



Technical Package Cover Page

This file contains the following documents:

1. Summary of application (in plain language)
 - English
 - Alternative Language (Spanish)
 2. First notice (NORI-Notice of Receipt of Application and Intent to Obtain a Permit)
 - English
 - Alternative Language (Spanish)
 3. Second notice (NAPD-Notice of Preliminary Decision)
 - English
 - Alternative Language (Spanish)
 4. Application materials (**NOTE:** This application was declared Administratively Complete before June 1, 2024. Application materials are available for review at the Public Viewing Location provided in the NORI.)
 5. Draft permit
 6. Technical summary or fact sheet
-



Portada de Paquete Técnico

Este archivo contiene los siguientes documentos:

1. Resumen de la solicitud (en lenguaje sencillo)
 - Inglés
 - Idioma alternativo (español)
2. Primer aviso (NORI, Aviso de Recepción de Solicitud e Intención de Obtener un Permiso)
 - Inglés
 - Idioma alternativo (español)
3. Segundo aviso (NAPD, Aviso de Decisión Preliminar)
 - Inglés
 - Idioma alternativo (español)
4. Materiales de la solicitud (**NOTA:** Esta solicitud se declaró administrativamente completa antes del 1 de junio de 2024. Los materiales de la solicitud están disponibles para revisión en la ubicación de consulta pública que se indica en el NORI.)
5. Proyecto de permiso
6. Resumen técnico u hoja de datos

Plain Language Summary Template and Instructions for Texas Pollutant Discharge Elimination System (TPDES) and Texas Land Application (TLAP) Permit Applications

This template is a guide to assist applicant's in developing a plain language summary as required by [30 Texas Administrative Code Chapter 39 Subchapter H](#). Applicant's may modify the template as necessary to accurately describe their facility as long as the summary includes the following information: (1) the function of the proposed plant or facility; (2) the expected output of the proposed plant or facility; (3) the expected pollutants that may be emitted or discharged by the proposed plant or facility; and (4) how the applicant will control those pollutants, so that the proposed plant will not have an adverse impact on human health or the environment.

Fill in the blanks below to describe your facility and application in plain language. Instructions and examples are provided below. Make any other edits necessary to improve readability or grammar and to comply with the rule requirements.

If you are subject to the alternative language notice requirements in [30 Texas Administrative Code §39.426](#), you must provide a translated copy of the completed plain language summary in the appropriate alternative language as part of your application package. For your convenience, a Spanish template has been provided below.

ENGLISH TEMPLATE FOR TPDES or TLAP NEW/ RENEWAL/ AMENDMENT APPLICATIONS

INDUSTRIAL WASTEWATER/ STORMWATER

The following summary is provided for this pending water quality permit application being reviewed by the Texas Commission on Environmental Quality as required by 30 Texas Administrative Code Chapter 39. The information provided in this summary may change during the technical review of the application and are not federal enforceable representations of the permit application.

City of Cactus (CN600333744) operates City of Cactus Wastewater Treatment Plant RN102075173. an industrial wastewater treatment facility. The facility is located approximately 2.0 miles north of FM 281 and U.S. Highway 287, which is east of the city of Cactus, Moore County, Texas 79013, in Cactus, Moore and Sherman County, Texas 79013.

The major amendment shall include adding additional irrigation Acreage through the addition of the pivot corners – existing Acreage = 3,782 Acres. Proposed irrigation Area = 4,754 Acres. An Additional amendment is to convert 65 Acres of constructed wetlands to emergency storage. This permit will not authorize a discharge of pollutants into water in the state. <<For TLAP applications include the following sentence, otherwise delete:>>

Discharges from the facility are expected to contain BOD, CBOD, Total organic carbon, Ammonia nitrogen, Total suspended solids, Nitrate nitrogen, Total organic nitrogen, Total phosphorus, Oil and grease, Total residual chlorine, Total dissolved solids, Sulfate, Chloride, Fluoride, Specific conductance, pH, Soluble sodium, Soluble calcium, Soluble magnesium, SAR, Aluminum, Antimony, Arsenic, Barium, Beryllium, Boron, Cadmium, Chromium, Copper, Cyanide, Lead, Mercury, Nickel, Selenium, Silver, Thallium, and Zinc .process wastewater will be treated by the treatment process consists of a screen, two anaerobic ponds, a facultative pond, one aerated pond, three finishing ponds, 65 acres of emergency storage, a 2.3 million-gallon (MG) detention pond; irrigation facilities consisting of one 143.3 MG effluent holding pond; and sludge drying beds. Treated wastewater will be used to irrigate approximately 3,646 acres under pivot and an additional 1,107 acres located at the corner of field..

INSTRUCTIONS

1. Enter the name of applicant in this section. The applicant name should match the name associated with the customer number.
2. Enter the Customer Number in this section. Each Individual or Organization is issued a unique 11-digit identification number called a CN (e.g. CN123456789).
3. Choose “operates” in this section for existing facility applications or choose “proposes to operate” for new facility applications.
4. Enter the name of the facility in this section. The facility name should match the name associated with the regulated entity number.
5. Enter the Regulated Entity number in this section. Each site location is issued a unique 11-digit identification number called an RN (e.g. RN123456789).
6. Choose the appropriate article (a or an) to complete the sentence.
7. Enter a description of the facility in this section. For example: steam electric generating facility, nitrogenous fertilizer manufacturing facility, etc.
8. Choose “is” for an existing facility or “will be” for a new facility.
9. Enter the location of the facility in this section.
10. Enter the City nearest the facility in this section.
11. Enter the County nearest the facility in this section.
12. Enter the zip code for the facility address in this section.
13. Enter a summary of the application request in this section. For example: renewal to discharge 25,000 gallons per day of treated domestic wastewater, new application to discharge process wastewater and stormwater on an intermittent and flow-variable basis, or major amendment to reduce monitoring frequency for pH, etc. If more than one outfall is included in the application, provide applicable information for each individual outfall.
14. List all pollutants expected in the discharge from this facility in this section. If applicable, refer to the pollutants from any federal numeric effluent limitations that apply to your facility.
15. Enter the discharge types from your facility in this section (e.g., stormwater, process wastewater, once through cooling water, etc.)

PLANTILLA EN ESPAÑOL PARA SOLICITUDES
NUEVAS/ RENOVACIONES/ ENMIENDAS DE TPDES o TLAP

AGUAS RESIDUALES INDUSTRIALES/ AGUAS PLUVIALES

El siguiente resumen se proporciona para esta solicitud de permiso de calidad del agua pendiente que está siendo revisada por la Comisión de Calidad Ambiental de Texas según lo requerido por el Capítulo 39 del Código Administrativo de Texas 30. La información proporcionada en este resumen puede cambiar durante la revisión técnica de la solicitud y no son representaciones federales exigibles de la solicitud de permiso.

La Ciudad de Cactus (CN600333744) opera la Planta de Tratamiento de Aguas Residuales de la Ciudad de Cactus RN102075173. Una instalación de tratamiento de aguas residuales industriales. La instalación 8 La instalación está ubicada aproximadamente a 2.0 millas al norte de FM 281 y la autopista estadounidense 287, que está al este de la ciudad de Cactus. ubicado 9. Introduzca la ubicación aquí. , en 10. Introduzca el nombre de la ciudad aquí. , Condado de 11. Introduzca el nombre del condado aquí. de Moore, Texas 12. en Cactus, Moore y el condado de Sherman, Texas 79013.

La enmienda principal incluirá la adición de superficie de riego adicional mediante la adición de esquinas pivotantes: superficie existente = 3782 acres. Área de riego propuesta = 4,754 acres. Una enmienda adicional es convertir 65 acres de humedales artificiales en almacenamiento de emergencia. Este permiso no autorizará una descarga de contaminantes al agua del estado.

<<Para las solicitudes de TLAP incluya la siguiente oración, de lo contrario, elimine:>>

Este permiso no autorizará una descarga de contaminantes en el agua en el estado. Se espera que las descargas de la instalación contengan 14. DBO, CBOD, Carbono orgánico total, Nitrógeno amoniacal, Sólidos suspendidos totales, Nitrógeno nítrico, Nitrógeno orgánico total, Fósforo total, Aceite y grasa, Cloro residual total, Sólidos disueltos totales, Sulfato, Cloruro, Fluoruro, Conductancia específica, pH, Sodio soluble, Calcio soluble, Magnesio soluble, SAR, Aluminio, Antimonio, Arsénico, Bario, Berilio, Boro, Cadmio, Cromo, Cobre, Cianuro, Plomo, Mercurio, Níquel, Selenio, Plata, Talio y Zinc. 15. Aguas residuales de proceso. 16. por. tratado por 17 el proceso de tratamiento consta de una malla, dos estanques anaeróbicos, un estanque facultativo, un estanque aireado, tres estanques de acabado, 65 acres de almacenamiento de emergencia, un estanque de detención de 2.3 millones de galones (MG); instalaciones de riego compuestas por un estanque de retención de efluentes de 143,3 MG; y lechos de secado de lodos. Las aguas residuales tratadas se utilizarán para regar aproximadamente 3646 acres bajo pivote y 1107 acres adicionales ubicados en la esquina del campo.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF RECEIPT OF APPLICATION AND INTENT TO OBTAIN WATER QUALITY PERMIT AMENDMENT

PERMIT NO. WQ0003436000

APPLICATION. City of Cactus, P.O. Box 365, Cactus, Texas 79013, which owns a wastewater treatment facility, has applied to the Texas Commission on Environmental Quality (TCEQ) to amend Texas Land Application Permit (TLAP) No. WQ0003436000 to authorize increasing the irrigation area to 4,754 acres and converting the 64 acres integrated wetlands to emergency storage. The facility and disposal site are located approximately 2 miles north of the intersection of Farm-to-Market Road 281 and U.S. Highway 287, near the city of Cactus, in Moore and Sherman Counties, Texas 79013. TCEQ received this application on April 8, 2024. The permit application will be available for viewing and copying at Cactus City Hall, 201 South U.S. Highway 287, Cactus, in Moore County, Texas, and at Sherman County Courthouse, County Clerk's Office, 701 North 3rd Street, Stratford, in Sherman County, Texas prior to the date this notice is published in the newspaper. 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://gisweb.tceq.texas.gov/LocationMapper/?marker=-101.98818,36.04757&level=18>

ALTERNATIVE LANGUAGE NOTICE. Alternative language notice in Spanish is available at <https://www.tceq.texas.gov/permitting/wastewater/plain-language-summaries-and-public-notices>. El aviso de idioma alternativo en español está disponible en <https://www.tceq.texas.gov/permitting/wastewater/plain-language-summaries-and-public-notices>.

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. All public comments and requests must be submitted either electronically at <https://www14.tceq.texas.gov/epic/eComment/>, or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105,

P.O. Box 13087, Austin, Texas 78711-3087. Please be aware that any contact information you provide, including your name, phone number, email address and physical address will become part of the agency's public record. For more information about this permit application or the permitting process, please call the TCEQ Public Education Program, Toll Free, at 1-800-687-4040 or visit their website at www.tceq.texas.gov/goto/pep. Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained from City of Cactus at the address stated above or by calling Mr. Aldo Gallegos, City Manager, at 806-966-5458.

