



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
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4. Application materials *
5. Draft permit *
6. Technical summary or fact sheet *

* **NOTE:** This application was declared Administratively Complete before June 1, 2024. The application materials, draft permit, and technical summary or fact sheet are available for review at the Public Viewing Location provided in the NAPD.

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 highlighted areas 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.

Pilgrim's Pride Corporation (CN601276660) operates the Pilgrim's Pride Southwest Wastewater Treatment Plant RN102184041, a wastewater treatment plant treating industrial wastewater from poultry processing operations and a number of private residences. The facility is located at 664 FM 127 W, in Mt. Pleasant, Titus County, Texas 75455. This application is for a renewal of Wastewater Permit W0003017000 to discharge 3,500,000 gallons per day of treated effluent via Outfall 001.

Discharges from the facility are expected to contain pollutants listed in 40 CFR Part 432 including: 5-day biochemical oxygen demand, fecal coliform, oil and grease, total suspended solids, ammonia, total nitrogen, pH, and temperature. Additional potential pollutants from this discharge are included in the Industrial Wastewater Application Technical Report, Worksheet 2.0. Wastewater treated at this facility consists of a combination of process wastewaters from poultry first and further processing and protein conversion (rendering) operations along with industrial stormwater discharges from these operations and sanitary wastewater from a small number of private residences. Wastewater from these sources is treated by initial screening, biological treatment via anaerobic, anoxic/oxic, and aeration basins/lagoons, final clarification, tertiary filtration, chlorination, and dechlorination prior to discharge.

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

AGUAS RESIDUALES INDUSTRIALES/AGUAS PLUVIALES

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



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

PERMIT NO. WQ0001176000

APPLICATION. U.S. Silica Company, 24275 Katy Freeway, Suite 600, Katy, Texas, 77494, which owns an industrial sand mining and processing facility, has applied to the Texas Commission on Environmental Quality (TCEQ) to renew Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0001176000 (EPA I.D. No. TX0001368) to authorize the discharge of treated wastewater at a volume not to exceed a daily average flow of 2,500,000 gallons per day via Outfalls 001, 002 and 004. The facility is located at 4171 Farm-to-Market Road 2749, east of the city of Kosse, in Limestone County, Texas 76653. The discharge route is from the plant site via Outfalls 001, 002, and 004 to White Branch, thence to Steele Creek, thence to Navasota River Below Lake Limestone. TCEQ received this application on February 1, 2024. The permit application will be available for viewing and copying at Groesbeck Maffett Public Library, 601 West Yeagua Street, Groesbeck, 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=-96.510277,31.304166&level=18>

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. TCEQ may act on an application to renew a permit for discharge of wastewater without providing an opportunity for a contested case hearing if certain criteria are met.**

MAILING LIST. If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. If you wish to be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

INFORMATION AVAILABLE ONLINE. For details about the status of the application, visit the Commissioners' Integrated Database at www.tceq.texas.gov/goto/cid. Search the database using the permit number for this application, which is provided at the top of this notice.

AGENCY CONTACTS AND INFORMATION. Public comments and requests must be submitted either electronically at <https://www14.tceq.texas.gov/epic/eComment/>, or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Please be aware that any contact information you provide, including your name, phone number, email address, and physical address will become part of the agency's public record. For more information about this permit application or the permitting

process, please call the TCEQ Public Education Program, Toll Free, at 1-800-687-4040 or visit their website at www.tceq.texas.gov/goto/pep. Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained from U.S. Silica Company at the address stated above or by calling Mr. Wes Penn, Senior Environmental Manager, at 903-780-9594.

Issuance Date: April 3, 2024

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



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

RENEWAL

Permit No. WQ0001176000

APPLICATION AND PRELIMINARY DECISION. U.S. Silica Company, 24275 Katy Freeway, Suite 600, Katy, Texas 77494, which operates U.S. Silica Kosso Plant, an industrial sand mining and processing facility, has applied to the Texas Commission on Environmental Quality (TCEQ) for a renewal of Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0001176000, which authorizes the discharge of process generated wastewater, area runoff, and water from mine area dewatering at a daily maximum flow not to exceed 2,500,000 gallons per day (gpd) via Outfalls 001, 002, and 004 and a total combined daily maximum flow from these three outfalls is 4,000,000 gpd. The TCEQ received this application on February 1, 2024.

The facility is located at 4171 Farm-to-Market Road 2749, east of the City of Kosse, Limestone County, Texas 76653. 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=-96.510277,31.304166&level=18>

The effluent is discharged via Outfalls 001, 002, and 004 to White Branch, thence to Steele Creek, thence to Navasota River Below Lake Limestone in Segment No. 1209 of the Brazos River Basin. The unclassified receiving water use is limited aquatic life use for White Branch. The designated uses for Segment No. 1209 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. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at Groesbeck Maffett Public Library, 601 West Yeagua Street, Groesbeck, Texas.

PUBLIC COMMENT / PUBLIC MEETING. You may submit public comments or request a public meeting about this application. The purpose of a public meeting is to provide the opportunity to submit 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.

OPPORTUNITY FOR A CONTESTED CASE HEARING. 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, along with the Executive Director's decision on the application, will be mailed to everyone who submitted public comments or who requested to be on a 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. TCEQ may act on an application to renew a permit for discharge of wastewater without providing an opportunity for a contested case hearing if certain criteria are met.**

EXECUTIVE DIRECTOR ACTION. The Executive Director may issue final approval of the application unless a timely contested case hearing request or a timely 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 requests 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 added to: (1) the permanent 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 and the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

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 U.S. Silica Company at the address stated above or by calling Mr. Wes Penn, Senior Environmental Manager, at 903-780-9594.

Issued: June 3, 2024



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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

PERMIT TO DISCHARGE WASTES

under provisions of
Section 402 of the Clean Water Act
and Chapter 26 of the Texas Water Code
and 40 CFR Part 436

TPDES PERMIT NO.
WQ0001176000
*[For TCEQ office use only -
EPA I.D. No. TX0001368]*

This renewal replaces TPDES Permit
No. WQ0001176000, issued on July
29, 2019.

U.S. Silica Company

whose mailing address is

24275 Katy Freeway, Suite 600
Katy, Texas 77494

is authorized to treat and discharge wastes from U.S. Silica Kosso Plant, an industrial sand mining
and processing facility (SIC 1446)

located at 4171 Farm-to-Market Road 2749, east of the City of Kosse, Limestone County, Texas
76653

via Outfalls 001, 002, and 004 to White Branch, thence to Steele Creek, thence to Navasota River
Below Lake Limestone in Segment No. 1209 of the Brazos River Basin

only according to effluent limitations, monitoring requirements, and other conditions set forth in this
permit, as well as the rules of the Texas Commission on Environmental Quality (TCEQ), the laws of
the State of Texas, and other orders of the TCEQ. The issuance of this permit does not grant to the
permittee the right to use private or public property for conveyance of wastewater along the discharge
route described in this permit. This includes, but is not limited to, property belonging to any
individual, partnership, corporation, or other entity. Neither does this permit authorize any invasion
of personal rights nor any violation of federal, state, or local laws or regulations. It is the responsibility
of the permittee to acquire property rights as may be necessary to use the discharge route.

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

ISSUED DATE:

For the Commission

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTSOutfall Numbers 001 and 002

1. During the period beginning upon the date of permit issuance and lasting through the date of permit expiration, the permittee is authorized to discharge process generated wastewater, area runoff, and water from mine area dewatering ¹ subject to the following effluent limitations:

The daily maximum discharge from any one outfall for Outfalls 001, 002, and 004 shall not exceed 2.5 million gallons per day (MGD). The total combined daily maximum flow from the three outfalls shall not exceed 4.0 MGD.

Effluent Characteristics	Discharge Limitations			Minimum Self-Monitoring Requirements	
	Daily Average mg/L	Daily Maximum mg/L	Single Grab mg/L	Report Daily Average and Daily Maximum Measurement Frequency	Sample Type
Flow	Report, MGD	Report, MGD	N/A	1/day ²	Instantaneous
Total Suspended Solids	N/A	45	60	1/day ²	Composite
Turbidity (JTU) ³	N/A	100	125	1/day ²	Composite
Sulfate	N/A	500	500	1/day ²	Grab

2. The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored continuously ².
3. There shall be no discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.
4. Effluent monitoring samples shall be taken at the following locations:

Outfall 001: After the treatment unit, at the outlet of a pipe leading from the settling ponds prior to entry into White Branch.
Outfall 002: Through a weir from an old mine cut in the southwestern portion of the mining area.

¹ See Other Requirement Nos. 9-17

² When discharging.

³ Jackson Turbidity Units.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTSOutfall Number 004

1. During the period beginning upon the date of permit issuance and lasting through the date of permit expiration, the permittee is authorized to discharge process generated wastewater, area runoff, and water from mine area dewatering ¹ subject to the following effluent limitations:

The daily maximum discharge from any one outfall for Outfalls 001, 002, and 004 shall not exceed 2.5 million gallons per day (MGD). The total combined daily maximum flow from the three outfalls shall not exceed 4.0 MGD.

Effluent Characteristics	Discharge Limitations			Minimum Self-Monitoring Requirements	
	Daily Average mg/L	Daily Maximum mg/L	Single Grab mg/L	Report Daily Average and Daily Maximum Measurement Frequency	Sample Type
Flow	Report, MGD	Report, MGD	N/A	1/day ²	Instantaneous
Total Suspended Solids	N/A	45	60	1/day ²	Composite
Turbidity (JTU) ³	N/A	100	125	1/day ²	Composite
Sulfate	N/A	500	500	1/day ²	Grab
Total Copper ⁴	N/A	0.0561	0.1122	1/quarter ²	Composite
Total Copper ⁵	N/A	0.0426	0.0852	1/quarter ²	Composite
Chromium, Hexavalent ⁴	N/A	0.0280	0.0560	1/quarter ²	Composite
Chromium, Hexavalent ⁵	N/A	0.0253	0.0506	1/quarter ²	Composite

2. The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored continuously ².
3. There shall be no discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.
4. Effluent monitoring samples shall be taken at the following location: At the point of discharge from the pit in the northeastern portion of the mining area.

¹ See Other Requirement Nos. 9-17

² When discharging.

³ Jackson Turbidity Units.

⁴ Beginning upon the date of permit issuance and lasting for three-years.

⁵ Beginning after three-years from the permit issuance date and lasting through the date of permit expiration.

DEFINITIONS AND STANDARD PERMIT CONDITIONS

As required by Title 30 Texas Administrative Code (TAC) Chapter 305, certain regulations appear as standard conditions in waste discharge permits. 30 TAC §§305.121 - 305.129 (relating to Permit Characteristics and Conditions) as promulgated under the Texas Water Code (TWC) §§5.103 and 5.105, and the Texas Health and Safety Code (THSC) §§361.017 and 361.024(a), establish the characteristics and standards for waste discharge permits, including sewage sludge, and those sections of 40 Code of Federal Regulations (CFR) Part 122 adopted by reference by the Commission. The following text includes these conditions and incorporates them into this permit. All definitions in Texas Water Code §26.001 and 30 TAC Chapter 305 shall apply to this permit and are incorporated by reference. Some specific definitions of words or phrases used in this permit are as follows:

1. Flow Measurements

- a. Annual average flow - the arithmetic average of all daily flow determinations taken within the preceding 12 consecutive calendar months. The annual average flow determination shall consist of daily flow volume determinations made by a totalizing meter, charted on a chart recorder, and limited to major domestic wastewater discharge facilities with a one million gallons per day or greater permitted flow.
- b. Daily average flow - the arithmetic average of all determinations of the daily flow within a period of one calendar month. The daily average flow determination shall consist of determinations made on at least four separate days. If instantaneous measurements are used to determine the daily flow, the determination shall be the arithmetic average of all instantaneous measurements taken during that month. Daily average flow determination for intermittent discharges shall consist of a minimum of three flow determinations on days of discharge.
- c. Daily maximum flow - the highest total flow for any 24-hour period in a calendar month.
- d. Instantaneous flow - the measured flow during the minimum time required to interpret the flow measuring device.
- e. 2-hour peak flow (domestic wastewater treatment plants) - the maximum flow sustained for a two-hour period during the period of daily discharge. The average of multiple measurements of instantaneous maximum flow within a two-hour period may be used to calculate the 2-hour peak flow.
- f. Maximum 2-hour peak flow (domestic wastewater treatment plants) - the highest 2-hour peak flow for any 24-hour period in a calendar month.

2. Concentration Measurements

- a. Daily average concentration - the arithmetic average of all effluent samples, composite or grab as required by this permit, within a period of one calendar month, consisting of at least four separate representative measurements.
 - i. For domestic wastewater treatment plants - When four samples are not available in a calendar month, the arithmetic average (weighted by flow) of all values in the previous four consecutive month period consisting of at least four measurements shall be utilized as the daily average concentration.
 - ii. For all other wastewater treatment plants - When four samples are not available in a calendar month, the arithmetic average (weighted by flow) of all values taken during the month shall be utilized as the daily average concentration.
- b. 7-day average concentration - the arithmetic average of all effluent samples, composite or grab as required by this permit, within a period of one calendar week, Sunday through Saturday.
- c. Daily maximum concentration - the maximum concentration measured on a single day, by the sample type specified in the permit, within a period of one calendar month.
- d. Daily discharge - the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in terms of mass, the "daily discharge" is calculated as the total

mass of the pollutant discharged over the sampling day. For pollutants with limitations expressed in other units of measurement, the “daily discharge” is calculated as the average measurement of the pollutant over the sampling day.

The “daily discharge” determination of concentration made using a composite sample shall be the concentration of the composite sample. When grab samples are used, the “daily discharge” determination of concentration shall be the arithmetic average (weighted by flow value) of all samples collected during that day.

- e. Bacteria concentration (Fecal coliform, *E. coli*, or Enterococci) – the number of colonies of bacteria per 100 milliliters effluent. The daily average bacteria concentration is a geometric mean of the values for the effluent samples collected in a calendar month. The geometric mean shall be determined by calculating the *n*th root of the product of all measurements made in a calendar month, where *n* equals the number of measurements made; or computed as the antilogarithm of the arithmetic mean of the logarithms of all measurements made in a calendar month. For any measurement of bacteria equaling zero, a substitute value of one shall be made for input into either computation method. If specified, the 7-day average for bacteria is the geometric mean of the values for all effluent samples collected during a calendar week.
- f. Daily average loading (lbs/day) - the arithmetic average of all daily discharge loading calculations during a period of one calendar month. These calculations must be made for each day of the month that a parameter is analyzed. The daily discharge, in terms of mass (lbs/day), is calculated as (Flow, MGD × Concentration, mg/L × 8.34).
- g. Daily maximum loading (lbs/day) - the highest daily discharge, in terms of mass (lbs/day), within a period of one calendar month.

3. Sample Type

- a. Composite sample - For domestic wastewater, a composite sample is a sample made up of a minimum of three effluent portions collected in a continuous 24-hour period or during the period of daily discharge if less than 24 hours, and combined in volumes proportional to flow, and collected at the intervals required by 30 TAC §319.9(a). For industrial wastewater, a composite sample is a sample made up of a minimum of three effluent portions collected in a continuous 24-hour period or during the period of daily discharge if less than 24 hours, and combined in volumes proportional to flow, and collected at the intervals required by 30 TAC §319.9(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 that 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 AND REPORTING REQUIREMENTS

1. Self-Reporting

Monitoring results shall be provided at the intervals specified in the permit. Unless otherwise specified in this permit or otherwise ordered by the Commission, the permittee shall conduct effluent sampling and reporting in accordance with 30 TAC §§319.4 - 319.12. Unless otherwise specified, effluent monitoring data shall be submitted each month, to the Enforcement Division (MC 224), by the 20th day of the following month for each discharge that is described by this permit whether or not a discharge is made for that month. Monitoring results must be submitted online using the NetDMR reporting system available through the TCEQ website unless the permittee requests and obtains an electronic reporting waiver. Monitoring results must be signed and certified as required by Monitoring and Reporting Requirements No. 10.

As provided by state law, the permittee is subject to administrative, civil and criminal penalties, as applicable, for negligently or knowingly violating the Clean Water Act; TWC Chapters 26, 27, and 28; and THSC 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 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 (or longer as required by 40 CFR Part 503), monitoring and reporting records, including strip charts and records of calibration and maintenance, copies of all records required by this permit, records of all data used to complete the application for this permit, and the certification required by 40 CFR §264.73(b)(9) shall be retained at the facility site, or shall be readily available for review by a TCEQ representative for a period of three years from the date of the record or sample, measurement, report, application or certification. This period shall be extended at the request of the Executive Director.
- c. Records of monitoring activities shall include the following:
 - i. date, time, and place of sample or measurement;
 - ii. identity of individual who collected the sample or made the measurement;
 - iii. date and time of analysis;
 - iv. identity of the individual and laboratory who performed the analysis;
 - v. the technique or method of analysis; and
 - vi. the results of the analysis or measurement and quality assurance/quality control records.

The period during which records are required to be kept shall be automatically extended to the date of the final disposition of any administrative or judicial enforcement action that may be instituted against the permittee.

4. Additional Monitoring by Permittee

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit using approved analytical methods as specified above, all results of such monitoring shall be included in the calculation and reporting of the values submitted on the approved self-report form. Increased frequency of sampling shall be indicated on the self-report form.

5. Calibration of Instruments

All automatic flow measuring or recording devices and all totalizing meters for measuring flows shall be accurately calibrated by a trained person at plant start-up and as often thereafter as necessary to ensure accuracy, but not less often than annually unless authorized by the Executive Director for a longer period. Such person shall verify in writing that the device is operating properly and giving accurate results. Copies of the verification shall be retained at the facility site or shall be readily available for review by a TCEQ representative for a period of three years.

6. Compliance Schedule Reports

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

7. Noncompliance Notification

- a. In accordance with 30 TAC §305.125(9) any noncompliance that 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. For Publicly Owned Treatment Works (POTWs), effective September 1, 2020, the permittee must submit the written report for unauthorized discharges and unanticipated bypasses that exceed any effluent limit in the permit using the online electronic reporting system available through the TCEQ website unless the permittee requests and obtains an electronic reporting waiver. The written submission shall contain a description of the noncompliance and its cause; the potential danger to human health or safety, or the environment; the period of noncompliance, including exact dates and times; if the noncompliance has not been corrected, the time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance, and to mitigate its adverse effects.
 - b. The following violations shall be reported under Monitoring and Reporting Requirement 7.a.:
 - i. unauthorized discharges as defined in Permit Condition 2(g).
 - ii. any unanticipated bypass that exceeds any effluent limitation in the permit.
 - iii. violation of a permitted maximum daily discharge limitation for pollutants listed specifically in the Other Requirements section of an Industrial TPDES permit.
 - c. In addition to the above, any effluent violation that 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. For effluent limitation violations, noncompliances shall be reported on the approved self-report form.
8. In accordance with the procedures described in 30 TAC §§35.301 - 35.303 (relating to Water Quality Emergency and Temporary Orders) if the permittee knows in advance of the need for a bypass, it shall submit prior notice by applying for such authorization.

9. Changes in Discharges of Toxic Substances

All existing manufacturing, commercial, mining, and silvicultural permittees shall notify the regional office, orally or by facsimile transmission within 24 hours, and both the regional office and the 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 that 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) that 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 that would result in any discharge, on a nonroutine or infrequent basis, of a toxic pollutant that is not limited in the permit, if that discharge will exceed the highest of the following “notification levels”:
 - i. five hundred micrograms per liter (500 µg/L);
 - ii. one milligram per liter (1 mg/L) for antimony;
 - iii. ten (10) times the maximum concentration value reported for that pollutant in the permit application; or
 - iv. the level established by the TCEQ.

10. Signatories to Reports

All reports and other information requested by the Executive Director shall be signed by the person and in the manner required by 30 TAC §305.128 (relating to Signatories to Reports).

11. All POTWs must provide adequate notice to the Executive Director of the following:

- a. any new introduction of pollutants into the POTW from an indirect discharger that would be subject to CWA §301 or §306 if it were directly discharging those pollutants;
- b. any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit; and
- c. for the purpose of this paragraph, adequate notice shall include information on:
 - i. the quality and quantity of effluent introduced into the POTW; and
 - ii. any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.

PERMIT CONDITIONS

1. General

- a. When the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in an application or in any report to the Executive Director, it shall promptly submit such facts or information.
- b. This permit is granted on the basis of the information supplied and representations made by the permittee during action on an application, and relying upon the accuracy and completeness of that information and those representations. After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked, in whole or in part, in accordance with 30 TAC Chapter 305, Subchapter D, during its term for good cause including, but not limited to, the following:
 - i. violation of any terms or conditions of this permit;
 - ii. obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or
 - iii. a change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.
- c. The permittee shall furnish to the Executive Director, upon request and within a reasonable time, any information to determine whether cause exists for amending, revoking, suspending, or terminating the permit. The permittee shall also furnish to the Executive Director, upon request, copies of records required to be kept by the permit.

2. Compliance

- a. Acceptance of the permit by the person to whom it is issued constitutes acknowledgment and agreement that such person will comply with all the terms and conditions embodied in the permit, and the rules and other orders of the Commission.
- b. The permittee has a duty to comply with all conditions of the permit. Failure to comply with any permit condition constitutes a violation of the permit and the Texas Water Code or the Texas Health and Safety Code, and is grounds for enforcement action, for permit amendment,

revocation, or suspension, or for denial of a permit renewal application or an application for a permit for another facility.

- c. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.
- d. The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal or other permit violation that has a reasonable likelihood of adversely affecting human health or the environment.
- e. Authorization from the Commission is required before beginning any change in the permitted facility or activity that may result in noncompliance with any permit requirements.
- f. A permit may be amended, suspended and reissued, or revoked for cause in accordance with 30 TAC §§305.62 and 305.66 and TWC §7.302. The filing of a request by the permittee for a permit amendment, suspension and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
- g. There shall be no unauthorized discharge of wastewater or any other waste. For the purpose of this permit, an unauthorized discharge is considered to be any discharge of wastewater into or adjacent to water in the state at any location not permitted as an outfall or otherwise defined in the Other Requirements section of this permit.
- h. In accordance with 30 TAC §305.535(a), the permittee may allow any bypass to occur from a TPDES permitted facility that does not cause permitted effluent limitations to be exceeded or an unauthorized discharge to occur, but only if the bypass is also for essential maintenance to assure efficient operation.
- i. The permittee is subject to administrative, civil, and criminal penalties, as applicable, under 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) for violations including, but not limited to, negligently or knowingly violating the federal CWA §§301, 302, 306, 307, 308, 318, or 405, or any condition or limitation implementing any sections in a permit issued under the CWA §402, or any requirement imposed in a pretreatment program approved under the CWA §§402(a)(3) or 402(b)(8).

3. Inspections and Entry

- a. Inspection and entry shall be allowed as prescribed in the TWC Chapters 26, 27, and 28, and THSC 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 TWC §7.002. The statement above, that Commission entry shall occur in accordance with an establishment's rules and regulations concerning safety, internal security, and fire protection, is not grounds for denial or restriction of entry to any part of the facility, but merely describes the Commission's duty to observe appropriate rules and regulations during an inspection.

4. Permit Amendment or Renewal

- a. The permittee shall give notice to the Executive Director as soon as possible of any planned physical alterations or additions to the permitted facility if such alterations or additions would require a permit amendment or result in a violation of permit requirements. Notice shall also be required under this paragraph when:
 - i. the alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in accordance with 30 TAC §305.534 (relating to New Sources and New Dischargers); or
 - ii. the alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are subject neither to effluent limitations in the permit, nor to notification requirements in Monitoring and Reporting Requirements No. 9; or
 - iii. the alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.
- b. Prior to any facility modifications, additions, or expansions that will increase the plant capacity beyond the permitted flow, the permittee must apply for and obtain proper authorization from the Commission before commencing construction.
- c. The permittee must apply for an amendment or renewal at least 180 days prior to expiration of the existing permit in order to continue a permitted activity after the expiration date of the permit. If an application is submitted prior to the expiration date of the permit, the existing permit shall remain in effect until the application is approved, denied, or returned. If the application is returned or denied, authorization to continue such activity shall terminate upon the effective date of the action. If an application is not submitted prior to the expiration date of the permit, the permit shall expire and authorization to continue such activity shall terminate.
- d. Prior to accepting or generating wastes that are not described in the permit application or that would result in a significant change in the quantity or quality of the existing discharge, the permittee must report the proposed changes to the Commission. The permittee must apply for a permit amendment reflecting any necessary changes in permit conditions, including effluent limitations for pollutants not identified and limited by this permit.
- e. In accordance with the TWC §26.029(b), after a public hearing, notice of which shall be given to the permittee, the Commission may require the permittee, from time to time, for good cause, in accordance with applicable laws, to conform to new or additional conditions.
- f. If any toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is promulgated under CWA §307(a) for a toxic pollutant that is present in the discharge and that standard or prohibition is more stringent than any limitation on the pollutant in this permit, this permit shall be modified or revoked and reissued to conform to the toxic effluent standard or prohibition. The permittee shall comply with effluent standards or prohibitions established under CWA §307(a) for toxic pollutants within the time provided in the regulations that established those standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

5. Permit Transfer

- a. Prior to any transfer of this permit, Commission approval must be obtained. The Commission shall be notified in writing of any change in control or ownership of facilities authorized by this permit. Such notification should be sent to the Applications Review and Processing Team (MC 148) of the Water Quality Division.
- b. A permit may be transferred only according to the provisions of 30 TAC §305.64 (relating to Transfer of Permits) and 30 TAC §50.133 (relating to Executive Director Action on Application or WQMP update).

6. Relationship to Hazardous Waste Activities

This permit does not authorize any activity of hazardous waste storage, processing, or disposal that requires a permit or other authorization pursuant to the Texas Health and Safety Code.

7. Relationship to Water Rights

Disposal of treated effluent by any means other than discharge directly to water in the state must be specifically authorized in this permit and may require a permit pursuant to Texas Water Code Chapter 11.

8. Property Rights

A permit does not convey any property rights of any sort, or any exclusive privilege.

9. Permit Enforceability

The conditions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstances, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

10. Relationship to Permit Application

The application pursuant to which the permit has been issued is incorporated herein; provided, however, that in the event of a conflict between the provisions of this permit and the application, the provisions of the permit shall control.

11. Notice of Bankruptcy.

- a. Each permittee shall notify the Executive Director, in writing, immediately following the filing of a voluntary or involuntary petition for bankruptcy under any chapter of Title 11 (Bankruptcy) of the United States Code (11 USC) by or against:
 - i. the permittee;
 - ii. an entity (as that term is defined in 11 USC, §101(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 TWC §7.302(b)(6).
7. Documentation

For all written notifications to the Commission required of the permittee by this permit, the permittee shall keep and make available a copy of each such notification under the same conditions as self-monitoring data are required to be kept and made available. Except for information required for TPDES permit applications, effluent data, including effluent data in permits, draft permits and permit applications, and other information specified as not confidential in 30 TAC §1.5(d), any information submitted pursuant to this permit may be claimed as confidential by the submitter. Any such claim must be asserted in the manner prescribed in the application form or by stamping the words "confidential business information" on each page containing such information. If no claim is made at the time of submission, information may be made available to the public without further notice. If the Commission or Executive Director agrees with the designation of confidentiality, the TCEQ will not provide the information for public inspection unless required by the Texas Attorney General or a court pursuant to an open records request. If the Executive Director does not agree with the designation of confidentiality, the person submitting the information will be notified.

8. Facilities that generate domestic wastewater shall comply with the following provisions; domestic wastewater treatment facilities at permitted industrial sites are excluded.
 - a. Whenever flow measurements for any domestic sewage treatment facility reach 75% of the permitted daily average or annual average flow for three consecutive months, the permittee must initiate engineering and financial planning for expansion or upgrading of the domestic wastewater treatment or collection facilities. Whenever the flow reaches 90% of the permitted daily average or annual average flow for three consecutive months, the permittee shall obtain necessary authorization from the Commission to commence construction of the necessary additional treatment or collection facilities. In the case of a domestic wastewater treatment facility that reaches 75% of the permitted daily average or annual average flow for three consecutive months, and the planned population to be served or the quantity of waste produced is not expected to exceed the design limitations of the treatment facility, the permittee shall submit an engineering report supporting this claim to the Executive Director of the Commission.

If in the judgment of the Executive Director the population to be served will not cause permit noncompliance, then the requirement of this section may be waived. To be effective, any waiver must be in writing and signed by the Director of the Enforcement Division (MC 219) of the Commission, and such waiver of these requirements will be reviewed upon expiration of the existing permit; however, any such waiver shall not be interpreted as condoning or excusing any violation of any permit parameter.

- b. The plans and specifications for domestic sewage collection and treatment works associated with any domestic permit must be approved by the Commission, and failure to secure approval before commencing construction of such works or making a discharge is a violation of this permit and each day is an additional violation until approval has been secured.
 - c. Permits for domestic wastewater treatment plants are granted subject to the policy of the Commission to encourage the development of area-wide waste collection, treatment, and disposal systems. The Commission reserves the right to amend any domestic wastewater permit in accordance with applicable procedural requirements to require the system covered by this permit to be integrated into an area-wide system, should such be developed; to require the delivery of the wastes authorized to be collected in, treated by or discharged from said system, to such area-wide system; or to amend this permit in any other particular to effectuate the Commission's policy. Such amendments may be made when the changes required are advisable for water quality control purposes and are feasible on the basis of waste treatment technology, engineering, financial, and related considerations existing at the time the changes are required, exclusive of the loss of investment in or revenues from any then existing or proposed waste collection, treatment or disposal system.
9. Domestic wastewater treatment plants shall be operated and maintained by sewage plant operators holding a valid certificate of competency at the required level as defined in 30 TAC Chapter 30.
10. For Publicly Owned Treatment Works (POTWs), the 30-day average (or monthly average) percent removal for BOD and TSS shall not be less than 85%, unless otherwise authorized by this permit.
11. Facilities that generate industrial solid waste as defined in 30 TAC §335.1 shall comply with these provisions:
- a. Any solid waste, as defined in 30 TAC §335.1 (including but not limited to such wastes as garbage, refuse, sludge from a waste treatment, water supply treatment plant or air pollution control facility, discarded materials, discarded materials to be recycled, whether the waste is solid, liquid, or semisolid), generated by the permittee during the management and treatment of wastewater, must be managed in accordance with all applicable provisions of 30 TAC Chapter 335, relating to Industrial Solid Waste Management.
 - b. Industrial wastewater that is being collected, accumulated, stored, or processed before discharge through any final discharge outfall, specified by this permit, is considered to be industrial solid waste until the wastewater passes through the actual point source discharge and must be managed in accordance with all applicable provisions of 30 TAC Chapter 335.
 - c. The permittee shall provide written notification, pursuant to the requirements of 30 TAC §335.8(b)(1), to the Corrective Action Section (MC 127) of the Remediation Division informing the Commission of any closure activity involving an Industrial Solid Waste Management Unit, at least 90 days prior to conducting such an activity.
 - d. Construction of any industrial solid waste management unit requires the prior written notification of the proposed activity to the Registration and Reporting Section (MC 129) of the Permitting and 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;
 - ii. volume of waste disposed of on-site or shipped off-site;
 - iii. date(s) of disposal;

- iv. identity of hauler or transporter;
- v. location of disposal site; and
- vi. method of final disposal.

The above records shall be maintained on a monthly basis. The records shall be retained at the facility site, or shall be readily available for review by authorized representatives of the TCEQ for at least five years.

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

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OTHER REQUIREMENTS**1. SCHEDULE OF COMPLIANCE FOR WATER QUALITY BASED EFFLUENT LIMITS**

The permittee shall comply with the following schedule of activities for the attainment of water quality-based final effluent limitations for total copper and hexavalent chromium at Outfall 004:

- A. Determine exceedance cause(s);
- B. Develop control options;
- C. Evaluate and select control mechanisms;
- D. Implement corrective action; and
- E. Attain final effluent limitations no later than three years from the date of permit issuance.

The permittee shall submit quarterly progress reports in accordance with the following schedule. The requirement to submit quarterly progress reports expires three years from the date of permit issuance.

PROGRESS REPORT DATE

January 1

April 1

July 1

October 1

The quarterly progress reports must include a discussion of the interim requirements that have been completed at the time of the report and must address the progress towards attaining the water quality based final effluent limitations for total copper and hexavalent chromium at Outfall 004 no later than three years from the date of permit issuance.

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit must be submitted no later than 14 days following each schedule date. Any reports of noncompliance shall include the cause of noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirement.

All reports must be submitted to the TCEQ Region 9 Office and to the Compliance Monitoring Team (MC-224).

2. Violations of daily maximum limitations for the following pollutants shall be reported orally or by facsimile to TCEQ Region 9 within 24 hours from the time the permittee becomes aware of the violation, followed by a written report within five working days to TCEQ Region 9 and Compliance Monitoring Team (MC 224):

Pollutant	MAL¹ (mg/L)
Chromium (Hexavalent)	0.003
Copper (Total)	0.002

Test methods used must be sensitive enough to demonstrate compliance with the permit effluent limitations. If an effluent limit for a pollutant is less than the MAL, then the test method for that pollutant must be sensitive enough to demonstrate compliance at the MAL. Permit compliance/noncompliance determinations will be based on the effluent limitations contained in this permit, with consideration given to the MAL for the pollutants specified above.

¹ Minimum analytical level.

Pollutant	MAL² (mg/L)
Aluminum (Total)	0.0025

When an analysis of an effluent sample for a pollutant listed above indicates no detectable levels above the MAL and the test method detection level is as sensitive as the specified MAL, a value of zero shall be used for that measurement when making calculations for the self-reporting form. This applies to determinations of daily maximum concentration, calculations of loading and daily averages, and other reportable results.

When a reported value is zero based on this MAL provision, the permittee shall submit the following statement with the self-reporting form either as a separate attachment to the form or as a statement in the comments section of the form:

“The reported value(s) of zero for [list pollutant(s)] on the self-reporting form for [monitoring period date range] is based on the following conditions: (1) the analytical method used had a method detection level as sensitive as the MAL specified in the permit, and (2) the analytical results contained no detectable levels above the specified MAL.”

When an analysis of an effluent sample for a pollutant indicates no detectable levels and the test method detection level is not as sensitive as the MAL specified in the permit, or an MAL is not specified in the permit for that pollutant, the level of detection achieved shall be used for that measurement when making calculations for the self-reporting form. A zero may not be used.

3. Wastewater discharged via Outfalls 001, 002, and 004 must be sampled and analyzed as directed below for those parameters listed in Tables 1 and 2 of Attachment A of this permit. Analytical testing for Outfall Outfalls 001, 002, and 004 must be completed within 60 days of initial discharge. Results of the analytical testing must be submitted within 90 days of initial discharge to the TCEQ Compliance Monitoring Team (MC-224) and Industrial Wastewater Permits Team (MC-148). Based on a technical review of the submitted analytical results, an amendment may be initiated by TCEQ staff to include additional effluent limitations, monitoring requirements, or both.

Table 1: Analysis is required for all pollutants in Table 1. Wastewater must be sampled and analyzed for those parameters listed in Table 1 for a minimum of four sampling events that are each at least one week apart.

Table 2: Analysis is required for those pollutants in Table 2 that are used at the facility that could in any way contribute to contamination in the Outfalls 001, 002, and 004 discharge. Sampling and analysis must be conducted for a minimum of one sampling event.

The permittee shall report the flow at Outfalls 001, 002, and 004 in MGD in the attachment. The permittee shall indicate on each table whether the samples are composite (C) or grab (G) by checking the appropriate box.

The permittee shall submit quarterly progress reports to the TCEQ Compliance Monitoring Team (MC-224) in accordance with the following schedule until the analytical results have been submitted to the Industrial Wastewater Permits Team (MC-148). For each outfall listed above, the quarterly progress report must state whether there was a discharge since the last report and whether the required samples were collected.

² Minimum analytical level.

PROGRESS REPORT DATES

January 1
April 1
July 1
October 1

This provision is continued from the permit issued on July 29, 2019 which has not been complied with to date.

4. There is no mixing zone established for these discharges to an intermittent stream. Acute toxic criteria apply at the points of discharge.
5. This permit does not authorize the discharge of domestic wastewater. All domestic wastewater must be disposed of in an approved manner, such as routing to an approved on-site septic tank and drainfield system or to an authorized third party for treatment and disposal.
6. Discharge from any of the defined outfalls (001, 002, and 004) must not cause a substantial visible contrast to the natural appearance of the receiving waters.
7. Mine pits may be revised, relocated or added. However, the permittee must adhere to the discharge route as identified on page 1 of the permit. A map, sketch, or drawing showing the location of each pit must be maintained at the site and must be made available for inspection upon request or authorized representative of the TCEQ.
8. The term *area runoff* means discharges resulting from “material storage runoff” and “construction runoff.”
9. The term *material storage runoff* means the rainfall runoff from or through any sand, clay, mine tailings, or other material storage pile.
10. The term *construction runoff* means the rainfall runoff from any construction activity and any earth surface disturbed by such activity from the inception of construction until construction is complete, and any disturbed earth is returned to a vegetative or other cover commensurate with the intended land use.
11. The term *process generated wastewater* means any wastewater used in the slurry transport of mined material, air emissions control, or processing exclusive of mining. The term also includes any other water which becomes commingled with such wastewater (including but not limited to: floor washdown wastewater and facility cleaning wastewater) in a pit, pond, lagoon, mine, or other facility used for treatment of such wastewater. The term does not include wastewater used for the suction dredging of deposits in a body of water and returned directly to the body of water without being used for other purposes or combined with other wastewater.
12. The term *mine* means an area of land actively mined for the production of sand and gravel from natural deposits.
13. The term *mine dewatering* means any water that is impounded or that collects in the mine and is pumped, drained, or otherwise removed from the mine through the efforts of the mine operator. This term shall also include wet pit overflows caused solely by direct rainfall and groundwater seepage. However, if a mine is also used for treatment of a process generated wastewater, discharges of commingled water from the mine shall be deemed discharges of process generated wastewater.
14. The term *10-year 24-hour precipitation event* means the maximum 24-hour precipitation event

with a probable reoccurrence interval of once in 10 years. This information is available in "Weather Bureau Technical Paper No. 40," May 1961 and "NOAA Atlas 2," 1973 for the 11 Western States, and may be obtained from the National Climatic Center of the Environmental Data Service, National Oceanic and Atmospheric Administration, U.S. Department of Commerce.

15. The permittee must use all reasonable means of preventing nuisance conditions, which includes flooding of downstream landowners.

16. PONDS

- A. The following table is a description of the existing wastewater treatment ponds.

Pond No.	Size	Capacity (acre-feet)
1	1 acre	1
2	16 acres × 15 feet deep	240
3	31 acres × 5 feet deep	155
4	6 acres × 5 feet deep	30
5	13 acres × 10 feet deep	130
6	6 acres × 12 feet deep	72
7	10 acres × 25 feet deep	250
8	4 acres × 5 feet deep	20
9	2 acres × 15 feet deep	30
10	2 acres × 20 feet deep	40
11	10 acres × 15 feet deep	150
12	3 acres × 5 feet deep	15
13	19 acres × 20 feet deep	380

Outfalls 002 and 004 are from old mining cuts, which for the purposes of this permit are not considered treatment ponds.

- B. There must be no direct discharge from any pond to the waters in the State. All ponds must discharge via Outfalls 001, 002, or 004.
- C. Any untreated overflow from facilities designed, constructed and operated to treat the volume of material storage runoff and construction runoff which is associated with a 10-year, 24-hour precipitation event (See Other Requirements No. 10, 11, and 15) shall not be subject to the technology-based limitations specified on page 2 and 2a, area runoff, of this permit.

