input type="checkbox"/> Renewal without changes | <input type="checkbox"/> Minor Modification of permit |

For amendments or modifications, describe the proposed changes:

For existing permits:

Permit Number: WQ00N/A

EPA I.D. (TPDES only): TXN/A

Print this voucher for your records. If you are sending the TCEQ hardcopy documents related to this payment, include a copy of this voucher.

Transaction Information
Voucher Number: 515528
Trace Number: 582EA000435993
Date: 06/07/2021 04:07 PM
Payment Method: CC - Authorization 000007126C
Voucher Amount: \$800.00
Fee Type: WW PERMIT - FACILITY WITH FLOW >= .10 & < .25 MGD - NEW AND MAJOR AMENDMENTS
ePay Actor: TODD TEN HAVE
Actor Email: accounting@scipioventures.com
IP: 104.55.68.81

Payment Contact Information
Name: LOUIS MERTZ
Company: R040062 LP
Address: 5599 SAN FELIPE ST STE 565, HOUSTON, TX 77056
Phone: 832-844-5114

Site Information
Site Name: INDIGO WATER RESOURCE RECOVERY FACILITY
Site Location: WEST END OF MADISON DRIVE APPROXIMATELY 5 500 FEET WEST OF THE TX 130 TOLL ROAD

Customer Information
Customer Name: R040062 LP
Customer Address: 5599 SAN FELIPE ST STE 565, HOUSTON, TX 77056

Close

Print this voucher for your records. If you are sending the TCEQ hardcopy documents related to this payment, include a copy of this voucher.

Transaction Information

Voucher Number: 515529
Trace Number: 582EA000435993
Date: 06/07/2021 04:07 PM
Payment Method: CC - Authorization 000007126C
Voucher Amount: \$50.00
Fee Type: 30 TAC 305.53B WQ NOTIFICATION FEE
ePay Actor: TODD TEN HAVE
Actor Email: accounting@scipioventures.com
IP: 104.55.68.81

Payment Contact Information

Name: LOUIS MERTZ
Company: R040062 LP
Address: 5599 SAN FELIPE ST STE 565, HOUSTON, TX 77056
Phone: 832-844-5114

[Close](#)

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[Statewide Links:](#) [Texas.gov](#) | [Texas Homeland Security](#) | [TRAIL Statewide Archive](#) | [Texas Veterans Portal](#)

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Expiration Date: N/A

Section 3. Facility Owner (Applicant) and Co-Applciant Information (Instructions Page 29)

A. The owner of the facility must apply for the permit.

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

R040062, LP

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

If the applicant is currently a customer with the TCEQ, what is the Customer Number (CN)? You may search for your CN on the TCEQ website at <http://www15.tceq.texas.gov/crpub/>

CN:

What is the name and title of the person signing the application? The person must be an executive official meeting signatory requirements in 30 TAC § 305.44.

Prefix (Mr., Ms., Miss): Mr.

First and Last Name: Louis Mertz

Credential (P.E, P.G., Ph.D., etc.):

Title: Manager

B. Co-applicant information. Complete this section only if another person or entity is required to apply as a co-permittee.

What is the Legal Name of the co-applicant applying for this permit?

N/A

(The legal name must be spelled exactly as filed with the TX SOS, with the County, or in the legal documents forming the entity.)

If the co-applicant is currently a customer with the TCEQ, what is the Customer Number (CN)? You may search for your CN on the TCEQ website at:

<http://www15.tceq.texas.gov/crpub/>

CN:

What is the name and title of the person signing the application? The person must be an executive official meeting signatory requirements in 30 TAC § 305.44.

Prefix (Mr., Ms., Miss):

First and Last Name:

Credential (P.E, P.G., Ph.D., etc.):

Title:

Provide a brief description of the need for a co-permittee: [Click here to enter text.](#)

C. Core Data Form

Complete the Core Data Form for each customer and include as an attachment. If the customer type selected on the Core Data Form is **Individual**, complete **Attachment 1** of Administrative Report 1.0.

Attachment: A

Section 4. Application Contact Information (Instructions Page 30)

This is the person(s) TCEQ will contact if additional information is needed about this application. Provide a contact for administrative questions and technical questions.

A. Prefix (Mr., Ms., Miss): Mr.

First and Last Name: Eli Dragon

Credential (P.E, P.G., Ph.D., etc.): [Click here to enter text.](#)

Title: Principal

Organization Name: R040062, LP

Mailing Address: 5599 San Felipe St, Suite 565

City, State, Zip Code: Houston, TX 77056

Phone No.: (832) 487-0576 Ext.: [Click here to enter text.](#) Fax No.: [Click here to enter text.](#)

E-mail Address: edragon@scipioventures.com

Check one or both: ☒ Administrative Contact ☒ Technical Contact

B. Prefix (Mr., Ms., Miss): Ms.

First and Last Name: Janet Sims

Credential (P.E, P.G., Ph.D., etc.): [Click here to enter text.](#)

Title: Sr. Project Manager

Organization Name: Perkins Engineering Consultants, Inc.

Mailing Address: 13740 N. Highway 183, Unit L-6

City, State, Zip Code: Austin, TX 78750

Phone No.: (512) 735-1001 Ext.: [Click here to enter text.](#) Fax No.: [Click here to enter text.](#)

E-mail Address: jsims@perkinsconsultants.com

Check one or both: ☒ Administrative Contact ☒ Technical Contact

Section 5. Permit Contact Information (Instructions Page 30)

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

A. Prefix (Mr., Ms., Miss): Mr.

Prefix (Mr., Ms., Miss): Mr.

First and Last Name: Eli Dragon

Credential (P.E, P.G., Ph.D., etc.): [redacted]

Title: Principal

Organization Name: R040062, LP

Mailing Address: 5599 San Felipe St, Suite 565

City, State, Zip Code: Houston, TX 77056

Phone No.: (832) 487-0576 Ext.: [redacted]

Fax No.: [redacted]

E-mail Address: edragon@scipioventures.com

DMR data is required to be submitted electronically. Create an account at:

<https://www.tceq.texas.gov/permitting/netdmr/netdmr.html>.

Section 8. Public Notice Information (Instructions Page 31)

A. Individual Publishing the Notices

Prefix (Mr., Ms., Miss): Mr.

First and Last Name: Eli Dragon

Credential (P.E, P.G., Ph.D., etc.): [redacted]

Title: Principal

Organization Name: R040062, LP

Mailing Address: 5599 San Felipe St, Suite 565

City, State, Zip Code: Houston, TX 77056

Phone No.: (832) 487-0576 Ext.: [redacted]

Fax No.: [redacted]

E-mail Address: edragon@scipioventures.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

☐ Fax

☐ Regular Mail

C. Contact person to be listed in the Notices

Prefix (Mr., Ms., Miss): Mr.

First and Last Name: Eli Dragon

Credential (P.E, P.G., Ph.D., etc.):

Title: **Principal**

Organization Name: **R040062, LP**

Phone No.: **(832) 487-0576** Ext.:

E-mail: **edragon@scipioventures.com**

D. Public Viewing Information

If the facility or outfall is located in more than one county, a public viewing place for each county must be provided.

Public building name: **Georgetown Public Library**

Location within the building: **Reference Desk**

Physical Address of Building: **402 W. 8th Street**

City: **Georgetown**

County: **Williamson**

Contact Name: **Ann Evans**

Phone No.: **(512) 930-3551** Ext.:

E. Bilingual Notice Requirements:

This information **is required** for **new, major amendment, and renewal applications**. It is not required for minor amendment or minor modification applications.

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

Please call the bilingual/ESL coordinator at the nearest elementary and middle schools and obtain the following information to determine whether an alternative language notices are required.

1. Is a bilingual education program required by the Texas Education Code at the elementary or middle school nearest to the facility or proposed facility?

☒ Yes ☐ No

If **no**, publication of an alternative language notice is not required; **skip to** Section 9 below.

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 question 1, 2, 3, or 4, public notices in an alternative language are required. Which language is required by the bilingual program? **Spanish**

Section 9. Regulated Entity and Permitted Site Information (Instructions Page 33)

- A. If the site is currently regulated by TCEQ, provide the Regulated Entity Number (RN) issued to this site. **RNN/A**

Search the TCEQ's Central Registry at <http://www15.tceq.texas.gov/crpub/> to determine if the site is currently regulated by TCEQ.

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

Indigo Water Resource Recovery Facility

- C. Owner of treatment facility: **R040062, LP**

Ownership of Facility: ☐ Public ☒ Private ☐ Both ☐ Federal

- D. Owner of land where treatment facility is or will be:

Prefix (Mr., Ms., Miss):

First and Last Name: **R040062, LP**

Mailing Address: **5599 San Felipe St, Suite 565**

City, State, Zip Code: **Houston, TX 77056**

Phone No.: **(832) 485-1907**

E-mail Address: **lmertz@scipioventures.com**

If the landowner is not the same person as the facility owner or co-applicant, attach a lease agreement or deed recorded easement. See instructions.

Attachment: N/A

- E. Owner of effluent disposal site:

Prefix (Mr., Ms., Miss):

First and Last Name:

Mailing Address:

City, State, Zip Code:

Phone No.: E-mail Address:

If the landowner is not the same person as the facility owner or co-applicant, attach a lease agreement or deed recorded easement. See instructions.

Attachment: N/A

- F. Owner of sewage sludge disposal site (if authorization is requested for sludge disposal on property owned or controlled by the applicant):

N/A

Prefix (Mr., Ms., Miss):

First and Last Name:

Mailing Address:

City, State, Zip Code:

Phone No.: E-mail Address:

If the landowner is not the same person as the facility owner or co-applicant, attach a lease agreement or deed recorded easement. See instructions.

Attachment: N/A

Section 10. TPDES Discharge Information (Instructions Page 34)

- A. Is the wastewater treatment facility location in the existing permit accurate?

☐ Yes ☐ No **New Permit**

If **no**, or a new permit application, please give an accurate description:

The water resource recovery facility is located off the west end of Madison Drive approximately 5,500 feet west of the TX 130 Toll Road overpass to CR 105 in Williamson County.

- B. Are the point(s) of discharge and the discharge route(s) in the existing permit correct?

☐ Yes ☐ No **New Permit**

If **no**, or a new or amendment permit application, provide an accurate description of the point of discharge and the discharge route to the nearest classified segment as defined in 30 TAC Chapter 307:

The discharge is to an unnamed tributary of Mankins Branch, thence to Mankins Branch, thence to San Gabriel/North Fork San Gabriel in Segment No. 1248 of the Brazos River Basin.

City nearest the outfall(s): Georgetown

County in which the outfalls(s) is/are located: Williamson

Outfall Latitude: 30.60811

Longitude: -97.61960

- C. Is or will the treated wastewater discharge to a city, county, or state highway right-of-way, or a flood control district drainage ditch?

☐ Yes ☒ No

If **yes**, indicate by a check mark if:

☐ Authorization granted ☐ Authorization pending

For **new and amendment** applications, provide copies of letters that show proof of contact and the approval letter upon receipt.

Attachment: N/A

- D. For all applications involving an average daily discharge of 5 MGD or more, provide the names of all counties located within 100 statute miles downstream of the point(s) of discharge.

N/A

Section 11. TLAP Disposal Information (Instructions Page 36)

- A. For TLAPs, is the location of the effluent disposal site in the existing permit accurate?

☐

Yes

☐

No

N/A

If **no**, or a new or amendment permit application, provide an accurate description of the disposal site location:

Click here to enter text.

- B. City nearest the disposal site: Click here to enter text.

- C. County in which the disposal site is located: Click here to enter text.

- D. Disposal Site Latitude: Click here to enter text. Longitude: Click here to enter text.

- E. For TLAPs, describe the routing of effluent from the treatment facility to the disposal site:

Click here to enter text.

- F. For TLAPs, please identify the nearest watercourse to the disposal site to which rainfall runoff might flow if not contained:

Click here to enter text.

Section 12. Miscellaneous Information (Instructions Page 37)

- A. Is the facility located on or does the treated effluent cross American Indian Land?

☐

Yes

☒

No

- B. If the existing permit contains an onsite sludge disposal authorization, is the location of the sewage sludge disposal site in the existing permit accurate?

☐

Yes

☐

No

☒

Not Applicable

If No, or if a new onsite sludge disposal authorization is being requested in this permit

application, provide an accurate location description of the sewage sludge disposal site.

- C. Did any person formerly employed by the TCEQ represent your company and get paid for service regarding this application?

☐ Yes ☒ No

If yes, list each person formerly employed by the TCEQ who represented your company and was paid for service regarding the application:

- D. Do you owe any fees to the TCEQ?

☐ Yes ☒ No

If **yes**, provide the following information:

Account number:

Amount past due:

- E. Do you owe any penalties to the TCEQ?

☐ Yes ☒ No

If **yes**, please provide the following information:

Enforcement order number:

Amount past due:

Section 13. Attachments (Instructions Page 38)

Indicate which attachments are included with the Administrative Report. Check all that apply:

- ☐ Lease agreement or deed recorded easement, if the land where the treatment facility is located or the effluent disposal site are not owned by the applicant or co-applicant.
- ☒ Original full-size USGS Topographic Map with the following information:
- Applicant's property boundary **See Attachment B.**
 - Treatment facility boundary
 - Labeled point of discharge for each discharge point (TPDES only)
 - Highlighted discharge route for each discharge point (TPDES only)
 - Onsite sewage sludge disposal site (if applicable)
 - Effluent disposal site boundaries (TLAP only)
 - New and future construction (if applicable)
 - 1 mile radius information

- 3 miles downstream information (TPDES only)
- All ponds.

☐ Attachment 1 for Individuals as co-applicants

☒ Other Attachments. Please specify: [click here to enter text](#)

- A. Core Data Form**
- B. USGS Map**
- C. Affected Landowners Information**
- D. Original Photographs**
- E. Buffer Zone Map**
- F. Treatment Units**
- G. Process Flow Diagram**
- H. Site Drawing**
- I. Justification for Permit**
- J. Nearby Collection Systems and
Analysis of Expenditures**
- K. Design Calculations and Plant Features**
- L. Wind Rose**
- M. Sewage Sludge Solids Management Plan**

Section 14. Signature Page (Instructions Page 39)

If co-applicants are necessary, each entity must submit an original, separate signature page.

Permit Number: [REDACTED]

Applicant: R040062, LP

Certification:

I 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 gather and evaluate 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.

I further certify that I am authorized under 30 Texas Administrative Code § 305.44 to sign and submit this document, and can provide documentation in proof of such authorization upon request.

Signatory name (typed or printed): Louis Mertz

Signatory title: Manager

Signature: _____

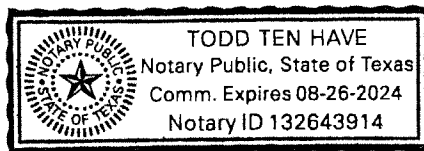
(Use blue ink)

Date: _____

6/2/2021

Subscribed and Sworn to before me by the said Louis Mertz
on this 2nd day of June, 2021.
My commission expires on the 26th day of August, 2024.

Todd Ten Have
Notary Public



[SEAL]

Harris
County, Texas

DOMESTIC ADMINISTRATIVE REPORT 1.1

The following information is required for new and amendment applications.

Section 1. Affected Landowner Information (Instructions Page 41)

- A. Indicate by a check mark that the landowners map or drawing, with scale, includes the following information, as applicable: **See Attachment C.**
- ☒ The applicant's property boundaries
 - ☒ The facility site boundaries within the applicant's property boundaries
 - ☐ The distance the buffer zone falls into adjacent properties and the property boundaries of the landowners located within the buffer zone
 - ☒ The property boundaries of all landowners surrounding the applicant's property (Note: if the application is a major amendment for a lignite mine, the map must include the property boundaries of all landowners adjacent to the new facility (ponds).)
 - ☒ The point(s) of discharge and highlighted discharge route(s) clearly shown for one mile downstream
 - ☒ The property boundaries of the landowners located on both sides of the discharge route for one full stream mile downstream of the point of discharge
 - ☐ The property boundaries of the landowners along the watercourse for a one-half mile radius from the point of discharge if the point of discharge is into a lake, bay, estuary, or affected by tides
 - ☐ The boundaries of the effluent disposal site (for example, irrigation area or subsurface drainfield site) and all evaporation/holding ponds within the applicant's property
 - ☐ The property boundaries of all landowners surrounding the effluent disposal site
 - ☐ The boundaries of the sludge land application site (for land application of sewage sludge for beneficial use) and the property boundaries of landowners surrounding the applicant's property boundaries where the sewage sludge land application site is located
 - ☐ The property boundaries of landowners within one-half mile in all directions from the applicant's property boundaries where the sewage sludge disposal site (for example, sludge surface disposal site or sludge monofill) is located
- B. ☒ Indicate by a check mark that a separate list with the landowners' names and mailing addresses cross-referenced to the landowner's map has been provided.
- C. Indicate by a check mark in which format the landowners list is submitted:
- ☐ Readable/Writeable CD
 - ☒ Four sets of labels
- D. Provide the source of the landowners' names and mailing addresses: **Williamson County Appraisal District**
- E. As required by *Texas Water Code § 5.115*, is any permanent school fund land affected by this application?
- ☐ Yes
 - ☒ No

If **yes**, provide the location and foreseeable impacts and effects this application has on the land(s):

Section 2. Original Photographs (Instructions Page 44)

Provide original ground level photographs. Indicate with checkmarks that the following information is provided. **See Attachment D.**

- ☒ At least one original photograph of the new or expanded treatment unit location
- ☒ At least two photographs of the existing/proposed point of discharge and as much area downstream (photo 1) and upstream (photo 2) as can be captured. If the discharge is to an open water body (e.g., lake, bay), the point of discharge should be in the right or left edge of each photograph showing the open water and with as much area on each respective side of the discharge as can be captured.
- ☐ At least one photograph of the existing/proposed effluent disposal site
- ☒ A plot plan or map showing the location and direction of each photograph

Section 3. Buffer Zone Map (Instructions Page 44)

A. Buffer zone map. Provide a buffer zone map on 8.5 x 11-inch paper with all of the following information. The applicant's property line and the buffer zone line may be distinguished by using dashes or symbols and appropriate labels. **See Attachment E.**

- The applicant's property boundary;
- The required buffer zone; and
- Each treatment unit; and
- The distance from each treatment unit to the property boundaries.

B. Buffer zone compliance method. Indicate how the buffer zone requirements will be met. Check all that apply.

- ☒ Ownership
- ☐ Restrictive easement
- ☐ Nuisance odor control
- ☐ Variance

C. Unsuitable site characteristics. Does the facility comply with the requirements regarding unsuitable site characteristic found in 30 TAC § 309.13(a) through (d)?

- ☒ Yes ☐ No

Supplemental Permit Information Form

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

SUPPLEMENTAL PERMIT INFORMATION FORM (SPIF)

FOR AGENCIES REVIEWING DOMESTIC TPDES WASTEWATER PERMIT APPLICATIONS

TCEQ USE ONLY:

Application type: ____Renewal ____Major Amendment ____Minor Amendment ____New

County: _____ Segment Number: _____

Admin Complete Date: _____

Agency Receiving SPIF:

____ Texas Historical Commission

____ U.S. Fish and Wildlife

____ Texas Parks and Wildlife Department

____ U.S. Army Corps of Engineers

This form applies to TPDES permit applications only. (Instructions, Page 53)

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 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: **R040062, LP**

Permit No. WQ00 **N/A**

EPA ID No. TX **N/A**

Address of the project (or a location description that includes street/highway, city/vicinity, and county):

The facility will be located off the west end of Madison Drive approximately 5,500 feet west of the TX 130 Toll Road overpass to CR 105 near Georgetown, Texas in Williamson County.

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

Prefix (Mr., Ms., Miss): Mr.

First and Last Name: Louis Mertz

Credential (P.E, P.G., Ph.D., etc.):

Title: Manager

Mailing Address: 5599 San Felipe St, Suite 565

City, State, Zip Code: Houston, TX 77056

Phone No.: (832) 485-1907 Ext.: Fax No.:

E-mail Address: lmertz@scipioventures.com

2. List the county in which the facility is located: Williamson
3. If the property is publicly owned and the owner is different than the permittee/applicant, please list the owner of the property.

The property is not publicly owned.

4. 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 classified segment number.

The discharge is to an unnamed tributary of Mankins Branch, thence to Mankins Branch, thence to San Gabriel/North Fork San Gabriel in Segment No. 1248 of the Brazos River Basin.

5. 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.**

Provide original photographs of any structures 50 years or older on the property. **None**

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

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

☒ Disturbance of vegetation or wetlands **Area with agricultural vegetation will be developed. No wetland area will be disturbed.**

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

The estimated depth of excavation is 15 to 20 feet for an 8-foot diameter lift station wet well. Treatment plant facilities will be above-grade. Some subgrade compaction may be needed following receipt of geotechnical report, but excavation will generally be limited to the lift station, piping connecting treatment units, shallow buried electrical duct banks, and the outfall pipe. There are no known caves.

7. Describe existing disturbances, vegetation, and land use:

The land is currently a cleared pasture area used for agricultural purposes.

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

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

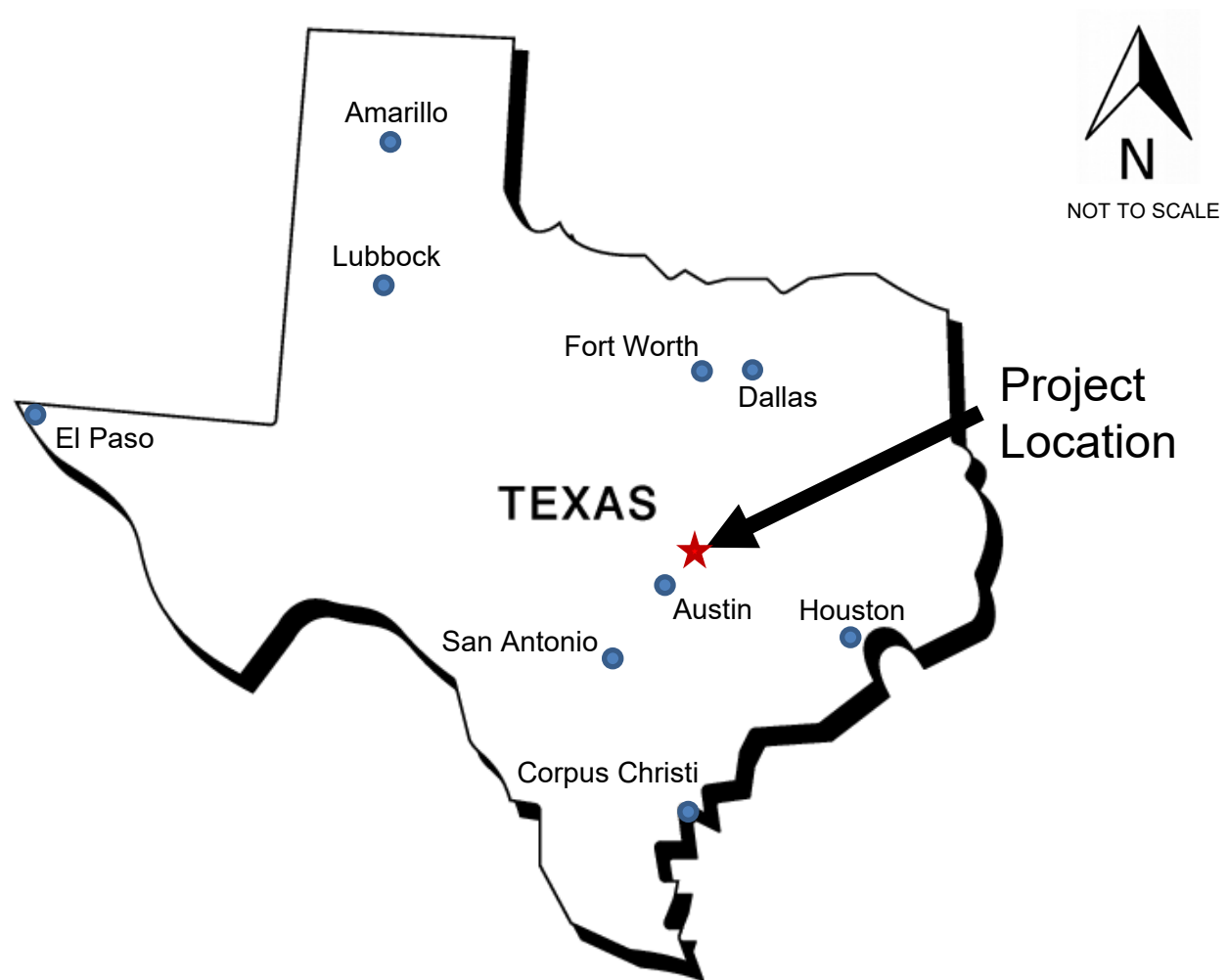
There are no buildings or structures on the property.

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

The property has been used for agricultural purposes, and there are not buildings or structures on the property.

Supplemental Permit Information Form

- **SPIF-1 General Location Map**
- **SPIF-2 USGS Map**



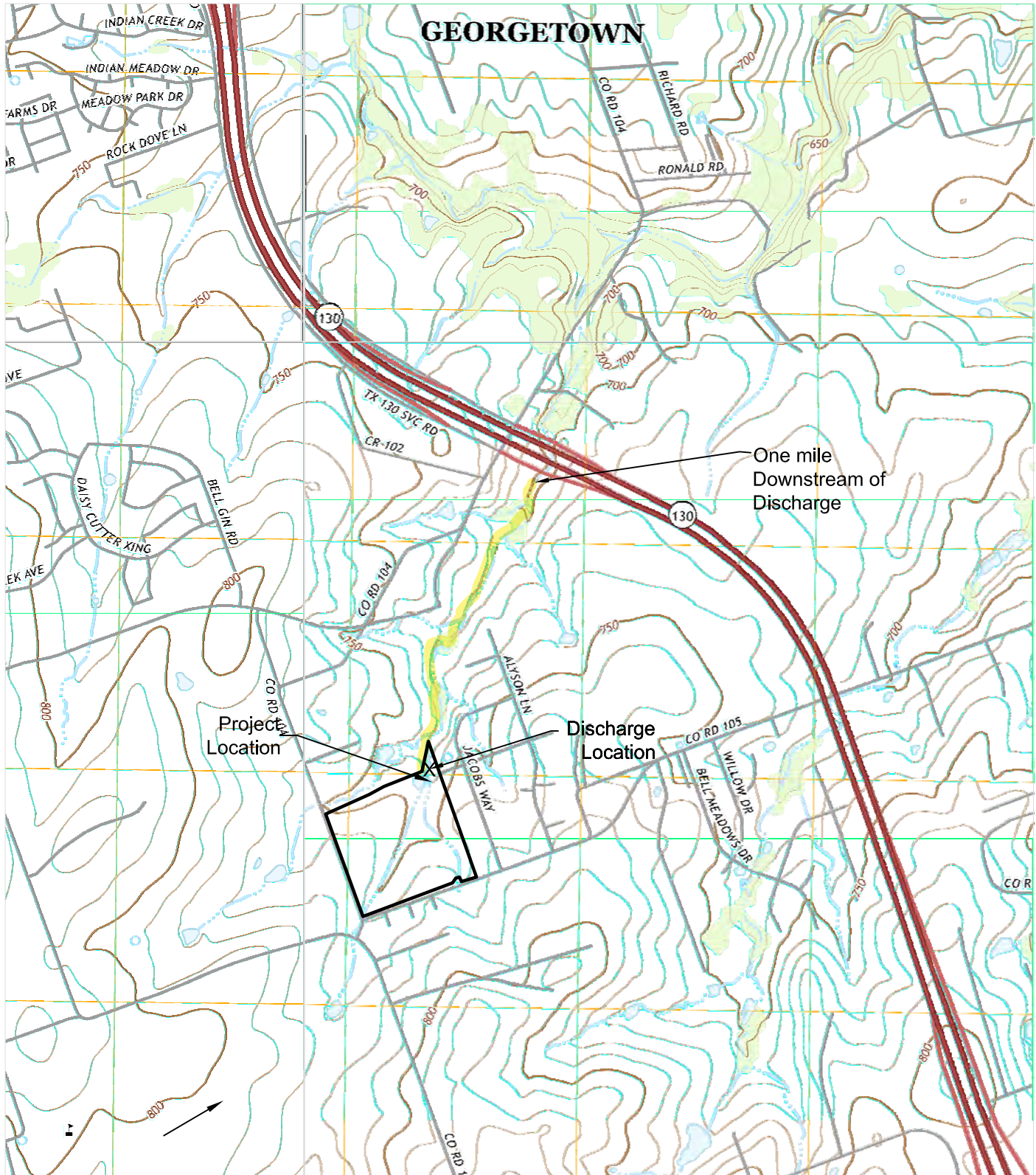
**SPIF-1
R040062 LP
INDIGO WATER RESOURCE RECOVERY FACILITY
NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT APPLICATION
GENERAL LOCATION MAP**



PERKINS
ENGINEERING
CONSULTANTS, INC.



0 1
MILE
SCALE 1:24000



SPIF- 2
R040062 LP
INDIGO WATER RESOURCE RECLAMATION FACILITY
NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT APPLICATION
USGS MAP

025



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
DOMESTIC WASTEWATER PERMIT APPLICATION

DOMESTIC TECHNICAL REPORT 1.0

The Following Is Required For All Applications
Renewal, New, And Amendment

Section 1. Permitted or Proposed Flows (Instructions Page 51)

A. Existing/Interim I Phase

Design Flow (MGD): 0.075

2-Hr Peak Flow (MGD): 0.300

Estimated construction start date: September 2022

Estimated waste disposal start date: July 2023

B. Interim II Phase

Design Flow (MGD): N/A

2-Hr Peak Flow (MGD): click here to enter text

Estimated construction start date: click here to enter text

Estimated waste disposal start date: click here to enter text

C. Final Phase

Design Flow (MGD): 0.200

2-Hr Peak Flow (MGD): 0.800

Estimated construction start date: June 2024

Estimated waste disposal start date: March 2025

D. Current operating phase: N/A

Provide the startup date of the facility: N/A

Section 2. Treatment Process (Instructions Page 51)

A. Treatment process description

Provide a detailed description of the treatment process. **Include the type of**

treatment plant, mode of operation, and all treatment units. Start with the plant's head works and finish with the point of discharge. Include all sludge processing and drying units. **If more than one phase exists or is proposed in the permit, a description of *each phase* must be provided.** Process description:

The proposed Indigo Water Resource Recovery Facility is an activated sludge with nitrification process plant operated in the extended aeration mode. The treatment processes for the Interim phase are as follows: Raw wastewater will be pumped into an aeration basin for secondary biological treatment. The secondary treated wastewater will flow into a clarifier for clarification. Then the clarified water will flow into a chlorine contact chamber for disinfection prior to discharge. Activated sludge will be returned from the clarifier to the aeration basin(s) or wasted to an aerated sludge holding tank. The treatment processes will be the same for the Final phases.

Port or pipe diameter at the discharge point, in inches: 12

B. Treatment Units

In Table 1.0(1), provide the treatment unit type, the number of units, and dimensions (length, width, depth) of each treatment unit, accounting for ***all*** phases of operation.

Table 1.0(1) - Treatment Units

Treatment Unit Type	Number of Units	Dimensions (L x W x D)
See Attachment F.		

C. Process flow diagrams

Provide flow diagrams for the existing facilities and **each** proposed phase of construction.

Attachment: G

Section 3. Site Drawing (Instructions Page 52)

Provide a site drawing for the facility that shows the following:

- The boundaries of the treatment facility;
- The boundaries of the area served by the treatment facility;
- If land disposal of effluent, the boundaries of the disposal site and all storage/holding ponds; and
- If sludge disposal is authorized in the permit, the boundaries of the land application or disposal site.

Attachment: H

Provide the name and a description of the area served by the treatment facility.

The area served will be the proposed development and adjacent property outside of the City of Georgetown.

Section 4. Unbuilt Phases (Instructions Page 52)

Is the application for a renewal of a permit that contains an unbuilt phase or phases?

Yes ☐

No ☒

If yes, does the existing permit contain a phase that has not been constructed within five years of being authorized by the TCEQ?

Yes ☐

No ☐

If yes, provide a detailed discussion regarding the continued need for the unbuilt phase. Failure to provide sufficient justification may result in the Executive Director recommending denial of the unbuilt phase or phases.

Section 5. Closure Plans (Instructions Page 53)

Have any treatment units been taken out of service permanently, or will any units be taken out of service in the next five years?

Yes ☐

No ☒

If **yes**, was a closure plan submitted to the TCEQ?

Yes ☐

No ☐

If **yes**, provide a brief description of the closure and the date of plan approval.

[Click here to enter text.](#)

Section 6. Permit Specific Requirements (Instructions Page 53)

For applicants with an existing permit, check the *Other Requirements* or *Special Provisions* of the permit.

A. Summary transmittal

Have plans and specifications been approved for the existing facilities and each proposed phase?

Yes ☐

No ☐

N/A

If **yes**, provide the date(s) of approval for each phase:

[Click here to enter text.](#)

[Click here to enter text.](#)

Provide information, including dates, on any actions taken to meet a requirement or provision pertaining to the submission of a summary transmittal letter. Provide a copy of an approval letter from the TCEQ, if applicable.

[Click here to enter text.](#)

B. Buffer zones

Have the buffer zone requirements been met?

Yes ☒

No ☐

Provide information below, including dates, on any actions taken to meet the conditions of the buffer zone. If available, provide any new documentation

relevant to maintaining the buffer zones.

C. Other actions required by the current permit

Does the *Other Requirements* or *Special Provisions* section in the existing permit require submission of any other information or other required actions? Examples include Notification of Completion, progress reports, soil monitoring data, etc.

Yes ☐

No ☐

N/A

If **yes**, provide information below on the status of any actions taken to meet the conditions of an *Other Requirement* or *Special Provision*.

D. Grit and grease treatment

1. Acceptance of grit and grease waste

Does the facility have a grit and/or grease processing facility onsite that treats and decants or accepts transported loads of grit and grease waste that are discharged directly to the wastewater treatment plant prior to any treatment?

Yes ☐

No ☒

If **No**, stop here and continue with Subsection E. Stormwater Management.

2. Grit and grease processing

Describe below how the grit and grease waste is treated at the facility. In your description, include how and where the grit and grease is introduced to the treatment works and how it is separated or processed. Provide a flow diagram showing how grit and grease is processed at the facility.

Click here to enter text

3. Grit disposal

Does the facility have a Municipal Solid Waste (MSW) registration or permit for grit disposal?

Yes ☐ No ☐

If No, contact the TCEQ Municipal Solid Waste team at 512-239-0000. Note: A registration or permit is required for grit disposal. Grit shall not be combined with treatment plant sludge. See the instruction booklet for additional information on grit disposal requirements and restrictions.

Describe the method of grit disposal.

Click here to enter text

4. Grease and decanted liquid disposal

Note: A registration or permit is required for grease disposal. Grease shall not be combined with treatment plant sludge. For more information, contact the TCEQ Municipal Solid Waste team at 512-239-0000.

Describe how the decant and grease are treated and disposed of after grit separation.

Click here to enter text

E. Stormwater management

1. Applicability

Does the facility have a design flow of 1.0 MGD or greater in any phase?

Yes ☐ No ☒

Does the facility have an approved pretreatment program, under 40 CFR Part 403?

Yes ☐ No ☒

If **no** to both of the above, then skip to Subsection F, Other Wastes Received.

2. MSGP coverage

Is the stormwater runoff from the WWTP and dedicated lands for sewage disposal currently permitted under the TPDES Multi-Sector General Permit (MSGP), TXR050000?

Yes ☐ No ☐

If **yes**, please provide MSGP Authorization Number and skip to Subsection F, Other Wastes Received:

TXR05 or TXRNE

If **no**, do you intend to seek coverage under TXR050000?

Yes ☐ No ☐

3. Conditional exclusion

Alternatively, do you intend to apply for a conditional exclusion from permitting based TXR050000 (Multi Sector General Permit) Part II B.2 or TXR050000 (Multi Sector General Permit) Part V, Sector T 3(b)?

Yes ☐ No ☐

If **yes**, please explain below then proceed to Subsection F, Other Wastes Received:

4. Existing coverage in individual permit

Is your stormwater discharge currently permitted through this individual TPDES or TLAP permit?

Yes ☐ No ☐

If **yes**, provide a description of stormwater runoff management practices at the site that are authorized in the wastewater permit then skip to Subsection F, Other Wastes Received.

click here to enter text

5. Zero stormwater discharge

Do you intend to have no discharge of stormwater via use of evaporation or other means?

Yes ☐ No ☐

If **yes**, explain below then skip to Subsection F. Other Wastes Received.

click here to enter text

Note: If there is a potential to discharge any stormwater to surface water in the state as the result of any storm event, then permit coverage is required under the MSGP or an individual discharge permit. This requirement applies to all areas of facilities with treatment plants or systems that treat, store, recycle, or reclaim domestic sewage, wastewater or sewage sludge (including dedicated lands for sewage sludge disposal located within the onsite property boundaries) that meet the applicability criteria of above. You have the option of obtaining coverage under the MSGP for direct discharges, (recommended), or obtaining coverage under this individual permit.

6. Request for coverage in individual permit

Are you requesting coverage of stormwater discharges associated with your treatment plant under this individual permit?

Yes ☐ No ☐

If **yes**, provide a description of stormwater runoff management practices at the site for which you are requesting authorization in this individual wastewater permit and describe whether you intend to comingle this discharge with your treated effluent or discharge it via a separate dedicated stormwater outfall. Please also indicate if you intend to divert stormwater to the treatment plant headworks and indirectly discharge it to water in the state.

Click here to enter text.

Note: Direct stormwater discharges to waters in the state authorized through this individual permit will require the development and implementation of a stormwater pollution prevention plan (SWPPP) and will be subject to additional monitoring and reporting requirements. Indirect discharges of stormwater via headworks recycling will require compliance with all individual permit requirements including 2-hour peak flow limitations. All stormwater discharge authorization requests will require additional information during the technical review of your application.

F. Discharges to the Lake Houston Watershed

Does the facility discharge in the Lake Houston watershed?

Yes ☐ No ☒

If yes, a Sewage Sludge Solids Management Plan is required. See Example 5 in the instructions.

G. Other wastes received including sludge from other WWTPs and septic waste

1. Acceptance of sludge from other WWTPs

Does the facility accept or will it accept sludge from other treatment plants at the facility site?

Yes ☐ No ☒

If yes, attach sewage sludge solids management plan. See Example 5 of the instructions.

In addition, provide the date that the plant started accepting sludge or is anticipated to start accepting sludge, an estimate of monthly sludge acceptance (gallons or millions of gallons), an estimate of the BOD₅ concentration of the sludge, and the design BOD₅ concentration of the influent from the collection system. Also note if this information has or has not changed since the last permit action.

N/A

Note: Permits that accept sludge from other wastewater treatment plants may be required to have influent flow and organic loading monitoring.

2. Acceptance of septic waste

Is the facility accepting or will it accept septic waste?

Yes ☐ No ☒

If yes, does the facility have a Type V processing unit?

Yes ☐ No ☒

If yes, does the unit have a Municipal Solid Waste permit?

Yes ☐ No ☒

If yes to any of the above, provide a the date that the plant started accepting septic waste, or is anticipated to start accepting septic waste, an estimate of monthly septic waste acceptance (gallons or millions of gallons), an estimate of the BOD₅ concentration of the septic waste, and the design BOD₅ concentration of the influent from the collection system. Also note if this information has or has not changed since the last permit action.

N/A

Note: Permits that accept sludge from other wastewater treatment plants may be required to have influent flow and organic loading monitoring.

3. Acceptance of other wastes (not including septic, grease, grit, or RCRA, CERCLA or as discharged by IUs listed in Worksheet 6)

Is the facility accepting or will it accept wastes that are not domestic in nature excluding the categories listed above?

Yes ☐ No ☒

If yes, provide the date that the plant started accepting the waste, an estimate how much waste is accepted on a monthly basis (gallons or millions of gallons), a description of the entities generating the waste, and any distinguishing chemical or other physical characteristic of the waste. Also note if this information has or has not changed since the last permit action.

N/A

Section 7. Pollutant Analysis of Treated Effluent (Instructions Page 58)

Is the facility in operation?

Yes ☐

No ☒

If **no**, this section is not applicable. Proceed to Section 8.

If **yes**, provide effluent analysis data for the listed pollutants. **Wastewater treatment facilities** complete Table 1.0(2). **Water treatment facilities** discharging filter backwash water, complete Table 1.0(3).

Note: The sample date must be within 1 year of application submission.

Table 1.0(2) - Pollutant Analysis for Wastewater Treatment Facilities

Pollutant	Average Conc.	Max Conc.	No. of Samples	Sample Type	Sample Date/Time
CBOD ₅ , mg/l					
Total Suspended Solids, mg/l					
Ammonia Nitrogen, mg/l					
Nitrate Nitrogen, mg/l					
Total Kjeldahl Nitrogen, mg/l					
Sulfate, mg/l					
Chloride, mg/l					
Total Phosphorus, mg/l					
pH, standard units					
Dissolved Oxygen*, mg/l					
Chlorine Residual, mg/l					
<i>E.coli</i> (CFU/100ml) freshwater					
Enterococci (CFU/100ml)					

Pollutant	Average Conc.	Max Conc.	No. of Samples	Sample Type	Sample Date/Time
saltwater					
Total Dissolved Solids, mg/l					
Electrical Conductivity, μ mohs/cm, †					
Oil & Grease, mg/l					
Alkalinity (CaCO ₃)*, mg/l					

*TPDES permits only

†TLAP permits only

Table 1.0(3) - Pollutant Analysis for Water Treatment Facilities

Pollutant	Average Conc.	Max Conc.	No. of Samples	Sample Type	Sample Date/Time
Total Suspended Solids, mg/l					
Total Dissolved Solids, mg/l					
pH, standard units					
Fluoride, mg/l					
Aluminum, mg/l					
Alkalinity (CaCO ₃), mg/l					

Section 8. Facility Operator (Instructions Page 60)

Facility Operator Name: Inframark LLC

Facility Operator's License Classification and Level: WWOL

Facility Operator's License Number: OC0000232

Section 9. Sewage Sludge Management and Disposal (Instructions Page 60)

A. Sludge disposal method

Identify the current or anticipated sludge disposal method or methods from the

following list. Check all that apply.

- ☐ Permitted landfill
- ☐ Permitted or Registered land application site for beneficial use
- ☐ Land application for beneficial use authorized in the wastewater permit
- ☐ Permitted sludge processing facility
- ☐ Marketing and distribution as authorized in the wastewater permit
- ☐ Composting as authorized in the wastewater permit
- ☐ Permitted surface disposal site (sludge monofill)
- ☐ Surface disposal site (sludge monofill) authorized in the wastewater permit
- ☒ Transported to another permitted wastewater treatment plant or permitted sludge processing facility. If you selected this method, a written statement or contractual agreement from the wastewater treatment plant or permitted sludge processing facility accepting the sludge must be included with this application. **See Attachment I.**
- ☐ Other:

B. Sludge disposal site

Disposal site name: Austin Wastewater Processing Facility

TCEQ permit or registration number: MSW 2384

County where disposal site is located: Travis

C. Sludge transportation method

Method of transportation (truck, train, pipe, other): truck

Name of the hauler: WasteWater Transportation Services

Hauler registration number: 24343

Sludge is transported as a:

Liquid ☒ semi-liquid ☐ semi-solid ☐ solid ☐

Section 10. Permit Authorization for Sewage Sludge Disposal (Instructions Page 60)

A. Beneficial use authorization

Does the existing permit include authorization for land application of sewage sludge for beneficial use?

