

Texas Commission on Environmental Quality

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



GENERAL PERMIT TO DISCHARGE WASTES

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

This permit supersedes
TPDES General Permit No. TXG640000 effective October 12, 2020

Wastewater generated as a result of conventional water treatment at Water Treatment Facilities, SIC Code 4941, located in the State of Texas,

may be discharged into or adjacent to water in the state, including exceptional, high, intermediate, limited, or minimal aquatic life use receiving waters as designated in the Texas Surface Water Quality Standards,

only according to effluent limitations, monitoring requirements and other conditions set forth in this general permit, as well as the rules of the Texas Commission on Environmental Quality (TCEQ or commission), the laws of the State of Texas, and other orders of the commission. The issuance of this general permit does not grant to the permittee the right to use private or public property for conveyance of wastewater along the discharge route. This includes property belonging to, but not limited to, any individual, partnership, corporation, or other entity. Neither does this general 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 general permit and the authorization contained herein will expire at midnight five years after the effective date.

ISSUED DATE: 9/17/25

EFFECTIVE DATE: October 12, 2025


For the Commission

Table of Contents

Part I. Definitions	3
Part II. Permit Applicability and Authorization	6
Section A. Permit Applicability	6
Section B. Limitations on Authorization	6
Section C. Application for Authorization	7
Section D. Termination of Authorization	9
Section E. Authorization Under a TPDES Individual Permit	9
Section F. Permit Expiration	11
Part III. Permit Requirements	11
Section A. Effluent Limitations	11
Section B. General Requirements	12
Section C. Sludge Management	14
Section D. Land Application of Wastewater	16
Part IV. Standard Permit Conditions	17
Part V. Fees	21

Part I. Definitions

All definitions in the Texas Water Code (TWC) § 26.001 and 30 Texas Administrative Code (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:

Composite sample - A sample consisting of at least three portions collected over a period of not less than two hours. In the case of intermittent discharges of less than two hours duration, the composite is to consist of at least three portions collected over the duration of the discharge.

Conventional water treatment - The process of treating raw water using coagulation, flocculation, sedimentation, clarification, filtration, and disinfection. Conventional water treatment does not include water treatment processes for constituents such as arsenic, metals, hardness, salinity, radioactive materials, etc.

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.

Daily average limitations - The arithmetic average of all effluent samples within a single calendar month, consisting of at least four separate representative measurements. When four samples are not available in a single calendar month, the arithmetic average (weighted by flow) of all values taken during the month shall be utilized as the daily average value.

Daily maximum limitations - The maximum concentration or value measured on a single day within a single calendar month.

Discharge - Deposit, conduct, drain, emit, throw, run, allow to seep, or otherwise release or dispose of, or to allow, permit, or suffer any of these acts or omissions.

Edwards Aquifer - As defined in 30 TAC § 213.3, *Edwards Aquifer Definitions*, that portion of an arcuate belt of porous, water-bearing, predominantly carbonate rocks known as the Edwards and Associated Limestones in the Balcones Fault Zone trending from west to east to northeast in Kinney, Uvalde, Medina, Bexar, Comal, Hays, Travis, and Williamson Counties; and composed of the Salmon Peak Limestone, McKnight Formation, West Nueces Formation, Devil's River Limestone, Person Formation, Kainer Formation, Edwards Formation, and Georgetown Formation. The permeable aquifer units generally overlie the less-permeable Glen Rose Formation to the south, overlie the less-permeable Comanche Peak and Walnut Formations north of the Colorado River, and underlie the less-permeable Del Rio Clay regionally.

Edwards Aquifer Recharge Zone - Generally, that area where the stratigraphic units constituting the Edwards Aquifer crop out, including the outcrops of other geologic

formations in proximity to the Edwards Aquifer, where caves, sinkholes, faults, fractures, or other permeable features would create a potential for recharge of surface waters into the Edwards Aquifer. The recharge zone is identified as that area designated as such on official maps located in the offices of TCEQ and the appropriate underground water conservation district(s).

Facility - All contiguous land and fixtures, structures, or appurtenances used for storing, processing, treating, discharging, or disposing of wastewater.

General permit - A permit issued under the provisions of 30 TAC Chapter 205, *General Permits for Waste Discharges*, authorizing the discharge of waste into or adjacent to water in the state for one or more categories of waste discharge within a geographical area of the state or the entire state as provided by TWC § 26.040, *General Permits*.

Grab sample - An individual sample collected in less than 15 minutes.