17. POND LINER 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.

- A. A wastewater pond subject to 40 CFR Part 257, Subpart D (related to coal combustion residuals) must comply with those requirements in lieu of the requirements in B through G of POND REQUIREMENTS.
- B. 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 discharges 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.

- C. 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 C(1) through C(3) and D through G 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 C(1) through C(3) of this subparagraph.

- (1) 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.
 - (2) 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.
 - (3) 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 Industrial Permits Team (MC-148) and copy the Compliance Monitoring Team (MC-224).
- D. For a pond that must be lined according to subparagraph C (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 C(1) – C(3) 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.

- E. Protection and maintenance requirements for a pond subject to subparagraph B or C (including ponds with in-situ soil liners).
- (1) The permittee shall maintain a liner to prevent the unauthorized discharge of wastewater into or adjacent to water in the state.
 - (2) A liner must be protected from damage caused by animals. Fences or other protective devices or measures may be used to satisfy this requirement.
 - (3) 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.
 - (4) 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.
 - a. 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.
 - b. 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 an unauthorized discharge, then the repair must be documented and certified by a Texas-licensed professional engineer. Within 60 days after a repair is completed, the liner certification must be provided to the TCEQ Water Quality Assessment Team (MC-150), Compliance Monitoring Section (MC-224), and 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.
 - c. 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.
- F. For a pond subject to subparagraph B or C (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.

- G. For a pond subject to subparagraph B or C (including ponds with in-situ soil liners), the permittee shall maintain at least 2.0 feet of freeboard in the pond except when:
- (1) 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;
 - (2) 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
 - (3) the pond was not required to have at least 2.0 feet of freeboard according to the requirements at the time of construction.

18. MINE AREA:

A. Surface Water Protection:

- (1) The permittee must take adequate measures to ensure that rainfall runoff from the overburden that is displaced and the areas where soil is disturbed is drained into an appropriate holding pond, previously mined-out area, or to the mine during mining operations. The permittee may utilize, but is not limited to, the following techniques:
 - a) grading and sloping of the overburden;
 - b) reliance upon the existence of favorable natural grade in the area; and/or
 - c) the construction of ditches, dams, or berms.
- (2) External slopes of the overburden deposited must be shaped to minimize erosion and to provide a surface to be seeded.
- (3) Techniques that the permittee may utilize for mine dewatering include, but are not limited to, the following:
 - a) pump water from active portion of pit which is to be or is currently being mined to a "mined-out" or inactive portion of the mine pit for retention;
 - b) pump water from the active mine pit to an adjacent inactive mine pit for retention;
 - c) pump water from the mine and discharge to land surface via a spray irrigation system; or
 - d) pump water from the mine and discharge in compliance with volume and quality requirements as described under Outfalls 001, 002, and 004 of this permit.
- (4) All irrigation tail water must be retained in the pond on company property. There must be no discharge of irrigation tail waters.

B. Maintenance

Because of the tendency of disturbed land to erode and for facilities such as dikes, ditches, and catch basins to wash out or collect silt during rains, the permittee must continue to carry out a maintenance program covering the mine areas opened after the date of issuance of this permit, as follows:

- (1) At least once each quarter an inspection of the mine storm runoff facilities must be conducted. Any damage to any rain water runoff control facility must be repaired within ten days after damage is discovered.
- (2) Failure to substantially accomplish the above required maintenance without good cause may be deemed a violation of this permit; and
- (3) The maintenance program must continue until adequate closure, in accordance with the

provisions under “closing” below, has been accomplished and approved by the Executive Director.

C. Closing

The following procedures must be carried out by the permittee, for all mine areas opened after the date of issuance of this permit in a timely manner after removal of clay “ore” has been completed:

- (1) A closing schedule will be developed and submitted to the TCEQ Corrective Action Section (MC-127) within one month of the final cessation of mining activities;
 - (2) After mining operations are complete or if no mining activities are scheduled to resume in the mine area for a period of one year or more, overburden piles must be graded to remove sharp peaks and ridges;
 - (3) All mounds of overburden and other areas of disturbed soil deposited after the date of issuance of this permit must be seeded and a vegetative cover established by the permittee within one year after cessation of mining activities. The vegetative cover established must be comparable of self-regeneration and plant succession and at least equal in extent of cover to the natural vegetation of the area;
 - (4) If the mine pits are backfilled to a level such that ponding of water does not occur, the overburden in the pits must be stabilized in accordance with Other Requirement No. 19.C.(3).
 - (5) Failure to begin and accomplish, without good cause, closing operations in accordance with the closing schedule is a violation of the permit; and
 - (6) When it is shown to the satisfaction of the Executive Director that all seeding and establishment of vegetative cover has been accomplished in accordance with Other Requirement No. 19.C.(3) on areas mined after the date of issuance of this permit, the mine will be considered closed.
19. Records shall be maintained to show that on no one day did the sum of the maximum daily discharges from each outfall exceed 4.0 MGD.

Attachment A

Table 1 – Conventional and Non-conventionals

Outfall No.:	<input type="checkbox"/> C <input type="checkbox"/> G	Effluent Concentration (mg/L)				
Pollutant		Samp.	Samp.	Samp.	Samp.	Average
Flow (MGD)						
BOD (5-day)						
CBOD (5-day)						
Chemical Oxygen Demand						
Total Organic Carbon						
Dissolved Oxygen						
Ammonia Nitrogen						
Total Suspended Solids						
Nitrate Nitrogen						
Total Organic Nitrogen						
Total Phosphorus						
Oil and Grease						
Total Residual Chlorine						

Total Dissolved Solids						
Sulfate						
Chloride						
Fluoride						
Total Alkalinity (mg/L as CaCO ₃)						
Temperature (°F)						
pH (Standard Units; min/max)						

Table 2 – Metals

Pollutant	Effluent Concentration (µg/L) ³					MAL ⁴ (µg/L)
	Samp.	Samp.	Samp.	Samp.	Average	
Aluminum, Total						2.5
Antimony, Total						5
Arsenic, Total						0.5
Barium, Total						3
Beryllium, Total						0.5
Cadmium, Total						1
Chromium, Total						3
Chromium, Hexavalent						3
Chromium, Trivalent						N/A
Copper, Total						2
Cyanide, Free						10
Lead, Total						0.5
Mercury, Total						0.005
Nickel, Total						2
Selenium, Total						5
Silver, Total						0.5
Thallium, Total						0.5
Zinc, Total						5.0

Table 3 – Toxic Pollutants with Water Quality Criteria

Outfall No.:	<input type="checkbox"/> C <input type="checkbox"/> G	Samp. 1 (µg/L) ⁵	Samp. 2 (µg/L) ³	Samp. 3 (µg/L) ³	Samp. 4 (µg/L) ³	Avg. (µg/L) ³	MAL (µg/L)
Pollutant							
Acrolein							0.7
Acrylonitrile							50
Anthracene							10
Benzene							10
Benzidine							50
Benzo(a)anthracene							5

³ Indicate units if different than µg/L.⁴ Minimum Analytical Level⁵ Indicate units if different than µg/L.

Outfall No.:	<input type="checkbox"/> C <input type="checkbox"/> G	Samp. 1 (µg/L) ⁵	Samp. 2 (µg/L) ³	Samp. 3 (µg/L) ³	Samp. 4 (µg/L) ³	Avg. (µg/L) ³	MAL (µg/L)
Pollutant							
Benzo(a)pyrene							5
Bis(2-chloroethyl)ether							10
Bis(2-ethylhexyl) phthalate							10
Bromodichloromethane							10
Bromoform							10
Carbon Tetrachloride							2
Chlorobenzene							10
Chlorodibromomethane							10
Chloroform							10
Chrysene							5
Cresols							10
1,2-Dibromoethane							10
<i>m</i> -Dichlorobenzene							10
<i>o</i> -Dichlorobenzene							10
<i>p</i> -Dichlorobenzene							10
3,3'-Dichlorobenzidine							5
1,2-Dichloroethane							10
1,1-Dichloroethylene							10
Dichloromethane							20
1,2-Dichloropropane							10
1,3-Dichloropropylene							10
2,4-Dimethylphenol							10
Di- <i>n</i> -Butyl Phthalate							10
Epichlorohydrin							1,000
Ethylbenzene							10
Ethylene Glycol							—
Fluoride							500
Hexachlorobenzene							5
Hexachlorobutadiene							10
Hexachlorocyclopentadiene							10
Hexachloroethane							20
4,4'-Isopropylidenediphenol [bisphenol A]							—
Methyl Ethyl Ketone							50
Methyl <i>tert</i> -butyl ether [MTBE]							—
Nitrobenzene							10
<i>N</i> -Nitrosodiethylamine							20
<i>N</i> -Nitroso-di- <i>n</i> -Butylamine							20
Nonylphenol							333
Pentachlorobenzene							20

Outfall No.:	<input type="checkbox"/> C <input type="checkbox"/> G	Samp. 1 (µg/L) ⁵	Samp. 2 (µg/L) ³	Samp. 3 (µg/L) ³	Samp. 4 (µg/L) ³	Avg. (µg/L) ³	MAL (µg/L)
Pollutant							
Pentachlorophenol							5
Phenanthrene							10
Polychlorinated Biphenyls (PCBs) ⁶							0.2
Pyridine							20
1,2,4,5-Tetrachlorobenzene							20
1,1,2,2-Tetrachloroethane							10
Tetrachloroethylene							10
Toluene							10
1,1,1-Trichloroethane							10
1,1,2-Trichloroethane							10
Trichloroethylene							10
2,4,5-Trichlorophenol							50
TTHM (Total Trihalomethanes)							10
Vinyl Chloride							10

⁶ Total of detects for PCB-1242, PCB-1254, PCB-1221, PCB-1232, PCB-1248, PCB-1260, PCB-1016. If all values are non-detects, enter the highest non-detect preceded by a "<" symbol.

STATEMENT OF BASIS/TECHNICAL SUMMARY AND
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DESCRIPTION OF APPLICATION

Applicant: U.S. Silica Company; Texas Pollutant Discharge Elimination System (TPDES)
Permit No. WQ0001176000 (EPA I.D. No. TX0001368)

Regulated activity: Industrial wastewater permit

Type of application: Renewal

Request: Renewal without changes

Authority: Federal Clean Water Act (CWA) §402; Texas Water Code (TWC) §26.027;
30 Texas Administrative Code (TAC) Chapter 305, Subchapters C-F, and
Chapters 307 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, five years from the date of permit issuance according to the requirements of 30 TAC §305.127(1)(C)(i).

REASON FOR PROJECT PROPOSED

The applicant applied to the Texas Commission on Environmental Quality (TCEQ) for a renewal of its existing permit.

PROJECT DESCRIPTION AND LOCATION

The applicant currently operates U.S. Silica Kosso Plant, an industrial sand mining and processing facility.

The wastewater system consists of a series of 13 settling ponds that are used to clarify wastewater from wet processing of industrial sand, area runoff, and mine area dewatering. Caustic soda may be added to the ponds for pH control prior to discharge from the settling ponds. Settling ponds used in mining and processing activities collect stormwater on property. This is a mining and processing of industrial sand site. All stormwaters are commingled with industrial wastewaters in settling ponds and discharged from the three permitted outfalls. Domestic wastewater is routed to an on-site septic tank. The draft permit does not authorize the discharge of domestic wastewater.

The facility is located at 4171 Farm-to-Market Road 2749, east of the City of Kosse, Limestone County, Texas 76653.

Discharge Route and Designated Uses

The effluent is discharged via Outfalls 001, 002, and 004 to White Branch, thence to Steele Creek, thence to Navasota River Below Lake Limestone in Segment No. 1209 of the Brazos River Basin. The unclassified receiving water use is limited aquatic life use for White Branch. The designated uses for Segment No. 1209 are primary contact recreation, public water supply, and high aquatic life use. The effluent limits in the draft permit will maintain and protect the existing instream uses. All determinations are preliminary and subject to additional review and revisions.

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Endangered Species Review

The Houston Toad (*Bufo houstonensis* Sanders), an endangered aquatic-dependent species of critical concern, occurs within Segment No. 1209's watershed as well as the 12070103 United States Geological Survey hydrologic unit code. This determination is based on the United States Fish and Wildlife Service's (USFWS's) biological opinion on the State of Texas authorization of the TPDES program (September 14, 1998; October 21, 1998, update). To make this determination for TPDES permits, TCEQ and EPA only consider aquatic or aquatic-dependent species occurring in watersheds of critical concern or high priority as listed in Appendix A of the USFWS biological opinion. The determination is subject to reevaluation due to subsequent updates or amendments to the biological opinion. Species distribution information for the Segment No. 1209 watershed is provided by the United States Fish and Wildlife Service and documents the toad's presence solely in the vicinity of Running Creek in Leon County, which is in a different portion of the watershed from the facility associated with this permit action. Based upon this information, it is determined that the facility's discharge is not expected to impact the Houston Toad. The permit does not require EPA review with respect to the presence of endangered or threatened species.

Impaired Water Bodies

Segment No. 1209 is not currently listed on the state's inventory of impaired and threatened waters, the 2022 CWA §303(d) list. However, **Steele Creek** is listed for elevated bacteria levels in a portion of Steele Creek from confluence with Willow Creek upstream to headwaters in Limestone County (AU1209K_02). The draft permit does not allow the discharge of domestic wastewater and therefore should not contribute any bacteria to the segment.

Completed Total Maximum Daily Loads (TMDLs)

TMDL Project No. 111 has been approved for this segment: *Two Total Maximum Daily Loads for Indicator Bacteria in the Navasota River below Lake Limestone*. Industrial permits with no domestic component are not given individual waste load calculations.

Dissolved Oxygen

Due to the low level of oxygen-demanding substances expected in wastewater of this character, no significant dissolved oxygen depletion is anticipated in the receiving waters as a result of this discharge.

SUMMARY OF EFFLUENT DATA

The following is a quantitative description of the discharge described in the monthly effluent report data for the period January 2019 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 pollutant. The "Max of Daily Max" values presented in the following table are the individual maximum values for the reporting period for each pollutant. Flows are expressed in million gallons per day (MGD). All pH values are expressed in standard units (SU).

Flow

Outfall	Frequency	Avg of Daily Avg, MGD	Max of Daily Max, MGD
001	Intermittent	1.01	1.04
002	Intermittent	No discharge reported	
004	Intermittent	1.69	2.36
SUM		N/A	2.36

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Effluent Characteristics

Outfall	Pollutant	Avg of Daily Avg	Max of Daily Max
		mg/L	mg/L
001	Total Suspended Solids (TSS)	N/A	65
	Turbidity, Jackson Turbidity Units (JTU)	N/A	87.3 JTU
	Sulfate	N/A	127
	pH	6.5 SU, minimum	6.5 SU
004	TSS	N/A	347
	Turbidity	N/A	527 JTU
	Sulfate	N/A	488
	Total Copper	N/A	0.044
	Hexavalent Chromium	N/A	0.18
	pH	6.1 SU, minimum	8.9 SU

Effluent limit violations documented in the monthly effluent reports are summarized in the following table.

Effluent Limitation Violations

Outfall	Pollutant (units)	Report Date	Daily Average		Daily Maximum	
			Limit	Reported	Limit	Reported
001	TSS (mg/L)	1/2020	-	-	45	65
004	TSS (mg/L)	5/2019	-	-	45	347
		2/2020				49
		6/2020				64
		7/2020				48
	Turbidity (JTU)	4/2019	-	-	100	193
		5/2019				527
		1/2020				109

The draft permit was not changed to address these effluent limit violations because of their infrequent nature.

DRAFT PERMIT CONDITIONS

The draft permit authorizes the discharge of process-generated wastewater, area runoff, and water from mine-area dewatering at a daily maximum discharge from any one outfall not to exceed 2.5 MGD via Outfalls 001, 002, and 004 and a total combined daily maximum flow from these three outfalls is 4.0 MGD.

Effluent limitations are established in the draft permit as follows:

Outfall	Pollutant	Daily Average (mg/L)	Daily Maximum (mg/L)
001, 002, and 004	Flow	Report, MGD	Report, MGD
	TSS	N/A	45
	Turbidity	N/A	100 JTU
	Sulfate	N/A	500
004 only	Copper, total ¹	N/A	0.0561

¹ Beginning upon the date of permit issuance and lasting for three-years.

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Outfall	Pollutant	Daily Average (mg/L)	Daily Maximum (mg/L)
004 only	Copper, total ²	N/A	0.0426
	Chromium, hexavalent ¹	N/A	0.0280
	Chromium, hexavalent ²	N/A	0.0253

OUTFALL LOCATIONS

Outfall	Latitude	Longitude
001	31.300272 N	96.505277 W
002	31.296961 N	96.509424 W
004	31.302778 N	96.496667 W

Technology-Based Effluent Limitations

Regulations in Title 40 of the Code of Federal Regulations (40 CFR) require that technology-based limitations be placed in wastewater discharge permits based on effluent limitations guidelines, where applicable, or on best professional judgment (BPJ) in the absence of guidelines. Technology-based effluent limitations from 40 CFR Part 436, Subpart D apply to the discharge of process-generated water and mine dewatering from this facility. The daily maximum limit for TSS and the pH limits are in accordance with 40 CFR §436.42. The daily average TSS limit of 25 mg/L has not been included in previous permits due to the intermittent nature of the discharge. It is similarly omitted in the draft permit. The daily maximum limit for turbidity has been continued from the existing permit, consistent with EPA anti-backsliding requirements. This limit was included at least as far back as the permit issued on February 3, 1994 and has been carried forward in all subsequent permits.

Development of technology-based effluent limitations is presented in Appendix A.

Water Quality-Based Effluent Limitations

Calculations of water quality-based effluent limitations for the protection of aquatic life and human health are presented in Appendix B. Aquatic life criteria established in Table 1 and human health criteria established in Table 2 of 30 TAC Chapter 307 are incorporated into the calculations, as are recommendations in the Water Quality Assessment Team's memorandum dated April 10, 2024. TCEQ practice for determining significant potential is to compare the reported analytical data from the facility against percentages of the calculated daily average water quality-based effluent limitation. Permit limitations are required when analytical data reported in the application exceeds 85 percent of the calculated daily average water quality-based effluent limitation. Monitoring and reporting is required when analytical data reported in the application exceeds 70 percent of the calculated daily average water quality-based effluent limitation.

Data reported in the application for Outfall 004 was screened against the calculated water quality-based effluent limitations. The concentration reported for total copper and hexavalent chromium did not exceed the 70% value of daily average for aquatic life protection. Given the intermittent nature of the discharge, daily average limitations for total copper and hexavalent chromium are not appropriate. However, daily maximum limitations for these pollutants have been carried forward for Outfall 004. Single grab limitations are calculated as two times the daily maximum concentration limit.

The existing limits were compared to the water quality-based effluent limits and the calculated limits are more stringent than the existing limits. An interim three-year compliance period is included in the

² Beginning after three-years from the permit issuance date and lasting through the date of permit expiration.

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draft permit for total copper and hexavalent chromium at Outfall 004 in accordance with 30 TAC §307.2(f). The interim compliance period will give the applicant time to identify the source of the pollutants and provide necessary treatment.

No data was reported in the application for Outfall 004 for total aluminum. The facility did not complete the aluminum study required by the existing permit (Other Requirement No. 4), and concentrations of total aluminum remain a concern. For that reason, Other Requirement No. 4 has not been carried forward to the draft permit and a monitoring requirement has been placed in the draft permit.

A pollutant analysis was not provided for Outfalls 001 and 002, and a complete pollutant analysis was not provided for Outfall 004 (only hexavalent chromium and total copper). Other Requirement No. 3 in the existing permit has been carried forward and revised to be applicable for Outfalls 001, 002, and 004.

Total Dissolved Solids (TDS), Chloride, and Sulfate Screening

No data was submitted in the application therefore Other Requirement No. 3 from the existing permit has been carried forward and updated in the draft permit to include Outfalls 001, 002, and 004.

pH Screening

The existing permit includes pH limits of 6.0 – 9.0 SU at all outfalls, which discharge into an unclassified water body. Consistent with the procedures for pH screening that were submitted to EPA with a letter dated May 28, 2014, and approved by EPA in a letter dated June 2, 2014, requiring a discharge to an unclassified water body to meet pH limits of 6.0 – 9.0 standard units reasonably ensures instream compliance with *Texas Surface Water Quality Standards* pH criteria. These limits have been carried forward in the draft permit.

Whole Effluent Toxicity Testing (Biomonitoring)

Biomonitoring requirements are not included in the draft permit.

SUMMARY OF CHANGES FROM APPLICATION

No changes were made from the application.

SUMMARY OF CHANGES FROM EXISTING PERMIT

The following changes have been made to the draft permit.

1. Pages 3-13 were updated (May 2021 version).
2. More stringent limits for hexavalent chromium and total copper have been added to the draft permit.
3. Other Requirement No. 1 was carried forward in the draft permit as another compliance period is required due to the more stringent current limits.
4. Other Requirements Nos 2, 5-19 have been carried forward and updated in the draft permit. Other Requirements No. 5-19 were renumbered 4-18.
5. Other Requirement No. 3 was carried forward in the draft permit and update to reflect all three Outfalls.
6. Other Requirement No. 19 was added to the draft permit to clarify the requirement of the sum of the maximum daily discharges not to exceed 4.0 MGD.

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BASIS FOR DRAFT PERMIT

The following items were considered in developing the draft permit:

1. Application received on February 1, 2024, and additional information received on February 29, 2024.
2. Existing permits: TPDES Permit No. WQ0001176000 issued on July 29, 2019.
3. TCEQ Rules.
4. *Texas Surface Water Quality Standards* – 30 TAC §§307.1-307.10, effective March 1, 2018, as approved by EPA Region 6.
5. *Texas Surface Water Quality Standards* – 30 TAC §§307.1-307.10, effective March 6, 2014, as approved by EPA Region 6, for portions of the 2018 standards not approved by EPA Region 6.
6. *Texas Surface Water Quality Standards* – 30 TAC §§307.1-307.10, effective July 22, 2010, as approved by EPA Region 6, for portions of the 2014 standards not approved by EPA Region 6.
7. *Texas Surface Water Quality Standards* – 30 TAC §§307.1-307.10, effective August 17, 2000, and Appendix E, effective February 27, 2002, for portions of the 2010 standards not approved by EPA Region 6.
8. *Procedures to Implement the Texas Surface Water Quality Standards* (IPs), Texas Commission on Environmental Quality, June 2010, as approved by EPA Region 6.
9. *Procedures to Implement the Texas Surface Water Quality Standards*, Texas Commission on Environmental Quality, January 2003, for portions of the 2010 IPs not approved by EPA Region 6.
10. Memos from the Standards Implementation Team and Water Quality Assessment Team of the Water Quality Assessment Section of the TCEQ.
11. *Guidance Document for Establishing Monitoring Frequencies for Domestic and Industrial Wastewater Discharge Permits*, TCEQ Document No. 98-001.000-OWR-WQ, May 1998.
12. EPA Effluent Guidelines: 40 CFR Part 436 (BPT).
13. Consistency with the Coastal Management Plan: N/A
14. Letter dated May 28, 2014, from L'Oreal W. Stepney, P.E., Deputy Director, Office of Water, TCEQ, to Bill Honker, Director, Water Quality Protection Division, EPA (TCEQ proposed development strategy for pH evaluation procedures).
15. Letter dated June 2, 2014, from William K. Honker, P.E., Director, Water Quality Protection Division, EPA, to L'Oreal W. Stepney, P.E., Deputy Director, Office of Water, TCEQ (Approval of TCEQ proposed development strategy for pH evaluation procedures).
16. TMDL Project No. 111 has been approved for this segment: *Two Total Maximum Daily Loads for Indicator Bacteria in the Navasota River below Lake Limestone*

PROCEDURES FOR FINAL DECISION

When an application is declared administratively complete, the chief clerk sends a letter to the applicant advising the applicant to publish the Notice of Receipt of Application and Intent to Obtain Permit in the newspaper. In addition, the Chief Clerk instructs the applicant to place a copy of the application in a public place for 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 to the Chief Clerk, along with the Executive Director's preliminary decision contained in the technical summary or fact sheet. 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

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must place a copy of the Executive Director's preliminary decision and draft permit in the public place with the application.

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

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 Thomas E. Starr at (512) 239-4570.

Thomas E. Starr
Thomas E. Starr

May 3, 2024
Date

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Appendix A
Calculated Technology-Based Effluent Limits

The draft permit authorizes the discharge of process generated water, area runoff, and water from mine area dewatering at a daily maximum volume not to exceed 2.5 MGD from any one outfall and a total combined daily maximum flow of 4.0 MGD from all three outfalls for Outfalls 001, 002, and 004. The discharge of process generated water and water from mine area dewatering is subject to 40 CFR Part 436, Subpart D. TBELs were developed using best practicable control technology currently available (BPT) in accordance with 40 CFR §§436.42(a)(1) and (a)(4). Best available technology (BAT) limits were not developed.

The limitations for mine dewatering and the discharges of process wastewater pollutants from facilities that recycle wastewater for use in the processing shall not exceed the following:

Effluent characteristic	BPT Effluent limitations	
	Daily Maximum	Daily Average¹
TSS	45 mg/L	25 mg/L
pH	6.0 SU to 9.0 SU	

¹ Daily average limitations are not appropriate due to the intermittent nature of the discharge.

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Appendix B
Calculated Water Quality-Based Effluent Limits

TEXTOX MENU #7 - INTERMITTENT STREAM WITH PERENNIAL POOLS

The water quality-based effluent limitations developed below are calculated using:

Table 1, 2014 Texas Surface Water Quality Standards (30 TAC 307) for Freshwater Aquatic Life
Table 2, 2018 Texas Surface Water Quality Standards for Human Health, Incidental Fishery
"Procedures to Implement the Texas Surface Water Quality Standards," TCEQ, June 2010

PERMIT INFORMATION

Permittee Name:	U.S. Silica Company
TPDES Permit No.:	WQ0001176000
Outfall No.:	001, 002, and 004
Prepared by:	Thomas Starr
Date:	May 2, 2024

DISCHARGE INFORMATION

Intermittent Receiving Waterbody:	White Branch
Segment No.:	1209
TSS (mg/L):	17
pH (Standard Units):	7.1
Hardness (mg/L as CaCO ₃):	54
Chloride (mg/L):	44
Effluent Flow for Aquatic Life (MGD):	2.5
Critical Low Flow [7Q2] (cfs):	0
% Effluent for Chronic Aquatic Life:	100
% Effluent for Acute Aquatic Life:	100
Effluent Flow for Human Health (MGD):	2.5
Harmonic Mean Flow (cfs):	0.1
% Effluent for Human Health:	97.480

CALCULATE DISSOLVED FRACTION (AND ENTER WATER EFFECT RATIO IF APPLICABLE):

<i>Stream/River Metal</i>	<i>Intercept (b)</i>	<i>Slope (m)</i>	<i>Partition Coefficient (Kp)</i>	<i>Dissolved Fraction (Cd/Ct)</i>	<i>Source</i>	<i>Water Effect Ratio</i>	<i>Source</i>
Aluminum	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Arsenic	5.68	-0.73	60502.36	0.493		1.00	Assumed
Cadmium	6.60	-1.13	162028.99	0.266		1.00	Assumed
Chromium (total)	6.52	-0.93	237510.33	0.199		1.00	Assumed
Chromium (trivalent)	6.52	-0.93	237510.33	0.199		1.00	Assumed
Chromium (hexavalent)	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Copper	6.02	-0.74	128667.18	0.314		1.00	Assumed
Lead	6.45	-0.80	292173.53	0.168		1.00	Assumed
Mercury	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Nickel	5.69	-0.57	97419.10	0.376		1.00	Assumed
Selenium	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Silver	6.38	-1.03	129609.73	0.312		1.00	Assumed
Zinc	6.10	-0.70	173254.99	0.253		1.00	Assumed

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AQUATIC LIFE

CALCULATE DAILY AVERAGE AND DAILY MAXIMUM EFFLUENT LIMITATIONS:

<i>Parameter</i>	<i>FW Acute Criterion (µg/L)</i>	<i>FW Chronic Criterion (µg/L)</i>	<i>WLAa (µg/L)</i>	<i>WLAc (µg/L)</i>	<i>LTAa (µg/L)</i>	<i>LTAc (µg/L)</i>	<i>Daily Avg. (µg/L)</i>	<i>Daily Max. (µg/L)</i>
Aldrin	3.0	N/A	3.00	N/A	1.72	N/A	2.52	5.34
Aluminum	991	N/A	991	N/A	568	N/A	834	1765
Arsenic	340	150	690	304	395	234	344	728
Cadmium	4.7	0.160	17.7	0.602	10.1	0.463	0.681	1.44
Carbaryl	2.0	N/A	2.00	N/A	1.15	N/A	1.68	3.56
Chlordane	2.4	0.004	2.40	0.00400	1.38	0.00308	0.00452	0.00957
Chlorpyrifos	0.083	0.041	0.0830	0.0410	0.0476	0.0316	0.0464	0.0981
Chromium (+3)	344	45	1733	225	993	174	255	539
Chromium (+6)	15.7	10.6	15.7	10.6	9.00	8.16	11.9	25.3
Copper	7.9	5.6	25.3	17.8	14.5	13.7	20.1	42.6
Cyanide (free)	45.8	10.7	45.8	10.7	26.2	8.24	12.1	25.6
4,4'-DDT	1.1	0.001	1.10	0.00100	0.630	0.000770	0.00113	0.00239
Demeton	N/A	0.1	N/A	0.100	N/A	0.0770	0.113	0.239
Diazinon	0.17	0.17	0.170	0.170	0.0974	0.131	0.143	0.302
Dicofol	59.3	19.8	59.3	19.8	34.0	15.2	22.4	47.4
Dieldrin	0.24	0.002	0.240	0.00200	0.138	0.00154	0.00226	0.00478
Diuron	210	70	210	70.0	120	53.9	79.2	167
Endosulfan I (alpha)	0.22	0.056	0.220	0.0560	0.126	0.0431	0.0633	0.134
Endosulfan II (beta)	0.22	0.056	0.220	0.0560	0.126	0.0431	0.0633	0.134
Endosulfan sulfate	0.22	0.056	0.220	0.0560	0.126	0.0431	0.0633	0.134
Endrin	0.086	0.002	0.0860	0.00200	0.0493	0.00154	0.00226	0.00478
Guthion	N/A	0.01	N/A	0.0100	N/A	0.00770	0.0113	0.0239
Heptachlor	0.52	0.004	0.520	0.00400	0.298	0.00308	0.00452	0.00957
Hexachlorocyclohexane (Lindane)	1.126	0.08	1.13	0.0800	0.645	0.0616	0.0905	0.191
Lead	33	1.28	196	7.63	112	5.88	8.63	18.2
Malathion	N/A	0.01	N/A	0.0100	N/A	0.00770	0.0113	0.0239
Mercury	2.4	1.3	2.40	1.30	1.38	1.00	1.47	3.11
Methoxychlor	N/A	0.03	N/A	0.0300	N/A	0.0231	0.0339	0.0718
Mirex	N/A	0.001	N/A	0.00100	N/A	0.000770	0.00113	0.00239
Nickel	278	30.9	738	82.0	423	63.2	92.8	196
Nonylphenol	28	6.6	28.0	6.60	16.0	5.08	7.47	15.8
Parathion (ethyl)	0.065	0.013	0.0650	0.0130	0.0372	0.0100	0.0147	0.0311
Pentachlorophenol	9.6	7.4	9.65	7.40	5.53	5.70	8.12	17.1
Phenanthrene	30	30	30.0	30.0	17.2	23.1	25.2	53.4
Polychlorinated Biphenyls (PCBs)	2.0	0.014	2.00	0.0140	1.15	0.0108	0.0158	0.0335
Selenium	20	5	20.0	5.00	11.5	3.85	5.65	11.9
Silver	0.8	N/A	9.98	N/A	5.72	N/A	8.41	17.7
Toxaphene	0.78	0.0002	0.780	0.000200	0.447	0.000154	0.000226	0.000478
Tributyltin (TBT)	0.13	0.024	0.130	0.0240	0.0745	0.0185	0.0271	0.0574
2,4,5 Trichlorophenol	136	64	136	64.0	77.9	49.3	72.4	153
Zinc	70	70	274	277	157	213	231	488

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HUMAN HEALTH (APPLIES FOR INCIDENTAL FRESHWATER FISH TISSUE)

CALCULATE DAILY AVERAGE AND DAILY MAXIMUM EFFLUENT LIMITATIONS:

<i>Parameter</i>	<i>Fish Criterion (µg/L)</i>	<i>WLAh (µg/L)</i>	<i>LTAh (µg/L)</i>	<i>Daily Avg. (µg/L)</i>	<i>Daily Max. (µg/L)</i>
Acrylonitrile	1150	1180	1097	1612	3412
Aldrin	1.147E-04	0.000118	0.000109	0.000160	0.000340
Anthracene	13170	13510	12565	18470	39076
Antimony	10710	10987	10218	15020	31777
Arsenic	N/A	N/A	N/A	N/A	N/A
Barium	N/A	N/A	N/A	N/A	N/A
Benzene	5810	5960	5543	8148	17238
Benzidine	1.07	1.10	1.02	1.50	3.17
Benzo(a)anthracene	0.25	0.256	0.239	0.350	0.741
Benzo(a)pyrene	0.025	0.0256	0.0239	0.0350	0.0741
Bis(chloromethyl)ether	2.745	2.82	2.62	3.84	8.14
Bis(2-chloroethyl)ether	428.3	439	409	600	1270
Bis(2-ethylhexyl) phthalate [Di(2-ethylhexyl) phtha	75.5	77.5	72.0	105	224
Bromodichloromethane [Dichlorobromomethane]	2750	2821	2624	3856	8159
Bromoform [Tribromomethane]	10600	10874	10113	14865	31450
Cadmium	N/A	N/A	N/A	N/A	N/A
Carbon Tetrachloride	460	472	439	645	1364
Chlordane	0.025	0.0256	0.0239	0.0350	0.0741
Chlorobenzene	27370	28078	26112	38384	81208
Chlorodibromomethane [Dibromochloromethane]	1830	1877	1746	2566	5429
Chloroform [Trichloromethane]	76970	78960	73433	107946	228375
Chromium (hexavalent)	5020	5150	4789	7040	14894
Chrysene	25.2	25.9	24.0	35.3	74.7
Cresols [Methylphenols]	93010	95415	88736	130441	275967
Cyanide (free)	N/A	N/A	N/A	N/A	N/A
4,4'-DDD	0.02	0.0205	0.0191	0.0280	0.0593
4,4'-DDE	0.0013	0.00133	0.00124	0.00182	0.00385
4,4'-DDT	0.004	0.00410	0.00382	0.00560	0.0118
2,4'-D	N/A	N/A	N/A	N/A	N/A
Danitol [Fenprothrin]	4730	4852	4513	6633	14034
1,2-Dibromoethane [Ethylene Dibromide]	42.4	43.5	40.5	59.4	125
m-Dichlorobenzene [1,3-Dichlorobenzene]	5950	6104	5677	8344	17654
o-Dichlorobenzene [1,2-Dichlorobenzene]	32990	33843	31474	46266	97883
p-Dichlorobenzene [1,4-Dichlorobenzene]	N/A	N/A	N/A	N/A	N/A
3,3'-Dichlorobenzidine	22.4	23.0	21.4	31.4	66.4
1,2-Dichloroethane	3640	3734	3473	5104	10800
1,1-Dichloroethylene [1,1-Dichloroethene]	551140	565389	525811	772942	1635273
Dichloromethane [Methylene Chloride]	133330	136777	127203	186987	395599
1,2-Dichloropropane	2590	2657	2471	3632	7684
1,3-Dichloropropane [1,3-Dichloropropylene]	1190	1221	1135	1668	3530
Dicofol [Kelthane]	3	3.08	2.86	4.20	8.90
Dieldrin	2.0E-04	0.000205	0.000191	0.000280	0.000593
2,4-Dimethylphenol	84360	86541	80483	118310	250302
Di-n-Butyl Phthalate	924	948	882	1295	2741
Dioxins/Furans [TCDD Equivalents]	7.97E-07	8.18E-07	7.60E-07	0.0000011	0.0000024
Endrin	0.2	0.205	0.191	0.280	0.593
Epichlorohydrin	20130	20650	19205	28231	59727
Ethylbenzene	18670	19153	17812	26183	55395
Ethylene Glycol	1.68E+08	172343270	160279241	235610484	498468440
Fluoride	N/A	N/A	N/A	N/A	N/A
Heptachlor	0.001	0.00103	0.000954	0.00140	0.00296
Heptachlor Epoxide	0.0029	0.00297	0.00277	0.00406	0.00860
Hexachlorobenzene	0.0068	0.00698	0.00649	0.00953	0.0201
Hexachlorobutadiene	2.2	2.26	2.10	3.08	6.52

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<i>Parameter</i>	<i>Fish Criterion (µg/L)</i>	<i>WLAh (µg/L)</i>	<i>LTAh (µg/L)</i>	<i>Daily Avg. (µg/L)</i>	<i>Daily Max. (µg/L)</i>
Hexachlorocyclohexane (<i>alpha</i>)	0.084	0.0862	0.0801	0.117	0.249
Hexachlorocyclohexane (<i>beta</i>)	2.6	2.67	2.48	3.64	7.71
Hexachlorocyclohexane (<i>gamma</i>) [Lindane]	3.41	3.50	3.25	4.78	10.1
Hexachlorocyclopentadiene	116	119	111	162	344
Hexachloroethane	23.3	23.9	22.2	32.6	69.1
Hexachlorophene	29	29.7	27.7	40.6	86.0
4,4'-Isopropylidenediphenol [Bisphenol A]	159820	163952	152475	224138	474197
Lead	38.3	234	218	320	678
Mercury	0.122	0.125	0.116	0.171	0.361
Methoxychlor	30	30.8	28.6	42.0	89.0
Methyl Ethyl Ketone	9.92E+06	10176460	9464108	13912238	29433374
Methyl <i>tert</i> -butyl ether [MTBE]	104820	107530	100003	147004	311008
Nickel	11400	31063	28888	42465	89842
Nitrate-Nitrogen (as Total Nitrogen)	N/A	N/A	N/A	N/A	N/A
Nitrobenzene	18730	19214	17869	26267	55573
N-Nitrosodiethylamine	21	21.5	20.0	29.4	62.3
N-Nitroso-di- <i>n</i> -Butylamine	42	43.1	40.1	58.9	124
Pentachlorobenzene	3.55	3.64	3.39	4.97	10.5
Pentachlorophenol	2.9	2.97	2.77	4.06	8.60
Polychlorinated Biphenyls [PCBs]	6.40E-03	0.00657	0.00611	0.00897	0.0189
Pyridine	9470	9715	9035	13281	28098
Selenium	N/A	N/A	N/A	N/A	N/A
1,2,4,5-Tetrachlorobenzene	2.4	2.46	2.29	3.36	7.12
1,1,2,2-Tetrachloroethane	263.5	270	251	369	781
Tetrachloroethylene [Tetrachloroethylene]	2800	2872	2671	3926	8307
Thallium	2.3	2.36	2.19	3.22	6.82
Toluene	N/A	N/A	N/A	N/A	N/A
Toxaphene	0.11	0.113	0.105	0.154	0.326
2,4,5-TP [Silvex]	3690	3785	3520	5175	10948
1,1,1-Trichloroethane	7843540	8046317	7483075	11000120	23272364
1,1,2-Trichloroethane	1660	1703	1584	2328	4925
Trichloroethylene [Trichloroethene]	719	738	686	1008	2133
2,4,5-Trichlorophenol	18670	19153	17812	26183	55395
TTHM [Sum of Total Trihalomethanes]	N/A	N/A	N/A	N/A	N/A
Vinyl Chloride	165	169	157	231	489