Yes ☐ No ☒

If yes, are you requesting to continue this authorization to land apply sewage sludge for beneficial use?

Yes ☐ No ☐

If yes, is the completed **Application for Permit for Beneficial Land Use of Sewage Sludge (TCEQ Form No. 10451)** attached to this permit application (see the instructions for details)?

Yes ☐ No ☐

B. Sludge processing authorization

Does the existing permit include authorization for any of the following sludge processing, storage or disposal options?

Sludge Composting Yes ☐ No ☒

Marketing and Distribution of sludge Yes ☐ No ☒

Sludge Surface Disposal or Sludge Monofill Yes ☐ No ☒

Temporary storage in sludge lagoons Yes ☐ No ☒

If yes to any of the above sludge options and the applicant is requesting to continue this authorization, is the completed **Domestic Wastewater Permit Application: Sewage Sludge Technical Report (TCEQ Form No. 10056)** attached to this permit application?

Yes ☐ No ☐

Section 11. Sewage Sludge Lagoons (Instructions Page 61)

Does this facility include sewage sludge lagoons?

Yes ☐ No ☒

If yes, complete the remainder of this section. If no, proceed to Section 12.

A. Location information

The following maps are required to be submitted as part of the application. For each map, provide the Attachment Number.

- Original General Highway (County) Map:

Attachment: [link here to enter text](#)

- USDA Natural Resources Conservation Service Soil Map:

Attachment: [link here to enter text](#)

- Federal Emergency Management Map:

Attachment: [link here to enter text](#)

- Site map:

Attachment: [link here to enter text](#)

Discuss in a description if any of the following exist within the lagoon area.

Check all that apply.

- ☐ Overlap a designated 100-year frequency flood plain
- ☐ Soils with flooding classification
- ☐ Overlap an unstable area
- ☐ Wetlands
- ☐ Located less than 60 meters from a fault
- ☐ None of the above

Attachment: [link here to enter text](#)

If a portion of the lagoon(s) is located within the 100-year frequency flood plain, provide the protective measures to be utilized including type and size of protective structures:

B. Temporary storage information

Provide the results for the pollutant screening of sludge lagoons. These results are in addition to pollutant results in Section 7 of Technical Report 1.0.

Nitrate Nitrogen, mg/kg: [link here to enter text](#)

Total Kjeldahl Nitrogen, mg/kg: [link here to enter text](#)

Total Nitrogen (=nitrate nitrogen + TKN), mg/kg: [link here to enter text](#)

Phosphorus, mg/kg: [link here to enter text](#)

Potassium, mg/kg:

pH, standard units:

Ammonia Nitrogen mg/kg:

Arsenic:

Cadmium:

Chromium:

Copper:

Lead:

Mercury:

Molybdenum:

Nickel:

Selenium:

Zinc:

Total PCBs:

Provide the following information:

Volume and frequency of sludge to the lagoon(s):

Total dry tons stored in the lagoons(s) per 365-day period:

Total dry tons stored in the lagoons(s) over the life of the unit:

C. Liner information

Does the active/proposed sludge lagoon(s) have a liner with a maximum hydraulic conductivity of 1×10^{-7} cm/sec?

Yes ☐ No ☐

If **yes**, describe the liner below. Please note that a liner is required.

D. Site development plan

Provide a detailed description of the methods used to deposit sludge in the

lagoon(s):

Click here to enter text

Attach the following documents to the application.

- Plan view and cross-section of the sludge lagoon(s)

Attachment: [Click here to enter text](#)

- Copy of the closure plan

Attachment: [Click here to enter text](#)

- Copy of deed recordation for the site

Attachment: [Click here to enter text](#)

- Size of the sludge lagoon(s) in surface acres and capacity in cubic feet and gallons

Attachment: [Click here to enter text](#)

- Description of the method of controlling infiltration of groundwater and surface water from entering the site

Attachment: [Click here to enter text](#)

- Procedures to prevent the occurrence of nuisance conditions

Attachment: [Click here to enter text](#)

E. Groundwater monitoring

Is groundwater monitoring currently conducted at this site, or are any wells available for groundwater monitoring, or are groundwater monitoring data otherwise available for the sludge lagoon(s)?

Yes ☐ No ☐

If groundwater monitoring data are available, provide a copy. Provide a profile of soil types encountered down to the groundwater table and the depth to the shallowest groundwater as a separate attachment.

Attachment: [Click here to enter text](#)

Section 12. Authorizations/Compliance/Enforcement

(Instructions Page 63)

A. Additional authorizations

Does the permittee have additional authorizations for this facility, such as reuse authorization, sludge permit, etc?

Yes ☐ No ☒

If yes, provide the TCEQ authorization number and description of the authorization:

N/A

B. Permittee enforcement status

Is the permittee currently under enforcement for this facility?

Yes ☐ No ☒

Is the permittee required to meet an implementation schedule for compliance or enforcement?

Yes ☐ No ☒

If yes to either question, provide a brief summary of the enforcement, the implementation schedule, and the current status:

N/A

Section 13. RCRA/CERCLA Wastes (Instructions Page 63)

A. RCRA hazardous wastes

Has the facility received in the past three years, does it currently receive, or will it receive RCRA hazardous waste?

Yes ☐ No ☒

B. Remediation activity wastewater

Has the facility received in the past three years, does it currently receive, or will it receive CERCLA wastewater, RCRA remediation/corrective action wastewater or other remediation activity wastewater?

Yes ☐ No ☒

C. Details about wastes received

If yes to either Subsection A or B above, provide detailed information concerning these wastes with the application.

Attachment: N/A

Section 14. Laboratory Accreditation (Instructions Page 64)

All laboratory tests performed must meet the requirements of *30 TAC Chapter 25, Environmental Testing Laboratory Accreditation and Certification*, which includes the following general exemptions from National Environmental Laboratory Accreditation Program (NELAP) certification requirements:

- The laboratory is an in-house laboratory and is:
 - periodically inspected by the TCEQ; or
 - located in another state and is accredited or inspected by that state; or
 - performing work for another company with a unit located in the same site; or
 - performing pro bono work for a governmental agency or charitable organization.
- The laboratory is accredited under federal law.
- The data are needed for emergency-response activities, and a laboratory accredited under the Texas Laboratory Accreditation Program is not available.
- The laboratory supplies data for which the TCEQ does not offer accreditation.

The applicant should review *30 TAC Chapter 25* for specific requirements.

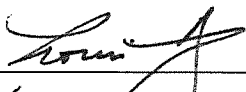

The following certification statement shall be signed and submitted with every application. See the *Signature Page* section in the Instructions, for a list of designated representatives who may sign the certification.

CERTIFICATION:

I certify that all laboratory tests submitted with this application meet the requirements of *30 TAC Chapter 25, Environmental Testing Laboratory Accreditation and Certification*.

Printed Name: **Louis Mertz**

Title: **Manager**

Signature: 
Date: 

DOMESTIC TECHNICAL REPORT 1.1

The following is required for new and amendment applications

Section 1. Justification for Permit (Instructions Page 66)

A. Justification of permit need

Provide a detailed discussion regarding the need for any phase(s) not currently permitted. Failure to provide sufficient justification may result in the Executive Director recommending denial of the proposed phase(s) or permit.

See Attachment J.

B. Regionalization of facilities

Provide the following information concerning the potential for regionalization of domestic wastewater treatment facilities:

1. *Municipally incorporated areas*

If the applicant is a city, then Item 1 is not applicable. Proceed to Item 2 Utility CCN areas.

Is any portion of the proposed service area located in an incorporated city?

Yes ☐ No ☒ Not Applicable ☐

If yes, within the city limits of: N/A

If yes, attach correspondence from the city.

Attachment: N/A

If consent to provide service is available from the city, attach a justification for the proposed facility and a cost analysis of expenditures that includes the cost of connecting to the city versus the cost of the proposed facility or expansion attached.

Attachment: N/A

2. *Utility CCN areas*

Is any portion of the proposed service area located inside another utility's CCN area?

Yes ☐

No ☒

If yes, attach a justification for the proposed facility and a cost analysis of expenditures that includes the cost of connecting to the CCN facilities versus the cost of the proposed facility or expansion.

Attachment: N/A

3. Nearby WWTPs or collection systems

Are there any domestic permitted wastewater treatment facilities or collection systems located within a three-mile radius of the proposed facility?

Yes ☒

No ☐

If yes, attach a list of these facilities that includes the permittee's name and permit number, and an area map showing the location of these facilities.

Attachment: K.1

If yes, attach copies of your certified letters to these facilities **and** their response letters concerning connection with their system.

Attachment: K.2

Does a permitted domestic wastewater treatment facility or a collection system located within three (3) miles of the proposed facility currently have the capacity to accept or is willing to expand to accept the volume of wastewater proposed in this application?

Yes ☒

No ☐

If yes, attach an analysis of expenditures required to connect to a permitted wastewater treatment facility or collection system located within 3 miles versus the cost of the proposed facility or expansion.

Attachment: K.3

Section 2. Organic Loading (Instructions Page 67)

Is this facility in operation?

Yes ☐

No ☒

If no, proceed to Item B, Proposed Organic Loading.

If yes, provide organic loading information in Item A, Current Organic Loading

A. Current organic loading

Facility Design Flow (flow being requested in application): N/A

Average Influent Organic Strength or BOD₅ Concentration in mg/l: N/A

Average Influent Loading (lbs/day = total average flow X average BOD₅ conc. X 8.34): N/A

Provide the source of the average organic strength or BOD₅ concentration.

N/A

B. Proposed organic loading

This table must be completed if this application is for a facility that is not in operation or if this application is to request an increased flow that will impact organic loading.

Table 1.1(1) - Design Organic Loading

Source	Total Average Flow (MGD) Interim I/Final	Influent BOD ₅ Concentration (mg/l)
Municipality		
Subdivision	0.075/0.2	300
Trailer park - transient		
Mobile home park		
School with cafeteria and showers		
School with cafeteria, no showers		
Recreational park,		

Source	Total Average Flow (MGD)	Influent BOD ₅ Concentration (mg/l)
overnight use		
Recreational park, day use		
Office building or factory		
Motel		
Restaurant		
Hospital		
Nursing home		
Other		
TOTAL FLOW from all sources	0.075/0.2	
AVERAGE BOD ₅ from all sources		300

Section 3. Proposed Effluent Quality and Disinfection (Instructions Page 68)

A. Existing/Interim I Phase Design Effluent Quality

Biochemical Oxygen Demand (5-day), mg/l: 10

Total Suspended Solids, mg/l: 15

Ammonia Nitrogen, mg/l: 3

Total Phosphorus, mg/l: --

Dissolved Oxygen, mg/l: 4

Other:

B. Interim II Phase Design Effluent Quality

Biochemical Oxygen Demand (5-day), mg/l: --

Total Suspended Solids, mg/l: --

Ammonia Nitrogen, mg/l: --

Total Phosphorus, mg/l: --

Dissolved Oxygen, mg/l: --

Other: --

C. Final Phase Design Effluent Quality

Biochemical Oxygen Demand (5-day), mg/l: 10

Total Suspended Solids, mg/l: 15

Ammonia Nitrogen, mg/l: 3

Total Phosphorus, mg/l: --

Dissolved Oxygen, mg/l: 4

Other: --

D. Disinfection Method

Identify the proposed method of disinfection.

☒ Chlorine: 1.0 mg/l after 20 minutes minutes detention time at peak flow

Dechlorination process: N/A

☐ Ultraviolet Light: seconds contact time at peak flow

☐ Other:

Section 4. Design Calculations (Instructions Page 68)

Attach design calculations and plant features for each proposed phase. Example 4 of the instructions includes sample design calculations and plant features.

Attachment: L

Section 5. Facility Site (Instructions Page 68)

A. 100-year floodplain

Will the proposed facilities be located above the 100-year frequency flood level?

Yes ☒ No ☐

If no, describe measures used to protect the facility during a flood event. Include a site map showing the location of the treatment plant within the 100-year frequency flood level. If applicable, provide the size and types of protective structures.

[Click here to enter text](#)

Provide the source(s) used to determine 100-year frequency flood plain.

The current FEMA Flood Insurance Rate Map, panel 48491C0505F, with an effective date of 12/19/2019.

For a new or expansion of a facility, will a wetland or part of a wetland be filled?

Yes ☐ No ☒

If yes, has the applicant applied for a US Corps of Engineers 404 Dredge and Fill Permit?

Yes ☐ No ☐

If yes, provide the permit number: [Click here to enter text](#)

If no, provide the approximate date you anticipate submitting your application to the Corps: [Click here to enter text](#)

B. Wind rose

Attach a wind rose. **Attachment:** M

Section 6. Permit Authorization for Sewage Sludge Disposal (Instructions Page 69)

A. Beneficial use authorization

Are you requesting to include authorization to land apply sewage sludge for beneficial use on property located adjacent to the wastewater treatment facility under the wastewater permit?

Yes ☐ No ☒

If **yes**, attach the completed Application for Permit for Beneficial Land Use of Sewage Sludge (TCEQ Form No. 10451)

Attachment: N/A

B. Sludge processing authorization

Identify the sludge processing, storage or disposal options that will be conducted at the wastewater treatment facility:

- ☐ Sludge Composting
- ☐ Marketing and Distribution of sludge
- ☐ Sludge Surface Disposal or Sludge Monofill

If **any of the above** sludge options are selected, attach a completed DOMESTIC WASTEWATER PERMIT APPLICATION: SEWAGE SLUDGE TECHNICAL REPORT (TCEQ Form No. 10056).

Attachment: N/A

Section 7. Sewage Sludge Solids Management Plan (Instructions Page 69)

Attach a solids management plan to the application.

Attachment: N

The sewage sludge solids management plan must contain the following information:

- Treatment units and processes dimensions and capacities
- Solids generated at 100, 75, 50, and 25 percent of design flow
- Mixed liquor suspended solids operating range at design and projected actual flow
- Quantity of solids to be removed and a schedule for solids removal
- Identification and ownership of the ultimate sludge disposal site
- For facultative lagoons, design life calculations, monitoring well locations and depths, and the ultimate disposal method for the sludge from the facultative lagoon

An example of a sewage sludge solids management plan has been included as Example 5 of the instructions.

DOMESTIC TECHNICAL REPORT WORKSHEET 2.0

RECEIVING WATERS

The following is required for all TPDES permit applications

Section 1. Domestic Drinking Water Supply (Instructions Page 73)

Is there a surface water intake for domestic drinking water supply located within 5 miles downstream from the point or proposed point of discharge?

Yes ☐ No ☒

If yes, provide the following:

Owner of the drinking water supply: N/A

Distance and direction to the intake: N/A

Attach a USGS map that identifies the location of the intake.

Attachment: N/A

Section 2. Discharge into Tidally Affected Waters (Instructions Page 73)

Does the facility discharge into tidally affected waters?

Yes ☐ No ☒

If yes, complete the remainder of this section. If no, proceed to Section 3.

A. Receiving water outfall

Width of the receiving water at the outfall, in feet:

B. Oyster waters

Are there oyster waters in the vicinity of the discharge?

Yes ☐ No ☐

If yes, provide the distance and direction from outfall(s).

<input type="text"/>

C. Sea grasses

Are there any sea grasses within the vicinity of the point of discharge?

Yes ☐

No ☐

If yes, provide the distance and direction from the outfall(s).

Click here to enter text.

Section 3. Classified Segments (Instructions Page 73)

Is the discharge directly into (or within 300 feet of) a classified segment?

Yes ☐

No ☒

If yes, this Worksheet is complete.

If no, complete Sections 4 and 5 of this Worksheet.

Section 4. Description of Immediate Receiving Waters (Instructions Page 75)

Name of the immediate receiving waters: Unnamed tributary

A. Receiving water type

Identify the appropriate description of the receiving waters.

☒ Stream

☐ Freshwater Swamp or Marsh

☐ Lake or Pond

Surface area, in acres:

Average depth of the entire water body, in feet:

Average depth of water body within a 500-foot radius of discharge point, in feet:

☐ Man-made Channel or Ditch

- ☐ Open Bay
- ☐ Tidal Stream, Bayou, or Marsh
- ☐ Other, specify: [Click here to enter text.](#)

B. Flow characteristics

If a stream, man-made channel or ditch was checked above, provide the following. For existing discharges, check one of the following that best characterizes the area *upstream* of the discharge. For new discharges, characterize the area *downstream* of the discharge (check one).

- ☒ Intermittent - dry for at least one week during most years
- ☐ Intermittent with Perennial Pools - enduring pools with sufficient habitat to maintain significant aquatic life uses
- ☐ Perennial - normally flowing

Check the method used to characterize the area upstream (or downstream for new dischargers).

- ☐ USGS flow records
- ☐ Historical observation by adjacent landowners
- ☒ Personal observation
- ☒ Other, specify: Aerial photograph

C. Downstream perennial confluences

List the names of all perennial streams that join the receiving water within three miles downstream of the discharge point.

Mankins Branch

D. Downstream characteristics

Do the receiving water characteristics change within three miles downstream of the discharge (e.g., natural or man-made dams, ponds, reservoirs, etc.)?

Yes ☐ No ☒

If yes, discuss how.

N/A

E. Normal dry weather characteristics

Provide general observations of the water body during normal dry weather conditions.

The channel for the proposed outfall location was covered with thick grass vegetation. No water observed.

Date and time of observation: 5/13/2021 @ 12:30 pm

Was the water body influenced by stormwater runoff during observations?

Yes ☐

No ☒

Section 5. General Characteristics of the Waterbody (Instructions Page 74)

A. Upstream influences

Is the immediate receiving water upstream of the discharge or proposed discharge site influenced by any of the following? Check all that apply.

☐ Oil field activities

☐ Urban runoff

☐ Upstream discharges

☒ Agricultural runoff

☐ Septic tanks

☐ Other(s), specify

B. Waterbody uses

Observed or evidences of the following uses. Check all that apply.

☒ Livestock watering

☐ Contact recreation

☐ Irrigation withdrawal

☒ Non-contact recreation

☐ Fishing

☐ Navigation

☐ Domestic water supply

☐ Industrial water supply

☐ Park activities

☐ Other(s), specify

[click here to enter](#)

C. Waterbody aesthetics

Check one of the following that best describes the aesthetics of the receiving water and the surrounding area.

☐ Wilderness: outstanding natural beauty; usually wooded or unpastured area; water clarity exceptional

☒ Natural Area: trees and/or native vegetation; some development evident (from fields, pastures, dwellings); water clarity discolored

☐ Common Setting: not offensive; developed but uncluttered; water may be colored or turbid

☐ Offensive: stream does not enhance aesthetics; cluttered; highly developed; dumping areas; water discolored

**R040062 LP
INDIGO WATER RESOURCE RECLAMATION FACILITY
NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT
APPLICATION**

ATTACHMENT

REFERENCE

A. Core Data Form	Admin Report 1.0, Section 3.C
B. USGS Map	Admin Report 1.0, Section 13
C. Affected Landowner Information	Admin Report 1.1, Section 1
D. Original Photographs	Admin Report 1.1, Section 2
E. Buffer Zone Map	Admin Report 1.1, Section 3
F. Treatment Units	Tech Report 1.0, Section 2.B
G. Process Flow Diagram	Tech Report 1.0, Section 2.C
H. Site Drawing	Tech Report 1.0, Section 3
I. Sludge Acceptance Agreement	Tech Report 1.0, Section 9.A
J. Justification for Permit	Tech Report 1.1, Section 1.A
K. Nearby Collection System and Analysis of Expenditures	Tech Report 1.1, Section 1.B.3
L. Design Calculation and Plant Features	Tech Report 1.1, Section 4
M. Windrose	Tech Report 1.1, Section 5.B
N. Sewage Sludge Solids Management Plan	Tech Report 1.1, Section 7

Attachment A
Core Data Form
Admin Report 1.0, Section 3.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		RN

SECTION II: Customer Information

4. General Customer Information		5. Effective Date for Customer Information Updates (mm/dd/yyyy)	
<input checked="" 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	
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).			
6. Customer Legal Name (If an individual, print last name first: eg: Doe, John)		If new Customer, enter previous Customer below:	
R040062 LP			
7. TX SOS/CPA Filing Number	8. TX State Tax ID (11 digits)	9. Federal Tax ID (9 digits)	10. DUNS Number (if applicable)
802898395	32065843370		
11. Type of Customer:	<input type="checkbox"/> Corporation	<input type="checkbox"/> Individual	Partnership: <input type="checkbox"/> General <input checked="" type="checkbox"/> Limited
Government: <input type="checkbox"/> City <input type="checkbox"/> County <input type="checkbox"/> Federal <input 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 checked="" type="checkbox"/> 0-20 <input type="checkbox"/> 21-100 <input type="checkbox"/> 101-250 <input type="checkbox"/> 251-500 <input type="checkbox"/> 501 and higher		<input checked="" type="checkbox"/> Yes <input 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"/> Occupational Licensee <input type="checkbox"/> Responsible Party <input type="checkbox"/> Voluntary Cleanup Applicant <input type="checkbox"/> Other:			
15. Mailing Address:	5599 San Felipe St., Suite 565		
	City	Houston	State TX ZIP 77056 ZIP + 4
16. Country Mailing Information (if outside USA)		17. E-Mail Address (if applicable)	
		lmertz@scpioventures.com	
18. Telephone Number	19. Extension or Code	20. Fax Number (if applicable)	
(832) 485-1907		() -	

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	
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).	
22. Regulated Entity Name (Enter name of the site where the regulated action is taking place.)	
Indigo Water Resource Recovery Facility	

23. Street Address of the Regulated Entity: (No PO Boxes)							
	City		State		ZIP		ZIP + 4
24. County	Williamson						

Enter Physical Location Description if no street address is provided.

25. Description to Physical Location:	The facility is located off the west end of Madison Drive approximately 5,500 feet west of the TX 130 Toll Road overpass to CR 105.						
26. Nearest City	Georgetown				State	TX	Nearest ZIP Code
						78626	
27. Latitude (N) In Decimal:	30.60798			28. Longitude (W) In Decimal:	97.61900		
Degrees	Minutes	Seconds	Degrees	Minutes	Seconds		
30	36	28.73	-97	37	8.41		
29. Primary SIC Code (4 digits)	30. Secondary SIC Code (4 digits)		31. Primary NAICS Code (5 or 6 digits)		32. Secondary NAICS Code (5 or 6 digits)		
6552			237210				
33. What is the Primary Business of this entity? (Do not repeat the SIC or NAICS description.)							
Real estate developer							
34. Mailing Address:	5599 San Felipe St, Suite 565						
	City	Houston	State	TX	ZIP	77027	ZIP + 4
35. E-Mail Address:		lmertz@scpioventures.com					
36. Telephone Number		37. Extension or Code		38. Fax Number (if applicable)			
(832) 485-1907				() -			

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.

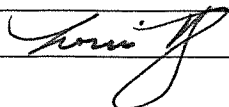
<input type="checkbox"/> Dam Safety	<input type="checkbox"/> Districts	<input type="checkbox"/> Edwards Aquifer	<input type="checkbox"/> Emissions Inventory Air	<input type="checkbox"/> Industrial Hazardous Waste
<input type="checkbox"/> Municipal Solid Waste	<input type="checkbox"/> New Source Review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

SECTION IV: Preparer Information

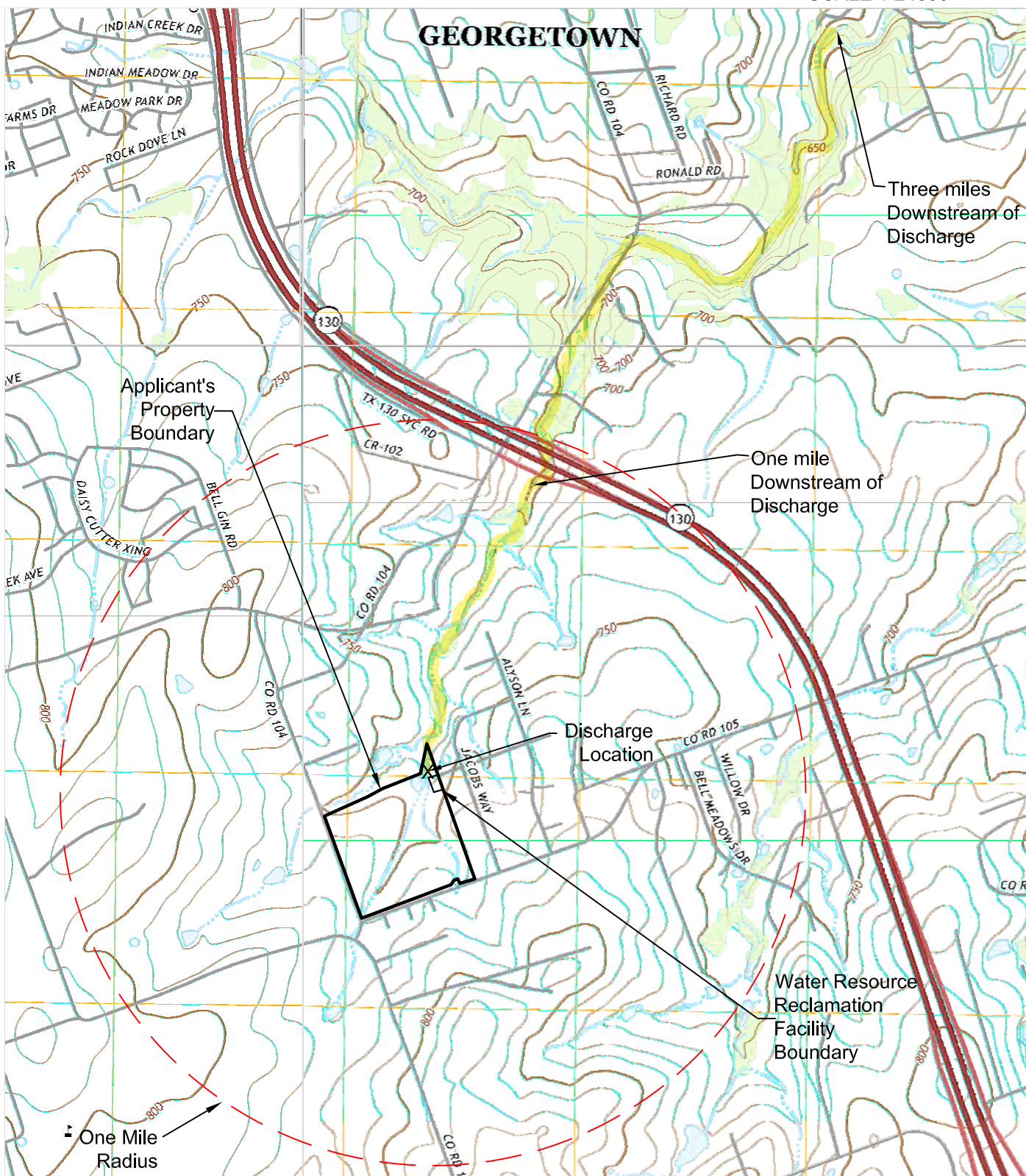
40. Name:	Janet Sims		41. Title:	Project Manager	
42. Telephone Number	43. Ext./Code	44. Fax Number	45. E-Mail Address		
(512) 734-1001		() -	jsims@perkinsconsultants.com		

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.

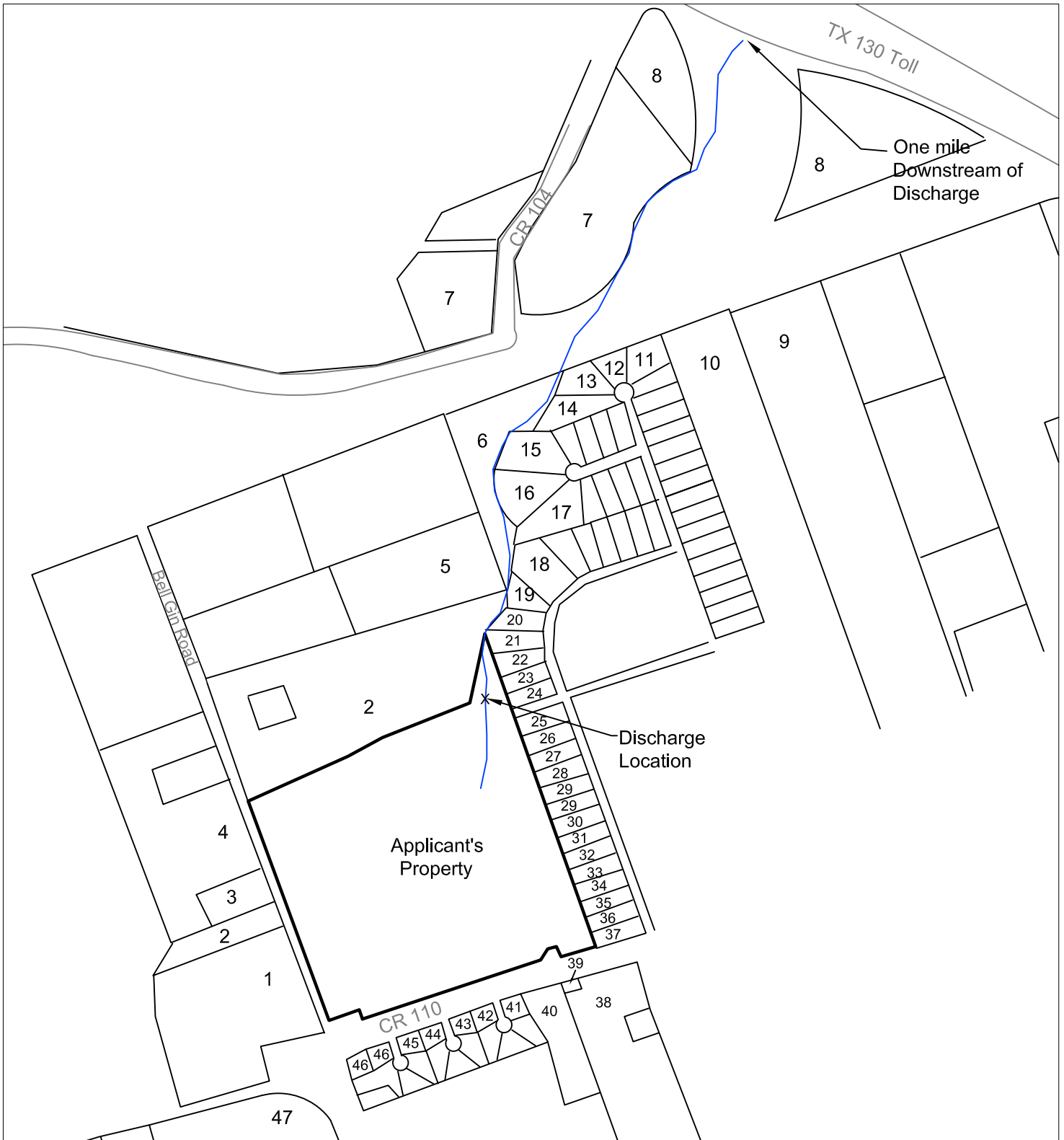
Company:	R040062 LP		Job Title:	Manager	
Name (In Print):	Louis Mertz		Phone:	(832) 485- 1907	
Signature:			Date:	6/2/2021	

Attachment B
USGS Map
Admin Report 1.0, Section 13



063

Attachment C
Affected Landowner Information
Tech Report 1.1, Section 1



ATTACHMENT C.1
R040062, LP - INDIGO WATER RESOURCE RECOVERY FACILITY
NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT APPLICATION
AFFECTED LANDOWNER MAP

065

ATTACHMENT C.2
R040062, LP - INDIGO WATER RESOURCE RECOVERY FACILITY
NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT APPLICATION
AFFECTED LANDOWNER LIST

- | | | | |
|----|---|----|--|
| 1 | MYRA L VALENTA
3801 COUNTY ROAD 110
GEORGETOWN, TX 78626 | 11 | LORIS TRAN & TRUNG NGUYEN
2801 W 45 TH ST
AUSTIN, TX 78731 |
| 2 | JIMMY C WEBB
2929 BELL GIN RD
GEORGETOWN, TX 78626-7428 | 12 | UNKNOWN |
| 3 | KENT E. WEBB
3100 BELL GIN RD
GEORGETOWN, TX 78626-7402 | 13 | DOMINGO GRANADOS
337 ALYSON LN
HUTTO, TX 78634-3051 |
| 4 | JIM & VIRGINIA WEBB
2929 BELL GIN RD
GEORGETOWN, TX 78626-7428 | 14 | KRISTI SWANN
6106 GLEN MEADOW DR
AUSTIN, TX 78745-4143 |
| 5 | EQUITY TRUST DBA STERLING TRUST
408 RIVER CHASE BLVD
GEORGETOWN, TX 78628 | 15 | TALON R RICHARDS
PO BOX 1366
TAYLOR, TX 76574 |
| 6 | JOSHUA L RICHARDS
PO BOX 1366
TAYLOR, TX 76574-6366 | 16 | CARLOS E CASAS & ALBERTO R DE CASA
520 OLIVIA CT
HUTTO, TX 78634-3064 |
| 7 | EMMA L LAWHON FAMILY LAND
PARTNERSHIP
2200 PATRIOT WAY
GEORGETOWN, TX 78626-7421 | 17 | DONALD RAY ROBBINS
P.O. BOX 1088
GEORGETOWN, TX 78627-1088 |
| 8 | RIVER CITY PARTNERS LTD
501 E KOENIG LN
AUSTIN, TX 7875 | 18 | ALEX CIFUENTES
223 JACOBS WAY
HUTTO, TX 78634 |
| 9 | RICHARD A & KAREN T SLIVA
717 COUNTY ROAD 105
HUTTO, TX 78634-3013 | 19 | RADY RICHARD Z & AGATHA O CO TRS RADY
FAMILY TRUST
13276 RESEARCH BLVD #105
AUSTIN, TX 78750-3225 |
| 10 | LARRY J & RHONDA G REID
707 COUNTY ROAD 105
HUTTO, TX 78634-3013 | 20 | HILARIO & MARIA A VELAZQUEZ
215 JACOBS WAY
HUTTO, TX 78634-3045 |

21 SHAWN & ENA BICHSEL 211 JACOBS WAY HUTTO, TX 78634	32 LENARD C & GARNETTA D SMITH 121 JACOBS WAY HUTTO, TX 78634-3019
22 JOSE & ESMERALDA ARREOLA 209 JACOBS WAY HUTTO, TX 78634	33 WILEY R HENNIG 117 JACOBS WAY HUTTO, TX 78634-3019
23 LORENZO & MINERVA VELAZQUEZ RENOJ 205 JACOBS WAY HUTTO, TX 78634	34 REX NOWLIN 113 JACOBS WAY HUTTO, TX 78634
24 VENANCIO SUAREZ FLORES 300 ALYSON LN HUTTO, TX 78634	35 ESTHER SALAZAR 109 JACOBS WAY HUTTO, TX 78634
25 PAULINA DE LUNA 153 JACOBS WAY HUTTO, TX 78634	36 MARILYN A SOTER (TOD) TO CLAUDIA NEWMAN 4125 EAST PIKE ZANESVILLE, OH 43701-8426
26 MISAEL HERNANDEZ & TOMASA CHAVEZ & RENE VEGA ALVAREZ & CECILIA HERNANDEZ CHAVEZ 149 JACOBS WAY HUTTO, TX 78634	37 ANDREW L & MAEDELLE T 101 JACOBS WAY HUTTO, TX 78634
27 VICENTE & ANAGELICA T MACIAS 145 JACOBS WAY HUTTO, TX 78634	38 HOMER R THOMAS 350 COUNTY ROAD 105 GEORGETOWN, TX 78626-7426
28 QUAN P VO 19841 COCHRANE WAY GAITHERSBURG, MD 20879	39 JACK & DIANNE MOORE % HOMER THOMAS 350 COUNTY ROAD 105 GEORGETOWN, TX 78626-7426
29 NATHAN MENDEZ & TRAM VO 137 JACOBS WAY HUTTO, TX 78634-3021	40 ARCANGELS INVESTMENTS LLC 501 LONE STAR DR CEDAR PARK, TX 78613
30 JOSE FELIX & JOSE MEJIA HERNANDEZ 129 JACOBS WAY HUTTO, TX 78634-3019	41 GREGORY J & MARY D FREDERICK 101 BRIAN CIR GEORGETOWN, TX 78626-9607
31 JOHN PIONTKOWSKI 125 JACOBS WAY HUTTO, TX 78634-3019	42 THOMAS BROWNFIELD 102 BRIAN CIR GEORGETOWN, TX 78626-9607

43 ELIZABETH RAMSEY DRISCOLL
513 MALLORY CT
EL PASO, TX 79912-4228

44 DANIEL WISE
102 JENNIFER CIR
GEORGETOWN, TX 78626-9612

45 DONNA L MOORE
101 MELISSA CIR
GEORGETOWN, TX 78626-9606

46 ARCANGELS INVESTMENTS LLC
501 LONE STAR DR
CEDAR PARK, TX 78613

47 BERNARD S ANDERSON TR OF BERNARD &
GLADYS ANDERSON TRUST
16233 CAMERON RD
PFLUGERVILLE, TX 78660

Attachment D
Original Photographs
Admin Report 1.1, Section 2



Photograph 1. – At outfall looking south, upstream.



Photograph 2. – At outfall looking north, downstream.

ATTACHMENT D.1
R040062 LP
INDIGO WATER RESOURCE RECLAMATION FACILITY
NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT APPLICATION
PHOTOGRAPHS



Photograph 3. – Proposed site of facility, looking south.