Issuance Date: May 30, 2024

Comisión de Calidad Ambiental del Estado de Texas



AVISO DE RECEPCIÓN DE LA SOLICITUD Y LA INTENCIÓN DE OBTENER CALIDAD DEL AGUA PERMISO MODIFICACION

PERMISO NO. WQ0003436000

SOLICITUD. City of Cactus, P.O. Box 365, Cactus, Texas 79013, propietaria de una instalación de tratamiento de aguas residuales, ha solicitado a la Comisión de Calidad Ambiental de Texas (TCEQ) para modificar el Permiso No. WQ0003436000 de disposición de aguas residuales para autorizar el aumento del área de riego a 4,754 acres y convertir los 64 acres de humedales integrados en almacenamiento de emergencia. La planta y el sitio de disposición están ubicadas aproximadamente 2 millas al norte de la intersección de Farm-to-Market Road 281 y U.S. Highway 287, cerca de la ciudad de Cactus, en los condados de Moore y Sherman, Texas 79013. La TCEQ recibió esta solicitud el 8 de abril de 2024. La solicitud para el permiso estará disponible para leerla y copiarla en Cactus City Hall, 201 South U.S. Highway 287, Cactus, en el condado de Moore, Texas, y en Sherman County Courthouse, oficina del secretario del condado, 701 North 3rd Street, Stratford, en el condado de Sherman, Texas antes de la fecha de publicación de este aviso en el periódico. Este enlace a un mapa electrónico de la ubicación general del sitio o de la instalación es proporcionado como una cortesía y no es parte de la solicitud o del aviso. Para la ubicación exacta, consulte la solicitud.

<https://gisweb.tceq.texas.gov/LocationMapper/?marker=-101.98818,36.04757&level=18>

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 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 City of Cactus a la dirección indicada arriba o llamando a Sr. Aldo Gallegos al 806-966-5458.

Fecha de emisión el 30 de mayo de 2024

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF APPLICATION AND PRELIMINARY DECISION FOR LAND APPLICATION PERMIT FOR INDUSTRIAL WASTEWATER

AMENDMENT

Permit No. WQ0003436000

APPLICATION AND PRELIMINARY DECISION. City of Cactus, P.O. Box 365, Cactus, Texas 79013, which operates the City of Cactus Wastewater Treatment Plant, has applied to the Texas Commission on Environmental Quality (TCEQ) for a major amendment of TCEQ Permit No. WQ0003436000 to increase the irrigation area from 3,782 acres to 4,754 acres; and to convert the 65-acres of integrated wetlands to emergency storage. The draft permit authorizes the disposal of treated process wastewater consisting of slaughterhouse and tannery effluent commingled with domestic wastewater at an annual average flow not exceed 3,260,000 gallons per day via irrigation on 4,754 acres. This permit will not authorize a discharge of pollutants into water in the state. TCEQ received this application on April 8, 2024.

The facility and land application site are located approximately two miles north of the intersection of Farm-to-Market Road 281 and U.S. Highway 287, near the City of Cactus, in Moore and Sherman Counties, Texas 79013. The land application site is located to the north, east, and south of the treatment facility. The facility and land application site are located in the drainage area of North Palo Duro Creek, which flows into the State of Oklahoma's watershed, in Segment No. 0100 of the Canadian River Basin. 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://gisweb.tceq.texas.gov/LocationMapper/?marker=-101.988055,36.0475&level=18>.

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 the Cactus City Hall, 201 South U.S. Highway 287, Cactus, in Moore County, Texas, and at the Sherman County Courthouse, County Clerk's Office, 701 North 3rd Street, Stratford, in Sherman County, Texas. The application, including any updates, and associated notices are available electronically at the following webpage: <https://www.tceq.texas.gov/permitting/wastewater/pending-permits/tlap-applications>

ALTERNATIVE LANGUAGE NOTICE. Alternative language notice in Spanish is available at <https://www.tceq.texas.gov/permitting/wastewater/pending-permits/tpdes-applications>. El aviso de idioma alternativo en español está disponible en <https://www.tceq.texas.gov/permitting/wastewater/pending-permits/tpdes-applications>.

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 the 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 (2) the mailing list for a specific county. If you wish to be placed on the permanent 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, TCEQ, P.O. Box 13087, Austin, TX 78711-3087 or electronically at <https://www.tceq.texas.gov/goto/comment/> within 30 days from the date of newspaper publication of this notice.

INFORMATION AVAILABLE ONLINE. For details about the status of the application, visit the Commissioners' Integrated Database at <https://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://www.tceq.texas.gov/goto/comment/>, or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. 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 <https://www.tceq.texas.gov/agency/decisions/participation/permitting-participation>. Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained from City of Cactus at the address stated above or by calling Mr. Aldo Gallegos, City Manager, at 806-966-5458.

Issued: November 3, 2025

Comisión De Calidad Ambiental Del Estado De Texas



AVISO DE SOLICITUD Y DECISIÓN PRELIMINAR PARA PERMISO PARA APLICACIÓN DE LA CALIDAD DEL AGUA EN TERRENOS PARA AGUAS RESIDUALES INDUSTRIALES

MODIFICACIÓN

PERMISO NO. WQ0003436000

SOLICITUD Y DECISIÓN PRELIMINAR. La *Ciudad de Cactus*, P.O. Box 365, Cactus, Texas 79013, que opera la Planta de Tratamiento de Aguas Residuales de la Ciudad de Cactus, ha solicitado a la Comisión de Calidad Ambiental de Texas (TCEQ) una enmienda mayor del Permiso TCEQ No. WQ0003436000 para aumentar el área de riego de 3,782 acres a 4,754 acres; y convertir las 65 acres de humedales integrados en almacenamiento de emergencia. El permiso borrador autoriza la disposición de aguas residuales de proceso tratadas que consisten en efluentes de mataderos y curtiembres mezclados con aguas residuales domésticas a un flujo promedio anual que no exceda los 3,260,000 galones por día a través del riego en 4,754 acres. Este permiso no autorizará la descarga de contaminantes en aguas del estado. TCEQ recibió esta solicitud el 8 de abril de 2024.

La instalación y el sitio de aplicación de tierra están ubicados aproximadamente a dos millas al norte de la intersección de Farm-to-Market Road 281 y U.S. Highway 287, cerca de la Ciudad de Cactus, en los Condados de Moore y Sherman, Texas 79013. El sitio de aplicación de tierra se encuentra al norte, este y sur de la instalación de tratamiento. La instalación y el sitio de aplicación de tierra están ubicados en el área de drenaje del Arroyo North Palo Duro, que fluye hacia la cuenca hidrográfica del estado de Oklahoma, en el Segmento No. 0100 de la Cuenca del Río Canadiense. Este enlace a un mapa electrónico de la ubicación general del sitio o la instalación se proporciona como una cortesía pública y no forma parte de la solicitud o aviso. Para la ubicación exacta, consulte la solicitud.

<https://gisweb.tceq.texas.gov/LocationMapper/?marker=-101.988055,36.0475&level=18>.

El Director Ejecutivo de la TCEQ ha completado la revisión técnica de la solicitud y ha preparado un borrador del permiso. El borrador del permiso, si es aprobado, establecería las condiciones bajo las cuales la instalación debe operar. El Director Ejecutivo ha tomado una decisión preliminar que si este permiso es emitido, cumple con todos los requisitos normativos y legales. La solicitud del permiso, la decisión preliminar del Director Ejecutivo y el borrador del permiso están disponibles para leer y copiar en Cactus City Hall, 201 South U.S. Highway 287, Cactus, in Moore County, Texas y en el Sherman County Courthouse, County Clerk's Office, 701 North 3rd Street, Stratford, in Sherman County, Texas. La solicitud cualquier actualización y aviso inclusive está disponible electrónicamente en la siguiente página web:

<https://www.tceq.texas.gov/permitting/wastewater/pending-permits/tlap-applications>.

AVISO EN IDIOMA ALTERNATIVO. El aviso en idioma alternativo en español está disponible en <https://www.tceq.texas.gov/permitting/wastewater/pending-permits/tpdes-applications>. El aviso de idioma alternativo en español está disponible en <https://www.tceq.texas.gov/permitting/wastewater/pending-permits/tlap-applications>.

COMENTARIO PUBLICO / REUNION PUBLICA. Puede presentar comentarios públicos o solicitar una reunión pública sobre esta solicitud. El propósito de una reunión pública es brindar la oportunidad de presentar comentarios o hacer preguntas sobre la solicitud. TCEQ celebra una reunión pública si el Director Ejecutivo determina que hay un grado significativo de interés público en la solicitud o si lo solicita un legislador local. Una reunión pública no es una audiencia de caso controvertido.

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.

Al finalizar todos los períodos de comentarios y solicitudes aplicables, el Director Ejecutivo enviará la solicitud y cualquier solicitud de reconsideración o de audiencia de caso controvertido a los Comisionados de TCEQ para su consideración en una reunión programada de la Comisión. La Comisión solo puede conceder una solicitud de audiencia de caso controvertido sobre los problemas que el solicitante presentó en sus comentarios oportunos que no fueron posteriormente retirados. **Si se concede una audiencia, el tema de la audiencia se limitará a los problemas de hecho en disputa o preguntas mixtas de hecho y derecho relacionadas con preocupaciones relevantes y materiales sobre la calidad del agua presentadas durante el período de comentarios.**

ACCIÓN DEL DIRECTOR EJECUTIVO. El Director Ejecutivo puede emitir la aprobación final de la solicitud a menos que se presente una solicitud de audiencia de caso controvertido o de reconsideración de manera oportuna. Si se presenta una solicitud de audiencia o de reconsideración dentro del plazo, el Director Ejecutivo no emitirá la aprobación final del permiso y enviará la solicitud y la solicitud a los Comisionados de TCEQ para su consideración en una reunión programada de la Comisión.

LISTA DE CORREO. Si presenta comentarios públicos, una solicitud de audiencia de caso controvertido o una reconsideración de la decisión del Director Ejecutivo, se le agregará a la lista de correo para esta solicitud específica para recibir futuros avisos públicos enviados por la Oficina del Secretario Principal. Además, puede solicitar ser incluido en: (1) la lista de correo permanente para un nombre de solicitante específico y número de permiso; y (2) la lista de correo para un condado específico. Si desea ser incluido en la lista de correo permanente o en la lista de correo del condado, especifique claramente qué lista(s) y envíe su solicitud a la Oficina del Secretario Principal de TCEQ a la dirección a continuación.

Todos los comentarios públicos por escrito y las solicitudes de reunión pública deben enviarse a la Oficina del Secretario Principal, MC 105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087 o electrónicamente en <https://www.tceq.texas.gov/goto/comment/> dentro de los 30 días a partir de la fecha de publicación en el periódico de este aviso.

INFORMACIÓN DISPONIBLE EN LÍNEA. Para obtener detalles sobre el estado de la solicitud, visite la Base de Datos Integrada de los Comisionados en <https://www.tceq.texas.gov/goto/cid/>. Busque en la base de datos utilizando el número de permiso de esta solicitud, el cual se encuentra en la parte superior de este aviso.