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CALCULATE 70% AND 85% OF DAILY AVERAGE EFFLUENT LIMITATIONS:

Aquatic Life	70% of	85% of
Parameter	Daily Avg.	Daily Avg.
	(µg/L)	(µg/L)
Aldrin	1.76	2.14
Aluminum	584	709
Arsenic	241	292
Cadmium	0.476	0.578
Carbaryl	1.17	1.43
Chlordane	0.00316	0.00384
Chlorpyrifos	0.0324	0.0394
Chromium (+3)	178	216
Chromium (+6)	8.39	10.1
Copper	14.1	17.1
Cyanide (free)	8.47	10.2
4,4'-DDT	0.000792	0.000962
Demeton	0.0792	0.0962
Diazinon	0.100	0.121
Dicofol	15.6	19.0
Dieldrin	0.00158	0.00192
Diuron	55.4	67.3
Endosulfan (alpha)	0.0443	0.0538
Endosulfan (beta)	0.0443	0.0538
Endosulfan sulfate	0.0443	0.0538
Endrin	0.00158	0.00192
Guthion	0.00792	0.00962
Heptachlor	0.00316	0.00384
Hexachlorocyclohexane (Lindane)	0.0633	0.0769
Lead	6.04	7.34
Malathion	0.00792	0.00962
Mercury	1.03	1.25
Methoxychlor	0.0237	0.0288
Mirex	0.000792	0.000962
Nickel	64.9	78.9
Nonylphenol	5.22	6.34
Parathion (ethyl)	0.0103	0.0125
Pentachlorophenol	5.68	6.90
Phenanthrene	17.6	21.4
Polychlorinated Biphenyls (PCBs)	0.0110	0.0134
Selenium	3.96	4.81
Silver	5.88	7.14
Toxaphene	0.000158	0.000192
Tributyltin (TBT)	0.0190	0.0230
2,4,5 Trichlorophenol	50.7	61.5
Zinc	161	196

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Human Health	70% of Daily Avg. (µg/L)	85% of Daily Avg. (µg/L)
Parameter		
Acrylonitrile	1128	1370
Aldrin	0.000112	0.000136
Anthracene	12929	15699
Antimony	10514	12767
Arsenic	N/A	N/A
Barium	N/A	N/A
Benzene	5703	6925
Benzidine	1.05	1.27
Benzo(a)anthracene	0.245	0.298
Benzo(a)pyrene	0.0245	0.0298
Bis(chloromethyl)ether	2.69	3.27
Bis(2-chloroethyl)ether	420	510
Bis(2-ethylhexyl) phthalate [Di(2-ethylhexyl) phtha	74.1	90.0
Bromodichloromethane [Dichlorobromomethane]	2699	3278
Bromoform [Tribromomethane]	10406	12636
Cadmium	N/A	N/A
Carbon Tetrachloride	451	548
Chlordane	0.0245	0.0298
Chlorobenzene	26869	32627
Chlorodibromomethane [Dibromochloromethane]	1796	2181
Chloroform [Trichloromethane]	75562	91754
Chromium (hexavalent)	4928	5984
Chrysene	24.7	30.0
Cresols [Methylphenols]	91308	110875
Cyanide (free)	N/A	N/A
4,4'-DDD	0.0196	0.0238
4,4'-DDE	0.00127	0.00154
4,4'-DDT	0.00392	0.00476
2,4'-D	N/A	N/A
Danitol [Fenprothrin]	4643	5638
1,2-Dibromoethane [Ethylene Dibromide]	41.6	50.5
<i>m</i> -Dichlorobenzene [1,3-Dichlorobenzene]	5841	7092
<i>o</i> -Dichlorobenzene [1,2-Dichlorobenzene]	32386	39326
<i>p</i> -Dichlorobenzene [1,4-Dichlorobenzene]	N/A	N/A
3,3'-Dichlorobenzidine	21.9	26.7
1,2-Dichloroethane	3573	4339
1,1-Dichloroethylene [1,1-Dichloroethene]	541059	657001
Dichloromethane [Methylene Chloride]	130891	158939
1,2-Dichloropropane	2542	3087
1,3-Dichloropropene [1,3-Dichloropropylene]	1168	1418
Dicofol [Kelthane]	2.94	3.57
Dieldrin	0.000196	0.000238
2,4-Dimethylphenol	82817	100563
Di- <i>n</i> -Butyl Phthalate	907	1101
Dioxins/Furans [TCDD Equivalents]	7.82E-07	9.50E-07
Endrin	0.196	0.238
Epichlorohydrin	19761	23996
Ethylbenzene	18328	22256
Ethylene Glycol	164927339	200268912
Fluoride	N/A	N/A
Heptachlor	0.000981	0.00119
Heptachlor Epoxide	0.00284	0.00345
Hexachlorobenzene	0.00667	0.00810
Hexachlorobutadiene	2.15	2.62

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Human Health	70% of Daily Avg.	85% of Daily Avg.
Parameter	(µg/L)	(µg/L)
Hexachlorocyclohexane (<i>alpha</i>)	0.0824	0.100
Hexachlorocyclohexane (<i>beta</i>)	2.55	3.09
Hexachlorocyclohexane (<i>gamma</i>) [Lindane]	3.34	4.06
Hexachlorocyclopentadiene	113	138
Hexachloroethane	22.8	27.7
Hexachlorophene	28.4	34.5
4,4'-Isopropylidenediphenol [Bisphenol A]	156896	190517
Lead	224	272
Mercury	0.119	0.145
Methoxychlor	29.4	35.7
Methyl Ethyl Ketone	9738566	11825402
Methyl <i>tert</i> -butyl ether [MTBE]	102902	124953
Nickel	29726	36095
Nitrate-Nitrogen (as Total Nitrogen)	N/A	N/A
Nitrobenzene	18387	22327
N-Nitrosodiethylamine	20.6	25.0
N-Nitroso-di- <i>n</i> -Butylamine	41.2	50.0
Pentachlorobenzene	3.48	4.23
Pentachlorophenol	2.84	3.45
Polychlorinated Biphenyls [PCBs]	0.00628	0.00762
Pyridine	9296	11288
Selenium	N/A	N/A
1,2,4,5-Tetrachlorobenzene	2.35	2.86
1,1,2,2-Tetrachloroethane	258	314
Tetrachloroethylene [Tetrachloroethylene]	2748	3337
Thallium	2.25	2.74
Toluene	N/A	N/A
Toxaphene	0.107	0.131
2,4,5-TP [Silvex]	3622	4398
1,1,1-Trichloroethane	7700084	9350102
1,1,2-Trichloroethane	1629	1978
Trichloroethylene [Trichloroethene]	705	857
2,4,5-Trichlorophenol	18328	22256
TTHM [Sum of Total Trihalomethanes]	N/A	N/A
Vinyl Chloride	161	196

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TEXTOX MENU #3 - PERENNIAL STREAM OR RIVER
HUMAN HEALTH ONLY

The water quality-based effluent limitations developed below are calculated using:

Table 2, 2018 Texas Surface Water Quality Standards for Human Health
"Procedures to Implement the Texas Surface Water Quality Standards," TCEQ, June 2010

PERMIT INFORMATION

Permittee Name:	U.S. Silica Company
TPDES Permit No.:	WQ0001176000
Outfall No.:	001, 002, and 004
Prepared by:	Thomas Starr
Date:	May 2, 2024

DISCHARGE INFORMATION

Receiving Waterbody:	Steele Creek
Segment No.:	1209
TSS (mg/L):	17
Effluent Flow for Human Health (MGD):	2.5
Harmonic Mean Flow (cfs):	0.2
% Effluent for Human Health:	95.08
Human Health Criterion (select: PWS or FISH)	FISH

CALCULATE DISSOLVED FRACTION (AND ENTER WATER EFFECT RATIO IF APPLICABLE):

<i>Stream/River Metal</i>	<i>Intercept (b)</i>	<i>Slope (m)</i>	<i>Partition Coefficient (Kp)</i>	<i>Dissolved Fraction (Cd/Ct)</i>	<i>Source</i>	<i>Water Effect Ratio (WER)</i>	<i>Source</i>
Aluminum	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Arsenic	5.68	-0.73	60502.36	0.493		1.00	Assumed
Cadmium	6.60	-1.13	162028.99	0.266		1.00	Assumed
Chromium (total)	6.52	-0.93	237510.33	0.199		1.00	Assumed
Chromium (trivalent)	6.52	-0.93	237510.33	0.199		1.00	Assumed
Chromium (hexavalent)	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Copper	6.02	-0.74	128667.18	0.314		1.00	Assumed
Lead	6.45	-0.80	292173.53	0.168		1.00	Assumed
Mercury	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Nickel	5.69	-0.57	97419.10	0.376		1.00	Assumed
Selenium	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Silver	6.38	-1.03	129609.73	0.312		1.00	Assumed
Zinc	6.10	-0.70	173254.99	0.253		1.00	Assumed

STATEMENT OF BASIS / TECHNICAL SUMMARY AND
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HUMAN HEALTH

CALCULATE DAILY AVERAGE AND DAILY MAXIMUM EFFLUENT LIMITATIONS:

<i>Parameter</i>	<i>Water and Fish Criterion</i>	<i>Fish Only Criterion (µg/L)</i>	<i>WLAh (µg/L)</i>	<i>LTAh (µg/L)</i>	<i>Daily Avg. (µg/L)</i>	<i>Daily Max. (µg/L)</i>
Acrylonitrile	1.0	115	121	113	166	351
Aldrin	1.146E-05	1.147E-05	0.0000121	0.0000113	0.0000166	0.0000351
Anthracene	1109	1317	1385	1288	1893	4005
Antimony	6	1071	1126	1047	1539	3256
Arsenic	10	N/A	N/A	N/A	N/A	N/A
Barium	2000	N/A	N/A	N/A	N/A	N/A
Benzene	5	581	611	568	834	1766
Benzidine	0.0015	0.107	0.113	0.105	0.154	0.326
Benzo(a)anthracene	0.024	0.025	0.0263	0.0245	0.0360	0.0761
Benzo(a)pyrene	0.0025	0.0025	0.00263	0.00245	0.00360	0.00761
Bis(chloromethyl)ether	0.0024	0.2745	0.289	0.269	0.395	0.836
Bis(2-chloroethyl)ether	0.60	42.83	45.0	41.9	61.5	130
Bis(2-ethylhexyl) phthalate [Di(2-ethylhexyl) phtha	6	7.55	7.94	7.38	10.8	22.9
Bromodichloromethane [Dichlorobromomethane]	10.2	275	289	269	395	836
Bromoform [Tri bromomethane]	66.9	1060	1115	1037	1524	3225
Cadmium	5	N/A	N/A	N/A	N/A	N/A
Carbon Tetrachloride	4.5	46	48.4	45.0	66.1	139
Chlordane	0.0025	0.0025	0.00263	0.00245	0.00360	0.00761
Chlorobenzene	100	2737	2879	2677	3935	8325
Chlorodibromomethane [Dibromochloromethane	7.5	183	192	179	263	556
Chloroform [Trichloromethane]	70	7697	8095	7528	11066	23412
Chromium (hexavalent)	62	502	528	491	721	1527
Chrysene	2.45	2.52	2.65	2.46	3.61	7.65
Cresols [Methylphenols]	1041	9301	9782	9097	13372	28291
Cyanide (free)	200	N/A	N/A	N/A	N/A	N/A
4,4'-DDD	0.002	0.002	0.00210	0.00195	0.00286	0.00606
4,4'-DDE	0.00013	0.00013	0.000137	0.000127	0.000186	0.000394
4,4'-DDT	0.0004	0.0004	0.000421	0.000392	0.000576	0.00121
2,4'-D	70	N/A	N/A	N/A	N/A	N/A
Danitol [Fenprothrin]	262	473	497	462	679	1436
1,2-Dibromoethane [Ethylene Dibromide]	0.17	4.24	4.46	4.15	6.10	12.9
m -Dichlorobenzene [1,3-Dichlorobenzene]	322	595	626	582	855	1810
o -Dichlorobenzene [1,2-Dichlorobenzene]	600	3299	3470	3227	4743	10035
p -Dichlorobenzene [1,4-Dichlorobenzene]	75	N/A	N/A	N/A	N/A	N/A
3,3'-Dichlorobenzidine	0.79	2.24	2.36	2.19	3.21	6.81
1,2-Dichloroethane	5	364	383	356	523	1107
1,1-Dichloroethylene [1,1-Dichloroethene]	7	55114	57964	53907	79243	167650
Dichloromethane [Methylene Chloride]	5	13333	14022	13040	19168	40554
1,2-Dichloropropane	5	259	272	253	371	786
1,3-Dichloropropene [1,3-Dichloropropylene]	2.8	119	125	116	170	360
Dicofol [Kelthane]	0.30	0.30	0.316	0.294	0.432	0.914
Dieldrin	2.0E-05	2.0E-05	0.0000210	0.0000195	0.0000286	0.0000606
2,4-Dimethylphenol	444	8436	8872	8251	12128	25660
Di-n -Butyl Phthalate	88.9	92.4	97.2	90.4	132	281
Dioxins/Furans [TCDD Equivalents]	7.80E-08	7.97E-08	8.38E-08	7.79E-08	1.14E-07	2.42E-07
Endrin	0.02	0.02	0.0210	0.0195	0.0286	0.0606
Epichlorohydrin	53.5	2013	2117	1969	2894	6123
Ethylbenzene	700	1867	1964	1827	2685	5681
Ethyl Glycol	46744	1.68E+07	17668654	16431848	24154816	51103047
Fluoride	4000	N/A	N/A	N/A	N/A	N/A
Heptachlor	8.0E-05	0.0001	0.000105	0.0000977	0.000143	0.000303
Heptachlor Epoxide	0.00029	0.00029	0.000305	0.000284	0.000417	0.000883
Hexachlorobenzene	0.00068	0.00068	0.000715	0.000665	0.000977	0.00206
Hexachlorobutadiene	0.21	0.22	0.231	0.215	0.316	0.668

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<i>Parameter</i>	<i>Water and Fish Criterion</i>	<i>Fish Only Criterion (µg/L)</i>	<i>WLAh (µg/L)</i>	<i>LTAh (µg/L)</i>	<i>Daily Avg. (µg/L)</i>	<i>Daily Max. (µg/L)</i>
Hexachlorocyclohexane (<i>alpha</i>)	0.0078	0.0084	0.00883	0.00821	0.0120	0.0255
Hexachlorocyclohexane (<i>beta</i>)	0.15	0.26	0.273	0.254	0.373	0.789
Hexachlorocyclohexane (<i>gamma</i>) [Lindane]	0.2	0.341	0.359	0.334	0.490	1.03
Hexachlorocyclopentadiene	10.7	11.6	12.2	11.3	16.6	35.1
Hexachloroethane	1.84	2.33	2.45	2.28	3.35	7.09
Hexachlorophene	2.05	2.90	3.05	2.84	4.17	8.83
4,4'-Isopropylidenediphenol [Bisphenol A]	1092	15982	16808	15631	22977	48612
Lead	1.15	3.83	24.0	22.3	32.7	69.3
Mercury	0.0122	0.0122	0.0128	0.0119	0.0174	0.0370
Methoxychlor	2.92	3.0	3.16	2.94	4.32	9.14
Methyl Ethyl Ketone	13865	9.92E+05	1043292	970262	1426285	3017514
Methyl <i>tert</i> -butyl ether [MTBE]	15	10482	11024	10252	15070	31883
Nickel	332	1140	3185	2962	4354	9211
Nitrate-Nitrogen (as Total Nitrogen)	10000	N/A	N/A	N/A	N/A	N/A
Nitrobenzene	45.7	1873	1970	1832	2693	5697
N-Nitrosodiethylamine	0.0037	2.1	2.21	2.06	3.02	6.40
N-Nitroso-di- <i>n</i> -Butylamine	0.119	4.2	4.42	4.11	6.04	12.7
Pentachlorobenzene	0.348	0.355	0.373	0.347	0.510	1.07
Pentachlorophenol	0.22	0.29	0.305	0.284	0.417	0.883
Polychlorinated Biphenyls [PCBs]	6.4E-04	6.4E-04	0.000673	0.000626	0.000920	0.00194
Pyridine	23	947	996	926	1361	2879
Selenium	50	N/A	N/A	N/A	N/A	N/A
1,2,4,5-Tetrachlorobenzene	0.23	0.24	0.252	0.234	0.343	0.727
1,1,2,2-Tetrachloroethane	1.64	26.35	27.7	25.8	37.9	80.2
Tetrachloroethylene [Tetrachloroethylene]	5	280	294	273	401	849
Thallium	0.12	0.23	0.242	0.225	0.330	0.699
Toluene	1000	N/A	N/A	N/A	N/A	N/A
Toxaphene	0.011	0.011	0.0116	0.0108	0.0158	0.0335
2,4,5-TP [Silvex]	50	369	388	361	530	1122
1,1,1-Trichloroethane	200	784354	824909	767165	1127732	2385883
1,1,2-Trichloroethane	5	166	175	163	239	506
Trichloroethylene [Trichloroethene]	5	71.9	75.6	70.3	103	218
2,4,5-Trichlorophenol	1039	1867	1964	1827	2685	5681
TTHM [Sum of Total Trihalomethanes]	80	N/A	N/A	N/A	N/A	N/A
Vinyl Chloride	0.23	16.5	17.4	16.2	23.8	50.3

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CALCULATE 70% AND 85% OF DAILY AVERAGE EFFLUENT LIMITATIONS:

Human Health	70% of Daily Avg.	85% of Daily Avg.
Parameter	(µg/L)	(µg/L)
Acrylonitrile	116	141
Aldrin	0.0000116	0.0000141
Anthracene	1325	1609
Antimony	1077	1308
Arsenic	N/A	N/A
Barium	N/A	N/A
Benzene	583	708
Benzidine	0.107	0.130
Benzo(a)anthracene	0.0252	0.0306
Benzo(a)pyrene	0.00252	0.00306
Bis(chloromethyl)ether	0.276	0.335
Bis(2-chloroethyl)ether	43.0	52.2
Bis(2-ethylhexyl) phthalate [Di(2-ethylhexyl) phtha	7.56	9.18
Bromodichloromethane [Dichlorobromomethane]	276	335
Bromoform [Tribromomethane]	1066	1295
Cadmium	N/A	N/A
Carbon Tetrachloride	46.2	56.1
Chlordane	0.00252	0.00306
Chlorobenzene	2754	3344
Chlorodibromomethane [Dibromochloromethane]	184	223
Chloroform [Trichloromethane]	7746	9406
Chromium (hexavalent)	504	612
Chrysene	2.52	3.06
Cresols [Methylphenols]	9360	11366
Cyanide (free)	N/A	N/A
4,4'-DDD	0.00200	0.00243
4,4'-DDE	0.000130	0.000158
4,4'-DDT	0.000403	0.000489
2,4'-D	N/A	N/A
Danitrol [Fenpropathrin]	475	577
1,2-Dibromoethane [Ethylene Dibromide]	4.27	5.18
<i>m</i> -Dichlorobenzene [1,3-Dichlorobenzene]	598	726
<i>o</i> -Dichlorobenzene [1,2-Dichlorobenzene]	3320	4031
<i>p</i> -Dichlorobenzene [1,4-Dichlorobenzene]	N/A	N/A
3,3'-Dichlorobenzidine	2.24	2.72
1,2-Dichloroethane	366	444
1,1-Dichloroethylene [1,1-Dichloroethene]	55470	67356
Dichloromethane [Methylene Chloride]	13417	16292
1,2-Dichloropropane	259	315
1,3-Dichloropropene [1,3-Dichloropropylene]	119	144
Dicofol [Kelthane]	0.302	0.367
Dieldrin	0.0000200	0.0000243
2,4-Dimethylphenol	8489	10308
Di- <i>n</i> -Butyl Phthalate	92.4	112
Dioxins/Furans [TCDD Equivalents]	7.98E-08	9.69E-08
Endrin	0.0200	0.0243
Epichlorohydrin	2025	2459
Ethylbenzene	1879	2282
Ethyl Glycol	16908371	20531593
Fluoride	N/A	N/A
Heptachlor	0.000100	0.000121
Heptachlor Epoxide	0.000291	0.000354
Hexachlorobenzene	0.000683	0.000830
Hexachlorobutadiene	0.221	0.268

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Human Health	70% of Daily Avg.	85% of Daily Avg.
Parameter	(µg/L)	(µg/L)
Hexachlorocyclohexane (<i>alpha</i>)	0.00840	0.0102
Hexachlorocyclohexane (<i>beta</i>)	0.261	0.317
Hexachlorocyclohexane (<i>gamma</i>) [Lindane]	0.343	0.416
Hexachlorocyclopentadiene	11.6	14.1
Hexachloroethane	2.34	2.84
Hexachlorophene	2.91	3.54
4,4'-Isopropylidenediphenol [Bisphenol A]	16083	19530
Lead	22.8	27.7
Mercury	0.0121	0.0147
Methoxychlor	3.02	3.67
Methyl Ethyl Ketone	998399	1212342
Methyl <i>tert</i> -butyl ether [MTBE]	10549	12809
Nickel	3047	3700
Nitrate-Nitrogen (as Total Nitrogen)	N/A	N/A
Nitrobenzene	1885	2289
N-Nitrosodiethylamine	2.11	2.56
N-Nitroso-di- <i>n</i> -Butylamine	4.22	5.13
Pentachlorobenzene	0.357	0.433
Pentachlorophenol	0.291	0.354
Polychlorinated Biphenyls [PCBs]	0.000644	0.000782
Pyridine	952	1156
Selenium	N/A	N/A
1,2,4,5-Tetrachlorobenzene	0.240	0.291
1,1,2,2-Tetrachloroethane	26.5	32.2
Tetrachloroethylene [Tetrachloroethylene]	280	340
Thallium	0.231	0.280
Toluene	N/A	N/A
Toxaphene	0.0110	0.0134
2,4,5-TP [Silvex]	371	450
1,1,1-Trichloroethane	789412	958572
1,1,2-Trichloroethane	167	203
Trichloroethylene [Trichloroethene]	72.1	87.5
2,4,5-Trichlorophenol	1879	2282
TTHM [Sum of Total Trihalomethanes]	N/A	N/A
Vinyl Chloride	16.6	20.2

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Appendix C
Comparison of Technology-Based Effluent Limits and Water Quality-Based Effluent Limits

The following table is a summary of technology-based effluent limitations calculated/assessed in the draft permit (Technology-Based), calculated/ assessed water quality-based effluent limitations (Water Quality-Based), and effluent limitations in the existing permit (Existing Permit). Effluent limitations appearing in bold are the most stringent of the three and are included in the draft permit.

Outfall	Pollutant	Technology-Based		Water Quality-Based		Existing Permit	
		Daily Avg	Daily Max	Daily Avg	Daily Max	Daily Avg	Daily Max
		mg/L	mg/L	mg/L	mg/L	mg/L	mg/L
001, 002, and 004	Flow (MGD)	Report	Report	N/A	N/A	2.5 MGD at any one outfall; 4.0 MGD for all outfalls combined	
	TSS	N/A	45	N/A	N/A	N/A	45
	Turbidity (JTU)	N/A	N/A	N/A	N/A	N/A	100
	Sulfate	N/A	N/A	N/A	N/A	N/A	500
	Total Aluminum	N/A	N/A	N/A	Report	-	-
	Total Copper ⁴	N/A	N/A	N/A	0.0426	N/A	0.0561
	Chromium (hexavalent) ¹	N/A	N/A	N/A	0.0253	N/A	0.0280
	pH	6.0 SU (min) to 9.0 SU (max)		N/A	N/A	6.0 SU (min) to 9.0 SU (max)	

⁴ Water quality-based effluent limitations for total copper and chromium (hexavalent) are applicable to Outfall 004 only. A three-year compliance period has been included in the draft permit.

Thomas Starr

From: Penn, Wes <wes.penn@ussilica.com>
Sent: Wednesday, May 29, 2024 3:13 PM
To: Sophia Houston
Cc: Thomas Starr; Pete Buckman
Subject: Re: WQ0001176000 US SILICA COMPANY

Follow Up Flag: Follow up
Flag Status: Flagged

We have reviewed the draft permit and have no comments. Thank you

From: Sophia Houston <Sophia.Houston@tceq.texas.gov>
Sent: Wednesday, May 22, 2024 3:34:37 PM
To: Penn, Wes <wes.penn@ussilica.com>
Cc: Thomas Starr <Thomas.Starr@Tceq.Texas.Gov>
Subject: WQ0001176000 US SILICA COMPANY

CAUTION: This email originated from outside of U.S. Silica. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern,

Attached for your review, is the letter, DRAFT permit, NAPD, and statement of basis/technical summary, for Permit WQ0001176000 US SILICA COMPANY.

Please submit any **comments and/or approval** no later than, *Wednesday May 29, 2024*. If the comments and/ or approval are not received by the given deadline, it may cause significant delays in the permit process. Please contact Thomas Starr with your comments and/ or approval to: Thomas.Starr@tceq.texas.gov .

Thank you,

Sophia L. Houston

Sophia Houston, Administrative Assistant V
Water Quality Division
Customer Information Assistance (CIA)
Texas Commission on Environmental Quality (TCEQ)

Texas Commission on Environmental Quality

INTEROFFICE MEMORANDUM

To: Alyssa Loveday, Team Leader
Industrial Permits Team, Wastewater Permitting Section

DATE: May 2, 2024

Thru: Peer Reviewer: Chris Linendoll, E.I.T. _____

From: Thomas E. Starr, Permit Writer
Industrial Permits Team, Wastewater Permitting Section

Subject:

Applicant:	U.S. Silica Company			
Facility Name:	U.S. Silica Kosso Plant			
<input checked="" type="checkbox"/> TPDES	<input type="checkbox"/> TCEQ	WQ0001176000	EPA ID. No.	TX0001368
Industrial:	<input checked="" type="checkbox"/> Minor	<input type="checkbox"/> Major		
Toxic Rating:	3	Stream Segment:	1209	
Received:	February 1, 2024	Administratively Complete:	April 3, 2024	
Assigned:	May 2, 2024	To Team Leader:	May 2, 2024	
Tech Complete:				

ATTACHMENTS:	State-Only	TPDES
New	<input type="checkbox"/>	<input type="checkbox"/>
Renewal	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Major Amendment	<input type="checkbox"/>	<input type="checkbox"/>
Minor Amendment	<input type="checkbox"/>	<input type="checkbox"/>
Staff Initiated Amendment	<input type="checkbox"/>	<input type="checkbox"/>
Fact Sheet	<input type="checkbox"/>	<input type="checkbox"/>
SOB/Technical Summary	<input type="checkbox"/>	<input checked="" type="checkbox"/>

RATIONALE Used to Draft Permit:		
<input checked="" type="checkbox"/>	Federal Guidelines:	40 CFR Part 436
<input type="checkbox"/>	Waste Load Evaluation:	
<input checked="" type="checkbox"/>	TCEQ Rules:	30 TAC Chapters 305, 307, and 319
<input checked="" type="checkbox"/>	Existing Permit(s):	WQ0001176000, issued July 29, 2019
<input checked="" type="checkbox"/>	Other:	<i>Procedures to Implement the Texas Surface Water Quality Standards, BPJ</i>

Company's Rep: Mr. Wes Penn, Senior Environmental Manager

Phone #: 903-780-9594

Email: wes.penn@ussilica.com

Known Opposition: ☐ Yes ☒ No

If yes, briefly explain: _____

Comments: None.

☐ Permit is **reclassified** per the major/minor determination worksheet. ARP Team to be notified during ED Sub.

FILE LOCATION: I:\WQ\IND\ERC AND REGION PERMITS\WQ0001176000.docx

INDUSTRIAL EPA REVIEW CHECKLIST

Permittee Name: U.S. Silica Company

Permittee Number: WQ0001176000

IS THIS A MINOR AMENDMENT WITHOUT RENEWAL?

- ☐ EPA review is waived per the MOA, because this is a minor amendment without renewal. SKIP TO THE END.

For all other application types, check all that apply:

- | Yes | No | |
|-------------------------------------|-------------------------------------|---|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | discharge to territorial seas (within 3 miles of the coastline) of the United States? |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | discharge or sewage sludge management may affect another state or the Republic of Mexico? For sewage sludge management, "may affect" means accepts sewage sludge from another state or Mexico. For discharge, it means a discharge within 3 miles of a boundary with another state or Mexico. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | discharge of uncontaminated cooling tower blowdown with a permitted daily average flow >500 MGD? |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | discharge from a designated major facility? |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | discharge from a categorical industry as listed in 40 CFR Part 122, Appendix A? (see Attachment A) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | discharge from source other than a categorical industry as listed in 40 CFR Part 122, Appendix A with a permitted daily average flow >0.5 MGD, except for facilities that discharge non-process wastewater? Non-process wastewater is water that (during manufacturing or processing) does not come into direct contact with, or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | minor facility discharge to critical concern species watersheds (see WQ Standards review) |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | (Prior to a final TMDL) discharge from a new or expanding facility to a 303(d) listed segment which has the potential to discharge any pollutant which is causing or contributing to the impairment of the segment? |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | (After a final TMDL) discharge from a new or expanding discharge to a 303(d) listed segment where the TMDL does not allocate the loadings described in the draft permit? |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | (After a final TMDL) a permit with effluent limits which allow loadings in excess of those prescribed by the TMDL for the segment? |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | (After a final TMDL) permit allows a three-year compliance schedule for limits based on the TMDL allocations? |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Is the main purpose of the facility to desalinate either seawater or salty ground water? |

Per the screening above, choose one:

- ☒ **Yes, EPA review is required.** ☐ No, EPA review is not required.

Thomas E. Starr, P.E.

Permit Writer's Name

May 2, 2024

Date

ATTACHMENT A

PRIMARY INDUSTRIAL CATEGORIES

Adhesives and sealants.....	N/A
Aluminum forming.....	Part 467
Auto and other laundries.....	N/A
Battery and manufacturing.....	Part 461
Coal mining.....	Part 434
Coil coating.....	Part 465
Copper forming.....	Part 468
Electrical and electronic components.....	Part 469
Electroplating.....	Part 413
Explosives manufacturing.....	Part 457
Foundries.....	N/A
Gum and wood chemicals.....	Part 454
Inorganic chemicals manufacturing.....	Part 415
Iron and steel manufacturing.....	Part 420
Leather tanning and finishing.....	Part 425
Mechanical products manufacturing.....	N/A
Nonferrous metals manufacturing.....	Part 421
Ore mining.....	Part 440
Organic chemicals manufacturing.....	Part 414
Paint and ink formulation.....	Part 446
Pesticides.....	Part 455
Petroleum refining.....	Part 419
Pharmaceutical preparation.....	Part 439
Photographic equipment and supplies.....	Part 459
Plastics processing.....	Part 463
Plastic and synthetic material manufacturing.....	Part 414
Porcelain enameling.....	Part 466
Printing and publishing.....	N/A
Pulp and paper mills.....	Part 430
Rubber processing.....	Part 428
Soap and detergent manufacturing.....	Part 417
Steam electric power plants.....	Part 423
Textile mills.....	Part 410
Timber products processing.....	Part 429

Request for Comments – Draft Conditions

TCEQ – Water Quality Division

Phone: (512) 239-4671

Fax: (512) 239-4430

Mailing Address: TCEQ, Water Quality Division, P.O. Box 13087, Austin, TX 78711-3087

TO: Region 9

Submitted by: Thomas E. Starr, P.E.

E-Mail ID: thomas.starr **Phone:** (512) 239-4570

Date request submitted:

Comments deadline: within 7 calendar days

Date application received by TCEQ in Austin: February 1, 2024

REGIONAL OFFICES: The entity below has submitted an application for the project referenced below in accordance with regulations of the TCEQ. Please return comments ASAP, but no later than the comments deadline which is 7 calendar days from the submittal date. Permit disposition will proceed after comments are received or after the comments deadline has passed. If no comments are received within this time frame, we will assume you have no comments or objections to the project as proposed. Please return a complete copy of the form (both sides) with your comments.

Project type: Renewal

Team assigned: Industrial

TPDES/TLAP: TPDES

Regulated Entity No.: RN100215672

Permit No.: WQ0001176000

Company name: U.S. Silica Company

Customer Reference No.:
CN600128268

Facility name: U.S. Silica Kosso Plant

Address: 4171 Farm-to-Market Road 2749, Kosse, Texas 76653

Segment: 1209

County: Limestone

Technical contact: Mr. Wes Penn

Phone: 903-780-9594

Major/Minor: Minor

Compliance rating: Customer – Satisfactory (11.79) / Site – Satisfactory (1.54)

Summary of application request:

Renewal to discharge process generated wastewater, area runoff, and water from mine area dewatering at a daily maximum flow not to exceed 2,500,000 gallons per day (gpd) via Outfalls 001, 002, and 004 and a total combined daily maximum flow from these three outfalls not to exceed 4,000,000 gpd.

Permit writer comments: See Summary of Changes from Existing Permit section in Statement of Basis.

**Request for Comments -- Draft Permit
RESPONSE**

TO: Permit Writer, Thomas E. Starr, P.E.

FROM:

Region:

Copy of Application Received by your Office: ☐ YES ☐ NO

Date Received: _____

PERMIT NO.: WQ0001176000

REGULATED ENTITY NO: RN100215672

Investigator's/Compliance Officer's Name (Please Print): _____

Phone: _____

Comments Deadline (from pg. 1):

Date of Last Site Visit: _____

COMMENTS ON CONDITIONS: (Please mark up draft special conditions with your comments. Please address applicability and enforceability. List any additional conditions below):

Compliance Determination Conditions: _____

Operational Limitations: _____

GENERAL COMMENTS: _____

Jon Niermann, *Chairman*
Bobby Janecka, *Commissioner*
Catarina R. Gonzales, *Commissioner*
Kelly Keel, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

Mr. Wes Penn, Senior Environmental Manager
U.S. Silica Company
24275 Katy Freeway, Suite 600
Katy, Texas 77494

Re: U.S. Silica Company
Draft TPDES Permit No. WQ0001176000, EPA ID No. TX0001368
(CN600128268), (RN100215672)

Dear Mr. Penn:

A draft permit and technical summary for the above-referenced operation are enclosed for your review and comment. The drafts are subject to further staff review and modification; however, they generally include the terms and conditions that are appropriate for your discharge. **Please read the entire draft carefully, because there are changes from the existing permit.** Also enclosed for your review and comment is a copy of the draft second notice, the Notice of Application and Preliminary Decision. Please provide comments if there are inaccuracies or information that is not consistent with your application. After the draft permit is filed with the Office of the Chief Clerk, you will receive instructions for publishing this notice in a newspaper, unless notice is only required in the *Texas Register*.

Please submit your comments before the deadline provided in the e-mail. If your comments are not received by the deadline, the draft permit will be transferred to the Office of the Chief Clerk and comments received after the deadline will not be considered.

If you have comments or questions, please contact me before the comment deadline at (512) 239-4570, by e-mail at thomas.starr@tceq.texas.gov, or, if by correspondence, include "MC 148" following my name in the letterhead address.

Sincerely,

Thomas Starr

Thomas E. Starr, P.E.
Wastewater Permitting Section
Water Quality Division

TES

Enclosure

Jon Niermann, *Chairman*
Bobby Janecka, *Commissioner*
Catarina R. Gonzales, *Commissioner*
Kelly Keel, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

Date, 2024

Mr. Wes Penn, Senior Environmental Manager
U.S. Silica Company
24275 Katy Freeway, Suite 600
Katy, Texas 77494

RE: Notice of Preliminary Decision and Draft Permit
Applicant Name: U.S. Silica Company
Facility Name: U.S. Silica Kosso Plant
Permit No.: WQ0001176000
Customer Reference Number: CN600128268
Regulated Entity Number: RN100215672
Type of Application: Renewal without changes

Dear Mr. Penn:

The executive director has completed the technical review of the above referenced application, received on February 1, 2024 and has prepared a preliminary decision and draft permit.

You are now required to publish another notice of your proposed activity. To help you meet the requirements associated with this notice, we have included the following items:

Instructions for Public Notice
Notice for Newspaper Publication
Publisher's Affidavits
Draft Permit
Executive Director's Preliminary Decision
Public Notice Verification Form

You must follow all the directions in the enclosed instructions. The most common mistakes are the unauthorized changing of notice, wording, or font. If you fail to follow these instructions, you may be required to republish the notices.

The following requirements are also described in the enclosed instructions. However, due to their importance, they are highlighted here as well.

1. You must publish the enclosed notice within as soon as possible, but no later than 45 days from the date on the cover letter. **You may be required to publish the notice in more than one newspaper, including a newspaper published in an alternative language, to satisfy all of the notice requirements.**

Mr. Penn Page 2
Date, 2024
Permit No. WQ0001176000

2. On or before the date you publish notice, you must place the following items in a public place in the county where the facility is or will be located.
 - (a) a copy of your permit application, including any subsequent revisions;
 - (b) the executive director's preliminary decision as contained in the technical summary; and
 - (c) the draft permit, including any subsequent revisions.

These items must be accessible to the public for review and copying, must be updated to reflect changes to the application, and must remain in place until the commission has taken action on the application or the commission refers issues to the State Office of Administrative Hearings.

3. For each publication, submit proof of publication of the notice that shows the publication date and newspaper name to the Office of the Chief Clerk within **30 calendar days** after notice is published in the newspaper.
4. Return the original enclosed Public Notice Verification and the Publisher's Affidavits to the Office of the Chief Clerk within **30 calendar days** after the notice is published in the newspaper.

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

If you have any questions regarding publication requirements, please contact the Office of Legal Services at (512) 239-0600. If you have any questions regarding the content of the notice, please contact the individual in the permitting area assigned to your application.

Sincerely,

Laurie Gharis
Chief Clerk
Office of the Chief Clerk

LG/TES/CIA team member initials

Enclosures

Mr. Penn Page 3

Date, 2024

Permit No. WQ0001176000

bcc: TCEQ Region 9, Water Program Manager

Jon Niermann, *Chairman*
Bobby Janecka, *Commissioner*
Catarina R. Gonzales, *Commissioner*
Kelly Keel, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

Date, 2024

Mr. Wes Penn, Senior Environmental Manager
U.S. Silica Company
24275 Katy Freeway, Suite 600
Katy, Texas 77494

RE: Permit Application
Permit No.: WQ0001176000
U.S. Silica Company
U.S. Silica Kosso Plant
Kosse, Limestone County
Customer Reference Number: CN600128268
Regulated Entity Number: RN100215672

Dear Mr. Penn:

The Texas Commission on Environmental Quality (TCEQ) has made a preliminary decision on the above-referenced permit applications. In accordance with Title 30 Texas Administrative Code § 39.419(b), you are now required to publish Notice of Application and Preliminary Decision. You must provide a copy of the preliminary decision letter with the draft permit at the public place referenced in the public notice.

If you have any questions, please contact Thomas E. Starr at 512-239-4570, by email at thomas.starr@tceq.texas.gov, or write to the TCEQ, Office of Water, Water Quality Division, MC-148, Austin, Texas, 78711-3087.