ATTACHMENT D.2
R040062 LP
INDIGO WATER RESOURCE RECOVERY FACILITY
NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT APPLICATION
PHOTOGRAPHS



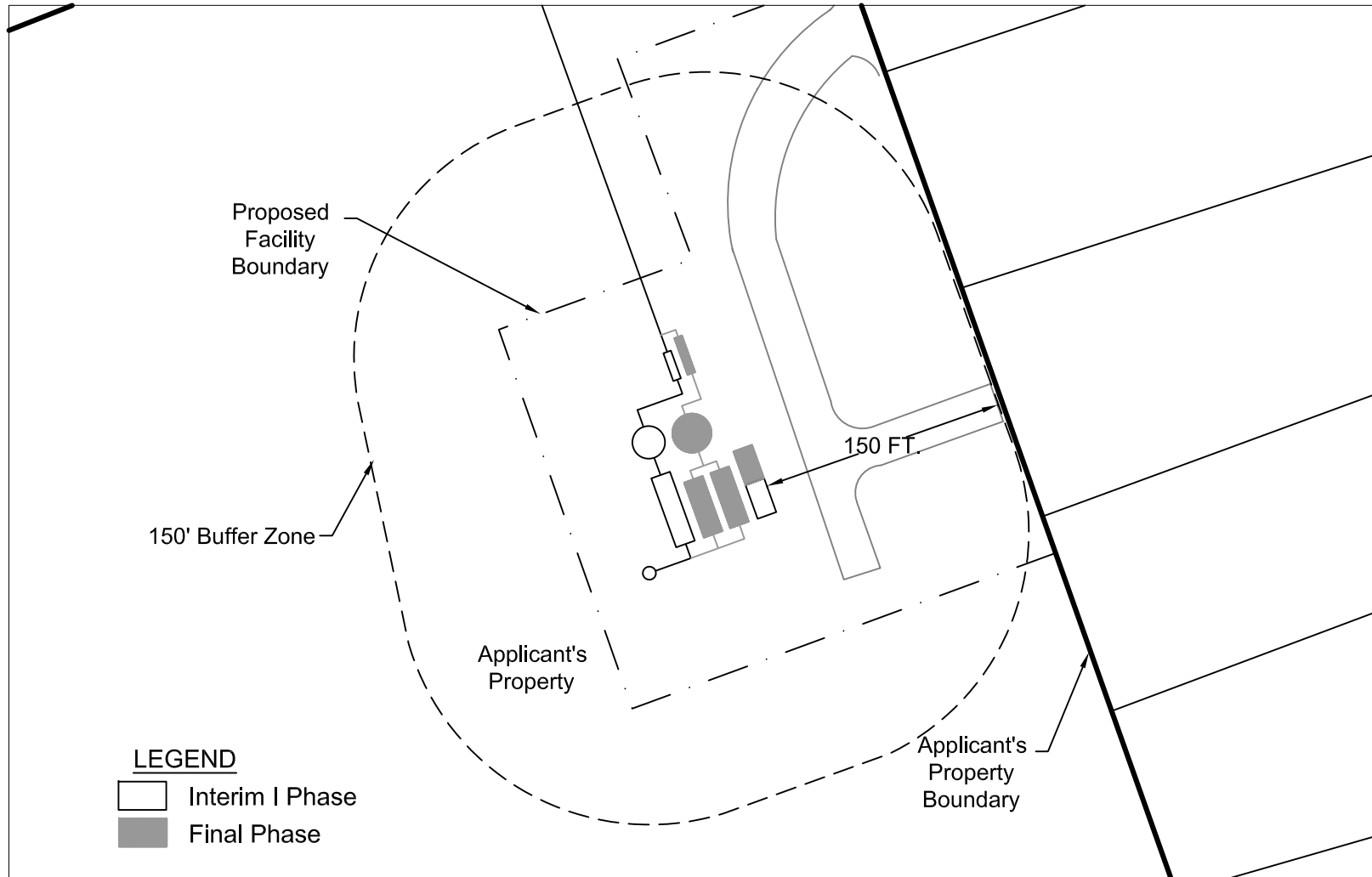
NOT TO SCALE

2 Photograph
Location

**ATTACHMENT D.3
R040062 LP**

**INDIGO WATER RESOURCE RECLAMATION FACILITY
NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT APPLICATION
PHOTOGRAPH LOCATION MAP**

Attachment E
Buffer Zone Map
Admin Report 1.1, Section 3



ATTACHMENT E
R040062, LP - INDIGO WATER RESOURCE RECOVERY FACILITY
NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT APPLICATION
BUFFER ZONE MAP

Attachment F
Treatment Units
Tech Report 1.0, Section 2.B

ATTACHMENT F
R040062 LP - INDIGO WATER RESOURCE RECOVERY FACILITY
NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT APPLICATION
TREATMENT UNITS

Interim I Phase (0.075 MGD)

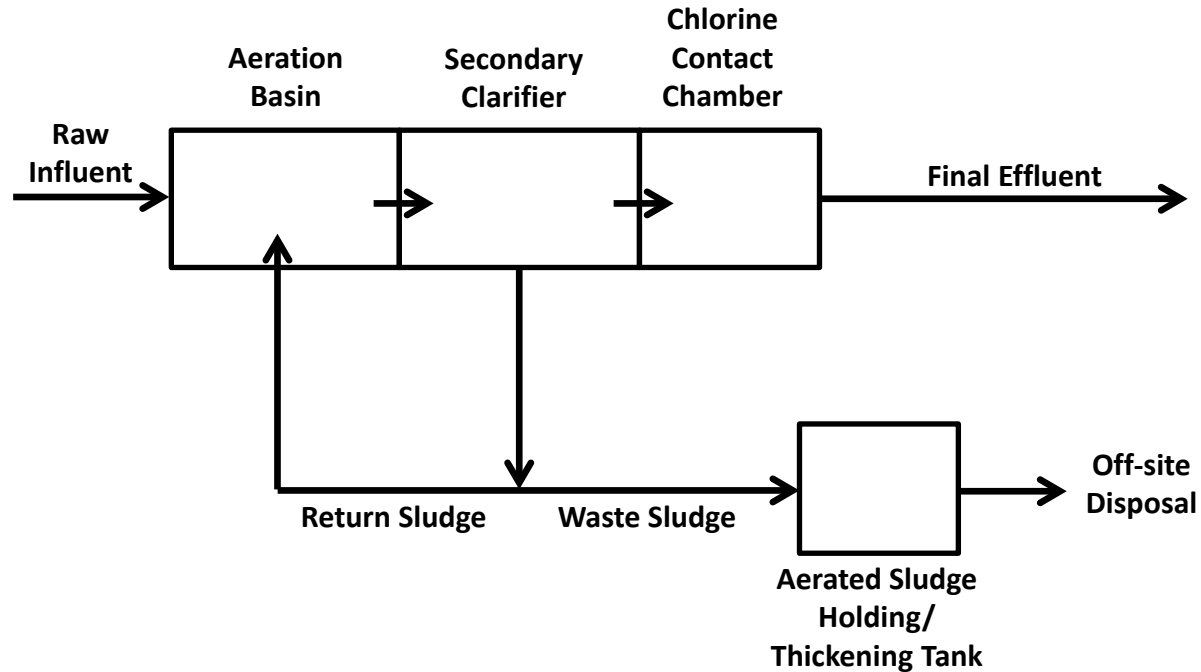
Treatment Unit Type	Number of Units	Dimensions (L x W x D)
Aeration Basin	1	45' x 12' x 10.5' SWD
Secondary Clarifier	1	20' dia., 11' SWD
Chlorine Basin	1	18' x 7' x 5' SWD
Sludge Holding Tank	1	22.5' x 12' x 10.5'

Additions for Final Phase (0.200 MGD)

Treatment Unit Type	Number of Units	Dimensions (L x W x D)
Aeration Basin	2	36' x 12' x 10.5' SWD
Secondary Clarifier	1	24' dia., 11' SWD
Chlorine Basin	1	24' x 8' x 5' SWD
Sludge Holding Tank	1	22.5' x 12' x 10.5'

Attachment G
Process Flow Diagram
Tech Report 1.0, Section 2.C

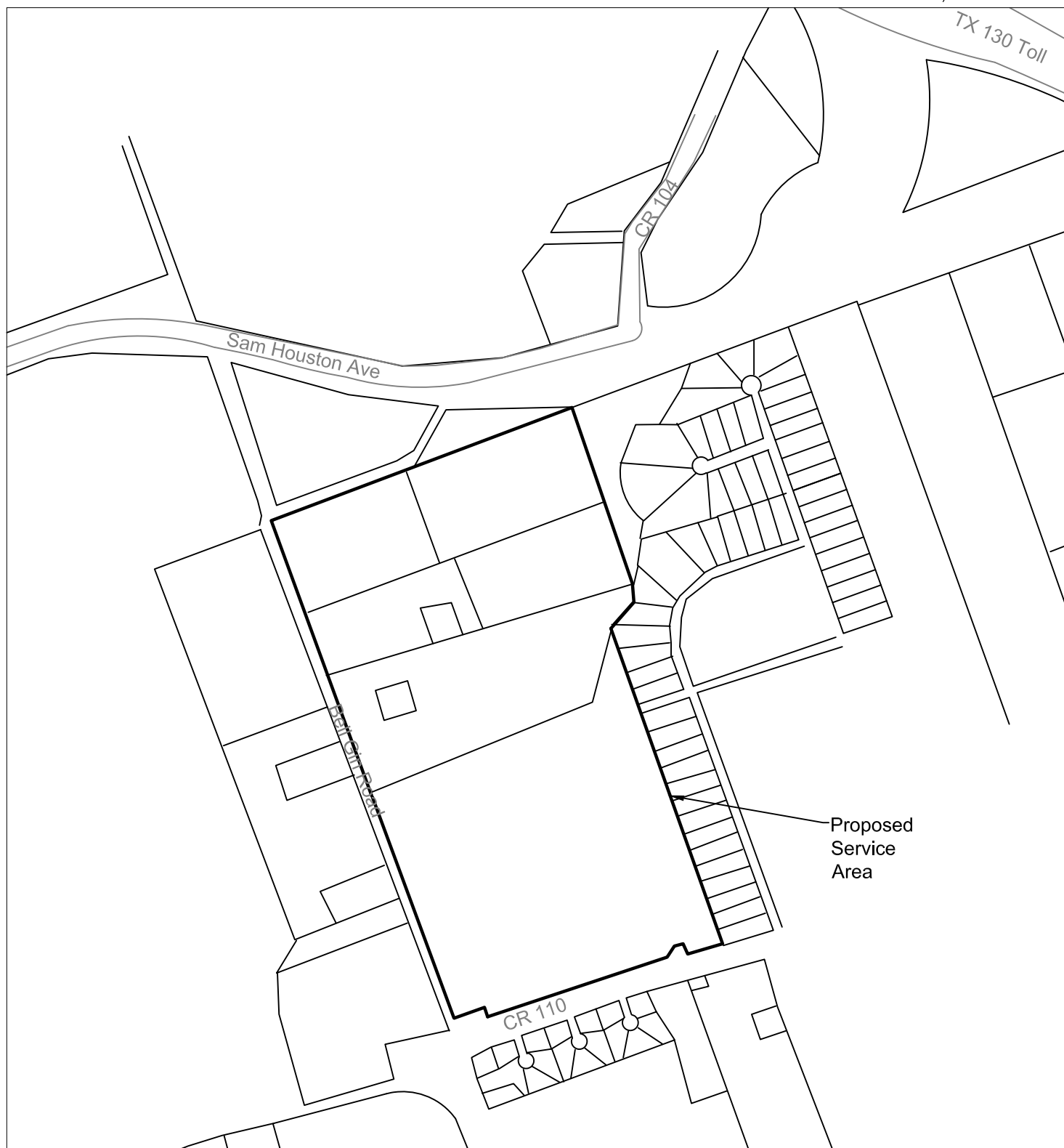
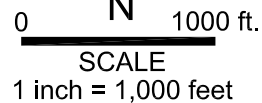
ACTIVATED SLUDGE – EXTENDED AERATION PROCESS



ATTACHMENT G
R040062 LP- INDIGO WATER RESOURCE RECOVERY FACILITY
NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT APPLICATION
PROCESS FLOW DIAGRAM

Note: Interim I Phase Shown; Final Phase is expected to be Similar and Parallel to Interim Phase

Attachment H
Site Drawing
Tech Report 1.0, Section 3



ATTACHMENT H
R040062, LP - INDIGO WATER RESOURCE RECOVERY FACILITY
NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT APPLICATION
SITE DRAWING

080

Attachment I
Sludge Acceptance Agreement
Tech Report 1.0, Section 9.A



Austin Wastewater Processing Facility
826 Linger Ln
Austin, Texas 78721
(512) 973-8484

Waste Stream Acceptance

05/18/2021

Wastewater Residuals Management, LLC, an affiliate of Wastewater Transport Services, LLC, owns and operates the Austin Wastewater Processing Facility. This facility has been permitted by the TCEQ and assigned permit number MSW 2384. The disposal facility is expected to be open for at least the next 5 years.

The facility has been permitted as a Centralized Waste Treatment Facility able to receive the following categorical and non-categorical waste streams:

- Wastewater Treatment Plant Sludge
- Water Treatment Plant Sludge
- Leachate
- Septic
- Sanitary Sewer
- Storm Water
- Food Service Grease
- Car Wash Grit Trap
- Other Class II Non-Hazardous Liquid Waste

***Please note that analytical may be required before the waste stream will be accepted.

Wastewater Residuals Management, LLC agrees to accept any of the above waste streams from the below listed generator.

Generator: R040062 LP

Identifying Info: Indigo Water Resource Recovery Facility - Wastewater Treatment Plant Sludge

A handwritten signature in black ink, reading "Cory R. Juby" with a date "12/8/21" written inside the signature.

Cory R. Juby
Environmental Compliance

Wastewater Residuals Management reserves the right to discontinue acceptance of the below mentioned waste at any time.

Attachment J
Justification for Permit
Tech Report 1.1, Section 1.A

ATTACHMENT J
R040062, LP – INDIGO WATER RESOURCE RECOVERY FACILITY
NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT APPLICATION
JUSTIFICATION FOR PERMIT

Central Texas is a fast-growing area. The proposed subdivision is in Williamson County TX, outside the corporate limits of the City of Georgetown (City). The site currently does not have wastewater treatment service. In addition, the proposed subdivision is not in the area identified as the “future service area” that was evaluated in the City’s 2018 wastewater master plan.

The construction of approximately 600 manufactured housing units will be completed within the next five years. The first phase of construction is for approximately 300 units to be completed within two years after receipt of the requested permit for the proposed Indigo WRRF.

The proposed WWRf that will be constructed in two phases is designed to provide services to the residential population that is expected to average 3 persons per unit. The wastewater generated by the residents is expected to be approximately 75 to 100 gallons per person per day. Therefore, the first phase of the requested permit is for 75,000 gallons per day. A Final phase is requested for 200,000 gallons per day to provide wastewater service to the remaining residents in the proposed service area.

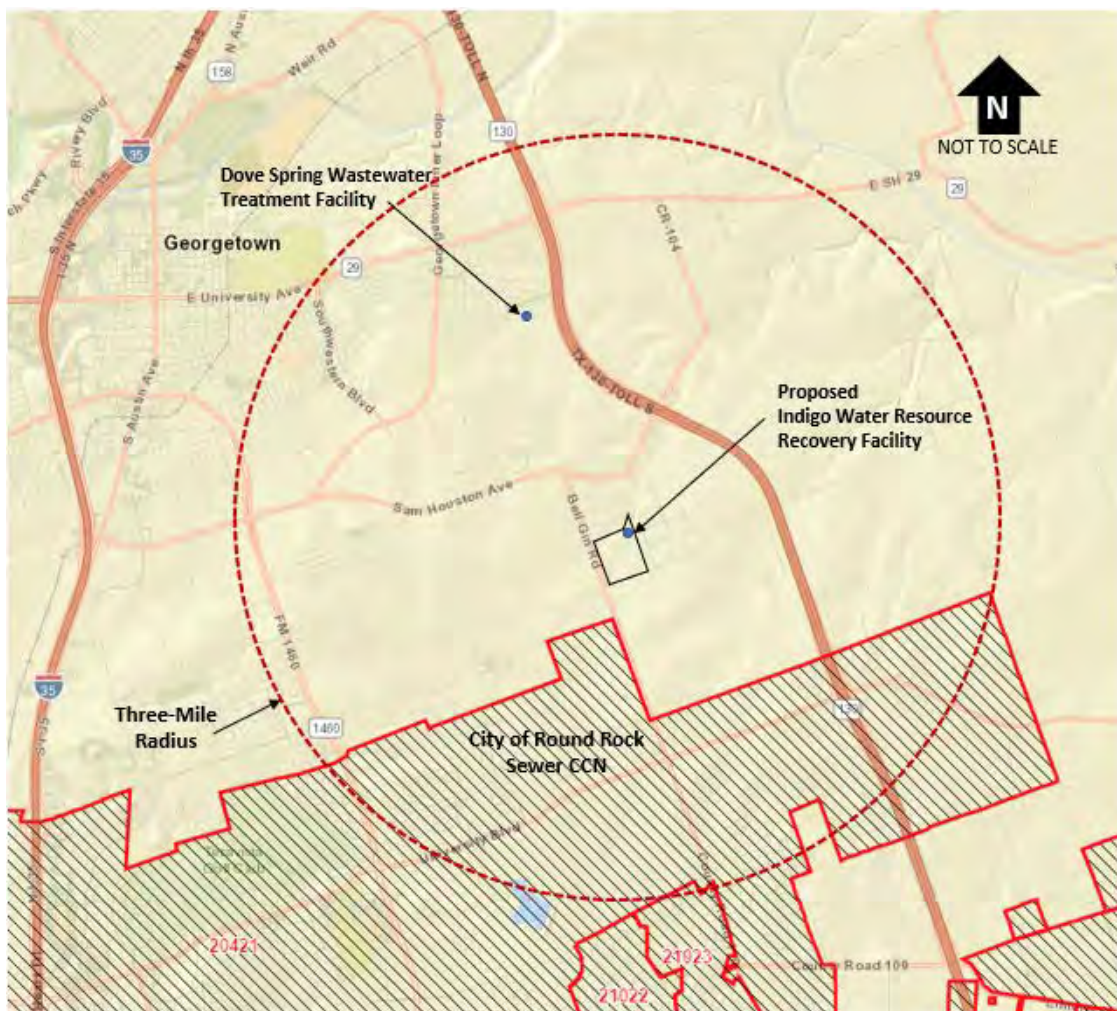
Attachment K
Nearby Collection System and
Analysis of Expenditures
Tech Report 1.1, Section 1.B.3

ATTACHMENT K.1
R040062, LP – INDIGO WATER RESOURCE RECOVERY FACILITY
NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT APPLICATION
NEARBY TREATMENT SYSTEMS

The proposed Indigo Water Resource Recovery Facility (WRRF) for the R040062, LP subdivision lies within Williamson County. The subdivision will have approximately 600 manufactured homes. It is located outside the corporate boundaries of the City of Georgetown (City), but within the City's Extraterritorial Jurisdiction.

The proposed WRRF is located within three miles of the City of Round Rock sewer CCN and the City's Dove Springs Wastewater Treatment Plant (TPDES permit number WQ0010489003). The City of Round Rock does not have any nearby collection system pipes. Figure 1 is a map that presents the location of the proposed WRRF, the nearby Round Rock CCN boundary and the location of the Dove Springs Wastewater Treatment Facility.

Figure 1. Nearby Treatment Facilities Map



Beginning in December 2020, R040062, LP contacted the City concerning connection with their system. A certified letter requesting service, the City's response to the request, and various emails related to acquiring wastewater services are presented as Attachment K.2.

As described in the City's December 23, 2020 response to R040062 LP's Manager, Mr. Mertz, the City indicated that it would provide service for the proposed subdivision but the development must comply with various City requirements. In the preceding email communication between R040062, LP and the City, it also indicated that the proposed subdivision is not within the boundaries of the City's current wastewater master plan. According to the City, R040062 LP will be required to design the infrastructure extension, in accordance with City requirements, and pay for all construction necessary to extend the City's collection system to the proposed site. The City estimated R040062, LP's responsibility for collection system improvements to connect to the City alone would likely approach \$10 million and categorized these costs as "relatively expensive up front."

In a pre-application meeting of May 20, 2021, the City further indicated that annexation would be required if the development must use City wastewater and stated that the submittal of an annexation application was among the development applications required for the proposed project. During this May 2021 meeting, the City also stated that R040062, LP's type of residential development – manufactured homes – was only permitted within the Manufactured Housing District which does not presently include Applicant's proposed site.

The analysis of expenditures required to connect to the City's collection system to the site and the comparative option to build an on-site treatment plant were developed. Potential time to complete each option and to have wastewater treatment services in place were also estimated. These cost and time estimates are presented in Attachment K.3.

Based on the cost comparison of the wastewater service options, obtaining service from the City could cost R040062, LP approximately \$10 million more than constructing an on-site WRRF. If R040062, LP only constructs the first phase of the project the cost difference between the options could be \$13 million.

The evaluation of the two options predicted that the construction of an on-site WRRF also takes less time than connecting to the City's system. The time associated with completing the City connections could be three years longer than constructing an on-site WRRF. Additionally, it is conceivable that City connection could take even longer as the site is not contiguous to the City's system and the City would have to obtain easements which may entail lengthy condemnation proceedings.

Attachment K.3 is a baseline conservative estimate that does not account for professional fees or the lost value of the R040062, LP project associated with annexation. Annexation costs based on lost value when the property is sold, payment of additional City taxes, and costs to comply with the City's numerous other zoning requirements further add to the cost to obtain service from the City. Attachment K.3 also does not consider the significant loss of value the City's prohibition on manufactured homes outside its Manufactured Housing District would have on the project.

In summary, it will require R040062, LP to spend greater than \$10 million and wait five years to obtain wastewater services from the City. Therefore, the construction of an on-site treatment facility is an economically better alternative for providing wastewater services to the proposed subdivision.

Attachment K.2

Scipio Capital, LLC
550 Post Oak Blvd., Suite 490
Houston, TX 77024

December 23, 2020

Mr. David Monk
300 Industrial Avenue
Georgetown, TX 78626

Re: Wastewater Service

Mr. Monk,

We are writing to request wastewater service for a parcel of land located in Williamson County, within the Georgetown ETJ. We respectfully request your feedback and return of this letter in the return envelope provided.

Site Boundary

The land is approximately 64.345 acres located on the northeast side of the intersection of Bell Gin Road and County Road 105 within Williamson County. A legal description of the land is the 64.345 acre tract of land situated in the J McQueen Survey, Abstract No. 426, in Williamson County, Texas, said land being the remainder of those 67.07 acre and 1.16 acre tracts more particularly described in Deed recorded as Document No. 2007004401 of the Official Public Records of Williamson County, Texas. Save and except therefrom that certain 3.885 acre tract described in Document No. 2018082244, Official Public Records, Williamson County, Texas.

Requirement

We estimate needing 85,000 to 90,000 gallons per day of wastewater service with a delivery date of 18 months.

Questions

1. Will the City be able to service the above specified site with wastewater? Please circle one of the below:

☒ Yes

☐ No

2. If the answer to Question #1 is "Yes", what would be the cost and how soon could the City service the site? Please provide a response in the below space, or feel free to attach a handwritten or typed response on a separate piece of paper and include in the return envelope.

Service can be provided as soon as the required developer infrastructure extensions are constructed and accepted by the City and Developer complies with City Requirements and regulations related to wastewater service. We do not provide ~~Cost~~ detailed estimates for developer required line extensions.

Thank you for your feedback.

Kind regards,



Louis Mertz

Janet Sims

From: Wesley Wright <Wesley.Wright@georgetown.org>
Sent: Wednesday, December 9, 2020 6:03 PM
To: Eli Dragon
Cc: Louis Mertz; David Munk; Lua Saluone; Wayne Reed; Andreina Davila; Sofia Nelson
Subject: FW: [EXTERNAL] Residential Development - City of Georgetown ETJ - Wastewater Discussion

Eli,

Thanks for reaching out and for your interest in Georgetown. We look forward to helping you move forward with your deal.

I understand you're working on setting up a preapp meeting where you'll go over all/most aspects of development. I know there will be some major transportation issues to sort out with two relatively large roads adjacent and through your property, but I think your primary issue will be wastewater. We can certainly talk more at your preapp, but I want to give you our position in advance, so you can properly prepare and work on proformas.

A couple images are pasted below. The first image is our current wastewater master plan. Areas in white are NOT currently included in our master plan line, pumping, or treatment calculations. We are in the middle of efforting a mid-term, informal update as there is a lot of interest for wastewater in the white areas. The second image details what we envision your path for wastewater to be and what is expected to be the city's desired solution. We've generally assumed dense (3.6u/ac) single family detached for this area, but are anxious to know more about what you envision for the area.

As you are no doubt aware, your site is at the peak of a drainage basin. Thus, one would expect the collection system improvements necessary to serve you to be relatively expensive up front. The construction of MB-5, MKN-1, and the associated lift station/force main to serve your site is likely to approach \$10MM (perhaps less with private development contracts). However, there are also multiple other properties in play in these drainage basins and they need much of the same infrastructure. Cost sharing/subsequent user fees might be available for whoever installs certain infrastructure first.

Below there is mention of a private package plant option. For multiple reasons, that's not an option the city is interested in supporting – especially with multiple properties actively seeking entitlement. Our master plan and our priorities are to find regional solutions that work for everyone. Additionally, we are part of a long-standing multi-agency agreement stating that we unilaterally will oppose non-regional, privately owned treatment plants and work towards regionalization. With a clear path to organized wastewater collection via our looming master plan update, we're confident that we can find a better, more regional solution to serve your site (and others).

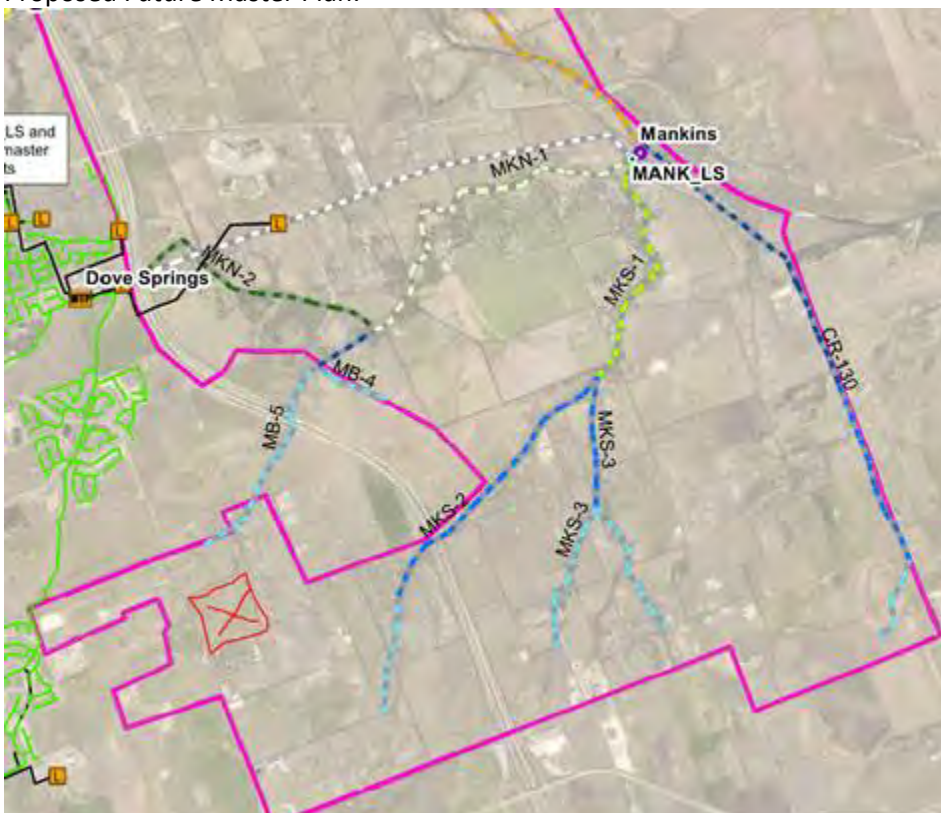
We look forward to your initial feedback – either here on this thread or at your preapp.

Best,

Current Master Plan:



Proposed Future Master Plan:



Wesley Wright, PE
Systems Engineering Director
City of Georgetown Municipal Complex
300-1 Industrial Ave.
Georgetown, TX 78627
Phone: 512-931-7672
Email: wesley.wright@georgetown.org



Trust : Professionalism : Teamwork : Communication : Work/Life Balance

The Systems Engineering Department's mission is to facilitate system maintenance and growth for our stakeholders through ownership and exceptional engineering services.

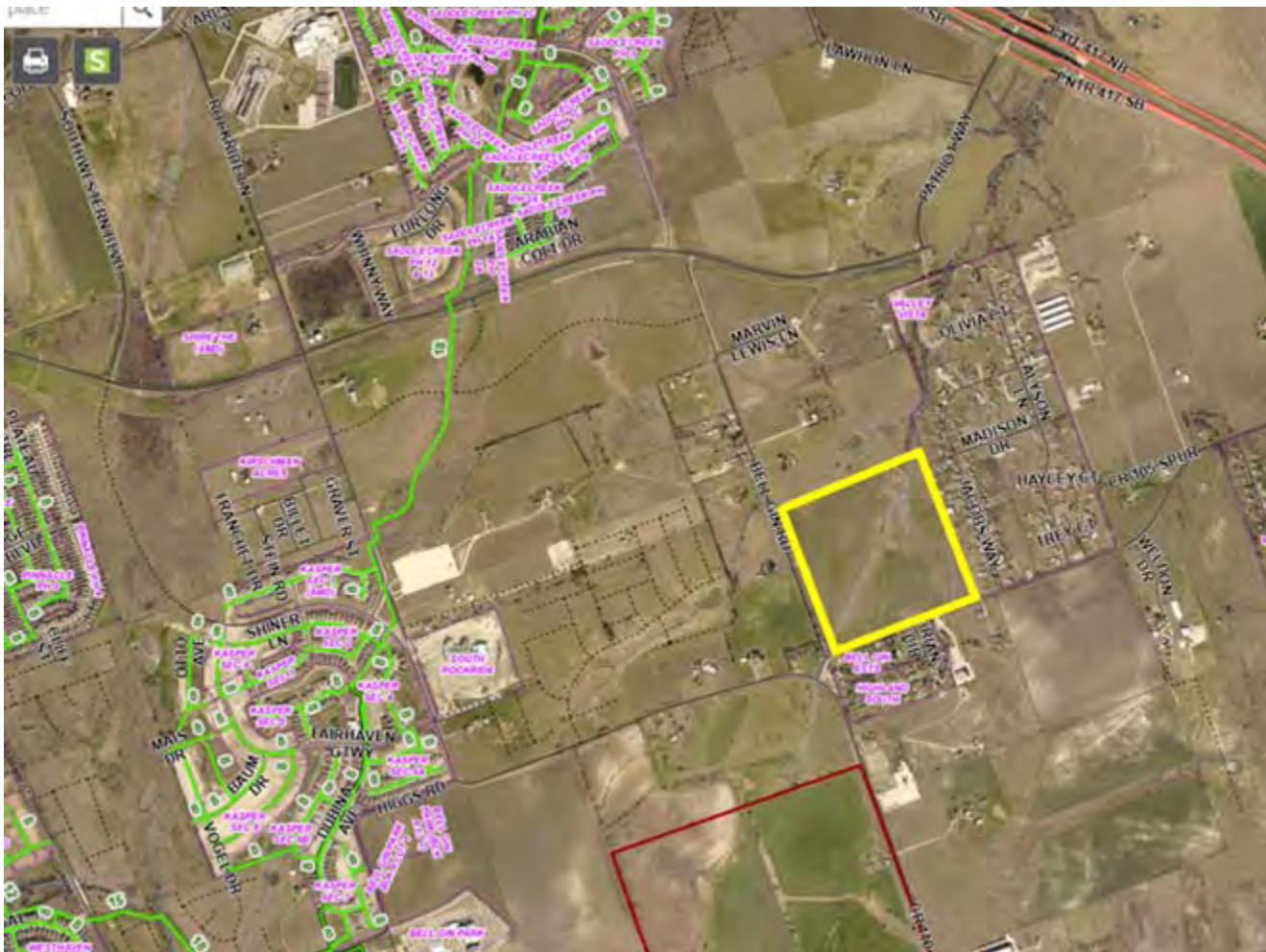
From: Lua Saluone <Lua.Saluone@georgetown.org>
Sent: Monday, December 7, 2020 8:59 AM
To: David Munk <david.munk@georgetown.org>
Cc: Wesley Wright <Wesley.Wright@georgetown.org>
Subject: FW: [EXTERNAL] Residential Development - City of Georgetown ETJ - Wastewater Discussion

David,
Eli with Scipio Ventures would like to develop a 64 acre tract (in yellow) at the corner of Bell Gin and CR 105; this tract is just east of Patterson Ranch. This tract isn't on our wastewater master plan but would be served by the MB-5 interceptor and lift station.
From their emails below and the one in blue, they want to install a package plant and in the future when the City or other developer constructs MB-5, they would then tie over to this line.

[We are evaluating all opportunities for wastewater.](#)

[Our intent is to develop the site in the immediate future. Given the information provided above, it seems that any municipal wastewater solutions will not be available in the immediate future. We are experienced wastewater owners and operators, with systems in a number of areas across Texas. Therefore based on the above, our base case would be pursuing a package plant to service the site until at a later date municipal services may be available.](#)

[Can you please begin these discussions internally? We would like to see what the City thinks.](#)



From: Eli Dragon <edragon@scipioventures.com>

Sent: Friday, December 4, 2020 5:19 PM

To: Lua Saluone <Lua.Saluone@georgetown.org>

Cc: David Munk <david.munk@georgetown.org>; Louis Mertz <lmertz@scipioventures.com>

Subject: RE: [EXTERNAL] Residential Development - City of Georgetown ETJ - Wastewater Discussion

[EXTERNAL EMAIL]

Lua –

We would like to connect to discuss this further.

1. What are the plans and what is the timing on this service area, MB-5?
2. Our intent is to proceed with development site in the immediate future. What are our options for wastewater service? A TPDES permit with the plans to later switch to the City's service, years down the line?
3. Other considerations we should think through on wastewater service for this area.

What is your availability on Monday?

Eli Dragon

Scipio Ventures

550 Post Oak Blvd., Suite 490

Houston, TX 77027
Office: +1 (832) 487-0576
~~XXXXXXXXXXXX~~
edragon@scipioventures.com

From: Eli Dragon
Sent: Wednesday, December 2, 2020 3:13 PM
To: Lua Saluone <Lua.Saluone@georgetown.org>
Cc: David Munk <david.munk@georgetown.org>
Subject: RE: [EXTERNAL] Residential Development - City of Georgetown ETJ - Wastewater Discussion

Lua –

Noted. Can we schedule a time to connect to discuss in further detail? Do you have availability to connect tomorrow for 45 minutes so I can better understand the current plan in more detail?

Eli Dragon
Scipio Ventures
550 Post Oak Blvd., Suite 490
Houston, TX 77027
Office: +1 (832) 487-0576
~~XXXXXXXXXXXX~~
edragon@scipioventures.com

From: Lua Saluone <Lua.Saluone@georgetown.org>
Sent: Wednesday, December 2, 2020 3:12 PM
To: Eli Dragon <edragon@scipioventures.com>
Cc: David Munk <david.munk@georgetown.org>
Subject: RE: [EXTERNAL] Residential Development - City of Georgetown ETJ - Wastewater Discussion

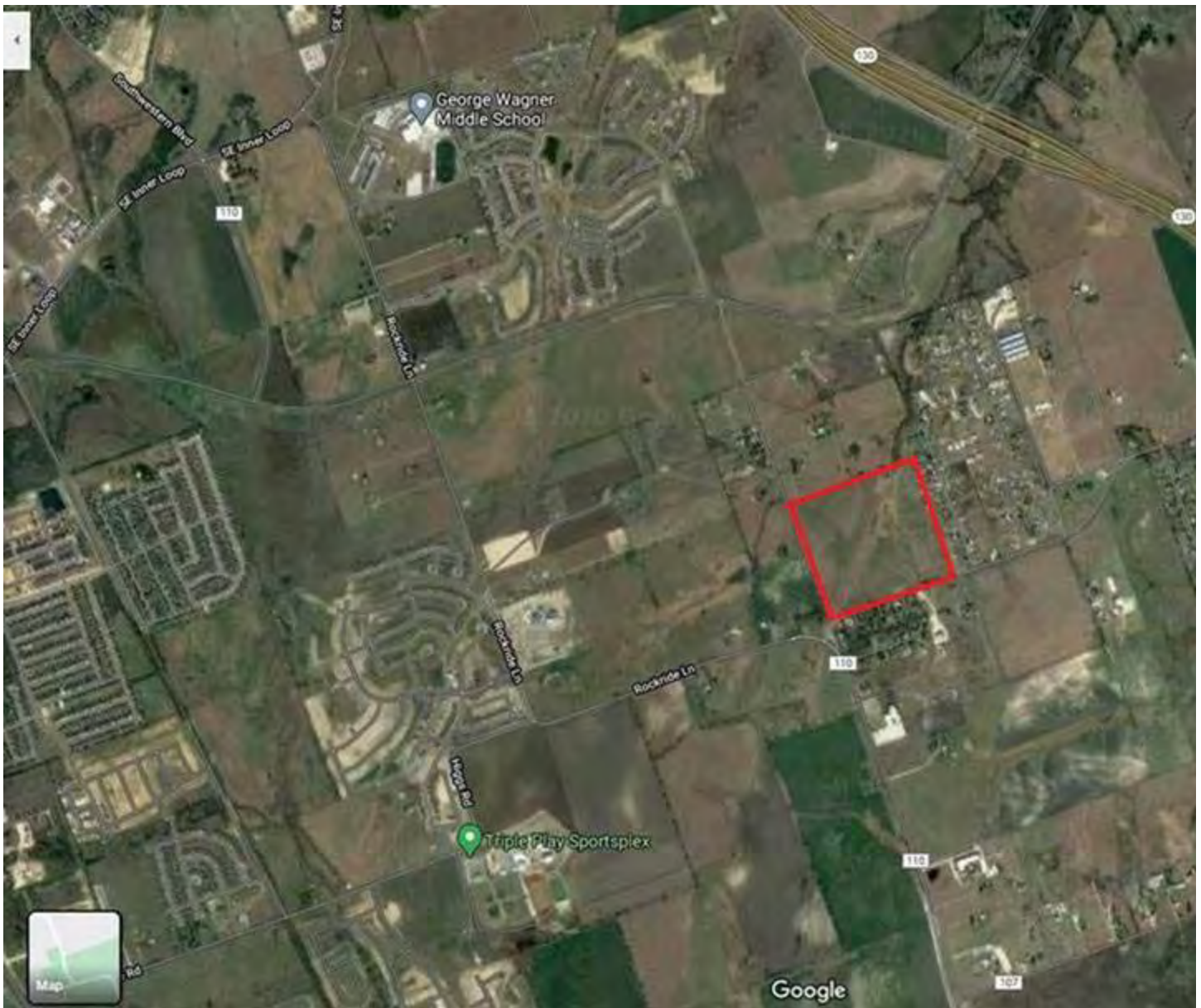
Eli,
Yes, on the current WW master plan, that tract of land wasn't included but with the update to the master plan, it would fall within the MB-5 service area.

From: Eli Dragon <edragon@scipioventures.com>
Sent: Wednesday, December 2, 2020 11:25 AM
To: Lua Saluone <Lua.Saluone@georgetown.org>
Cc: David Munk <david.munk@georgetown.org>
Subject: RE: [EXTERNAL] Residential Development - City of Georgetown ETJ - Wastewater Discussion

[EXTERNAL EMAIL]

Lua –

Apologies, I thought I shared the site. Please see below. It is the Property at Bell Gin Rd & FM 105 / FM 110. It looks like right now we would be landing outside of your master wastewater plan?



Eli Dragon

Scipio Ventures
550 Post Oak Blvd., Suite 490
Houston, TX 77027
Office: +1 (832) 487-0576
~~XXXXXXXXXXXX~~
edragon@scipioventures.com

From: Eli Dragon

Sent: Wednesday, December 2, 2020 11:20 AM

To: Lua Saluone <Lua.Saluone@georgetown.org>

Cc: David Munk <david.munk@georgetown.org>

Subject: RE: [EXTERNAL] Residential Development - City of Georgetown ETJ - Wastewater Discussion

Lua –

Thank you. I will review the attached and get back to you.

We are still in the early stages of feasibility, but right now we estimate 350 – 400 LUEs.

Eli Dragon

Scipio Ventures
550 Post Oak Blvd., Suite 490
Houston, TX 77027
Office: +1 (832) 487-0576
~~XXXXXXXXXXXXXX~~
edragon@scipioventures.com

From: Lua Saluone <Lua.Saluone@georgetown.org>
Sent: Wednesday, December 2, 2020 9:31 AM
To: Eli Dragon <edragon@scipioventures.com>
Cc: David Munk <david.munk@georgetown.org>
Subject: RE: [EXTERNAL] Residential Development - City of Georgetown ETJ - Wastewater Discussion

Eli,
See attached document for our current wastewater master plan. We are in the process of updating the master plan but I don't think the updates will change according to the area you are referencing. The tract of land from your description falls within the MB-5 proposed service area which would require the lift station also.
If you are wanting to send your wastewater to the west, that is something we would need to talk internally about.
How much capacity are you looking for in terms of flow or LUE's?

From: Eli Dragon <edragon@scipioventures.com>
Sent: Wednesday, December 2, 2020 9:05 AM
To: GRP_Engineering <Engineering@georgetown.org>
Subject: [EXTERNAL] Residential Development - City of Georgetown ETJ - Wastewater Discussion

[EXTERNAL EMAIL]

Good Morning –

I am hoping to connect with someone in engineering to discuss prospective wastewater solutions for a residential project we are working on in the City of Georgetown ETJ. This is in southeast Georgetown, about a mile east of Fairhaven Gateway and a mile south of Saddleback. I know the City currently has the WWTP on the west side of SH-130 called Dove Springs WWTP. I am looking to understand the City's plans as far as does that system have capacity, is the City willing to allow new projects to hook up to this system, or what are the current plans for the City?

Is there someone I can quickly connect with to better understand the current position?

Eli Dragon

Scipio Ventures
550 Post Oak Blvd., Suite 490
Houston, TX 77027
Office: +1 (832) 487-0576
~~XXXXXXXXXXXXXX~~
edragon@scipioventures.com



Pre-Application Meeting – Planning Notes

Page 1 of 3

Project Name: Kimbro Prop-Manufactured Housing Community Meeting Date: 5/20/2021

Property Information: Address: NE corner of CR 105 (Westinghouse) & Bell Gin Rd ☐ City / ☒ ETJ

Platted: ☐ Yes / ☒ No Legal Description: 64.345 acres out of the John McQueen Survey

Zoning: N/A Overlay: N/A Future Land Use: Neighborhood and CC

Historic Resource Survey: ☐ High ☐ Medium ☐ Low ☒ N/A

MEETING COMMENTS:

Zoning:

Annexation can be required by use of:

1. Wastewater – If this development must use City wastewater annexation will be required. But, this property is not currently contiguous and eligible to be annexed. If annexation is not possible there may be a path forward through a development agreement option.

Described product is only permitted within the Manufactured Housing District as it cannot be certified to meet the requirements of the IRC and it is built to HUD Standards. This district has specific design guidelines [in UDC 6.02.100](#).

Zoning requirements like building design, parking minimums, landscaping, lighting, etc. only apply in the city limits.

Signage requires a permit per UDC Chapter 10 in both the city limits and the ETJ.

Subdivision:

A legal lot letter has been issued. But, if any public utilities are extended to this site a plat would be required.

- Preliminary Final Plat Combo is four lots or less.
- Preliminary and Final Plats if five or more lots.

If platting is triggered, then ROW dedication is required along permitter roadways. ROW dedication and construction of the the Patriot Way extension is required, too.

Parkland Dedication and Development Fees are required regardless of in the City or the ETJ. Depends on if the property is classified as single-family or multi-family per UDC definitions.

Parkland Dedication

One or two dwelling units on a lot or parcel	\$650 per unit
Three or more dwelling units on a lot or parcel	\$475 per unit

Parkland Development

One or two dwelling units on a lot or parcel	\$1000 per unit
Three or more dwelling units on a lot or parcel	\$750 per unit

Applicable Development and Zoning Standards:

The zoning standards applicable to the property will be determined by the zoning district. Standards for residential zoning districts are outlined in Chapter 6. Standards for non-residential zoning districts are outlined in Chapter 7.

Overall development standards are outlined in the UDC sections listed below. However, please note this is not an all-inclusive list and that other sections of the UDC may apply to your project:

- Permitted Use Tables – [Chapter 5](#)
 - Residential Uses – [Sec. 5.02](#)
 - Civic Uses – [Sec. 5.03](#)
 - Commercial Uses – [Sec. 5.04](#)
 - Transportation and Utility Uses – [Sec. 5.05](#)
 - Industrial Uses – [Sec. 5.06](#)
 - Agricultural Uses – [Sec. 5.07](#)
 - Temporary Uses – [Sec. 5.08](#)
 - Outdoor Display and Storage – [Sec. 5.09](#)
 - Wireless Transmission Facilities – [Sec. 5.10](#)
- Residential Development Standards – [Sec. 6.02](#)
 - Please note that all buildings, structures and other site improvements and features must be located outside of required setbacks. For a list of features allowed within required setbacks, please refer to [Sec. 6.04.020.C](#)
 - Dimensional interpretations and exceptions are outlined in [UDC Sec. 6.04](#)
 - Additional standards for accessory structures, garages and carports are outlined in UDC Sec. 6.05
 - Please note that front loaded garages must be set back 25 feet.
- Common Amenity Area requirements – Sec. 6.06
- Non-Residential Development Standards – [Sec. 7.02](#)
 - Please note that all buildings, structures and site improvements and features must be located outside required setbacks. For a list of features allowed within required setbacks, please refer to [Sec. 7.02.030.C](#)
- Building Design requirements (elements, architectural features, articulation, etc.) – [Sec. 7.03](#)
- Lighting requirements – [Sec. 7.04](#)
- Tree Preservation requirements – [Sec. 8.02](#)
- Landscape, bufferyard and screening requirements – [Sec. 8.03](#) (Residential) and [Sec. 8.04](#) (Non-Residential)
- Residential Fences – Sec. 8.07.040
 - Within the front yard and street side setback, fences are limited to 4 feet in height and 50% transparency.
- Apartment Fences – Sec. 8.07.050
- Residential Boundary Wall requirements – Sec. 8.07.060
- Non-residential Fences – [Sec. 8.07.070](#)
- Parking Requirements – [Sec. 9.02](#)
 - Parking spaces in excess of the minimum number required, require additional landscaping as outlined in the UDC.
- Vehicle Stacking – [Sec. 9.04](#)
- Off-Street Loading – [Sec. 9.05](#)
- Signage – [Ch 10](#)
- Impervious Cover – [Sec 11.02](#)
- Stormwater Management – [Sec 11.04](#)
- Water Quality – [Sec 11.07](#)
- Special Development Types

- Housing Diversity Development – Sec. 4.05.010 and Sec. 6.07.010
- Conservation Subdivision – Sec. 4.05.020, Sec. 6.07.010 and Sec. 11.06
- Multi-Lot Unified Development – Sec. 4.05.030, Sec. 6.07.030 (Residential) and 7.02.030.E (Non-Residential)
- Workforce Housing Development – Sec. 6.07.040

Required Applications:

For the proposed project, the following development applications are required and thus must be submitted for review and approval (in the order identified below – **bold** applications are only required if annexing; italicized items are only required if subdivided):

- **Annexation – Sec. 3.25**
 - **Approval Criteria – Sec. 3.25.030**
- **Rezoning – Sec. 3.06**
 - **Approval Criteria (Base Zoning) – Sec. 3.06.030**
- *Subdivision Plat: Preliminary and Final – Sec. 3.08*
 - *Preliminary Plats – Sec. 3.08.070*
 - *Recording Plats – Sec. 3.08.080*
- *Subdivision Construction Plans – Sec. 3.08.100*
 - *Subdivision Construction Plans must be submitted prior to or concurrent with the submission of the Final Plat.*
- **Site Development Plan – Sec. 3.09**
 - **Site Development Plan may not be approved until the Final Plat is recorded.**

NOTES COMPLETED BY:

<input checked="" type="checkbox"/>	Ethan Harwell	Senior Planner	(512) 930-3692	ethan.harwell@georgetown.org
<input type="checkbox"/>	Michael Patroski	Planner	(512) 930-3580	michael.patroski@georgetown.org
<input type="checkbox"/>	Ryan Clark	Planner	(512) 931-7746	ryan.clark@georgetown.org
<input type="checkbox"/>	Britin Bostick	Historic Planner	(512) 930-3581	Britin.bostick@georgetown.org

ATTACHMENT K.3
R040062, LP – INDIGO WATER RESOURCE RECOVERY FACILITY
NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT APPLICATION
COMPARISON OF COST AND TIMING OF SERVICE

Wastewater service was requested from the City of Georgetown (City) prior to submittal of this permit application. It was determined that wastewater service options available from the City were neither timely nor economically viable.