CONTACTOS E INFORMACIÓN DE LA AGENCIA. Los comentarios y solicitudes públicas deben enviarse electrónicamente a <https://www.tceq.texas.gov/goto/comment/>, o por escrito a Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Cualquier información personal que envíe a al TCEQ pasará a formar parte del registro de la agencia; esto incluye las direcciones de correo electrónico. Para obtener más información sobre esta solicitud de permiso o el proceso de permisos, llame al Programa de Educación Pública de la TCEQ, sin cargo, al 1-800-687-4040 o visite su sitio web en <https://www.tceq.texas.gov/agency/decisions/participation/permitting-participation>. Si desea información en español, puede llamar al 1-800-687-4040.

También se puede obtener información adicional de la Ciudad de Cactus a la dirección indicada anteriormente arriba o llamando a Sr. Aldo Gallegos, Gerente de la Ciudad, al 806-966-5458.

Fecha de emisión 3 de noviembre de 2025



PERMIT NO. WQ0003436000

TEXAS COMMISSION ON ENVIRONMENTAL
QUALITY

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

This major amendment with
renewal replaces TCEQ Permit
No. WQ0003436000 issued on,
September 25, 2019.

PERMIT TO DISPOSE OF WASTES

under provisions of
Chapter 26 of the Texas Water Code

I. NAME OF PERMITTEE

- A. Name: City of Cactus
B. Address: P.O. Box 365
Cactus, Texas 79013

II. NATURE OF BUSINESS PRODUCING WASTE

City of Cactus Wastewater Treatment Plant (WWTP) (SIC 4952).

III. GENERAL DESCRIPTION AND LOCATION OF WASTE DISPOSAL SYSTEM

Description: The City of Cactus receives wastewater from a slaughterhouse and tannery industries. The balance of the flow is made up domestic wastewater from the Town of Etter and the City of Cactus. Each industry has implemented pre-treatment of the wastewater to reduce the loadings of pollutants to the Cactus WWTP. The wastewater is collected by the City's existing gravity system. Wastewater treatment consists of a fine screen, two anaerobic ponds, a facultative pond, one aerated pond, three finishing ponds, a 2.3 million gallon (MG) detention pond; irrigation facilities consisting of one 143.3 MG effluent holding pond, 65 acres of emergency storage; and sludge drying beds. Treated wastewater is land applied on 4,754 acres of farmland.

Location: The facility and land application site are located approximately 2.0 miles north of the intersection of Farm-to-Market Road 281 and U.S. Highway 287, near the City of Cactus, Moore and Sherman Counties, Texas 79013. The land application site is located to the north, east, and south of the treatment facility.

Drainage Basin: The facility and disposal site are located in the drainage area of North Palo Duro Creek in Segment No. 0100 of the Canadian River Basin. No discharge of pollutants into water in the state is authorized by this permit.

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

ISSUED DATE:

For the Commission

IV. CONDITIONS OF THE PERMIT

Character: The disposal of treated process wastewater consisting of slaughterhouse and tannery effluent commingled with domestic wastewater at an annual average flow not to exceed 3.26 million gallons per day (MGD) via irrigation on 4,754 acres.

Volume: The annual average flow of effluent shall not exceed 3.26 MGD.

Quality: Effluent shall be monitored for the following parameters:

Parameter	Daily Average, mg/L	Daily Maximum, mg/L	Frequency	Sample Type
Flow	3.26 MGD ¹	Report, MGD	Continuous	Meter
Biochemical Oxygen Demand, 5-day	Report	100	1/week ²	Grab
Total Suspended Solids	Report	100	1/week ²	Grab
Ammonia Nitrogen	Report	Report	1/2 weeks ²	Grab
Total Kjeldahl Nitrogen (TKN)	Report	Report	1/2 weeks ²	Grab
Nitrate Nitrogen	Report	Report	1/2 weeks ²	Grab
Total Nitrogen	Report	Report	1/2 weeks ²	Grab
Total Chromium	N/A	Report	1/month ²	Grab
Oil and Grease	N/A	Report	1/month ²	Grab
Total Phosphorus	N/A	Report	1/month ²	Grab
Total Dissolved Solids	N/A	Report	1/month ²	Grab
pH, Standard Units (SU)	6.0 SU, min	9.0 SU	1/week ²	Grab

Location: Effluent quality monitoring samples must be taken at the effluent irrigation pump station discharge point downstream of the self-cleaning screens, and prior to mixing with any other waters.

Flow, total suspended solids, and biochemical oxygen demand, 5-day monitoring must be conducted prior to entering the detention pond.

Results from the analyses must be retained on site for five years and available for inspection by authorized representatives of the Texas Commission on Environmental Quality (TCEQ). This data must be submitted to the TCEQ Enforcement Division (MC 224), Industrial Permits Team (MC 148), and Region 1 Office during the month of September of each calendar year.

V. SPECIAL PROVISIONS:

A. The following definitions supersedes and replaces the **Definitions** in Section VI. Standard Permit Conditions found on Page 17 in Section VI. Standard Permit Conditions of this permit. For the purpose of Part IV of this permit, the following definitions shall apply:

1. Grab sample quality – the quality determined by measuring the concentration in milligrams per liter, parts per million, or other appropriate units of measurement in a single grab sample of the defined waste.

¹ Annual average flow.

² When irrigating.

2. Annual average flow is the arithmetic average of all daily flow determinations taken within the preceding 12 consecutive calendar months. The annual average flow determination must consist of daily flow volumes determination made by a totalizing meter. The permittee shall keep a monthly record of the annual average flow. The annual average flow is calculated by adding the individual flow calculations together and dividing by the number of measurements taken during the previous 365 day period. Days of no discharge may be recorded as zero and used in the annual average calculation. The first annual average flow is calculated based on the number of measurements taken during the first month after the permit goes into effect. The second reported annual average is calculated based on the number of measurements taken during the first and second month after the permit is in effect. This calculation procedure will continue for a total of 12 months. When the permittee has a total of 13 months of data, then the first month of data will be dropped from the calculation and the 13th month of data will be included. This procedure will be followed for the life of the permit.
 3. Daily average concentration means the arithmetic average of all effluent samples, composite or grab as required by this permit, collected within a period of one calendar month, consisting of at least four separate representative measurements. 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. A readily accessible sampling point and flow measuring device shall be provided by the permittee.
- C. This permit does not authorize the discharge of any pollutant from the irrigation site. The wastewater disposal system shall be designed and operated to prevent the following:
1. Discharge from the irrigated property. The applicant shall use center pivot sprinkler systems which are adjusted to meet the application needs of the crop irrigated and the infiltration rate of the soil to prevent runoff from the irrigation tract.
 2. Recharge of groundwater resources which supply or may potentially supply domestic raw water.
 3. Occurrence of nuisance conditions.
- D. The permittee shall maintain vegetation coverage over the irrigated areas in accordance with the annual agronomic management plan (AMP) required in Section V.N.4.
- E. For any area where treated effluent is stored or where there exists hose bibs or faucets, the permittee shall erect adequate signs stating that the irrigation water is from a non-potable water supply. 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 above ground piping transporting the effluent shall be clearly marked with these same signs.
- F. The permittee shall restrict unauthorized personnel and public access to all wastewater treatment/holding ponds, including the Cactus Playa Lake, and all irrigation areas.
- G. 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 facility must be operated by a chief operator or an operator holding a Class A, Class B, or Class C license.

A Class D Wastewater Treatment Operator license is not renewable for operators of a facility listed in 30 TAC Section 30.342(c) and must be upgraded to a Class C Wastewater Treatment Operator license or higher prior to the expiration date of the Class D license.

- H. The certified operator shall inspect the facilities daily and maintain at the plant site a record of these inspections for a period of five years for inspection by authorized personnel of the TCEQ.
- I. The permittee shall operate a program whereby the permittee shall control through permit, order, or similar means, the contribution to the POTW by each industrial user to ensure that hair, stringers, animal parts, and paunch manure are not discharged to the POTW at levels that interfere with the operations of the POTW.
- J. The permittee shall maintain a minimum buffer zone of 500 feet from all lagoons with anaerobic zones.
- K. Storm water drainage must be prevented from entering all ponds associated with effluent treatment and storage.
- L. A 21-day retention time (based on design flow) must be maintained in the wastewater treatment system.
- M. Irrigation Requirements

The operational requirements set forth below are intended to be applied in accordance with, and as set forth in, the annual agronomic management plan (AMP) required in Section V.N.4.

- 1. The permittee shall maintain a flow measuring and totalizing device at the point of irrigation water withdrawal from the 143.3 million gallon storage pond. The permittee shall record the volume of irrigation water withdrawn each month from the 143.3 million gallon storage pond and the total amount of groundwater used for irrigation each month. Application rates must be calculated using the combined volumes of effluent and groundwater used for irrigation on utilized acreages during the preceding year and the daily average concentrations of total nitrogen for the nitrogen loading rate.
- 2. Application rates must not exceed the following levels for effluent utilized for irrigation:
 - a. The permittee shall provide a minimum irrigated area of 4,754 acres. The specified irrigated acreage shall be exclusive of buffer zones, roadways, ponds, and embankment areas.

Hydraulic loading rate: 4.8 acre-feet/acre/year.
Nitrogen loading rate: 420 lbs/acre/year

- b. The nitrogen loading rate must not exceed the specific crop requirements in accordance with the AMP required by Section V.N.4.

- c. No single acreage or field shall receive more than a maximum of 4.8 acre-feet/acre/year.
3. The permittee shall maintain an operating log which records the volume of wastewater used for irrigation and the actual surface area irrigated each week. The operating log shall be submitted to the TCEQ Enforcement Division (MC 224), Industrial Permits Team (MC 148) of the Water Quality Division, and Region 1 Office (MC R1) on a biannual basis during the months of March and September of each calendar year. The operating log shall be retained on-site for five years for inspection by authorized representatives of TCEQ.
4. For new systems, the permittee shall provide certification from a Texas Licensed Professional Engineer that the irrigation distribution systems or water distribution systems are designed in accordance with 16 TAC § 76.107, Technical Requirements-Chemical Injection, Chemigation, and Foreign Substance Systems. The Certification shall be submitted to the TCEQ Region 1 Office (MC R1) 180 days prior to initiation of construction.
5. The irrigation system must be designed such that it cannot be operated by unauthorized personnel.
6. No wastewater may be applied within twenty-four (24) hours after a measured rainfall of 0.5 inches or greater.
7. The volume and the operation of the irrigation holding pond system must be adequate to impound production volume during periods of rainfall, inclement weather conditions, or equipment maintenance when disposal of the wastewater via irrigation is not practicable.
8. The permittee shall provide adequate maintenance of the treatment and irrigation facilities to ensure that the facilities are in working condition. No treatment or irrigation facilities must be removed permanently from service without prior notification of the Executive Director of the TCEQ.
9. The physical condition of the spray irrigation fields must be monitored on a monthly basis when the fields are being utilized for the purpose of wastewater irrigation. Any areas with problems such as surface runoff, surface erosion, or stressed or damaged vegetation will be recorded in the field log kept on-site, and corrective measures must be initiated within 24 hours of discovery. Instances of crop damage must be documented, and if necessary, the AMP will be adjusted to reflect possible yield reductions.
10. The permittee shall use commonly accepted agricultural practices (such as crop rotations, proper planting techniques, acceptable planting timeframes, proper spacing, irrigation management, etc.) to promote and maintain the health and propagation of the Jose wheat grass, sorghum, and triticale and/or other crops approved in the AMP required by Section V.N.4 and avoid plant lodging. The permittee shall harvest the crops (cut and remove it from the field) at least once during the year. Harvesting and mowing dates shall be recorded in a log book kept on-site to be made available to TCEQ personnel upon request.
11. For each application area utilized, a minimum of 1 acre-foot of irrigation per acre (325,828 gallons/acre) during the growing season of that crop as defined in the AMP required by Section V.N.4. In cases where this rate would exceed the Nitrogen limit of the

crop, effluent applications must be capped at the Nitrogen limit as defined in Special Provision N.2.a.