Sincerely,

Matthew Udenenwu
Section Manager, Wastewater Permitting
Office of Water

MU/TES/CIA team member initials

Enclosures

cc: TCEQ Region 9, Water Program Manager

AGENDA CAPTION FOR PERMIT NO. WQ0001176000

U.S. Silica Company, which operates U.S. Silica Kosso Plant, an industrial sand mining and processing facility, has applied for a renewal of Texas Pollutant Discharge Elimination System Permit No. WQ0001176000, which authorizes the discharge of process generated wastewater, area runoff, and water from mine area dewatering at a daily maximum flow not to exceed 2,500,000 gallons per day (gpd) via Outfalls 001, 002, and 004 and a total combined daily maximum flow from these three outfalls is 4,000,000 gpd. The facility is located at 4171 Farm-to-Market Road 2749, east of the City of Kosse, Limestone County, Texas 76653.

Senate Bill 709 (84th Legislative Session, 2015) amended the Texas Water Code by adding new Section 5.5553, which requires the Texas Commission on Environmental Quality (TCEQ) to provide written notice to you at least thirty (30) days prior to the TCEQ's issuance of draft permits for applications that are located in your district.

U.S. Silica Company, 24275 Katy Freeway, Suite 600, Katy, Texas, 77494, which owns an industrial sand mining and processing facility, has applied to the Texas Commission on Environmental Quality (TCEQ) to renew Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0001176000 (EPA I.D. No. TX0001368) to authorize the discharge of treated wastewater at a volume not to exceed a daily average flow of 2,500,000 gallons per day via Outfalls 001, 002 and 004. The facility is located at 4171 Farm-to-Market Road 2749, east of the city of Kosse, in Limestone County, Texas 76653. The discharge route is from the plant site via Outfalls 001, 002, and 004 to White Branch, thence to Steele Creek, thence to Navasota River Below Lake Limestone. TCEQ received this application on February 1, 2024. The permit application will be available for viewing and copying at Groesbeck Maffett Public Library, 601 West Yeagua Street, Groesbeck, 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=-96.510277,31.304166&level=18>

TCEQ is preparing the initial draft permit. At the time the draft permit is issued, the applicant will be required to publish notice in a newspaper of general circulation, and the TCEQ will provide a copy of the notice of draft permit to persons who have requested to be on a mailing list.

Questions regarding this application may be directed to Ms. Alyssa Loveday by calling 512-239-4524.

Issuance Date: _____

CMP THRESHOLD REVIEW SHEET
INDUSTRIAL WASTEWATER DISCHARGE PERMITS

TPDES PERMIT NUMBER:	<u>U.S. Silica Company</u>
CLASSIFIED SEGMENT:	<u>WQ0001176000</u>
NAME:	<u>Navasota River Below Lake Limestone</u>
NUMBER:	<u>1209</u>
COUNTY:	<u>Limestone</u>

Is the facility located within the Coastal Zone?

Yes ☐ No ☒

If "Yes," complete Section A and, if directed to do so, Section B. If "No," this worksheet is not required.

SECTION A

- | <u>Yes</u> | <u>No</u> | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. This is a new permit application which would authorize the discharge of a wastewater subject to EPA Categorical Effluent Standards (40 CFR Parts 400-471) into a priority segment (see Appendix B). |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. This is an amendment permit application which would authorize an increase in the mass loading of pollutants from the discharge of a wastewater subject to EPA Categorical Effluent Standards (40 CFR Parts 400-471) into a priority segment (see Appendix B). |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. This is an amendment permit application which would change the point of discharge of a wastewater subject to EPA Categorical Effluent Standards (40 CFR Parts 400-471) into a priority segment (see Appendix B). |

IF "YES" TO ANY OF THE ABOVE THEN THE PERMIT ACTION IS CONSIDERED ABOVE THRESHOLD, COMPLETE SECTION B.

IF "NO" TO ALL OF THE ABOVE, THEN THE PERMIT ACTION IS CONSIDERED BELOW THRESHOLD, STOP HERE.

SECTION B

- ☐ 1. The IOM from standards states that "no significant degradation of high quality receiving waters is anticipated" (if receiving water has a designated high quality aquatic life use).
- ☐ 2. The IOM from standards states that "no loss of designated uses is anticipated."
- ☐ 3. The draft permit complies with all applicable provisions of 30 TAC 307, 309, and 319.

Thomas E. Starr, P.E.
PERMIT WRITER

May 2, 2024
DATE

**TIDAL SEGMENTS DESIGNATED AS TCEQ PRIORITY WATERBODIES
COASTAL MANAGEMENT PROGRAM**

<u>Segment Number</u>	<u>Name</u>
2412.....	Sabine Lake
2411.....	Sabine Pass
2423.....	East Bay
2439.....	Lower Galveston Bay
0801.....	Trinity River Tidal
1113.....	Armand Bayou Tidal
2431.....	Moses Lake
2424.....	West Bay
2432.....	Chocolate Bay
2433.....	Bastrop Bay/Oyster Lake
2434.....	Christmas Bay
2435.....	Drum Bay
2442.....	Cedar Lakes
2441.....	East Matagorda Bay
2451.....	Matagorda Bay/Powderhorn Lake
2452.....	Tres Palacios Bay/Turtle Bay
2456.....	Carancahua Bay
2455.....	Keller Bay
2461.....	Espiritu Santo Bay
2462.....	San Antonio Bay/Hynes Bay/Guadalupe Bay
1801.....	Guadalupe River Tidal
2463.....	Mesquite Bay/Carlos Bay/Ayres Bay
2473.....	St. Charles Bay
2471.....	Aransas Bay
2472.....	Copano Bay/Port Bay/Mission Bay
2483.....	Redfish Bay
2482.....	Nueces Bay
2492.....	Baffin Bay/Alazan Bay/Cayo Del Grullo/Laguna Salada
2491.....	Laguna Madre
2493.....	South Bay

TPDES PERMIT MAJOR/MINOR RATING WORK SHEET

TPDES No.: WQ0001176000

NPDES No.: TX0001368

Facility Name: U.S. Silica Company

City/County: Kosse/ Limestone

Receiving Water (Name/Segment No.):

Navasota River Below Lake Limestone 1209

Is this facility a steam electric power plant (SIC=4911) with one or more of the following characteristics?

1. Power output 500 MW or greater (no cooling pond/lake).
2. A nuclear power plant.
3. Cooling water discharge greater than 25% of the receiving waters 7Q2 flow rate.

☐ YES (score is 600, stop here).
☒ NO (continue)

Is this permit for a municipal separate storm sewer serving a population greater than 100,000?

☐ YES (score is 700, stop here).
☒ NO (continue)

FACTOR 1: Toxic Pollutant Potential

Primary SIC Code: 1466

Other SIC Codes: _____

Industrial Subcategory Code _____

Determine the Toxicity potential from Appendix A of Major-Minor Rating Instructions. Be sure to use the TOTAL toxicity potential column and check one.

Toxicity Group	Code	Points	Toxicity Group	Code	Points	Toxicity Group	Code	Points
<input type="checkbox"/> No process wastestreams	0	0	<input type="checkbox"/> 3.	3	15	<input type="checkbox"/> 7.	7	35
<input checked="" type="checkbox"/> 1.	1	5	<input type="checkbox"/> 4.	4	20	<input type="checkbox"/> 8.	8	40
<input type="checkbox"/> 2.	2	10	<input type="checkbox"/> 5.	5	25	<input type="checkbox"/> 9.	9	45
			<input type="checkbox"/> 6.	6	30	<input type="checkbox"/> 10.	10	50

CODE NUMBER CHECKED 1
TOTAL POINTS FACTOR 1: 5

FACTOR 2: Flow/Stream Flow Volume (Complete either Section A or B; check only one)

SECTION A - Wastewater Flow Only Considered

	Code	Points
Type I:		
Flow < 5 MGD	<input type="checkbox"/> 11	0
Flow 5 to 10 MGD	<input type="checkbox"/> 12	10
Flow 10 to 50 MGD	<input type="checkbox"/> 13	20
Flow > 50	<input type="checkbox"/> 14	30
Type II:		
Flow < 1 MGD	<input type="checkbox"/> 21	10
Flow 1 to 5 MGD	<input checked="" type="checkbox"/> 22	20
Flow 5 to 10 MGD	<input type="checkbox"/> 23	30
Flow > 10 MGD	<input type="checkbox"/> 24	50
Type III		
Flow < 1 MGD	<input type="checkbox"/> 31	0
Flow 1 to 5 MGD	<input type="checkbox"/> 32	10
Flow 5 to 10 MGD	<input type="checkbox"/> 33	20
Flow > 10 MGD	<input type="checkbox"/> 34	30

SECTION B - Wastewater & Stream Flow Considered

	Percent Effluent @ Mixing Zone	Code	Points
Type I/III:			
< 10%	<input type="checkbox"/> 41	0	
10% to 50%	<input type="checkbox"/> 42	10	
> 50%	<input type="checkbox"/> 43	20	
Type II:			
< 10%	<input type="checkbox"/> 51	0	
10% to 50%	<input type="checkbox"/> 52	20	
> 50%	<input type="checkbox"/> 53	30	

CODE NUMBER CHECKED 22
TOTAL POINTS FACTOR 2: 20

TPDES PERMIT MAJOR/MINOR RATING WORK SHEET

TPDES No.: WQ0001176000

FACTOR 3: Conventional Pollutants *(Only when limited by the permit)*

A. Oxygen Demanding Pollutant: (check one) ☐ BOD/CBOD ☐ COD ☐ Other:

Permit Limits: (check one)			<u>Code</u>	<u>Points</u>
<input type="checkbox"/>	< 100 lbs/day		1	0
<input type="checkbox"/>	100 to 1000 lbs/day		2	5
<input type="checkbox"/>	1000 to 3000 lbs/day		3	15
<input type="checkbox"/>	> 3000 lbs/day		4	20

B. Total Suspended Solids (TSS)

Permit Limits: (check one)			<u>Code</u>	<u>Points</u>
<input type="checkbox"/>	< 100 lbs/day		1	0
<input type="checkbox"/>	100 to 1000 lbs/day		2	5
<input checked="" type="checkbox"/>	1000 to 5000 lbs/day		3	15
<input type="checkbox"/>	> 5000 lbs/day		4	20

C. Nitrogen Pollutant: (check one) ☐ Ammonia ☐ Other:

Permit Limits: (check one)		<u>Nitrogen Equivalent</u>	<u>Code</u>	<u>Points</u>
<input type="checkbox"/>	< 300 lbs/day		1	0
<input type="checkbox"/>	300 to 1000 lbs/day		2	5
<input type="checkbox"/>	1000 to 3000 lbs/day		3	15
<input type="checkbox"/>	> 3000 lbs/day		4	20

CODE NUMBER CHECKED

POINTS FACTOR 3:

A	-	B	3	C	-		
A	0	+	B	15	+	C	0 = 15 Total

FACTOR 4: Public Health Impacts

Is there a public drinking water supply located within 50 miles downstream of the effluent discharge (this includes any body of water to which the receiving water is a tributary)? A public drinking water supply may include infiltration galleries, or other methods of conveyance that ultimately get water from the above referenced supply.

- ☒ YES (If yes, check toxicity potential number below)
☐ NO (If no, go to Factor 5)

Determine the human health toxicity potential from Appendix A. Use the same SIC code and subcategory reference as in Factor 1. (Be sure to use the human health toxicity group column - check one below.)

Toxicity Group	Code	Points	Toxicity Group	Code	Points	Toxicity Group	Code	Points
<input type="checkbox"/> No process wastestreams	0	0	<input type="checkbox"/> 3.	3	0	<input type="checkbox"/> 7.	7	15
<input checked="" type="checkbox"/> 1.	1	0	<input type="checkbox"/> 4.	4	0	<input type="checkbox"/> 8.	8	20
<input type="checkbox"/> 2.	2	0	<input type="checkbox"/> 5.	5	5	<input type="checkbox"/> 9.	9	25
			<input type="checkbox"/> 6.	6	10	<input type="checkbox"/> 10.	10	30

CODE NUMBER CHECKED

TOTAL POINTS FACTOR 4:

1
0

TPDES PERMIT MAJOR/MINOR RATING WORK SHEET

TPDES No.: WQ0001176000

FACTOR 5: Water Quality Factors

- A. *Is (or will) one or more of the effluent discharge limits based on water quality factors of the receiving stream (rather than technology-based federal effluent guidelines, or technology-based state effluent guidelines), or has a wasteload allocation been assigned to the discharge?*

	Code	Points
<input checked="" type="checkbox"/> YES	1	10
<input type="checkbox"/> NO	2	0

- B. *Is the receiving water in compliance with applicable water quality standards for pollutants that are water quality limited in the permit?*

	Code	Points
<input checked="" type="checkbox"/> YES	1	0
<input type="checkbox"/> NO	2	5

- C. *Does the effluent discharged from this facility exhibit the reasonable potential to violate water quality standards due to whole effluent toxicity?*

	Code	Points
<input type="checkbox"/> YES	1	10
<input checked="" type="checkbox"/> NO	2	0

CODE NUMBER CHECKED

POINT FACTOR 5:

A	<u>1</u>	B	<u>1</u>	C	<u>2</u>	
A	<u>10</u>	+	B	<u>0</u>	+	C
				<u>0</u>		=
						<u>10</u>
						Total

FACTOR 6: Proximity to Near Coastal Waters

Base Score: Enter flow code here (from Factor 2): 22

Enter the multiplication factor that corresponds to the flow code: 0.30

Check appropriate facility HPRI Code (from PCS):

	HPRI#	CODE	HPRI Score
<input type="checkbox"/>	1	1	20
<input type="checkbox"/>	2	2	0
<input type="checkbox"/>	3	3	30
<input checked="" type="checkbox"/>	4	4	0
<input type="checkbox"/>	5	5	0

HPRI code checked: | 4 |

Flow Code	Multiplication Factor
11, 31, or 41	0.00
12, 32, or 42	0.05
13, 33, or 43	0.10
14 or 34	0.15
21 or 51	0.10
22 or 52	0.30
23 or 53	0.60
24	1.00

Base Score: (HPRI Score) 0 X (Multiplication Factor) 0.30 = 0 (Total Points)

- B. *Additional Points -- NEP Program*

For a facility that has an HPRI code of 3, does the facility discharge to one of the estuaries enrolled in the National Estuary Protection (NEP) program (see instructions and [National Estuary Program Map viewer](#))?

	Code	Points
<input type="checkbox"/> YES	1	10
<input type="checkbox"/> NO	2	0

- C. *Additional Points -- Great Lakes Area of Concern*

For a facility that has an HPRI code of 5, does the facility discharge any of the pollutants of concern into one of the Great Lakes' 31 areas of concern?

	Code	Points
<input type="checkbox"/> YES	1	10
<input type="checkbox"/> NO	2	0

CODE NUMBER CHECKED

POINT FACTOR 6:

A	<u>4</u>	B	<u>-</u>	C	<u>-</u>	
A	<u>0</u>	+	B	<u>0</u>	+	C
				<u>0</u>		=
						<u>0</u>
						Total

TPDES PERMIT RATING WORK SHEET

TPDES No.: WQ0001176000

SCORE SUMMARY

<u>Factor</u>	<u>Description</u>	<u>Total Points</u>
1	Toxic Pollutant Potential	5
2	Flow/Streamflow Volume	20
3	Conventional Pollutants	15
4	Public Health Impacts	0
5	Water Quality Factors	10
6	Proximity to Near Coastal Waters	0
	TOTAL (Factors 1 through 6)	50

S1. Is the total score equal to or greater than 80?

- ☐ YES - Facility is a major, stop here.
☒ NO - Facility is NOT a major, proceed to S2.

S2. Do you want the facility to be designated a discretionary major?

- ☐ YES - Add 500 points to the score above and provide justification below.
☒ NO - Stop here

Justification:

Check appropriate classification:

- ☐ Major
☒ Minor
☐ Discretionary Major

Thomas E. Starr, P.E.
Permit Reviewer

512-239-4570
Phone Number

May 2, 2024
Date Reviewed

NEW SOURCE DETERMINATION WORKSHEET

PERMITTEE:	U.S. Silica Company
TPDES PERMIT NUMBER:	WQ0001176000
NPDES PERMIT NUMBER:	TX0001368
TYPE OF INDUSTRIAL ACTIVITY:	an industrial sand mining and processing facility
SIC CODE:	1446
CATEGORICAL GUIDELINES:	436

A. NEW SOURCE DETERMINATION - SCREENING

ANSWER EITHER "YES" OR "NO" TO THE FOLLOWING QUESTIONS AND PROCEED AS DIRECTED:

- Is there an applicable new source performance standard for this facility?
Yes ☐ No ☒ If YES, proceed to Item No. 2. If NO proceed to Section B, the facility is not a new source.
- Was the current production facility in existence prior to the promulgation of the applicable new source performance standard?
Yes ☐ No ☐ If NO, proceed to Item No. 3. If YES proceed to Section B, the facility is not a new source.
- This facility MAY be classified as a new source. Additional information will be required to conduct an evaluation and make a final determination. Please refer to 40 CFR 122.29.

B. NEW SOURCE DETERMINATION - DETERMINATION

PLEASE CHECK THE APPROPRIATE DETERMINATION:

- ☒ Facility IS NOT a new source. Determination made via screening in Section A above.
- ☐ Facility IS NOT a new source. Determination made via evaluation. Please see evaluation in Appendix A of the Statement of Basis/Technical Summary.
- ☐ Facility IS a new source. Determination made via evaluation. Please see evaluation in Appendix A of the Statement of Basis/Technical Summary.

Thomas E. Starr, P.E.
REVIEWER

May 2, 2024
DATE

TOXIC RATING WORKSHEET

TPDES Permit No.:	WQ0001176000	
NPDES Permit No.:	TX0001368	
Permittee:	U.S. Silica Company	
Facility:	U.S. Silica Kosso Plant	
SIC Codes:	1446	
40 CFR Section:	436	
Toxic Rating for Facility:	3	
Permit Writer:	Thomas E. Starr, P.E.	Date: May 2, 2024

CALCULATE TOXIC RATING FOR THE FACILITY

For each outfall listed below, list the percent contribution to the total wastewater flow from the facility and the toxic rating for the outfall.

OUTFALL No.	% Contribution	Toxic Rating	Rating × Percent
001, 002, 004	100	3	300
		Total =	300

Toxic Rating for Facility = Total/100 = 3 (round to nearest whole #)

OUTFALL NO.: 001, 002, 004

List waste streams in order of percent contribution to outfall and toxic rating for each waste stream:

Description of Waste Stream	%	Toxic Rating	Rating × Percent
Process generated water, area runoff, mine area dewatering	100	3	300
	Total <u>100</u>		Total: <u>300</u>

Toxic Rating for Outfall = Total/100 = 3 (round to nearest whole #)

OUTFALL CONTAMINATION DETERMINATION

Permittee Name: U.S. Silica Company

Permittee Number: WQ0001176000

Use this worksheet to make a determination for each internal and external Outfall. Enter the determination (i.e., contaminated or uncontaminated) into the space provided for each outfall.

If any box is checked "YES", the outfall is classified as "CONTAMINATED" for billing and PARIS. If no boxes are checked "YES", the outfall is classified as "UNCONTAMINATED" for billing and PARIS.

Outfall No.: 001

Yes No

- | | | |
|-------------------------------------|-------------------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | toxic rating is greater than or equal to three |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | discharge requires limits based on water quality factors of the receiving stream |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | discharge is greater than 10% (or more than 1 MGD) process wastewater |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | discharge requires monitoring and reporting or limits for radioactive materials |

Outfall Determination: Contaminated

Outfall No.: 002

Yes No

- | | | |
|-------------------------------------|-------------------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | toxic rating is greater than or equal to three |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | discharge requires limits based on water quality factors of the receiving stream |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | discharge is greater than 10% (or more than 1 MGD) process wastewater |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | discharge requires monitoring and reporting or limits for radioactive materials |

Outfall Determination: Contaminated

Outfall No.: 004

Yes No

- | | | |
|-------------------------------------|-------------------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | toxic rating is greater than or equal to three |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | discharge requires limits based on water quality factors of the receiving stream |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | discharge is greater than 10% (or more than 1 MGD) process wastewater |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | discharge requires monitoring and reporting or limits for radioactive materials |

Outfall Determination: Contaminated



Compliance History Report

Compliance History Report for CN600128268, RN100215672, Rating Year 2023 which includes Compliance History (CH) components from September 1, 2018, through August 31, 2023.

Customer, Respondent, or Owner/Operator:	CN600128268, U.S. Silica Company	Classification: SATISFACTORY	Rating: 11.79
Regulated Entity:	RN100215672, US SILICA	Classification: SATISFACTORY	Rating: 1.54
Complexity Points:	20	Repeat Violator: NO	
CH Group:	04 - Mining		
Location:	4171 FM 2749 KOSSE, TX 76653-3839, LIMESTONE COUNTY		
TCEQ Region:	REGION 09 - WACO		

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER LI0008P
AIR NEW SOURCE PERMITS ACCOUNT NUMBER LI0008P
AIR NEW SOURCE PERMITS PERMIT 77337

AIR OPERATING PERMITS PERMIT 1044
AIR NEW SOURCE PERMITS AFS NUM 4829300001
PETROLEUM STORAGE TANK REGISTRATION
REGISTRATION 52718
WASTEWATER EPA ID TX0001368
INDUSTRIAL AND HAZARDOUS WASTE EPA ID
TXD043313790
TAX RELIEF ID NUMBER 16529

WASTEWATER PERMIT WQ0001176000

AIR EMISSIONS INVENTORY ACCOUNT NUMBER
LI0008P

INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE
REGISTRATION # (SWR) 33978

Compliance History Period: September 01, 2018 to August 31, 2023 **Rating Year:** 2023 **Rating Date:** 09/01/2023

Date Compliance History Report Prepared: May 01, 2024

Agency Decision Requiring Compliance History: Permit - Issuance, renewal, amendment, modification, denial, suspension, or revocation of a permit.

Component Period Selected: September 01, 2018 to August 31, 2023

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Thomas Starr

Phone: (512) 239-4570

Site and Owner/Operator History:

-) Has the site been in existence and/or operation for the full five year compliance period? YES
) Has there been a (known) change in ownership/operator of the site during the compliance period? NO

Components (Multimedia) for the Site Are Listed in Sections A - J

Final Orders, court judgments, and consent decrees:

- Effective Date: 05/12/2020 ADMINORDER 2019-0800-AIR-E (1660 Order-Agreed Order With Denial)
Classification: Major
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.146(2)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: GTC & STC No. 12 OP
Description: Failed to submit the PCC for the compliance period of December 21, 2017 through June 22, 2018.

Criminal convictions:

N/A

Chronic excessive emissions events:

N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):

Item 1	September 10, 2018	(1527172)
Item 2	October 01, 2018	(1533530)
Item 3	November 14, 2018	(1541365)
Item 4	December 04, 2018	(1545149)
Item 5	January 02, 2019	(1559421)
Item 6	February 14, 2019	(1559419)
Item 7	March 05, 2019	(1559420)
Item 8	April 09, 2019	(1571746)
Item 9	July 09, 2019	(1593057)
Item 10	August 06, 2019	(1599401)
Item 11	September 20, 2019	(1606309)
Item 12	October 21, 2019	(1613156)
Item 13	November 04, 2019	(1604179)
Item 14	November 19, 2019	(1618968)
Item 15	December 12, 2019	(1626321)
Item 16	January 10, 2020	(1633962)
Item 17	April 16, 2020	(1653437)
Item 18	May 21, 2020	(1660023)
Item 19	June 15, 2020	(1657130)
Item 20	June 19, 2020	(1666526)
Item 21	July 21, 2020	(1659591)
Item 22	September 19, 2020	(1686829)
Item 23	October 19, 2020	(1693175)
Item 24	November 18, 2020	(1712218)
Item 25	December 18, 2020	(1712219)
Item 26	January 20, 2021	(1712220)
Item 27	February 19, 2021	(1725273)
Item 28	March 12, 2021	(1725274)
Item 29	April 19, 2021	(1725275)
Item 30	May 20, 2021	(1739949)
Item 31	June 18, 2021	(1747533)
Item 32	July 20, 2021	(1751625)
Item 33	August 20, 2021	(1757093)
Item 34	September 17, 2021	(1766050)
Item 35	October 20, 2021	(1776572)
Item 36	November 19, 2021	(1783543)
Item 37	December 16, 2021	(1790563)
Item 38	January 19, 2022	(1798360)
Item 39	February 14, 2022	(1806237)
Item 40	March 20, 2022	(1813298)
Item 41	April 14, 2022	(1819872)
Item 42	May 20, 2022	(1828715)
Item 43	June 20, 2022	(1834999)
Item 44	July 18, 2022	(1842208)
Item 45	August 04, 2022	(1848344)
Item 46	September 20, 2022	(1856136)
Item 47	October 20, 2022	(1862497)
Item 48	November 17, 2022	(1869413)
Item 49	December 12, 2022	(1875257)
Item 50	January 20, 2023	(1882081)
Item 51	February 16, 2023	(1889899)
Item 52	March 17, 2023	(1898454)
Item 53	April 20, 2023	(1905245)
Item 54	May 16, 2023	(1912431)
Item 55	June 20, 2023	(1919029)
Item 56	July 18, 2023	(1925995)

Compliance History Report for CN600128268, RN100215672, Rating Year 2023 which includes Compliance History (CH) components from September 01, 2018, through August 31, 2023.

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

N/A

F. Environmental audits:**G. Type of environmental management systems (EMSs):**

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

TCEQ Interoffice Memorandum

To: Industrial Permits Team
Wastewater Permitting Section

From: Xing Lu, P.E. *Xing Lu*
Modeler, Water Quality Assessment Team
Water Quality Assessment Section

Date: April 30, 2024

Subject: U.S. Silica Company
Permit Renewal (WQ0001176000, TX0001368)
Discharge to a tributary of Navasota River below Lake Limestone (Segment No. 1209)

The referenced applicant is proposing to renew its permit authorizing the discharge of process generated water, area runoff and mine area dewatering water from a sand mining and processing facility via Outfalls 001, 002 and 004 into the watershed of Navasota River below Lake Limestone (Segment No. 1209). The facility is located in Limestone County.

Due to the low level of oxygen-demanding substances expected in wastewater of this character, no significant dissolved oxygen depletion is anticipated in the receiving waters as a result of this discharge.

Segment No. 1209 is not currently listed on the State's inventory of impaired and threatened waters (the **2022** Clean Water Act Section 303(d) list). However, **Steele Creek** is listed for elevated bacteria levels in a portion of Steele Creek from confluence with Willow Creek upstream to headwaters in Limestone County (AU1209K_02).

TMDL Project No. 111 has been approved for this segment: *Two Total Maximum Daily Loads for Indicator Bacteria in the Navasota River below Lake Limestone*

TCEQ Interoffice Memorandum

To: Industrial Permits Team
Wastewater Permitting Section

From: Brian Christman, Water Quality Assessment Team
Water Quality Assessment Section

Date: April 10, 2024

Subject: U.S. Silica Company
Wastewater Permit No. WQ0001176000
Critical Conditions Recommendation Memo

The following information applies to **Outfalls 001** and **002**.

The TexTox menu number is 7 for an intermittent water body with perennial pools.

This discharge is to White Branch.

Segment No.	1209
Critical Low Flow [7Q2] (cfs)	0
% Effluent for Chronic Aquatic Life (Mixing Zone)	100
% Effluent for Acute Aquatic Life (ZID)	100
Effluent Flow for Human Health (MGD)	2.5 (Permitted, see comments below)
Harmonic Mean Flow (cfs)	0.1

Human Health criteria apply for Incidental Fish Only.

There is no mixing zone established for this discharge to an intermittent stream with perennial pools. Chronic toxic criteria apply at the point of discharge.

Additional comments: Permittee has reported no discharge via Outfalls 002 or 003 during the two-year period 2022 to 2023. The current permit authorizes a daily maximum flow of 2.5 MGD per individual outfall.

The following information applies to **Outfall 004**.

The TexTox menu number is 7 for an intermittent water body with perennial pools.

This discharge is to White Branch.

TCEQ Interoffice Memorandum

Segment No.	1209
Critical Low Flow [7Q2] (cfs)	0
% Effluent for Chronic Aquatic Life (Mixing Zone)	100
% Effluent for Acute Aquatic Life (ZID)	100
Effluent Flow for Human Health (MGD)	2.5 (Permitted, see comments below)
Harmonic Mean Flow (cfs)	0.1

Human Health criteria apply for Incidental Fish Only.

There is no mixing zone established for this discharge to an intermittent stream with perennial pools. Chronic toxic criteria apply at the point of discharge.

Also check TexTox menu number 3.

This discharge is to Steele Creek.

Segment No.	1209
Effluent Flow for Human Health (MGD)	2.5 (Permitted, see comments below)
Harmonic Mean Flow (cfs)	0.2

Human Health criteria apply for Fish Only.

Additional comments: Permittee has reported no discharge via Outfall 004 during the two-year period 2022 to 2023. The current permit authorizes a daily maximum flow of 2.5 MGD per individual outfall.

OUTFALL LOCATIONS¹

Outfall Number	Latitude	Longitude
001	31.300272 N	96.505277 W
002	31.296961 N	96.509424 W
004	31.302778 N	96.496667 W

¹ Latitude and Longitude values are approximations of the location for administrative purposes.

TCEQ Interoffice Memorandum

To: Industrial Permits Team
Wastewater Permitting Section

From: Jenna R. Lueg, Standards Implementation Team
Water Quality Assessment Section
Water Quality Division

Date: 4/4/2024

Subject: U.S. Silica Company; Permit no. WQ0001176000
Renewal; Application received 2/1/2024

The discharge route for the above referenced permit for Outfalls 001, 002, and 004, are to White Branch, thence to Steele Creek, thence to Navasota River Below Lake Limestone in Segment 1209 of the Brazos River Basin. The designated uses and dissolved oxygen criterion as stated in Appendix A of the Texas Surface Water Quality Standards (30 Texas Administrative Code (TAC) §307.10) for Segment 1209 are primary contact recreation, public water supply, high aquatic use, and 5.0 mg/L dissolved oxygen.

Since the discharge is directly to an unclassified water body, the permit action was reviewed in accordance with 30 Texas Administrative Code §307.4(h) and (l) of the 2022 Texas Surface Water Quality Standards and the TCEQ's *Procedures to Implement the Texas Surface Water Quality Standards* (June 2010), an antidegradation review of the receiving waters was performed. Based on available information, a preliminary determination of the aquatic life uses in the area of the discharge impact has been performed and the corresponding dissolved oxygen criterion assigned.

White Branch; limited aquatic life use; 3.0 mg/L dissolved oxygen.

The Houston Toad (*Bufo houstonensis* Sanders), an endangered aquatic-dependent species of critical concern, occurs within the Segment 1209's watershed as well as the 12070103 United States Geological Survey hydrologic unit code. This determination is based on the United States Fish and Wildlife Service's (USFWS) biological opinion on the State of Texas authorization of the Texas Pollutant Discharge Elimination System (TPDES; September 14, 1998, October 21, 1998 update). To make this determination for TPDES permits, TCEQ and EPA only consider aquatic or aquatic dependent species occurring in watersheds of critical concern or high priority as listed in Appendix A of the USFWS biological opinion. The determination is subject to reevaluation due to subsequent updates or amendments to the biological opinion. Species distribution information for the Segment 1209 watershed is provided by the United States Fish and Wildlife Service and documents the toad's presence solely in the vicinity of Running Creek in Leon County, which is in a different portion of the watershed from the facility associated with this permit action. Based upon this information, it is determined that the facility's discharge is not expected to impact the Houston Toad. The permit does not require EPA review with respect to the presence of endangered or threatened species.

Jon Niermann, *Chairman*
Bobby Janecka, *Commissioner*
Catarina R. Gonzales, *Commissioner*
Kelly Keel, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 3, 2024

Mr. Wes Penn
Senior Environmental Manager
U.S. Silica Company
24275 Katy Freeway, Suite 600
Katy, Texas 77494

RE: Declaration of Administrative Completeness
Applicant Name: U.S. Silica Company (CN600128268)
Permit No.: WQ0001176000
Site Name: U.S. Silica Kosse Plant (RN100215672)
Type of Application: Renewal

Dear Mr. Penn:

The executive director has declared the above referenced application, received on February 1, 2024, administratively complete on, April 3, 2024.

You are now required to publish notice of your proposed activity and make a copy of the application available for public review. The following items are included to help you meet the regulatory requirements associated with this notice:

- Instructions for Public Notice
- Notice for Newspaper Publication
- Public Notice Verification Form
- Publisher's Affidavits

You must follow all the directions in the enclosed instructions. The most common mistakes are the unauthorized changing of notice, wording, or font. If you fail to follow these instructions, you may be required to republish the notices.

The following requirements are also described in the enclosed instructions. However, due to their importance, they are highlighted here as well.

1. Publish the enclosed notice within **30 calendar days** after your application is declared administratively complete. (See this letter's first paragraph for the declaration date.) **You may be required to publish the notice in more than one newspaper, including a newspaper published in an alternative language, to satisfy all of the notice requirements.**
2. On or before the date you publish notice, place a copy of your permit application in a public place in the county where the facility is or will be located. This copy must be accessible to the public for review and copying, must be updated to reflect changes to the application, and must remain in place throughout the comment period.

3. For each publication, submit proof of publication of the notice that shows the publication date and newspaper name to the Office of the Chief Clerk within **30 calendar days** after notice is published in the newspaper.
4. Return the original enclosed Public Notice Verification and the Publisher's Affidavits to the Office of the Chief Clerk within **30 calendar days** after the notice is published in the newspaper.

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

If you have any questions regarding publication requirements, please contact the Office of Legal Services at (512) 239-0600. If you have any questions regarding the content of the notice, please contact Mrs. Rachel Ellis at (512) 239-4658.

Sincerely,



Jennifer E. Bowers
Section Manager, Water Quality Division Support, MC 148
Office of Water Quality
Texas Commission on Environmental Quality
PO BOX 13087
Austin, TX 78711

JEB/re

Enclosures

Texas Commission on Environmental Quality
Instructions for Public Notice for a Water Quality Permit
Notice of Receipt of Application and Intent to Obtain Permit (NORI)

Your application has been declared administratively complete. You must comply with the following instructions. There are seven (7) steps involved in publishing notice. Complete each step.

1. REVIEW THE NOTICE FOR ACCURACY

Read the enclosed notice carefully and notify the Application Review and Processing Team at 512-239-4671 immediately if it contains any errors or omissions. You are responsible for ensuring the accuracy of all information published. Do not change the text or formatting of the notice or affidavit of publication without prior approval from the TCEQ. Changing the text or formatting of the notice may require new publication at your expense and delay processing of your application.

2. PUBLISH THE NOTICE IN THE NEWSPAPER

You must publish the enclosed notice within 30 days after the date of administrative completeness. Refer to the cover letter for the date of administrative completeness.

You must publish the enclosed notice at your expense, at least once in the newspaper of largest circulation within each county where the facility and discharge point are located or will be located. If the facility and discharge point are located or will be located in a municipality, the enclosed notice must be published at least once in a newspaper of general circulation in the municipality. These requirements may be satisfied by one publication if the newspaper meets all of the above requirements.

The bold text of the enclosed notice must be printed in the newspaper in a font style or size that distinguishes it from the rest of the notice (i.e., bold, italics). Failure to do so may require re-notice.

3. PUBLISH THE NOTICE IN AN ALTERNATIVE LANGUAGE

You must publish notice in an alternative language IF: either the elementary or middle school nearest to the facility or proposed facility is required to provide a "bilingual education program" (BEP) as required by Texas Education Code (TEC), Chapter 29, Subchapter B, and 19 Tex. Admin. Code §89.1205(a) AND one of the following conditions is met:

- students are enrolled in a program at that school;
- students from that school attend a bilingual education program at another location; or
- the school that otherwise would be required to provide a bilingual education program has been granted an exception from the requirements to provide the program as provided for in 19 Tex. Admin. Code §89.1207(a).

A "bilingual education program" is different from an "English as a second language program" (ESL). An ESL program alone, will not require public notice in an alternative language.

If triggered, you must publish the notice in a newspaper or publication primarily published in the alternative language taught in the bilingual education program. Publication in an alternative language section or insert within a large publication which is not printed primarily in that alternative language does not satisfy these requirements. The newspaper or publication must be of general circulation in the county in which the facility and discharge point are located or proposed to be located. If the facility and discharge point are located or proposed to be located in a municipality, and there exists a newspaper or publication of general circulation in the municipality, you must publish the notice only in the newspaper or publication in the municipality.

You must demonstrate a good faith effort to identify a newspaper or publication in the required language. If there is no general circulation newspaper or publication printed in such language, then publishing in that language is not required. You have the burden to demonstrate compliance with these requirements.

If you are required to publish notice in Spanish, you must translate the site-specific information in the notice that is specific to your application, at your own expense. You may then insert the Spanish translation of your site-specific information into a Spanish template developed by the TCEQ. The Spanish templates are available on the TCEQ website at http://www.tceq.texas.gov/permitting/wastewater/review/wqspanish_nori.html. If you are required to publish notice in a language other than Spanish, you must translate the entire public notice, at your own expense.

4. PUT THE APPLICATION IN A PUBLIC PLACE

You must put a copy of the administratively complete application in the public place identified in the enclosed notice.

This copy must be accessible to the public for review and copying beginning on the first day of newspaper publication and remain in place for the publication's designated comment period.

During the technical review, you must update the publicly available application so that it includes all application revisions within 10 business days from the date the revision is transmitted to the TCEQ.

For confidential information contained in the application, you must indicate which specific portions of the application cannot be made available to the public. These portions of the application must be accompanied with the following statement: "Any request for portions of this application that are marked as confidential must be submitted in writing, pursuant to the Public Information Act, to the TCEQ Public Information Coordinator, MC 197, P.O. Box 13087, Austin, Texas 78711-3087."

5. PROVIDE PROOF OF PUBLICATION

For each newspaper in which you published, you must submit proof of publication. Proof of publication must include the following:

- a completed Publisher's Affidavit (enclosed); and
- a copy of the published notice which shows the notice, the date published, and the newspaper name. The copy must be on standard-size 8½ x 11" paper and must show the actual size of the published notice. Do not reduce the

image when making copies. Published notices longer than 11" must be copied onto multiple 8½ x 11" pages. Or you can submit the original newspaper clipping.

If you are required to publish notice in an alternative language and are unable to do so, complete and submit the Alternative Language Exemption form (enclosed).

6. PROVIDE PROOF OF APPLICATION VIEWING LOCATION

You must submit a completed Public Notice Verification Form (enclosed) which certifies that the administratively complete application was placed at the public place identified in the enclosed notice.

7. SUBMIT PROOFS TO TCEQ

The proof of publication documents (Step 5) and the completed Public Notice Verification Form (Step 6) must be submitted to TCEQ within 30 days of publication.

By email to: PROOFS@tceq.texas.gov

OR by mail at:

TCEQ

Office of the Chief Clerk, MC 105

Attn: Notice Team

P.O. Box 13087

Austin, Texas 78711-3087

NOTE: If proofs are submitted by email, you do not have to mail in the original documents.

Additional Information

If you fail to publish the notice or submit proofs within the timeframes noted above, the TCEQ may suspend further processing on your application or take other actions in accordance with 30 Tex. Admin. Code §39.405(a).

If you have any questions regarding publication requirements, please contact the Office of Legal Services at 512-239-0600. If you have any questions regarding the content of the notice, please contact the Wastewater Permitting Section at 512-239-4671. When contacting TCEQ regarding this application, please refer to the permit number at the top of the enclosed notice.

