

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



Revised

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

MINOR AMENDMENT

Permit No. WQ0002443000

APPLICATION AND PRELIMINARY DECISION. Frito-Lay, Inc., 3310 Highway 36 North, Rosenberg, Texas 77471, which operates Frito-Lay Rosenberg Facility, a facility that produces snack food, including potato chips, corn chips, and tortilla chips, has applied to the Texas Commission on Environmental Quality (TCEQ) for a minor amendment of Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0002443000 to change the sampling location for Outfall 003; merge effluents limits at Outfall 103 to Outfall 003 and then remove Outfall 103 effective May 30, 2024. The draft permit authorizes the discharge of process wastewater, stormwater runoff, and utility wastewater on an intermittent and flow-variable basis via Outfall 001; domestic wastewater at a daily average flow not to exceed 18,000 gallons per day (gpd) via Outfall 002; and process wastewater, stormwater runoff, and utility wastewater at a daily average flow not to exceed 1,100,000 gpd in phases I, II, III, and IV via Outfall 003. The TCEQ received this application on September 18, 2023.

The facility is located at 3310 State Highway 36 North, near the City of Rosenberg, in Fort Bend County, Texas 77471. 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=-95.868611,29.5775&level=18>

The effluent is discharged via Outfalls 001 and 002 to an unnamed tributary, thence to Brazos River Below Navasota River in Segment No. 1202 of the Brazos River Basin; and via Outfall 003 directly to Brazos River Below Navasota River in Segment No. 1202 of the Brazos River Basin. The unclassified receiving water has minimal aquatic life use for the unnamed tributary. The designated uses for Segment No. 1202 are primary contact recreation, public water supply, and high aquatic life use.

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.

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

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 written or oral comment or to ask questions about the application. Generally, the 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.

Written public comments should 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 of the date this notice is mailed.

After the deadline for public comments, the Executive Director will consider the comments and prepare a response to all relevant and material, or significant public comments. **The response to comments will be mailed to everyone who submitted public comments or who requested to be on a mailing list for this application.**

MAILING LISTS. In addition to submitting public comments, you may ask to be placed on a mailing list to receive future public notices mailed by the Office of the Chief Clerk. You may request to be added to: (1) the mailing list for this specific application; (2) the permanent mailing list for a specific applicant name and permit number; and (3) the permanent mailing list for a specific county. Clearly specify which mailing list(s) to which you wish to be added and send your request to the TCEQ Office of the Chief Clerk at the address above. Unless you otherwise specify, you will be included only on the mailing list for this specific application.

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 Frito-Lay, Inc. at the address stated above or by calling Mr. Jeff Macek, Environmental Coordinator, at (281) 232-1523.

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