Any acreage utilized shall receive a minimum of 1 acre-foot per acre per year of effluent during the growing season of the crop. The applicant may apply more than 1 acre-ft/ac/year to any utilized area up to the maximum of 4.8 ac-ft/ac/year or 420 lbs/ac/year Nitrogen (whichever is maxed out first).

N. Soil Sampling and Agronomic Review Requirements

1. The permittee shall analyze the irrigation effluent for pH, total dissolved solids, TKN, nitrate-nitrogen, ammonia-nitrogen, total chromium, total phosphorus, and oil and grease in accordance with the requirements specified in Section IV. Conditions of the Permit. Total Nitrogen equals TKN plus nitrate-nitrogen [= (organically bound N) + (ammonia-N) + (nitrate-N)]. Wastewater pH shall be reported in standard units (SU) and the remaining parameters in mg/L. Analysis results shall be provided with the soil analysis report by September of each sampling year. Analysis results shall be provided to the TCEQ Water Quality Assessment team (MC 150), Region 1 Office (MC R1) and Enforcement Division (MC 224).
2. Irrigation must not exceed the **Annual Crop Nitrogen Requirement** (from irrigation plus soil nitrate) or the annual hydraulic application rate. The total nitrogen loading must be calculated using the following expression per irrigation event:

Crop Nitrogen Loading (pounds/acre) = (Irrigation volume in gallons)
(0.00000668)(Total Nitrogen in milligrams/Liter)/(acreage irrigated)

Annual Crop Nitrogen Requirement (pounds/acre) = 2 × (soil nitrate in mg/kg in the 0-6" depth) + 4 × (soil nitrate in mg/kg in the 6-18" depth) + 6 × (soil nitrate in mg/kg in the 18-36" depth) + (Irrigation volume in gallons)(0.00000668) (Total Nitrogen in milligrams/Liter)/(acreage irrigated)

Analysis results must be provided with the soil analysis reports by the end of September of each sampling year. Analysis results must be provided to the TCEQ Water Quality Assessment Team (MC 150), Region 1 Office (MC R1), and Enforcement Division (MC 224).

Site-specific soil bulk density studies may be submitted to the Water Quality Assessment Team (MC-150) for review/revision and approval to adjust the weight of 2,000,000 pounds/acre-six inches

3. The permittee shall obtain representative soil samples from the root zones of the irrigation areas receiving wastewater. Random sampling and compositing techniques must be used. Each composite sample must not exceed 80 acres and shall represent no less than 10 to 15 subsamples. Subsamples must be composited by like sampling depth, type of crop and soil type for analysis and reporting. Soil types are soils that have like topsoil or plow layer textures. These soils must be sampled individually from 0 to 6 inches, 6 to 18 inches and 18 to 36 inches below ground level. The permittee shall collect annual soil samples within the period of March through June of each year. Soil samples must be analyzed within 30 days of sample collection.

The permittee shall provide annual soil sample analyses of the land application area according to the following table:

Parameter	Method	Minimum Analytical Level (MAL)	Reporting units
pH	2:1 (v/v) water to soil mixture		Reported to 0.1 pH units after calibration of pH meter
Electrical Conductivity	Obtained from the SAR water saturated paste extract	0.01	dS/m (same as mmho/cm)
Nitrate-nitrogen, ammonium-nitrogen	From a 1 N KCl soil extract	1	mg/kg (dry weight basis)
Total Kjeldahl Nitrogen (TKN)	For determination of Organic plus Ammonium Nitrogen. Procedures that use Mercury (Hg) are not acceptable.	20	mg/kg (dry weight basis)
Total Nitrogen	= TKN plus Nitrate-nitrogen		mg/kg (dry weight basis)
Plant-available: Phosphorus	Mehlich III with inductively coupled plasma	1 (P)	mg/kg (dry weight basis)
Plant-available: Potassium (K) Calcium (Ca) Magnesium (Mg) Sodium (Na) Sulfur (S)	May be determined in the same Mehlich III extract with inductively coupled plasma	5 (K) 10 (Ca) 5 (Mg) 10 (Na) 1 (S)	mg/kg (dry weight basis)
Water-soluble: Sodium (Na) Calcium (Ca) Magnesium (Mg)	Obtained from the SAR water saturated paste extract	1 (Na) 1 (Ca) 1 (Mg)	Water soluble constituents are reported in mg/L
Sodium Adsorption Ratio (SAR)	$SAR = \frac{Na}{\sqrt{\frac{(Ca + Mg)}{2}}}$		Express concentrations of Na, Ca and Mg in the water saturated paste extract in milliequivalents/liter (meq/L) to calculate the SAR. The SAR value is

Parameter	Method	Minimum Analytical Level (MAL)	Reporting units
			unit less. If the SAR is greater than 10, amendments (e.g., gypsum) shall be added to the soil to adjust the SAR to less than 10.
Amendment addition, e.g., gypsum			Report in short tons/acre in the year effected

A copy of this soil testing plan must be provided to the analytical laboratory prior to sample analysis. The permittee shall submit the results of the annual soil sample analyses with copies of the laboratory reports and a map depicting the areas that have received wastewater within the permanent land application fields to the TCEQ Region 1 Office (MC R1), the Water Quality Assessment Team (MC 150), and the Enforcement Division (MC 224), no later than the end of September of each sampling year. If wastewater is not applied in a particular year, the permittee shall notify the same TCEQ offices and indicate that wastewater has not been applied on the approved land irrigation site(s) during that year

4. The permittee shall submit an annual AMP for review and approval by the TCEQ Water Quality Assessment Team. The plan must be submitted to the Water Quality Assessment Team (MC 150) and the TCEQ Region 1 Office (MC R1) in September of each year. If TCEQ does not notify the permittee within 60 days of receipt of the AMP of its decision to approve or deny the AMP, the plan is considered approved, and the permittee may implement the activities described in the plan.
5. The AMP should provide present and future projected effluent constituent loadings to the irrigation sites and address the effects of the constituent loadings upon the current and proposed crops. The following minimum information shall be provided:
 - a. Documentation on soils, climate, irrigation systems, and general site layout.
 - b. Maps [location, application area, land management units (LMUs)].
 - c. Cropping schedule for cool season and warm season crops, planned acreage for each crop, year-round irrigation plans, schedule for tillage and replanting, harvesting information, and a schedule for fertilizer applications.
 - d. Each annual AMP must include trend analyses for all soil sampling parameters. Accumulation of wastewater borne constituents within the soil must be addressed in the plan. The constituents to be considered are those parameters monitored pursuant to the requirements in Section IV of this permit and the results from the parameters listed in Special Provision V.N.1. of this permit.
 - e. Projected scheduling and application rates of wastewater to be applied to each LMU in acre feet per acre irrigated per year.
 - f. Calculations of salt loadings to the LMUs. Elevated salinity levels within the effluent

and soils must be addressed and include crop specific management practices to account for saline, sodic and saline-sodic soil conditions.

- g. Calculations of annual nitrogen application loadings to the LMUs for each crop as derived from use of the formula in Special Provision V.N.2. of this permit.
 - h. Annual Crop Nitrogen Requirements (pounds/acre) must be obtained from the Natural Resources Conservation Service (NRCS) s-crops table (<https://nutrientmanagement.tamu.edu/planning>). When a specific crop is not provided in the NRCS s-crop table recommendations from the Texas AgriLife Extension Soil, Water, and Forage Laboratory website at <http://soiltesting.tamu.edu/> may be utilized.
 - i. Historical records for each LMU, including the crops planted, amounts of wastewater and fertilizer applied, crop yields, rainfall records, planting and harvesting dates, and nitrogen loadings.
 - j. Records of the volume and electrical conductivity of groundwater used in conjunction with wastewater for irrigation must be reported on a monthly basis.
6. Within 90 days of the date of permit issuance, the permittee shall submit a Wastewater Nitrogen Reduction Plan (Plan) to address high levels of nitrogen in the effluent for review/revision and approval to the Water Quality Assessment (WQA) Team (MC 150). The Plan must include at a minimum the following: determination of specific high nitrogen sources in the wastewater stream; an evaluation of the in-place systems to determine possible nitrogen reduction points of interest; a proposal to reduce the nitrogen sources in the wastewater stream; a timeline to achieve each individual task of the Plan; and any other assessment proposal to address nitrogen reduction.

The permittee shall submit yearly progress reports to track the progress of the Plan submittal, approval, and implementation. The reports must be submitted to the Water Quality Assessment team (MC 150) and TCEQ Region 1 Office (MC R1) in September of each year. The executive director may request modification of the approved plan if future information indicates that it would be necessary for the protection of the environment.

O. Groundwater Monitoring Requirements

1. Discharge to the Cactus Playa Lake is not authorized under this permit.
2. The facility is currently an active Corrective Action site – SWR 30076 – and is participating in the Texas Risk Reduction Program (TRRP) (30 TAC Chapter 350). The permittee shall submit annual progress reports to the Water Quality Assessment Team (MC-150) on the work conducted by the TRRP participant, as it relates to the groundwater quality in the vicinity of the site. The TRRP progress reports must be submitted to the TCEQ by September 30th of each year.

P. Pond Requirements

A wastewater pond must comply with the following requirements. A *wastewater pond (or lagoon)* is an earthen structure used to evaporate, hold, store, or treat water that contains a *waste* or *pollutant* or that would cause *pollution* upon *discharge* as those terms are defined in Texas Water Code § 26.001, but does not include a pond that contains only *stormwater*.

1. N/A

2. An **existing** wastewater pond must be maintained to meet or exceed the original approved design and liner requirements; or, in the absence of original approved requirements, must be maintained to prevent unauthorized discharge of wastewater into or adjacent to water in the state. The permittee shall maintain copies of all liner construction and testing documents at the facility or in a reasonably accessible location and make the information available to the executive director upon request.
3. A **new** wastewater pond constructed after the issuance date of this permit must be lined in compliance with one of the following requirements if it will contain process wastewater as defined in 40 CFR §122.2. The executive director will review ponds that will contain only non-process wastewater on a case-by case basis to determine whether the pond must be lined. If a pond will contain only non-process wastewater, the owner shall notify the Industrial Permits Team (MC 148) to obtain a written determination at least 90 days before the pond is placed into service and copy the TCEQ Compliance Monitoring Team (MC-224). The permittee must submit all information about the proposed pond contents that is reasonably necessary for the executive director to make a determination. If the executive director determines that a pond does not need to be lined, then the pond is exempt from 3a through 3c and 4 through 7 of POND REQUIREMENTS.