If you wish to obtain an electronic copy of the notice, please visit our web site at http://www.tceq.texas.gov/agency/cc/cc_db.html or <http://www.tceq.texas.gov/agency/cc/eda.html>. Please be aware that formatting codes may be lost and that any notices downloaded from these web sites must be reformatted by you so that your downloaded copy looks like the notice document you received from us.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



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

PERMIT NO. WQ0001176000

APPLICATION. U.S. Silica Company, 24275 Katy Freeway, Suite 600, Katy, Texas, 77494, which owns an industrial sand mining and processing facility, has applied to the Texas Commission on Environmental Quality (TCEQ) to renew Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0001176000 (EPA I.D. No. TX0001368) to authorize the discharge of treated wastewater at a volume not to exceed a daily average flow of 2,500,000 gallons per day via Outfalls 001, 002 and 004. The facility is located at 4171 Farm-to-Market Road 2749, east of the city of Kosse, in Limestone County, Texas 76653. The discharge route is from the plant site via Outfalls 001, 002, and 004 to White Branch, thence to Steele Creek, thence to Navasota River Below Lake Limestone. TCEQ received this application on February 1, 2024. The permit application will be available for viewing and copying at Groesbeck Maffett Public Library, 601 West Yeagua Street, Groesbeck, 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=-96.510277,31.304166&level=18>

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. TCEQ may act on an application to renew a permit for discharge of wastewater without providing an opportunity for a contested case hearing if certain criteria are met.**

MAILING LIST. If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. If you wish to be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

INFORMATION AVAILABLE ONLINE. For details about the status of the application, visit the Commissioners' Integrated Database at www.tceq.texas.gov/goto/cid. Search the database using the permit number for this application, which is provided at the top of this notice.

AGENCY CONTACTS AND INFORMATION. Public comments and requests must be submitted either electronically at <https://www14.tceq.texas.gov/epic/eComment/>, or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Please be aware that any contact information you provide, including your name, phone number, email address, and physical address will become part of the agency's public record. For more information about this permit application or the permitting

process, please call the TCEQ Public Education Program, Toll Free, at 1-800-687-4040 or visit their website at www.tceq.texas.gov/goto/pep. Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained from U.S. Silica Company at the address stated above or by calling Mr. Wes Penn, Senior Environmental Manager, at 903-780-9594.

Issuance Date: April 3, 2024



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Public Notice Verification Form
Notice of Receipt of Application and Intent to Obtain Permit
(NORI)
Water Quality Permit

All applicants must complete this page.

Applicant Name: [REDACTED]

Site or Facility Name: [REDACTED]

Water Quality Permit Number: [REDACTED]

Regulated Entity Number: RN [REDACTED] Customer Number: CN [REDACTED]

PUBLIC VIEWING LOCATION

I certify that a copy of the complete water quality application, and all revisions, were placed at the following public place for public viewing and copying. I understand that the copy will remain available at the public place from the 1st day of publication of the NORI until the end of the designated comment period. I further understand that the copy will be updated with any revisions to the application.

Name of Public Place: [REDACTED]

Address of Public Place: [REDACTED]

Applicant or Applicant Representative Signature: _____

Title: _____ Date: _____



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Public Notice Verification Form
Notice of Receipt of Application and Intent to Obtain Permit
(NORI)
Water Quality Permit

Complete this page only if you are required to publish in an alternative language and are not able to do so.

Applicant Name: [REDACTED]

Site or Facility Name: [REDACTED]

Water Quality Permit Number: [REDACTED]

Regulated Entity Number: RN [REDACTED] Customer Number: CN [REDACTED]

ALTERNATIVE LANGUAGE EXEMPTION

I certify that I have conducted a diligent search for a newspaper or publication of general circulation in both the municipality and county in which the facility is located or proposed to be located and was unable to publish the notice in the required alternative language because:

- ☐ A newspaper or publication could not be found in any of the alternative languages in which notice is required.
- ☐ The publishers of the newspapers listed below refused to publish the notice as requested, and another newspaper or publication in the same language and of general circulation could not be found in the municipality or county in which the facility is located or proposed to be located.

Newspaper Name: [REDACTED]

Language: [REDACTED]

Applicant or Applicant Representative Signature: _____

Title: _____ Date: _____

Applicant Name: U.S. Silica Company
Permit No.: WQ0001176000

STATE OF TEXAS §
COUNTY OF _____ §

My Commission Expires _____

TCEQ-OFFICE OF THE CHIEF CLERK
MC-105 Attn: Notice Team
P.O. BOX 13087
AUSTIN, TX 78711-3087

Applicant Name: U.S. Silica Company
Permit No.: WQ0001176000

**ALTERNATIVE LANGUAGE
PUBLISHER'S AFFIDAVIT**

STATE OF TEXAS §
COUNTY OF _____ §

Before me, the undersigned notary public, on this day personally appeared

_____, who being by me duly sworn, deposes
(name of person representing newspaper)

and says that (s)he is the _____ of the
(title of person representing newspaper)

_____; that said newspaper is
(name of newspaper)

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

is published primarily in _____ language; that the
(alternative language)

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

_____.

Subscribed and sworn to before me this the _____ day of _____,

20____, by _____
(newspaper representative's signature)

(Seal)

Notary Public in and for the State of Texas

Print or Type Name of Notary Public

My Commission Expires _____

US Silica Company

US Silica Kosse Plant

CHECKLIST FOR ADMIN REVIEW OF INDUSTRIAL INDIVIDUAL PERMIT APPLICATIONS

Permit No. <u>WQ0001176000</u>	EPA ID <u>TX0001368</u>	MGD _____
<u>CN600128268</u>	<u>RN100215672</u>	County <u>Limestone</u> Region No. <u>9</u>
EPA Class. <input type="checkbox"/> Major <input checked="" type="checkbox"/> Minor	App Received Date <u>02/01/24</u>	Expiration Date <u>7/29/24</u>
Status <input type="checkbox"/> Inactive <input checked="" type="checkbox"/> Active	Segment No. <u>1209</u>	Permit Type <input checked="" type="checkbox"/> TPDES <input type="checkbox"/> TLAP
Authorization Type <u>IND WW</u>	Application Type <u>Renewal</u> w/ chg	

Note: A minor facility is generally one in which the final flow is less than 1.0 MGD.

Application Review Date: 2/16/24 (NOD 2/16/24)Admin
Before 3/11

- ☐ A copy of the **groundwater review** was provided (for TLAP new, major amendment, SADD minor amendment, and all applications with (or proposing) Class B sludge provisions).
- ☐ For **new and major amendment applications that propose surface water discharge (TPDES)**, the standards review for RWA comments is included.
- ☐ Coastal Zone sheet is included.

Fees or Penalties Owed: ☐ No ☒ Yes Amount Owed: 200.00

Verified in Basis2 Report: Outstanding Past Due Transactions Detail Report by Customer Name

ADMINISTRATIVE REPORT 1.0 – FOR ALL APPLICATIONS

1. APPLICATION INFORMATION AND FEES

- ☐ Current version of form used
- ☒ Type of application is marked IND WW SW
- ☐ Reason for amendment or modification (if applicable) Also Check Tech Report 1.0, Section 13.

Application Fees: Correct item is checked **and** payment verified in Basis2 Report: Water Quality Receipt Report.

Note: copies of checks should be removed and shredded.

Industrial Application Fee Table

EPA Classification	New	Major Amend.	Renewal	Minor Amendment or Modification without Renewal
Minor, not subject to categ stds	<input type="checkbox"/> \$350	<input type="checkbox"/> \$350	<input type="checkbox"/> \$315	<input type="checkbox"/> \$150
Minor, subject to categ stds	<input type="checkbox"/> \$1,250	<input type="checkbox"/> \$1,250	<input checked="" type="checkbox"/> \$1,215	<input type="checkbox"/> \$150
Major facility	N/A *	<input type="checkbox"/> \$2,050	<input type="checkbox"/> \$2,015	<input type="checkbox"/> \$450

* All new industrial facilities are designated as minor.

2. APPLICANT INFORMATION

- ☒ CN is listed for existing customer.
- ☒ Legal name of applicant is listed (**the owner of the facility must apply for the permit**)
- ☒ Name and title of the person signing the application is listed and matches signature page.
- ☒ Indicated if applicant has overall financial responsibility

Notes:

✓ CDF - incomplete

✓ sig pg not orig. & sig.

✓ Map lacks 1. mi radius

✓ fees owed, 200.00 + update CR (COP)

684404 ✓

- 05 ✓

3. CO-APPLICANT INFORMATION

- ☒ N/A – No Co-applicant.
- ☐ CN is listed for existing customer.
- ☐ Legal name of co-applicant is listed
- ☐ Name and title of the person signing the application is listed and matches signature page.
- ☐ Indicated if co-applicant has overall financial responsibility
- ☐ Legal name of co-applicant is listed (*if required*)

4. CORE DATA FORM

- ☒ Core Data Form (CDF) is provided. A separate CDF is required for each customer.

Section I – General Information

- ☐ Reason for submittal is marked.
- ☐ Customer (CN) and Regulated Entity (RN) Reference Nos. provided – verify with Central Registry

Section II – Customer Information

- ☐ Customer legal name is provided and it matches name on admin report
- ☐ Texas SOS/Filing number is provided – verify with SOS
- ☐ Texas State Tax ID is provided – verify with Texas Comptroller
- ☐ Type of customer is marked – refer to information below
 - ☐ **Corporation:** Check with Secretary of State (SOS). Verify the entity status and charter number – print page. Verify correct legal spelling of applicant's name. Check spelling with SOS against the name listed in the application. (Permit must be issued in name as filed with SOS.) The applicant must be "**In existence and active**" before the application can be processed further.
 - ☐ **Those entities subject to state franchise taxes:** If applicable, check with Comptroller of Public Accounts (CPA) Verify the tax identification number is correct. Note: Non-profit organizations and partnerships are not subject to the state franchise tax
 - ☐ **Individual: Complete Attachment 1 of Admin Report 1.0** The complete legal name, including the middle name; and all other information is required. This info is required by Chapter 26.027C of the Texas Water Code. A separate attachment is required for each individual.
 - ☐ **Utility District:** Check iWDD to verify that district is not dissolved (inactive is O.K. to process)
 - ☐ **Trust:** A copy of an executed trust agreement is provided. Verify that applicant's name is the same as the name in the trust agreement. NOTE: Executed trust must show signatures of trustees or beneficiaries forming the trust and in which county it is recorded.
 - ☐ **Partnership:** Verify with Secretary of State (SOS) that partnership is registered, active, and has a filing number. Check spelling with SOS against the name listed in admin report; Check that SOS # is correct; Print page from SOS website. OR if the partnership is not listed with the SOS, the applicant must provide a copy of the partnership agreement. The agreement must: give the name of the partnership as provided on the application for permit; list names of partners; bear signatures of the partners; and state the terms of the partnership.
 - ☐ **Municipality/Governmental Agencies/School Districts:** City, County, ISD, Fed, etc. – applicable info is listed.
 - ☐ Other _____
- ☐ Number of employees is marked
- ☐ Customer role is marked
- ☐ Mailing address for the applicant is provided - verify on USPS. This address is for mailing the permit.
- ☐ Email address is provided
- ☐ Telephone number is provided

Section III – Regulated Entity Information

- ☒ Regulated Entity Name is provided and it matches name on admin report
- ☒ Street address or location description of facility is adequately described. If different from current permit, new permit may be required. Use GIS mapping to confirm street address.
- ☐ The county where the facility is located is provided
- ☐ The name of the nearest city is provided
- ☐ The zip code is provided
- ☐ The longitude and latitude of the facility is provided – check Map It link by searching for the Additional ID "AI" (WQ permit number) in Central Registry Internal Reporting Tool
- ☐ Primary SIC Code is provided
- ☐ Permit No. listed under TCEQ Programs and ID numbers - if not listed, add it
- ☐ **NOTE:** If other program ID numbers are listed and Update to Regulated Entity is checked in Section III, a copy of the CDF should be emailed to Central Registry EAMT at registry@tceq.texas.gov.

Section IV – Preparer Information

- ☐ Name, title, telephone number, and email address are provided

Section V – Authorized Signature

- ☐ Company name, title, printed name, phone number, signature, and date are provided

5. APPLICATION CONTACT INFORMATION

- ☒ Administrative and Technical contact name and address information is provided (must have at least one)

6. PERMIT CONTACT INFORMATION

- ☒ Permit (2) contact name(s) and address information is provided

7. BILLING CONTACT INFORMATION

- ☒ Billing contact name and address information is provided

8. DMR/MER CONTACT INFORMATION

- ☒ DMR contact name and address information is provided

9. NOTICE INFORMATION

- ☐ **Minor Amendment without Renewal** – NORI not required. Skip review of notice information.
- ☒ Name, address and phone number of one person responsible for publishing NORI is provided.
- ☒ Method of sending NORI package is provided.
- ☐ Name and phone number of contact to be in the NORI is provided.
- ☒ Location where application will be available is provided and is in the county where the facility is located - the location must be a building supported by taxpayer funds. Note: If discharge is directly into water body that borders two counties, application must be placed in a public facility in both counties and the notice must be published in both counties.
- ☒ Bilingual Items 1 – 5 are completed. If "Yes" to question 1 and "Yes" to either question 2, 3 or 4, then e.5 must be completed. Language: NO
- ☐ Plain Language Summary in English is provided for all applications. Verify the customer's name, facility name and location, type of facility, and flow are consistent with the application and notice.
- ☐ Plain Language Summary is provided for any alternative language listed in Section 9, Item E, No. 5, if applicable.

Public Involvement Plan (PIP) All New or Major Amendment Applications

For all PIP forms:

- ☐ Section 1 is completed.
- ☐ Section 2 is completed. All municipal new and major amendment applications require public notice. Verify the geographic location responses are correct using the statistical area map.

If ALL boxes in Section 2 are checked and verified:

- ☐ Sections 3, 6, and 7 are completed.
- ☐ Section 4 is completed, or plain language summary was provided by separate attachment for Section 15.
- ☐ Section 5 is completed. Any languages over 5% in items d and e will require alternative language notice and plain language summary.

10. REGULATED ENTITY and PERMITTED SITE INFORMATION

- ☒ Regulated Entity No. is listed. If not, it is not a deficiency. Verify with Central Registry and PARIS.
- ☒ Name of project or site is provided. Should match AI name (Alt RE name) in Central Registry and PARIS.
- ☒ Marked if location address of the facility in the existing permit the same
- ☒ Owner of the facility identified in the application is the same as the name given in Section 3.A **NOTE: THE OWNER OF THE FACILITY IS REQUIRED TO APPLY FOR THE PERMIT**
(Refer to legal policy memo for complete definition and discussion of facility.)
- ☒ Marked whether ownership of the facility is public, private or both
- ☒ Owner of the land where permitted facility is or will be located is the **SAME** as the applicant.
- ☐ The owner of the land on which the facility is located is **DIFFERENT FROM** the owner of the facility: A copy of a lease agreement or easement, with a term for the duration of the permit, between applicant and landowner, has been provided. See Lease Agreement/Easement Memo dated 2/14/06, that states that a lease is sufficient for pond systems, and that details the provisions that a lease agreement or easement must contain. Lease must identify property by legal description or map.
OR landowner can apply as a co-permittee.

Effluent Disposal Site Owner:

- ☒ N/A - (no effluent disposal proposed)
- ☐ If land disposal is authorized in permit or proposed, the applicant **OWNS** land on which site is located
- ☐ If applicant **DOES NOT OWN** land where site is located, a long-term lease agreement is provided which includes: a term of at least 5 years; is current or it includes an option to renew the term; is between the current applicant and the landowner; and includes description of property by legal description or map.
- ☐ (**For new TLAP permits only:** A copy of an executed option to purchase agreement may be provided to show that applicant will have ownership of the land upon permit approval.)

Sewage Sludge Disposal Site Owner:

- ☐ N/A - (no sludge disposal proposed)
- ☐ If sludge is authorized in permit or proposed, the applicant **OWNS** land on which disposal site is located, otherwise lease is needed unless Class B sludge is land applied. Check the permit under Sludge Provisions to determine if sludge is authorized. Note: For BLU sludge application - lease is not needed; landowner just needs to sign sludge affidavit (if different from applicant).

11. DISCHARGE/DISPOSAL INFORMATION

- ☒ Identified whether or not facility or discharge are on Native American Land (If yes, we do not have permit authority.)
- ☐ An ORIGINAL or equivalent FULL-SIZED USGS 7.5-minute topographic map (8½ x 11 acceptable for amendment and renewal applications) is provided and labeled showing:
 - ☒ applicant's property boundary
 - ☒ treatment facility boundaries
 - ☒ point(s) of discharge (outfalls)
 - ☒ discharge route for three miles downstream or until it reaches a classified segment
 - ☐ effluent disposal site(s)
 - ☐ pond(s)
 - ☐ sludge disposal/land application site
 - ☒ one-mile radius - ?

All original or equivalent full-sized maps must show:

- | | |
|---|---|
| <input type="checkbox"/> Color map | <input type="checkbox"/> Bottom, must show scale |
| <input type="checkbox"/> Clear contour lines | <input type="checkbox"/> Bottom, identify contour intervals |
| <input type="checkbox"/> Upper left corner must identify map as USGS | <input type="checkbox"/> Bottom, national map accuracy std. |
| <input type="checkbox"/> Lower left corner, datum & project information | <input type="checkbox"/> Bottom, show State of TX and quad location |
| <input type="checkbox"/> Bottom, magnetic declination | <input type="checkbox"/> Around map, lat and long coordinates |
| | <input type="checkbox"/> Bottom, quadrangle name |
| | <input type="checkbox"/> Bottom, must identify map date |
- ☐ For permits that allow sewage disposal the location description is adequately described. For an already-existing permit, check to see that the location has not changed.

Discharge Information:

- ☒ Checked if discharge info in permit is correct. If applicable, the discharge route description is adequately described and describes the discharge route to the nearest major watercourse. Changing the point of discharge and route from the current permit description requires a major amendment.
- ☒ The name of the city (or nearest city) where the outfall(s) is/will be located has been provided. *Kosse Limestone Co*
- ☒ The county where the outfall is located is provided.
- ☒ Marked item regarding authorization for discharge into a city, county, state or federal ditch. If applicable, correspondence is provided. Email TXDOT if discharge is to a **state** highway right-of-way or roadside ditch.
- ☐ For a daily average flow of 5 MGD or more: the names of all counties in Texas that are located within 100 miles downstream from the point of discharge.

Disposal Information:

- ☐ The written location description of the disposal site is adequately described. **(NOTE: A CHANGE IN LOCATION OR INCREASE IN ACREAGE REQUIRES A MAJOR AMENDMENT. A decrease in acreage may also be a major amendment (due to flow rate) - check with permit writer)**
- ☐ The name of the city (or nearest city) has been provided.
- ☐ The county where the disposal site is located is provided
- ☐ The longitude and latitude of the disposal site is provided.
- ☐ The written flow of effluent from the facility to the effluent disposal site is adequately described.
- ☐ The nearest watercourse to the disposal site is listed.

12. MISCELLANEOUS INFORMATION

- ☒ Indicates whether any former TCEQ employees who were paid for services regarding this application.
- ☒ Fees or Penalties Owed: ☒ No ☐ Yes - See page 1 of checklist _____

13. SIGNATURE PAGE

Note: The signature information below lists the proper signatories for the various entities; however, the current version of the application contains a paragraph referencing 30 TAC 305.44. The person signing the application verifies that he or she is authorized, under this rule, to sign the application. We must verify that the title meets the requirements or signatory authority has been delegated and proof has been provided.

- ☐ Original Signature Page is required. *NO*
- ☐ Signature must be properly notarized – check that signature date and notarized date are the same.

Applicant

Co-Applicant

- | | |
|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> City - Elected official or principle executive officer of the city may be public works director. |
| <input type="checkbox"/> | <input type="checkbox"/> Individual: only the individual signs for himself/herself. |
| <input type="checkbox"/> | <input type="checkbox"/> Partnership: General Partner or exec officer |
| <input type="checkbox"/> | <input type="checkbox"/> Corporation: at least the level of vice president (CEO, Chairman of Board, Secretary) |
| <input type="checkbox"/> | <input type="checkbox"/> Utility District: at least the level of vice president, on Board of Directors or District Manager |
| <input type="checkbox"/> | <input type="checkbox"/> Water Authority: Regional managers. |
| <input type="checkbox"/> | <input type="checkbox"/> School Districts: at least level of the Assistant Superintendent or board members. |
| <input type="checkbox"/> | <input type="checkbox"/> Governmental Agencies: Division Directors or Regional Directors. |
| <input type="checkbox"/> | <input type="checkbox"/> Trust: The trustee that has been identified in the trust agreement. |
| <input type="checkbox"/> | <input type="checkbox"/> Other: _____ |

ADMIN REPORT 1.1 For All New or Major Amendment Applications

1. AFFECTED LANDOWNER INFORMATION

Landowner Map:

- ☐ The applicant's complete property boundaries are delineated which includes boundaries of all contiguous property owned by the applicant and the co-applicant
- ☐ The property boundaries of the landowners surrounding the applicant's complete property boundaries have been clearly delineated on the map (for lignite mines, see below).
- ☐ The location of the facility within applicant's property is shown.

For TPDES applications:

- ☐ The point(s) of discharge is clearly identified on the map and the discharge route(s) is highlighted.
- ☐ The scale of map is provided to measure one mile downstream **or** if discharge is into a lake, bay estuary, or affected by tides, ½ mile up & down stream is measured.
- ☐ The property boundaries of landowners adjacent to the discharge route(s) for one mile downstream from the point of discharge have been clearly delineated and the route is clearly delineated. **OR** If discharge is into a lake, bay estuary, or affected by tides, the property boundaries of landowners ½ mile up & downstream and those property owners across the lake along the shore line that fall within a ½ mile radius of the point of discharge are clearly delineated on the map.

(Note 1) If the application is a major amendment for a **lignite mine**, the map shall include the property boundaries of all landowners within a ½ mile radius of the newly proposed pond(s)/outfall(s). If notice has previously been given to all landowners within the ½ mile radius of the newly proposed pond(s)/outfall(s), identification of landowners isn't required; however, a written statement confirming that notice was previously given is required. (Note 2) For all other mines, all landowner's adjacent to the property boundaries where the mine is located must be identified.

For TLAP - land disposal of effluent (i.e., irrigation, evaporation, etc.):

- ☐ The boundaries of the disposal site are clearly identified on the map.
- ☐ The boundaries of all landowners surrounding the disposal site.

For All New and Major Amendment

- ☐ Cross-referenced list of landowners is provided
- ☐ USB with Microsoft Word document formatted for mailing labels (Avery 5160) or four sets of mailing labels were provided.
- ☐ Source of landowners' info was provided.
- ☐ Provided response regarding permanent school fund land. If information filled out on General Land Office, then indicate so on the contact sheet.

For All TPDES Permit Applications

SUPPLEMENTAL PERMIT INFORMATION FORM (SPIF)

- ☐ SPIF is provided (TPDES only)
- ☐ SPIF Map is included or confirm USGS map is sufficient

TECHNICAL REPORT – INDUSTRIAL APPLICATIONS

- ☐ **Minor Amendment without Renewal.** Review not required. Just make sure report is provided.
- ☐ Description of type of activity and general nature of business.
- ☐ The flow volume for all outfalls is indicated in tables – Tech Report 1.0 Section 4
 - ☐ Flow indicated is greater than permitted, a major amendment is required
 - ☐ Flow indicated is less than permitted, confirm with applicant that they are requesting to reduce flow
- ☐ Amendment and Modification Requests in Tech Report 1.0 Section 13: Check to see if there are any amendment or modification requests.
- ☐ The permit authorizes irrigation/evaporation/subsurface disposal method, and the irrigation/evaporation/subsurface information has been addressed in the technical report. If the acreage is more than is currently permitted, a major amendment is required.

The applicable worksheets must be completed:

- ☐ Worksheet 3.0 - required for land disposal of effluent
- ☐ Worksheet 3.1 - required for surface land disposal (new and major amendment only)
- ☐ Worksheet 3.2 - required for subsurface land disposal (new and major amendment only)
- ☐ Worksheet 3.3 - required for subsurface area drip dispersal systems (SADDs) (new and major amendment); may be required for renewal on a case-by-case basis.
- ☐ SADDs Applications: When the application is administratively complete, a copy of the application and a transmittal letter must be sent to the State Department of Health Services. See the folder titled "SADDs" (under the Individual Permit Review folder) for a template of the letter.
- ☐ Worksheet 9.0 – required for SADD applications

The Following Items Only Apply to Quarries in The John Graves Scenic Riverway

- ☐ Worksheet 10 must be completed
- ☐ Restoration plan must be submitted. Plan must be certified by a licensed Texas PE or a licensed Texas professional geoscientist.
- ☐ Reclamation plan must be submitted for a quarry located 200 - 1,500 feet from a perennial water body. Plan must be certified by a licensed Texas PE or a licensed Texas professional geoscientist.
- ☐ A technical demonstration document must be submitted for a quarry located 200 - 1,500 feet from a perennial water body.
- ☐ Financial Assurance documents must be submitted:
 - ☐ Financial Assurance for the Restoration plan
 - ☐ Financial Assurance for the Reclamation plan (if reclamation plan must be submitted)
 - ☐ A copy of the original financial assurance documents (make a copy for our file) must be sent, via interoffice mail, to Jacob Engelke, of the Financial Assurance team. Accompanying the financial assurance documents, send the first 5 pages of the application, along with a copy of the restoration plan and a copy of the reclamation plan (if a reclamation plan is submitted). We must have confirmation from Jacob stating that the financial assurance is satisfactory, before we can declare the application administratively complete.

WHEN APPLICATION IS NOT ADMINISTRATIVELY COMPLETE:

- ☐ Complete NOD. See NOD SOP

WHEN APPLICATION IS ADMINISTRATIVELY COMPLETE:

NORI not required for minor amendment. Complete the Routing and Contact (list "n/a" for item about person responsible for publication of the notice) Blue sheets only.

- ☐ Complete NORI package. See NORI SOP
- ☐ Prepare SPIF forms (only for TPDES permits)
- ☐ checked application type
 - ☐ entered county name
 - ☐ entered administrative completeness date
 - ☐ ensured permit number is on form
 - ☐ *check agency receiving SPIF
 - ☐ **Minor amendments** - ALL agencies **BUT** Texas Historical Commission and Army Corps of Engineers
 - ☐ **Renewals** - All agencies **BUT** Texas Historical Commission
 - ☐ **New and Major Amendments** - All agencies
 - ☐ check that the segment number (if known) is entered in receiving water body information.
 - ☐ On the accompanying map, delineate the discharge route in such a way that copies will reflect the highlighted discharge route.

***NOTE:** Copy of SPIFs not required for Houston - US Fish and Wildlife and Galveston-US Army Corps of Engineers. Reference SPIF Routing Sheet.

Admin Complete PARIS Entry and Other Reminders

WQ Folder - Application Search

Application Summary Tab

- ☐ Verify application Summary and Details. Update as needed.

Admin Review Tab

- ☒ Admin Review Begin Date
- ☒ Admin Complete Date
- ☐ All NOD Sent, Response Received, Response Complete Dates
- ☐ SPIF Required (Yes/No)
- ☐ NORI Required (Yes/No)

Public Participation Tab -

- ☐ NORI - Date notice is filed with CCO
- ☐ Public Notice Details - Notice Contact Information

CR Folder - RE Search

AI Detail Screen - Verify AI Details and Physical Address. Update as needed.

View Contact List - Enter or Update Contact Information for these roles:

- ☒ Owner
- ☒ Applicant
- ☒ Technical
- ☒ Billing
- ☐ MER (TLAP only)
- ☐ Remove CN affiliation for MER contact (TLAP and TPDES)

View EPA ID from AI List

- ☐ View Customer List and verify CN is affiliated to EPA ID or add affiliation.

OTHER

- ☐ Copy notice (and labels for New and Major Amendments), to H:\EVERYONEWQ\Water Quality App Team\Notice of Receipts
- ☐ Copy NORI and PLS to H:\EVERYONEWQ\WQD Notices
- ☐ Copy contact sheet to H:\EVERYONEWQ\Blue Contact Sheets
- ☐ SADDs - Send letter and copy of complete application to Dept. of Health Services
- ☐ Email TXDOT if discharge is to a state highway right-of-way or roadside ditch



9737 Great Hills Trl, Ste 340, Austin, TX 78759 / P 512.349.5800 / F 512.233.0803 / trinityconsultants.com

February 27, 2024

Ms. Rachel Ellis
Texas Commission on Environmental Quality
Water Quality Division
Mail Code 148
12100 Park 35 Circle
Austin, Texas 78753

RE: *Application to Renew Industrial Water Permit No. WQ0001176000 (EPA I.D. TX0001368)
Response to TCEQ Letter Dated February 16, 2024.
Issued to U.S. Silica Company (Customer Number [CN] 600128268)
Site Name: Kosse Plant (Regulated Entity Number [RN] 100215672)*

Dear Ms. Ellis:

U.S. Silica Company (USS) is registered with the Texas Commission on Environmental quality under CN600128268. USS's Kosse Plant has been assigned TCEQ RN100215672. USS has obtained Texas Pollutant Discharge Elimination System (TPDES) Industrial Wastewater Permit No. WQ0001176000 for the Kosse Plant, which is located at 4171 Farm to Market Road 2749 in Kosse, Limestone County, TX.

A permit renewal application was submitted to the TCEQ on February 1, 2024. With this letter, USS is providing responses to questions received from the TCEQ on the application.

RESPONSE TO TCEQ QUESTIONS

- 1. Application Fee: Section 1, Application Fee on page 2 of the administrative report: We have found that the following additional outstanding fees and must be paid before we can process your application and issue the permit.*

<i>Account No.</i>	<i>Fee Type</i>	<i>Amount Owed:</i>
<i>20045546</i>	<i>FY24 TRX05DD76</i>	<i>\$200.00</i>

Total: \$200.00

The payments should be mailed to TCEQ, Revenue Section (MC 214), P.O. Box 13088, Austin, TX 78711-3088. Please send a copy of the checks in payment of the fees with your response. If you have any questions regarding the outstanding fees, you may contact the Revenues Operation Section at 512-239-0300. Please use Mail Code 214 when submitting payment for the outstanding fees

USS understands and has paid the fee amount of \$200.00. The receipt is attached in Attachment 1.

HEADQUARTERS

12700 Park Central Dr, Ste 600, Dallas, TX 75251 / P 800.229.6655 / P 972.661.8100 / F 972.385.9203



2. *Administrative Report, Signature Page, Item 13: The signature is not valid because a scanned copy of the signature page was submitted. An original signature is required. Please provide the original (wet ink) signature page bearing the notarized signature of Mr. Jason Bish, (send via U.S. mail).*

An original signature page is attached in Attachment 2.

3. *Map: The topographic maps submitted are insufficient because it lacks the one mile radius in all directions of the facility. USGS 7.5 minute topographic maps, (A map submitted by e-mail is acceptable as long as the map is 8 1/2 x 11 inches, is of the same quality as an original topographic map, and has a scale.) showing and labeling the following items are required.*
 - o *an area of not less than one mile in all directions from the facility.*

USS understands and has attached the revised topographic map in Attachment 3.

4. *Core Data Form (CDF): Applicants are required to complete a Core Data Form (Form No. 10400). Please return the completed form with your response to this letter. Please address each item, do not refer to the wastewater application.*

USS understands and has attached the Core Data Form (Form No. 10400) in Attachment 4.

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

APPLICATION. *U.S. Silica Company, 200 North La Salle Street, Suite 2100, Chicago, Illinois, 60601, which owns an industrial sand mining and processing facility, has applied to the Texas Commission on Environmental Quality (TCEQ) to renew Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0001176000 (EPA I.D. No. TX0001368) to authorize the discharge of treated wastewater at a volume not to exceed a daily average flow of 2,500,000 gallons per day via Outfalls 001, 002 and 004. The facility is located at 4171 Farm-to-Market Road 2749, east of the city of Kosse, in Limestone County, Texas 76653. The discharge route is from the plant site via Outfalls 001, 002, and 004 to White Branch, thence to Steele Creek, thence to Navasota River Below Lake Limestone. TCEQ received this application on February 1, 2024. The permit application will be available for viewing and copying at Groesbeck Maffett Public Library, 601 West Yeagua Street, Groesbeck, 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=-96.510277,31.304166&level=18>

Further information may also be obtained from U.S. Silica Company at the address stated above or by calling Mr. Wes Penn, Senior Environmental Manager, at 903-780 9594.

The address shown above is no longer valid. The current address is as follows:

**U.S. Silica Company
24275 Katy Freeway, Suite 600
Katy, Texas 77494**

This updated address has also been reflected in the revised core data form.

6. *Please use the attached Plain Language Summary (PLS) Template to provide a plain language summary in English. Please provide the PLS in a Microsoft Word document complete with customer name, facility name, location, type of facility and flow consistent with the application.*

The Plain Language Summary is attached in Attachment 5.

TRINITY CONSULTANTS



Pete Buckman, PE
Managing Consultant

Attachments

cc: Wes Penn, U.S. Silica Company
Jason Neuman, TCEQ Region 9

ATTACHMENT 1
ePay Receipt Voucher

Print this voucher for your records. If you are sending the TCEQ hardcopy documents related to this payment, include a copy of this voucher.

Transaction Information

Voucher Number: 692070
Trace Number: 582EA000597507
Date: 02/27/2024 09:38 AM
Payment Method: CC - Authorization 0000088297
Voucher Amount: \$200.00
Fee Type: General Permit Stormwater
Fee AR Number: 20045546
ePay Actor: JAMES PENN
Actor Email: wes.penn@ussilica.com
IP: 165.225.216.183

Payment Contact Information

Name: JAMES PENN
Company: US SILICA
Address: 24275 KATY FWY SUITE 600, KATY, TX 77494
Phone: 903-780-9594

Billing Information

Billing Name: US SILICA COMPANY
Billing Address: 24275 KATY FWY STE 600, KATY, TX 77494 7271

Close

ATTACHMENT 2
Administrative Report Signature Page

Item 13. SIGNATURE PAGE (Instructions, Pages 32-33)

Permit No: WQ0001176-000

Applicant Name: U.S. Silica Company

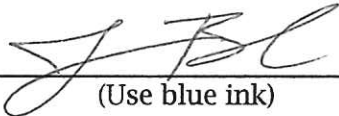
Certification: I, Jason Bish, certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the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

I further certify that I am authorized under 30 Texas Administrative Code §305.44 to sign and submit this document and can provide documentation in proof of such authorization upon request.

Signatory name (typed or printed): Jason Bish

Signatory title: VP EHS

Signature: _____


(Use blue ink)

Date: _____

1/29/2024

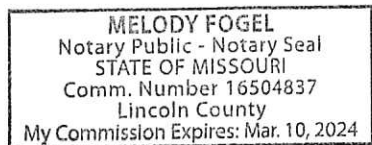
Subscribed and Sworn to before me by the said VP EHS of US Silica

on this 29th day of January, 2024.

My commission expires on the 10th day of March, 2024.


Notary Public

[SEAL]

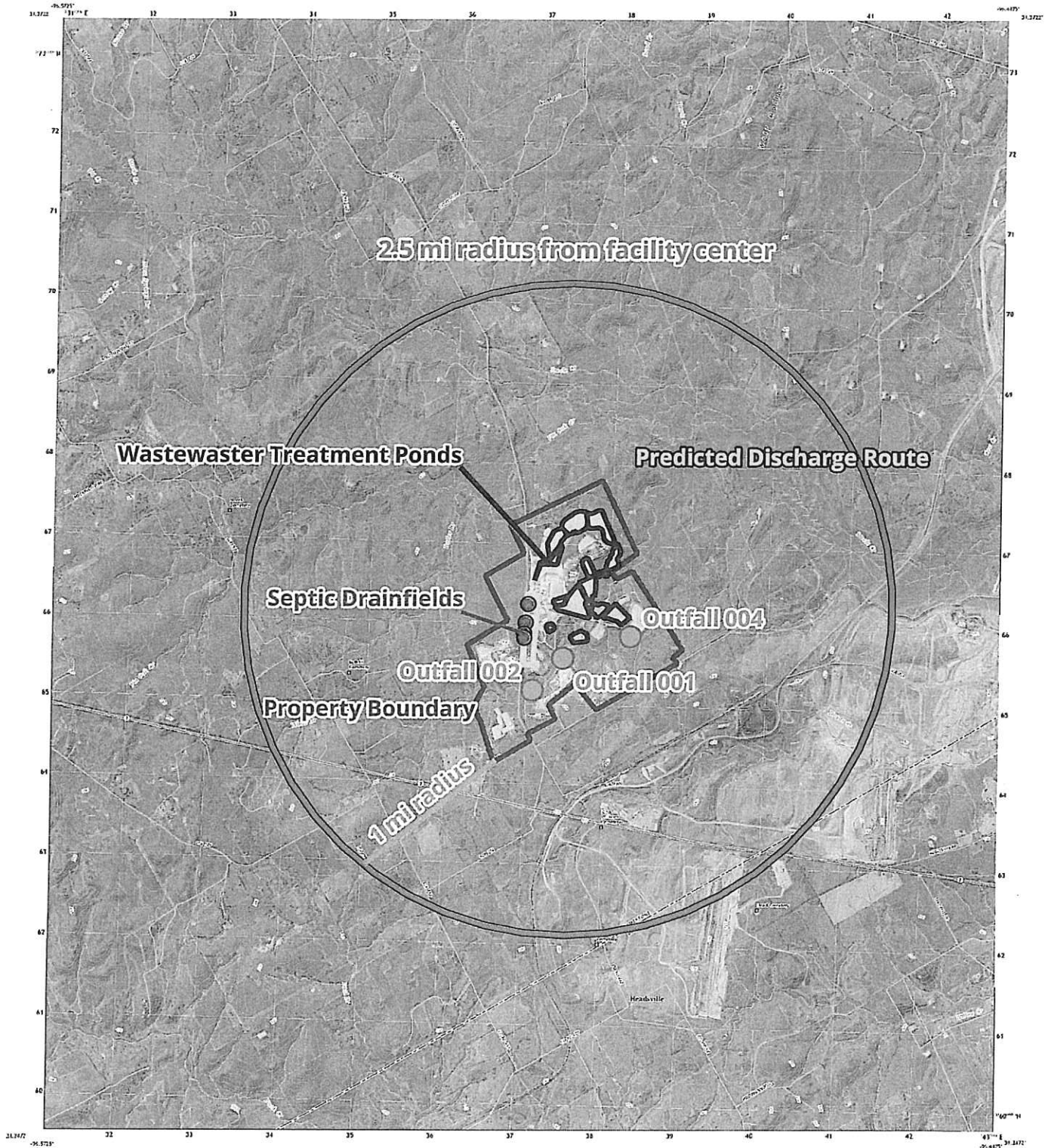


St. Charles, MO
County, Texas

St. Charles County State of Missouri

Note: If co-applicants are necessary, each entity must submit an original, separate signature page.

ATTACHMENT 3
Revised Topographic Map



Produced by the United States Geological Survey
Natl. Aquatic Resour. Div. FAL 0000-0

[illegible]

EXPENSES: 100.00

CONTINUED FROM PAGE 12

[illegible]

	Control		
For many		will pay	

DATA CLASSIFICATION

Expendable _____	Local Control Unit _____
Secondary/Utility _____	Local Council _____
Waste _____	Waste _____

 Intermediate Waste MSW Land Solid Waste

7.5-MINUTE TOPO, TX
2024

ATTACHMENT 4

Core Data Form



TCEQ Core Data Form

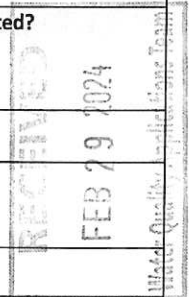
For detailed instructions on completing this form, please read the Core Data Form Instructions or call 512-239-5175.