The City did not provide definitive costs or a list of specific facilities necessary for connection to their system. Maps were provided showing conceptual routes for gravity sewers and a new lift station and force main preliminarily planned to serve the general area. The cost of the facilities needed was estimated as potentially being greater than \$10 million in one email from the City. With exact routes, line sizes, depths and developer agreements not being available, it is very difficult to develop potential costs for connection to the City's system. However, based on maps provided by the City and on pipeline costs consistent with those used in the City's 2018 Wastewater Master Plan for similar pipelines, a potential cost for connection of \$15.8 million was developed. Either cost estimate would be substantially higher than the \$2.1 million cost estimated for the first phase of the treatment facility that is proposed in this permit application.

In addition, since the pipelines needed for connection to the City's system would require route investigations, geotechnical testing, surveying, land ownership research, easement acquisition (possibly including condemnation), multiple road crossing permits, design, and competitive bidding, it is estimated that City-provided wastewater service through the routes proposed by the City would be unlikely to be available in less than five years from the date route and sizing investigations could begin. Service through the treatment facility proposed in this permit application, conversely, could be active in approximately two years from the date a permit application is submitted to TCEQ.

Figure 1 is a map that illustrates the pipelines proposed by the City of Georgetown as being necessary for connection to their system. It is acknowledged that exact line lengths, depths, slopes and sizes are not known. However, it appears that approximately 20,600 linear feet of gravity sewer would need to be constructed, not counting the applicant's connection to Georgetown's future system, and that a new lift station and approximately 17,300 linear feet of force main would be needed to deliver flows from the gravity system to the City's treatment plant. The size, depth and the capacity of the new lift station are not known and would need planning to determine.

Figure 1 – Routes for Potential Connection to City System

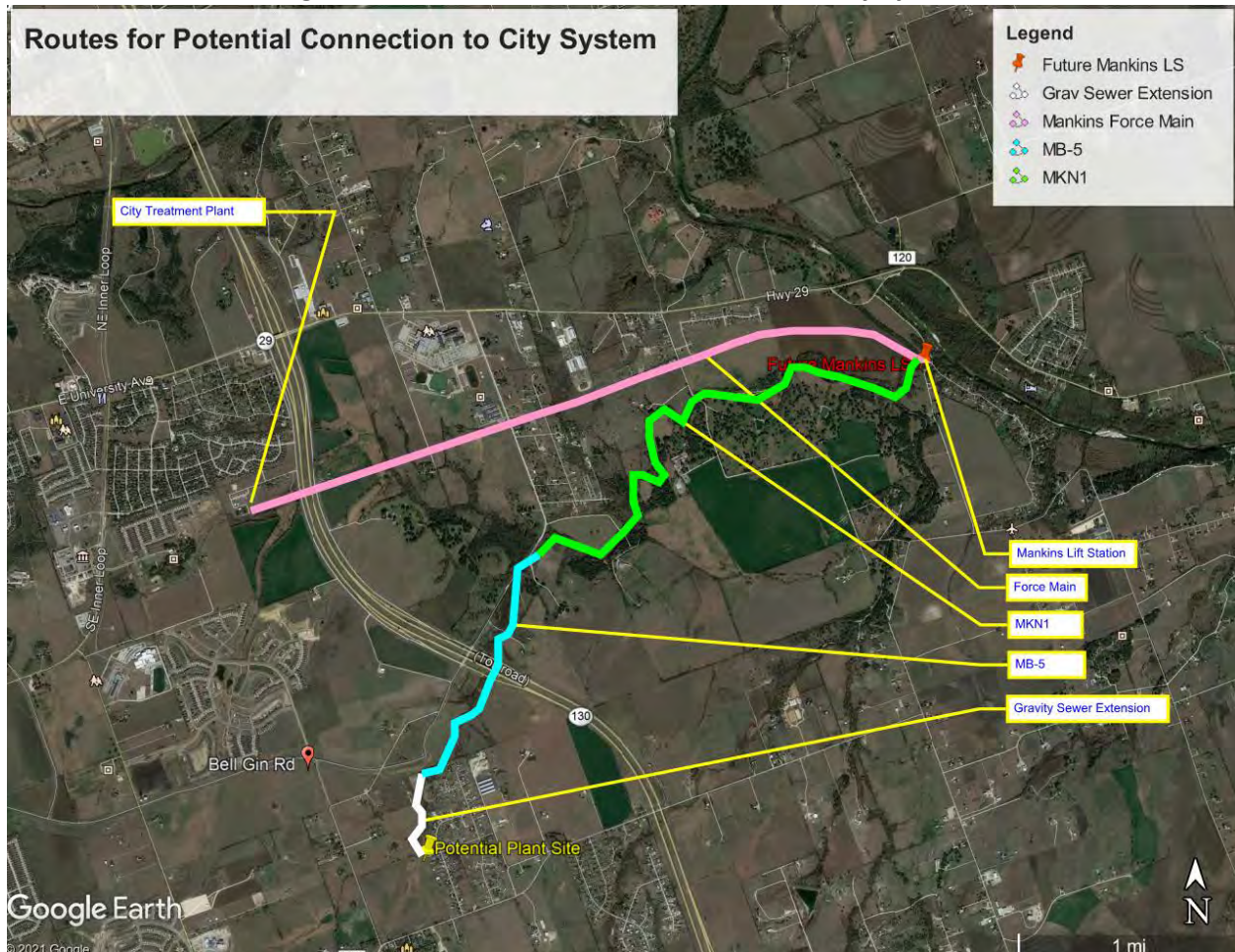
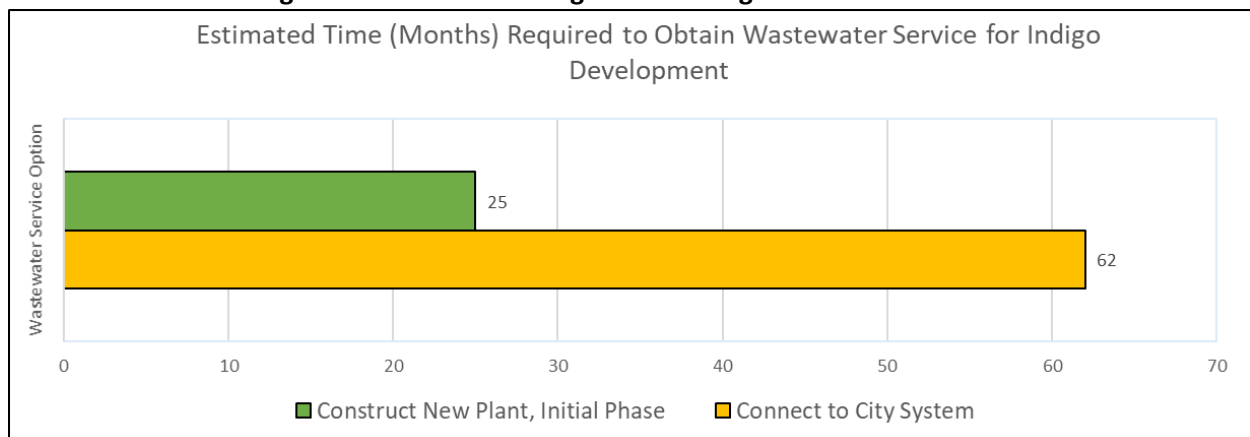


Figure 2 is a bar graph that illustrates the potential timing for obtaining wastewater service from the City as opposed to obtaining service through an independently constructed on-site treatment system. Due to the time required to plan pipeline routes and obtain necessary permits and land rights, development of the piping necessary for a connection to the City is projected to take three years longer than building the proposed treatment plant.

Figure 2 – Potential Timing for Obtaining Wastewater Service



The cost comparison table below illustrates the cost advantage of constructing the initial phase of the proposed treatment plant as opposed to connecting to the City's system. It is acknowledged that because detailed planning has not yet been performed, insufficient information exists to accurately project the costs of all lines needed to connect to the City's system. Using unit costs consistent with those used in the City's 2018 Wastewater Master Plan, however (for size *ranges* anticipated rather than for specific pipe sizes or depths) and assigning assumed costs to a potential first phase lift station, it is clear that the cost of developing wastewater service in the immediate future is substantially less if a new treatment plant is built at the site proposed in the permit application as opposed to connecting to the City's system. The cost advantage is still clear even at the \$10 million plus figure initially cited in City email correspondence. The cost comparison below does not account for potential cost recovery through developer's agreements, nor does it account for potentially significant lost value opportunities potentially attributable to land use controls and property taxes if annexation is required as a condition of service from the City.

Table 1 – Cost Comparisons of Treatment Options

Independent Water Resource Recovery Plant	
Initial Phase Only - Probable Cost	\$ 2,156,250
Second Phase - Probable Cost	\$ 3,593,750
Total Potential Cost for Treatment Plant, Two Phases	\$ 5,750,000
Connection to City of Georgetown System	
Impact Fees ²	\$ 716,450
Potential Cost, Connector to MB-5 ³ (White)	\$ 910,000
Potential Cost, Initial City Lift Station ⁴	\$ 3,000,000
Cost to install MB-5 ³ (Blue)	\$ 2,880,000
Cost to install MKN-1 ³ (Green)	\$ 7,360,000
Mankins Force Main ³ (Pink)	\$ 1,630,000
Total Potential Cost of Connection to City Wastewater System	\$ 15,780,000

This narrative was prepared by Mark A. Perkins, Texas PE 60329, Perkins Engineering Consultants, Inc., TBPELS Firm F 8699, June 8th, 2021

Attachment L
Design Calculations and Plant Features
Tech Report 1.1, Section 4

ATTACHMENT L
R040062 LP - INDIGO WATER RESOURCE RECOVERY FACILITY
NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT APPLICATION
DESIGN CALCULATIONS AND PLANT FEATURES - INTERIM I PHASE

Flow and Loading

Design Flow	0.075	MGD
BOD5 Design Concentration	300	mg/L
Design Organic Loading	188	lb BOD5/day
Peak Flow	0.3000	MGD
Peaking Factor	4.0	

Activated Sludge Treatment

No. of Basins	1	
Volume at Normal WSE	5,670	cf
Nominal Basin Dimensions 45'L 12'W 10.5' SWD	42,417	gal
Detention Time at Design Flow	13.6	hrs
Detention Time at Peak Flow	3.4	hrs
Organic Loading at Design Flow	33.1	lb BOD/d/1000 cf
TCEQ Design Max. Allowable Organic Loading	35.0	lb BOD/d/1000 cf

Secondary Clarification

No. of Basins	1	
SWD	11.0	ft
Diameter	20.0	ft
Surface Area, Total	314	sf
Volume, Total	3,456	cf
	25,850	gal
Surface Loading Rate at Design Flow	239	gpd/sf
Surface Loading Rate at Peak Flow	955	gpd/sf
TCEQ Max. Surface Loading Rate at Peak Flow	1,200.0	gpd/sf
Detention Time at Design Flow	8.3	hrs
Detention Time at Peak Flow	2.1	hrs
TCEQ Min. Detention Time at Peak Flow	1.8	hrs
Allowable Peak Flow = Volume/120mins=	310,200.0	gpd
Peak Flow =	300,000.0	gpd
2 Hour Peak Flow Capacity of Clarifier based on TCEQ Max Surface Loading	376,991.1	gpd
2 Hour Peak Flow Capacity of Clarifier Based on TCEQ Min. Detention Time Criteria	344,666.7	gpd

Chlorine Contact

No. of Chlorine Contact Basins	1	
Volume, Total	630	cf
Nominal Basin Dimensions 18'L 5'W 7'SWD	4,713	gal
Detention Time at Peak Flow	22.6	min
TCEQ Min Detention Time at Peak Flow	20.0	min
Peak Flow =	208.3	gpm

Note: Exact basin dimensions will vary by equipment manufacturer selected

For TCEQ Permit Purposes

Prepared under the supervision of Mark A. Perkins, Texas PE 60329

Perkins Engineering Consultants, Inc., TBPELS Firm F8699

20-May-21

ATTACHMENT L
R040062 LP - INDIGO WATER RESOURCE RECOVERY FACILITY
NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT APPLICATION
DESIGN CALCULATIONS AND PLANT FEATURES - FINAL PHASE (Parallel to Interim Phase)

Flow and Loading

Design Flow	0.125	MGD
BOD5 Design Concentration	300	mg/L
Design Organic Loading	313	lb BOD5/day
Peak Flow	0.5000	MGD
Peaking Factor	4.0	

Activated Sludge Treatment

No. of Basins	1	
Volume at Normal WSE	9,072	cf
	67,868	gal
Nominal Basin Dimensions 72'L 12'W 10.5'SWD (This may be two basins at 36' nominal length each)		
Detention Time at Design Flow	13.0	hrs
Detention Time at Peak Flow	3.3	hrs
Organic Loading at Design Flow	34.5	lb BOD/d/1000 cf
TCEQ Design Max. Allowable Organic Loading	35.0	lb BOD/d/1000 cf

Secondary Clarification

No. of Basins	1	
SWD	11.0	ft
Diameter	24.0	ft
Surface Area, Total	452	sf
Volume, Total	4,976	cf
	37,230	gal
Surface Loading Rate at Design Flow	276	gpd/sf
Surface Loading Rate at Peak Flow	1,105	gpd/sf
TCEQ Max. Surface Loading Rate at Peak Flow	1,200.0	gpd/sf
Detention Time at Design Flow	7.1	hrs
Detention Time at Peak Flow	1.8	hrs
TCEQ Min. Detention Time at Peak Flow	1.8	hrs
Allowable Peak Flow = Volume/120mins=	446,760.0	gpd
Peak Flow =	500,000.0	gpd
2 Hour Peak Flow Capacity of Clarifier based on TCEQ Max Surface Loading	542,867.2	gpd
2 Hour Peak Flow Capacity of Clarifier Based on TCEQ Min. Detention Time Criteria	496,400.0	gpd

Chlorine Contact

No. of Chlorine Contact Basins	1	
Volume, Total	960	cf
	7,182	gal
Nominal Basin Dimensions 24'L 5'W 8'SWD		
Detention Time at Peak Flow	20.7	min
TCEQ Min Detention Time at Peak Flow	20.0	min
Peak Flow =	278.0	gpm

Note: Exact basin dimensions will vary by equipment manufacturer selected

For TCEQ Permit Purposes

Prepared under the supervision of Mark A. Perkins, Texas PE 60329

Perkins Engineering Consultants, Inc., TBPELS Firm F8699

20-May-21

ATTACHMENT L

R040062 LP INDIGO WATER RESOURCE RECOVERY FACILITY APPLICATION FOR NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT DESIGN CALCULATIONS AND PLANT FEATURES

Facility Design Features

a. Design Features for Reliability and Operating Flexibility

The WWTP will be designed with galvanized, stainless steel, and protective coatings to prevent corrosion and provide a long-lasting system. Air diffusers will be constructed to allow removal, replacement, and inspection without drain the basins. With the small size of this system, temporary pumping and hauling of wastewater can be done for short periods of time if necessary. When ultimately expanded to satisfy capacities needed for the Final phase, dual treatment trains are expected to be present.

b. Excessive inflow or infiltration

All treatment units will have the freeboard needed to satisfy TCEQ Design Criteria. The Water Resource Reclamation Facility will initially serve the proposed residential subdivision in its initial phase, followed by an expansion to serve a second phase when developed. The collection system is relatively short and will not cross waterways that are continually flowing. The residential development will have new sewer collection lines, constructed with gasketed joints and non-porous pipe materials. Because the collection system will be new construction, minimal infiltration and inflow is expected.

c. Power Failure

A generator is recommended for backup power.

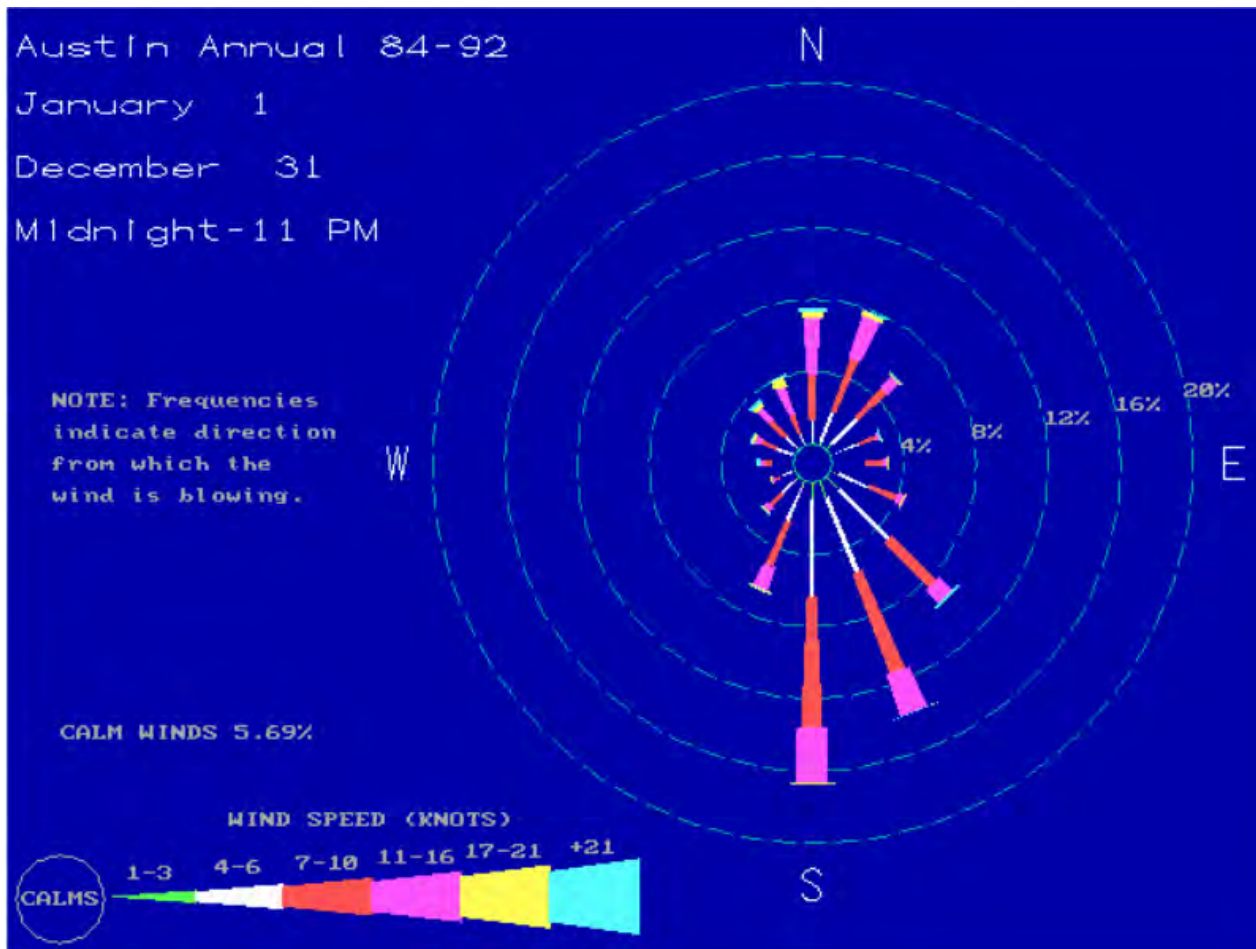
d. Equipment Malfunction

Each major piece of mechanical equipment (pumps, blowers, and RAS pumps) is being provided in duplicate. The plant is expected to be designed such that its capacity is met with the largest of each of these pieces of equipment out of service.

e. Facility unit Maintenance & Repair

To the extent practical, all major equipment will be accessible and retrievable from the working surface above the plant or from ground level beside the plant.

Attachment M
Wind Rose
Tech Report 1.1, Section 5.B



ATTACHMENT M
R040062 LP
INDIGO WATER RESOURCE RECLAMATION FACILITY
NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT APPLICATION
WIND ROSE

Attachment N
Sewage Sludge Solids Management Plan
Tech Report 1.1, Section 7

ATTACHMENT N
R040062 LP - INDIGO WATER RESOURCE RECOVERY FACILITY
NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT APPLICATION
SEWAGE SLUDGE SOLIDS MANAGEMENT PLAN

- **TREATMENT UNITS AND PROCESS DIMENSIONS**

See Treatment Units presented in Section 3.B of the Technical Report, (form TCEQ-10054) page 2 of 80.

- **PROJECTED SOLIDS GENERATION:**

The table below shows the amount of solids generated at design flow, and at 75%, 50%, and 25% design flow. The proposed Final Phase Design Flow is 0.2 MGD.

Interim I Phase:

Percent of Design Flow	Dry Pounds Per Day
25%	38
50%	75
75%	113
100%	150

Final Phase:

Percent of Design Flow	Dry Pounds Per Day
25%	100
50%	200
75%	300
100%	400

It is expected that sludge can be thickened by decanting to 1.5-percent solids in the plant's solids holding tank. Hauling frequency will vary based on flows, wasteloads, and thickening efficiency. Quantities shown above are based on an assumed production of 1.0 dry tons of solids per million gallons treated.

- **MLSS RANGE:**

MLSS in the aeration basin is expected to be in the 2,000 to 5,000 mg/l range.

- **OWNERSHIP OF ULTIMATE SLUDGE DISPOSAL SITE:**

Liquid sludge is transported by registered hauler, WasteWater Transportation Services, Registration No. 24343, to a sludge processing facility in Travis County Texas (Austin Wastewater Processing Facility, MSW 2384).

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 15, 2021

CERTIFIED MAIL

Mr. Eli Dragon
Principal
R040062, LP
5599 San Felipe Street, Suite 565
Houston, Texas 77056

Re: Application for Proposed Permit No. WQ0016008001 (EPA I.D TX0141437)
Issued to R040062, LP
CN605905942, RN111287538

Dear Mr. Dragon:

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. Please address the following items on the Core Data Form:
 - a. Section 2, items 7 and 8 on page 1: After a routine check with the Texas Secretary of State and Texas State Comptroller, we have found that the charter number and tax identification number provided is for Scipio Ventures, LLC not R040062, LP. Please confirm if the applicant is Scipio Ventures, LLC or R040062, LP. If the applicant is R040062, LP, please provide a revised page indicating the correct charter number and tax identification number. If the applicant is Scipio Ventures, LLC, please provide revised pages indicating the correct name of the applicant.
 - b. Section 3, item 25 on page 2, Section 10.a on page 9 and Supplemental Permit Information Form, item 1 on page 16: The location description indicated is accurate; however, the description must include the distance in feet or miles from road intersections. We have provided a suggestion to use for the location description, the facility is located off the west end of Madison Drive approximately 1,500 feet northwest of the intersection of County Road 105 and Jacobs Way. Please provide a revised facility location description that uses road intersections.
2. Section 8.d on page 7 of the administrative report: Please confirm Angelina & Neches River Authority Central Office is open to the public. The public viewing location must be available at the time the notice is published in the paper. If the location is not available, a new public viewing location in the county is required. Due to COVID-19, if a publicly owned building cannot be found, the new location may consist of any reasonable location within the county that is accessible to the public where the application can be reviewed and copied (or where extra copies are made available by the applicant for public distribution) during reasonable hours during the day. The location does not need

to be a publicly owned building; however, it must be accessible to the public. If a publicly accessible physical viewing location cannot be found in the county, the complete application can be posted online for public viewing. A direct weblink to the documents must be provided and included in the public notice. Also, a written statement certifying that a diligent search to locate a publicly accessible physical viewing location was made and the required application documents will be posted online at the time the notice is published is required.

3. Section 8.e, item 4 on page 8 of the administrative report: This question was not addressed; however, it is required. Please provide a revised page indicating a response to question 4.
4. Section 14 on page 13 of the administrative report: Please verify that Louis Mertz, Manager, is an authorized officer that meets the signatory requirements specified in 30 Texas Administrative Code (TAC) 305.44. According to the application instructions, for a partnership or sole proprietorship, the application shall be signed by a general partner or the proprietor, respectively. If Louis Mertz does not meet these requirements, please provide a new signature page signed by an authorized officer that meets the signatory requirements.
5. Domestic Administrative Report 1.1, Section 1.b on page 14: The landowners list submitted indicates that information for Landowner #12 is unknown. Please provide a screen shot from the Williamson County Appraisal District showing that information is not available for landowner #12.
6. 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.

APPLICATION. *(Pending response) R040062, LP*, 5599 San Felipe Street, Suite 565, Houston, Texas 77056, has applied to the Texas Commission on Environmental Quality (TCEQ) for proposed Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016008001 (EPA I.D. No. TX0141437) to authorize the discharge of treated wastewater at a volume not to exceed a daily average flow of 200,000 gallons per day. The domestic wastewater treatment facility will be located *(pending response of location description that meets TCEQ requirements)* in Williamson County, Texas 78626. The discharge route will be from the plant site to an unnamed tributary of Mankins Branch; thence to Mankins Branch; thence to the San Gabriel/North Fork San Gabriel River. TCEQ received this application on June 11, 2021. The permit application is available for viewing and copying at Georgetown Public Library, 402 West 8th Street, Georgetown, 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=-97.619%2C30.60798&level=12>

Mr. Eli Dragon
Page 3
July 15, 2021
Permit No. WQ0016008001

Notice prepared with information from current permit. At time of preparation of this notice, there are pending responses. (Applicant's name and revised facility location description)

Further information may also be obtained from *R040062, LP* at the address stated above or by calling Mr. Eli Dragon at 832-487-0576.

Please submit the complete response, addressed to my attention by August 14, 2021. If the requested information is not received by the given deadline, pursuant to 30 TAC Chapter 281, the application will be removed from our list of pending applications. If you should have any other questions, please do not hesitate to call me at (512) 239-0084.

Sincerely,



Michelle A. Teller
Applications Review and Processing Team (MC148)
Water Quality Division
Texas Commission of Environmental Quality

cc: Ms. Janet Sims, Sr. Project Manager, Perkins Engineering Consultants, Inc., 13740 North Highway 183, Unit L-6, Austin, Texas 78750

bcc: Region 11, Water Program Manager



13740 N. Highway 183 #L6
Austin, TX 78750
Office: 512-735-1001
Fax: 512-735-1002
www.perkinsconsultants.com

July 19, 2021

Michelle Teller
Application Review and Processing Team (MC 148)
Water Quality Division
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

Re: R040062 LP
Application for Proposes Permit No. WQ0016008001 (EPA I.D. TX0141437)
CN605905942, RN111287538

Dear Ms. Teller:

Your comments presented in a letter dated July 15, 2021, have been reviewed. Following are the responses to your comments.

- 1.a. Section 2, item 7 and 8 on page 1 of Core Data Form: The application is R040062, LP. The Core Data Form has been revised. The charter number and tax identification number for R040062, LP have been corrected. See Enclosure A.
- 1.b Section 3, item 25 on page 2 of the Core Data Form, Section 10.a on page 9 of the Administrative Report and item 1 of the Supplemental Permit Information Form, page 16: The location description for the proposed facilities has been revised as requested. See Enclosure B.
2. Section 8.d on page 7 of the Administrative Report 1.0: The public viewing location for the permit documents is the Georgetown Public Library as described in the application. The library is open to the public.
3. Section 8.e, item 4 on page 8 of the Administrative Report 1.0: The question related to a waiver out of the bilingual education program is not relevant given the response to items 1 and 2 of the section that indicates there are students enrolled in a bilingual education program. Page 8 of the Administrative Report has been revised. An "N/A" has been added. See Enclosure C.
4. Section 14 on page 13 of the Administrative Report 1.0: Mr. Louis Mertz is an authorized officer that meets the signatory requirement as specified in 30 Texas Administrative Code 305.44.
5. Section 1.b on page 14 of the Administrative Report 1.1: The information for landowner #12 is not known. A screen shot from the Williamson County Appraisal District is provided as Enclosure D. The property identified as #12 on the figure labeled

Ms. Michelle Teller

July 19, 2021

Page 2

Attachment C.1 in the application is highlighted. The records show the owner information is unavailable.

6. The portion of the Notice of Receipt of Application and Intent to Obtain a Water Quality Permit that was provided in your letter has been reviewed. The information is accurate and complete.

R040062, LP appreciates your assistance with this permit application. If you have questions about the information presented, please contact me at (512) 735-1001.

Sincerely,



Janet Sims
Perkins Engineering Consultants, Inc.

Enclosures (4)

Cc: Eli Dragon, R040062, LP
Mark Perkins, PEI

Enclosure A
Core Data Form, page 1



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		RN

SECTION II: Customer Information

4. General Customer Information		5. Effective Date for Customer Information Updates (mm/dd/yyyy)					
<input checked="" 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					
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).							
6. Customer Legal Name (If an individual, print last name first: eg: Doe, John)		If new Customer, enter previous Customer below:					
R040062 LP							
7. TX SOS/CPA Filing Number	8. TX State Tax ID (11 digits)	9. Federal Tax ID (9 digits)	10. DUNS Number (if applicable)				
803969672	32078183665						
11. Type of Customer:	<input type="checkbox"/> Corporation	<input type="checkbox"/> Individual	Partnership: <input type="checkbox"/> General <input checked="" type="checkbox"/> Limited				
Government: <input type="checkbox"/> City <input type="checkbox"/> County <input type="checkbox"/> Federal <input 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 checked="" type="checkbox"/> 0-20 <input type="checkbox"/> 21-100 <input type="checkbox"/> 101-250 <input type="checkbox"/> 251-500 <input type="checkbox"/> 501 and higher		<input checked="" type="checkbox"/> Yes <input 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"/> Occupational Licensee <input type="checkbox"/> Responsible Party <input type="checkbox"/> Voluntary Cleanup Applicant <input type="checkbox"/> Other:							
15. Mailing Address:	5599 San Felipe St., Suite 565						
	City	Houston	State	TX	ZIP	77056	ZIP + 4
16. Country Mailing Information (if outside USA)				17. E-Mail Address (if applicable)			
				lmertz@scipioventures.com			
18. Telephone Number		19. Extension or Code		20. Fax Number (if applicable)			
(832) 485-1907				() -			

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	
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).	
22. Regulated Entity Name (Enter name of the site where the regulated action is taking place.)	
Indigo Water Resource Recovery Facility	

Enclosure B
Core Data Form, page 2
Administrative Report, page 9
Supplemental Permit Information Form, page 16

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

Enter Physical Location Description if no street address is provided.

25. Description to Physical Location:	The facility is located off the west end of Madison Drive approximately 1,500 feet northwest of the intersection of County Road 105 and Jacobs Way.							
26. Nearest City					State		Nearest ZIP Code	
Georgetown					TX		78626	
27. Latitude (N) In Decimal:		30.60798		28. Longitude (W) In Decimal:		97.61900		
Degrees	Minutes	Seconds	Degrees	Minutes	Seconds			
30	36	28.73	-97	37	8.41			
29. Primary SIC Code (4 digits)		30. Secondary SIC Code (4 digits)		31. Primary NAICS Code (5 or 6 digits)		32. Secondary NAICS Code (5 or 6 digits)		
6552				237210				
33. What is the Primary Business of this entity? <i>(Do not repeat the SIC or NAICS description.)</i>								
Real estate developer								
34. Mailing Address:		5599 San Felipe St, Suite 565						
		City	Houston	State	TX	ZIP	77027	ZIP + 4
35. E-Mail Address:		lmertz@scipioventures.com						
36. Telephone Number			37. Extension or Code			38. Fax Number <i>(if applicable)</i>		
(832) 485-1907						() -		

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 type="checkbox"/> Sludge	<input type="checkbox"/> Storm Water	<input type="checkbox"/> Title V Air	<input type="checkbox"/> Tires	<input type="checkbox"/> Used Oil
<input type="checkbox"/> Voluntary Cleanup	<input checked="" type="checkbox"/> Waste Water	<input type="checkbox"/> Wastewater Agriculture	<input type="checkbox"/> Water Rights	<input type="checkbox"/> Other:
	New			

SECTION IV: Preparer Information

40. Name:	Janet Sims		41. Title:	Project Manager	
42. Telephone Number	43. Ext./Code	44. Fax Number	45. E-Mail Address		
(512) 734-1001		() -	jsims@perkinsconsultants.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:	R040062 LP		Job Title:	Manager	
Name <i>(In Print)</i> :	Louis Mertz			Phone:	(832) 485- 1907
Signature:				Date:	

- F. Owner of sewage sludge disposal site (if authorization is requested for sludge disposal on property owned or controlled by the applicant):

N/A

Prefix (Mr., Ms., Miss):

First and Last Name:

Mailing Address:

City, State, Zip Code:

Phone No.: E-mail Address:

If the landowner is not the same person as the facility owner or co-applicant, attach a lease agreement or deed recorded easement. See instructions.

Attachment: N/A

Section 10. TPDES Discharge Information (Instructions Page 34)

- A. Is the wastewater treatment facility location in the existing permit accurate?

☐ Yes ☐ No **New Permit**

If **no**, or a new permit application, please give an accurate description:

The water resource recovery facility is located off the west end of Madison Drive approximately 1,500 feet northwest of the intersection of County Road 105 and Jacobs Way in Williamson County.

- B. Are the point(s) of discharge and the discharge route(s) in the existing permit correct?

☐ Yes ☐ No **New Permit**

If **no**, or a new or amendment permit application, provide an accurate description of the point of discharge and the discharge route to the nearest classified segment as defined in 30 TAC Chapter 307:

The discharge is to an unnamed tributary of Mankins Branch, thence to Mankins Branch, thence to San Gabriel/North Fork San Gabriel in Segment No. 1248 of the Brazos River Basin.

City nearest the outfall(s): Georgetown

County in which the outfalls(s) is/are located: Williamson

Outfall Latitude: 30.60811

Longitude: -97.61960

- C. Is or will the treated wastewater discharge to a city, county, or state highway right-of-way, or a flood control district drainage ditch?

☐ Yes ☒ No

If **yes**, indicate by a check mark if:

☐ Authorization granted ☐ Authorization pending

For **new and amendment** applications, provide copies of letters that show proof of contact and the approval letter upon receipt.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

SUPPLEMENTAL PERMIT INFORMATION FORM (SPIF)

FOR AGENCIES REVIEWING DOMESTIC TPDES WASTEWATER PERMIT APPLICATIONS

TCEQ USE ONLY:

Application type: ____Renewal ____Major Amendment ____Minor Amendment ____New

County: _____ Segment Number: _____

Admin Complete Date: _____

Agency Receiving SPIF:

____ Texas Historical Commission

____ U.S. Fish and Wildlife

____ Texas Parks and Wildlife Department

____ U.S. Army Corps of Engineers

This form applies to TPDES permit applications only. (Instructions, Page 53)

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 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: R040062, LP

Permit No. WQ00 N/A

EPA ID No. TX N/A

Address of the project (or a location description that includes street/highway, city/vicinity, and county):

The facility is located off the west end of Madison Drive approximately 1,500 feet northwest of the intersection of County Road 105 and Jacobs Way.

Enclosure C
Administrative Report 1.0, page 8

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 question 1, 2, 3, or 4, public notices in an alternative language are required. Which language is required by the bilingual program? Spanish

Section 9. Regulated Entity and Permitted Site Information (Instructions Page 33)

- A. If the site is currently regulated by TCEQ, provide the Regulated Entity Number (RN) issued to this site. RNN/A

Search the TCEQ's Central Registry at <http://www15.tceq.texas.gov/crpub/> to determine if the site is currently regulated by TCEQ.

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

Indigo Water Resource Recovery Facility

- C. Owner of treatment facility: R040062, LP

Ownership of Facility: ☐ Public ☒ Private ☐ Both ☐ Federal

- D. Owner of land where treatment facility is or will be:

Prefix (Mr., Ms., Miss):

First and Last Name: R040062, LP

Mailing Address: 5599 San Felipe St, Suite 565

City, State, Zip Code: Houston, TX 77056

Phone No.: (832) 485-1907

E-mail Address: lmertz@scipioventures.com

If the landowner is not the same person as the facility owner or co-applicant, attach a lease agreement or deed recorded easement. See instructions.

Attachment: N/A

- E. Owner of effluent disposal site: N/A

Prefix (Mr., Ms., Miss):

First and Last Name:

Mailing Address:

City, State, Zip Code:

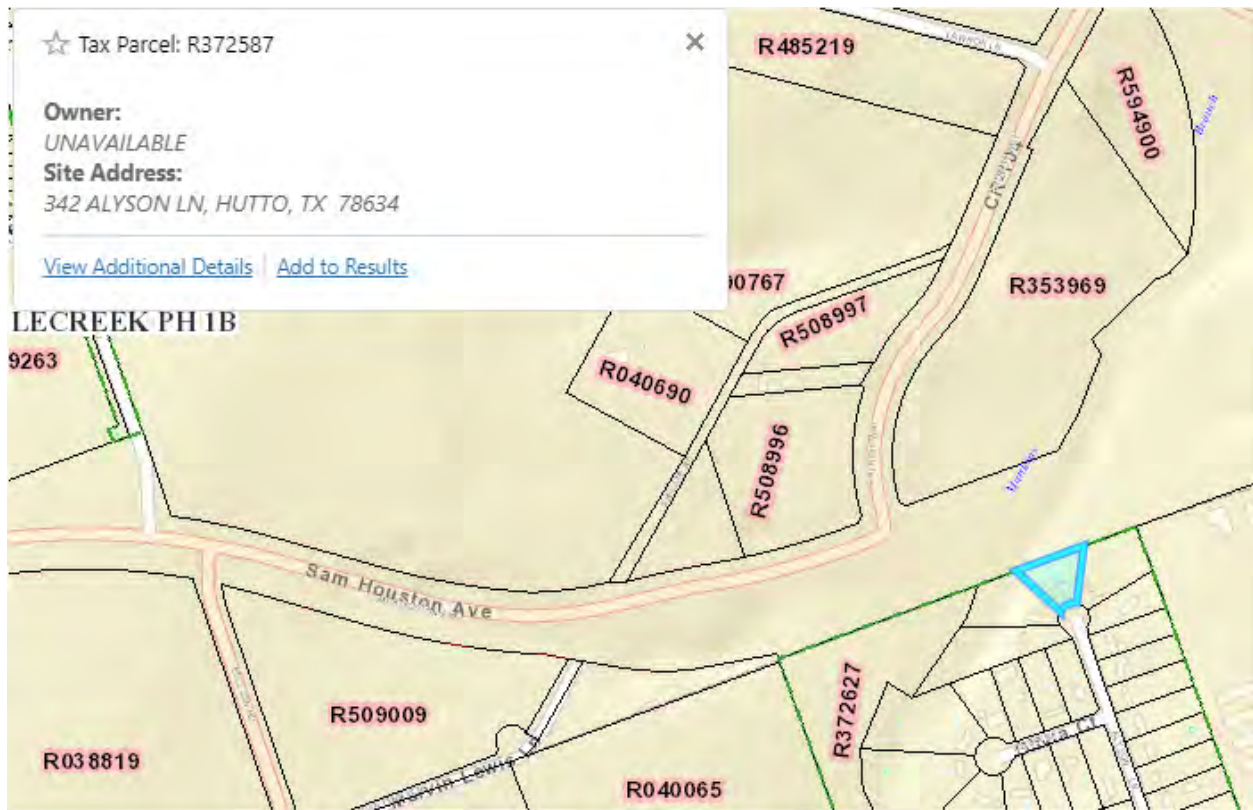
Phone No.:

E-mail Address:

If the landowner is not the same person as the facility owner or co-applicant, attach a lease agreement or deed recorded easement. See instructions.

Attachment: N/A

Enclosure D
Williamson County Appraisal District Screen Shot





January 21, 2022

Sonia Bhuiya
Municipal Wastewater Permit Team (MC 148)
Water Quality Division
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

Re: R040062, L.P. – Indigo Resource Recovery Facility
Draft Permit WQ0016008001

Dear Ms. Bhuiya:

R040062, LP and Perkins Engineering Consultants, Inc. (PECI) have reviewed the draft permit, statement of basis/technical summary (Fact Sheet), and the portion of the Notice of Receipt of Application and Intent to Obtain a Water Quality Permit (NORI) that were provided on December 13, 2021. Following are comments to the documents:

1. Fact Sheet and Draft Permit - The name of the facility is misspelled several times in the document. The name is "Indigo," not Indio.
2. Fact Sheet, Project Description and Location - The word "holding" is misspelled in the second sentence, first paragraph of the Project Description and Location section.
3. Fact Sheet, Project Description and Location - The list of treatments identified for the Final phase should indicate that the units are additional units to the Interim I phase facilities.
4. The last sentence of the first paragraph of the Project Description and Location section should read as follows:

Treatment units added in the Final phase will include two aeration basins, one final clarifier, one sludge holding tank, and a chlorine contact chamber.
5. Fact Sheet, Project Description and Location - The word "intermittent" is misspelled in the second sentence of the fourth paragraph of the Project Description and Location section.
6. Fact Sheet, Project Description and Location - The last sentence of the fourth paragraph of the Project Description and Location section should be deleted. The document does not provide the link to the electronic location map.
7. Fact Sheet, Summary of Changes from Application - The Summary of Changes from Application section is not accurate. The Fact Sheet indicates the draft permit is consistent with the application. However, the applicant did not request the total phosphorus limits that are proposed for both the Interim I (0.075 MGD) phase and the Final (0.20 MGD) phase.
8. Fact Sheet, Basis for Draft Permit - The application was received by TCEQ on June 10, 2021.
9. Fact Sheet, Basis for Draft Permit - Additional information was provided to TCEQ on July 19th and not August 24th.

10. Draft Permit, Cover Page - The facility is a water resource recovery facility. Please delete the words "Wastewater Treatment Facility" in the first sentence of page 1.
11. Draft Permit, Effluent Limitations and Monitoring Requirements - The word "Continuous," which is the measurement frequency associated with flow is misspelled on pages 2 and 2a.
12. Draft Permit, Effluent Limitations and Monitoring Requirements - The description of the meter used to monitor flow should be "Totalizer Meter" not Totalization.
13. Draft Permit, Effluent Limitations and Monitoring Requirements - The TCEQ Nutrient Screening results for the proposed R040062, LP – Indigo Water Resource Recovery Facility WQ0016008001 differ substantially from the stream characteristics PECL identified based on a site visit of the discharge route on January 10, 2022 for 3 miles downstream of the outfall. The stream characteristics PECL observed and documented (see attached photographs and photo location map) identify a significantly lower average scoring than calculated by TCEQ. No phosphorus limit is appropriate based on a proper characterization of the stream segment.