A wastewater pond that only contains domestic wastewater must comply with the design requirements in 30 TAC Chapter 217 and 30 TAC §309.13(d) in lieu of items 3a through 3c of this subparagraph.

- a. Soil liner: The soil liner must contain clay-rich soil material (at least 30% of the liner material passing through a #200 mesh sieve, liquid limit greater than or equal to 30, and plasticity index greater than or equal to 15) that completely covers the sides and bottom of the pond. The liner must be at least 3.0 feet thick. The liner material must be compacted in lifts of no more than 8 inches to 95% standard proctor density at the optimum moisture content in accordance with ASTM D698 to achieve a permeability less than or equal to 1×10^{-7} (≤ 0.0000001) cm/sec. For in-situ soil material that meets the permeability requirement, the material must be scarified at least 8 inches deep and then re-compacted to finished grade.
 - b. Synthetic membrane: The liner must be a synthetic membrane liner at least 40 mils in thickness that completely covers the sides and the bottom of the pond. The liner material used must be compatible with the wastewater and be resistant to degradation (e.g., from ultraviolet light, chemical reactions, wave action, erosion, etc.). The liner material must be installed and maintained in accordance with the manufacturer's guidelines. A wastewater pond with a synthetic membrane liner must include an underdrain with a leak detection and collection system.
 - c. Alternate liner: The permittee shall submit plans signed and sealed by a Texas-licensed professional engineer for any other equivalently-protective pond lining method to the TCEQ Industrial Permits Team (MC-148) and copy the TCEQ Compliance Monitoring Team (MC-224).
4. For a pond that must be lined according to subparagraph 3 (including ponds with in-situ soil liners), the permittee shall provide certification, signed and sealed by a Texas-licensed professional engineer, stating that the completed pond lining and any required underdrain with leak detection and collection system for the pond meet the requirements in subparagraph 3a - 3c before using the pond. The certification shall include the following minimum details about the pond lining system: (1) pond liner type (in-situ soil, amended in-situ soil, imported soil, synthetic membrane, or alternative), (2) materials used, (3) thickness of materials, and (4) either permeability test results or a leak detection and collection system description, as applicable.

The certification must be provided to the TCEQ Water Quality Assessment Team (MC-

- 150), Industrial Permits Team (MC 148), Compliance Monitoring Team (MC 224), and Regional Office. A copy of the liner certification and construction details (i.e., as-built drawings, construction QA/QC documentation, and post construction testing) must be kept on-site or in a reasonably accessible location (in either hardcopy or digital format) until the pond is closed.
5. Protection and maintenance requirements for a pond subject to subparagraph 2 or 3 (including ponds with in-situ soil liners).
 - a. The permittee shall maintain a liner to prevent the unauthorized discharge of wastewater into or adjacent to water in the state.
 - b. A liner must be protected from damage caused by animals. Fences or other protective devices or measures may be used to satisfy this requirement.
 - c. The permittee shall maintain the structural integrity of the liner and shall keep the liner and embankment free of woody vegetation, animal burrows, and excessive erosion.
 - d. The permittee shall inspect each pond liner and each leak detection system at least once per month. Evidence of damage or unauthorized discharge must be evaluated by a Texas-licensed professional engineer or Texas-licensed professional geoscientist within 30 days. The permittee is not required to drain an operating pond or to inspect below the waterline during these routine inspections.
 - i. A Texas-licensed professional engineer or Texas-licensed professional geoscientist must evaluate damage to a pond liner, including evidence of an unauthorized discharge without visible damage.
 - ii. Pond liner damage must be repaired at the recommendation of a Texas-licensed professional engineer or Texas-licensed professional geoscientist. If the damage is significant or could result in unauthorized discharge, then the repair must be documented and certified by a Texas-licensed professional engineer. Within 60 days after a repair is completed, liner certification must be provided to the TCEQ Water Quality Assessment Team (MC-150), Compliance Monitoring Team (MC-224), and TCEQ Regional Office. A copy of the liner certification must be maintained at the facility or in a reasonably accessible location and made available to the executive director upon request.
 - iii. A release determination and subsequent corrective action will be based on 40 CFR Part 257 or the Texas Risk Reduction Program (30 TAC Chapter 350), as applicable. If evidence indicates that an unauthorized discharge occurred, including evidence that the actual permeability exceeds the design permeability, the matter may also be referred to the TCEQ Enforcement Division to ensure the protection of the public and the environment.
 6. For a pond subject to subparagraph 2 or 3 (including ponds with in-situ soil liners), the permittee shall have a Texas-licensed professional engineer perform an evaluation of each pond that requires a liner at least once every five years. The evaluation must include: (1) a physical inspection of the pond liner to check for structural integrity, damage, and evidence of leaking; (2) a review of the liner documentation for the pond; and (3) a review of all documentation related to liner repair and maintenance performed since the last evaluation. For the purposes of this evaluation, evidence of leaking also includes evidence that the actual permeability exceeds the design permeability. The permittee is not required to drain an operating pond or to inspect below the waterline during the evaluation. A copy of the engineer's evaluation report must be maintained at

the facility or in a reasonably accessible location and made available to the executive director upon request.

7. For a pond subject to subparagraph 2 or 3 (including ponds with in-situ soil liners), the permittee shall maintain at least 2.0 feet of freeboard in the pond except when:
 - a. the freeboard requirement temporarily cannot be maintained due to a large storm event that requires the additional retention capacity to be used for a limited period of time;
 - b. the freeboard requirement temporarily cannot be maintained due to upset plant conditions that require the additional retention capacity to be used for treatment for a limited period of time; or
 - c. the pond was not required to have at least 2.0 feet of freeboard according to the requirements at the time of construction

Q. Well Head Protection Requirements

The permittee is authorized to utilize irrigation areas that fall within the 150 ft. buffer zone between the application areas and private water wells in accordance with the following:

1. The permittee shall submit well logs and a map clearly delineating the location of all the wells that fall within the 150-ft buffer zone.
2. A certified water well driller must inspect all the wells within the spray pattern for any direct avenues of communication between the surface and the well bore. Any such areas will be properly plugged with cement grout or bentonite.
3. A five-foot radius concrete pad must be poured around the well, if not already installed.
4. A graded soil fill must be placed around the concrete pad, which is sloped to drain the applied irrigation water away from the well.
5. A sealed covering must be constructed over the well head that will prevent the irrigated wastewater from entering the well.
6. The applicant shall submit certification from a Texas Licensed Professional Engineer that all wells utilized within the 150 ft separation distance are constructed in accordance with 16 TAC § 76.100 within 180 days of permit issuance.
7. Any abandoned wells discovered during the inspection and/or installation of wastewater piping shall be properly plugged per 16 TAC Chapter 76.
8. The following wells have complied with the well head protection requirements listed in Nos. 1 through 6 above as documented in a letter to TCEQ dated April 29, 2011, and the permittee will not be required to submit any additional information required by 1, 2, and 6 above for these wells. The well identification number in the left-hand column was used in the April 29, 2011 letter, and the identification number on the right-hand column is used in Attachment A to this permit.

Well Identification (per April 29, 2011 letter)	Map Well Identification
IW-10B	IW-10B
IW-14	IW-14

Well Identification (per April 29, 2011 letter)	Map Well Identification
IW-15	IW-15
IW-16	IW-16
IW-19B	IW-19B
IW-21B	IW-21B
PW-S520	W002
IW-22B	W005
IW-11	264602
IW-7	357401
PW-S953	357403
IW-9	357404
IW-10	357405
IW-8	357406
IW-18B	357410
IW-3	357503
IW-1	357504
IW-2	357505
IW-17	357507
IW-18	357702

R. Wetland Requirements

The following requirements apply to constructed wetlands utilized for treatment prior to irrigation:

1. This permit does not authorize the use of any land defined as a natural wetland for wastewater treatment.
2. Methods of constructed wetlands maintenance must not result in a deterioration of water quality.
3. Constructed wetlands facilities for the retention of treated or untreated wastewater must be designed and operated in accordance with Special Provision P.

S. Compliance Schedule

The permittee shall comply with the terms and conditions established in Amended Agreed Final Judgement (AAFJ) No. 97-13798 effective on September 17, 2013, as it may be amended or extended by the Executive Director. The permittee must also enforce the requirements established in the JBS Swift industrial user permit in order to achieve full compliance with the AAFJ.

CITY OF CACTUS
CITY OF CACTUS WASTEWATER TREATMENT PLANT
INDUSTRIAL TAP MAJOR AMENDMENT
WELL MAP - T5

LEGEND

- City of Cactus Property Line
- Property Line
- Treatment Units and Holding Ponds
- Well

Scale: 1" = 500'

1 MILE RADIUS

1:5000 SCALE

Prepared, edited, and published by the Geological Survey
Survey of the City of Cactus
Geological Survey of the City of Cactus
Geological Survey of the City of Cactus

OJD Engineering, LLC
The Benchmark

U.S.G.S. CACTUS EAST, TEX. 2010

VI. STANDARD PERMIT CONDITIONS

This permit is granted in accordance with the Texas Water Code and the rules and other Orders of the Commission and the laws of the State of Texas.

DEFINITIONS

All definitions in Section (§) 26.001 of the Texas Water Code and Title 30 of the Texas Administrative Code (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. 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.
 - b. Annual average flow - the arithmetic average of all daily flow determinations taken within the preceding 12 consecutive calendar months. The annual average flow determination shall consist of daily flow volume determinations made by a totalizing meter, charted on a chart recorder and limited to major domestic wastewater discharge facilities with a 1 million gallons per day or greater permitted flow.
 - c. Instantaneous flow - the measured flow during the minimum time required to interpret the flow measuring device.
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.
3. Sample Type
 - a. Composite sample - For domestic wastewater, a composite sample is a sample made up of a minimum of three effluent portions collected in a continuous 24-hour period or during the period of daily discharge if less than 24 hours, and combined in volumes proportional to flow, and collected at the intervals required by 30 TAC § 319.9(a). For industrial wastewater, a composite sample is a sample made up of a

minimum of three effluent portions collected in a continuous 24-hour period or during the period of daily discharge if less than 24 hours, and combined in volumes proportional to flow, and collected at the intervals required by 30 TAC § 319.9(c).

- b. Grab sample - an individual sample collected in less than 15 minutes.
- 4. Treatment Facility (facility) - wastewater facilities used in the conveyance, storage, treatment, recycling, reclamation or disposal of domestic sewage, industrial wastes, agricultural wastes, recreational wastes, or other wastes including sludge handling or disposal facilities under the jurisdiction of the Commission.
- 5. The term "sewage sludge" is defined as solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in 30 TAC Chapter 312. This includes the solids which have not been classified as hazardous waste separated from wastewater by unit processes.
- 6. Bypass - the intentional diversion of a waste stream from any portion of a treatment facility.