SECTION I: General Information

1. Reason for Submission (If other is checked please describe in space provided.)		
<input type="checkbox"/> New Permit, Registration or Authorization (Core Data Form should be submitted with the program application.)		
<input checked="" type="checkbox"/> Renewal (Core Data Form should be submitted with the renewal form)		<input type="checkbox"/> Other
2. Customer Reference Number (if issued)	Follow this link to search for CN or RN numbers in Central Registry**	3. Regulated Entity Reference Number (if issued)
CN 600128268		RN 100215672

SECTION II: Customer Information

4. General Customer Information		5. Effective Date for Customer Information Updates (mm/dd/yyyy)	
<input type="checkbox"/> New Customer <input checked="" type="checkbox"/> Update to Customer Information <input type="checkbox"/> Change in Regulated Entity Ownership			
<input type="checkbox"/> Change in Legal Name (Verifiable with the Texas Secretary of State or Texas Comptroller of Public Accounts)			
The Customer Name submitted here may be updated automatically based on what is current and active with the Texas Secretary of State (SOS) or Texas Comptroller of Public Accounts (CPA).			
6. Customer Legal Name (If an individual, print last name first: eg: Doe, John)		If new Customer, enter previous Customer below:	
U.S. Silica Company			
7. TX SOS/CPA Filing Number	8. TX State Tax ID (11 digits)	9. Federal Tax ID (9 digits)	10. DUNS Number (if applicable)
2757206	12309586704	230958670	8936841
11. Type of Customer:		Partnership: <input type="checkbox"/> General <input type="checkbox"/> Limited	
<input checked="" type="checkbox"/> Corporation		<input type="checkbox"/> Individual	
Government: <input type="checkbox"/> City <input type="checkbox"/> County <input type="checkbox"/> Federal <input type="checkbox"/> Local <input type="checkbox"/> State <input type="checkbox"/> Other		<input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Other:	
12. Number of Employees		13. Independently Owned and Operated?	
<input type="checkbox"/> 0-20 <input checked="" type="checkbox"/> 21-100 <input type="checkbox"/> 101-250 <input type="checkbox"/> 251-500 <input type="checkbox"/> 501 and higher		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
14. Customer Role (Proposed or Actual) – as it relates to the Regulated Entity listed on this form. Please check one of the following			
<input type="checkbox"/> Owner <input type="checkbox"/> Operator <input checked="" type="checkbox"/> Owner & Operator <input type="checkbox"/> Other:			
<input type="checkbox"/> Occupational Licensee <input type="checkbox"/> Responsible Party <input type="checkbox"/> VCP/BSA Applicant			
15. Mailing Address:			
24275 Katy Freeway, Suite 600			
City: Katy State: TX ZIP: 77494 ZIP + 4: 7271			
16. Country Mailing Information (if outside USA)		17. E-Mail Address (if applicable)	
18. Telephone Number		19. Extension or Code	
		20. Fax Number (if applicable)	



SECTION III: Regulated Entity Information**21. General Regulated Entity Information** (If 'New Regulated Entity' is selected, a new permit application is also required.)☐ New Regulated Entity ☐ Update to Regulated Entity Name ☐ Update to Regulated Entity Information*The Regulated Entity Name submitted may be updated, in order to meet TCEQ Core Data Standards (removal of organizational endings such as Inc, LP, or LLC).***22. Regulated Entity Name** (Enter name of the site where the regulated action is taking place.)

Kosse Plant

23. Street Address of the Regulated Entity:

4171 Farm to Market 2749

(No PO Boxes)

City	Kosse	State	TX	ZIP	76653	ZIP + 4	3839

24. County

If no Street Address is provided, fields 25-28 are required.

25. Description to**Physical Location:****26. Nearest City****State****Nearest ZIP Code***Latitude/Longitude are required and may be added/updated to meet TCEQ Core Data Standards. (Geocoding of the Physical Address may be used to supply coordinates where none have been provided or to gain accuracy).***27. Latitude (N) In Decimal:**

31.304139

28. Longitude (W) In Decimal:

-96.510264

Degrees

Minutes

Seconds

Degrees

Minutes

Seconds

31

18

15

-96

30

37

29. Primary SIC Code**30. Secondary SIC Code****31. Primary NAICS Code****32. Secondary NAICS Code**

(4 digits)

(4 digits)

(5 or 6 digits)

(5 or 6 digits)

1446

212322

33. What is the Primary Business of this entity? (Do not repeat the SIC or NAICS description.)

Mining and processing of industrial sand

34. Mailing**Address:**

4171 Farm to Market 2749

City

Kosse

State

TX

ZIP

76653

ZIP + 4

3839

35. E-Mail Address:**36. Telephone Number****37. Extension or Code****38. Fax Number** (if applicable)

() -

() -

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

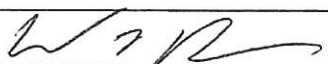
<input type="checkbox"/> Dam Safety	<input type="checkbox"/> Districts	<input type="checkbox"/> Edwards Aquifer	<input type="checkbox"/> Emissions Inventory	<input type="checkbox"/> Industrial Hazardous Waste
<input type="checkbox"/> Municipal Solid Waste	<input type="checkbox"/> New Source Review Air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

SECTION IV: Preparer Information

40. Name:	Pete Buckman, P.E.	41. Title:	Managing Consultant
42. Telephone Number	43. Ext./Code	44. Fax Number	45. E-Mail Address
(757) 769-1105		() -	pbuckman@trinityconsultants.com

SECTION V: Authorized Signature

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

Company:	U.S. Silica Company	Job Title:	Senior Environmental Manager
Name (In Print):	Wes Penn	Phone:	(903) 780- 9594
Signature:		Date:	2/27/24



ATTACHMENT 5

Plain Language Summary

INDUSTRIAL WASTEWATER/STORMWATER RENEWAL APPLICATION

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.

U.S. Silica Company (CN600128268) operates the Kosse Plant RN100215672, a industrial sand mining and processing facility. The facility is located at 4171 Farm-to-Market Road 2749, in Kosse, Limestone County, Texas 76653.

This application is for a renewal with no modifications or changes to discharge process generated wastewater, area runoff, and water from mine dewatering in Outfalls 001, 002, and 004 up to 2.5 million gallons per day (MGD) from any one outfall and up to 4.0 MGD total combined flow.

Discharges from the facility are expected to contain chromium (hexavalent) and copper. Wastewater, process water, and stormwater are treated by settling pond for sedimentation and caustic soda for pH control. The Kosse Plant operations include sand and clay mining operations, wet and dry processing of sand, various sand handling operations, bagging operations, and truck and railcar load outs. Sand and clay deposits are mined from an open pit mine and stockpiled in a staging area. The materials are then conveyed from the staging area to the processing area, where the sand is separated from the clay, sized, stored, dried, and shipped via truck. The mined clay is not processed any further once it has been separated from the sand.

Flow to the outfalls at the Kosse Plant is intermittent as the ponds have the capacity to contain large quantities of precipitation. Discharges from Outfalls 001 and 002 rarely occur, as the pond capacity far exceeds the volume of precipitation from normal rainfall events. There were no discharges from Outfalls 001, 002, or 004 in the twelve months preceding submittal of the TPDES permit renewal application.

[ZIP Code™ by Address \(/zip-code-lookup.htm?byaddress\)](https://www.usps.com/zip-code-lookup.htm?byaddress)

[ZIP Code™ by City and State \(/zip-code-lookup.htm?bycitystate\)](https://www.usps.com/zip-code-lookup.htm?bycitystate)

[Cities by ZIP Code™ \(/zip-code-lookup.htm?citybyzipcode\)](https://www.usps.com/zip-code-lookup.htm?citybyzipcode)

[FAQs \(https://www.usps.com/zip-code-lookup.htm?citybyzipcode\)](https://www.usps.com/zip-code-lookup.htm?citybyzipcode)

Look Up a ZIP Code™ FAQs

Go to

ZIP Code™ by Address

You entered:

24275 KATY FREEWAY SUITE 600
KATY TX

If more than one address matches the information provided, try narrowing your search by entering a street address and, if applicable, a unit number. **Edit and search again. ([zip-code-lookup.htm?byaddress](https://www.usps.com/zip-code-lookup.htm?byaddress))**

24275 KATY FWY STE 600
KATY TX **77494-7271**

Feedback

[Look Up Another ZIP Code™](#)

[Edit and Search Again \(/zip-code-lookup.htm?byaddress\)](https://www.usps.com/zip-code-lookup.htm?byaddress)



Basis 2 A/R Outstanding Past Due Transactions Detail Report By Customer Name

FEB-16-24 06:30 AM

Customer Name: US OIL RECOVERY LP

Account #: 23704098

Debtcolpath Stage: WHOLD:REFERRED,UNCOL:EXHAUST

Calls: ADDRCHNG,NOTES,M
AIL

WDV	SC00055649	ADMIN PENALTY-JUN 2011	10-JUN-11	10-JUN-11		\$2.75
WDV	SC00057473	ADMIN PENALTY-JUL 2011	11-JUL-11	11-JUL-11		\$2.75
WDV	SC00059116	ADMIN PENALTY-AUG 2011	10-AUG-11	10-AUG-11		\$2.75
WDV	SC00060936	ADMIN PENALTY-SEP 2011	12-SEP-11	12-SEP-11		\$2.75
WDV	SC00062547	ADMIN PENALTY-OCT 2011	10-OCT-11	10-OCT-11		\$2.75
WDV	SC00064264	ADMIN PENALTY-NOV 2011	10-NOV-11	10-NOV-11		\$2.75
WDV	SC00066409	ADMIN PENALTY-DEC 2011	12-DEC-11	12-DEC-11		\$2.75
WDV	SC00068206	ADMIN PENALTY-JAN 2012	10-JAN-12	10-JAN-12		\$2.75
WDV	SC00070261	ADMIN PENALTY-FEB 2012	10-FEB-12	10-FEB-12		\$2.75
WDV	SC00072855	ADMIN PENALTY-MAR 2012	12-MAR-12	12-MAR-12		\$2.75

Total of delinquent transactions (Account): \$621.50

Total of delinquent transactions (Customer): \$621.50

Customer Name: US POLESTAR MARINE ENGINEERING

Account #: 0313650G

Debtcolpath Stage: WHOLD:REFERRED,UNCOL:EXHAUST

Calls:

HWG	HWG0054385	HAZ WASTE GEN FEE TONS: FY07	0000086560	30-SEP-06	31-OCT-06	\$100.00
HWG	SC2802-001	LATE FEE FOR HWG0054385	0000086560	10-OCT-07	10-OCT-07	\$.77
HWG	SC2803-001	LATE FEE FOR HWG0054385	0000086560	09-NOV-07	09-NOV-07	\$.77
HWG	SC2902-001	LATE FEE FOR HWG0054385	0000086560	10-OCT-08	10-OCT-08	\$.69

Total of delinquent transactions (Account): \$102.23

Account #: 20003721

Debtcolpath Stage: WHOLD:REFERRED

Calls: MAIL

GPS	SC2609-001	LATE FEE FOR GPS0047904	TXR05K097	10-MAY-06	10-MAY-06	\$.69	
GPS	GPS0074243	GEN PMTS STORMWTR	FY07	TXR05K097	31-DEC-06	31-JAN-07	\$200.00

Total of delinquent transactions (Account): \$200.69

Total of delinquent transactions (Customer): \$302.92

Customer Name: US READYMIX INC

Account #: 23614635

Debtcolpath Stage: ATTGEN:REFENF

Calls: NOTES

WQV	WQV0038538	ADMIN PENALTY	FY22	200670WQE	31-AUG-22	30-SEP-22	\$42000.00
-----	------------	---------------	------	-----------	-----------	-----------	------------

Total of delinquent transactions (Account): \$42000.00

Total of delinquent transactions (Customer): \$42000.00

Customer Name: US SAND & GRAVEL LLC

Account #: 20048965

Debtcolpath Stage:

Calls:

GPS	GPS0267255	SW WQ ANNUAL FEE	FY24	TXR05GA50	31-DEC-23	31-JAN-24	\$200.00
GPS	GPS0267256	SW WQ ANNUAL FEE	FY24	TXR05GB02	31-DEC-23	31-JAN-24	\$200.00
GPS	GPS0267257	SW WQ ANNUAL FEE	FY24	TXR05GE51	31-DEC-23	31-JAN-24	\$200.00

Total of delinquent transactions (Account): \$600.00

Total of delinquent transactions (Customer): \$600.00

Customer Name: US SILICA COMPANY

Account #: 20045546

Debtcolpath Stage:

Calls: HOLD

GPS	GPS0263966	SW WQ ANNUAL FEE	FY24	TXR05DD76	31-DEC-23	31-JAN-24	\$200.00
-----	------------	------------------	------	-----------	-----------	-----------	----------

Total of delinquent transactions (Account): \$200.00

Total of delinquent transactions (Customer): \$200.00

Customer Name: US SOUTHERN CORP

Account #: 20009644

Debtcolpath Stage: UNCOL:EXHAUST

Calls:

GPS	GPS0106406	GEN PMTS STORMWTR	FY08	TXR15X704	31-DEC-07	31-JAN-08	\$100.00
GPS	GPS0106405	GEN PMTS STORMWTR	FY08	TXR159546	31-DEC-07	31-JAN-08	\$90.00



4171 FM-2749, Kosse, TX, 7665 X



Show search results for 4171 FM-274...



Search result

4171 FM-2749, Kosse, TX, 76653, USA

[Zoom to](#)

2749



300ft

-96.503 31.307 Degrees

TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number: 2757206
Original Date of Filing: June 12, 1968
Formation Date: N/A
Tax ID: 12309586704
Entity Type: Foreign For-Profit Corporation
Entity Status: In existence
FEIN:
Name: U.S. SILICA COMPANY
Address: 106 SAND MINE ROAD
Berkeley Springs, WV 25411 USA
Fictitious Name: N/A
Jurisdiction: DE, USA
Foreign Formation Date: N/A

<u>REGISTERED AGENT</u>	<u>FILING HISTORY</u>	<u>NAMES</u>	<u>MANAGEMENT</u>	<u>ASSUMED NAMES</u>	<u>ASSOCIATED ENTITIES</u>	<u>INITIAL ADDRESS</u>
Name		Address			Inactive Date	
CT CORP SYSTEM		1999 Bryan St., Ste. 900 Dallas, TX 75201-3136 USA				

Instructions:

- To place an order for additional information about a filing press the 'Order' button.



Water Quality Receipt Report

FEB-15-24 09:00 PM

Paid In By: WCM GROUP INC (THE)

<u>Acct.Name</u>	<u>Fee</u>	<u>Endorse. #</u>	<u>Ref#2</u>	<u>PayTyp</u>	<u>Check#</u>	<u>Card#</u>	<u>Tran.Date</u>	<u>Rec.Amnt</u>
WATER QUALITY	WQP	M400131		CK	4526		05-SEP-23	-\$100.00
PERMIT APPLICATION								

Paid In By: WEBSTER, CITY OF

<u>Acct.Name</u>	<u>Fee</u>	<u>Endorse. #</u>	<u>Ref#2</u>	<u>PayTyp</u>	<u>Check#</u>	<u>Card#</u>	<u>Tran.Date</u>	<u>Rec.Amnt</u>
WATER QUALITY	WQP	M316823A	10520001	CK	137223		23-MAY-23	-\$2000.00
PERMIT APPLICATION								
NOTICE FEES WQP	PTGQ	M316823B	10520001	CK	137223		23-MAY-23	-\$15.00
WATER QUALITY PMT								

Paid In By: WENDY LINN

<u>Acct.Name</u>	<u>Fee</u>	<u>Endorse. #</u>	<u>Ref#2</u>	<u>PayTyp</u>	<u>Check#</u>	<u>Card#</u>	<u>Tran.Date</u>	<u>Rec.Amnt</u>
WATER QUALITY	WQP	PI00745647	580228	IFCE	582EA0004		08-JUN-22	-\$500.00
PERMIT APPLICATION					94160			
NOTICE FEES WQP	PTGQ	PI00745648	580229	IFCE	582EA0004		08-JUN-22	-\$15.00
WATER QUALITY PMT					94160			

Paid In By: WES PENN

<u>Acct.Name</u>	<u>Fee</u>	<u>Endorse. #</u>	<u>Ref#2</u>	<u>PayTyp</u>	<u>Check#</u>	<u>Card#</u>	<u>Tran.Date</u>	<u>Rec.Amnt</u>
WATER QUALITY	WQP	PI00934932	684404	IFCE	582EA0005		01-FEB-24	-\$1200.00
PERMIT APPLICATION					90471			
NOTICE FEES WQP	PTGQ	PI00934933	684405	IFCE	582EA0005		01-FEB-24	-\$15.00
WATER QUALITY PMT					90471			

Paid In By: WEST JEFFERSON COUNTY MUNICIPAL WATER DISTRICT

<u>Acct.Name</u>	<u>Fee</u>	<u>Endorse. #</u>	<u>Ref#2</u>	<u>PayTyp</u>	<u>Check#</u>	<u>Card#</u>	<u>Tran.Date</u>	<u>Rec.Amnt</u>
WATER QUALITY	WQP	M316471A	14899001	CK	33476		11-MAY-23	-\$500.00
PERMIT APPLICATION								
NOTICE FEES WQP	PTGQ	M316471B	14899001	CK	33476		11-MAY-23	-\$15.00
WATER QUALITY PMT								

Paid In By: WESTFIELD MOBILE HOME COMMUNITY LTD

<u>Acct.Name</u>	<u>Fee</u>	<u>Endorse. #</u>	<u>Ref#2</u>	<u>PayTyp</u>	<u>Check#</u>	<u>Card#</u>	<u>Tran.Date</u>	<u>Rec.Amnt</u>
WATER QUALITY	WQP	M317980A	12555001	CK	12007		26-JUN-23	-\$800.00
PERMIT APPLICATION								

Paid In By: WESTWOOD MOBILE HOME COMMUNITY LTD

<u>Acct.Name</u>	<u>Fee</u>	<u>Endorse. #</u>	<u>Ref#2</u>	<u>PayTyp</u>	<u>Check#</u>	<u>Card#</u>	<u>Tran.Date</u>	<u>Rec.Amnt</u>
NOTICE FEES WQP	PTGQ	M317980B	12555001	CK	12007		26-JUN-23	-\$15.00
WATER QUALITY PMT								

Paid In By: WESTWOOD PROFESSIONAL SERVICES INC

<u>Acct.Name</u>	<u>Fee</u>	<u>Endorse. #</u>	<u>Ref#2</u>	<u>PayTyp</u>	<u>Check#</u>	<u>Card#</u>	<u>Tran.Date</u>	<u>Rec.Amnt</u>
WATER QUALITY	WQP	M405962A	14173001	CK	199082		01-DEC-23	-\$800.00
PERMIT APPLICATION								
NOTICE FEES WQP	PTGQ	M405962B	14173001	CK	199082		01-DEC-23	-\$15.00
WATER QUALITY PMT								

Paid In By: WGA SAN ANTONIO PLLC

<u>Acct.Name</u>	<u>Fee</u>	<u>Endorse. #</u>	<u>Ref#2</u>	<u>PayTyp</u>	<u>Check#</u>	<u>Card#</u>	<u>Tran.Date</u>	<u>Rec.Amnt</u>
WATER QUALITY	WQP	M309089A		CK	50206		17-JAN-23	-\$300.00
PERMIT APPLICATION								
NOTICE FEES WQP	PTGQ	M309089B		CK	50206		17-JAN-23	-\$50.00
WATER QUALITY PMT								

Groesbeck Maffett Public Library


★★★★★ Facebook (22) · Library

 Website

 Directions

Calendar


 601 W Yeagua St, Groesbeck, TX 76642

 (254) 729-3667


 **Closed** · Opens tomorrow 9 AM ▲

Friday	Closed
Saturday	9 AM - noon
Sunday	Closed
Monday	10:30 AM - 5 PM Presidents Day, hours may vary
Tuesday	10:30 AM - 5 PM
Wednesday	10:30 AM - 5 PM
Thursday	10:30 AM - 6 PM

See hours on official site

 Suggest an edit · Your business? Claim now

Add more information

 Add photos

It shall be the mission of the Groesbeck Public Library to provide a space to explore information, and to provide services on a fair and equitable basis to all individuals and groups in the ... See more



Franchise Tax Account Status

As of : 02/16/2024 11:33:00

This page is valid for most business transactions but is not sufficient for filings with the Secretary of State

U.S. SILICA COMPANY	
Texas Taxpayer Number	12309586704
Mailing Address	24275 KATY FWY STE 600 KATY, TX 77494-7271
? Right to Transact Business in Texas	ACTIVE
State of Formation	DE
Effective SOS Registration Date	06/12/1968
Texas SOS File Number	0002757206
Registered Agent Name	CT CORP SYSTEM
Registered Office Street Address	1999 BRYAN ST., STE. 900 DALLAS, TX 75201

Central Registry Internal Reporting

Main Query Page , Program Area Search

Additional ID Detail

Additional ID Program	WWPERMIT		Legacy System (Code)	(WQ)	
Additional ID	WQ0001176000	Status	ACTIVE		ID Type PERMIT
Name	US SILICA KOSSE PLANT			Sec. Addn Id	TX0001368, EPA ID
Physical Address	Not on file				
Description	LOCATED ON THE E SIDE OF FM 2749 APPROX 1 MI N OF THE INTERX OF SH 7 AND FM 2749				
County	LIMESTONE	Region	REGION 09 - WACO		
Nearest City	KOSSE	State	TX		Nearest Zip
Latitude	31° 18 min 15 sec (31.304166)		Longitude	96° 30 min 37 sec (-96.510277)	

Map It

Copy Map It URL

Industry Types

Classification System	Code	Name	Primary Flag
NAICS	212324	Kaolin and Ball Clay Mining	Y
SIC	1446	Industrial Sand	Y

Industry Type: (1-2 of 2 Records)

Site Classifications

Program	Site Classification	Begin Date	End Date	CMS Min Freq Qty
WASTEWATER	INDUSTRIAL MINOR	01/1/1800	12/31/3000	0

Site Classification: (1-1 of 1 Record)

Customers

List All

CN Number	Name ▲	Role
CN600128268	US SILICA COMPANY	OWN

Customers: (1-1 of 1 Record)

Issued To

CN Number	Issued To Name	Start Date	'Issued To' History
CN600128268	U.S. Silica Company	07/29/2019	View

Issued To: (1-1 of 1 Record)

Regulated Entity

Reference Number	RN100215672	Name	US SILICA	Stand-Alone	N
Business Description	INDUSTRIAL CHEMICAL MANUFACTURING PLANT				

Location

Address	4171 FM 2749, KOSSE, TX 76653 3839				
Description					
County	LIMESTONE	Region	REGION 09 - WACO		
Nearest City	KOSSE	State	TX	Nearest Zip	76653
Latitude			Longitude		

[Site Help](#) | [Disclaimer](#) | [Web Policies](#) | [Accessibility](#) | [Our Compact with Texans](#) | [TCEQ Homeland Security](#) | [Contact Us](#) | [Central Registry](#)Statewide Links: [Texas.gov](#) | [Texas Homeland Security](#) | [TRAIL Statewide Archive](#) | [Texas Veterans Portal](#)

INDUSTRIAL/MUNICIPAL APPLICATIONS ROUTE SHEET

New_____

Major Amend_____

Minor Amend_____

Renewal X

Major Facility_____

Application Reviewer ✓ Technical Reviewer_____

Final Flow ≥ 1MGD_____

DATE APPLICATION RECEIVED 2/1/2024

PERMIT NUMBER 0001176000

PRE PREVIEW BY STANDARDS (RWA) _____

Route original application of new and major amendments, discharge only. The original application must be returned to the applications team within 4 hours of receipt.

N/A X

PRE PREVIEW BY GROUNDWATER _____

TLAP Only: Route copy of new and major amend.

N/A X

PRE TECH REVIEW REQUIRED _____

Route copy of new, major amendments, major facilities or final flow ≥ 1MGD for Municipal.

N/A X

COASTAL ZONE DETERMINATION _____

Route copy of new application or major amendment when the facility is located in the noted county

N/A X

COMMENTS ARE DUE TO APPLICATIONS TEAM BY CLOSING ON _____

PRE TECH REVIEW PERFORMED BY _____

THE ATTACHMENT SHOULD BE PROVIDED TO THE APPLICATIONS TEAM AT THE END OF THE 5TH WORKING DAY

Coastal Zone Determination

(To Be Verified Upon Receipt Of The Application)

Permit Number 0001176000 County Limestone

Indicate Type of Application:

☒ **Renewal** ☐ **Minor Amendment** ☐ **Major Amendment**

Is the facility on the Coastal Zone list?

☐ **YES** (Coastal Zone statement will be included in the "Notice of Draft Permit") (If a major amendment - statement will be included in the "Notice of Receipt")

☒ **NO** (Do not include statement in any notice)

☐ **New** ☐ **Major Amendment**

Is the facility located in one of the following counties?

<input type="checkbox"/> Aransas	<input type="checkbox"/> Galveston	<input type="checkbox"/> Kleberg	<input type="checkbox"/> San Patricio
<input type="checkbox"/> Brazoria	<input type="checkbox"/> Harris	<input type="checkbox"/> Matagorda	<input type="checkbox"/> Victoria
<input type="checkbox"/> Calhoun	<input type="checkbox"/> Jackson	<input type="checkbox"/> Nueces	<input type="checkbox"/> Willacy
<input type="checkbox"/> Cameron	<input type="checkbox"/> Jefferson	<input type="checkbox"/> Orange	
<input type="checkbox"/> Chambers	<input type="checkbox"/> Kenedy	<input type="checkbox"/> Refugio	

☐ **YES** Send the application to Water Quality Assessment Team for Coastal Zone Determination.

☐ **NO** No further review needed (Do not include statement in any notice)

Water Quality Assessment Team's determination:

Is the discharge in the Coastal Zone?

☐ **YES** Coastal Zone statement shall be included in the Admin Complete Notice

☐ **NO** Do not include statement in the Admin Complete Notice

Return to Applications Team by _____



9737 Great Hills Trl, Ste 340, Austin, TX 78759 / P 512.349.5800 / F 512.233.0803 / trinityconsultants.com

January 30, 2024

Executive Director
Applications Review and Processing Team, MC-148
Texas Commission on Environmental Quality
12100 Park 35 Circle
Austin, TX 78753

RE: U.S. Silica Company – Kosse Plant
TPDES Industrial Wastewater Permit No. WQ0001176000 Renewal
Regulated Entity Number: RN109938530
Customer Reference Number: CN600128268

To Whom It May Concern:

U.S. Silica Company (USS) owns and operates a nonmetallic mineral mining and processing facility in Kosse, Limestone County, Texas (Kosse Plant). USS has been assigned Texas Commission on Environmental Quality (TCEQ) Customer Number (CN) 600128268. The Kosse Plant has been assigned TCEQ Regulated Entity Number (RN) 100215672

USS is submitting an industrial wastewater permit renewal and minor modification application for Texas Pollutant Discharge Elimination System (TPDES) Industrial Wastewater Permit No. WQ0001176000. This application is being submitted at least 180 days prior to the permit expiration date of July 29, 2024. The permit renewal fee has been paid under separate cover.

If you have any questions about this submittal or require additional information, please contact Wes Penn, U.S. Silica Company, at (903) 780-9594 or me at (757) 769-1105.

Sincerely,

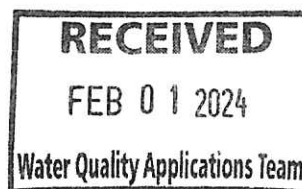
TRINITY CONSULTANTS

A handwritten signature in black ink that reads "Pete Buckman". The signature is written in a cursive, flowing style.

Pete Buckman, PE
Managing Consultant

Enclosures

cc: Wes Penn, U.S. Silica Company
Jason Neuman, TCEQ Region 9



"

HEADQUARTERS

12700 Park Central Dr, Ste 2100, Dallas, TX 75251 / P 800.229.6655 / P 972.661.8100 / F 972.385.9203

INDUSTRIAL WASTEWATER PERMIT

Renewal



U.S. Silica Company / Kosse Plant

Prepared By:

Pete Buckman, P.E. – Managing Consultant
Jeremy Harrison – Associate Consultant

TRINITY CONSULTANTS

9737 Great Hills Trl
#340
Austin, TX 78759
(512)-349-5800

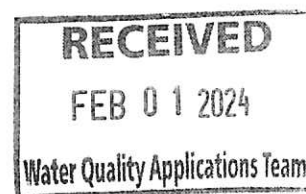
January 2024



Trinity
Consultants

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ATTACHMENT 1: CORE DATA FORM	
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ATTACHMENT 3: FACILITY MAP	
ATTACHMENT 4: PROCESS FLOW DIAGRAM / WATER BALANCE	
ATTACHMENT 5: GENERAL TESTING REQUIREMENTS INFO	
ATTACHMENT 6: EPAY COPY OF VOUCHER	



1. EXECUTIVE SUMMARY

U.S. Silica Company (USS) is registered with the Texas Commission on Environmental Quality (TCEQ) under Customer Number (CN) 600128268. USS's Kosse Plant has been assigned TCEQ Regulated Entity Number (RN) 100215672. USS has obtained Texas Pollutant Discharge Elimination System (TPDES) Industrial Wastewater Permit No. WQ0001176000 for the Kosse Plant, which is located at 4171 Farm to Market Road 2749 in Kosse, Limestone County, TX. This renewal application is being submitted prior to the permit expiration date of July 29, 2024.

Outfall Sampling

Flow to the outfalls at the Kosse Plant is intermittent as the ponds have the capacity to contain large quantities of precipitation. Discharges from Outfalls 001 and 002 rarely occur, as the pond capacity far exceeds the volume of precipitation from normal rainfall events. There were no discharges from Outfalls 001, 002, or 004 in the twelve months preceding submittal of the TPDES permit renewal application. Discharges from Outfall 004 are managed through a series of ponds to facilitate solids settling. Discharges from Outfall 004 are conducted when sufficient water volumes are available or to meet the sampling requirements. There has been three discharges from Outfall 004 since May, 2018 due to the low levels of precipitation in the area. As such, USS was able to obtain three samples for Table 2 of Technical Report Worksheet 2.0 during March, August, and December of 2021. The results for the three Outfall 004 discharges of 2021 are included in Technical Report Worksheet 2.0 along with data from the last four available Discharge Monitoring Reports (DMRs).

Technical Report 1.0, Question 6

The directions for Question 6 in Technical Report 1.0 say to "briefly describe the industrial processes and activities that occur outdoors or in some manner that may result in exposure of the materials to precipitation or runoff in areas where runoff is generated." There is no space on the form to provide this description, so the answer to this question is provided below.

Settling ponds used in mining and processing activities collect stormwater on property. This is a mining and processing of industrial sand site. All stormwaters are commingled with industrial wastewaters in settling ponds and discharged from three permitted outfalls.



ATTACHMENT 1: CORE DATA FORM



TCEQ Core Data Form

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

SECTION I: General Information

1. Reason for Submission (If other is checked please describe in space provided.)		
<input type="checkbox"/> New Permit, Registration or Authorization (Core Data Form should be submitted with the program application.)		
<input checked="" type="checkbox"/> Renewal (Core Data Form should be submitted with the renewal form)		<input type="checkbox"/> Other
2. Customer Reference Number (if issued)	Follow this link to search for CN or RN numbers in Central Registry**	3. Regulated Entity Reference Number (if issued)
CN 600128268		RN 100215672

SECTION II: Customer Information

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

RECEIVED

FEB 01 2024

Water Quality Applications Team

SECTION III: Regulated Entity Information

21. General Regulated Entity Information (If 'New Regulated Entity' is selected, a new permit application is also required.)							
<input type="checkbox"/> New Regulated Entity <input type="checkbox"/> Update to Regulated Entity Name <input type="checkbox"/> Update to Regulated Entity Information							
The Regulated Entity Name submitted may be updated, in order to meet TCEQ Core Data Standards (removal of organizational endings such as Inc, LP, or LLC).							
22. Regulated Entity Name (Enter name of the site where the regulated action is taking place.)							
23. Street Address of the Regulated Entity: (No PO Boxes)							
	City		State		ZIP		ZIP + 4
24. County							
If no Street Address is provided, fields 25-28 are required.							
25. Description to Physical Location:							
26. Nearest City					State	Nearest ZIP Code	
Latitude/Longitude are required and may be added/updated to meet TCEQ Core Data Standards. (Geocoding of the Physical Address may be used to supply coordinates where none have been provided or to gain accuracy).							
27. Latitude (N) In Decimal:				28. Longitude (W) In Decimal:			
Degrees	Minutes	Seconds		Degrees	Minutes	Seconds	
29. Primary SIC Code (4 digits)	30. Secondary SIC Code (4 digits)		31. Primary NAICS Code (5 or 6 digits)		32. Secondary NAICS Code (5 or 6 digits)		
33. What is the Primary Business of this entity? (Do not repeat the SIC or NAICS description.)							
34. Mailing Address:							
	City		State		ZIP		ZIP + 4
35. E-Mail Address:							
36. Telephone Number	37. Extension or Code		38. Fax Number (if applicable)				
() -			() -				



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

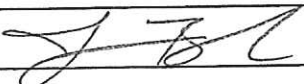
<input type="checkbox"/> Dam Safety	<input type="checkbox"/> Districts	<input type="checkbox"/> Edwards Aquifer	<input type="checkbox"/> Emissions Inventory, Air	<input type="checkbox"/> Industrial Hazardous Waste
<input type="checkbox"/> Municipal Solid Waste	<input type="checkbox"/> New Source Review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

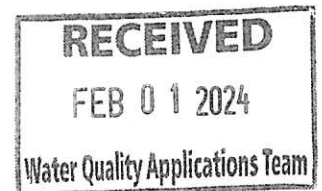
SECTION IV: Preparer Information

40. Name:	Pete Buckman, P.E.	41. Title:	Managing Consultant
42. Telephone Number	43. Ext./Code	44. Fax Number	45. E-Mail Address
(757) 769-1105		() -	pbuckman@trinityconsultants.com

SECTION V: Authorized Signature

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

Company:	U.S. Silica Company	Job Title:	VP EHS
Name (In Print):	Jason Blish	Phone:	(314) 678- 7855
Signature:		Date:	1/29/2024



2. INDUSTRIAL WASTEWATER PERMIT REPORTS

Submission Checklist

Industrial Administrative Report 1.0

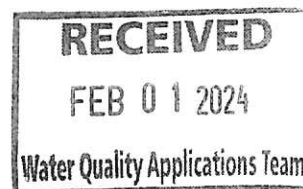
Industrial Technical Report 1.0

Technical Report Worksheet 1

Technical Report Worksheet 2

Technical Report Worksheet 4

Technical Report Worksheet 7



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

TCEQ INDUSTRIAL WASTEWATER PERMIT APPLICATION

INDUSTRIAL ADMINISTRATIVE REPORT 1.0

This report is required for all applications for TPDES permits and TLAPs. Contact the Applications Review and Processing Team at 512-239-4671 with any questions about completing this report

Item 1. Application Information and Fees (Instructions, Page 25)

- a. Complete each field with the requested information, if applicable.

Applicant Name: U.S. Silica Company EPA ID No.: TX0001368

Permit No.: WQ0001176-000 Expiration Date: 07/29/2024

- b. Check the box next to the appropriate authorization type.

☒ Industrial Wastewater (wastewater and stormwater)

☐ Industrial Stormwater (stormwater only)

- c. Check the box next to the appropriate facility status.

☒ Active

☐ Inactive

- d. Check the box next to the appropriate permit type.

☒ TPDES Permit

☐ TLAP

- e. Check the box next to the appropriate application type.

☐ New

☐ Renewal with changes

☒ Renewal without changes

☐ Major amendment with renewal

☐ Major amendment without renewal

☐ Minor amendment without renewal

☐ Minor modification without renewal

- f. If applying for an amendment or modification, describe the request: N/A

- g. Application Fee

EPA Classification	New	Major Amend. (with or without renewal)	Renewal (with or without changes)	Minor Amend. / Minor Mod. (without renewal)
Minor facility not subject to EPA categorical effluent guidelines (40 CFR Parts 400-471)	<input type="checkbox"/> \$350	<input type="checkbox"/> \$350	<input type="checkbox"/> \$315	<input type="checkbox"/> \$150
Minor facility subject to EPA categorical effluent guidelines (40 CFR Parts 400-471)	<input type="checkbox"/> \$1,250	<input type="checkbox"/> \$1,250	<input checked="" type="checkbox"/> \$1,215	<input type="checkbox"/> \$150
Major facility	N/A ¹	<input type="checkbox"/> \$2,050	<input type="checkbox"/> \$2,015	<input type="checkbox"/> \$450

For TCEQ Use Only

Segment Number 0209 County Limestone
 Expiration Date 7/29/2024 Region 09-Waco
 Permit Number 0001176000

¹ All facilities are designated as minors until formally classified as a major by EPA.

h. Payment Information

Mailed

Check or money order No.: [Click to enter text.](#) Check or money order amt.: \$1,215

Named printed on check or money order: [Click to enter text.](#)

Epay

Voucher number: 684404; 684405

Copy of voucher attachment: 6

Item 2. Applicant Information (Instructions, Pages 25)

- a. Customer Number, if applicant is an existing customer: CN600128268

Note: Locate the customer number using the [TCEO's Central Registry Customer Search](#)².

- b. Legal name of the entity (applicant) applying for this permit: U.S. Silica Company

Note: The owner of the facility must apply for the permit. The legal name must be spelled exactly as filed with the TX SOS, Texas Comptroller of Public Accounts, County, or in the legal documents forming the entity.

- c. Name and title of the person signing the application. (**Note:** The person must be an executive official that meets signatory requirements in 30 TAC § 305.44.)

☒ Mr. ☐ Ms. First/Last Name: Jason Bish

Title: VP EHS

Credential: [Click to enter text.](#)

- d. Will the applicant have overall financial responsibility for the facility?

☒ Yes ☐ No

Note: The entity with overall financial responsibility for the facility must apply as a co-applicant, if not the facility owner.

Item 3. Co-applicant Information (Instructions, Page 26)

☒ Check this box if there is no co-applicant.; otherwise, complete the below questions.

- a. Legal name of the entity (co-applicant) applying for this permit: [Click to enter text.](#)

Note: The legal name must be spelled exactly as filed with the TX SOS, Texas Comptroller of Public Accounts, County, or in the legal documents forming the entity.

- b. Customer Number (if applicant is an existing customer): [Click to enter text.](#)

Note: Locate the customer number using the [TCEQ's Central Registry Customer Search](#).

- c. Name and title of the person signing the application. (**Note:** The person must be an executive official that meets signatory requirements in 30 TAC § 305.44.)

☐ Mr. ☐ Ms. First/Last Name: [Click to enter text.](#)

Title: [Click to enter text.](#)

Credential: [Click to enter text.](#)

- d. Will the co-applicant have overall financial responsibility for the facility?

☐ Yes ☐ No

Note: The entity with overall financial responsibility for the facility must apply as a co-applicant, if not the facility owner.

² <https://www15.tceq.texas.gov/crpub/index.cfm?fuseaction=cust.CustSearch>

Item 4. Core Data Form (Instructions, Pages 26)

- a. Complete one Core Data Form (TCEQ Form 10400) for each customer (applicant and co-applicant(s)) and include as an attachment. If the customer type selected on the Core Data Form is Individual, complete Attachment 1 of the Administrative Report. Attachment: 1

Item 5. Application Contact Information (Instructions, Page 26)

Provide names of two individuals who can be contact for additional information about this application. Indicate if the individual can be contact about administrative or technical information, or both.