Land application - The spraying or spreading of wastewater onto the land surface or the incorporation of wastewater into the soil so that the wastewater can either condition the soil or benefit crops or vegetation grown in the soil.

Municipal separate storm sewer system (MS4) - A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

- (i) owned or operated by the United States, a state, city, town, borough, county, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under § 208 of the Clean Water Act (CWA);
- (ii) designed or used for collecting or conveying storm water;
- (iii) which is not a combined sewer; and
- (iv) which is not part of a publicly owned treatment works (POTW) as defined at 40 Code of Federal Regulations (CFR) § 122.2.

Notice of change (NOC) - A written submission to the executive director from a permittee authorized under a general permit, providing information on changes to information previously provided to the commission, or any changes with respect to the nature or operations of the regulated entity or the characteristics of the discharge.

Notice of intent (NOI) - A written submission to the executive director from an applicant providing notice of the permittee's intent to discharge or dispose of waste under the provisions of a general permit.

Notice of termination (NOT) - A written submission to the executive director from a permittee authorized under a general permit providing notice of the permittee's intent to cease the discharge or disposal of waste under the provision of a general permit.

Operator - The person responsible for the overall operation of a facility.

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

Permittee - Any person issued an individual permit or order or is authorized by a general permit.

Site - The physical area where any system or activity authorized by this general permit is located. Site may include any adjacent land used in connection with the system or activity.

Texas Land Application Permit (TLAP) - A permit issued by TCEQ for the land application and disposal of wastewater that does not result in a discharge to surface water in the state.

Texas Pollutant Discharge Elimination System (TPDES) - The state program for issuing, amending, terminating, monitoring, and enforcing permits, and imposing and enforcing pretreatment requirements, under the CWA §§ 307, 318, 402, and 405, TWC, and the TAC regulations.

Water in the State - Groundwater, percolating or otherwise, lakes, bays, ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, wetlands, marshes, inlets, canals, the Gulf of America, inside the territorial limits of the state, and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, navigable or nonnavigable, and including the beds and banks of all watercourses and bodies of surface water, that are wholly or partially inside or bordering the State or inside the jurisdiction of the State.

Water treatment residuals - See 30 TAC § 312.8(105) relating to *General Definitions*.

Part II. Permit Applicability and Authorization

Section A. Permit Applicability

This general permit authorizes the discharge of wastewater generated as a result of conventional water treatment at water treatment facilities into or adjacent to water in the state.

Section B. Limitations on Authorization

1. This general permit does not authorize the discharge of:
 - a) treated domestic wastewater;
 - b) wastewater generated as a result of reverse osmosis, ion exchange, or any other desalination process; or
 - c) wastewater generated as a result of water treatment processes regulated in 30 TAC §290.42(g), except for water treatment using ultraviolet light.

An individual permit is required for the discharge of these types of wastewater.

2. This general permit does not authorize land application or disposal of water treatment residuals. This general permit does not authorize the distribution and marketing of water treatment residuals. A separate authorization is required for these activities.
3. Separate authorization may be required for discharges into or adjacent to water in the state, located within ten stream miles upstream of the Edwards Aquifer recharge zone, as defined in 30 TAC Chapter 213, *Edwards Aquifer*.
4. Discharges shall not be authorized by this general permit where prohibited by:
 - a) 30 TAC Chapter 213, *Edwards Aquifer*;
 - b) 30 TAC Chapter 311, *Watershed Protection*; or
 - c) Any other applicable rules or laws.
5. This general permit does not authorize discharges into or adjacent to water in the state from activities that are regulated by the Railroad Commission of Texas.
6. The executive director will deny an application for authorization under this general permit and may require that the applicant apply for an individual permit, if the executive director determines that the discharge will not maintain existing uses of receiving waters. Additionally, the executive director may cancel, revoke, or suspend authorization to discharge under this general permit based on a finding of historical and significant noncompliance with the provisions of this general permit. The executive director shall deny or suspend a facility's authorization to discharge under this general permit based on a rating

of “unsatisfactory performer” according to commission rules in 30 TAC § 60.3, *Use of Compliance History*. An applicant classified as an “unsatisfactory performer” is entitled to a hearing before the commission prior to having its authorization denied or suspended, in accordance with TWC §26.040(h). Denial of authorization to discharge under this general permit will be done according to commission rules in 30 TAC Chapter 205, *General Permits for Waste Discharges*.