The characteristics of the receiving stream downstream of the discharge as observed and documented on January 10, 2022, a day that fairly represents typical conditions in the stream, are as follows:

- Bottom – The description of the receiving water substrate as having larger rocks and boulders, rock slabs for the receiving water is incorrect. The upper end of the receiving stream is mud. Other portions of the stream are dirt and clay. Only a small portion of the receiving stream contains what could be characterized as having rock slabs.
- Depth – The majority of the creek along the discharge route has well defined steep banks with deep areas. Only a small portion of the receiving stream is properly characterized as shallow.
- Water clarity – The water in the stream is not clear. It is very turbid in the areas where ponding occurs and most of the stream has tannic discoloration.
- Observation (Sensitivity to growth of aquatic vegetation) – The characteristics related to presence or absence of aquatic vegetation was not rated by TCEQ. However, at the confluence of Mankins Branch with the unnamed tributary that receives the discharge from the City of Georgetown Dove Spring Wastewater Treatment Facility (TPDES Permit No. WQ0010489003) no algae or presence of aquatic vegetation that would be an indication of sensitivity to growth was observed. See photographs 9 and 10. Accordingly, the characteristics relating to presence or absence of aquatic vegetation should have been rated, consistent with the existing conditions.
- Consistency – Similar permits of this size and receiving stream characteristics do not have a total phosphorus limit of 0.5 mg/L. In fact, the City of Georgetown, which discharges to an unnamed tributary to Mankins Branch and is permitted with an annual average flow not to exceed 2.5 MGD (more than 10x the discharge of the pending permit) does not have a limit. It has a reporting requirement for total phosphorus and a City system-wide annual average total mass loading limit. The average daily discharge of total phosphorus from the Dove Spring Wastewater Treatment Facility during the period of 1/1/2020 through 11/30/21 is 3.75 mg/L.

Based on the characteristics of the stream as observed and document by PECL, a total phosphorus limit in the permit is not warranted.

14. The portion of the NORI has been reviewed. The word "intermittent" is misspelled in the third sentence of the second paragraph.

Sonia Bhuiya
January 21, 2022
Page 3

If you have questions about the information presented or require additional information, please contact me at (512) 735-1001.

Sincerely,



Janet Sims
Senior Project Manager
Perkins Engineering Consultants, Inc.,
A MEAD & HUNT Company

Attachment

cc: Louis Mertz, R040062, LP
Eli Dragon, R040062, LP



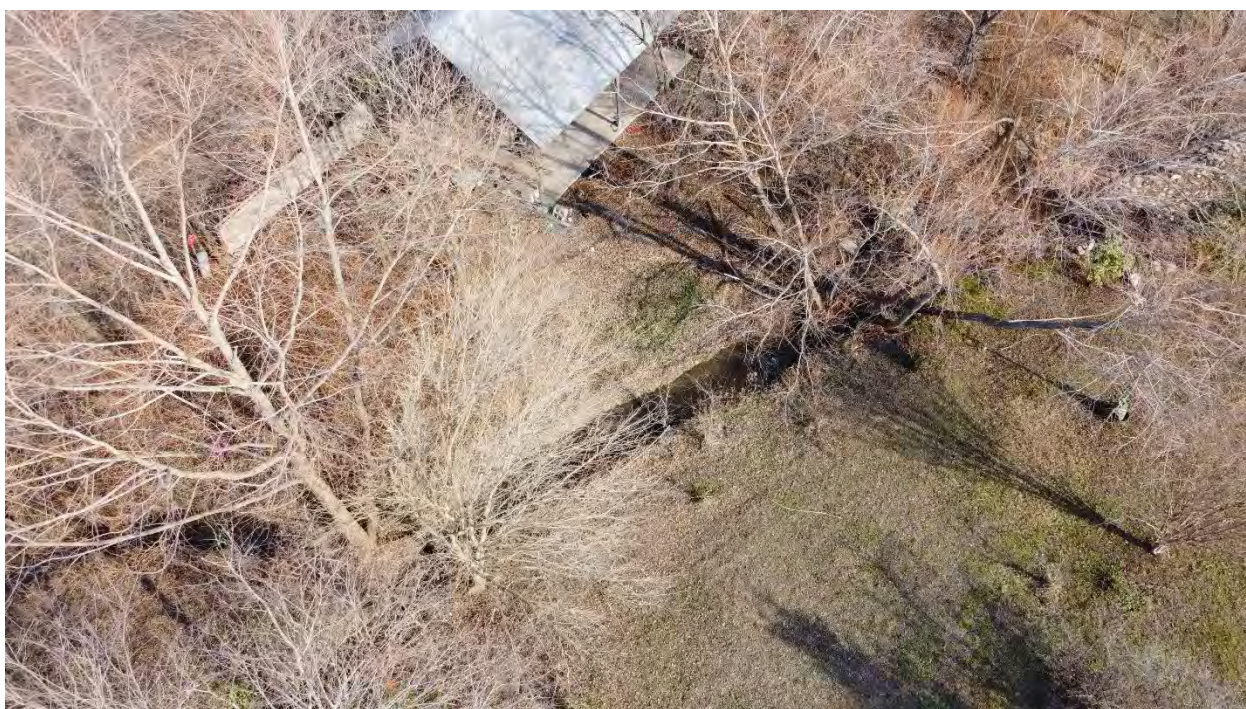
Photograph 1



Photograph 2



Photograph 3



Photograph 4



Photograph 5



Photograph 6



Photograph 7



Photograph 8



Photograph 9



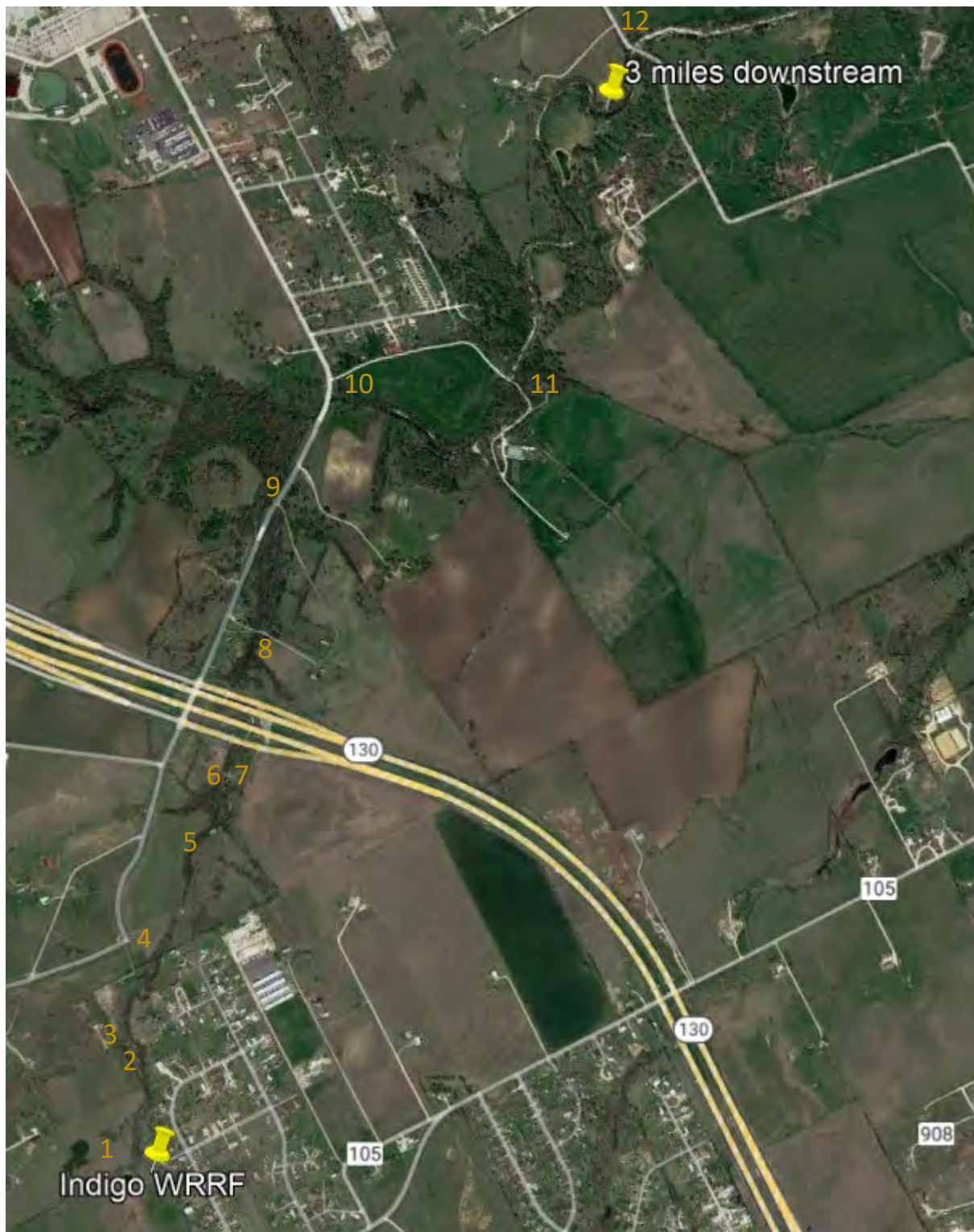
Photograph 10



Photograph 11



Photograph 12



R0040026, L.P. – Indigo Water Resource Recovery Facility
TPDES Permit No. WQ0016008001
Photograph Location Map

136

From: [Janet Sims](#)
To: [Sonia Bhuiya](#); [Firoj Vahora](#)
Cc: [Rahul Jain](#)
Subject: R040062 LP, Proposed TPDES Permit No. WQ0016008001- Application correction
Date: Wednesday, September 7, 2022 8:09:46 AM
Attachments: [WQ0016008001 Technical Report Rev Sept 6 2022 p 2.pdf](#)
[WQ0016008001 Att G - Flow Diagram Rev Sept 6 2022.pdf](#)

Sonia,

It has come to my attention that there is an inconsistency in the permit application for R040062 LP. The description of the treatment process is not correct.

The proposed plant is a conventional activated sludge process with nitrification plant.

It will not be an extended aeration plant.

Attached are revisions to the permit application (Technical Report, Section 2a, page 2) and the flow schematic (Attachment G) that reflect the correct treatment process.

The design calculations that were submitted on June 6, 2021 are based on the conventional mode. Therefore, no revisions are submitted for Attachment L.

Revisions to the Fact Sheet to accurately describe the treatment process are requested.

Please revise the first sentence of the Project Description and Location sections to read as follows:

The Indigo Water Resource Recovery Facility will be an activated sludge process with nitrification plant operated in the conventional ~~extended aeration~~ mode.

If you have questions about the information presented in this email, please do not hesitate to contact me.

Sincerely,

Janet Sims

JANET SIMS

SENIOR PROJECT MANAGER, WATER/WASTEWATER

Mead & Hunt

Direct: 512-735-1001 | Cell: 512-695-2468 | Transfer Files

meadhunt.com | LinkedIn | Twitter | Facebook | Instagram



120 YEARS OF SHAPING THE FUTURE

treatment plant, mode of operation, and all treatment units. Start with the plant's head works and finish with the point of discharge. Include all sludge processing and drying units. **If more than one phase exists or is proposed in the permit, a description of *each phase* must be provided.** Process description:

The proposed Indigo Water Resource Recovery Facility is an activated sludge with nitrification process plant operated in the conventional mode. The treatment processes for the Interim phase are as follows: Raw wastewater will be pumped into an aeration basin for secondary biological treatment. The secondary treated wastewater will flow into a clarifier for clarification. Then the clarified water will flow into a chlorine contact chamber for disinfection prior to discharge. Activated sludge will be returned from the clarifier to the aeration basin(s) or wasted to an aerated sludge holding tank. The treatment processes will be the same for the Final phases.

Port or pipe diameter at the discharge point, in inches: 12

B. Treatment Units

In Table 1.0(1), provide the treatment unit type, the number of units, and dimensions (length, width, depth) of each treatment unit, accounting for ***all*** phases of operation.

Table 1.0(1) – Treatment Units

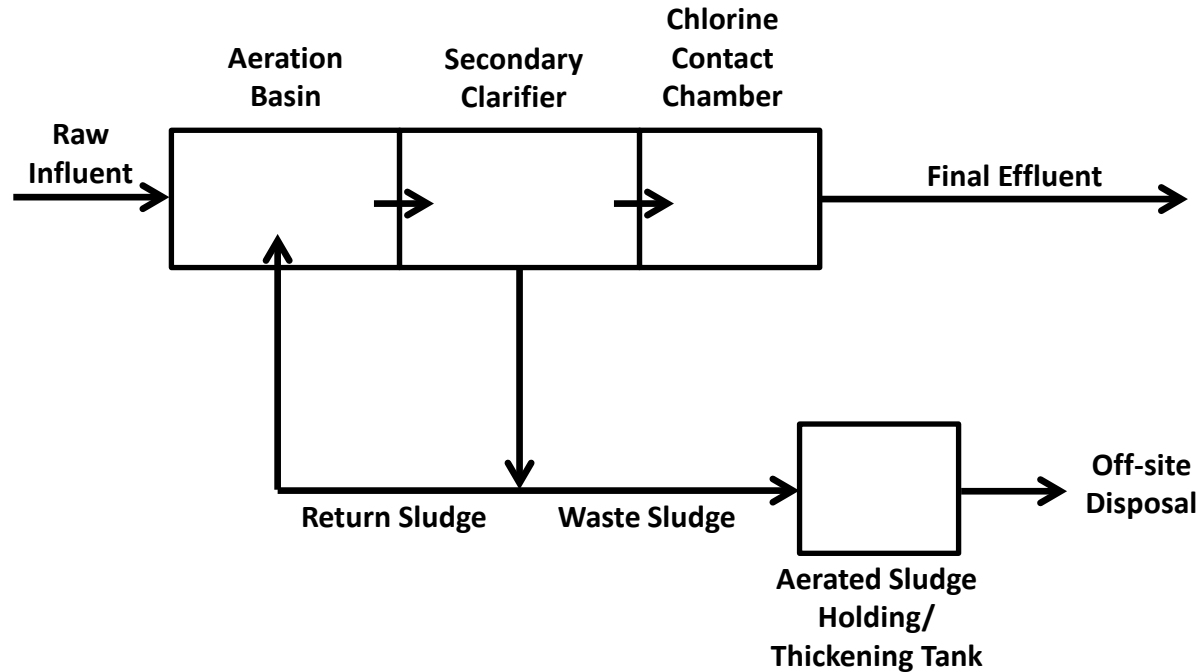
Treatment Unit Type	Number of Units	Dimensions (L x W x D)
See Attachment F.		

C. Process flow diagrams

Provide flow diagrams for the existing facilities and **each** proposed phase of construction.

Attachment: G

ACTIVATED SLUDGE



ATTACHMENT G

R040062 LP- INDIGO WATER RESOURCE RECOVERY FACILITY NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT APPLICATION PROCESS FLOW DIAGRAM

Note: Interim I Phase Shown; Final Phase is expected to be Similar and Parallel to Interim Phase

R040062 LP

Indigo Water Resource Recovery Facility

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

APPLICATION FOR NEW

**TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM
PERMIT**

June 2021





TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

DOMESTIC WASTEWATER PERMIT APPLICATION CHECKLIST



Complete and submit this checklist with the application.

APPLICANT: R040062, LP

PERMIT NUMBER: [click here to enter text](#)

Indicate if each of the following items is included in your application.

	Y	N		Y	N
Administrative Report 1.0	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Original USGS Map	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Administrative Report 1.1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Affected Landowners Map	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SPIF	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Landowner Disk or Labels	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Core Data Form	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Buffer Zone Map	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Technical Report 1.0	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Flow Diagram	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Technical Report 1.1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Site Drawing	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Worksheet 2.0	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Original Photographs	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Worksheet 2.1	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Design Calculations	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Worksheet 3.0	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Solids Management Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Worksheet 3.1	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Water Balance	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Worksheet 3.2	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
Worksheet 3.3	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
Worksheet 4.0	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
Worksheet 5.0	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
Worksheet 6.0	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
Worksheet 7.0	<input type="checkbox"/>	<input checked="" type="checkbox"/>			

For TCEQ Use Only

Segment Number _____ County _____
 Expiration Date _____ Region _____
 Permit Number _____



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

APPLICATION FOR A DOMESTIC WASTEWATER PERMIT

ADMINISTRATIVE REPORT 1.0

If you have questions about completing this form please contact the Applications Review and Processing Team at 512-239-4671.

Section 1. Application Fees (Instructions Page 29)

Indicate the amount submitted for the application fee (check only one).

Flow	New/Major Amendment	Renewal
<0.05 MGD	\$350.00 <input type="checkbox"/>	\$315.00 <input type="checkbox"/>
≥0.05 but <0.10 MGD	\$550.00 <input type="checkbox"/>	\$515.00 <input type="checkbox"/>
≥0.10 but <0.25 MGD	\$850.00 <input checked="" type="checkbox"/>	\$815.00 <input type="checkbox"/>
≥0.25 but <0.50 MGD	\$1,250.00 <input type="checkbox"/>	\$1,215.00 <input type="checkbox"/>
≥0.50 but <1.0 MGD	\$1,650.00 <input type="checkbox"/>	\$1,615.00 <input type="checkbox"/>
≥1.0 MGD	\$2,050.00 <input type="checkbox"/>	\$2,015.00 <input type="checkbox"/>

Minor Amendment (for any flow) \$150.00 ☐

Payment Information:

Mailed Check/Money Order Number:

Check/Money Order Amount:

Name Printed on Check:

EPAY Voucher Number: 515528, 515529

Copy of Payment Voucher enclosed? Yes ☒

Section 2. Type of Application (Instructions Page 29)

- | | |
|---|---|
| <input checked="" type="checkbox"/> New TPDES | <input type="checkbox"/> New TLAP |
| <input type="checkbox"/> Major Amendment <u>with</u> Renewal | <input type="checkbox"/> Minor Amendment <u>with</u> Renewal |
| <input type="checkbox"/> Major Amendment <u>without</u> Renewal | <input type="checkbox"/> Minor Amendment <u>without</u> Renewal |
| <input type="checkbox"/> Renewal without changes | <input type="checkbox"/> Minor Modification of permit |

For amendments or modifications, describe the proposed changes:

For existing permits:

Permit Number: WQ00N/A

EPA I.D. (TPDES only): TXN/A

Print this voucher for your records. If you are sending the TCEQ hardcopy documents related to this payment, include a copy of this voucher.

Transaction Information

Voucher Number: 515528
Trace Number: 582EA000435993
Date: 06/07/2021 04:07 PM
Payment Method: CC - Authorization 000007126C
Voucher Amount: \$800.00
Fee Type: WW PERMIT - FACILITY WITH FLOW >= .10 & < .25 MGD - NEW AND MAJOR AMENDMENTS
ePay Actor: TODD TEN HAVE
Actor Email: accounting@scipioventures.com
IP: 104.55.68.81

Payment Contact Information

Name: LOUIS MERTZ
Company: R040062 LP
Address: 5599 SAN FELIPE ST STE 565, HOUSTON, TX 77056
Phone: 832-844-5114

Site Information

Site Name: INDIGO WATER RESOURCE RECOVERY FACILITY
Site Location: WEST END OF MADISON DRIVE APPROXIMATELY 5 500 FEET WEST OF THE TX 130 TOLL ROAD

Customer Information

Customer Name: R040062 LP
Customer Address: 5599 SAN FELIPE ST STE 565, HOUSTON, TX 77056

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[Statewide Links: Texas.gov](#) | [Texas Homeland Security](#) | [TRAIL Statewide Archive](#) | [Texas Veterans Portal](#)

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Print this voucher for your records. If you are sending the TCEQ hardcopy documents related to this payment, include a copy of this voucher.

Transaction Information

Voucher Number: 515529
Trace Number: 582EA000435993
Date: 06/07/2021 04:07 PM
Payment Method: CC - Authorization 000007126C
Voucher Amount: \$50.00
Fee Type: 30 TAC 305.53B WQ NOTIFICATION FEE
ePay Actor: TODD TEN HAVE
Actor Email: accounting@scipioventures.com
IP: 104.55.68.81

Payment Contact Information

Name: LOUIS MERTZ
Company: R040062 LP
Address: 5599 SAN FELIPE ST STE 565, HOUSTON, TX 77056
Phone: 832-844-5114

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Expiration Date: N/A

Section 3. Facility Owner (Applicant) and Co-Applciant Information (Instructions Page 29)

A. The owner of the facility must apply for the permit.

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

R040062, LP

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

If the applicant is currently a customer with the TCEQ, what is the Customer Number (CN)? You may search for your CN on the TCEQ website at <http://www15.tceq.texas.gov/crpub/>

CN:

What is the name and title of the person signing the application? The person must be an executive official meeting signatory requirements in 30 TAC § 305.44.

Prefix (Mr., Ms., Miss): Mr.

First and Last Name: Louis Mertz

Credential (P.E, P.G., Ph.D., etc.):

Title: Manager

B. Co-applciant information. Complete this section only if another person or entity is required to apply as a co-permittee.

What is the Legal Name of the co-applciant applying for this permit?

N/A

(The legal name must be spelled exactly as filed with the TX SOS, with the County, or in the legal documents forming the entity.)

If the co-applciant is currently a customer with the TCEQ, what is the Customer Number (CN)? You may search for your CN on the TCEQ website at:

<http://www15.tceq.texas.gov/crpub/>

CN:

What is the name and title of the person signing the application? The person must be an executive official meeting signatory requirements in 30 TAC § 305.44.

Prefix (Mr., Ms., Miss):

First and Last Name:

Credential (P.E, P.G., Ph.D., etc.):

Title:

Provide a brief description of the need for a co-permittee: [Click here to enter text.](#)

C. Core Data Form

Complete the Core Data Form for each customer and include as an attachment. If the customer type selected on the Core Data Form is **Individual**, complete **Attachment 1** of Administrative Report 1.0.

Attachment: A

Section 4. Application Contact Information (Instructions Page 30)

This is the person(s) TCEQ will contact if additional information is needed about this application. Provide a contact for administrative questions and technical questions.

A. Prefix (Mr., Ms., Miss): Mr.

First and Last Name: Eli Dragon

Credential (P.E, P.G., Ph.D., etc.): [Click here to enter text.](#)

Title: Principal

Organization Name: R040062, LP

Mailing Address: 5599 San Felipe St, Suite 565

City, State, Zip Code: Houston, TX 77056

Phone No.: (832) 487-0576 Ext.: [Click here to enter text.](#) Fax No.: [Click here to enter text.](#)

E-mail Address: edragon@scipioventures.com

Check one or both: ☒ Administrative Contact ☒ Technical Contact

B. Prefix (Mr., Ms., Miss): Ms.

First and Last Name: Janet Sims

Credential (P.E, P.G., Ph.D., etc.): [Click here to enter text.](#)

Title: Sr. Project Manager

Organization Name: Perkins Engineering Consultants, Inc.

Mailing Address: 13740 N. Highway 183, Unit L-6

City, State, Zip Code: Austin, TX 78750

Phone No.: (512) 735-1001 Ext.: [Click here to enter text.](#) Fax No.: [Click here to enter text.](#)

E-mail Address: jsims@perkinsconsultants.com

Check one or both: ☒ Administrative Contact ☒ Technical Contact

Section 5. Permit Contact Information (Instructions Page 30)

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

A. Prefix (Mr., Ms., Miss): Mr.

First and Last Name: **Louis Mertz**

Credential (P.E, P.G., Ph.D., etc.):

Title: **Manager**

Organization Name: **R040062, LP**

Mailing Address: **5599 San Felipe St, Suite 565**

City, State, Zip Code: **Houston, TX 77056**

Phone No.: **(832) 485-1907** Ext.:

Fax No.:

E-mail Address: **lmertz@scipioventures.com**

B. Prefix (Mr., Ms., Miss): **Mr.**

First and Last Name: **Eli Dragon**

Credential (P.E, P.G., Ph.D., etc.):

Title: **Principal**

Organization Name: **R040062, LP**

Mailing Address: **5599 San Felipe St, Suite 565**

City, State, Zip Code: **Houston, TX 77056**

Phone No.: **(832) 487-0576** Ext.:

Fax No.:

E-mail Address: **edragon@scipioventures.com**

Section 6. Billing Information (Instructions Page 30)

The permittee is responsible for paying the annual fee. The annual fee will be assessed to permits ***in effect on September 1 of each year***. The 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 (using form TCEQ-20029).

Prefix (Mr., Ms., Miss): **Mr.**

First and Last Name: **Todd Ten Have**

Credential (P.E, P.G., Ph.D., etc.):

Title: **Controller**

Organization Name: **R040062, LP**

Mailing Address: **5599 San Felipe St, Suite 565**

City, State, Zip Code: **Houston, TX 77056**

Phone No.: **(832) 844-5114** Ext.:

Fax No.:

E-mail Address: **ttenhave@scipioventures.com**

Section 7. DMR/MER Contact Information (Instructions Page 31)

Provide the name and complete mailing address of the person delegated to receive and submit Discharge Monitoring Reports (EPA 3320-1) or maintain Monthly Effluent Reports.

Prefix (Mr., Ms., Miss): Mr.

First and Last Name: Eli Dragon

Credential (P.E, P.G., Ph.D., etc.): [redacted]

Title: Principal

Organization Name: R040062, LP

Mailing Address: 5599 San Felipe St, Suite 565

City, State, Zip Code: Houston, TX 77056

Phone No.: (832) 487-0576 Ext.: [redacted]

Fax No.: [redacted]

E-mail Address: edragon@scipioventures.com

DMR data is required to be submitted electronically. Create an account at:

<https://www.tceq.texas.gov/permitting/netdmr/netdmr.html>.

Section 8. Public Notice Information (Instructions Page 31)

A. Individual Publishing the Notices

Prefix (Mr., Ms., Miss): Mr.

First and Last Name: Eli Dragon

Credential (P.E, P.G., Ph.D., etc.): [redacted]

Title: Principal

Organization Name: R040062, LP

Mailing Address: 5599 San Felipe St, Suite 565

City, State, Zip Code: Houston, TX 77056

Phone No.: (832) 487-0576 Ext.: [redacted]

Fax No.: [redacted]

E-mail Address: edragon@scipioventures.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

☐ Fax

☐ Regular Mail

C. Contact person to be listed in the Notices

Prefix (Mr., Ms., Miss): Mr.

First and Last Name: Eli Dragon

Credential (P.E, P.G., Ph.D., etc.):

Title: **Principal**

Organization Name: **R040062, LP**

Phone No.: **(832) 487-0576** Ext.:

E-mail: **edragon@scipioventures.com**

D. Public Viewing Information

If the facility or outfall is located in more than one county, a public viewing place for each county must be provided.

Public building name: **Georgetown Public Library**

Location within the building: **Reference Desk**

Physical Address of Building: **402 W. 8th Street**

City: **Georgetown**

County: **Williamson**

Contact Name: **Ann Evans**

Phone No.: **(512) 930-3551** Ext.:

E. Bilingual Notice Requirements:

This information **is required** for **new, major amendment, and renewal applications**. It is not required for minor amendment or minor modification applications.

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

Please call the bilingual/ESL coordinator at the nearest elementary and middle schools and obtain the following information to determine whether an alternative language notices are required.

1. Is a bilingual education program required by the Texas Education Code at the elementary or middle school nearest to the facility or proposed facility?

☒ Yes ☐ No

If **no**, publication of an alternative language notice is not required; **skip to** Section 9 below.

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 question 1, 2, 3, or 4, public notices in an alternative language are required. Which language is required by the bilingual program? Spanish

Section 9. Regulated Entity and Permitted Site Information (Instructions Page 33)

- A. If the site is currently regulated by TCEQ, provide the Regulated Entity Number (RN) issued to this site. RNN/A

Search the TCEQ's Central Registry at <http://www15.tceq.texas.gov/crpub/> to determine if the site is currently regulated by TCEQ.

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

Indigo Water Resource Recovery Facility

- C. Owner of treatment facility: R040062, LP

Ownership of Facility: ☐ Public ☒ Private ☐ Both ☐ Federal

- D. Owner of land where treatment facility is or will be:

Prefix (Mr., Ms., Miss):

First and Last Name: R040062, LP

Mailing Address: 5599 San Felipe St, Suite 565

City, State, Zip Code: Houston, TX 77056

Phone No.: (832) 485-1907

E-mail Address: lmertz@scipioventures.com

If the landowner is not the same person as the facility owner or co-applicant, attach a lease agreement or deed recorded easement. See instructions.

Attachment: N/A

- E. Owner of effluent disposal site: N/A

Prefix (Mr., Ms., Miss):

First and Last Name:

Mailing Address:

City, State, Zip Code:

Phone No.: E-mail Address:

If the landowner is not the same person as the facility owner or co-applicant, attach a lease agreement or deed recorded easement. See instructions.

Attachment: N/A

- F. Owner of sewage sludge disposal site (if authorization is requested for sludge disposal on property owned or controlled by the applicant):

N/A

Prefix (Mr., Ms., Miss):

First and Last Name:

Mailing Address:

City, State, Zip Code:

Phone No.: E-mail Address:

If the landowner is not the same person as the facility owner or co-applicant, attach a lease agreement or deed recorded easement. See instructions.

Attachment: N/A

Section 10. TPDES Discharge Information (Instructions Page 34)

- A. Is the wastewater treatment facility location in the existing permit accurate?

☐ Yes ☐ No **New Permit**

If **no**, or a new permit application, please give an accurate description:

The water resource recovery facility is located off the west end of Madison Drive approximately 1,500 feet northwest of the intersection of County Road 105 and Jacobs Way in Williamson County.

- B. Are the point(s) of discharge and the discharge route(s) in the existing permit correct?

☐ Yes ☐ No **New Permit**

If **no**, or a new or amendment permit application, provide an accurate description of the point of discharge and the discharge route to the nearest classified segment as defined in 30 TAC Chapter 307:

The discharge is to an unnamed tributary of Mankins Branch, thence to Mankins Branch, thence to San Gabriel/North Fork San Gabriel in Segment No. 1248 of the Brazos River Basin.

City nearest the outfall(s): Georgetown

County in which the outfalls(s) is/are located: Williamson

Outfall Latitude: 30.60811

Longitude: -97.61960

- C. Is or will the treated wastewater discharge to a city, county, or state highway right-of-way, or a flood control district drainage ditch?

☐ Yes ☒ No

If **yes**, indicate by a check mark if:

☐ Authorization granted ☐ Authorization pending

For **new and amendment** applications, provide copies of letters that show proof of contact and the approval letter upon receipt.

Attachment: N/A

- D. For all applications involving an average daily discharge of 5 MGD or more, provide the names of all counties located within 100 statute miles downstream of the point(s) of discharge.

N/A

Section 11. TLAP Disposal Information (Instructions Page 36)

- A. For TLAPs, is the location of the effluent disposal site in the existing permit accurate?

☐

Yes

☐

No

N/A

If **no**, or a new or amendment permit application, provide an accurate description of the disposal site location:

Click here to enter text.

- B. City nearest the disposal site: Click here to enter text.

- C. County in which the disposal site is located: Click here to enter text.

- D. Disposal Site Latitude: Click here to enter text. Longitude: Click here to enter text.

- E. For TLAPs, describe the routing of effluent from the treatment facility to the disposal site:

Click here to enter text.

- F. For TLAPs, please identify the nearest watercourse to the disposal site to which rainfall runoff might flow if not contained:

Click here to enter text.

Section 12. Miscellaneous Information (Instructions Page 37)

- A. Is the facility located on or does the treated effluent cross American Indian Land?

☐

Yes

☒

No

- B. If the existing permit contains an onsite sludge disposal authorization, is the location of the sewage sludge disposal site in the existing permit accurate?

☐

Yes

☐

No

☒

Not Applicable

If No, or if a new onsite sludge disposal authorization is being requested in this permit

application, provide an accurate location description of the sewage sludge disposal site.

- C. Did any person formerly employed by the TCEQ represent your company and get paid for service regarding this application?

☐ Yes ☒ No

If yes, list each person formerly employed by the TCEQ who represented your company and was paid for service regarding the application:

- D. Do you owe any fees to the TCEQ?

☐ Yes ☒ No

If **yes**, provide the following information:

Account number:

Amount past due:

- E. Do you owe any penalties to the TCEQ?

☐ Yes ☒ No

If **yes**, please provide the following information:

Enforcement order number:

Amount past due:

Section 13. Attachments (Instructions Page 38)

Indicate which attachments are included with the Administrative Report. Check all that apply:

- ☐ Lease agreement or deed recorded easement, if the land where the treatment facility is located or the effluent disposal site are not owned by the applicant or co-applicant.
- ☒ Original full-size USGS Topographic Map with the following information:
- Applicant's property boundary **See Attachment B.**
 - Treatment facility boundary
 - Labeled point of discharge for each discharge point (TPDES only)
 - Highlighted discharge route for each discharge point (TPDES only)
 - Onsite sewage sludge disposal site (if applicable)
 - Effluent disposal site boundaries (TLAP only)
 - New and future construction (if applicable)
 - 1 mile radius information

- 3 miles downstream information (TPDES only)
- All ponds.

☐ Attachment 1 for Individuals as co-applicants

☒ Other Attachments. Please specify: [click here to enter text](#)

- A. Core Data Form**
- B. USGS Map**
- C. Affected Landowners Information**
- D. Original Photographs**
- E. Buffer Zone Map**
- F. Treatment Units**
- G. Process Flow Diagram**
- H. Site Drawing**
- I. Justification for Permit**
- J. Nearby Collection Systems and Analysis of Expenditures**
- K. Design Calculations and Plant Features**
- L. Wind Rose**
- M. Sewage Sludge Solids Management Plan**

Section 14. Signature Page (Instructions Page 39)

If co-applicants are necessary, each entity must submit an original, separate signature page.

Permit Number:

Applicant: **R040062, LP**

Certification:

I 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 gather and evaluate 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.

I further certify that I am authorized under 30 Texas Administrative Code § 305.44 to sign and submit this document, and can provide documentation in proof of such authorization upon request.

Signatory name (typed or printed): **Louis Mertz**

Signatory title: **Manager**

Signature:

Signature: *Louis*
(Use blue ink)

Signature: Toni Date: _____

Signature: Louis Date: 6/2/2021

Subscribed and Sworn to before me by the said

Subscribed and Sworn to before me by the said Loniz Mertz

on this

on this 2nd

on this 2nd day of

on this 2nd day of June

on this 2nd day of June, 2021

My commission expires on the _____

My commission expires on the 26th

My commission expires on the 26th day of August

My commission expires on the 26th day of August, 2024

Notary Public



Notary Public

Harris

County, Texas

DOMESTIC ADMINISTRATIVE REPORT 1.1

The following information is required for new and amendment applications.

Section 1. Affected Landowner Information (Instructions Page 41)

- A. Indicate by a check mark that the landowners map or drawing, with scale, includes the following information, as applicable: **See Attachment C.**
- ☒ The applicant's property boundaries
 - ☒ The facility site boundaries within the applicant's property boundaries
 - ☐ The distance the buffer zone falls into adjacent properties and the property boundaries of the landowners located within the buffer zone
 - ☒ The property boundaries of all landowners surrounding the applicant's property (Note: if the application is a major amendment for a lignite mine, the map must include the property boundaries of all landowners adjacent to the new facility (ponds).)
 - ☒ The point(s) of discharge and highlighted discharge route(s) clearly shown for one mile downstream
 - ☒ The property boundaries of the landowners located on both sides of the discharge route for one full stream mile downstream of the point of discharge
 - ☐ The property boundaries of the landowners along the watercourse for a one-half mile radius from the point of discharge if the point of discharge is into a lake, bay, estuary, or affected by tides
 - ☐ The boundaries of the effluent disposal site (for example, irrigation area or subsurface drainfield site) and all evaporation/holding ponds within the applicant's property
 - ☐ The property boundaries of all landowners surrounding the effluent disposal site
 - ☐ The boundaries of the sludge land application site (for land application of sewage sludge for beneficial use) and the property boundaries of landowners surrounding the applicant's property boundaries where the sewage sludge land application site is located
 - ☐ The property boundaries of landowners within one-half mile in all directions from the applicant's property boundaries where the sewage sludge disposal site (for example, sludge surface disposal site or sludge monofill) is located
- B. ☒ Indicate by a check mark that a separate list with the landowners' names and mailing addresses cross-referenced to the landowner's map has been provided.
- C. Indicate by a check mark in which format the landowners list is submitted:
- ☐ Readable/Writeable CD
 - ☒ Four sets of labels
- D. Provide the source of the landowners' names and mailing addresses: **Williamson County Appraisal District**
- E. As required by *Texas Water Code § 5.115*, is any permanent school fund land affected by this application?
- ☐ Yes
 - ☒ No

If **yes**, provide the location and foreseeable impacts and effects this application has on the land(s):

Section 2. Original Photographs (Instructions Page 44)

Provide original ground level photographs. Indicate with checkmarks that the following information is provided. **See Attachment D.**

- ☒ At least one original photograph of the new or expanded treatment unit location
- ☒ At least two photographs of the existing/proposed point of discharge and as much area downstream (photo 1) and upstream (photo 2) as can be captured. If the discharge is to an open water body (e.g., lake, bay), the point of discharge should be in the right or left edge of each photograph showing the open water and with as much area on each respective side of the discharge as can be captured.
- ☐ At least one photograph of the existing/proposed effluent disposal site
- ☒ A plot plan or map showing the location and direction of each photograph

Section 3. Buffer Zone Map (Instructions Page 44)

A. Buffer zone map. Provide a buffer zone map on 8.5 x 11-inch paper with all of the following information. The applicant's property line and the buffer zone line may be distinguished by using dashes or symbols and appropriate labels. **See Attachment E.**

- The applicant's property boundary;
- The required buffer zone; and
- Each treatment unit; and
- The distance from each treatment unit to the property boundaries.

B. Buffer zone compliance method. Indicate how the buffer zone requirements will be met. Check all that apply.

- ☒ Ownership
- ☐ Restrictive easement
- ☐ Nuisance odor control
- ☐ Variance

C. Unsuitable site characteristics. Does the facility comply with the requirements regarding unsuitable site characteristic found in 30 TAC § 309.13(a) through (d)?

- ☒ Yes ☐ No

Supplemental Permit Information Form

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

SUPPLEMENTAL PERMIT INFORMATION FORM (SPIF)

FOR AGENCIES REVIEWING DOMESTIC TPDES WASTEWATER PERMIT APPLICATIONS

TCEQ USE ONLY:

Application type: ____Renewal ____Major Amendment ____Minor Amendment ____New

County: _____ Segment Number: _____

Admin Complete Date: _____

Agency Receiving SPIF:

____ Texas Historical Commission

____ U.S. Fish and Wildlife

____ Texas Parks and Wildlife Department

____ U.S. Army Corps of Engineers

This form applies to TPDES permit applications only. (Instructions, Page 53)

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 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: R040062, LP

Permit No. WQ00 N/A

EPA ID No. TX N/A

Address of the project (or a location description that includes street/highway, city/vicinity, and county):

The facility is located off the west end of Madison Drive approximately 1,500 feet northwest of the intersection of County Road 105 and Jacobs Way.

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

Prefix (Mr., Ms., Miss): **Mr.**

First and Last Name: **Louis Mertz**

Credential (P.E, P.G., Ph.D., etc.):

Title: **Manager**

Mailing Address: **5599 San Felipe St, Suite 565**

City, State, Zip Code: **Houston, TX 77056**

Phone No.: **(832) 485-1907** Ext.: Fax No.:

E-mail Address: **lmertz@scipioventures.com**

2. List the county in which the facility is located: **Williamson**
3. If the property is publicly owned and the owner is different than the permittee/applicant, please list the owner of the property.

The property is not publicly owned.

4. 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 classified segment number.

The discharge is to an unnamed tributary of Mankins Branch, thence to Mankins Branch, thence to San Gabriel/North Fork San Gabriel in Segment No. 1248 of the Brazos River Basin.

5. 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.**

Provide original photographs of any structures 50 years or older on the property. **None**

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

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

☒ Disturbance of vegetation or wetlands **Area with agricultural vegetation will be developed. No wetland area will be disturbed.**

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

The estimated depth of excavation is 15 to 20 feet for an 8-foot diameter lift station wet well. Treatment plant facilities will be above-grade. Some subgrade compaction may be needed following receipt of geotechnical report, but excavation will generally be limited to the lift station, piping connecting treatment units, shallow buried electrical duct banks, and the outfall pipe. There are no known caves.

7. Describe existing disturbances, vegetation, and land use:

The land is currently a cleared pasture area used for agricultural purposes.

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

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

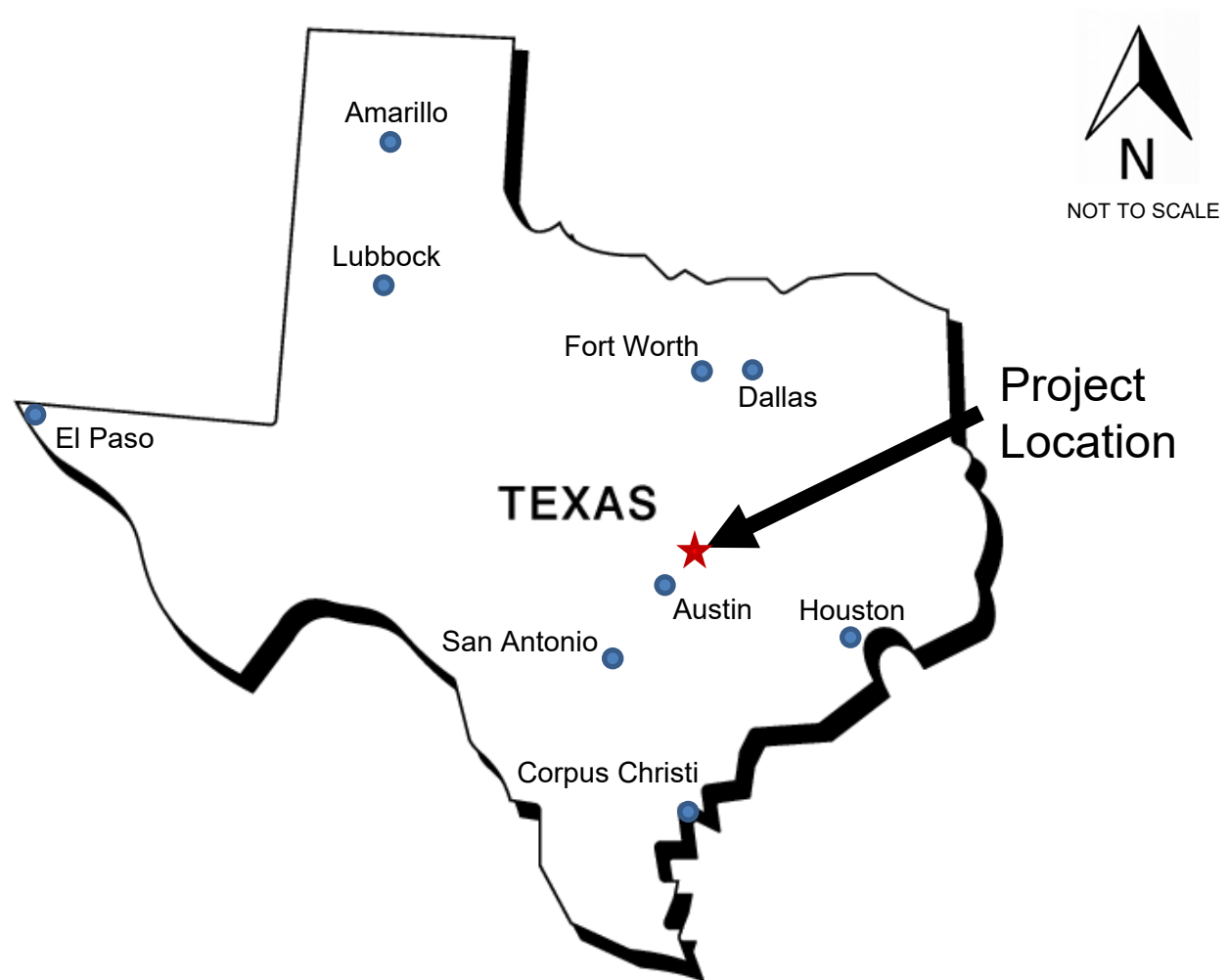
There are no buildings or structures on the property.