MONITORING REQUIREMENTS

1. Monitoring Requirements

Monitoring results shall be collected 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 in accordance with 30 TAC §§319.4 - 319.12.

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

2. Test Procedures

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

3. Records of Results

- a. Monitoring samples and measurements shall be taken at times and in a manner so as to be representative of the monitored activity.
- b. Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years, monitoring and reporting records, including strip charts and records of calibration and maintenance, copies of all records required by this permit, and records of all data used to complete the application for this permit 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, or application. 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 determining compliance with permit requirements.

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 shall be readily available for review by a TCEQ representative for a period of three years.

6. Compliance Schedule Reports

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

7. Noncompliance Notification

- a. In accordance with 30 TAC §305.125(9), any noncompliance which may endanger human health or safety, or the environment shall be reported by the permittee to the TCEQ. Report of such information shall be provided orally or by facsimile transmission (FAX) to the Regional Office within 24 hours of becoming aware of the noncompliance. A written submission of such information shall also be provided by the permittee to the Regional Office and the Enforcement Division (MC 224) within five working days of becoming aware of the noncompliance. 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 which exceeds any effluent limitation in the 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 Enforcement Division (MC 224) within 5 working days of becoming aware of the noncompliance.
 - d. Any noncompliance other than that specified in this section, or any required information not submitted or submitted incorrectly, shall be reported to the Enforcement Division (MC 224) as promptly as possible.
8. In accordance with the procedures described in 30 TAC §§35.301 - 35.303 (relating to Water Quality Emergency and Temporary Orders) if the permittee knows in advance of the need for a bypass, it shall submit prior notice by applying for such authorization.
9. Changes in Discharges of Toxic Substances
- All existing manufacturing, commercial, mining, and silvicultural permittees shall notify the Regional Office, orally or by facsimile transmission within 24 hours, and both the Regional Office and the Enforcement Division (MC 224) in writing within five (5) working days, after becoming aware of or having reason to believe:
- a. That any activity has occurred or will occur 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).

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 which 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 Texas Water Code Section 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 Special Provisions section of this permit.
 - h. The permittee is subject to administrative, civil, and criminal penalties, as applicable, under Texas Water Code §§7.051 - 7.075 (relating to Administrative Penalties), 7.101 - 7.111 (relating to Civil Penalties), and 7.141 - 7.202 (relating to Criminal Offenses and Penalties).
- 3. Inspections and Entry
 - a. Inspection and entry shall be allowed as prescribed in the Texas Water Code Chapters 26, 27, and 28, and Texas Health and Safety Code Chapter 361.
 - b. The members of the Commission and employees and agents of the Commission are entitled to enter any public or private property at any reasonable time for the purpose of inspecting and investigating conditions relating to the quality of water in the state or the compliance with any rule, regulation, permit or other order of the Commission. Members, employees, or agents of the Commission and Commission contractors are entitled to enter public or private property at any reasonable time to investigate or monitor or, if the responsible party is not responsive or there is an immediate danger to public health or the environment, to remove or remediate a condition related to the quality of water in the state. Members, employees, Commission contractors, or agents acting under this authority who enter private property shall observe the establishment's rules and regulations concerning safety, internal security, and fire protection, and if the property has management in residence, shall notify management or the person then in charge of his presence and shall exhibit proper credentials. If any member, employee, Commission contractor, or agent is refused the right to enter in or on public or private property under this authority, the Executive Director may invoke the remedies authorized in Texas Water Code Section 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 with or without 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 could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements in Monitoring Requirements No. 9;
 - ii. 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 Texas Water Code §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.
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 which requires a permit or other authorization pursuant to the Texas Health and Safety Code.
7. Property Rights
- A permit does not convey any property rights of any sort, or any exclusive privilege.
8. 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.
9. 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.

10. Notice of Bankruptcy.

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

OPERATIONAL REQUIREMENTS

1. The permittee shall at all times ensure that the facility and all of its systems of collection, treatment, and disposal are properly operated and maintained. This includes, but is not limited to, the regular, periodic examination of wastewater solids within the treatment plant by the operator in order to maintain an appropriate quantity and quality of solids inventory as described in the various operator training manuals and according to accepted industry standards for process control. Process control, maintenance, and operations records shall be retained at the facility site, or shall be readily available for review by a TCEQ representative, for a period of three years.
2. Upon request by the Executive Director, the permittee shall take appropriate samples and provide proper analysis in order to demonstrate compliance with Commission rules. Unless otherwise specified in this permit or otherwise ordered by the Commission, the permittee shall comply with all applicable provisions of 30 TAC Chapter 312 concerning sewage sludge use and disposal and 30 TAC §§319.21 - 319.29 concerning the discharge of certain hazardous metals.
3. Domestic wastewater treatment facilities shall comply with the following provisions:
 - a. The permittee shall notify the Municipal Permits Team, Wastewater Permitting Section (MC 148) of the Water Quality Division, in writing, of any facility expansion at least 90 days prior to conducting such activity.
 - b. The permittee shall submit a closure plan for review and approval to the Municipal Permits Team, Wastewater Permitting Section (MC 148) of the Water Quality Division, for any closure activity at least 90 days prior to conducting such activity. Closure is the act of permanently taking a waste management unit or treatment facility out of service and includes the permanent removal from service of any pit, tank, pond, lagoon, surface impoundment or other treatment unit regulated by this permit.
4. The permittee is responsible for installing prior to plant start-up, and subsequently maintaining, adequate safeguards to prevent the discharge of untreated or inadequately treated wastes during electrical power failures by means of alternate power sources, standby generators, or retention of inadequately treated wastewater.
5. Unless otherwise specified, the permittee shall provide a readily accessible sampling point and, where applicable, an effluent flow measuring device or other acceptable means by which effluent flow may be determined.

6. The permittee shall remit an annual water quality fee to the Commission as required by 30 TAC Chapter 21. Failure to pay the fee may result in revocation of this permit under Texas Water Code §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 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 which 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 percent of the permitted daily average or annual average flow for three consecutive months, the permittee must initiate engineering and financial planning for expansion or upgrading of the domestic wastewater treatment or collection facilities. Whenever the flow reaches 90 percent of the permitted daily average or annual average flow for three consecutive months, the permittee shall obtain necessary authorization from the Commission to commence construction of the necessary additional treatment or collection facilities. In the case of a domestic wastewater treatment facility which reaches 75 percent of the permitted daily average or annual average flow for three consecutive months, and the planned population to be served or the quantity of waste produced is not expected to exceed the design limitations of the treatment facility, the permittee shall submit an engineering report supporting this claim to the Executive Director of the Commission.

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

- b. The plans and specifications for domestic sewage collection and treatment works associated with any domestic permit must be approved by the Commission, and failure to secure approval before commencing construction of such works or making a discharge is a violation of this permit and each day is an additional violation until approval has been secured.
- c. Permits for domestic wastewater treatment plants are granted subject to the policy of the Commission to encourage the development of area-wide waste collection, treatment and disposal systems. The Commission reserves the right to amend any domestic wastewater permit in accordance with applicable procedural requirements to require the system covered by this permit to be integrated into an area-wide system, should such be developed; to require the delivery of the wastes authorized to

be collected in, treated by or discharged from said system, to such area-wide system; or to amend this permit in any other particular to effectuate the Commission's policy. Such amendments may be made when the changes required are advisable for water quality control purposes and are feasible on the basis of waste treatment technology, engineering, financial, and related considerations existing at the time the changes are required, exclusive of the loss of investment in or revenues from any then existing or proposed waste collection, treatment or disposal system.

9. Domestic wastewater treatment plants shall be operated and maintained by sewage plant operators holding a valid certificate of competency at the required level as defined in 30 TAC Chapter 30.
10. Facilities which 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 Environmental Cleanup Section (MC 127) of the Remediation Division informing the Commission of any closure activity involving an Industrial Solid Waste Management Unit, at least 90 days prior to conducting such an activity.
 - d. Construction of any industrial solid waste management unit requires the prior written notification of the proposed activity to the Registration and Reporting Section (MC 129) of the Permitting and Remediation Support Division. No person shall dispose of industrial solid waste, including sludge or other solids from wastewater treatment processes, prior to fulfilling the deed recordation requirements of 30 TAC §335-5.
 - e. The term "industrial solid waste management unit" means a landfill, surface impoundment, waste-pile, industrial furnace, incinerator, cement kiln, injection well, container, drum, salt dome waste containment cavern, or any other structure vessel, appurtenance, or other improvement on land used to manage industrial solid waste.
 - f. The permittee shall keep management records for all sludge (or other waste) removed from any wastewater treatment process. These records shall fulfill all applicable requirements of 30 TAC Chapter 335 and must include the following, as it pertains to wastewater treatment and discharge:
 - i. volume of waste and date(s) generated from treatment process;
 - iii. volume of waste disposed of on-site or shipped off-site;
 - iv. date(s) of disposal;
 - v. identity of hauler or transporter;
 - vi. location of disposal site; and
 - vii. 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.

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

TCEQ Revision 06/2008

TECHNICAL SUMMARY AND EXECUTIVE DIRECTOR'S PRELIMINARY DECISION
TCEQ Permit No. WQ0003436000

DESCRIPTION OF APPLICATION

Applicant: City of Cactus; Permit No. WQ0003436000

Regulated Activity: Industrial Wastewater Permit

Type of Application: Major amendment with renewal

Request: Major amendment with renewal to increase the irrigation area from 3,782 acres to 4,754 acres; and to convert the 65-acres of integrated wetlands to emergency storage.

Authority: Texas Water Code § 26.027; 30 Texas Administrative Code (30 TAC) Chapter 305, Subchapters C-F, Chapters 307, 309, and 319; Commission policies; and Environmental Protection Agency (EPA) guidelines.

EXECUTIVE DIRECTOR RECOMMENDATION

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

REASON FOR PROJECT PROPOSED

The applicant has applied to the Texas Commission on Environmental Quality (TCEQ) for an amendment of its existing permit. The proposed amendment would authorize the irrigation area to be increased from 3,782 acres to 4,754 acres and convert the 65-acre of integrated wetlands to emergency storage.

PROJECT DESCRIPTION AND LOCATION

The applicant currently operates the City of Cactus Wastewater Treatment Plant (WWTP).

The City of Cactus receives wastewater from the JBS Swift & Company, The Swift & Co Beef Plant and Swift Wet-Blue Tannery. The balance of the flow is made up of domestic wastewater from the Town of Etter and the City of Cactus. Each industry has implemented pre-treatment of the wastewater to reduce the loadings of pollutants to the Cactus WWTP.

Wastewater is collected by the City's existing gravity system. It enters the plant through a fine screen; then is lifted to a splitter box where the flow is directed into two parallel anaerobic ponds (each measuring 8.1 million gallons (MG) and 2.6 acres). Then wastewater flows by gravity through the following ponds in series: a single facultative pond (11.1 MG, 3.7 acres), a single aerated pond (8.0 MG, 4.0 acres) equipped with eight 25-horsepower (Hp) surface aerators, and three finishing ponds (total of 35.6 MG and 18.9 acres). Effluent from the finishing ponds is either routed to the 65-acre emergency storage if additional storage is required, then pumped to the detention pond (total of 2.3 MG) or be routed directly to the detention pond, and then to an effluent holding pond (total of 143.3 MG) for storage at an average rate of 2.19 MGD, and sludge-drying beds. Water from the effluent storage pond is applied to approximately 4,754 acres of farmland surrounding the plant.