7. This general permit does not limit the authority of a home-rule municipality provided by Texas statute.
8. New sources or new discharges of the constituent(s) of concern to impaired waters are not authorized by this permit unless otherwise allowable under 30 TAC Chapter 305, *Consolidated Permits*, and applicable state law. Impaired waters are those that do not meet applicable water quality standard(s) and are listed as category 4 or 5 in the current version of the *Texas Integrated Report of Surface Water Quality*, and waterbodies listed on the CWA § 303(d) list. Constituents of concern are those pollutants for which the waterbody is listed as impaired.
9. Discharges of the constituent(s) of concern to impaired water bodies when there is a TCEQ approved Total Maximum Daily Load (TMDL) Implementation Plan are not eligible for this permit unless they are consistent with the approved TMDL and the TMDL Implementation Plan. The executive director may amend this general permit or develop a separate general permit for discharges to these water bodies. For discharges not eligible for authorization under this permit, the discharger shall apply for and receive an individual or other applicable general permit prior to discharging.
10. Discharges that would adversely affect a listed endangered or threatened species or its critical habitat are not authorized by this permit. Federal requirements related to endangered species apply to all TPDES permitted activities, and site-specific controls may be required to ensure that protection of endangered or threatened species is achieved.

Section C. Application for Authorization

1. Facilities that discharge adjacent to water in the state (i.e., exclusively use land application of wastewater) are not required to submit an NOI to obtain authorization under this general permit. These facilities must comply with all other applicable requirements of this general permit.
2. Facilities that discharge into water in the state shall submit a completed NOI on a form approved by the executive director. The NOI must be submitted via the online e-permitting system available through TCEQ’s website unless the applicant requests and obtains an electronic reporting waiver. Electronic reporting waivers are not transferable and expire on the same date as the authorization to discharge. The NOI shall include at a minimum the legal name and address of the owner and operator, the facility name and address, specific

description of the location, wastewater design flow, outfall information, and the name of the receiving water(s).

3. Submission of an NOI is an acknowledgment that the conditions of this general permit are applicable to the proposed discharge, and that the applicant agrees to comply with the conditions of this general permit. For electronic submittal of NOIs, provisional authorization to discharge under the terms and conditions of this general permit begins immediately after TCEQ confirms receipt of the electronic NOI. For paper NOIs, provisional authorization begins 48 hours after a completed NOI is postmarked for delivery to TCEQ. The NOI shall be submitted to the address indicated on the NOI form. Following review of the NOI, the executive director will:
 - a) determine that the NOI is complete and confirm authorization by providing a written notification and an authorization number;
 - b) determine that the NOI is incomplete and request additional information needed to complete the NOI; or
 - c) deny authorization in writing. Denial of authorization will be made in accordance with 30 TAC § 205.4, *Authorizations and Notices of Intent*.
4. Applicants seeking authorization to discharge to a MS4 shall provide a copy of the NOI or electronic equivalent to the operator of the system at the same time an NOI is submitted to TCEQ.
5. For activities located in areas regulated by 30 TAC Chapter 213, *Edwards Aquifer*, this authorization to discharge is separate from the requirements of the applicant's responsibilities under that rule. Discharge may not commence for sites regulated under 30 TAC Chapter 213 until all applicable requirements of the Edwards Aquifer rules are met, including a TCEQ approved Edwards Aquifer protection plan, if applicable. For discharges located on or within ten stream miles upstream of the Edwards Aquifer recharge zone, applicants shall also submit a copy of the NOI to the appropriate TCEQ regional offices shown below. The applicant may not discharge until authorization is received from the regional office.

Counties: Bexar, Comal, Hays, Kinney, Medina, Travis, Uvalde, and Williamson

Contact: TCEQ Edwards Aquifer Protection Program Manager
Austin Regional Office
P.O. Box 13087
Austin, Texas 78711-3087
(512) 339-2929
6. Authorization under this general permit is not transferable. If the owner or operator of the regulated entity changes, the present owner and operator shall submit an NOT and the new owner and operator shall submit an NOI. The NOT and NOI shall be submitted no later than 10 days prior to the change in owner

or operator status. Any change in a permittee's charter number issued by the Texas Secretary of State, is considered a change in ownership of the company and would require the new owner and operator to apply for permit authorization as stated above. If the NOT and NOI are submitted as required under this provision, there will be no lapse in authorization for this facility. Permittees discharging to an MS4 shall submit a copy of the NOT to the operator of the system at the time the NOT is submitted to TCEQ.