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

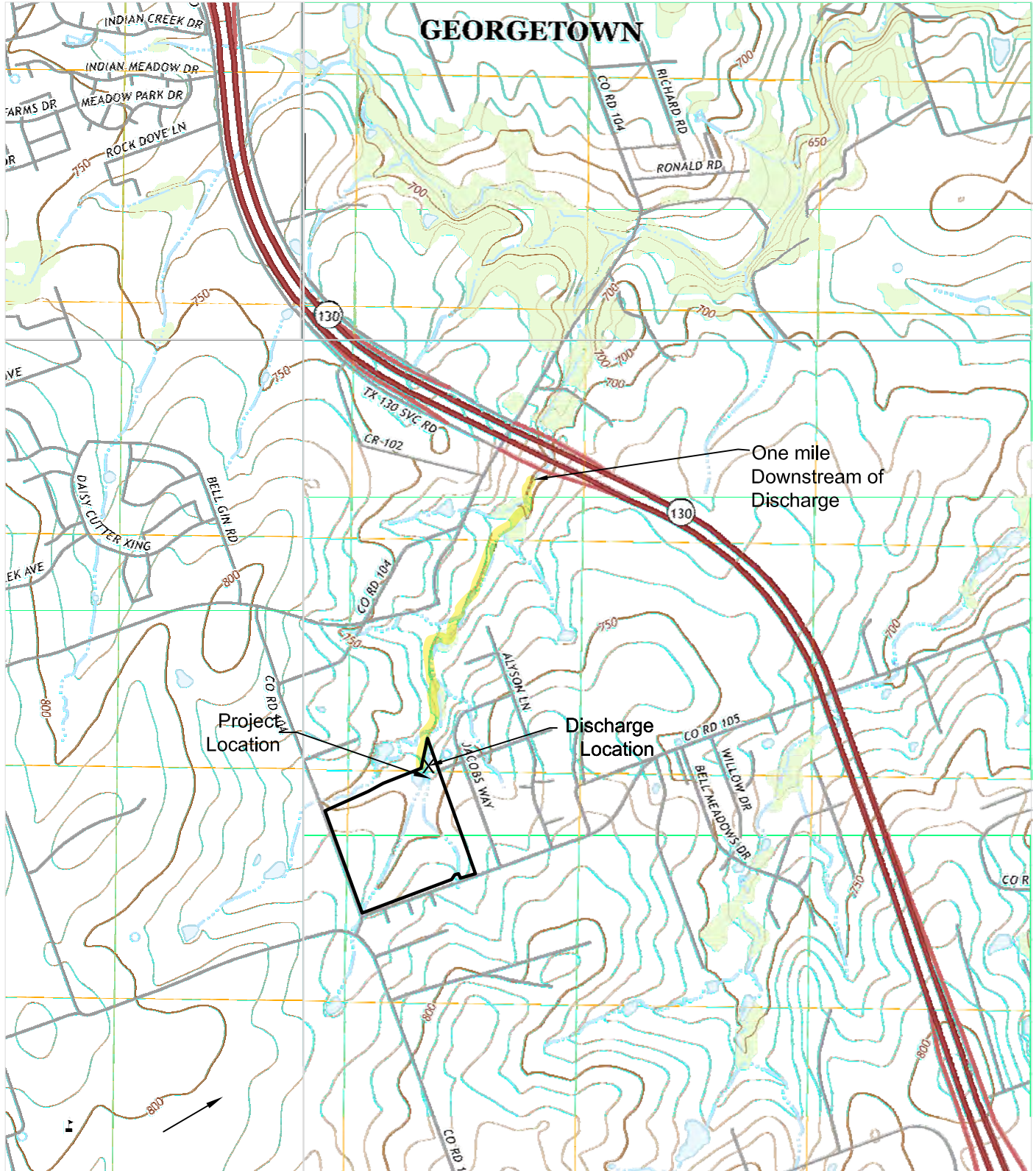
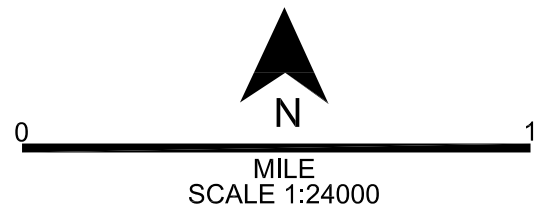
The property has been used for agricultural purposes, and there are not buildings or structures on the property.

Supplemental Permit Information Form

- **SPIF-1 General Location Map**
- **SPIF-2 USGS Map**



**SPIF-1
R040062 LP
INDIGO WATER RESOURCE RECOVERY FACILITY
NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT APPLICATION
GENERAL LOCATION MAP**



SPIF- 2
R040062 LP
INDIGO WATER RESOURCE RECLAMATION FACILITY
NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT APPLICATION
USGS MAP



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
DOMESTIC WASTEWATER PERMIT APPLICATION

DOMESTIC TECHNICAL REPORT 1.0

The Following Is Required For All Applications
Renewal, New, And Amendment

Section 1. Permitted or Proposed Flows (Instructions Page 51)

A. Existing/Interim I Phase

Design Flow (MGD): 0.075

2-Hr Peak Flow (MGD): 0.300

Estimated construction start date: September 2022

Estimated waste disposal start date: July 2023

B. Interim II Phase

Design Flow (MGD): N/A

2-Hr Peak Flow (MGD): click here to enter text

Estimated construction start date: click here to enter text

Estimated waste disposal start date: click here to enter text

C. Final Phase

Design Flow (MGD): 0.200

2-Hr Peak Flow (MGD): 0.800

Estimated construction start date: June 2024

Estimated waste disposal start date: March 2025

D. Current operating phase: N/A

Provide the startup date of the facility: N/A

Section 2. Treatment Process (Instructions Page 51)

A. Treatment process description

Provide a detailed description of the treatment process. **Include the type of**

treatment plant, mode of operation, and all treatment units. Start with the plant's head works and finish with the point of discharge. Include all sludge processing and drying units. **If more than one phase exists or is proposed in the permit, a description of *each phase* must be provided.** Process description:

The proposed Indigo Water Resource Recovery Facility is an activated sludge with nitrification process plant operated in the extended aeration mode. The treatment processes for the Interim phase are as follows: Raw wastewater will be pumped into an aeration basin for secondary biological treatment. The secondary treated wastewater will flow into a clarifier for clarification. Then the clarified water will flow into a chlorine contact chamber for disinfection prior to discharge. Activated sludge will be returned from the clarifier to the aeration basin(s) or wasted to an aerated sludge holding tank. The treatment processes will be the same for the Final phases.

Port or pipe diameter at the discharge point, in inches: 12

B. Treatment Units

In Table 1.0(1), provide the treatment unit type, the number of units, and dimensions (length, width, depth) of each treatment unit, accounting for ***all*** phases of operation.

Table 1.0(1) - Treatment Units

Treatment Unit Type	Number of Units	Dimensions (L x W x D)
See Attachment F.		

C. Process flow diagrams

Provide flow diagrams for the existing facilities and **each** proposed phase of construction.

Attachment: G

Section 3. Site Drawing (Instructions Page 52)

Provide a site drawing for the facility that shows the following:

- The boundaries of the treatment facility;
- The boundaries of the area served by the treatment facility;
- If land disposal of effluent, the boundaries of the disposal site and all storage/holding ponds; and
- If sludge disposal is authorized in the permit, the boundaries of the land application or disposal site.

Attachment: H

Provide the name and a description of the area served by the treatment facility.

The area served will be the proposed development and adjacent property outside of the City of Georgetown.

Section 4. Unbuilt Phases (Instructions Page 52)

Is the application for a renewal of a permit that contains an unbuilt phase or phases?

Yes ☐

No ☒

If yes, does the existing permit contain a phase that has not been constructed within five years of being authorized by the TCEQ?

Yes ☐

No ☐

If yes, provide a detailed discussion regarding the continued need for the unbuilt phase. Failure to provide sufficient justification may result in the Executive Director recommending denial of the unbuilt phase or phases.

Section 5. Closure Plans (Instructions Page 53)

Have any treatment units been taken out of service permanently, or will any units be taken out of service in the next five years?

Yes ☐

No ☒

If **yes**, was a closure plan submitted to the TCEQ?

Yes ☐

No ☐

If **yes**, provide a brief description of the closure and the date of plan approval.

[Click here to enter text.](#)

Section 6. Permit Specific Requirements (Instructions Page 53)

For applicants with an existing permit, check the *Other Requirements* or *Special Provisions* of the permit.

A. Summary transmittal

Have plans and specifications been approved for the existing facilities and each proposed phase?

Yes ☐

No ☐

N/A

If **yes**, provide the date(s) of approval for each phase:

[Click here to enter text.](#)

[Click here to enter text.](#)

Provide information, including dates, on any actions taken to meet a requirement or provision pertaining to the submission of a summary transmittal letter. Provide a copy of an approval letter from the TCEQ, if applicable.

[Click here to enter text.](#)

B. Buffer zones

Have the buffer zone requirements been met?

Yes ☒

No ☐

Provide information below, including dates, on any actions taken to meet the conditions of the buffer zone. If available, provide any new documentation

relevant to maintaining the buffer zones.

C. Other actions required by the current permit

Does the *Other Requirements* or *Special Provisions* section in the existing permit require submission of any other information or other required actions? Examples include Notification of Completion, progress reports, soil monitoring data, etc.

Yes ☐

No ☐

N/A

If **yes**, provide information below on the status of any actions taken to meet the conditions of an *Other Requirement* or *Special Provision*.

D. Grit and grease treatment

1. Acceptance of grit and grease waste

Does the facility have a grit and/or grease processing facility onsite that treats and decants or accepts transported loads of grit and grease waste that are discharged directly to the wastewater treatment plant prior to any treatment?

Yes ☐

No ☒

If **No**, stop here and continue with Subsection E. Stormwater Management.

2. Grit and grease processing

Describe below how the grit and grease waste is treated at the facility. In your description, include how and where the grit and grease is introduced to the treatment works and how it is separated or processed. Provide a flow diagram showing how grit and grease is processed at the facility.

Click here to enter text

3. Grit disposal

Does the facility have a Municipal Solid Waste (MSW) registration or permit for grit disposal?

Yes ☐ No ☐

If No, contact the TCEQ Municipal Solid Waste team at 512-239-0000. Note: A registration or permit is required for grit disposal. Grit shall not be combined with treatment plant sludge. See the instruction booklet for additional information on grit disposal requirements and restrictions.

Describe the method of grit disposal.

Click here to enter text

4. Grease and decanted liquid disposal

Note: A registration or permit is required for grease disposal. Grease shall not be combined with treatment plant sludge. For more information, contact the TCEQ Municipal Solid Waste team at 512-239-0000.

Describe how the decant and grease are treated and disposed of after grit separation.

Click here to enter text

E. Stormwater management

1. Applicability

Does the facility have a design flow of 1.0 MGD or greater in any phase?

Yes ☐ No ☒

Does the facility have an approved pretreatment program, under 40 CFR Part 403?

Yes ☐ No ☒

If **no** to both of the above, then skip to Subsection F, Other Wastes Received.

2. MSGP coverage

Is the stormwater runoff from the WWTP and dedicated lands for sewage disposal currently permitted under the TPDES Multi-Sector General Permit (MSGP), TXR050000?

Yes ☐ No ☐

If **yes**, please provide MSGP Authorization Number and skip to Subsection F, Other Wastes Received:

TXR05 or TXRNE

If **no**, do you intend to seek coverage under TXR050000?

Yes ☐ No ☐

3. Conditional exclusion

Alternatively, do you intend to apply for a conditional exclusion from permitting based TXR050000 (Multi Sector General Permit) Part II B.2 or TXR050000 (Multi Sector General Permit) Part V, Sector T 3(b)?

Yes ☐ No ☐

If **yes**, please explain below then proceed to Subsection F, Other Wastes Received:

4. Existing coverage in individual permit

Is your stormwater discharge currently permitted through this individual TPDES or TLAP permit?

Yes ☐ No ☐

If **yes**, provide a description of stormwater runoff management practices at the site that are authorized in the wastewater permit then skip to Subsection F, Other Wastes Received.

click here to enter text

5. Zero stormwater discharge

Do you intend to have no discharge of stormwater via use of evaporation or other means?

Yes ☐ No ☐

If yes, explain below then skip to Subsection F. Other Wastes Received.

click here to enter text

Note: If there is a potential to discharge any stormwater to surface water in the state as the result of any storm event, then permit coverage is required under the MSGP or an individual discharge permit. This requirement applies to all areas of facilities with treatment plants or systems that treat, store, recycle, or reclaim domestic sewage, wastewater or sewage sludge (including dedicated lands for sewage sludge disposal located within the onsite property boundaries) that meet the applicability criteria of above. You have the option of obtaining coverage under the MSGP for direct discharges, (recommended), or obtaining coverage under this individual permit.

6. Request for coverage in individual permit

Are you requesting coverage of stormwater discharges associated with your treatment plant under this individual permit?

Yes ☐ No ☐

If yes, provide a description of stormwater runoff management practices at the site for which you are requesting authorization in this individual wastewater permit and describe whether you intend to comingle this discharge with your treated effluent or discharge it via a separate dedicated stormwater outfall. Please also indicate if you intend to divert stormwater to the treatment plant headworks and indirectly discharge it to water in the state.

Click here to enter text

Note: Direct stormwater discharges to waters in the state authorized through this individual permit will require the development and implementation of a stormwater pollution prevention plan (SWPPP) and will be subject to additional monitoring and reporting requirements. Indirect discharges of stormwater via headworks recycling will require compliance with all individual permit requirements including 2-hour peak flow limitations. All stormwater discharge authorization requests will require additional information during the technical review of your application.

F. Discharges to the Lake Houston Watershed

Does the facility discharge in the Lake Houston watershed?

Yes ☐ No ☒

If yes, a Sewage Sludge Solids Management Plan is required. See Example 5 in the instructions.

G. Other wastes received including sludge from other WWTPs and septic waste

1. Acceptance of sludge from other WWTPs

Does the facility accept or will it accept sludge from other treatment plants at the facility site?

Yes ☐ No ☒

If yes, attach sewage sludge solids management plan. See Example 5 of the instructions.

In addition, provide the date that the plant started accepting sludge or is anticipated to start accepting sludge, an estimate of monthly sludge acceptance (gallons or millions of gallons), an estimate of the BOD₅ concentration of the sludge, and the design BOD₅ concentration of the influent from the collection system. Also note if this information has or has not changed since the last permit action.

N/A

Note: Permits that accept sludge from other wastewater treatment plants may be required to have influent flow and organic loading monitoring.

2. Acceptance of septic waste

Is the facility accepting or will it accept septic waste?

Yes ☐ No ☒

If yes, does the facility have a Type V processing unit?

Yes ☐ No ☒

If yes, does the unit have a Municipal Solid Waste permit?

Yes ☐ No ☒

If yes to any of the above, provide a the date that the plant started accepting septic waste, or is anticipated to start accepting septic waste, an estimate of monthly septic waste acceptance (gallons or millions of gallons), an estimate of the BOD₅ concentration of the septic waste, and the design BOD₅ concentration of the influent from the collection system. Also note if this information has or has not changed since the last permit action.

N/A

Note: Permits that accept sludge from other wastewater treatment plants may be required to have influent flow and organic loading monitoring.

3. Acceptance of other wastes (not including septic, grease, grit, or RCRA, CERCLA or as discharged by IUs listed in Worksheet 6)

Is the facility accepting or will it accept wastes that are not domestic in nature excluding the categories listed above?

Yes ☐ No ☒

If yes, provide the date that the plant started accepting the waste, an estimate how much waste is accepted on a monthly basis (gallons or millions of gallons), a description of the entities generating the waste, and any distinguishing chemical or other physical characteristic of the waste. Also note if this information has or has not changed since the last permit action.

N/A

Section 7. Pollutant Analysis of Treated Effluent (Instructions Page 58)

Is the facility in operation?

Yes ☐

No ☒

If **no**, this section is not applicable. Proceed to Section 8.

If **yes**, provide effluent analysis data for the listed pollutants. **Wastewater treatment facilities** complete Table 1.0(2). **Water treatment facilities** discharging filter backwash water, complete Table 1.0(3).

Note: The sample date must be within 1 year of application submission.

Table 1.0(2) - Pollutant Analysis for Wastewater Treatment Facilities

Pollutant	Average Conc.	Max Conc.	No. of Samples	Sample Type	Sample Date/Time
CBOD ₅ , mg/l					
Total Suspended Solids, mg/l					
Ammonia Nitrogen, mg/l					
Nitrate Nitrogen, mg/l					
Total Kjeldahl Nitrogen, mg/l					
Sulfate, mg/l					
Chloride, mg/l					
Total Phosphorus, mg/l					
pH, standard units					
Dissolved Oxygen*, mg/l					
Chlorine Residual, mg/l					
<i>E.coli</i> (CFU/100ml) freshwater					
Enterococci (CFU/100ml)					

Pollutant	Average Conc.	Max Conc.	No. of Samples	Sample Type	Sample Date/Time
saltwater					
Total Dissolved Solids, mg/l					
Electrical Conductivity, μ mohs/cm, †					
Oil & Grease, mg/l					
Alkalinity (CaCO ₃)*, mg/l					

*TPDES permits only

†TLAP permits only

Table 1.0(3) - Pollutant Analysis for Water Treatment Facilities

Pollutant	Average Conc.	Max Conc.	No. of Samples	Sample Type	Sample Date/Time
Total Suspended Solids, mg/l					
Total Dissolved Solids, mg/l					
pH, standard units					
Fluoride, mg/l					
Aluminum, mg/l					
Alkalinity (CaCO ₃), mg/l					

Section 8. Facility Operator (Instructions Page 60)

Facility Operator Name: Inframark LLC

Facility Operator's License Classification and Level: WWOL

Facility Operator's License Number: OC0000232

Section 9. Sewage Sludge Management and Disposal (Instructions Page 60)

A. Sludge disposal method

Identify the current or anticipated sludge disposal method or methods from the

following list. Check all that apply.

- ☐ Permitted landfill
- ☐ Permitted or Registered land application site for beneficial use
- ☐ Land application for beneficial use authorized in the wastewater permit
- ☐ Permitted sludge processing facility
- ☐ Marketing and distribution as authorized in the wastewater permit
- ☐ Composting as authorized in the wastewater permit
- ☐ Permitted surface disposal site (sludge monofill)
- ☐ Surface disposal site (sludge monofill) authorized in the wastewater permit
- ☒ Transported to another permitted wastewater treatment plant or permitted sludge processing facility. If you selected this method, a written statement or contractual agreement from the wastewater treatment plant or permitted sludge processing facility accepting the sludge must be included with this application. **See Attachment I.**
- ☐ Other:

B. Sludge disposal site

Disposal site name: Austin Wastewater Processing Facility

TCEQ permit or registration number: MSW 2384

County where disposal site is located: Travis

C. Sludge transportation method

Method of transportation (truck, train, pipe, other): truck

Name of the hauler: WasteWater Transportation Services

Hauler registration number: 24343

Sludge is transported as a:

Liquid ☒ semi-liquid ☐ semi-solid ☐ solid ☐

Section 10. Permit Authorization for Sewage Sludge Disposal (Instructions Page 60)

A. Beneficial use authorization

Does the existing permit include authorization for land application of sewage sludge for beneficial use?

Yes ☐ No ☒

If yes, are you requesting to continue this authorization to land apply sewage sludge for beneficial use?

Yes ☐ No ☐

If yes, is the completed **Application for Permit for Beneficial Land Use of Sewage Sludge (TCEQ Form No. 10451)** attached to this permit application (see the instructions for details)?

Yes ☐ No ☐

B. Sludge processing authorization

Does the existing permit include authorization for any of the following sludge processing, storage or disposal options?

Sludge Composting Yes ☐ No ☒

Marketing and Distribution of sludge Yes ☐ No ☒

Sludge Surface Disposal or Sludge Monofill Yes ☐ No ☒

Temporary storage in sludge lagoons Yes ☐ No ☒

If yes to any of the above sludge options and the applicant is requesting to continue this authorization, is the completed **Domestic Wastewater Permit Application: Sewage Sludge Technical Report (TCEQ Form No. 10056)** attached to this permit application?

Yes ☐ No ☐

Section 11. Sewage Sludge Lagoons (Instructions Page 61)

Does this facility include sewage sludge lagoons?

Yes ☐ No ☒

If yes, complete the remainder of this section. If no, proceed to Section 12.

A. Location information

The following maps are required to be submitted as part of the application. For each map, provide the Attachment Number.

- Original General Highway (County) Map:

Attachment: [link here to enter text](#)

- USDA Natural Resources Conservation Service Soil Map:

Attachment: [link here to enter text](#)

- Federal Emergency Management Map:

Attachment: [link here to enter text](#)

- Site map:

Attachment: [link here to enter text](#)

Discuss in a description if any of the following exist within the lagoon area.

Check all that apply.

- ☐ Overlap a designated 100-year frequency flood plain
- ☐ Soils with flooding classification
- ☐ Overlap an unstable area
- ☐ Wetlands
- ☐ Located less than 60 meters from a fault
- ☐ None of the above

Attachment: [link here to enter text](#)

If a portion of the lagoon(s) is located within the 100-year frequency flood plain, provide the protective measures to be utilized including type and size of protective structures:

B. Temporary storage information

Provide the results for the pollutant screening of sludge lagoons. These results are in addition to pollutant results in Section 7 of Technical Report 1.0.

Nitrate Nitrogen, mg/kg: [link here to enter text](#)

Total Kjeldahl Nitrogen, mg/kg: [link here to enter text](#)

Total Nitrogen (=nitrate nitrogen + TKN), mg/kg: [link here to enter text](#)

Phosphorus, mg/kg: [link here to enter text](#)

Potassium, mg/kg:

pH, standard units:

Ammonia Nitrogen mg/kg:

Arsenic:

Cadmium:

Chromium:

Copper:

Lead:

Mercury:

Molybdenum:

Nickel:

Selenium:

Zinc:

Total PCBs:

Provide the following information:

Volume and frequency of sludge to the lagoon(s):

Total dry tons stored in the lagoons(s) per 365-day period:

Total dry tons stored in the lagoons(s) over the life of the unit:

C. Liner information

Does the active/proposed sludge lagoon(s) have a liner with a maximum hydraulic conductivity of 1×10^{-7} cm/sec?

Yes ☐ No ☐

If **yes**, describe the liner below. Please note that a liner is required.

D. Site development plan

Provide a detailed description of the methods used to deposit sludge in the

lagoon(s):

Click here to enter text

Attach the following documents to the application.

- Plan view and cross-section of the sludge lagoon(s)

Attachment: [Click here to enter text](#)

- Copy of the closure plan

Attachment: [Click here to enter text](#)

- Copy of deed recordation for the site

Attachment: [Click here to enter text](#)

- Size of the sludge lagoon(s) in surface acres and capacity in cubic feet and gallons

Attachment: [Click here to enter text](#)

- Description of the method of controlling infiltration of groundwater and surface water from entering the site

Attachment: [Click here to enter text](#)

- Procedures to prevent the occurrence of nuisance conditions

Attachment: [Click here to enter text](#)

E. Groundwater monitoring

Is groundwater monitoring currently conducted at this site, or are any wells available for groundwater monitoring, or are groundwater monitoring data otherwise available for the sludge lagoon(s)?

Yes ☐ No ☐

If groundwater monitoring data are available, provide a copy. Provide a profile of soil types encountered down to the groundwater table and the depth to the shallowest groundwater as a separate attachment.

Attachment: [Click here to enter text](#)

Section 12. Authorizations/Compliance/Enforcement

(Instructions Page 63)

A. Additional authorizations

Does the permittee have additional authorizations for this facility, such as reuse authorization, sludge permit, etc?

Yes ☐ No ☒

If yes, provide the TCEQ authorization number and description of the authorization:

N/A

B. Permittee enforcement status

Is the permittee currently under enforcement for this facility?

Yes ☐ No ☒

Is the permittee required to meet an implementation schedule for compliance or enforcement?

Yes ☐ No ☒

If yes to either question, provide a brief summary of the enforcement, the implementation schedule, and the current status:

N/A

Section 13. RCRA/CERCLA Wastes (Instructions Page 63)

A. RCRA hazardous wastes

Has the facility received in the past three years, does it currently receive, or will it receive RCRA hazardous waste?

Yes ☐ No ☒

B. Remediation activity wastewater

Has the facility received in the past three years, does it currently receive, or will it receive CERCLA wastewater, RCRA remediation/corrective action wastewater or other remediation activity wastewater?

Yes ☐ No ☒

C. Details about wastes received

If yes to either Subsection A or B above, provide detailed information concerning these wastes with the application.

Attachment: N/A

Section 14. Laboratory Accreditation (Instructions Page 64)

All laboratory tests performed must meet the requirements of *30 TAC Chapter 25, Environmental Testing Laboratory Accreditation and Certification*, which includes the following general exemptions from National Environmental Laboratory Accreditation Program (NELAP) certification requirements:

- The laboratory is an in-house laboratory and is:
 - periodically inspected by the TCEQ; or
 - located in another state and is accredited or inspected by that state; or
 - performing work for another company with a unit located in the same site; or
 - performing pro bono work for a governmental agency or charitable organization.
- The laboratory is accredited under federal law.
- The data are needed for emergency-response activities, and a laboratory accredited under the Texas Laboratory Accreditation Program is not available.
- The laboratory supplies data for which the TCEQ does not offer accreditation.

The applicant should review *30 TAC Chapter 25* for specific requirements.

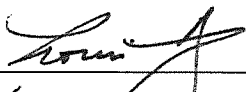

The following certification statement shall be signed and submitted with every application. See the *Signature Page* section in the Instructions, for a list of designated representatives who may sign the certification.

CERTIFICATION:

I certify that all laboratory tests submitted with this application meet the requirements of *30 TAC Chapter 25, Environmental Testing Laboratory Accreditation and Certification*.

Printed Name: **Louis Mertz**

Title: **Manager**

Signature: 
Date: 

DOMESTIC TECHNICAL REPORT 1.1

The following is required for new and amendment applications

Section 1. Justification for Permit (Instructions Page 66)

A. Justification of permit need

Provide a detailed discussion regarding the need for any phase(s) not currently permitted. Failure to provide sufficient justification may result in the Executive Director recommending denial of the proposed phase(s) or permit.

See Attachment J.

B. Regionalization of facilities

Provide the following information concerning the potential for regionalization of domestic wastewater treatment facilities:

1. *Municipally incorporated areas*

If the applicant is a city, then Item 1 is not applicable. Proceed to Item 2 Utility CCN areas.

Is any portion of the proposed service area located in an incorporated city?

Yes ☐ No ☒ Not Applicable ☐

If yes, within the city limits of: N/A

If yes, attach correspondence from the city.

Attachment: N/A

If consent to provide service is available from the city, attach a justification for the proposed facility and a cost analysis of expenditures that includes the cost of connecting to the city versus the cost of the proposed facility or expansion attached.

Attachment: N/A

2. *Utility CCN areas*

Is any portion of the proposed service area located inside another utility's CCN area?

Yes ☐ No ☒

If yes, attach a justification for the proposed facility and a cost analysis of expenditures that includes the cost of connecting to the CCN facilities versus the cost of the proposed facility or expansion.

Attachment: N/A

3. Nearby WWTPs or collection systems

Are there any domestic permitted wastewater treatment facilities or collection systems located within a three-mile radius of the proposed facility?

Yes ☒ No ☐

If yes, attach a list of these facilities that includes the permittee's name and permit number, and an area map showing the location of these facilities.

Attachment: K.1

If yes, attach copies of your certified letters to these facilities **and** their response letters concerning connection with their system.

Attachment: K.2

Does a permitted domestic wastewater treatment facility or a collection system located within three (3) miles of the proposed facility currently have the capacity to accept or is willing to expand to accept the volume of wastewater proposed in this application?

Yes ☒ No ☐

If yes, attach an analysis of expenditures required to connect to a permitted wastewater treatment facility or collection system located within 3 miles versus the cost of the proposed facility or expansion.

Attachment: K.3

Section 2. Organic Loading (Instructions Page 67)

Is this facility in operation?

Yes ☐ No ☒

If no, proceed to Item B, Proposed Organic Loading.

If yes, provide organic loading information in Item A, Current Organic Loading

A. Current organic loading

Facility Design Flow (flow being requested in application): N/A

Average Influent Organic Strength or BOD₅ Concentration in mg/l: N/A

Average Influent Loading (lbs/day = total average flow X average BOD₅ conc. X 8.34): N/A

Provide the source of the average organic strength or BOD₅ concentration.

N/A

B. Proposed organic loading

This table must be completed if this application is for a facility that is not in operation or if this application is to request an increased flow that will impact organic loading.

Table 1.1(1) - Design Organic Loading

Source	Total Average Flow (MGD) Interim I/Final	Influent BOD ₅ Concentration (mg/l)
Municipality		
Subdivision	0.075/0.2	300
Trailer park - transient		
Mobile home park		
School with cafeteria and showers		
School with cafeteria, no showers		
Recreational park,		

Source	Total Average Flow (MGD)	Influent BOD ₅ Concentration (mg/l)
overnight use		
Recreational park, day use		
Office building or factory		
Motel		
Restaurant		
Hospital		
Nursing home		
Other		
TOTAL FLOW from all sources	0.075/0.2	
AVERAGE BOD ₅ from all sources		300

Section 3. Proposed Effluent Quality and Disinfection (Instructions Page 68)

A. Existing/Interim I Phase Design Effluent Quality

Biochemical Oxygen Demand (5-day), mg/l: 10

Total Suspended Solids, mg/l: 15

Ammonia Nitrogen, mg/l: 3

Total Phosphorus, mg/l: --

Dissolved Oxygen, mg/l: 4

Other:

B. Interim II Phase Design Effluent Quality

Biochemical Oxygen Demand (5-day), mg/l: --

Total Suspended Solids, mg/l: --

Ammonia Nitrogen, mg/l: --

Total Phosphorus, mg/l: --

Dissolved Oxygen, mg/l: --

Other: --

C. Final Phase Design Effluent Quality

Biochemical Oxygen Demand (5-day), mg/l: 10

Total Suspended Solids, mg/l: 15

Ammonia Nitrogen, mg/l: 3

Total Phosphorus, mg/l: --

Dissolved Oxygen, mg/l: 4

Other: --

D. Disinfection Method

Identify the proposed method of disinfection.

☒ Chlorine: 1.0 mg/l after 20 minutes minutes detention time at peak flow

Dechlorination process: N/A

☐ Ultraviolet Light: seconds contact time at peak flow

☐ Other:

Section 4. Design Calculations (Instructions Page 68)

Attach design calculations and plant features for each proposed phase. Example 4 of the instructions includes sample design calculations and plant features.

Attachment: L

Section 5. Facility Site (Instructions Page 68)

A. 100-year floodplain

Will the proposed facilities be located above the 100-year frequency flood level?

Yes ☒ No ☐

If no, describe measures used to protect the facility during a flood event. Include a site map showing the location of the treatment plant within the 100-year frequency flood level. If applicable, provide the size and types of protective structures.

[Click here to enter text](#)

Provide the source(s) used to determine 100-year frequency flood plain.

The current FEMA Flood Insurance Rate Map, panel 48491C0505F, with an effective date of 12/19/2019.

For a new or expansion of a facility, will a wetland or part of a wetland be filled?

Yes ☐ No ☒

If yes, has the applicant applied for a US Corps of Engineers 404 Dredge and Fill Permit?

Yes ☐ No ☐

If yes, provide the permit number: [Click here to enter text](#)

If no, provide the approximate date you anticipate submitting your application to the Corps: [Click here to enter text](#)

B. Wind rose

Attach a wind rose. **Attachment:** M

Section 6. Permit Authorization for Sewage Sludge Disposal (Instructions Page 69)

A. Beneficial use authorization

Are you requesting to include authorization to land apply sewage sludge for beneficial use on property located adjacent to the wastewater treatment facility under the wastewater permit?

Yes ☐ No ☒

If **yes**, attach the completed Application for Permit for Beneficial Land Use of Sewage Sludge (TCEQ Form No. 10451)

Attachment: N/A

B. Sludge processing authorization

Identify the sludge processing, storage or disposal options that will be conducted at the wastewater treatment facility:

- ☐ Sludge Composting
- ☐ Marketing and Distribution of sludge
- ☐ Sludge Surface Disposal or Sludge Monofill

If **any of the above** sludge options are selected, attach a completed DOMESTIC WASTEWATER PERMIT APPLICATION: SEWAGE SLUDGE TECHNICAL REPORT (TCEQ Form No. 10056).

Attachment: N/A

Section 7. Sewage Sludge Solids Management Plan (Instructions Page 69)

Attach a solids management plan to the application.

Attachment: N

The sewage sludge solids management plan must contain the following information:

- Treatment units and processes dimensions and capacities
- Solids generated at 100, 75, 50, and 25 percent of design flow
- Mixed liquor suspended solids operating range at design and projected actual flow
- Quantity of solids to be removed and a schedule for solids removal
- Identification and ownership of the ultimate sludge disposal site
- For facultative lagoons, design life calculations, monitoring well locations and depths, and the ultimate disposal method for the sludge from the facultative lagoon

An example of a sewage sludge solids management plan has been included as Example 5 of the instructions.

DOMESTIC TECHNICAL REPORT WORKSHEET 2.0

RECEIVING WATERS

The following is required for all TPDES permit applications

Section 1. Domestic Drinking Water Supply (Instructions Page 73)

Is there a surface water intake for domestic drinking water supply located within 5 miles downstream from the point or proposed point of discharge?

Yes ☐ No ☒

If yes, provide the following:

Owner of the drinking water supply: N/A

Distance and direction to the intake: N/A

Attach a USGS map that identifies the location of the intake.

Attachment: N/A

Section 2. Discharge into Tidally Affected Waters (Instructions Page 73)

Does the facility discharge into tidally affected waters?

Yes ☐ No ☒

If yes, complete the remainder of this section. If no, proceed to Section 3.

A. Receiving water outfall

Width of the receiving water at the outfall, in feet:

B. Oyster waters

Are there oyster waters in the vicinity of the discharge?

Yes ☐ No ☐

If yes, provide the distance and direction from outfall(s).

<input type="text"/>

C. Sea grasses

Are there any sea grasses within the vicinity of the point of discharge?

Yes ☐

No ☐

If yes, provide the distance and direction from the outfall(s).

[Click here to enter text.](#)

Section 3. Classified Segments (Instructions Page 73)

Is the discharge directly into (or within 300 feet of) a classified segment?

Yes ☐

No ☒

If yes, this Worksheet is complete.

If no, complete Sections 4 and 5 of this Worksheet.

Section 4. Description of Immediate Receiving Waters (Instructions Page 75)

Name of the immediate receiving waters: Unnamed tributary

A. Receiving water type

Identify the appropriate description of the receiving waters.

☒ Stream

☐ Freshwater Swamp or Marsh

☐ Lake or Pond

Surface area, in acres: [Click here to enter text.](#)

Average depth of the entire water body, in feet: [Click here to enter text.](#)

[Click here to enter text.](#)

Average depth of water body within a 500-foot radius of discharge point, in feet: [Click here to enter text.](#)

☐ Man-made Channel or Ditch

- ☐ Open Bay
- ☐ Tidal Stream, Bayou, or Marsh
- ☐ Other, specify: [Click here to enter text.](#)

B. Flow characteristics

If a stream, man-made channel or ditch was checked above, provide the following. For existing discharges, check one of the following that best characterizes the area *upstream* of the discharge. For new discharges, characterize the area *downstream* of the discharge (check one).

- ☒ Intermittent - dry for at least one week during most years
- ☐ Intermittent with Perennial Pools - enduring pools with sufficient habitat to maintain significant aquatic life uses
- ☐ Perennial - normally flowing

Check the method used to characterize the area upstream (or downstream for new dischargers).

- ☐ USGS flow records
- ☐ Historical observation by adjacent landowners
- ☒ Personal observation
- ☒ Other, specify: Aerial photograph

C. Downstream perennial confluences

List the names of all perennial streams that join the receiving water within three miles downstream of the discharge point.

Mankins Branch

D. Downstream characteristics

Do the receiving water characteristics change within three miles downstream of the discharge (e.g., natural or man-made dams, ponds, reservoirs, etc.)?

Yes ☐ No ☒

If yes, discuss how.

N/A

E. Normal dry weather characteristics

Provide general observations of the water body during normal dry weather conditions.

The channel for the proposed outfall location was covered with thick grass vegetation. No water observed.

Date and time of observation: 5/13/2021 @ 12:30 pm

Was the water body influenced by stormwater runoff during observations?

Yes ☐

No ☒

Section 5. General Characteristics of the Waterbody (Instructions Page 74)

A. Upstream influences

Is the immediate receiving water upstream of the discharge or proposed discharge site influenced by any of the following? Check all that apply.

☐ Oil field activities

☐ Urban runoff

☐ Upstream discharges

☒ Agricultural runoff

☐ Septic tanks

☐ Other(s), specify

B. Waterbody uses

Observed or evidences of the following uses. Check all that apply.

☒ Livestock watering

☐ Contact recreation

☐ Irrigation withdrawal

☒ Non-contact recreation

☐ Fishing

☐ Navigation

☐ Domestic water supply

☐ Industrial water supply

☐ Park activities

☐ Other(s), specify

[click here to enter](#)

☐

C. Waterbody aesthetics

Check one of the following that best describes the aesthetics of the receiving water and the surrounding area.

☐ Wilderness: outstanding natural beauty; usually wooded or unpastured area; water clarity exceptional

☒ Natural Area: trees and/or native vegetation; some development evident (from fields, pastures, dwellings); water clarity discolored

☐ Common Setting: not offensive; developed but uncluttered; water may be colored or turbid

☐ Offensive: stream does not enhance aesthetics; cluttered; highly developed; dumping areas; water discolored

**R040062 LP
INDIGO WATER RESOURCE RECLAMATION FACILITY
NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT
APPLICATION**

ATTACHMENT

REFERENCE

A. Core Data Form	Admin Report 1.0, Section 3.C
B. USGS Map	Admin Report 1.0, Section 13
C. Affected Landowner Information	Admin Report 1.1, Section 1
D. Original Photographs	Admin Report 1.1, Section 2
E. Buffer Zone Map	Admin Report 1.1, Section 3
F. Treatment Units	Tech Report 1.0, Section 2.B
G. Process Flow Diagram	Tech Report 1.0, Section 2.C
H. Site Drawing	Tech Report 1.0, Section 3
I. Sludge Acceptance Agreement	Tech Report 1.0, Section 9.A
J. Justification for Permit	Tech Report 1.1, Section 1.A
K. Nearby Collection System and Analysis of Expenditures	Tech Report 1.1, Section 1.B.3
L. Design Calculation and Plant Features	Tech Report 1.1, Section 4
M. Windrose	Tech Report 1.1, Section 5.B
N. Sewage Sludge Solids Management Plan	Tech Report 1.1, Section 7

Attachment A
Core Data Form
Admin Report 1.0, Section 3.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		RN

SECTION II: Customer Information

4. General Customer Information		5. Effective Date for Customer Information Updates (mm/dd/yyyy)	
<input checked="" 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	
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).			
6. Customer Legal Name (If an individual, print last name first: eg: Doe, John)		If new Customer, enter previous Customer below:	
R040062 LP			
7. TX SOS/CPA Filing Number	8. TX State Tax ID (11 digits)	9. Federal Tax ID (9 digits)	10. DUNS Number (if applicable)
803969672	32078183665		
11. Type of Customer:	<input type="checkbox"/> Corporation	<input type="checkbox"/> Individual	Partnership: <input type="checkbox"/> General <input checked="" type="checkbox"/> Limited
Government: <input type="checkbox"/> City <input type="checkbox"/> County <input type="checkbox"/> Federal <input 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 checked="" type="checkbox"/> 0-20 <input type="checkbox"/> 21-100 <input type="checkbox"/> 101-250 <input type="checkbox"/> 251-500 <input type="checkbox"/> 501 and higher		<input checked="" type="checkbox"/> Yes <input 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"/> Occupational Licensee <input type="checkbox"/> Responsible Party <input type="checkbox"/> Voluntary Cleanup Applicant <input type="checkbox"/> Other:			
15. Mailing Address:	5599 San Felipe St., Suite 565		
	City	Houston	State TX ZIP 77056 ZIP + 4
16. Country Mailing Information (if outside USA)		17. E-Mail Address (if applicable)	
		lmertz@scipioventures.com	
18. Telephone Number	19. Extension or Code	20. Fax Number (if applicable)	
(832) 485-1907		() -	

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	
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).	
22. Regulated Entity Name (Enter name of the site where the regulated action is taking place.)	
Indigo Water Resource Recovery Facility	

23. Street Address of the Regulated Entity: (No PO Boxes)							
	City		State		ZIP		ZIP + 4
24. County	Williamson						

Enter Physical Location Description if no street address is provided.

25. Description to Physical Location:	The facility is located off the west end of Madison Drive approximately 5,500 feet west of the TX 130 Toll Road overpass to CR 105.						
26. Nearest City	Georgetown				State	TX	Nearest ZIP Code
						78626	
27. Latitude (N) In Decimal:	30.60798			28. Longitude (W) In Decimal:	97.61900		
Degrees	Minutes	Seconds	Degrees	Minutes	Seconds		
30	36	28.73	-97	37	8.41		
29. Primary SIC Code (4 digits)	30. Secondary SIC Code (4 digits)		31. Primary NAICS Code (5 or 6 digits)		32. Secondary NAICS Code (5 or 6 digits)		
6552			237210				
33. What is the Primary Business of this entity? (Do not repeat the SIC or NAICS description.)							
Real estate developer							
34. Mailing Address:	5599 San Felipe St, Suite 565						
	City	Houston	State	TX	ZIP	77027	ZIP + 4
35. E-Mail Address:		lmertz@scpioventures.com					
36. Telephone Number		37. Extension or Code		38. Fax Number (if applicable)			
(832) 485-1907				() -			

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.