- a. ☒ Administrative Contact ☒ Technical Contact
☒ Mr. ☐ Ms. Full Name (First and Last): Wes Penn
Title: Senior Environmental Manager Credential: Click to enter text.
Organization Name: U.S. Silica Company
Mailing Address: 24275 Katy Freeway, Suite 600
City: Katy State: Texas Zip Code: 77494
Phone No: 903-780-9594 Fax No: Click to enter text. Email: wes.penn@ussilica.com
- b. ☐ Administrative Contact ☒ Technical Contact
☒ Mr. ☐ Ms. Full Name (First and Last): Pete Buckman
Title: Managing Consultant Credential: P.E.
Organization Name: Trinity Consultants
Mailing Address: 9737 Great Hills Trl Ste#340
City: Austin State: Texas Zip Code: 78759
Phone No: 757-769-1105 Fax No: Click to enter text. Email: pbuckman@trinityconsultants.com
Attachment: N/A

Item 6. Permit Contact Information (Instructions, Pages 26)

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

- a. ☒ Mr. ☐ Ms. Full Name (First and Last): Jason Bish
Title: VP EHS Credential: Click to enter text.
Organization Name: U.S. Silica Company
Mailing Address: 24275 Katy Freeway, Suite 600
City: Katy State: Texas Zip Code: 77494
Phone No: 314-678-7855 Fax No: Click to enter text. Email: jbish@ussilica.com
- b. ☒ Mr. ☐ Ms. Full Name (First and Last): Wes Penn
Title: Senior Environmental Manager Credential: Click to enter text.
Organization Name: U.S. Silica
Mailing Address: 24275 Katy Freeway, Suite 600
City: Katy State: Texas Zip Code: 77494
Phone No: 903-780-9594 Fax No: Click to enter text. Email: wes.penn@ussilica.com

Attachment: N/A

Item 7. Billing Contact Information (Instructions, Page 27)

The permittee is responsible for paying the annual fee. The annual fee will be assessed for permits **in effect on September 1 of each year**. The TCEQ will send a bill to the address provided in this section. The permittee is responsible for terminating the permit when it is no longer needed (form TCEQ-20029).

Provide the complete mailing address where the annual fee invoice should be mailed and the name and phone number of the permittee's representative responsible for payment of the invoice.

☒ Mr. ☐ Ms. Full Name (First and Last): Wes Penn

Title: Senior Environmental Manager Credential: Click to enter text.

Organization Name: U.S. Silica

Mailing Address: 24275 Katy Freeway, Suite 600

City: Katy

State: Texas

Zip Code: 77494

Phone No: 903-780-9594

Fax No: Click to enter text.

Email: wes.penn@ussilica.com

Item 8. DMR/MER Contact Information (Instructions, Page 27)

Provide the name and mailing address of the person delegated to receive and submit DMRs or MERs. **Note:** DMR data must be submitted through the NetDMR system. An electronic reporting account can be established once the facility has obtained the permit number.

☒ Mr. ☐ Ms. Full Name (First and Last): Wes Penn

Title: Senior Environmental Manager Credential: Click to enter text.

Organization Name: U.S. Silica

Mailing Address: 24275 Katy Freeway, Suite 600

City: Katy

State: Texas

Zip Code: 77494

Phone No: 903-780-9594

Fax No: Click to enter text.

Email: wes.penn@ussilica.com

Item 9. NOTICE INFORMATION (Instructions, Pages 27

a. Individual Publishing the Notices

☒ Mr. ☐ Ms. Full Name (First and Last): Wes Penn

Title: Senior Environmental Manager Credential: Click to enter text.

Organization Name: U.S. Silica

Mailing Address: 24275 Katy Freeway, Suite 600

City: Katy

State: Texas

Zip Code: 77494

Phone No: 903-780-9594

Fax No: Click to enter text.

Email: wes.penn@ussilica.com

b. Method for Receiving Notice of Receipt and Intent to Obtain a Water Quality Permit Package (only for NORI, NAPD will be sent via regular mail)

☒ E-mail: wes.penn@ussilica.com

☐ Fax: Click to enter text.

☐ Regular Mail (USPS)

Mailing Address: 24275 Katy Freeway, Suite 600

City: Katy

State: Texas

Zip Code: 77494

c. Contact in the Notice

☒ Mr. ☐ Ms Full Name (First and Last): Wes Penn

Title: Senior Environmental Manager Credential: Click to enter text.

Organization Name: U.S. Silica

Phone No: 903-780-9594

Fax No: Click to enter text.

Email: wes.penn@ussilica

d. Public Viewing Location Information

Note: If the facility or outfall is located in more than one county, provide a public viewing place for each county.

Public building name: Groesbeck Public Library
text.

Location within the building: Click to enter

Physical Address of Building: 601 West Yeagua Street

City: Groesbeck County: Cathy

e. Bilingual Notice Requirements

This information is required for new, major amendment, minor amendment or minor modification, and renewal applications.

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

Please call the bilingual/ESL coordinator at the nearest elementary and middle schools and obtain the following information to determine whether an alternative language notices are required.

1. Is a bilingual education program required by the Texas Education Code at the elementary or middle school nearest to the facility or proposed facility?

☐ Yes ☒ No

If no, publication of an alternative language notice is not required; skip to Item 8 (Regulated Entity and Permitted Site Information.)

2. Are the students who attend either the elementary school or the middle school enrolled in a bilingual education program at that school?

☐ Yes ☐ No

3. Do the students at these schools attend a bilingual education program at another location?

☐ Yes ☐ No

4. Would the school be required to provide a bilingual education program, but the school has waived out of this requirement under 19 TAC §89.1205(g)?

☐ Yes ☐ No ☐ N/A

5. If the answer is yes to question 1, 2, 3, or 4, public notices in an alternative language are required. Which language is required by the bilingual program? Click to enter text.

f. Plain Language Summary Template – Complete the Plain Language Summary at the end of this application.

- g. Complete one Public Involvement Plan (PIP) Form (TCEQ Form 20960) for each application for a new permit or major amendment and include as an attachment. Attachment: Click to enter text.

Item 10. Regulated Entity and Permitted Site Information (Instructions Pages 28-30)

- a. TCEQ issued Regulated Entity Number (RN), if available: RN100215672

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

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

- c. Is the location address of the facility in the existing permit the same?

☒ Yes ☐ No ☐ N/A (new permit)

Note: If the facility is located in Bexar, Comal, Hays, Kinney, Medina, Travis, Uvalde, or Williamson County, additional information concerning protection of the Edwards Aquifer may be required.

- d. Owner of treatment facility:

☐ Mr. ☐ Ms. Full Name (First and Last): Click to enter text.

or Organization Name: U.S. Silica

Mailing Address: 24275 Katy Freeway, Suite 600

City: Katy

State: Texas

Zip Code: 77494

Phone No: 254-252-2006

Fax No: Click to enter text.

Email: wes.penn@ussilica.com

- e. Ownership of facility: ☐ Public ☒ Private ☐ Both ☐ Federal

- f. Owner of land where treatment facility is or will be: U.S. Silica Company

☐ Mr. ☐ Ms. Full Name (First and Last): Click to enter text.

or Organization Name: U.S. Silica Company

Mailing Address: 24275 Katy Freeway, Suite 600

City: Katy

State: Texas

Zip Code: 77494

Phone No: 254-252-2006

Fax No: Click to enter text.

Email: wes.penn@ussilica.com

Note: If not the same as the facility owner, attach a long-term lease agreement in effect for at least six years (In some cases, a lease may not suffice - see instructions). Attachment: Click to enter text.

- g. Owner of effluent TLAP disposal site (if applicable): N/A

☐ Mr. ☐ Ms. Full Name (First and Last): Click to enter text.

or Organization Name: Click to enter text.

Mailing Address: Click to enter text.

City: Click to enter text.

State: Click to enter text.

Zip Code: Click to enter text.

Phone No: Click to enter text.

Fax No: Click to enter text.

Email: Click to enter text.

Note: If not the same as the facility owner, attach a long-term lease agreement in effect for at least six years. Attachment: Click to enter text.

- h. Owner of sewage sludge disposal site (if applicable):

☐ Mr. ☐ Ms. Full Name (First and Last): N/A

or Organization Name: Click to enter text.

Mailing Address: Click to enter text.

City: [Click to enter text.](#)

State: [Click to enter text.](#)

Zip Code: [Click to enter text.](#)

Phone No: [Click to enter text.](#)

Fax No: [Click to enter text.](#)

Email: [Click to enter text.](#)

Note: If not the same as the facility owner, attach a long-term lease agreement in effect for at least six years. Attachment: [Click to enter text.](#)

Item 11. TDPES Discharge/TLAP Disposal Information (Instructions, Pages 30-32)

- a. Is the facility located on or does the treated effluent cross Native American Land?

☐ Yes ☒ No

- b. Attach an original full size USGS Topographic Map (or an 8.5"×11" reproduced portion for renewal or amendment applications) with all required information. Check the box next to each item below to confirm it has been included on the map.

☐ One-mile radius

☐ Three-miles downstream information

☒ Applicant's property boundaries

☒ Treatment facility boundaries

☒ Labeled point(s) of discharge

☐ Highlighted discharge route(s)

☐ Effluent disposal site boundaries

☐ All wastewater ponds

☒ Sewage sludge disposal site

☐ New and future construction

Attachment: 2

- c. Is the location of the sewage sludge disposal site in the existing permit accurate?

☐ Yes ☐ No or New Permit

If no, or a new application, provide an accurate location description: N/A

- d. Are the point(s) of discharge in the existing permit correct?

☒ Yes ☐ No or New Permit

If no, or a new application, provide an accurate location description: [Click to enter text.](#)

- e. Are the discharge route(s) in the existing permit correct?

☒ Yes ☐ No or New Permit

If no, or a new permit, provide an accurate description of the discharge route: [Click to enter text.](#)

- f. City nearest the outfall(s): Kosse

- g. County in which the outfalls(s) is/are located: Limestone

- h. Is or will the treated wastewater discharge to a city, county, or state highway right-of-way, or a flood control district drainage ditch?

☐ Yes ☒ No

If yes, indicate by a check mark if: ☐ Authorization granted ☐ Authorization pending

For new and amendment applications, attach copies of letters that show proof of contact and provide the approval letter upon receipt. Attachment: N/A

For all applications involving an average daily discharge of 5 MGD or more, provide the names of all counties located within 100 statute miles downstream of the point(s) of discharge: N/A

- i. For TLAPs, is the location of the effluent disposal site in the existing permit accurate?

☐ Yes ☐ No or New Permit

If no, or a new application, provide an accurate location description: N/A

- j. City nearest the disposal site: Click to enter text.
- k. County in which the disposal site is located: Click to enter text.
- l. Disposal Site Latitude: Click to enter text. Longitude: Click to enter text.
- m. For TLAPs, describe how effluent is/will be routed from the treatment facility to the disposal site:
Click to enter text.
- n. For TLAPs, identify the nearest watercourse to the disposal site to which rainfall runoff might flow if not contained: Click to enter text.

Item 12. MISCELLANEOUS INFORMATION (Instructions, Page 32)

- a. Did any person formerly employed by the TCEQ represent your company and get paid for service regarding this application?

☐ Yes ☒ No

If yes, list each person: Click to enter text.

- b. Do you owe any fees to the TCEQ?

☐ Yes ☒ No

If yes, provide the account no.: Click to enter text. and total amount due: Click to enter text.

- c. Do you owe any penalties to the TCEQ?

☐ Yes ☒ No

If yes, provide the enforcement order no.: Click to enter text. and amount due: Click to enter text.

Item 13. SIGNATURE PAGE (Instructions, Pages 32-33)

Permit No: W00001176-000

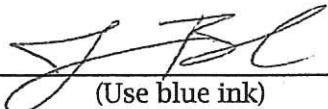
Applicant Name: U.S. Silica Company

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

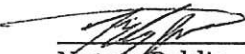
I further certify that I am authorized under 30 Texas Administrative Code §305.44 to sign and submit this document and can provide documentation in proof of such authorization upon request.

Signatory name (typed or printed): Jason Bish

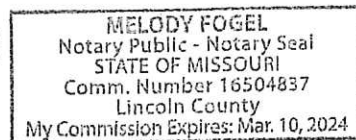
Signatory title: VP EHS

Signature:  Date: 1/29/2024
(Use blue ink)

Subscribed and Sworn to before me by the said VP EHS of US Silica
on this 29th day of January, 2024.
My commission expires on the 10th day of March, 2024.


Notary Public

[SEAL]



St. Charles, MO
County, Texas St. Charles County State of Missouri

Note: If co-applicants are necessary, each entity must submit an original, separate signature page.

WATER QUALITY PERMIT

PAYMENT SUBMITTAL FORM

Use this form to submit the Application Fee, if mailing the payment. (Instructions, Page 36-37)

- Complete items 1 through 5 below.
- Staple the check or money order in the space provided at the bottom of this document.
- Do not mail this form with the application form.
- Do not mail this form to the same address as the application.
- Do not submit a copy of the application with this form as it could cause duplicate permit entries.

Mail this form and the check or money order to:

BY REGULAR U.S. MAIL

Texas Commission on Environmental Quality
Financial Administration Division
Cashier's Office, MC-214
P.O. Box 13088
Austin, Texas 78711-3088

BY OVERNIGHT/EXPRESS MAIL

Texas Commission on Environmental Quality
Financial Administration Division
Cashier's Office, MC-214
12100 Park 35 Circle
Austin, Texas 78753

Fee Code: WQP **Permit No:** WQ000 [Click to enter text.](#)

1. Check or Money Order Number: [Click to enter text.](#)
2. Check or Money Order Amount: [Click to enter text.](#)
3. Date of Check or Money Order: [Click to enter text.](#)
4. Name on Check or Money Order: [Click to enter text.](#)

5. APPLICATION INFORMATION

Name of Project or Site: [Click to enter text.](#)

Physical Address of Project or Site: [Click to enter text.](#)

If the check is for more than one application, attach a list which includes the name of each Project or Site (RE) and Physical Address, exactly as provided on the application. Attachment: [Click to enter text.](#)

Staple Check or Money Order in This Space

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
SUPPLEMENTAL PERMIT INFORMATION FORM (SPIF)

FOR AGENCIES REVIEWING INDUSTRIAL
TPDES WASTEWATER PERMIT APPLICATIONS

TCEQ USE ONLY:

Application type: ☒ Renewal ☐ Major Amendment ☐ Minor Amendment ☐ New

County: Limestone Segment Number: 1209

Admin Complete Date: 4.3.24

Agency Receiving SPIF:

☐ Texas Historical Commission

☒ U.S. Fish and Wildlife Austin

☐ Texas Parks and Wildlife Department

☒ U.S. Army Corps of Engineers Ft. Worth

This form applies to TPDES permit applications only. (Instructions, Page 36)

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

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

The following applies to all applications:

1. Permittee Name: U.S. Silica Company
2. Permit No.: WO0001176000 EPA ID No.: TX0001368
3. Address of the project (location description that includes street/highway, city/vicinity, and county):
4171 Farm Market Road 2749, Kosse, TX
4. Provide the name, address, phone and fax number, and email address of an individual that can be contacted to answer specific questions about the property.

Full Name (First and Last): Nancy Caperton

Organization Name: U.S. Silica Company Mailing Address: 24275 Katy Freeway, Suite 600

City: Katy

State: Texas

Zip Code: 77494

Phone No: 832-349-5061

Fax No: Click to enter text.

Email: caperton@ussilica.com

5. List the county in which the facility is located: Limestone
6. If the property is publicly owned and the owner is different than the permittee/applicant, please list the owner of the property: N/A
7. Provide a description of the effluent discharge route. The discharge route must follow the flow of effluent from the point of discharge to the nearest major watercourse (from the point of discharge



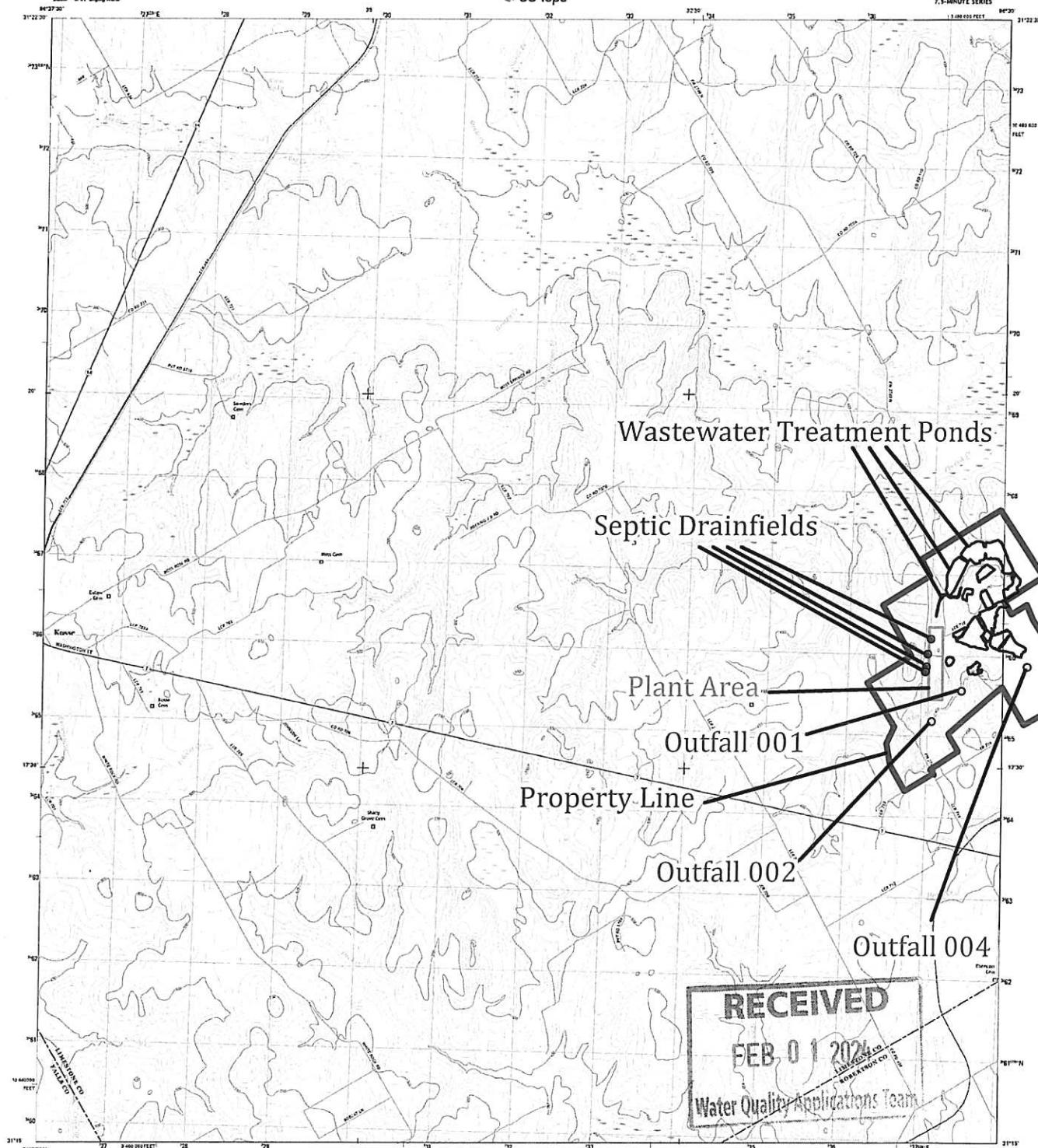
to a classified segment as defined in 30 TAC Chapter 307). If known, please identify the classified segment number: From Outfalls 001, 002, and 004, wastewater is discharged into White Branch and continues to flow to Steele Creek (Segment 1209K) and then to Navasota River below Lake Limestone.

8. Please provide a separate 7.5-minute USGS quadrangle map with the project boundaries plotted and a general location map showing the project area. Please highlight the discharge route from the point of discharge for a distance of one mile downstream. (This map is required in addition to the map in the administrative report.) Attachment: 2
9. Provide original photographs of any structures 50 years or older on the property. Attachment: 2
10. Does your project involve any of the following? Check all that apply.
 - ☐ Proposed access roads, utility lines, construction easements
 - ☐ Visual effects that could damage or detract from a historic property's integrity
 - ☐ Vibration effects during construction or as a result of project design
 - ☐ Additional phases of development that are planned for the future
 - ☐ Sealing caves, fractures, sinkholes, other karst features
 - ☐ Disturbance of vegetation or wetlands
11. List proposed construction impact (surface acres to be impacted, depth of excavation, sealing of caves, or other karst features): N/A
12. Describe existing disturbances, vegetation, and land use: Site is a quarry operation with several pits onsite.

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

13. List construction dates of all buildings and structures on the property: N/A
14. Provide a brief history of the property, and name of the architect/builder, if known: N/A





Produced by the United States Geological Survey
North American Datum of 1983 (NAD83)
World Geodetic System of 1984 (WGS84), Projection and
1 UTM metre grid; Universal Transverse Mercator, Zone 14N
NAD83 foot ticks. Texas Coordinate System of 1983 (central

This map is not a legal document. Boundaries may be generalized for this map scale. Private lands within government reservations may not be shown. Obtain permission before entering private lands.

Inventory [U.S. Fish and Wildlife Service, 2010](#) [JALP](#) [October](#) [2014](#)
Reefs [U.S. Fish and Wildlife Service, 2010](#) [U.S. Census Bureau, 2010](#) [2015](#)
Harbors [U.S. Fish and Wildlife Service, 2010](#) [U.S. Census Bureau, 2010](#) [2015](#)
Hydrography [National Hydrographic Survey, 2010](#) [2015](#)
Coastlines [National Hydrographic Survey, 2010](#) [2015](#)
Boundaries [U.S. Fish and Wildlife Service, 2010](#) [2015](#)

U.S. National Grid 101.100 at Summit 15
Gr
Grave Line Indicator 101.100

CONTOUR INTERVAL 10 FEET
NORTH AMERICAN DATUM OF 1988

This map was produced to conform with the
National Geospatial Program US Topo Product Standard, 2001.
A metadata file associated with this product is on file, version 0.9.11






1	2	3
4		5
6	7	8

1 Gail
 2 Thomas
 3 Sue Clark
 4 Susan Wink
 5 Gertha
 6 Greenwood
 7 Bettyway
 8 Bill Fries

ROAD CLASSIFICATION

Expressway _____	Local Connector _____
Secondary Hwy _____	Local Road _____
Amp _____	IND _____

 Interstate Route  US Route  State Route

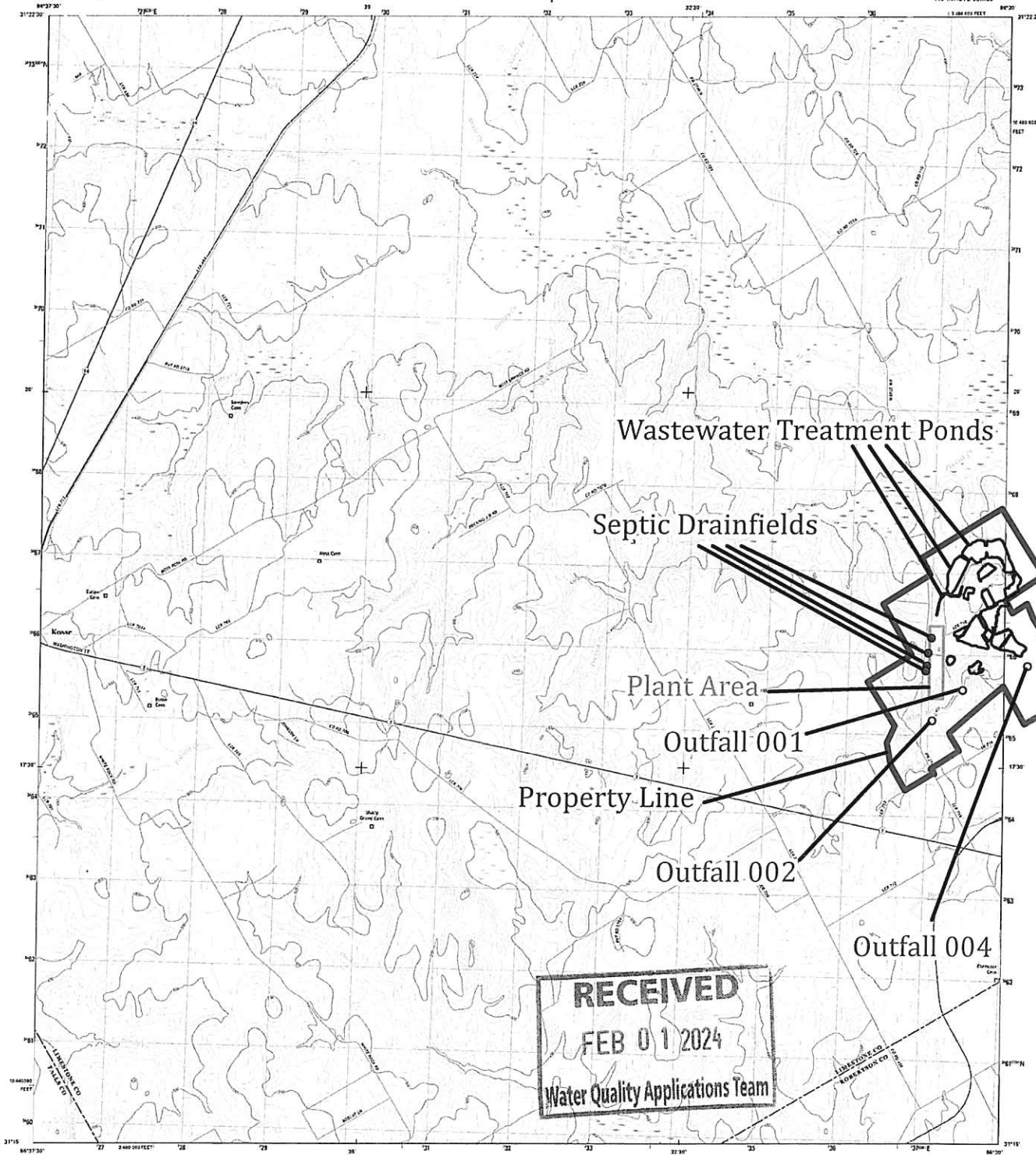
KOSSE EAST, TX
2014



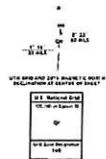
U.S. DEPARTMENT OF THE INTERIOR
U.S. GEOLOGICAL SURVEY



KOSSE EAST QUADRANGLE
TEXAS
7.5-MINUTE SERIES



Produced by the United States Geological Survey
North American Datum of 1983 (NAD83)
Horizontal datum of 1983 (NAD83)
Vertical datum of 1983 (NAD83)
This map is based on a legal description. Boundaries may be
subject to change. Please refer to the appropriate
jurisdiction for the latest information.
Map of the United States showing the location of the
quadrangle. The quadrangle is located in the
southeastern part of Texas, near the border
with Louisiana. The quadrangle is bounded
by the following coordinates: 29° 30' N, 93° 30' W
to 29° 45' N, 93° 15' W.
The quadrangle is located in the
southeastern part of Texas, near the border
with Louisiana. The quadrangle is bounded
by the following coordinates: 29° 30' N, 93° 30' W
to 29° 45' N, 93° 15' W.
The quadrangle is located in the
southeastern part of Texas, near the border
with Louisiana. The quadrangle is bounded
by the following coordinates: 29° 30' N, 93° 30' W
to 29° 45' N, 93° 15' W.



SCALE 1:24,000
Horizontal datum of 1983 (NAD83)
Vertical datum of 1983 (NAD83)
This map is based on a legal description. Boundaries may be
subject to change. Please refer to the appropriate
jurisdiction for the latest information.
Map of the United States showing the location of the
quadrangle. The quadrangle is located in the
southeastern part of Texas, near the border
with Louisiana. The quadrangle is bounded
by the following coordinates: 29° 30' N, 93° 30' W
to 29° 45' N, 93° 15' W.
The quadrangle is located in the
southeastern part of Texas, near the border
with Louisiana. The quadrangle is bounded
by the following coordinates: 29° 30' N, 93° 30' W
to 29° 45' N, 93° 15' W.
The quadrangle is located in the
southeastern part of Texas, near the border
with Louisiana. The quadrangle is bounded
by the following coordinates: 29° 30' N, 93° 30' W
to 29° 45' N, 93° 15' W.



ROAD CLASSIFICATION

Feature	Symbol
Expressway	Thick solid line
Primary Road	Thin solid line
Secondary Road	Dashed line
Unimproved Road	Thin solid line with cross-ticks
Interstate	Thick solid line with red and blue shields
State Route	Thin solid line with black shields

KOSSE EAST, TX
2016

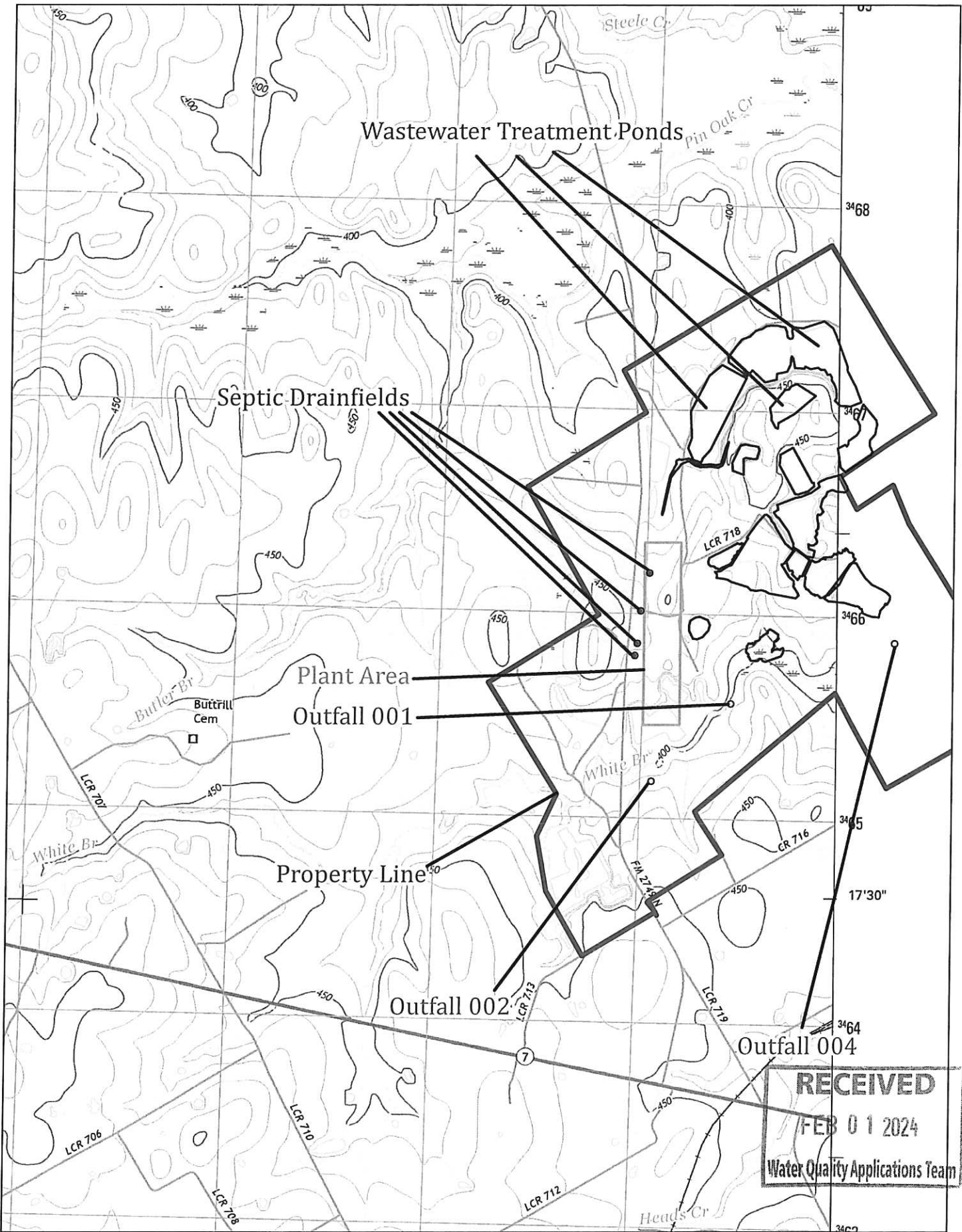




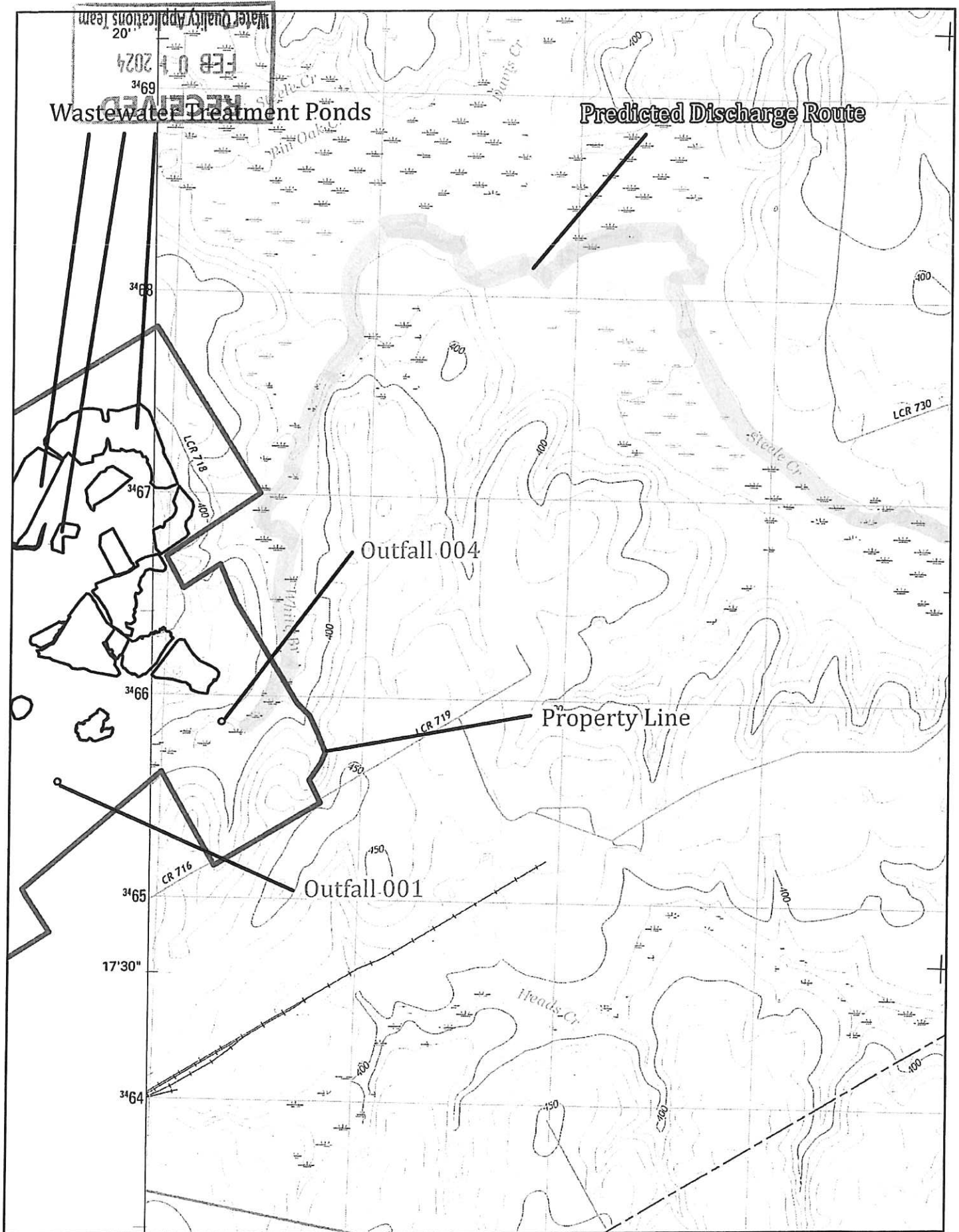
1	2	
4		
6	7	

OLETHA, TX
2016

Kosse East USGS Map - Detail



Ortho USGS Map - Detail



TECHNICAL REPORT 1.0

INDUSTRIAL

The following information **is required** for all applications for a TLAP or an individual TPDES discharge permit.

For additional information or clarification on the requested information, refer to the Instructions for Completing the Industrial Wastewater Permit Application¹ available on the TCEQ website.

If more than one outfall is included in the application, provide applicable information for each individual outfall. **If an item does not apply to the facility, enter N/A** to indicate that the item has been considered. Include separate reports or additional sheets as **clearly cross-referenced attachments** and provide the attachment number in the space provided for the item the attachment addresses.

NOTE: This application is for an industrial wastewater permit only. Additional authorizations from the TCEQ Waste Permits Division or the TCEQ Air Permits Division may be needed.

1. FACILITY/SITE INFORMATION (Instructions, Pages 39-40)

- a. Describe the general nature of the business and type(s) of industrial and commercial activities. Include all applicable SIC codes (up to 4).

Mining and processing of industrial sand.

- b. Describe all wastewater-generating processes at the facility.

1. Mine water resulting from mining process.
2. Wet scrubbers (3 locations).
3. Wet processing of raw materials.
4. Floor washdown and cleanup.
5. Stormwater.



¹ https://www.tceq.texas.gov/permitting/wastewater/industrial/TPDES_industrial_wastewater_steps.html

- c. Provide a list of raw materials, major intermediates, and final products handled at the facility.

Materials List

Raw Materials	Intermediate Products	Final Products
Mined Ore	Sand and clay	Industrial Sand*

Attachment: N/A

- d. Attach a facility map (drawn to scale) with the following information:

- Production areas, maintenance areas, materials-handling areas, waste-disposal areas, and water intake structures.
- The location of each unit of the WWTP including the location of wastewater collection sumps, impoundments, outfalls, and sampling points, if significantly different from outfall locations.

Attachment: 3

- e. Is this a new permit application for an existing facility?

☒ Yes ☐ No

If **yes**, provide background discussion: Renewal

- f. Is/will the treatment facility/disposal site be located above the 100-year frequency flood level.

☒ Yes ☐ No

List source(s) used to determine 100-year frequency flood plain: FEMA Flood Maps

If **no**, provide the elevation of the 100-year frequency flood plain and describe what protective measures are used/proposed to prevent flooding (including tail water and rainfall run-on controls) of the treatment facility and disposal area: N/A

Attachment: N/A

- g. For **new** or **major amendment** permit applications, will any construction operations result in a discharge of fill material into a water in the state?

☐ Yes ☐ No ☒ N/A (renewal only)

- h. If **yes** to Item 1.g, has the applicant applied for a USACE CWA Chapter 404 Dredge and Fill permit?

☐ Yes ☐ No

If **yes**, provide the permit number: N/A

If **no**, provide an approximate date of application submittal to the USACE: N/A

2. TREATMENT SYSTEM (Instructions, Page 40)

- a. List any physical, chemical, or biological treatment process(es) used/proposed to treat wastewater at this facility. Include a description of each treatment process, starting with initial treatment and finishing with the outfall/point of disposal.

Physical: settling pond for sedimentation

Chemical: caustic soda for pH control

Biological: non

- b. Attach a flow schematic **with a water balance** showing all sources of water and wastewater flow into the facility, wastewater flow into and from each treatment unit, and wastewater flow to each outfall/point of disposal.

Attachment: 4

3. IMPOUNDMENTS (Instructions, Pages 40-42)

Does the facility use or plan to use any wastewater impoundments (e.g., lagoons or ponds?)