7. If the owner or operator becomes aware that it failed to submit any relevant facts or submitted incorrect information in an NOI, the correct information shall be provided to the executive director on an NOC form within 14 days of discovery of the error. If relevant information provided in the NOI changes, (e.g., permittee address, phone number, outfall information, design flow, Discharge Monitoring Report (DMR) contact, or billing contact) an NOC shall be submitted within 14 days of the change. Permittees must submit an NOC using the online e-permitting system available through TCEQ's website unless the permittee obtained an electronic reporting waiver. Permittees discharging to an MS4 shall submit a copy of the NOC to the operator of the system at the same time the NOC is submitted to TCEQ.

Section D. Termination of Authorization

A permittee shall terminate authorization under this general permit through the submittal of an NOT form when the owner or operator of the facility changes, the discharge becomes authorized under an individual permit, the use of the property changes and is no longer subject to regulation under this general permit, or the discharge becomes unnecessary, is delayed, or is completed. Permittees must submit an NOT using the online e-permitting system available through TCEQ's website unless the permittee obtained an electronic reporting waiver. For electronic submission of the NOT, authorization to discharge under this permit terminates immediately after TCEQ confirms receipt of the electronic NOT. For paper submission of the NOT, authorization to discharge terminates on the day that an NOT is postmarked for delivery to TCEQ. Compliance with the conditions and requirements of this permit are required until an NOT is submitted. Permittees discharging to an MS4 shall submit a copy of the NOT to the operator of the system at the same time the NOT is submitted to TCEQ.

Section E. Authorization Under a TPDES Individual Permit

1. Discharges eligible for authorization by this general permit may alternatively be authorized by an individual permit according to 30 TAC Chapter 305, *Consolidated Permits*.
2. When an individual permit is issued for a discharge that is currently authorized under this general permit, the permittee shall submit an NOT to the executive director.
3. Discharges from facilities currently authorized by an individual permit or another general permit may only be authorized under this TPDES general permit if the following conditions are met:

- a) the discharges meet the applicability and eligibility requirements for authorization under this general permit;
 - b) the current individual permit does not contain numeric water quality-based effluent limitations for the discharge that are more stringent than the numeric effluent limitations in this general permit or the current individual permit does not contain numeric effluent limitations that are not included in the general permit unless the discharges that resulted in the limitations have ceased and any contamination that resulted in these limitations is removed or remediated;
 - c) the executive director has not determined that continued authorization under an individual permit is required based on consideration of a TMDL, TMDL Implementation Plan, anti-backsliding requirements, history of substantive noncompliance, or other site-specific considerations;
 - d) a previous application or permit for the discharge was not denied, terminated, or revoked by the executive director as a result of enforcement or water quality related concerns. The executive director may provide a waiver to this provision based on new circumstances at the facility, or if there is a new facility owner or operator; and
 - e) the applicant requests cancellation of the existing TPDES individual permit within 30 days after notice that authorization under this general permit is effective.
4. Discharges from new outfalls at facilities authorized under a TPDES individual permit, or under a different TPDES general permit, may be authorized under this general permit if the following conditions are met:
- a) the proposed discharges meet the applicability and eligibility requirements for authorization under this general permit;
 - b) the current individual permit does not contain numeric water quality-based effluent limitations that are more stringent than the numeric effluent limitations in this general permit or the current individual permit does not contain numeric effluent limitations that are not included in the general permit unless the discharges that resulted in the limitations have ceased and any contamination that resulted in these limitations is removed or remediated;
 - c) the executive director has not determined that authorization under an individual permit is required based on consideration of a TMDL, TMDL Implementation Plan, history of substantive noncompliance, or other site-specific considerations; and
 - d) a previous application or permit for the proposed discharge has not been denied, terminated, or revoked by the executive director as a result of enforcement or water quality related concerns. The executive director

may provide a waiver to this provision based on new circumstances at the facility, or if there is a new facility owner or operator.

Section F. Permit Expiration

1. This general permit is effective for five years from the effective date. Authorizations for discharge under the provisions of this general permit may be issued until the expiration date of the general permit. This general permit may be amended, revoked, or cancelled by the commission after notice and comment as provided by 30 TAC §§ 205.3, *Public Notice, Public Meetings, and Public Comment*, and 205.5, *Permit Duration, Amendment, and Renewal*.
2. If the executive director proposes to reissue this general permit before the expiration date, the general permit shall remain in effect after the expiration date for those existing discharges covered by the general permit in accordance with 30 TAC Chapter 205. The general permit will remain in effect for these dischargers until the commission takes final action on the proposal to reissue this general permit. No new NOIs will be processed by the executive director and no new authorizations will be issued under this general permit after the expiration date of the general permit or after the effective date of an amended and re-issued general permit.
3. Upon issuance of a renewed or amended general permit, all facilities, including those covered under the expired general permit, will be required to submit an NOI within 90 days of the effective date of the new general permit or obtain authorization under an individual permit for those discharges.
4. According to 30 TAC § 205.5(d), *Permit Duration, Amendment, and Renewal*, if the commission does not propose to reissue this general permit at least 90 days before the expiration date, permittees authorized under this general permit shall submit an application for an individual or alternative general permit before the expiration date. If the application for an individual or alternative general permit is submitted before the general permit expiration date, authorization under this expiring general permit remains in effect until the issuance or denial of an individual permit or authorization under an alternative general permit.