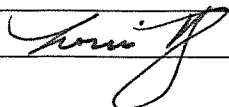
<input type="checkbox"/> Dam Safety	<input type="checkbox"/> Districts	<input type="checkbox"/> Edwards Aquifer	<input type="checkbox"/> Emissions Inventory Air	<input type="checkbox"/> Industrial Hazardous Waste
<input type="checkbox"/> Municipal Solid Waste	<input type="checkbox"/> New Source Review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

SECTION IV: Preparer Information

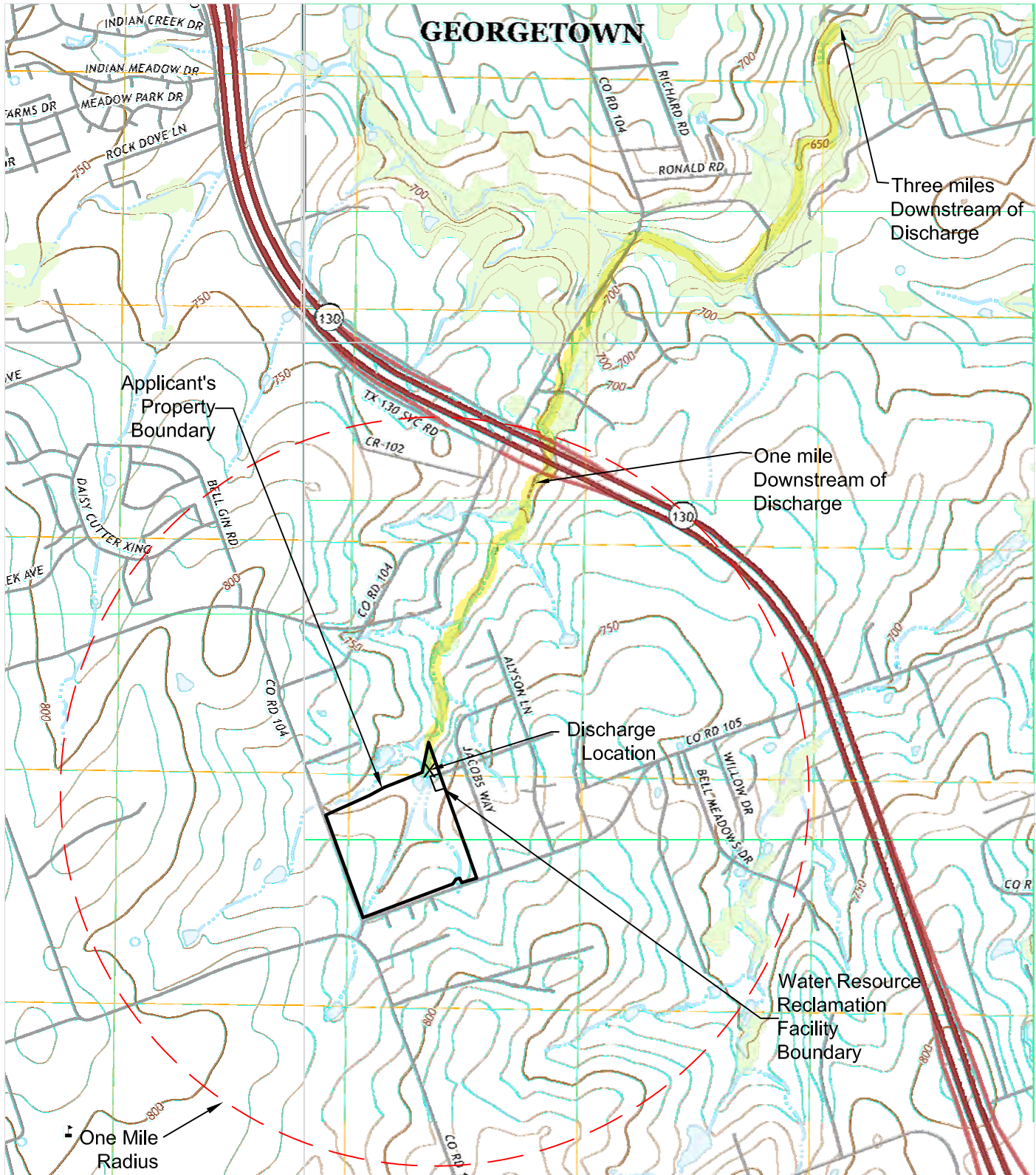
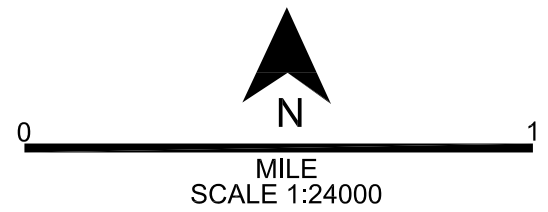
40. Name:	Janet Sims		41. Title:	Project Manager	
42. Telephone Number	43. Ext./Code	44. Fax Number	45. E-Mail Address		
(512) 734-1001		() -	jsims@perkinsconsultants.com		

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.

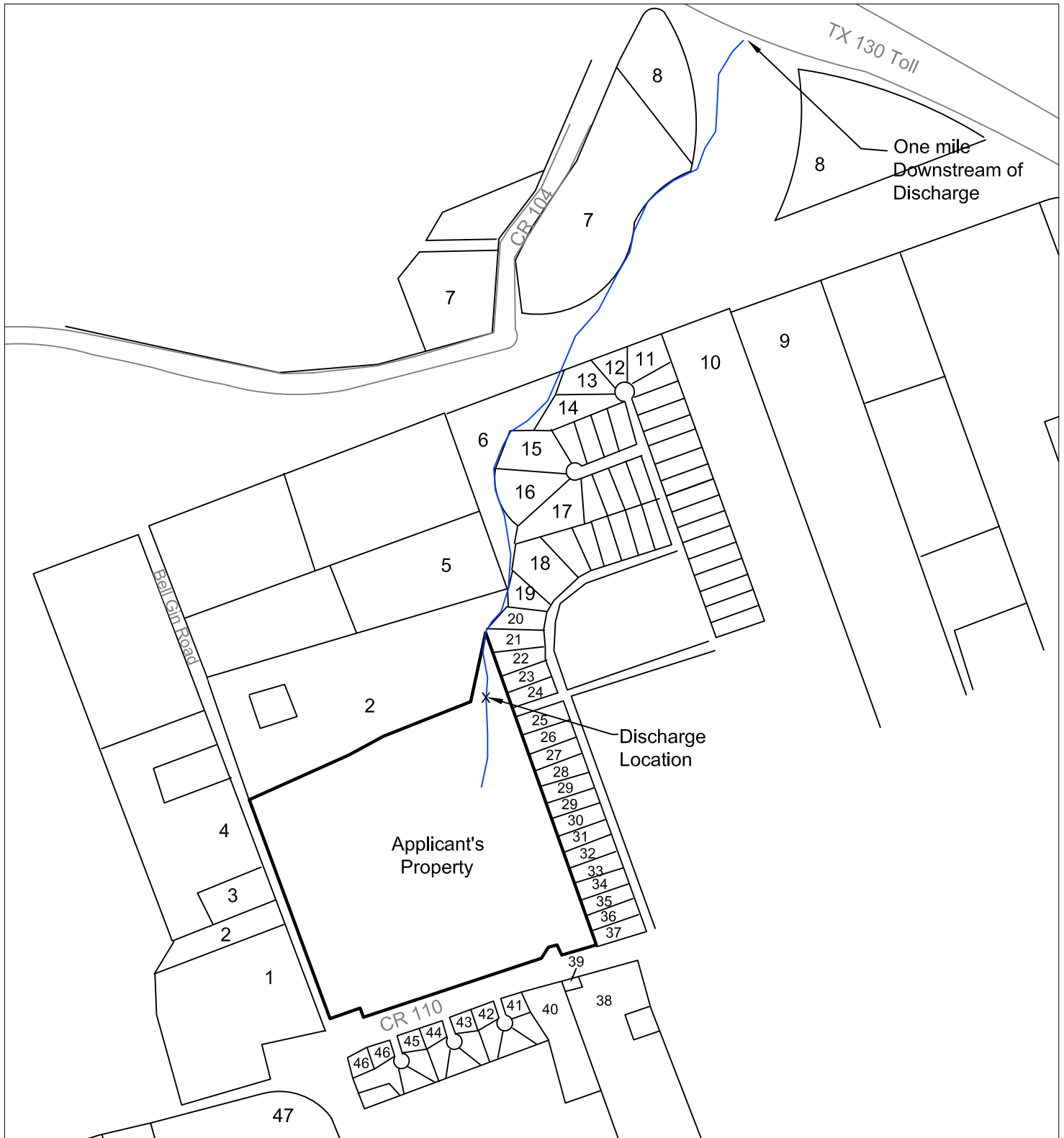
Company:	R040062 LP		Job Title:	Manager	
Name (In Print):	Louis Mertz		Phone:	(832) 485- 1907	
Signature:			Date:	6/2/2021	

Attachment B
USGS Map
Admin Report 1.0, Section 13



ATTACHMENT B
R040062 LP - INDIGO WATER RESOURCE RECOVERY FACILITY
NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT APPLICATION
USGS MAP

Attachment C
Affected Landowner Information
Tech Report 1.1, Section 1



ATTACHMENT C.1
R040062, LP - INDIGO WATER RESOURCE RECOVERY FACILITY
NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT APPLICATION
AFFECTED LANDOWNER MAP

ATTACHMENT C.2
R040062, LP - INDIGO WATER RESOURCE RECOVERY FACILITY
NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT APPLICATION
AFFECTED LANDOWNER LIST

- | | |
|---|---|
| 1 MYRA L VALENTA
3801 COUNTY ROAD 110
GEORGETOWN, TX 78626 | 11 LORIS TRAN & TRUNG NGUYEN
2801 W 45 TH ST
AUSTIN, TX 78731 |
| 2 JIMMY C WEBB
2929 BELL GIN RD
GEORGETOWN, TX 78626-7428 | 12 UNKNOWN |
| 3 KENT E. WEBB
3100 BELL GIN RD
GEORGETOWN, TX 78626-7402 | 13 DOMINGO GRANADOS
337 ALYSON LN
HUTTO, TX 78634-3051 |
| 4 JIM & VIRGINIA WEBB
2929 BELL GIN RD
GEORGETOWN, TX 78626-7428 | 14 KRISTI SWANN
6106 GLEN MEADOW DR
AUSTIN, TX 78745-4143 |
| 5 EQUITY TRUST DBA STERLING TRUST
408 RIVER CHASE BLVD
GEORGETOWN, TX 78628 | 15 TALON R RICHARDS
PO BOX 1366
TAYLOR, TX 76574 |
| 6 JOSHUA L RICHARDS
PO BOX 1366
TAYLOR, TX 76574-6366 | 16 CARLOS E CASAS & ALBERTO R DE CASA
520 OLIVIA CT
HUTTO, TX 78634-3064 |
| 7 EMMA L LAWHON FAMILY LAND
PARTNERSHIP
2200 PATRIOT WAY
GEORGETOWN, TX 78626-7421 | 17 DONALD RAY ROBBINS
P.O. BOX 1088
GEORGETOWN, TX 78627-1088 |
| 8 RIVER CITY PARTNERS LTD
501 E KOENIG LN
AUSTIN, TX 7875 | 18 ALEX CIFUENTES
223 JACOBS WAY
HUTTO, TX 78634 |
| 9 RICHARD A & KAREN T SLIVA
717 COUNTY ROAD 105
HUTTO, TX 78634-3013 | 19 RADY RICHARD Z & AGATHA O CO TRS RADY
FAMILY TRUST
13276 RESEARCH BLVD #105
AUSTIN, TX 78750-3225 |
| 10 LARRY J & RHONDA G REID
707 COUNTY ROAD 105
HUTTO, TX 78634-3013 | 20 HILARIO & MARIA A VELAZQUEZ
215 JACOBS WAY
HUTTO, TX 78634-3045 |

21 SHAWN & ENA BICHSEL 211 JACOBS WAY HUTTO, TX 78634	32 LENARD C & GARNETTA D SMITH 121 JACOBS WAY HUTTO, TX 78634-3019
22 JOSE & ESMERALDA ARREOLA 209 JACOBS WAY HUTTO, TX 78634	33 WILEY R HENNIG 117 JACOBS WAY HUTTO, TX 78634-3019
23 LORENZO & MINERVA VELAZQUEZ RENOJ 205 JACOBS WAY HUTTO, TX 78634	34 REX NOWLIN 113 JACOBS WAY HUTTO, TX 78634
24 VENANCIO SUAREZ FLORES 300 ALYSON LN HUTTO, TX 78634	35 ESTHER SALAZAR 109 JACOBS WAY HUTTO, TX 78634
25 PAULINA DE LUNA 153 JACOBS WAY HUTTO, TX 78634	36 MARILYN A SOTER (TOD) TO CLAUDIA NEWMAN 4125 EAST PIKE ZANESVILLE, OH 43701-8426
26 MISAEL HERNANDEZ & TOMASA CHAVEZ & RENE VEGA ALVAREZ & CECILIA HERNANDEZ CHAVEZ 149 JACOBS WAY HUTTO, TX 78634	37 ANDREW L & MAEDELLE T 101 JACOBS WAY HUTTO, TX 78634
27 VICENTE & ANAGELICA T MACIAS 145 JACOBS WAY HUTTO, TX 78634	38 HOMER R THOMAS 350 COUNTY ROAD 105 GEORGETOWN, TX 78626-7426
28 QUAN P VO 19841 COCHRANE WAY GAITHERSBURG, MD 20879	39 JACK & DIANNE MOORE % HOMER THOMAS 350 COUNTY ROAD 105 GEORGETOWN, TX 78626-7426
29 NATHAN MENDEZ & TRAM VO 137 JACOBS WAY HUTTO, TX 78634-3021	40 ARCANGELS INVESTMENTS LLC 501 LONE STAR DR CEDAR PARK, TX 78613
30 JOSE FELIX & JOSE MEJIA HERNANDEZ 129 JACOBS WAY HUTTO, TX 78634-3019	41 GREGORY J & MARY D FREDERICK 101 BRIAN CIR GEORGETOWN, TX 78626-9607
31 JOHN PIONTKOWSKI 125 JACOBS WAY HUTTO, TX 78634-3019	42 THOMAS BROWNFIELD 102 BRIAN CIR GEORGETOWN, TX 78626-9607

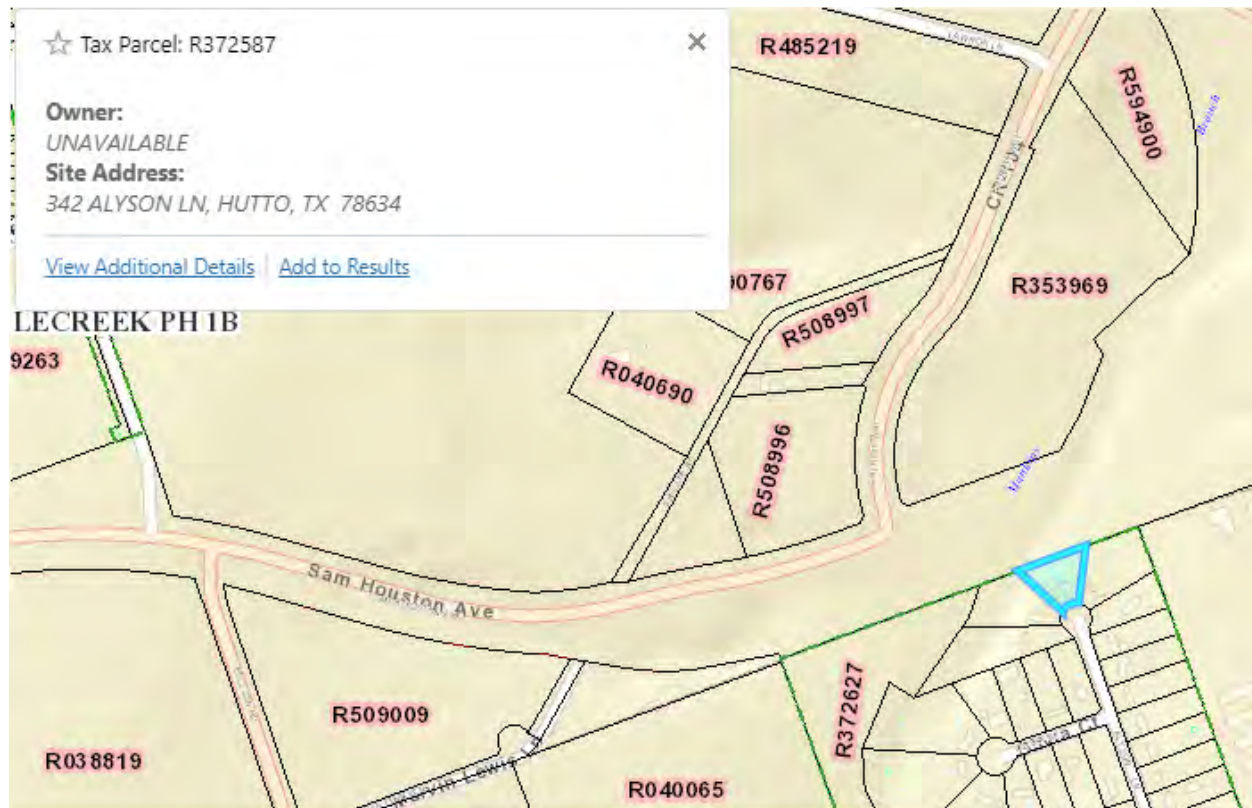
43 ELIZABETH RAMSEY DRISCOLL
513 MALLORY CT
EL PASO, TX 79912-4228

44 DANIEL WISE
102 JENNIFER CIR
GEORGETOWN, TX 78626-9612

45 DONNA L MOORE
101 MELISSA CIR
GEORGETOWN, TX 78626-9606

46 ARCANGELS INVESTMENTS LLC
501 LONE STAR DR
CEDAR PARK, TX 78613

47 BERNARD S ANDERSON TR OF BERNARD &
GLADYS ANDERSON TRUST
16233 CAMERON RD
PFLUGERVILLE, TX 78660



Attachment D
Original Photographs
Admin Report 1.1, Section 2



Photograph 1. – At outfall looking south, upstream.



Photograph 2. – At outfall looking north, downstream.

ATTACHMENT D.1
R040062 LP
INDIGO WATER RESOURCE RECLAMATION FACILITY
NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT APPLICATION
PHOTOGRAPHS



Photograph 3. – Proposed site of facility, looking south.

ATTACHMENT D.2
R040062 LP
INDIGO WATER RESOURCE RECOVERY FACILITY
NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT APPLICATION
PHOTOGRAPHS



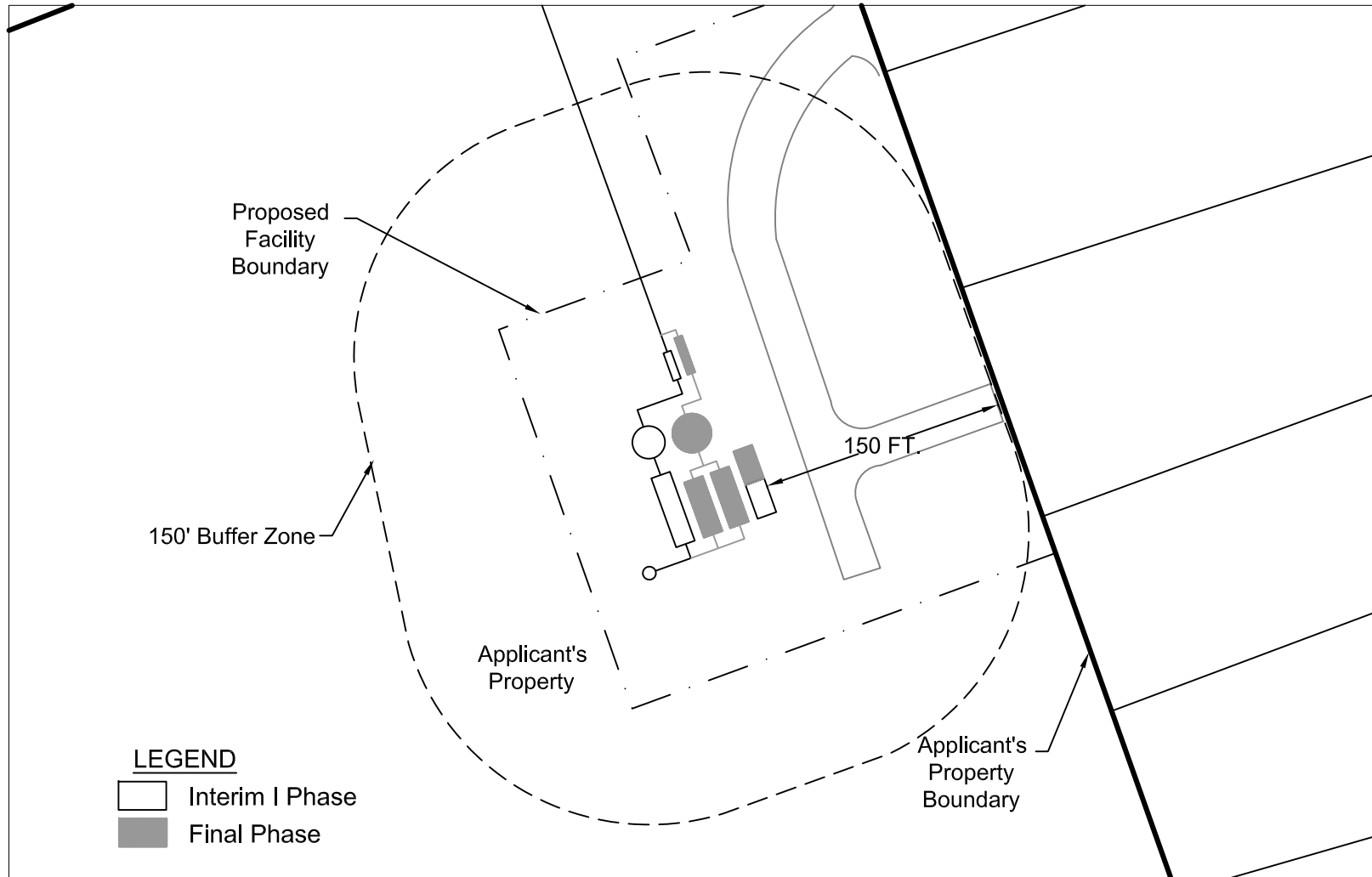
NOT TO SCALE

2 Photograph
Location

**ATTACHMENT D.3
R040062 LP**

**INDIGO WATER RESOURCE RECLAMATION FACILITY
NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT APPLICATION
PHOTOGRAPH LOCATION MAP**

Attachment E
Buffer Zone Map
Admin Report 1.1, Section 3



ATTACHMENT E
R040062, LP - INDIGO WATER RESOURCE RECOVERY FACILITY
NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT APPLICATION
BUFFER ZONE MAP

Attachment F
Treatment Units
Tech Report 1.0, Section 2.B

ATTACHMENT F
R040062 LP - INDIGO WATER RESOURCE RECOVERY FACILITY
NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT APPLICATION
TREATMENT UNITS

Interim I Phase (0.075 MGD)

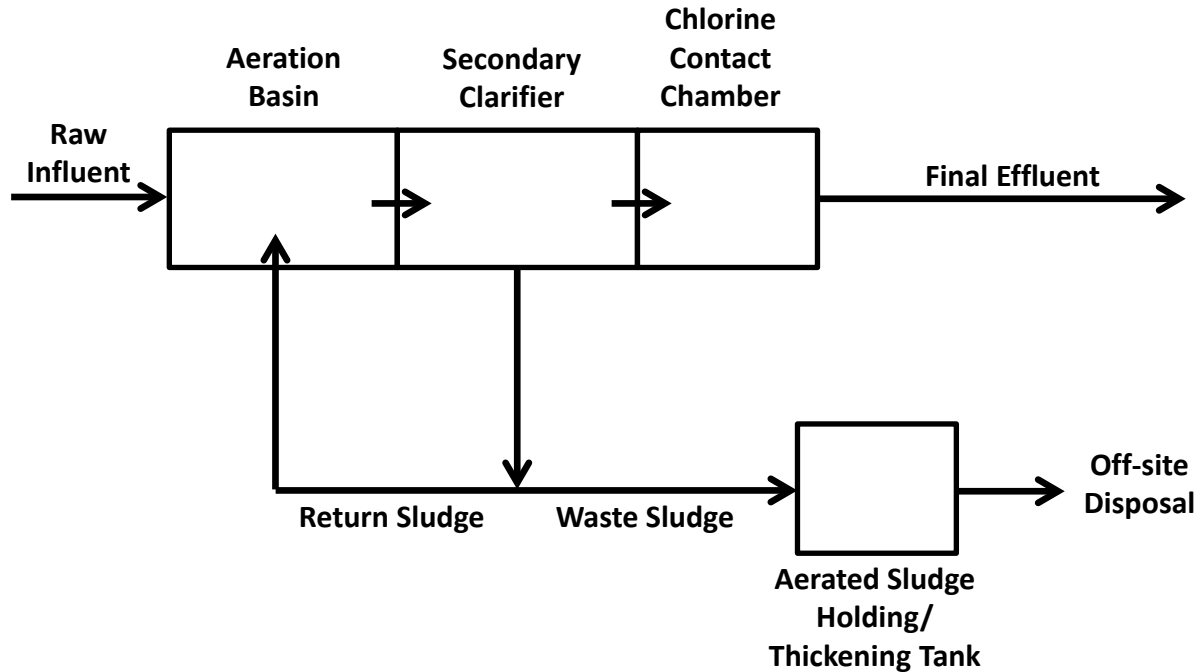
Treatment Unit Type	Number of Units	Dimensions (L x W x D)
Aeration Basin	1	45' x 12' x 10.5' SWD
Secondary Clarifier	1	20' dia., 11' SWD
Chlorine Basin	1	18' x 7' x 5' SWD
Sludge Holding Tank	1	22.5' x 12' x 10.5'

Additions for Final Phase (0.200 MGD)

Treatment Unit Type	Number of Units	Dimensions (L x W x D)
Aeration Basin	2	36' x 12' x 10.5' SWD
Secondary Clarifier	1	24' dia., 11' SWD
Chlorine Basin	1	24' x 8' x 5' SWD
Sludge Holding Tank	1	22.5' x 12' x 10.5'

Attachment G
Process Flow Diagram
Tech Report 1.0, Section 2.C

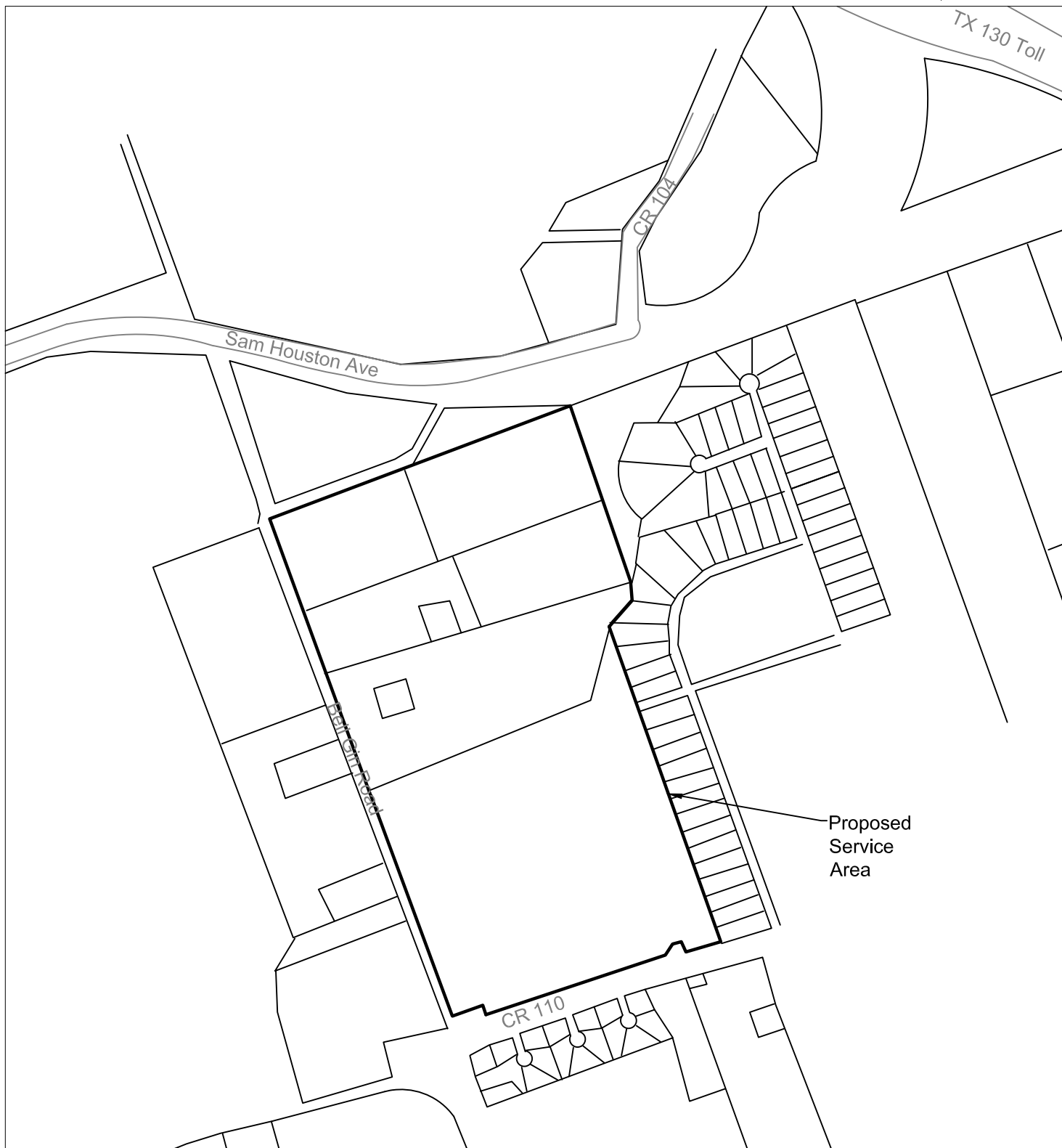
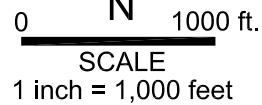
ACTIVATED SLUDGE – EXTENDED AERATION PROCESS



ATTACHMENT G
R040062 LP- INDIGO WATER RESOURCE RECOVERY FACILITY
NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT APPLICATION
PROCESS FLOW DIAGRAM

Note: Interim I Phase Shown; Final Phase is expected to be Similar and Parallel to Interim Phase

Attachment H
Site Drawing
Tech Report 1.0, Section 3



ATTACHMENT H
R040062, LP - INDIGO WATER RESOURCE RECOVERY FACILITY
NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT APPLICATION
SITE DRAWING

220

Attachment I
Sludge Acceptance Agreement
Tech Report 1.0, Section 9.A



Austin Wastewater Processing Facility
826 Linger Ln
Austin, Texas 78721
(512) 973-8484

Waste Stream Acceptance

05/18/2021

Wastewater Residuals Management, LLC, an affiliate of Wastewater Transport Services, LLC, owns and operates the Austin Wastewater Processing Facility. This facility has been permitted by the TCEQ and assigned permit number MSW 2384. The disposal facility is expected to be open for at least the next 5 years.

The facility has been permitted as a Centralized Waste Treatment Facility able to receive the following categorical and non-categorical waste streams:

- Wastewater Treatment Plant Sludge
- Water Treatment Plant Sludge
- Leachate
- Septic
- Sanitary Sewer
- Storm Water
- Food Service Grease
- Car Wash Grit Trap
- Other Class II Non-Hazardous Liquid Waste

***Please note that analytical may be required before the waste stream will be accepted.

Wastewater Residuals Management, LLC agrees to accept any of the above waste streams from the below listed generator.

Generator: R040062 LP

Identifying Info: Indigo Water Resource Recovery Facility - Wastewater Treatment Plant Sludge

A handwritten signature in black ink, reading "Cory R. Juby", with a date stamp "12/8/21" written over the signature.

Cory R. Juby
Environmental Compliance

Wastewater Residuals Management reserves the right to discontinue acceptance of the below mentioned waste at any time.

Attachment J
Justification for Permit
Tech Report 1.1, Section 1.A

ATTACHMENT J
R040062, LP – INDIGO WATER RESOURCE RECOVERY FACILITY
NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT APPLICATION
JUSTIFICATION FOR PERMIT

Central Texas is a fast-growing area. The proposed subdivision is in Williamson County TX, outside the corporate limits of the City of Georgetown (City). The site currently does not have wastewater treatment service. In addition, the proposed subdivision is not in the area identified as the “future service area” that was evaluated in the City’s 2018 wastewater master plan.

The construction of approximately 600 manufactured housing units will be completed within the next five years. The first phase of construction is for approximately 300 units to be completed within two years after receipt of the requested permit for the proposed Indigo WRRF.

The proposed WWRf that will be constructed in two phases is designed to provide services to the residential population that is expected to average 3 persons per unit. The wastewater generated by the residents is expected to be approximately 75 to 100 gallons per person per day. Therefore, the first phase of the requested permit is for 75,000 gallons per day. A Final phase is requested for 200,000 gallons per day to provide wastewater service to the remaining residents in the proposed service area.

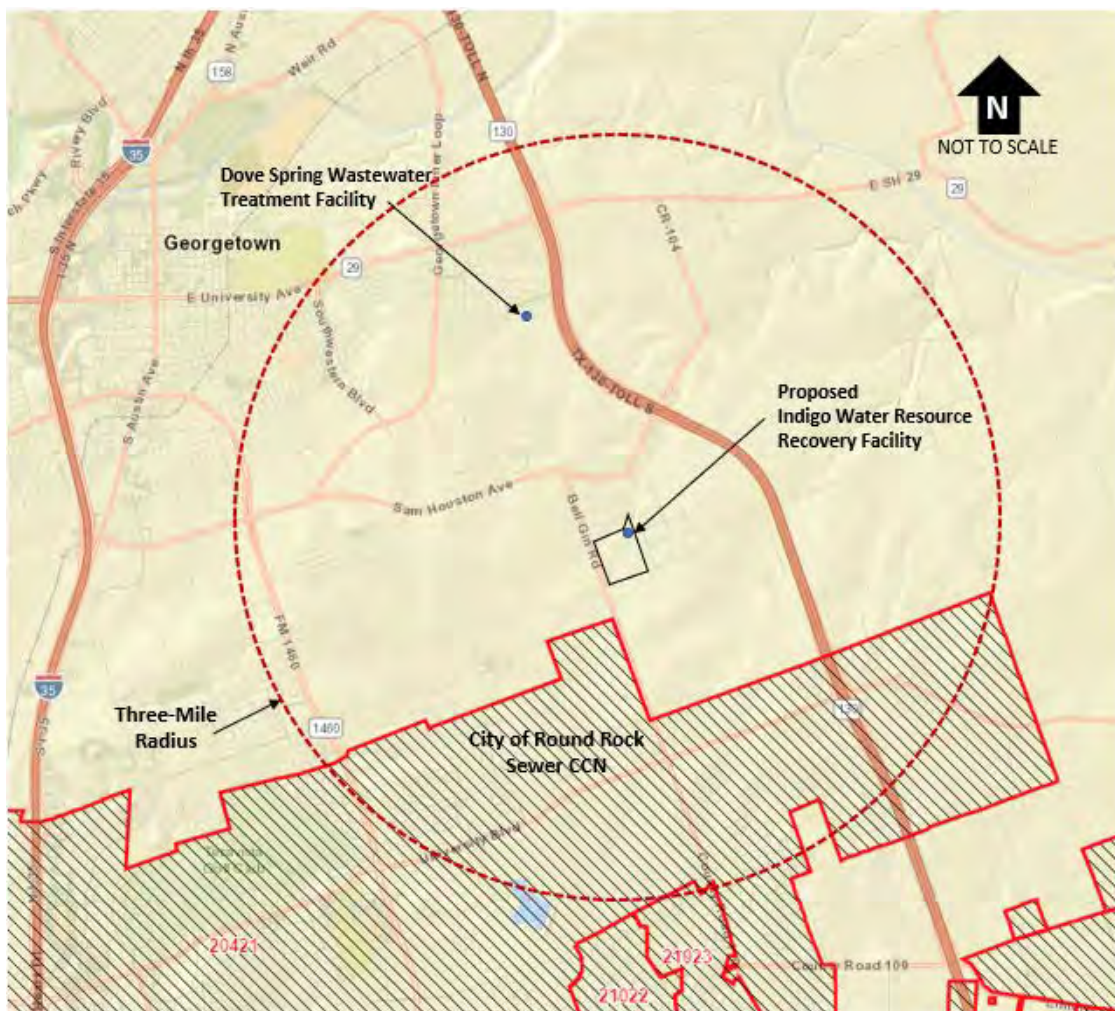
Attachment K
Nearby Collection System and
Analysis of Expenditures
Tech Report 1.1, Section 1.B.3

ATTACHMENT K.1
R040062, LP – INDIGO WATER RESOURCE RECOVERY FACILITY
NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT APPLICATION
NEARBY TREATMENT SYSTEMS

The proposed Indigo Water Resource Recovery Facility (WRRF) for the R040062, LP subdivision lies within Williamson County. The subdivision will have approximately 600 manufactured homes. It is located outside the corporate boundaries of the City of Georgetown (City), but within the City's Extraterritorial Jurisdiction.

The proposed WRRF is located within three miles of the City of Round Rock sewer CCN and the City's Dove Springs Wastewater Treatment Plant (TPDES permit number WQ0010489003). The City of Round Rock does not have any nearby collection system pipes. Figure 1 is a map that presents the location of the proposed WRRF, the nearby Round Rock CCN boundary and the location of the Dove Springs Wastewater Treatment Facility.

Figure 1. Nearby Treatment Facilities Map



Beginning in December 2020, R040062, LP contacted the City concerning connection with their system. A certified letter requesting service, the City's response to the request, and various emails related to acquiring wastewater services are presented as Attachment K.2.

As described in the City's December 23, 2020 response to R040062 LP's Manager, Mr. Mertz, the City indicated that it would provide service for the proposed subdivision but the development must comply with various City requirements. In the preceding email communication between R040062, LP and the City, it also indicated that the proposed subdivision is not within the boundaries of the City's current wastewater master plan. According to the City, R040062 LP will be required to design the infrastructure extension, in accordance with City requirements, and pay for all construction necessary to extend the City's collection system to the proposed site. The City estimated R040062, LP's responsibility for collection system improvements to connect to the City alone would likely approach \$10 million and categorized these costs as "relatively expensive up front."

In a pre-application meeting of May 20, 2021, the City further indicated that annexation would be required if the development must use City wastewater and stated that the submittal of an annexation application was among the development applications required for the proposed project. During this May 2021 meeting, the City also stated that R040062, LP's type of residential development – manufactured homes – was only permitted within the Manufactured Housing District which does not presently include Applicant's proposed site.

The analysis of expenditures required to connect to the City's collection system to the site and the comparative option to build an on-site treatment plant were developed. Potential time to complete each option and to have wastewater treatment services in place were also estimated. These cost and time estimates are presented in Attachment K.3.

Based on the cost comparison of the wastewater service options, obtaining service from the City could cost R040062, LP approximately \$10 million more than constructing an on-site WRRF. If R040062, LP only constructs the first phase of the project the cost difference between the options could be \$13 million.

The evaluation of the two options predicted that the construction of an on-site WRRF also takes less time than connecting to the City's system. The time associated with completing the City connections could be three years longer than constructing an on-site WRRF. Additionally, it is conceivable that City connection could take even longer as the site is not contiguous to the City's system and the City would have to obtain easements which may entail lengthy condemnation proceedings.

Attachment K.3 is a baseline conservative estimate that does not account for professional fees or the lost value of the R040062, LP project associated with annexation. Annexation costs based on lost value when the property is sold, payment of additional City taxes, and costs to comply with the City's numerous other zoning requirements further add to the cost to obtain service from the City. Attachment K.3 also does not consider the significant loss of value the City's prohibition on manufactured homes outside its Manufactured Housing District would have on the project.

In summary, it will require R040062, LP to spend greater than \$10 million and wait five years to obtain wastewater services from the City. Therefore, the construction of an on-site treatment facility is an economically better alternative for providing wastewater services to the proposed subdivision.

Attachment K.2

Scipio Capital, LLC
550 Post Oak Blvd., Suite 490
Houston, TX 77024

December 23, 2020

Mr. David Monk
300 Industrial Avenue
Georgetown, TX 78626

Re: Wastewater Service

Mr. Monk,

We are writing to request wastewater service for a parcel of land located in Williamson County, within the Georgetown ETJ. We respectfully request your feedback and return of this letter in the return envelope provided.

Site Boundary

The land is approximately 64.345 acres located on the northeast side of the intersection of Bell Gin Road and County Road 105 within Williamson County. A legal description of the land is the 64.345 acre tract of land situated in the J McQueen Survey, Abstract No. 426, in Williamson County, Texas, said land being the remainder of those 67.07 acre and 1.16 acre tracts more particularly described in Deed recorded as Document No. 2007004401 of the Official Public Records of Williamson County, Texas. Save and except therefrom that certain 3.885 acre tract described in Document No. 2018082244, Official Public Records, Williamson County, Texas.

Requirement

We estimate needing 85,000 to 90,000 gallons per day of wastewater service with a delivery date of 18 months.

Questions

1. Will the City be able to service the above specified site with wastewater? Please circle one of the below:

☒ Yes

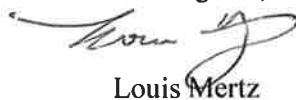
☐ No

2. If the answer to Question #1 is "Yes", what would be the cost and how soon could the City service the site? Please provide a response in the below space, or feel free to attach a handwritten or typed response on a separate piece of paper and include in the return envelope.

Service can be provided as soon as the required developer infrastructure extensions are constructed and accepted by the City and Developer complies with City Requirements and regulations related to wastewater service. We do not provide ~~Cost~~ detailed estimates for developer required line extensions.

Thank you for your feedback.

Kind regards,



Louis Mertz

Janet Sims

From: Wesley Wright <Wesley.Wright@georgetown.org>
Sent: Wednesday, December 9, 2020 6:03 PM
To: Eli Dragon
Cc: Louis Mertz; David Munk; Lua Saluone; Wayne Reed; Andreina Davila; Sofia Nelson
Subject: FW: [EXTERNAL] Residential Development - City of Georgetown ETJ - Wastewater Discussion

Eli,

Thanks for reaching out and for your interest in Georgetown. We look forward to helping you move forward with your deal.

I understand you're working on setting up a preapp meeting where you'll go over all/most aspects of development. I know there will be some major transportation issues to sort out with two relatively large roads adjacent and through your property, but I think your primary issue will be wastewater. We can certainly talk more at your preapp, but I want to give you our position in advance, so you can properly prepare and work on proformas.

A couple images are pasted below. The first image is our current wastewater master plan. Areas in white are NOT currently included in our master plan line, pumping, or treatment calculations. We are in the middle of efforting a mid-term, informal update as there is a lot of interest for wastewater in the white areas. The second image details what we envision your path for wastewater to be and what is expected to be the city's desired solution. We've generally assumed dense (3.6u/ac) single family detached for this area, but are anxious to know more about what you envision for the area.

As you are no doubt aware, your site is at the peak of a drainage basin. Thus, one would expect the collection system improvements necessary to serve you to be relatively expensive up front. The construction of MB-5, MKN-1, and the associated lift station/force main to serve your site is likely to approach \$10MM (perhaps less with private development contracts). However, there are also multiple other properties in play in these drainage basins and they need much of the same infrastructure. Cost sharing/subsequent user fees might be available for whoever installs certain infrastructure first.