The facility and land application site are located approximately 2.0 miles north of the intersection of Farm-to-Market Road 281 and U.S. Highway 287, near the City of Cactus, Moore

TECHNICAL SUMMARY AND EXECUTIVE DIRECTOR'S PRELIMINARY DECISION
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and Sherman Counties, Texas 79013. The land application site is located to the north, east, and south of the treatment facility.

The facility and disposal site are located in the drainage area of North Palo Duro Creek in Segment No. 0100 of the Canadian River Basin. No discharge of pollutants into water in the state is authorized by this permit. All determinations are preliminary and subject to additional review and revisions.

SUMMARY OF EFFLUENT DATA

The following is a quantitative description for all parameters regulated in the current permit described in Table 14 – Effluent Monitoring Data of the Industrial Wastewater Application for the period March 2022 through March 2024. The "Avg of Daily Avg" values presented in the following table are the average of all daily average values for the reporting period for each parameter. The "Max of Daily Max" values presented in the following table are the individual maximum values for the reporting period for each parameter. Flows are expressed in million gallons per day (MGD). All pH values are expressed in standard units (SU).

Effluent Characteristics:

Parameter	Avg of Daily Avg.	Max of Daily Max.
Flow	2.07 MGD	2.74 MGD
Biochemical Oxygen Demand, 5-day (BOD ₅)	96.7 mg/L	160.7 mg/L
Total Suspended Solids (TSS)	106.3 mg/L	176 mg/L
Ammonia-Nitrogen	168 mg/L	250 mg/L
Total Kjeldahl Nitrogen	178 mg/L	257 mg/L
Nitrate Nitrogen	7.27 mg/L	56.8 mg/L
Total Nitrogen	176 mg/L	255 mg/L
Total Chromium	N/A	0.0142 mg/L
Oil and Grease	N/A	53.60 mg/L
Total Phosphorus	N/A	15.98 mg/L
Total Dissolved Solids	N/A	2,013.33 mg/L
Conductivity	2816 mmhos/cm	3510 mmhos/cm
pH	8.16 SU (min)	8.47 SU (max)

Application Rate	390.65 acre-feet/month
Total Acres Irrigated	3,192 acres

Effluent limit violations from Table 14 – Effluent Monitoring Data are summarized in the following table.

Effluent Limitation Violations

	Pollutant (units)	Report Date	Daily Average		Daily Maximum	
			Limit	Reported	Limit	Reported
Irrigation	BOD ₅ (mg/L)	3/2022	N/A	---	100	114.60
		4/2022				135.60
		5/2022				124.00
		6/2022				129.33
		7/2022				127.00

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Effluent Limitation Violations

	Pollutant (units)	Report Date	Daily Average		Daily Maximum	
			Limit	Reported	Limit	Reported
Irrigation	BOD ₅ (mg/L)	8/2022	N/A	---	100	127.50
		7/2023				131.75
		10/2023				125.45
		1/2024				160.7
		2/2024				127.00
	TSS (mg/L)	4/2022	N/A	---	100	117.20
		5/2022				128.20
		7/2022				127.00
		8/2022				130.75
		11/2022				100.40
		3/2023				103.00
		4/2023				172.00
		5/2023				142.40
		9/2023				137.00
		10/2023				142.97
		11/2023				137.00
		12/2023				176.00
		03/2024				102

The permittee identified the following factors that have caused BOD₅ and TSS effluent limitation exceedances: 1) seasonal algae growth; 2) excess of sludge from the industrial waste contributor; and 3) aerators in the aeration lagoons were down during cleaning. The permittee has been working with chemical suppliers to come up with appropriate measures to limit algae growth. The permittee also noted that the ponds have been cleaned out to remove sludge. However, this process disrupted treatment during the cleaning process because the aerators were down. The permittee noted that since the ponds have been cleaned, and the aerators put back online, the plant is functioning at a higher rate of treatment. The permittee is also working with the industrial users to comply with the Industrial User Permit.

The permittee is currently an active Corrective Action site – SWR 30076 under the Texas Risk Reduction Program (TRRP) (30 TAC Chapter 350) and an Agreed Final Judgement (AAFJ) No. 97-13798 effective on September 17, 2013.

The draft permit was not changed to address these effluent limit violations because the permittee is working towards bringing the facility into compliance to meet the effluent limitations.

DRAFT PERMIT CONDITIONS

The draft permit authorizes the disposal of treated wastewater consisting of slaughterhouse and tannery effluent commingled with domestic wastewater at an annual average flow not to exceed 3.26 MGD by irrigation on 4,754 acres of various crops.

Final effluent limitations are established in the draft permit as follows:

Pollutant	Daily Average	Daily Maximum
Flow	3.26 MGD ¹	Report, MGD

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Pollutant	Daily Average	Daily Maximum
BOD ₅	Report, mg/L	100 mg/L
TSS	Report, mg/L	100 mg/L
Ammonia Nitrogen	Report, mg/L	Report, mg/L
Total Kjeldahl Nitrogen	Report, mg/L	Report, mg/L
Nitrate Nitrogen	Report, mg/L	Report, mg/L
Total Nitrogen	Report, mg/L	Report, mg/L
Total Chromium	N/A	Report, mg/L
Oil and Grease	N/A	Report, mg/L
Total Phosphorus	N/A	Report, mg/L
Total Dissolved Solids	N/A	Report, mg/L
pH	6.0 SU (min)	9.0 SU

¹ Annual Average Flow.

Daily maximum effluent limitations for BOD₅ and TSS were originally based upon best professional judgment (BPJ), utilizing 30 Texas Administrative Code (TAC) §309.4 as guidance for irrigation with no public exposure. These limits are still protective and have been carried forward from the existing permit based on BPJ. Monitoring requirements for ammonia nitrogen, oil and grease, and total phosphorus were originally based upon BPJ, utilizing 40 Code of Federal Regulations (CFR) Part 432 – Meat Products as guidance, and have been carried forward from the existing permit based on BPJ. Monitoring requirements for total chromium were originally based upon BPJ, utilizing 40 CFR Part 425, Subpart F – Leather Tanning and Finishing as guidance and have been carried forward from the existing permit based on BPJ. Monitoring requirements for nitrate nitrogen, total Kjeldahl nitrogen, total nitrogen, total dissolved solids, and pH limits were originally placed in the permit in 2006, and are carried forward from the existing permit based on BPJ.

Water balance and storage calculations are provided in Appendix A. The hydraulic loading rate of 4.80 ace-feet/acre/year is continued from the existing permit and is more stringent than the calculated maximum hydraulic loading rate in Appendix A. In addition, the existing permit has a nitrogen loading rate of 420 lbs/acre/year and is continued in the draft permit. The effluent storage capacity is adequate for this facility.

SUMMARY OF CHANGES FROM APPLICATION

The following changes have been made from the application, which makes the draft permit more stringent.

1. Draft Permit, Part V. Special Provisions, Item N (now M)-Irrigation Requirements, has been revised per Agronomist recommendation. The following are new requirements:
 - M. 10. The permittee shall use commonly accepted agricultural practices (such as crop rotations, proper planting techniques, acceptable planting timeframes, proper spacing, irrigation management, etc.) to promote and maintain the health and propagation of the Jose wheat grass, sorghum, triticale and/or other crops approved in the agronomic management plan required by Section V.N.4 and avoid plant lodging. The permittee shall harvest the crops (cut and remove it from the field) at least once during the year. Harvesting and moving dates shall be recorded in a log book

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kept on-site to be made available to TCEQ personnel upon request.

- M. 11. For each application area utilized, a minimum of 1 acre-foot of irrigation per acre (325,828 gallons/acre) during the growing season of that crop as defined in the agronomic management plan required by Section V.N.4. In cases where this rate would exceed the Nitrogen limit of the crop, effluent applications must be capped at the Nitrogen limit as defined in Special Provision N.2.a.
2. Draft Permit, V. Special Provisions, Item O (now N)-Soil Sampling and Agronomic Review Requirements, has been revised per Agronomist recommendation.

- N. 2. Irrigation must not exceed the **Annual Crop Nitrogen Requirement** (from irrigation plus soil nitrate) or the annual hydraulic application rate. The total nitrogen loading must be calculated using the following expression per irrigation event:

Crop Nitrogen Loading (pounds/acre) = (Irrigation volume in gallons)(0.00000668)(Total Nitrogen in milligrams/Liter)/(acreage irrigated)

Annual Crop Nitrogen Requirement (pounds/acre) = 2 x (soil nitrate in mg/kg in the 0-6" depth) + 4 x (soil nitrate in mg/kg in the 6-18" depth) + 6 x (soil nitrate in mg/kg in the 18-36" depth) + (Irrigation volume in gallons)(0.00000668) (Total Nitrogen in milligrams/Liter)/(acreage irrigated)

Analysis results must be provided with the soil analysis reports by the end of September of each sampling year. Analysis results must be provided to the TCEQ Water Quality Assessment Team (MC 150), Region 1 Office (MC R1), and Enforcement Division (MC 224).

Site-specific soil bulk density studies may be submitted to the Water Quality Assessment Team (MC-150) for review/revision and approval to adjust the weight of 2,000,000 pounds/acre-six inches.

The first paragraph of Special Provision N.3 was updated to the following:

- N. 3. The permittee shall obtain representative soil samples from the root zones of the irrigation areas receiving wastewater. Random sampling and compositing techniques must be used. Each composite sample must not exceed 80 acres and shall represent no less than 10 to 15 subsamples. Subsamples must be composited by like sampling depth, type of crop and soil type for analysis and reporting. Soil types are soils that have like topsoil or plow layer textures. These soils must be sampled individually from 0 to 6 inches, 6 to 18 inches and 18 to 36 inches below ground level. The permittee shall collect annual soil samples within the period of March through June of each year. Soil samples must be analyzed within 30 days of sample collection.

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The following provision has been added to the draft permit.

- N.6 Within 90 days of the date of permit issuance, the permittee shall submit a Wastewater Nitrogen Reduction Plan (Plan) to address high levels of nitrogen in the effluent for review/revision and approval to the Water Quality Assessment (WQA) Team (MC 150). The Plan must include at a minimum the following: determination of specific high nitrogen sources in the wastewater stream; an evaluation of the in-place systems to determine possible nitrogen reduction points of interest; a proposal to reduce the nitrogen sources in the wastewater stream; a timeline to achieve each individual task of the Plan; and any other assessment proposal to address nitrogen reduction.

The permittee shall submit yearly progress reports to track the progress of the Plan submittal, approval, and implementation. The reports must be submitted to the Water Quality Assessment team (MC 150) and TCEQ Region 1 Office (MC R1) in September of each year. The executive director may request modification of the approved plan if future information indicates that it would be necessary for the protection of the environment.