Part III. Permit Requirements

Section A. Effluent Limitations

1. Wastewater discharged into water in the state shall meet the following effluent limitations. Please note: Wastewater discharged adjacent to the water in the state (i.e., land applied) does not need to meet the following effluent limitations.

Parameter	Daily Average Limitations	Daily Maximum Limitations
Flow, million gallons per day (MGD)	Report	Report

Parameter	Daily Average Limitations	Daily Maximum Limitations
Total Suspended Solids (TSS)	25 mg/l	45 mg/l
pH, Standard Units (S.U.)	NA	6.0 – 9.0 S.U.
Total Chlorine Residual	NA	0.1 mg/l

2. Monitoring Frequency and Sample Type are based on outfall Daily Average Flow, as follows:

Parameter	Daily Avg Flow < 1.0 MGD	Daily Avg Flow ≥ 1.0 MGD and < 5.0 MGD	Daily Avg Flow ≥ 5.0 MGD
Flow, MGD ¹	Five/week Instantaneous	Five/week Totalizing Meter	Five/week Totalizing Meter
TSS ¹	One/week Composite	Two/week Composite	Two/week Composite
pH, S.U. ¹	One/month Grab	One/week Grab	Five/week Grab
Total Chlorine Residual ¹	Five/week Grab	One/day Grab	One/day Grab

¹ When Discharging

Section B. General Requirements

- The water treatment facility shall be operated at all times under the direct supervision of a water works operator who holds an applicable, valid license issued by TCEQ's executive director.
- The permittee shall operate and maintain the facility in accordance with accepted practices.
- There shall be no discharge of floating solids or visible oil. The discharge shall not exhibit foaming of a persistent nature as required by 30 TAC § 307.4(b)(6), *Aesthetic Parameters*.
- Mixing zones shall not encompass an intake for a public water supply, and the discharge shall not be located within 300 feet of the intake for a public water supply.

5. The discharge shall not: contain a concentration of a taste or odor-producing substance that interferes with the production of potable water by reasonable water treatment methods; impart unpalatable flavor to food fish, including shellfish; result in offensive odors arising from the receiving waters; or otherwise interfere with reasonable uses of water in the state.
6. Operators of facilities that generate industrial solid wastes, as defined in 30 TAC § 335.1, shall comply with the provisions of 30 TAC Chapter 335, *Industrial Solid Waste and Municipal Hazardous Waste*. If the requirements of 30 TAC Chapter 335 do not apply, the solid wastes shall be disposed of in accordance with the Texas Health and Safety Code Chapter 361, *Solid Waste Disposal Act*.
7. The discharge of wastewater shall be done in such a manner as to prevent nuisance conditions.
8. The permittee shall provide the following noncompliance notifications:
 - a) According to 30 TAC § 305.125(9), *Standard Permit Conditions*, any noncompliance that may endanger human health or safety, or the environment shall be reported by the permittee to TCEQ. The information shall be provided orally, by facsimile (FAX), or by email to the appropriate TCEQ regional office within 24 hours of the permittee becoming aware of the noncompliance. A written report shall also be provided by the permittee to the appropriate regional office and the Enforcement Division (MC 224) within five working days of becoming aware of the noncompliance. The written report shall be submitted to P.O. Box 13087, Austin, Texas 78711-3087 or by FAX. The written submission shall contain:
 - (1) a description of the noncompliance and its cause;
 - (2) the potential danger to human health or safety, or the environment;
 - (3) the period of noncompliance, including exact dates and times;
 - (4) if the noncompliance has not been corrected, the anticipated time it is expected to continue; and
 - (5) steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance and to mitigate its adverse effects.
 - b) If the analytical results indicate a violation of one or more of the permitted effluent limitations, the permittee shall submit a Discharge Monitoring Report (DMR) by the 20th day of the month following the discharge. Effluent limitation violations shall be reported using the NetDMR reporting system available through TCEQ's website or an

approved DMR form (EPA No. 3320-1) to TCEQ Enforcement Division (MC-224) if the permittee has obtained an electronic reporting waiver.