Below there is mention of a private package plant option. For multiple reasons, that's not an option the city is interested in supporting – especially with multiple properties actively seeking entitlement. Our master plan and our priorities are to find regional solutions that work for everyone. Additionally, we are part of a long-standing multi-agency agreement stating that we unilaterally will oppose non-regional, privately owned treatment plants and work towards regionalization. With a clear path to organized wastewater collection via our looming master plan update, we're confident that we can find a better, more regional solution to serve your site (and others).

We look forward to your initial feedback – either here on this thread or at your preapp.

Best,

Current Master Plan:



Proposed Future Master Plan:



Wesley Wright, PE
Systems Engineering Director
City of Georgetown Municipal Complex
300-1 Industrial Ave.
Georgetown, TX 78627
Phone: 512-931-7672
Email: wesley.wright@georgetown.org



Trust : Professionalism : Teamwork : Communication : Work/Life Balance

The Systems Engineering Department's mission is to facilitate system maintenance and growth for our stakeholders through ownership and exceptional engineering services.

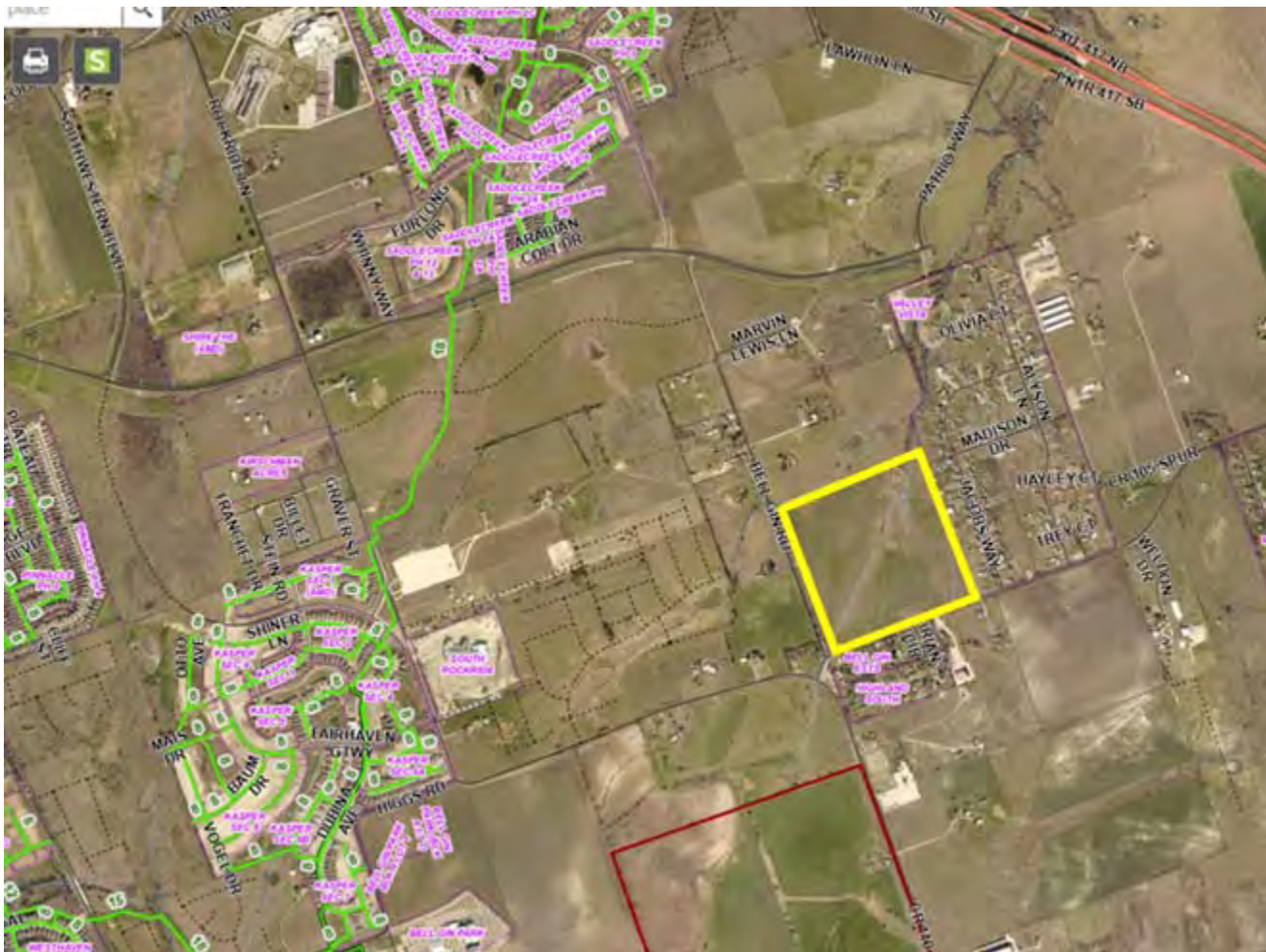
From: Lua Saluone <Lua.Saluone@georgetown.org>
Sent: Monday, December 7, 2020 8:59 AM
To: David Munk <david.munk@georgetown.org>
Cc: Wesley Wright <Wesley.Wright@georgetown.org>
Subject: FW: [EXTERNAL] Residential Development - City of Georgetown ETJ - Wastewater Discussion

David,
Eli with Scipio Ventures would like to develop a 64 acre tract (in yellow) at the corner of Bell Gin and CR 105; this tract is just east of Patterson Ranch. This tract isn't on our wastewater master plan but would be served by the MB-5 interceptor and lift station.
From their emails below and the one in blue, they want to install a package plant and in the future when the City or other developer constructs MB-5, they would then tie over to this line.

[We are evaluating all opportunities for wastewater.](#)

[Our intent is to develop the site in the immediate future. Given the information provided above, it seems that any municipal wastewater solutions will not be available in the immediate future. We are experienced wastewater owners and operators, with systems in a number of areas across Texas. Therefore based on the above, our base case would be pursuing a package plant to service the site until at a later date municipal services may be available.](#)

[Can you please begin these discussions internally? We would like to see what the City thinks.](#)



From: Eli Dragon <edragon@scipioventures.com>

Sent: Friday, December 4, 2020 5:19 PM

To: Lua Saluone <Lua.Saluone@georgetown.org>

Cc: David Munk <david.munk@georgetown.org>; Louis Mertz <lmertz@scipioventures.com>

Subject: RE: [EXTERNAL] Residential Development - City of Georgetown ETJ - Wastewater Discussion

[EXTERNAL EMAIL]

Lua –

We would like to connect to discuss this further.

1. What are the plans and what is the timing on this service area, MB-5?
2. Our intent is to proceed with development site in the immediate future. What are our options for wastewater service? A TPDES permit with the plans to later switch to the City's service, years down the line?
3. Other considerations we should think through on wastewater service for this area.

What is your availability on Monday?

Eli Dragon

Scipio Ventures

550 Post Oak Blvd., Suite 490

Houston, TX 77027
Office: +1 (832) 487-0576
~~XXXXXXXXXXXX~~
edragon@scipioventures.com

From: Eli Dragon
Sent: Wednesday, December 2, 2020 3:13 PM
To: Lua Saluone <Lua.Saluone@georgetown.org>
Cc: David Munk <david.munk@georgetown.org>
Subject: RE: [EXTERNAL] Residential Development - City of Georgetown ETJ - Wastewater Discussion

Lua –

Noted. Can we schedule a time to connect to discuss in further detail? Do you have availability to connect tomorrow for 45 minutes so I can better understand the current plan in more detail?

Eli Dragon
Scipio Ventures
550 Post Oak Blvd., Suite 490
Houston, TX 77027
Office: +1 (832) 487-0576
~~XXXXXXXXXXXX~~
edragon@scipioventures.com

From: Lua Saluone <Lua.Saluone@georgetown.org>
Sent: Wednesday, December 2, 2020 3:12 PM
To: Eli Dragon <edragon@scipioventures.com>
Cc: David Munk <david.munk@georgetown.org>
Subject: RE: [EXTERNAL] Residential Development - City of Georgetown ETJ - Wastewater Discussion

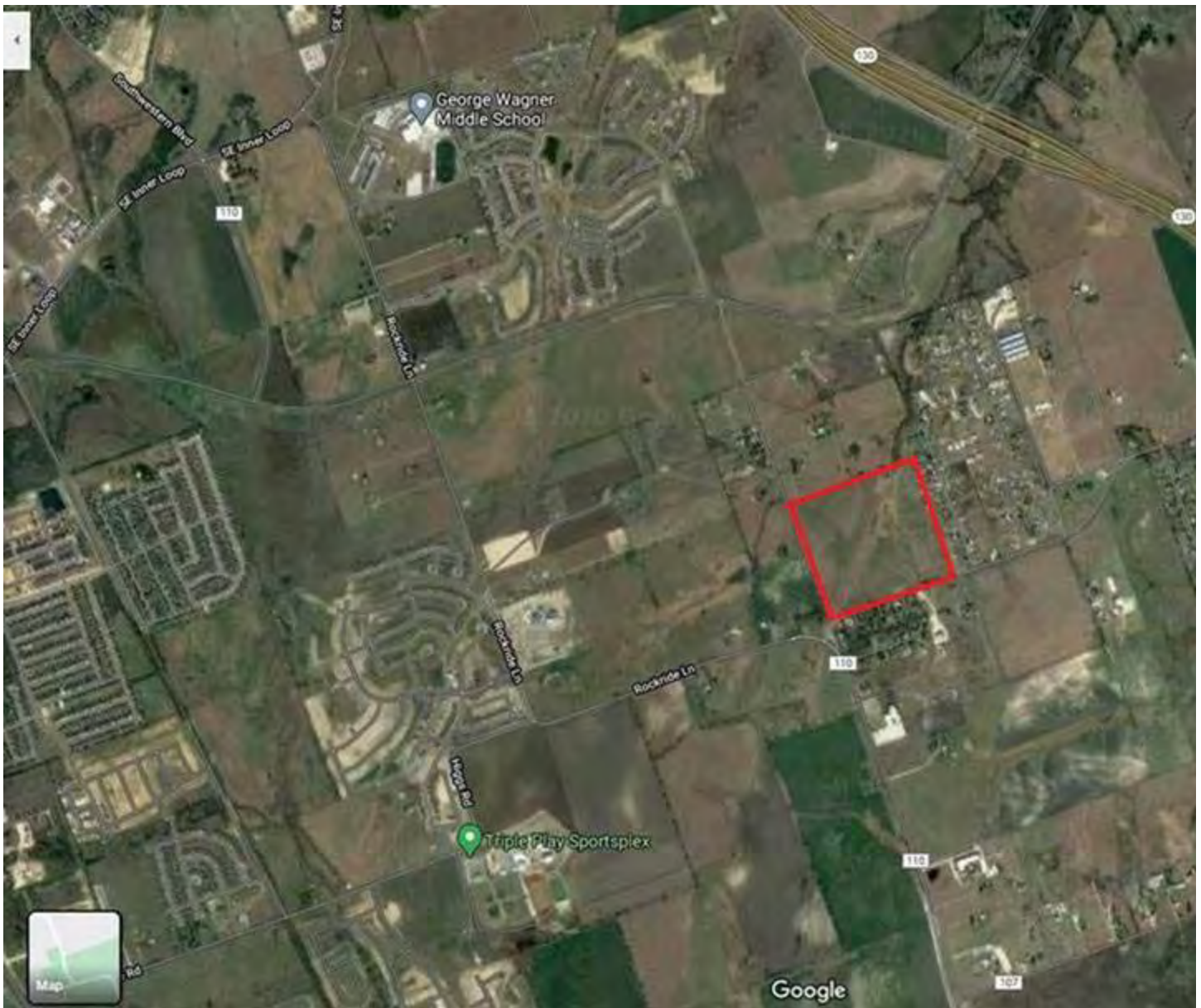
Eli,
Yes, on the current WW master plan, that tract of land wasn't included but with the update to the master plan, it would fall within the MB-5 service area.

From: Eli Dragon <edragon@scipioventures.com>
Sent: Wednesday, December 2, 2020 11:25 AM
To: Lua Saluone <Lua.Saluone@georgetown.org>
Cc: David Munk <david.munk@georgetown.org>
Subject: RE: [EXTERNAL] Residential Development - City of Georgetown ETJ - Wastewater Discussion

[EXTERNAL EMAIL]

Lua –

Apologies, I thought I shared the site. Please see below. It is the Property at Bell Gin Rd & FM 105 / FM 110. It looks like right now we would be landing outside of your master wastewater plan?



Eli Dragon

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~~XXXXXXXXXXXX~~
edragon@scipioventures.com

From: Eli Dragon

Sent: Wednesday, December 2, 2020 11:20 AM

To: Lua Saluone <Lua.Saluone@georgetown.org>

Cc: David Munk <david.munk@georgetown.org>

Subject: RE: [EXTERNAL] Residential Development - City of Georgetown ETJ - Wastewater Discussion

Lua –

Thank you. I will review the attached and get back to you.

We are still in the early stages of feasibility, but right now we estimate 350 – 400 LUEs.

Eli Dragon

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~~XXXXXXXXXXXXXX~~
edragon@scipioventures.com

From: Lua Saluone <Lua.Saluone@georgetown.org>
Sent: Wednesday, December 2, 2020 9:31 AM
To: Eli Dragon <edragon@scipioventures.com>
Cc: David Munk <david.munk@georgetown.org>
Subject: RE: [EXTERNAL] Residential Development - City of Georgetown ETJ - Wastewater Discussion

Eli,
See attached document for our current wastewater master plan. We are in the process of updating the master plan but I don't think the updates will change according to the area you are referencing. The tract of land from your description falls within the MB-5 proposed service area which would require the lift station also.
If you are wanting to send your wastewater to the west, that is something we would need to talk internally about.
How much capacity are you looking for in terms of flow or LUE's?

From: Eli Dragon <edragon@scipioventures.com>
Sent: Wednesday, December 2, 2020 9:05 AM
To: GRP_Engineering <Engineering@georgetown.org>
Subject: [EXTERNAL] Residential Development - City of Georgetown ETJ - Wastewater Discussion

[EXTERNAL EMAIL]

Good Morning –

I am hoping to connect with someone in engineering to discuss prospective wastewater solutions for a residential project we are working on in the City of Georgetown ETJ. This is in southeast Georgetown, about a mile east of Fairhaven Gateway and a mile south of Saddleback. I know the City currently has the WWTP on the west side of SH-130 called Dove Springs WWTP. I am looking to understand the City's plans as far as does that system have capacity, is the City willing to allow new projects to hook up to this system, or what are the current plans for the City?

Is there someone I can quickly connect with to better understand the current position?

Eli Dragon

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~~XXXXXXXXXXXXXX~~
edragon@scipioventures.com



Pre-Application Meeting – Planning Notes

Page 1 of 3

Project Name: Kimbro Prop-Manufactured Housing Community Meeting Date: 5/20/2021

Property Information: Address: NE corner of CR 105 (Westinghouse) & Bell Gin Rd ☐ City / ☒ ETJ

Platted: ☐ Yes / ☒ No Legal Description: 64.345 acres out of the John McQueen Survey

Zoning: N/A Overlay: N/A Future Land Use: Neighborhood and CC

Historic Resource Survey: ☐ High ☐ Medium ☐ Low ☒ N/A

MEETING COMMENTS:

Zoning:

Annexation can be required by use of:

1. Wastewater – If this development must use City wastewater annexation will be required. But, this property is not currently contiguous and eligible to be annexed. If annexation is not possible there may be a path forward through a development agreement option.

Described product is only permitted within the Manufactured Housing District as it cannot be certified to meet the requirements of the IRC and it is built to HUD Standards. This district has specific design guidelines [in UDC 6.02.100](#).

Zoning requirements like building design, parking minimums, landscaping, lighting, etc. only apply in the city limits.

Signage requires a permit per UDC Chapter 10 in both the city limits and the ETJ.

Subdivision:

A legal lot letter has been issued. But, if any public utilities are extended to this site a plat would be required.

- Preliminary Final Plat Combo is four lots or less.
- Preliminary and Final Plats if five or more lots.

If platting is triggered, then ROW dedication is required along permitter roadways. ROW dedication and construction of the the Patriot Way extension is required, too.

Parkland Dedication and Development Fees are required regardless of in the City or the ETJ. Depends on if the property is classified as single-family or multi-family per UDC definitions.

Parkland Dedication

One or two dwelling units on a lot or parcel	\$650 per unit
Three or more dwelling units on a lot or parcel	\$475 per unit

Parkland Development

One or two dwelling units on a lot or parcel	\$1000 per unit
Three or more dwelling units on a lot or parcel	\$750 per unit

Applicable Development and Zoning Standards:

The zoning standards applicable to the property will be determined by the zoning district. Standards for residential zoning districts are outlined in Chapter 6. Standards for non-residential zoning districts are outlined in Chapter 7.

Overall development standards are outlined in the UDC sections listed below. However, please note this is not an all-inclusive list and that other sections of the UDC may apply to your project:

- Permitted Use Tables – [Chapter 5](#)
 - Residential Uses – [Sec. 5.02](#)
 - Civic Uses – [Sec. 5.03](#)
 - Commercial Uses – [Sec. 5.04](#)
 - Transportation and Utility Uses – [Sec. 5.05](#)
 - Industrial Uses – [Sec. 5.06](#)
 - Agricultural Uses – [Sec. 5.07](#)
 - Temporary Uses – [Sec. 5.08](#)
 - Outdoor Display and Storage – [Sec. 5.09](#)
 - Wireless Transmission Facilities – [Sec. 5.10](#)
- Residential Development Standards – [Sec. 6.02](#)
 - Please note that all buildings, structures and other site improvements and features must be located outside of required setbacks. For a list of features allowed within required setbacks, please refer to [Sec. 6.04.020.C](#)
 - Dimensional interpretations and exceptions are outlined in [UDC Sec. 6.04](#)
 - Additional standards for accessory structures, garages and carports are outlined in UDC Sec. 6.05
 - Please note that front loaded garages must be set back 25 feet.
- Common Amenity Area requirements – Sec. 6.06
- Non-Residential Development Standards – [Sec. 7.02](#)
 - Please note that all buildings, structures and site improvements and features must be located outside required setbacks. For a list of features allowed within required setbacks, please refer to [Sec. 7.02.030.C](#)
- Building Design requirements (elements, architectural features, articulation, etc.) – [Sec. 7.03](#)
- Lighting requirements – [Sec. 7.04](#)
- Tree Preservation requirements – [Sec. 8.02](#)
- Landscape, bufferyard and screening requirements – [Sec. 8.03](#) (Residential) and [Sec. 8.04](#) (Non-Residential)
- Residential Fences – Sec. 8.07.040
 - Within the front yard and street side setback, fences are limited to 4 feet in height and 50% transparency.
- Apartment Fences – Sec. 8.07.050
- Residential Boundary Wall requirements – Sec. 8.07.060
- Non-residential Fences – [Sec. 8.07.070](#)
- Parking Requirements – [Sec. 9.02](#)
 - Parking spaces in excess of the minimum number required, require additional landscaping as outlined in the UDC.
- Vehicle Stacking – [Sec. 9.04](#)
- Off-Street Loading – [Sec. 9.05](#)
- Signage – [Ch 10](#)
- Impervious Cover – [Sec 11.02](#)
- Stormwater Management – [Sec 11.04](#)
- Water Quality – [Sec 11.07](#)
- Special Development Types

- Housing Diversity Development – Sec. 4.05.010 and Sec. 6.07.010
- Conservation Subdivision – Sec. 4.05.020, Sec. 6.07.010 and Sec. 11.06
- Multi-Lot Unified Development – Sec. 4.05.030, Sec. 6.07.030 (Residential) and 7.02.030.E (Non-Residential)
- Workforce Housing Development – Sec. 6.07.040

Required Applications:

For the proposed project, the following development applications are required and thus must be submitted for review and approval (in the order identified below – **bold** applications are only required if annexing; italicized items are only required if subdivided):

- **Annexation – Sec. 3.25**
 - **Approval Criteria – Sec. 3.25.030**
- **Rezoning – Sec. 3.06**
 - **Approval Criteria (Base Zoning) – Sec. 3.06.030**
- *Subdivision Plat: Preliminary and Final – Sec. 3.08*
 - *Preliminary Plats – Sec. 3.08.070*
 - *Recording Plats – Sec. 3.08.080*
- *Subdivision Construction Plans – Sec. 3.08.100*
 - *Subdivision Construction Plans must be submitted prior to or concurrent with the submission of the Final Plat.*
- **Site Development Plan – Sec. 3.09**
 - **Site Development Plan may not be approved until the Final Plat is recorded.**

NOTES COMPLETED BY:

<input checked="" type="checkbox"/>	Ethan Harwell	Senior Planner	(512) 930-3692	ethan.harwell@georgetown.org
<input type="checkbox"/>	Michael Patroski	Planner	(512) 930-3580	michael.patroski@georgetown.org
<input type="checkbox"/>	Ryan Clark	Planner	(512) 931-7746	ryan.clark@georgetown.org
<input type="checkbox"/>	Britin Bostick	Historic Planner	(512) 930-3581	Britin.bostick@georgetown.org

ATTACHMENT K.3
R040062, LP – INDIGO WATER RESOURCE RECOVERY FACILITY
NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT APPLICATION
COMPARISON OF COST AND TIMING OF SERVICE

Wastewater service was requested from the City of Georgetown (City) prior to submittal of this permit application. It was determined that wastewater service options available from the City were neither timely nor economically viable.

The City did not provide definitive costs or a list of specific facilities necessary for connection to their system. Maps were provided showing conceptual routes for gravity sewers and a new lift station and force main preliminarily planned to serve the general area. The cost of the facilities needed was estimated as potentially being greater than \$10 million in one email from the City. With exact routes, line sizes, depths and developer agreements not being available, it is very difficult to develop potential costs for connection to the City's system. However, based on maps provided by the City and on pipeline costs consistent with those used in the City's 2018 Wastewater Master Plan for similar pipelines, a potential cost for connection of \$15.8 million was developed. Either cost estimate would be substantially higher than the \$2.1 million cost estimated for the first phase of the treatment facility that is proposed in this permit application.

In addition, since the pipelines needed for connection to the City's system would require route investigations, geotechnical testing, surveying, land ownership research, easement acquisition (possibly including condemnation), multiple road crossing permits, design, and competitive bidding, it is estimated that City-provided wastewater service through the routes proposed by the City would be unlikely to be available in less than five years from the date route and sizing investigations could begin. Service through the treatment facility proposed in this permit application, conversely, could be active in approximately two years from the date a permit application is submitted to TCEQ.

Figure 1 is a map that illustrates the pipelines proposed by the City of Georgetown as being necessary for connection to their system. It is acknowledged that exact line lengths, depths, slopes and sizes are not known. However, it appears that approximately 20,600 linear feet of gravity sewer would need to be constructed, not counting the applicant's connection to Georgetown's future system, and that a new lift station and approximately 17,300 linear feet of force main would be needed to deliver flows from the gravity system to the City's treatment plant. The size, depth and the capacity of the new lift station are not known and would need planning to determine.

Figure 1 – Routes for Potential Connection to City System

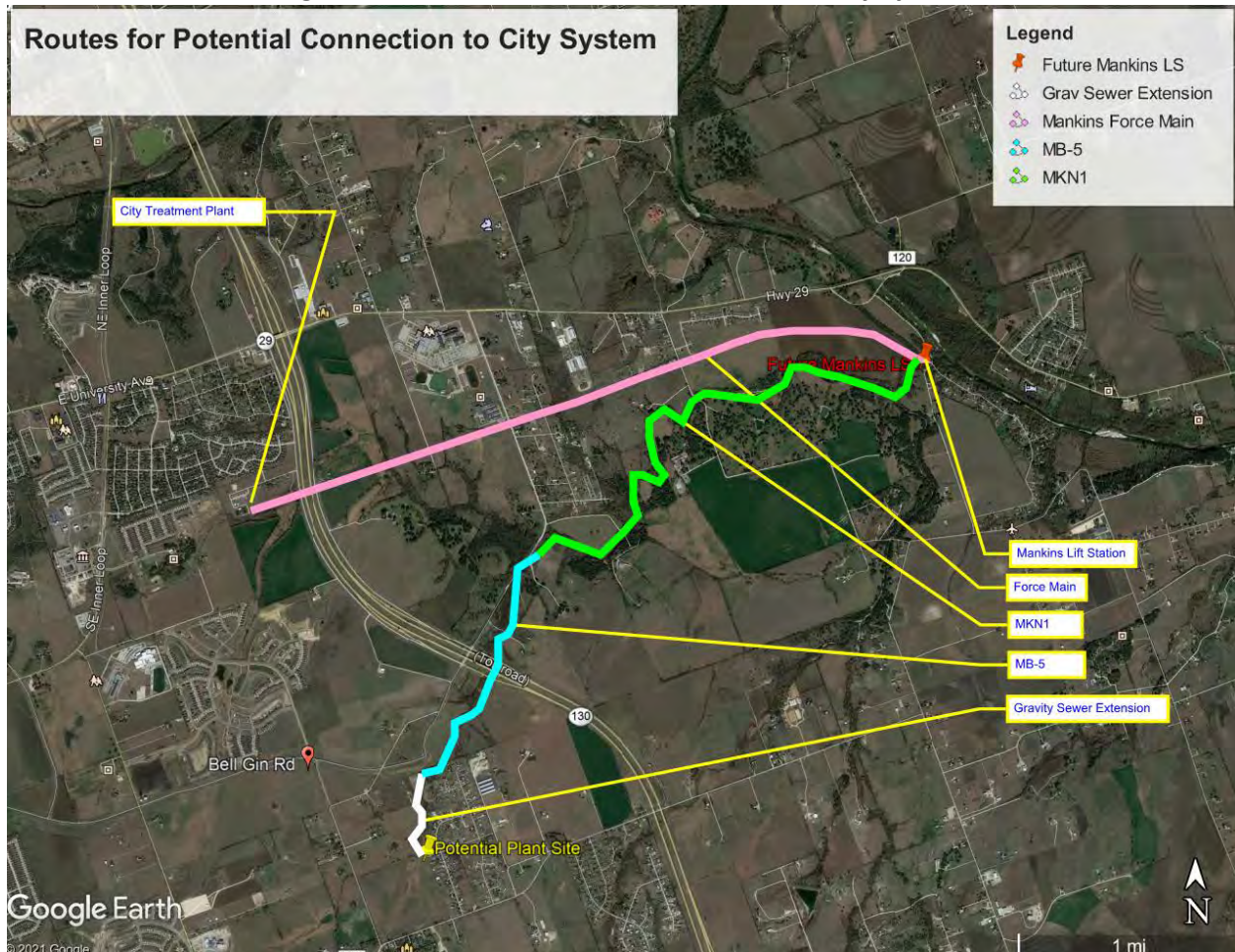
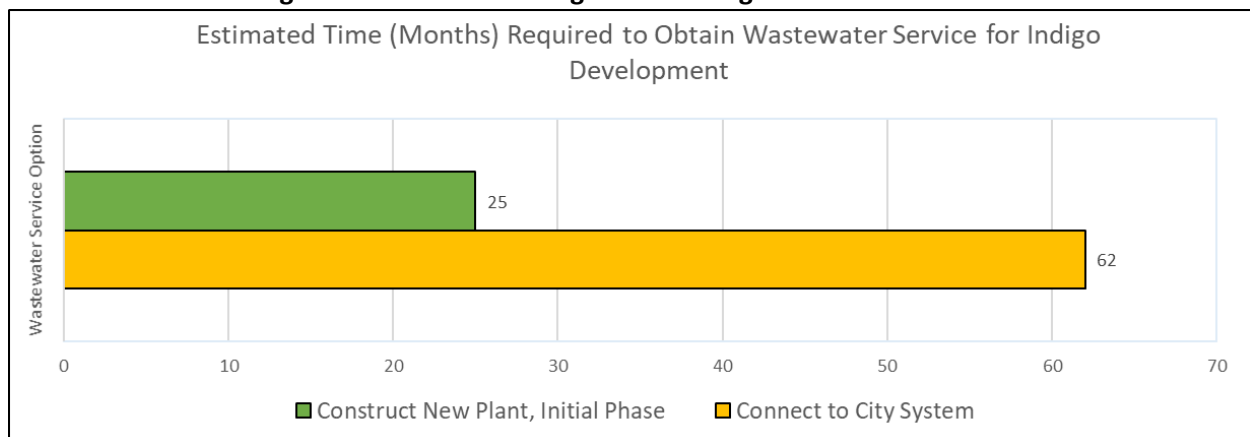


Figure 2 is a bar graph that illustrates the potential timing for obtaining wastewater service from the City as opposed to obtaining service through an independently constructed on-site treatment system. Due to the time required to plan pipeline routes and obtain necessary permits and land rights, development of the piping necessary for a connection to the City is projected to take three years longer than building the proposed treatment plant.

Figure 2 – Potential Timing for Obtaining Wastewater Service



The cost comparison table below illustrates the cost advantage of constructing the initial phase of the proposed treatment plant as opposed to connecting to the City's system. It is acknowledged that because detailed planning has not yet been performed, insufficient information exists to accurately project the costs of all lines needed to connect to the City's system. Using unit costs consistent with those used in the City's 2018 Wastewater Master Plan, however (for size *ranges* anticipated rather than for specific pipe sizes or depths) and assigning assumed costs to a potential first phase lift station, it is clear that the cost of developing wastewater service in the immediate future is substantially less if a new treatment plant is built at the site proposed in the permit application as opposed to connecting to the City's system. The cost advantage is still clear even at the \$10 million plus figure initially cited in City email correspondence. The cost comparison below does not account for potential cost recovery through developer's agreements, nor does it account for potentially significant lost value opportunities potentially attributable to land use controls and property taxes if annexation is required as a condition of service from the City.

Table 1 – Cost Comparisons of Treatment Options

Independent Water Resource Recovery Plant	
Initial Phase Only - Probable Cost	\$ 2,156,250
Second Phase - Probable Cost	\$ 3,593,750
Total Potential Cost for Treatment Plant, Two Phases	\$ 5,750,000
Connection to City of Georgetown System	
Impact Fees ²	\$ 716,450
Potential Cost, Connector to MB-5 ³ (White)	\$ 910,000
Potential Cost, Initial City Lift Station ⁴	\$ 3,000,000
Cost to install MB-5 ³ (Blue)	\$ 2,880,000
Cost to install MKN-1 ³ (Green)	\$ 7,360,000
Mankins Force Main ³ (Pink)	\$ 1,630,000
Total Potential Cost of Connection to City Wastewater System	\$ 15,780,000

This narrative was prepared by Mark A. Perkins, Texas PE 60329, Perkins Engineering Consultants, Inc., TBPELS Firm F 8699, June 8th, 2021

Attachment L
Design Calculations and Plant Features
Tech Report 1.1, Section 4

ATTACHMENT L
R040062 LP - INDIGO WATER RESOURCE RECOVERY FACILITY
NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT APPLICATION
DESIGN CALCULATIONS AND PLANT FEATURES - INTERIM I PHASE

Flow and Loading

Design Flow	0.075	MGD
BOD5 Design Concentration	300	mg/L
Design Organic Loading	188	lb BOD5/day
Peak Flow	0.3000	MGD
Peaking Factor	4.0	

Activated Sludge Treatment

No. of Basins	1	
Volume at Normal WSE	5,670	cf
Nominal Basin Dimensions 45'L 12'W 10.5' SWD	42,417	gal
Detention Time at Design Flow	13.6	hrs
Detention Time at Peak Flow	3.4	hrs
Organic Loading at Design Flow	33.1	lb BOD/d/1000 cf
TCEQ Design Max. Allowable Organic Loading	35.0	lb BOD/d/1000 cf

Secondary Clarification

No. of Basins	1	
SWD	11.0	ft
Diameter	20.0	ft
Surface Area, Total	314	sf
Volume, Total	3,456	cf
	25,850	gal
Surface Loading Rate at Design Flow	239	gpd/sf
Surface Loading Rate at Peak Flow	955	gpd/sf
TCEQ Max. Surface Loading Rate at Peak Flow	1,200.0	gpd/sf
Detention Time at Design Flow	8.3	hrs
Detention Time at Peak Flow	2.1	hrs
TCEQ Min. Detention Time at Peak Flow	1.8	hrs
Allowable Peak Flow = Volume/120mins=	310,200.0	gpd
Peak Flow =	300,000.0	gpd
2 Hour Peak Flow Capacity of Clarifier based on TCEQ Max Surface Loading	376,991.1	gpd
2 Hour Peak Flow Capacity of Clarifier Based on TCEQ Min. Detention Time Criteria	344,666.7	gpd

Chlorine Contact

No. of Chlorine Contact Basins	1	
Volume, Total	630	cf
Nominal Basin Dimensions 18'L 5'W 7'SWD	4,713	gal
Detention Time at Peak Flow	22.6	min
TCEQ Min Detention Time at Peak Flow	20.0	min
Peak Flow =	208.3	gpm

Note: Exact basin dimensions will vary by equipment manufacturer selected

For TCEQ Permit Purposes

Prepared under the supervision of Mark A. Perkins, Texas PE 60329

Perkins Engineering Consultants, Inc., TBPELS Firm F8699

20-May-21

ATTACHMENT L
R040062 LP - INDIGO WATER RESOURCE RECOVERY FACILITY
NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT APPLICATION
DESIGN CALCULATIONS AND PLANT FEATURES - FINAL PHASE (Parallel to Interim Phase)

Flow and Loading

Design Flow	0.125	MGD
BOD5 Design Concentration	300	mg/L
Design Organic Loading	313	lb BOD5/day
Peak Flow	0.5000	MGD
Peaking Factor	4.0	

Activated Sludge Treatment

No. of Basins	1	
Volume at Normal WSE	9,072	cf
	67,868	gal
Nominal Basin Dimensions 72'L 12'W 10.5'SWD (This may be two basins at 36' nominal length each)		
Detention Time at Design Flow	13.0	hrs
Detention Time at Peak Flow	3.3	hrs
Organic Loading at Design Flow	34.5	lb BOD/d/1000 cf
TCEQ Design Max. Allowable Organic Loading	35.0	lb BOD/d/1000 cf

Secondary Clarification

No. of Basins	1	
SWD	11.0	ft
Diameter	24.0	ft
Surface Area, Total	452	sf
Volume, Total	4,976	cf
	37,230	gal
Surface Loading Rate at Design Flow	276	gpd/sf
Surface Loading Rate at Peak Flow	1,105	gpd/sf
TCEQ Max. Surface Loading Rate at Peak Flow	1,200.0	gpd/sf
Detention Time at Design Flow	7.1	hrs
Detention Time at Peak Flow	1.8	hrs
TCEQ Min. Detention Time at Peak Flow	1.8	hrs
Allowable Peak Flow = Volume/120mins=	446,760.0	gpd
Peak Flow =	500,000.0	gpd
2 Hour Peak Flow Capacity of Clarifier based on TCEQ Max Surface Loading	542,867.2	gpd
2 Hour Peak Flow Capacity of Clarifier Based on TCEQ Min. Detention Time Criteria	496,400.0	gpd

Chlorine Contact

No. of Chlorine Contact Basins	1	
Volume, Total	960	cf
	7,182	gal
Nominal Basin Dimensions 24'L 5'W 8'SWD		
Detention Time at Peak Flow	20.7	min
TCEQ Min Detention Time at Peak Flow	20.0	min
Peak Flow =	278.0	gpm

Note: Exact basin dimensions will vary by equipment manufacturer selected

For TCEQ Permit Purposes

Prepared under the supervision of Mark A. Perkins, Texas PE 60329

Perkins Engineering Consultants, Inc., TBPELS Firm F8699

20-May-21

ATTACHMENT L

R040062 LP INDIGO WATER RESOURCE RECOVERY FACILITY APPLICATION FOR NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT DESIGN CALCULATIONS AND PLANT FEATURES

Facility Design Features

a. Design Features for Reliability and Operating Flexibility

The WWTP will be designed with galvanized, stainless steel, and protective coatings to prevent corrosion and provide a long-lasting system. Air diffusers will be constructed to allow removal, replacement, and inspection without drain the basins. With the small size of this system, temporary pumping and hauling of wastewater can be done for short periods of time if necessary. When ultimately expanded to satisfy capacities needed for the Final phase, dual treatment trains are expected to be present.

b. Excessive inflow or infiltration

All treatment units will have the freeboard needed to satisfy TCEQ Design Criteria. The Water Resource Reclamation Facility will initially serve the proposed residential subdivision in its initial phase, followed by an expansion to serve a second phase when developed. The collection system is relatively short and will not cross waterways that are continually flowing. The residential development will have new sewer collection lines, constructed with gasketed joints and non-porous pipe materials. Because the collection system will be new construction, minimal infiltration and inflow is expected.

c. Power Failure

A generator is recommended for backup power.

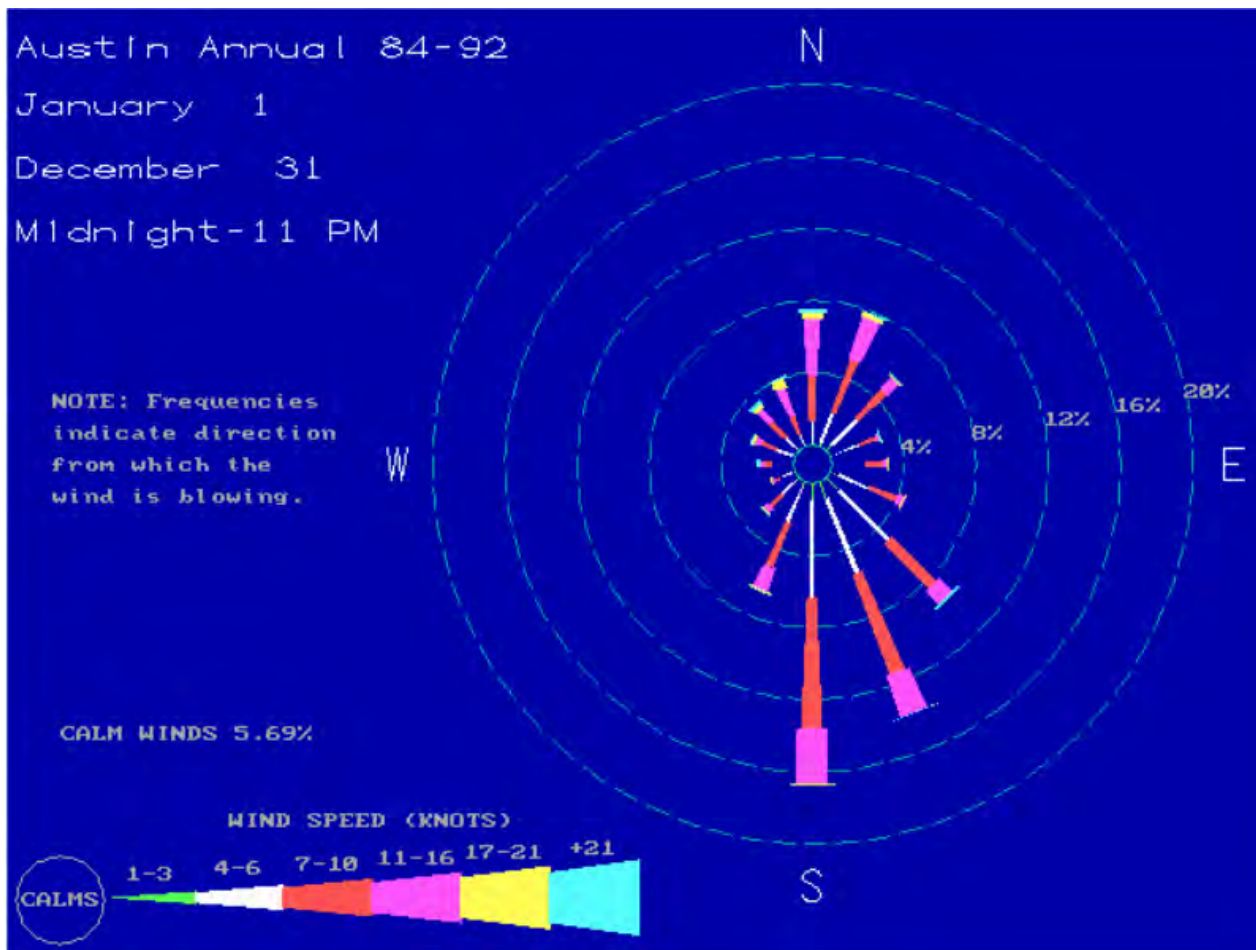
d. Equipment Malfunction

Each major piece of mechanical equipment (pumps, blowers, and RAS pumps) is being provided in duplicate. The plant is expected to be designed such that its capacity is met with the largest of each of these pieces of equipment out of service.

e. Facility unit Maintenance & Repair

To the extent practical, all major equipment will be accessible and retrievable from the working surface above the plant or from ground level beside the plant.

Attachment M
Wind Rose
Tech Report 1.1, Section 5.B



ATTACHMENT M
R040062 LP
INDIGO WATER RESOURCE RECLAMATION FACILITY
NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT APPLICATION
WIND ROSE

Attachment N
Sewage Sludge Solids Management Plan
Tech Report 1.1, Section 7

ATTACHMENT N
R040062 LP - INDIGO WATER RESOURCE RECOVERY FACILITY
NEW TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT APPLICATION
SEWAGE SLUDGE SOLIDS MANAGEMENT PLAN

- **TREATMENT UNITS AND PROCESS DIMENSIONS**

See Treatment Units presented in Section 3.B of the Technical Report, (form TCEQ-10054) page 2 of 80.

- **PROJECTED SOLIDS GENERATION:**

The table below shows the amount of solids generated at design flow, and at 75%, 50%, and 25% design flow. The proposed Final Phase Design Flow is 0.2 MGD.

Interim I Phase:

Percent of Design Flow	Dry Pounds Per Day
25%	38
50%	75
75%	113
100%	150

Final Phase:

Percent of Design Flow	Dry Pounds Per Day
25%	100
50%	200
75%	300
100%	400

It is expected that sludge can be thickened by decanting to 1.5-percent solids in the plant's solids holding tank. Hauling frequency will vary based on flows, wasteloads, and thickening efficiency. Quantities shown above are based on an assumed production of 1.0 dry tons of solids per million gallons treated.

- **MLSS RANGE:**

MLSS in the aeration basin is expected to be in the 2,000 to 5,000 mg/l range.

- **OWNERSHIP OF ULTIMATE SLUDGE DISPOSAL SITE:**

Liquid sludge is transported by registered hauler, WasteWater Transportation Services, Registration No. 24343, to a sludge processing facility in Travis County Texas (Austin Wastewater Processing Facility, MSW 2384).

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Kim Chambers on behalf of Peter Gregg

Bar No. 784174

kchambers@gregglawpc.com

Envelope ID: 74774536

Filing Code Description: Administrative Records (TCEQ)

Filing Description: Applicants Supplemental Administrative Record Ex A

Status as of 4/18/2023 5:58 PM CST

Associated Case Party: Executive Director

Name	BarNumber	Email	TimestampSubmitted	Status
Aubrey Pawelka		aubrey.pawelka@tceq.texas.gov	4/18/2023 3:56:38 PM	SENT

Associated Case Party: R040062, LP

Name	BarNumber	Email	TimestampSubmitted	Status
Peter T.Gregg		pgregg@gregglawpc.com	4/18/2023 3:56:38 PM	SENT

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
OLS Legal Support		TCEQsoah@tceq.texas.gov	4/18/2023 3:56:38 PM	SENT