SUMMARY OF CHANGES FROM EXISTING PERMIT

The permittee requested the following changes in their amendment request that the Executive Director has recommended granting:

1. The irrigation area increased from 3,782 acres to 4,754 acres.
2. *To convert the 65-acres of integrated wetlands to emergency storage.* The 65-acres of integrated wetlands are referenced as emergency storage per permittee's request.

The following additional changes have been made to the draft permit.

1. The facility and land application site location has been updated to the following: The facility and land application site are located approximately 2.0 miles north of the intersection of Farm-to-Market Road 281 and U.S. Highway 287, near the City of Cactus, Moore and Sherman Counties, Texas 79013. The land application site is located to the north, east, and south of the treatment facility.
2. The term "grab sample" and "daily maximum concentrations" in Part V. A. Special Provisions were removed, since these terms are defined in Part VI. Standard Permit Conditions.
3. The term "annual average flow," Item 3, Part V. A. Special Provisions was revised to make it consistent with updated language used by TCEQ.
4. Existing Item B, Part V. Special Provisions, regarding the freeboard was moved to Item Q (now P) under Ponds Requirements.
5. Item F (now E), Part V. Special Provisions, regarding signs for non-potable water has been revised to be consistent with updated language use by TCEQ.
6. Item H (now G) regarding operator license has been revised to reflect the requirements

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of 30 TAC 30.342, which does not allow renewal of a Class D operator's license.

7. The Items in Part V have been re-ordered.
8. A Curve Number (CN) of 75 in Attachment A was used in the water balance calculation which is more representative than the 81 used in the water balance calculation by the permittee. The evapotranspiration (Et) in Attachment A is different than the Et used in the water balance calculation by the permittee. The Et values were provided by the Water Quality Assessment Team and were used in Attachment A.

Based on the CN and Et used in the Water Balance Calculation the maximum application rate calculated in Attachment A is more stringent than the maximum application rate calculated by the permittee. The application rate of 4.80 acre-feet per acre irrigated per year in the existing permit is more stringent than the maximum application rate calculated in Attachment A and by the applicant, therefore, the existing application rate of 4.80 acre-feet/acre/year is continued in the draft permit.

BASIS FOR DRAFT PERMIT

The following items were considered in developing the draft permit:

1. Application received on April 8, 2024 and additional information received on May 2, 2024 and May 22, 2024.
2. Existing permits: TCEQ Permit No. WQ0003436000 issued September 25, 2019.
3. EPA Guidelines: 40 CFR Part 432 and 40 CFR Part 425 (BPJ).
4. TCEQ Rules.
5. *Guidance Document for Establishing Monitoring Frequencies for Domestic and Industrial Wastewater Discharge Permits*, TCEQ Document No. 98-001.000-OWR-WQ, May 1998.
6. TCEQ Groundwater Impact Evaluation dated July 30, 2024.
7. TCEQ Agronomy Evaluation dated August 14, 2024.
8. 30 TAC Chapter 309.
9. *Moore County, Texas and Sherman County, Texas-Web Soil Survey, National Cooperative Soil Survey, Natural Resources Conservation Service, September 16, 2015.*
10. Texas Water Development Board Lake Evaporation and Precipitation data for Quadrangle 106.
11. Consistency with the Coastal Management Plan: N/A.
12. *Bulletin 6019 – Consumptive Use of Water By Major Crops in Texas*, Texas Water Development Board, November 1960.
13. *Urban Hydrology for Small Watersheds – Technical Release No. 55*, U.S. Department of Agriculture, January 1975.
14. *SCS National Engineering Handbook*, Section 4, Hydrology, Chapter 9, U.S. Department of Agriculture, August 1972.
15. *Process Design Manual, Land Treatment of Municipal Wastewater*, U.S. Environmental Protection Agency, EPA 625/1-81-013, October 1981.
16. *Handbook of Land Treatment Systems for Industrial and Municipal Wastes*, Reed and Crites, Noyes Publications, copyright 1984.

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

TECHNICAL SUMMARY AND EXECUTIVE DIRECTOR'S PRELIMINARY DECISION
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copy of the application in a public place for reviewing and copying in the county where the facility is or will be located. This application will be in a public place throughout the comment period. The Chief Clerk also mails this notice to any interested persons and, if required, to landowners identified in the permit application. This notice informs the public about the application and provides that an interested person may file comments on the application or request a contested case hearing or a public meeting.

Once a draft permit is completed, it is sent, 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. This notice sets a deadline for public comment.

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

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

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

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

For additional information about this application, contact Mónica Vallin-Báez at (512) 239-5784.

Mónica Vallin-Báez
Mónica Vallin-Báez

July 22, 2025 (Revised October 27, 2025 and October 29, 2025)
Date

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Appendix A
Water Balance Calculations
Storage Calculations

The maximum allowable application rate is calculated using the following factors: effluent received for application or storage, rainfall worst year in past 25 years, runoff worst year in past 25 years, infiltrated rainfall, available water, net 25-year low evaporation from reservoir surface effluent storage, and accumulated storage.

The lake evaporation and precipitation data were obtained from the Texas Water Development Board for Quadrangle 106 for the period of record 2000 through 2024. The consumptive use requirements (evapotranspiration losses) of the crops system were obtained from the "Bulletin 6019, Consumptive Use of Water by Major Crops in Texas", Texas Board of Water Engineers. Additional factors considered in this calculation are:

Curve Number (CN) = 75 dimensionless
Pond area = 96.60 acres
Irrigation area = 4,754 acres
Irrigation Efficiency, K = 0.85 dimensionless
Total Water Needs (from Table 1)
Design Flow = 3.26 MGD
Worst (low) net evap. = -34.55 inches
Corresponding rain = 30.4 inches
Worst-case net year = 2015

The detailed calculations are presented in Table 2. Based on these calculations the required storage is:

Storage Required = (Max. accumulated storage/12) × Irrigation Area
= (0.89/12) × 4,754 acres
= 353 ac-ft

Conclusion

According to the information provided in the application, the applicant has a storage capacity of 143,300,000 gallons (440 ac-ft). Based on the storage calculation, the facility has adequate storage to hold the wastewater when the facility is not able to irrigate.

TECHNICAL SUMMARY AND EXECUTIVE DIRECTOR'S PRELIMINARY DECISION
TCEQ Permit No. WQ0003436000

Appendix A
Water Balance Calculation

TABLE 1-MAXIMUM APPLICATION RATE (HYDRAULIC LOADING RATE) CALCULATION
All unit in inches (unless otherwise specified)

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9a)	(9b)	(10)	(11)
Month	Avg Rain	Avg Runoff	Avg Infiltration Rainfall	Evapo- trans.	Required Leach	Total Water Needs	Effluent Needed in Root Zone	Raw Net Evap. from Reservoir	Reservoir Net Evap. (as inches on plot acres)	Effluent Needed Based on Irrigation Efficiency	Reservoir Consumption (as inches on plot acres)
<i>Units →</i>	<i>inches</i>	<i>inches</i>	<i>inches</i>	<i>inches</i>	<i>inches</i>	<i>inches</i>	<i>inches</i>	<i>inches</i>	<i>inches</i>	<i>inches</i>	<i>inches</i>
January	0.47	0.01	0.46	1.00	0.25	1.25	0.79	2.18	0.04	0.93	0.98
February	0.42	0.02	0.40	2.00	0.73	2.73	2.33	2.67	0.05	2.74	2.79
March	1.10	0.05	1.05	5.00	1.80	6.80	5.75	4.28	0.09	6.77	6.85
April	1.36	0.12	1.24	8.30	3.21	11.51	10.27	5.11	0.10	12.08	12.19
May	2.45	0.62	1.83	7.30	2.49	9.79	7.96	4.33	0.09	9.36	9.45
June	2.79	0.82	1.96	8.19	2.83	11.02	9.06	6.22	0.13	10.66	10.78
July	2.43	0.61	1.82	7.83	2.73	10.56	8.74	7.27	0.15	10.28	10.43
August	2.44	0.62	1.83	4.95	1.42	6.37	4.54	6.19	0.13	5.35	5.47
September	1.49	0.16	1.33	6.12	2.18	8.30	6.97	5.64	0.11	8.20	8.31
October	1.71	0.25	1.46	1.30	0.00	1.30	0.00	3.59	0.07	0.00	0.07
November	0.53	0.01	0.53	1.60	0.49	2.09	1.56	3.53	0.07	1.83	1.91
December	0.78	0.00	0.77	1.10	0.15	1.25	0.47	2.17	0.04	0.56	0.60
Totals	17.97	3.30	14.67	54.69	18.26	72.95	58.45	53.17	1.08	68.76	69.84

TECHNICAL SUMMARY AND EXECUTIVE DIRECTOR'S PRELIMINARY DECISION
TCEQ Permit No. WQ0003436000

Appendix A
Water Balance Calculation

TABLE 2. STORAGE CALCULATIONS
All units in inches (unless otherwise specified)

(12)	(13)	(14a)	(14b)	(15)	(16)	(17)	(18a)	(18b)	(19)	(20)
Month	Effluent	Average	Rain	Field	Infiltrated	Avail	Average	Low Net	Effluent	Accum
	Available	Rainfall	Worst	Runoff	Rain	Water	Net	Evap.	to Storage	Storage
	(as inches	Distrib.	Year	Worst			Evap.	from	(as inches	(as inches
	on plot	(%)		Year			Distrib.	Reservoir	on plot	on plot
	acres)						(%)	Surface	acres)	acres)
<i>Units →</i>	<i>inches</i>	<i>inches</i>	<i>inches</i>	<i>inches</i>	<i>inches</i>	<i>inches</i>	<i>inches</i>	<i>inches</i>	<i>inches</i>	<i>inches</i>
January	0.77	2.60%	0.79	0.00	0.79	1.56	4.10%	0.03	0.20	0.89
February	0.77	2.33%	0.71	0.00	0.71	1.48	5.02%	0.04	-1.64	0
March	0.77	6.10%	1.85	0.31	1.54	2.31	8.05%	0.06	-5.47	0
April	0.77	7.55%	2.29	0.53	1.76	2.53	9.61%	0.07	-10.77	0
May	0.77	13.65%	4.15	1.78	2.37	3.14	8.15%	0.06	-8.01	0
June	0.77	15.51%	4.71	2.22	2.49	3.26	11.69%	0.08	-9.34	0
July	0.77	13.54%	4.12	1.75	2.36	3.13	13.67%	0.10	-8.97	0
August	0.77	13.60%	4.13	1.77	2.37	3.13	11.64%	0.08	-4.02	0
September	0.77	8.31%	2.53	0.67	1.86	2.63	10.60%	0.07	-6.88	0
October	0.77	9.53%	2.90	0.89	2.00	2.77	6.75%	0.05	0.72	0.72
November	0.77	2.97%	0.90	0.02	0.89	1.66	6.64%	0.05	-0.69	0
December	0.77	4.32%	1.31	0.11	1.21	1.98	4.08%	0.03	0.69	0.69
Totals	9.22	100%	30.40	10.05	20.35	29.57	100%	0.70	—	0.89