Any effluent violation which deviates from the permitted effluent limitation by more than 40% shall be reported by the permittee in writing to the appropriate Regional Office and the Enforcement Division (MC-224) within 5 working days of becoming aware of the noncompliance. For effluent limitation violations, noncompliances shall be reported online using the NetDMR reporting system available through TCEQ website's or on an approved DMR form.

- c) Any noncompliance other than that specified in paragraphs (a) and (b) above, or any required information not submitted or submitted incorrectly, shall be reported to the Enforcement Division (MC 224) as promptly as possible.

Section C. Water Treatment Residuals Management

1. General Requirements

- a) The permittee must dispose of water treatment residuals only at a TCEQ registered or permitted land application site, commercial land application site, or co-disposal landfill authorized to accept water treatment residuals. **Land application or disposal of water treatment residuals is not authorized by this permit.**
- b) The permittee shall handle and dispose of water treatment residuals in accordance with 30 TAC Chapter 312 Subchapter F or 30 TAC Chapter 330, depending on the method of final disposition, 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 water treatment residuals meets the requirements in 40 CFR Part 257 concerning the quality of water treatment residuals disposed of by land application or 30 TAC Chapter 330 and 40 CFR Part 258 concerning the quality of the residuals disposed of in a Municipal Solid Waste Landfill.
- c) The permittee shall provide necessary information to the parties who receive the water treatment residuals to assure compliance with the regulations specified in b. above.
- d) Water treatment residuals placed in water treatment residuals lagoon(s) is for temporary storage only.
 - (1) The permittee shall maintain a minimum of two feet of freeboard in the water treatment residuals lagoon(s) or recycle excess water from the water treatment residuals lagoon(s) in a manner consistent with 30 TAC § 290.42(d)(3)(A).

- (2) The permittee shall submit a closure plan for the water treatment residuals lagoon(s) at least 180 days prior to planned closure to the executive director in care of the Municipal Wastewater Permits Team (MC 148) of the Water Quality Division for approval.

2. Testing Requirements

- a) The permittee shall sample and analyze the water treatment plant residuals prior to disposal but not more than once per year.
- b) Water treatment residuals shall be analyzed for Toxicity Characteristic Leaching Procedure (TCLP) in accordance with 40 CFR §261.24. Water treatment residuals that contains any of the contaminants listed in Table 1 of 40 CFR §261.24 at a concentration equal to or greater than the regulatory level 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.
- c) Following failure of any TCLP test, the management or disposal of water treatment residuals at a facility other than an authorized hazardous waste processing, storage, or disposal facility shall be prohibited until the permittee can demonstrate the residual no longer exhibits the hazardous waste toxicity characteristics (as demonstrated by the results of the TCLP tests).

3. Record Keeping Requirements

The permittee shall retain on-site a record of the following information for a minimum of five (5) years. The recordkeeping period is from September 1st of the previous year to August 31st of the current year. Records shall be readily available for review by the executive director upon request.

- a) Annual residuals production in dry tons/year
- b) Amount of residuals disposed of by land application in dry tons/year
- c) Amount of residuals disposed of in a municipal solid waste landfill in dry tons/year
- d) Amount of residuals transported interstate in dry tons/year
- e) Dates of disposal
- f) Identity of hauler(s) and TCEQ transporter registration number(s)
- g) TCEQ Registration or Permit Number, Owner and location of the disposal site(s)

- h) Documentation that the water treatment residuals meets the requirements of 40 CFR Part 257 concerning the quality of the residuals being land applied or 30 TAC Chapter 330 concerning the quality of the residuals disposed of in a municipal solid waste landfill.
 - i) TCLP results
4. Reporting Requirements

A written report shall be provided to both TCEQ's Waste Permits Division (MC 129) and the appropriate TCEQ Regional 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, Waste Permits Division (MC 126), Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

Section D. Land Application of Wastewater

Land application of wastewater shall comply with the following requirements.

1. Land application shall not occur when the ground is frozen, the ground has standing water, the ground is saturated, during rainfall events, or within 24 hours after a rainfall event of 0.5 inch or greater during a 24-hour period.
2. Land application shall not result in runoff, ponding of effluent, contamination of ground and surface waters, or occurrence of nuisance conditions in the area.
3. The permittee is responsible for maintaining accurate records of the volume of wastewater irrigated, in gallons, and the acreage irrigated. These records shall be made available for review by the executive director and shall be maintained for at least five years.
4. The permittee shall own the land application area or maintain a long-term contract with the owner(s) of the land application area.
5. Adequate signs shall be erected stating that the irrigation water is from a non-potable water supply. Said signs shall consist of a red slash superimposed over the international symbol for drinking water accompanied by the message "DO NOT DRINK THE WATER" in both English and Spanish. All piping transporting the wastewater shall be clearly marked with these same signs.
6. Spray fixtures for the irrigation system shall be of such design that they cannot be operated by unauthorized personnel.
7. Land application shall be accomplished only when the irrigation area is not in use.

8. Wastewater shall not be land applied within 150 feet of any private water well or within 500 feet of a public water supply well.
9. The permittee shall maintain actively growing vegetation in the land application area.
10. The permittee shall take all steps necessary to prevent any adverse effect to human health or safety, or to the environment. The permittee shall immediately cease land application whenever it is discovered that land application activities may endanger human health or safety, or the environment. The problem shall be reported following the requirements in Part III, Section B.8 of this permit.
11. The permittee is responsible for providing equipment to determine the application rate.
12. Land application rates shall not exceed 1.6 acre-feet per year per acre irrigated.
13. The permittee shall annually collect a representative soil sample from each irrigation area that received wastewater application during the year. Soil samples shall be analyzed for pH [2:1 (v/v) water/soil mixture]; electrical conductivity [2:1 (v/v) water/soil mixture]; total Kjeldahl nitrogen (TKN); total nitrogen (organic-nitrogen + nitrate-nitrogen + ammonium-nitrogen); nitrate-nitrogen (from a 1 N KCl soil extract); plant-available phosphorus [Mehlich III with inductively coupled plasma], and plant-available potassium [Mehlich III]. The nutrient parameters shall be reported on a dry weight basis in mg/kg; electrical conductivity, in mmho/cm [same as deciSiemens/meter (dS/m)]; and pH, in standard units.

Part IV. Standard Permit Conditions

1. The permittee has a duty to comply with all conditions in this general permit. Failure to comply with any condition is a violation of the general permit and the statutes under which the general permit was issued. Any violation may be grounds for enforcement action, for terminating authorization under this general permit, or for requiring a permittee to apply for and obtain an individual permit.
2. It is not a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted discharge to maintain compliance with conditions of the general permit.
3. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) installed or used by the permittee to achieve compliance with conditions of the general permit. Proper operation and maintenance also includes adequate laboratory and process controls, and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with conditions of the general permit.

4. The permittee shall submit, upon request of the executive director, any information that is necessary for the executive director to determine whether cause exists for revoking, suspending, or terminating authorization under this general permit. Additionally, the permittee shall submit, upon request of the executive director, copies of all records that the permittee is required to maintain as a condition of this general permit. The requested information or records shall be provided within a reasonable time and in no case later than 30 days from the date of the request.
5. The permittee shall give notice to the Municipal Permits Team (MC 148) of the Water Quality Division before physical alterations or additions to the permitted facility if such alterations would result in a violation of the general permit requirements.
6. Inspection and entry shall be allowed under TWC Chapters 26, Texas Health and Safety Code §§ 361.032-361.033 and 361.037; and Title 40 CFR § 122.41(I). The statement in TWC § 26.014 that commission entry of a regulated entity will occur in accordance with an establishment's rules and regulations concerning safety, internal security, and fire protection are not grounds for denial or restriction of entry to any part of the regulated entity, but merely describes the commission's duty to observe appropriate rules and regulations during an inspection.
7. Standard monitoring and reporting requirements
 - a) Samples shall be collected, and measurements shall be taken at times and in a manner so as to be representative of the monitored discharge.
 - b) All samples shall be collected according to the latest edition of *Standard Methods for the Examination of Water and Wastewater* (prepared and published jointly by the American Public Health Association, the American Waterworks Association, and the Water Pollution Control Federation), or the Environmental Protection Agency's (EPA), *Methods for Chemical Analysis of Water and Wastes* (1979), or the EPA's, *Biological Field and Laboratory Methods for Measuring the Quality of Surface Waters and Effluents* (1973).
 - c) Sample containers, holding times, preservation methods, and analytical methods shall follow the requirements in 40 CFR Part 136, or the latest edition of *Standard Methods for Examination of Water and Wastewater*.
 - d) The permittee shall ensure that properly trained and authorized personnel monitor and sample the discharge.
 - e) The sampling point shall be downstream of any treatment unit or technique that is used to improve or otherwise alter the quality of the discharge.

- f) Analytical results for determining compliance with effluent limitations shall be recorded on a DMR form (EPA No. 3320-1). Effluent sampling shall be conducted in accordance with the monitoring frequencies specified in this general permit. Analytical results for determining compliance with effluent limitations shall be submitted online using the NetDMR reporting system available through TCEQ's website unless the permittee requests and obtains an electronic reporting waiver. Permittees that are issued an electronic reporting waiver shall submit analytical results to TCEQ's Enforcement Division (MC-224) on an approved DMR form (EPA No. 3320-1). Effluent sampling shall be conducted in accordance with the monitoring frequencies specified in this general permit. The DMR for any given month shall be due by the 20th day of the following month. The DMR for annual tests shall be due by March 31st of the following year. The DMRs must be signed in accordance with the requirements in Part IV.8 of the general permit. If noncompliance with an effluent limitation occurs, the permittee shall provide notification according to Part III, Section B.8 of this permit.
- g) The permittee shall retain all records required by this permit, including monitoring records and records related to the application or any certification requirements for a period of five years from the date of record. The records shall be retained at the facility or be readily available for review by TCEQ personnel upon request. This period may be extended at the request of the executive director.
- h) The records of monitoring activities shall include:
 - (1) date, time, and place of sample or measurement;
 - (2) identity of individual who collected the sample or made the measurement;
 - (3) date of laboratory analysis;
 - (4) identity of the individual and laboratory that performed the analysis;
 - (5) the technique or method of analysis; and
 - (6) the results of the analysis or measurement.
- i) All laboratory tests submitted to demonstrate compliance with this permit shall meet the requirements of 30 TAC Chapter 25, *Environmental Testing Laboratory Accreditation and Certification*.
- j) If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit using approved analytical methods, all results of such monitoring shall be included in the

calculation and reporting of the values submitted on the DMR form. Increased frequency of sampling shall be indicated on the DMR form.

- k) 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 shall be readily available for review by a TCEQ representative for a period of three years.
8. All NOIs, NOTs, and NOCs, or other information requested by the Executive Director shall meet the requirements of 30 TAC § 305.44(a), *Signatories to Applications*. All reports requested by the executive director shall meet the requirements of 30 TAC § 305.128, *Signatories to Reports*.
 9. Authorization under this general permit may be suspended or revoked for the reasons stated in 30 TAC § 205.4, *Authorizations and Notices of Intent*. Notifying TCEQ of planned changes or an anticipated noncompliance does not stay any general permit condition.
 10. This general permit does not convey any property rights of any sort, or any exclusive privilege.
 11. If the permittee becomes aware that it failed to submit any relevant facts in an NOI, or submitted incorrect information in an NOI or in any report to the executive director, it shall promptly submit such facts or information.
 12. The permittee is subject to administrative, civil, and criminal penalties, as applicable, under TWC Chapter 7 for violations including, but not limited to, the following:
 - a) violating CWA §§ 301, 302, 306, 307, 308, 318, or 405, or any condition or limitation implementing any sections in a general permit issued under CWA § 402, or any requirement imposed in a pretreatment program approved under CWA §§ 402(a)(3) or 402(b)(8);
 - b) intentionally or knowingly tampering with, modifying, disabling, or failing to use pollution control or monitoring devices, systems, methods, or practices required under this permit; and
 - c) intentionally or knowingly making or causing to be made a false material statement, representation, or certification in, or omits or causes to be omitted material information from, an application, notice, record, report, plan, or other document, including monitoring device data, filed or required to be maintained by this permit.

13. 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.
14. 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.
15. 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.

Part V. Fees

The following fees apply to all permittees that are required to submit an NOI in accordance with Part II, Section C of this permit.

1. **Application Fee** – An NOI shall include a \$350 application fee. A fee is not required for submission of an NOT or NOC.
2. **Annual Water Quality Fee** – Permittees with an active authorization on September 1 of each year (who have not submitted an NOT prior to this date) will be billed for the following fiscal year as follows:

Daily Average Flow (Million Gallons per Day)	Annual Fee
< 0.25	\$1,250
≥ 0.25 but < 0.75	\$2,500
≥ 0.75 but < 1.0	\$4,500
≥ 1.0 but < 2.0	\$7,000
≥ 2.0 but < 5.0	\$20,000
≥ 5.0 but < 10.0	\$35,000
≥ 10.0 but < 15.0	\$50,000
≥ 15.0	\$75,000