☒ Yes ☐ No

If **no**, proceed to Item 4. If **yes**, complete **Item 3.a** for **existing** impoundments and **Items 3.a - 3.e** for **new or proposed** impoundments. **NOTE:** See instructions, Pages 40-42, for additional information on the attachments required by Items 3.a – 3.e.

- a. Complete the table with the following information for each existing, new, or proposed impoundment:

Use Designation: Indicate the use designation for each impoundment as Treatment (T), Disposal (D), Containment (C), or Evaporation (E).

Associated Outfall Number: Provide an outfall number if a discharge occurs or will occur.

Liner Type: Indicate the liner type as Compacted clay liner (C), In-situ clay liner (I), Synthetic/plastic/rubber liner (S), or Alternate liner (A). **NOTE:** See instructions for further detail on liner specifications. If an alternate liner (A) is selected, include an attachment that provides a description of the alternate liner and any additional technical information necessary for an evaluation.

Leak Detection System: If any leak detection systems are in place/planned, enter Y for yes. Otherwise, enter N for no.

Groundwater Monitoring Wells and Data: If groundwater monitoring wells are in place/planned, enter Y for yes. Otherwise, enter N for no. Attach any existing groundwater monitoring data.

Dimensions: Provide the dimensions, freeboard, surface area, storage capacity of the impoundments, and the maximum depth (not including freeboard). For impoundments with irregular shapes, submit surface area instead of length and width.

Compliance with 40 CFR Part 257, Subpart D: If the impoundment is required to be in compliance with 40 CFR Part 257, Subpart D, enter Y for yes. Otherwise, enter N for no.

Date of Construction: Enter the date construction of the impoundment commenced (mm/dd/yy).

Impoundment Information

Parameter	Pond #1	Pond #2	Pond #3	Pond #4	Pond #5
Use Designation: (T) (D) (C) or (E)	TDC	TDC	TDC	TDC	TDC
Associated Outfall Number	n/a	n/a	n/a	n/a	n/a
Liner Type (C) (I) or (S)	I	I	I	I	I
Alt. Liner Attachment Reference	n/a	n/a	n/a	n/a	n/a
Leak Detection System, Y/N					
Groundwater Monitoring Wells, Y/N					
Groundwater Monitoring Data Attachment					
Length (ft)					
Width (ft)					
Max Depth from Water Surface (ft), Not Including Freeboard	<1	15	5	5	10
Freeboard (ft)					
Surface Area (acres)	1	16	31	6	13
Storage Capacity (gallons)	325,829	78,198,912	50,503,464	9,774,864	42,357,744
40 CFR Part 257, Subpart D, Y/N	N	N	N	N	N
Date of Construction					

Impoundment Information

Parameter	Pond #6	Pond #7	Pond #8	Pond #9	Pond #10
Use Designation: (T) (D) (C) or (E)	TDC	TDC	TDC	TDC	TDC
Associated Outfall Number	n/a	004	001	n/a	n/a
Liner Type (C) (I) or (S)	I	I	I	I	I
Alt. Liner Attachment Reference	n/a	n/a	n/a	n/a	n/a
Leak Detection System, Y/N					

Parameter	Pond #6	Pond #7	Pond #8	Pond #9	Pond #10
Groundwater Monitoring Wells, Y/N					
Groundwater Monitoring Data Attachment					
Length (ft)					
Width (ft)					
Max Depth from Water Surface (ft), Not Including Freeboard	12	25	5	15	20
Freeboard (ft)					
Surface Area (acres)	6	10	4	2	2
Storage Capacity (gallons)	23,459,674	81,457,200	6,516,576	9,774,864	13,033,152
40 CFR Part 257, Subpart D, Y/N	N	N	N	N	N
Date of Construction					

Impoundment Information

Parameter	Pond #11	Pond #12	Pond #13	Pond #	Pond #
Use Designation: (T) (D) (C) or (E)	TDC	TDC	TDC		
Associated Outfall Number	n/a	n/a	n/a		
Liner Type (C) (I) or (S)	I	I	I		
Alt. Liner Attachment Reference	n/a	n/a	n/a		
Leak Detection System, Y/N					
Groundwater Monitoring Wells, Y/N					
Groundwater Monitoring Data Attachment					
Length (ft)					
Width (ft)					

Parameter	Pond #11	Pond #12	Pond #13	Pond #	Pond #
Max Depth from Water Surface (ft), Not Including Freeboard	15	5	19		
Freeboard (ft)					
Surface Area (acres)	10	3	10		
Storage Capacity (gallons)	48,874,320	4,887,432	123,814,944		
40 CFR Part 257, Subpart D, Y/N	N	N	N	N	N
Date of Construction					

The following information (**Items 3.b – 3.e**) is required only for **new or proposed** impoundments.

- b. For new or proposed impoundments, attach any available information on the following items. If attached, check **yes** in the appropriate box. Otherwise, check **no** or **not yet designed**.

i. Liner data

☐ Yes ☐ No ☐ Not yet designed

ii. Leak detection system or groundwater monitoring data

☐ Yes ☐ No ☐ Not yet designed

iii. Groundwater impacts

☐ Yes ☐ No ☐ Not yet designed

NOTE: Item b.iii is required if the bottom of the pond is not above the seasonal high-water table in the shallowest water-bearing zone.

Attachment:

For TLAP applications: Items 3.c – 3.e are not required, continue to Item 4.

- c. Attach a USGS map or a color copy of original quality and scale which accurately locates and identifies all known water supply wells and monitor wells within 1/2-mile of the impoundments.

Attachment:

- d. Attach copies of State Water Well Reports (e.g., driller's logs, completion data, etc.), and data on depths to groundwater for all known water supply wells including a description of how the depths to groundwater were obtained.

Attachment:

- e. Attach information pertaining to the groundwater, soils, geology, pond liner, etc. used to assess the potential for migration of wastes from the impoundments or the potential for contamination of groundwater or surface water.

Attachment:

4. OUTFALL/DISPOSAL METHOD INFORMATION (Instructions, Pages 42-43)

Complete the following tables to describe the location and wastewater discharge or disposal operations for each outfall for discharge operations, and for each point of disposal for TLAP operations.

If there are more outfalls/points of disposal at the facility than the spaces provided, copies of pages 6 and/or numbered accordingly (i.e., page 6a, 6b, etc.) may be used to provide information on the additional outfalls.

For TLAP applications: Indicate the disposal method and each individual irrigation area **I**, evaporation pond **E**, or subsurface drainage system **S** by providing the appropriate letter designation for the disposal method followed by a numerical designation for each disposal area in the space provided for **Outfall** number (e.g. **E1** for evaporation pond 1, **I2** for irrigation area No. 2, etc.).

Outfall Latitude and Longitude

Outfall Number	Latitude-decimal degrees	Longitude-decimal degrees
001	31.300272°	-96.505277°
002	31.296961°	-96.509424°
004	31.302778°	-96.496667°

Outfall Location Description

Outfall Number	Location Description
001	Outfall to White Branch
002	Outfall to White Branch
004	Outfall to White Branch

Description of Sampling Points (if different from Outfall location)

Outfall Number	Description of Sampling Point
	N/A

Outfall Flow Information – Permitted and Proposed

Outfall Number	Permitted Daily Avg Flow (MGD)	Permitted Daily Max Flow (MGD)	Proposed Daily Avg Flow (MGD)	Proposed Daily Max Flow (MGD)	Anticipated Discharge Date (mm/dd/yy)
001	2.5	2.5	2.5	2.5	??
002	2.5	2.5	2.5	2.5	??
004	2.5	2.5	2.5	2.5	??

Outfall Discharge – Method and Measurement

Outfall Number	Pumped Discharge? Y/N	Gravity Discharge? Y/N	Type of Flow Measurement Device Used
001	Y	N	Instrumentation
002	N	Y	Weir
004	N	Y	Weir

Outfall Discharge – Flow Characteristics

Outfall Number	Intermittent Discharge? Y/N	Continuous Discharge? Y/N	Seasonal Discharge? Y/N	Discharge Duration (hrs/day)	Discharge Duration (days/mo)	Discharge Duration (mo/yr)
001	Y	N	N	24	30	12
002	Y	N	N	24	30	12
004	Y	N	N	24	30	12

Wastestream Contributions

Outfall No.: 001

Contributing Wastestreams	Volume (MGD)	% of Total Flow
Wet Processing, wet air scrubbers,	2.5	100
floor washdown and cleanup,		
stormwater and mine water		
*Max combined flow for all three outfalls is	4.0	

Outfall No.: 002

Contributing Wastestreams	Volume (MGD)	% of Total Flow
Wet Processing, wet air scrubbers,	2.5	100
floor washdown and cleanup,		
stormwater and mine water		
*Max combined flow for all three outfalls is	4.0	

Outfall No.: 004

Contributing Wastestreams	Volume (MGD)	% of Total Flow
Wet Processing, wet air scrubbers,	2.5	100
floor washdown and cleanup,		
stormwater and mine water		
*Max combined flow for all three outfalls is	4.0	

Attachment: N/A

5. BLOWDOWN AND ONCE-THROUGH COOLING WATER DISCHARGES (Instructions, Page 44)

- a. Does the facility use/propose to use any cooling towers which discharge blowdown or other wastestreams to the outfall(s)?

☐ Yes ☒ No

NOTE: If the facility uses or plans to use cooling towers, Item 12 is required.

- b. Does the facility use or plan to use any boilers that discharge blowdown or other wastestreams to the outfall(s)?

☐ Yes ☒ No

- c. Does or will the facility discharge once-through cooling water to the outfall(s)?

☐ Yes ☒ No

NOTE: If the facility uses or plans to use once-through cooling water, Item 12 is required.

- d. If **yes** to Items 5.a, 5.b, **or** 5.c, attach the SDS with the following information for each chemical additive.

- Manufacturers Product Identification Number
- Product use (e.g., biocide, fungicide, corrosion inhibitor, etc.)
- Chemical composition including CASRN for each ingredient
- Classify product as non-persistent, persistent, or bioaccumulative
- Product or active ingredient half-life
- Frequency of product use (e.g., 2 hours/day once every two weeks)
- Product toxicity data specific to fish and aquatic invertebrate organisms
- Concentration of whole product or active ingredient, as appropriate, in wastestream.

Attach a summary of this information in addition to the submittal of the SDS for each specific wastestream and the associated chemical additives and specify which outfalls are affected.

Attachment: N/A

- ### e. Cooling Towers and Boilers

If **yes** to either Item 5.a **or** 5.b, complete the following table.

Cooling Towers and Boilers

Type of Unit	Number of Units	Dly Avg Blowdown (gallons/day)	Dly Max Blowdown (gallons/day)
Cooling Towers	N/A		
Boilers	N/A		

6. STORMWATER MANAGEMENT (Instructions, Page 44)

Are there any existing/proposed outfalls which discharge stormwater associated with industrial activities, as defined at *40 CFR § 122.26(b)(14)*, commingled with any other wastestream?

☒ Yes ☐ No

If **yes**, briefly describe the industrial processes and activities that occur outdoors or in some manner which may result in exposure of the activities or materials to stormwater:

7. DOMESTIC SEWAGE, SEWAGE SLUDGE, AND SEPTAGE MANAGEMENT AND DISPOSAL (Instructions, Page 45)

Domestic Sewage - Waste and wastewater from humans or household operations that is discharged to a wastewater collection system or otherwise enters a treatment works.

- a. Check the box next to the appropriate method of domestic sewage and domestic sewage sludge treatment or disposal. Complete Worksheet 5.0 or Item 7.b if directed to do so.
- ☐ Domestic sewage is routed (i.e., connected to or transported to) to a WWTP permitted to receive domestic sewage for treatment, disposal, or both. **Complete Item 7.b.**
 - ☒ Domestic sewage disposed of by an on-site septic tank and drainfield system. **Complete Item 7.b.**
 - ☐ Domestic and industrial treatment sludge **ARE commingled** prior to use or disposal.
 - ☐ Industrial wastewater and domestic sewage are treated separately, and the respective sludge **IS NOT commingled** prior to sludge use or disposal. **Complete Worksheet 5.0.**
 - ☐ Facility is a POTW. **Complete Worksheet 5.0.**
 - ☐ Domestic sewage is not generated on-site.
 - ☐ Other (e.g., portable toilets), specify and **Complete Item 7.b:** Other
- b. Provide the name and TCEQ, NPDES, or TPDES Permit No. of the waste-disposal facility which receives the domestic sewage/septage. If hauled by motorized vehicle, provide the name and TCEQ Registration No. of the hauler.

Domestic Sewage Plant/Hauler Name

Plant/Hauler Name	Permit/Registration No.
D&M Septic & Portables	22587

8. IMPROVEMENTS OR COMPLIANCE/ENFORCEMENT REQUIREMENTS (Instructions, Page 45)

- a. Is the permittee currently required to meet any implementation schedule for compliance or enforcement?
- ☐ Yes ☒ No
- b. Has the permittee completed or planned for any improvements or construction projects?
- ☐ Yes ☒ No
- c. If **yes** to either 8.a **or** 8.b, provide a brief summary of the requirements and a status update: N/A

9. TOXICITY TESTING (Instructions, Page 45)

Have any biological tests for acute or chronic toxicity been made on any of the discharges or on a receiving water in relation to the discharge within the last three years?

☐ Yes ☒ No

If **yes**, identify the tests and describe their purposes: N/A

Additionally, attach a copy of all tests performed which **have not** been submitted to the TCEQ or EPA.

Attachment: N/A

10. OFF-SITE/THIRD PARTY WASTES (Instructions, Page 45)

- a. Does or will the facility receive wastes from off-site sources for treatment at the facility, disposal on-site via land application, or discharge via a permitted outfall?

☐ Yes ☒ No

If **yes**, provide responses to Items 10.b through 10.d below.

If **no**, proceed to Item 11.

- b. Attach the following information to the application:

- List of wastes received (including volumes, characterization, and capability with on-site wastes).
- Identify the sources of wastes received (including the legal name and addresses of the generators).
- Description of the relationship of waste source(s) with the facility's activities.

Attachment: N/A

- c. Is or will wastewater from another TCEQ, NPDES, or TPDES permitted facility commingled with this facility's wastewater after final treatment and prior to discharge via the final outfall/point of disposal?

☐ Yes ☐ No

If **yes**, provide the name, address, and TCEQ, NPDES, or TPDES permit number of the contributing facility and a copy of any agreements or contracts relating to this activity.

Attachment: N/A

- d. Is this facility a POTW that accepts/will accept process wastewater from any SIU and has/is required to have an approved pretreatment program under the NPDES/TPDES program?

☐ Yes ☐ No

If **yes**, **Worksheet 6.o** of this application **is required**.

11. RADIOACTIVE MATERIALS (Instructions, Pages 46)

- a. Are/will radioactive materials be mined, used, stored, or processed at this facility?

☐ Yes ☒ No

If **yes**, use the following table to provide the results of one analysis of the effluent for all radioactive materials that may be present. Provide results in pCi/L.

Radioactive Materials Mined, Used, Stored, or Processed

Radioactive Material	Concentration (pCi/L)
No radioactive materials are used in the mining/processing operations.	
Radioactive materials are only used in production measurement equipment and not expected to be present in the discharge.	

- b. Does the applicant or anyone at the facility have any knowledge or reason to believe that radioactive materials may be present in the discharge, including naturally occurring radioactive materials in the source waters or on the facility property?

☐ Yes ☒ No

If **yes**, use the following table to provide the results of one analysis of the effluent for all radioactive materials that may be present. Provide results in pCi/L. Do not include information provided in response to Item 11.a.

Radioactive Materials Present in the Discharge

Radioactive Material	Concentration (pCi/L)

12. COOLING WATER (Instructions, Pages 46-47)

- a. Does the facility use or propose to use water for cooling purposes?

☐ Yes ☒ No

If **no**, stop here. If **yes**, complete Items 12.b thru 12.f.

- b. Cooling water is/will be obtained from a groundwater source (e.g., on-site well).

☐ Yes ☐ No

If **yes**, stop here. If **no**, continue.

- c. Cooling Water Supplier

- i. Provide the name of the owner(s) and operator(s) for the CWIS that supplies or will supply water for cooling purposes to the facility.

Cooling Water Intake Structure(s) Owner(s) and Operator(s)

CWIS ID				
Owner				
Operator				

- ii. Cooling water is/will be obtained from a Public Water Supplier (PWS)

☐ Yes ☐ No

If **no**, continue. If **yes**, provide the PWS Registration No. and stop here: PWS No. 123456789

- iii. Cooling water is/will be obtained from a reclaimed water source?

☐ Yes ☐ No

If **no**, continue. If **yes**, provide the Reuse Authorization No. and stop here: 123456789

iv. Cooling water is/will be obtained from an Independent Supplier

☐ Yes ☐ No

If **yes**, provide the actual intake flow of the Independent Supplier's CWIS that is/will be used to provide water for cooling purposes to the facility and proceed: [redacted]

If **no**, proceed to Item 12.d.

d. 316(b) General Criteria

i. The CWIS(s) used to provide water for cooling purposes to the facility has or will have a cumulative design intake flow of 2 MGD or greater.

☐ Yes ☐ No

ii. At least 25% of the total water withdrawn by the CWIS is/will be used at the facility exclusively for cooling purposes on an annual average basis.

☐ Yes ☐ No

iii. The CWIS(s) withdraw(s)/propose(s) to withdraw water for cooling purposes from surface waters that meet the definition of Waters of the United States in *40 CFR § 122.2*.

☐ Yes ☐ No

If **no**, provide an explanation of how the waterbody does not meet the definition of Waters of the United States in *40 CFR § 122.2*: [redacted]

If **yes** to all three questions in Item 12.d, the facility **meets** the minimum criteria to be subject to the full requirements of Section 316(b) of the CWA. Proceed to **Item 12.f**.

If **no** to any of the questions in Item 12.d, the facility **does not meet** the minimum criteria to be subject to the full requirements of Section 316(b) of the CWA; however, a determination is required based upon BPJ. Proceed to **Item 12.e**.

e. The facility does not meet the minimum requirements to be subject to the fill requirements of Section 316(b) **and uses/proposes to use cooling towers**.

☐ Yes ☐ No

If **yes**, stop here. If **no**, complete Worksheet 11.o, Items 1(a), 1(b)(i-iii) and (vi), 2(b)(i), and 3(a) to allow for a determination based upon BPJ.

f. Oil and Gas Exploration and Production

i. The facility is subject to requirements at 40 CFR Part 435, Subparts A or D.

☐ Yes ☐ No

If **yes**, continue. If **no**, skip to Item 12.g.

ii. The facility is an existing facility as defined at 40 CFR § 125.92(k) or a new unit at an existing facility as defined at 40 CFR § 125.92(u).

☐ Yes ☐ No

If **yes**, complete Worksheet 11.o, Items 1(a), 1(b)(i-iii) and (vi), 2(b)(i), and 3(a) to allow for a determination based upon BPJ. If **no**, skip to Item 12.g.iii.

g. Compliance Phase and Track Selection

i. Phase I – New facility subject to 40 CFR Part 125, Subpart I

☐ Yes ☐ No

If **yes**, check the box next to the facility's compliance track selection, attach the requested information, and complete Worksheet 11.0, Items 2 and 3, and Worksheet 11.2.

- ☐ Track I – AIF greater than 2 MGD, but less than 10 MGD
 - Attach information required by 40 CFR §§ 125.86(b)(2)-(4).
- ☐ Track I – AIF greater than 10 MGD
 - Attach information required by 40 CFR § 125.86(b).
- ☐ Track II
 - Attach information required by 40 CFR § 125.86(c).

Attachment: ☐

ii. Phase II – Existing facility subject to 40 CFR Part 125, Subpart J

☐ Yes ☐ No

If **yes**, complete Worksheets 11.0 through 11.3, as applicable.

iii. Phase III – New facility subject to 40 CFR Part 125, Subpart N

☐ Yes ☐ No

If **yes**, check the box next to the facility's compliance track selection and provide the requested information.

- ☐ Track I – Fixed facility
 - Attach information required by 40 CFR § 125.136(b) and complete Worksheet 11.0, Items 2 and 3, and Worksheet 11.2.
- ☐ Track I – Not a fixed facility
 - Attach information required by 40 CFR § 125.136(b) and complete Worksheet 11.0, Item 2 (except the CWIS latitude and longitude under Item 2.a).
- ☐ Track II – Fixed facility
 - Attach information required by 40 CFR § 125.136(c) and complete Worksheet 11.0, Items 2 and 3.

Attachment: ☐

NOTE: Item 13 is required only for existing permitted facilities.

13. PERMIT CHANGE REQUESTS (Instructions, Pages 49-50)

- a. Is the facility requesting a **major amendment** of an existing permit?

☐ Yes ☒ No

If **yes**, list each request individually and provide the following information: 1) detailed information regarding the scope of each request and 2) a justification for each request. Attach any supplemental information or additional data to support each request.

N/A

- b. Is the facility requesting any **minor amendments** to the permit?

☐ Yes ☒ No

If **yes**, list and discuss the requested changes.

N/A

- c. Is the facility requesting any **minor modifications** to the permit?

☐ Yes ☒ No

If **yes**, list and discuss the requested changes.

N/A

WORKSHEET 1.0

EPA CATEGORICAL EFFLUENT GUIDELINES

This worksheet **is required** for all applications for TPDES permits for discharges of wastewaters subject to EPA categorical effluent limitation guidelines (ELGs).

1. CATEGORICAL INDUSTRIES (Instructions, Pages 50-52)

Is this facility subject to any of the 40 CFR categorical ELGs outlined on page 53 of the instructions?

☐ Yes ☐ No

If **no**, this worksheet is not required. If **yes**, provide the appropriate information in the table below.

40 CFR Effluent Guidelines

Industry	40 CFR Part
Industrial sand, mineral mining and processing	436.40

2. PRODUCTION/PROCESS DATA (Instructions, Page 54)

NOTE: For all TPDES permit applications requesting individual permit coverage for discharges of oil and gas exploration and production wastewater (discharges into or adjacent to water in the state, falling under the Oil and Gas Extraction Effluent Guidelines – 40 CFR Part 435), see Worksheet 12.0, Item 2 instead.

a. Production Data

Provide the appropriate data for effluent guidelines with production-based effluent limitations.

Production Data

Subcategory	Actual Quantity/Day	Design Quantity/Day	Units
N/A			

b. **Organic Chemicals, Plastics, and Synthetic Fibers Manufacturing Data (40 CFR Part 414)**

Provide each applicable subpart and the percent of total production. Provide data for metal-bearing and cyanide-bearing wastestreams, as required by 40 CFR Part 414, Appendices A and B.

Percentages of Total Production

Subcategory	Percent of Total Production	Appendix A and B - Metal	Appendix A – Cyanide
N/A			

c. **Refineries (40 CFR Part 419)**

Provide the applicable subcategory and a brief justification.

N/A

3. PROCESS/NON-PROCESS WASTEWATER FLOWS (Instructions, Page 54)

Provide a breakdown of wastewater flow(s) generated by the facility, including both process and non-process wastewater flow(s). Specify which wastewater flows are to be authorized for discharge under this permit and the disposal practices for wastewater flows, excluding domestic, which are not to be authorized for discharge under this permit.

Process wastewater flow: wastewater flows from the plant through a series of settling ponds. Non-process wastewater flo

4. NEW SOURCE DETERMINATION (Instructions, Page 54)

Provide a list of all wastewater-generating processes subject to EPA categorical ELGs, identify the appropriate guideline Part and Subpart, and provide the date the process/construction commenced.

Wastewater-generating Processes Subject to Effluent Guidelines

Process	EPA Guideline: Part	EPA Guideline: Subpart	Date Process/ Construction Commenced
Wet processing	N/A	N/A	1963
Wet air scrubbers	N/A	N/A	1963
Mining (industrial sand)	N/A	N/A	1963
Floor washdown/cleanup	N/A	N/A	1963
Stormwater	N/A	N/A	1963

WORKSHEET 2.0

POLLUTANT ANALYSES REQUIREMENTS

Worksheet 2.0 **is required** for all applications submitted for a TPDES permit. Worksheet 2.0 is not required for applications for a permit to dispose of all wastewater by land disposal or for discharges solely of stormwater associated with industrial activities.

1. LABORATORY ACCREDITATION (Instructions, Page 56)

Effective July 1, 2008, all laboratory tests performed must meet the requirements of *30 TAC Chapter 25, Environmental Testing Laboratory Accreditation and Certification* with the following general exemptions:

- a. The laboratory is an in-house laboratory and is:
 - i. periodically inspected by the TCEQ; or
 - ii. located in another state and is accredited or inspected by that state; or
 - iii. performing work for another company with a unit located in the same site; or
 - iv. performing pro bono work for a governmental agency or charitable organization.
- b. The laboratory is accredited under federal law.
- c. The data are needed for emergency-response activities, and a laboratory accredited under the Texas Laboratory Accreditation Program is not available.
- d. The laboratory supplies data for which the TCEQ does not offer accreditation.

Review *30 TAC Chapter 25* for specific requirements. The following certification statement shall be signed and submitted with every application. See Instructions, Page 34, for a list of approved signatories.

I, _____, certify that all laboratory tests submitted with this application meet the requirements of *30 TAC Chapter 25, Environmental Testing Laboratory Accreditation and Certification*.

(Signature)

2. GENERAL TESTING REQUIREMENTS (Instructions, Pages 56-58)

- a. Provide the date range of all sampling events conducted to obtain the analytical data submitted with this application (e.g., 05/01/2018-05/30/2018): 03/31/2021-12/09/2021
- b. ☐ Check the box to confirm all samples were collected no more than 12 months prior to the date of application submittal.
- c. Read the general testing requirements in the instructions for important information about sampling, test methods, and MALs. If a contact laboratory was used, attach a list which includes the name, contact information, and pollutants analyzed for each laboratory/firm. **Attachment: 5**

3. SPECIFIC TESTING REQUIREMENTS (Instructions, Pages 58-69)

Attach correspondence from TCEQ approving submittal of less than the required number of samples, if applicable. **Attachment:** _____

TABLE 1 and TABLE 2 (Instructions, Page 58)

Completion of Tables 1 and 2 **is required** for all external outfalls for all TPDES permit applications.

Table 1 for Outfall No.: 004Samples are (check one): ☐ Composite ☐ Grab

Pollutant	Sample 1 (mg/L)	Sample 2 (mg/L)	Sample 3 (mg/L)	Sample 4 (mg/L)
BOD (5-day)				
CBOD (5-day)				
Chemical oxygen demand				
Total organic carbon				
Dissolved oxygen				
Ammonia nitrogen				
Total suspended solids				
Nitrate nitrogen				
Total organic nitrogen				
Total phosphorus				
Oil and grease				
Total residual chlorine				
Total dissolved solids				
Sulfate				
Chloride				
Fluoride				
Total alkalinity (mg/L as CaCO ₃)				
Temperature (°F)				
pH (standard units)				

Table 2 for Outfall No.: 004Samples are (check one): ☐ Composites ☒ Grabs

Pollutant	Sample 1 (µg/L)	Sample 2 (µg/L)	Sample 3 (µg/L)	Sample 4 (µg/L)	MAL (µg/L)
Aluminum, total					2.5
Antimony, total					5
Arsenic, total					0.5
Barium, total					3
Beryllium, total					0.5
Cadmium, total					1
Chromium, total					3
Chromium, hexavalent	3	4.4	6.2		3
Chromium, trivalent					N/A
Copper, total	3	6	2		2
Cyanide, available					2/10
Lead, total					0.5
Mercury, total					0.005/0.0005
Nickel, total					2
Selenium, total					5
Silver, total					0.5
Thallium, total					0.5
Zinc, total					5.0

TABLE 3 (Instructions, Page 58)

Completion of Table 3 is required for all **external outfalls** which discharge process wastewater.

Partial completion of Table 3 is required for all **external outfalls** which discharge non-process wastewater and stormwater associated with industrial activities commingled with other wastestreams (see instructions for additional guidance).

Table 3 for Outfall No.: 004

Samples are (check one): ☐ Composites ☐ Grabs

Pollutant	Sample 1 (µg/L)*	Sample 2 (µg/L)*	Sample 3 (µg/L)*	Sample 4 (µg/L)*	MAL (µg/L)*
Acrylonitrile					50
Anthracene					10
Benzene					10
Benzidine					50
Benzo(a)anthracene					5
Benzo(a)pyrene					5
Bis(2-chloroethyl)ether					10
Bis(2-ethylhexyl)phthalate					10
Bromodichloromethane [Dichlorobromomethane]					10
Bromoform					10
Carbon tetrachloride					2
Chlorobenzene					10
Chlorodibromomethane [Dibromochloromethane]					10
Chloroform					10
Chrysene					5
m-Cresol [3-Methylphenol]					10
o-Cresol [2-Methylphenol]					10
p-Cresol [4-Methylphenol]					10
1,2-Dibromoethane					10
m-Dichlorobenzene [1,3-Dichlorobenzene]					10
o-Dichlorobenzene [1,2-Dichlorobenzene]					10
p-Dichlorobenzene [1,4-Dichlorobenzene]					10
3,3'-Dichlorobenzidine					5
1,2-Dichloroethane					10
1,1-Dichloroethene [1,1-Dichloroethylene]					10
Dichloromethane [Methylene chloride]					20
1,2-Dichloropropane					10
1,3-Dichloropropene [1,3-Dichloropropylene]					10

Pollutant	Sample 1 (µg/L)*	Sample 2 (µg/L)*	Sample 3 (µg/L)*	Sample 4 (µg/L)*	MAL (µg/L)*
2,4-Dimethylphenol					10
Di-n-Butyl phthalate					10
Ethylbenzene					10
Fluoride					500
Hexachlorobenzene					5
Hexachlorobutadiene					10
Hexachlorocyclopentadiene					10
Hexachloroethane					20
Methyl ethyl ketone					50
Nitrobenzene					10
N-Nitrosodiethylamine					20
N-Nitroso-di-n-butylamine					20
Nonylphenol					333
Pentachlorobenzene					20
Pentachlorophenol					5
Phenanthrene					10
Polychlorinated biphenyls (PCBs) (**)					0.2
Pyridine					20
1,2,4,5-Tetrachlorobenzene					20
1,1,2,2-Tetrachloroethane					10
Tetrachloroethene [Tetrachloroethylene]					10
Toluene					10
1,1,1-Trichloroethane					10
1,1,2-Trichloroethane					10
Trichloroethene [Trichloroethylene]					10
2,4,5-Trichlorophenol					50
TTHM (Total trihalomethanes)					10
Vinyl chloride					10

(*) Indicate units if different from µg/L.

(**) Total of detects for PCB-1242, PCB-1254, PCB-1221, PCB-1232, PCB-1248, PCB-1260, and PCB-1016. If all non-detects, enter the highest non-detect preceded by a "<".

TABLE 4 (Instructions, Pages 58-59)

Partial completion of Table 4 **is required** for each **external outfall** based on the conditions below.

a. Tributyltin

Is this facility an industrial/commercial facility which currently or proposes to directly dispose of wastewater from the types of operations listed below or a domestic facility which currently or proposes to receive wastewater from the types of industrial/commercial operations listed below?

☐ Yes ☒ No

If **yes**, check the box next to each of the following criteria which apply and provide the appropriate testing results in Table 4 below (check all that apply).

- ☐ Manufacturers and formulators of tributyltin or related compounds.
- ☐ Painting of ships, boats and marine structures.
- ☐ Ship and boat building and repairing.
- ☐ Ship and boat cleaning, salvage, wrecking and scaling.
- ☐ Operation and maintenance of marine cargo handling facilities and marinas.
- ☐ Facilities engaged in wood preserving.
- ☐ Any other industrial/commercial facility for which tributyltin is known to be present, or for which there is any reason to believe that tributyltin may be present in the effluent.

b. Enterococci (discharge to saltwater)

- i. This facility discharges/proposes to discharge directly into saltwater receiving waters **and** Enterococci bacteria are expected to be present in the discharge based on facility processes.

☐ Yes ☒ No

- ii. Domestic wastewater is/will be discharged.

☐ Yes ☒ No

If **yes to either** question, provide the appropriate testing results in Table 4 below.

c. E. coli (discharge to freshwater)

- i. This facility discharges/proposes to discharge directly into freshwater receiving waters **and** *E. coli* bacteria are expected to be present in the discharge based on facility processes.

☐ Yes ☒ No

- ii. Domestic wastewater is/will be discharged.

☐ Yes ☒ No

If **yes to either** question, provide the appropriate testing results in Table 4 below.

Table 4 for Outfall No.: [REDACTED]

Samples are (check one): ☐ Composites ☐ Grabs

Pollutant	Sample 1	Sample 2	Sample 3	Sample 4	MAL
Tributyltin (µg/L)					0.010
Enterococci (cfu or MPN/100 mL)					N/A
<i>E. coli</i> (cfu or MPN/100 mL)					N/A

TABLE 5 (Instructions, Page 59)

Completion of Table 5 is required for all **external outfalls** which discharge process wastewater from a facility which manufactures or formulates pesticides or herbicides or other wastewaters which may contain pesticides or herbicides.

If this facility does not/will not manufacture or formulate pesticides or herbicides and does not/will not discharge other wastewaters which may contain pesticides or herbicides, check N/A.

☒ N/A

Table 5 for Outfall No.: 1000000000

Samples are (check one): ☐ **Composites** ☐ **Grabs**

Pollutant	Sample 1 (µg/L)*	Sample 2 (µg/L)*	Sample 3 (µg/L)*	Sample 4 (µg/L)*	MAL (µg/L)*
Aldrin					0.01
Carbaryl					5
Chlordane					0.2
Chlorpyrifos					0.05
4,4'-DDD					0.1
4,4'-DDE					0.1
4,4'-DDT					0.02
2,4-D					0.7
Danitol [Fenpropathrin]					—
Demeton					0.20
Diazinon					0.5/0.1
Dicofol [Kelthane]					1
Dieldrin					0.02
Diuron					0.090
Endosulfan I (<i>alpha</i>)					0.01
Endosulfan II (<i>beta</i>)					0.02
Endosulfan sulfate					0.1
Endrin					0.02
Guthion [Azinphos methyl]					0.1
Heptachlor					0.01
Heptachlor epoxide					0.01
Hexachlorocyclohexane (<i>alpha</i>)					0.05
Hexachlorocyclohexane (<i>beta</i>)					0.05
Hexachlorocyclohexane (<i>gamma</i>) [Lindane]					0.05
Hexachlorophene					10
Malathion					0.1
Methoxychlor					2.0
Mirex					0.02
Parathion (ethyl)					0.1
Toxaphene					0.3
2,4,5-TP [Silvex]					0.3

* Indicate units if different from µg/L.

TABLE 6 (Instructions, Page 59)

Completion of Table 6 **is required** for all **external outfalls**.

Table 6 for Outfall No.:

Samples are (check one): ☐ Composites ☐ Grabs

Pollutants	Believed Present	Believed Absent	Sample 1 (mg/L)	Sample 2 (mg/L)	Sample 3 (mg/L)	Sample 4 (mg/L)	MAL (µg/L)*
Bromide	<input type="checkbox"/>	<input type="checkbox"/>					400
Color (PCU)	<input type="checkbox"/>	<input type="checkbox"/>					—
Nitrate-Nitrite (as N)	<input type="checkbox"/>	<input type="checkbox"/>					—
Sulfide (as S)	<input type="checkbox"/>	<input type="checkbox"/>					—
Sulfite (as SO ₃)	<input type="checkbox"/>	<input type="checkbox"/>					—
Surfactants	<input type="checkbox"/>	<input type="checkbox"/>					—
Boron, total	<input type="checkbox"/>	<input type="checkbox"/>					20
Cobalt, total	<input type="checkbox"/>	<input type="checkbox"/>					0.3
Iron, total	<input type="checkbox"/>	<input type="checkbox"/>					7
Magnesium, total	<input type="checkbox"/>	<input type="checkbox"/>					20
Manganese, total	<input type="checkbox"/>	<input type="checkbox"/>					0.5
Molybdenum, total	<input type="checkbox"/>	<input type="checkbox"/>					1
Tin, total	<input type="checkbox"/>	<input type="checkbox"/>					5
Titanium, total	<input type="checkbox"/>	<input type="checkbox"/>					30

* Indicate units if different from µg/L.

TABLE 7 (Instructions, Page 60)

Check the box next to any of the industrial categories applicable to this facility. If no categories are applicable, check N/A. If GC/MS testing is required, check the box provided to confirm the testing results for the appropriate parameters are provided with the application.

☒ N/A

Table 7 for Applicable Industrial Categories

Industrial Category	40 CFR Part	Volatiles Table 8	Acids Table 9	Bases/Neutrals Table 10	Pesticides Table 11
<input type="checkbox"/> Adhesives and Sealants		<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	No
<input type="checkbox"/> Aluminum Forming	467	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	No
<input type="checkbox"/> Auto and Other Laundries		<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
<input type="checkbox"/> Battery Manufacturing	461	<input type="checkbox"/> Yes	No	<input type="checkbox"/> Yes	No
<input type="checkbox"/> Coal Mining	434	No	No	No	No
<input type="checkbox"/> Coil Coating	465	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	No
<input type="checkbox"/> Copper Forming	468	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	No
<input type="checkbox"/> Electric and Electronic Components	469	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
<input type="checkbox"/> Electroplating	413	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	No
<input type="checkbox"/> Explosives Manufacturing	457	No	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	No
<input type="checkbox"/> Foundries		<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	No
<input type="checkbox"/> Gum and Wood Chemicals - Subparts A,B,C,E	454	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	No	No
<input type="checkbox"/> Gum and Wood Chemicals - Subparts D,F	454	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	No
<input type="checkbox"/> Inorganic Chemicals Manufacturing	415	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	No
<input type="checkbox"/> Iron and Steel Manufacturing	420	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	No
<input type="checkbox"/> Leather Tanning and Finishing	425	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	No
<input type="checkbox"/> Mechanical Products Manufacturing		<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	No
<input type="checkbox"/> Nonferrous Metals Manufacturing	421,471	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
<input type="checkbox"/> Oil and Gas Extraction - Subparts A, D, E, F, G, H	435	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	No
<input type="checkbox"/> Ore Mining - Subpart B	440	No	<input type="checkbox"/> Yes	No	No
<input type="checkbox"/> Organic Chemicals Manufacturing	414	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
<input type="checkbox"/> Paint and Ink Formulation	446,447	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	No
<input type="checkbox"/> Pesticides	455	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
<input type="checkbox"/> Petroleum Refining	419	<input type="checkbox"/> Yes	No	No	No
<input type="checkbox"/> Pharmaceutical Preparations	439	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	No
<input type="checkbox"/> Photographic Equipment and Supplies	459	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	No
<input type="checkbox"/> Plastic and Synthetic Materials Manufacturing	414	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
<input type="checkbox"/> Plastic Processing	463	<input type="checkbox"/> Yes	No	No	No
<input type="checkbox"/> Porcelain Enameling	466	No	No	No	No
<input type="checkbox"/> Printing and Publishing		<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
<input type="checkbox"/> Pulp and Paperboard Mills - Subpart C	430	<input type="checkbox"/> *	<input type="checkbox"/> Yes	<input type="checkbox"/> *	<input type="checkbox"/> Yes
<input type="checkbox"/> Pulp and Paperboard Mills - Subparts F, K	430	<input type="checkbox"/> *	<input type="checkbox"/> Yes	<input type="checkbox"/> *	<input type="checkbox"/> *
<input type="checkbox"/> Pulp and Paperboard Mills - Subparts A, B, D, G, H	430	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> *	<input type="checkbox"/> *
<input type="checkbox"/> Pulp and Paperboard Mills - Subparts I, J, L	430	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> *	<input type="checkbox"/> Yes
<input type="checkbox"/> Pulp and Paperboard Mills - Subpart E	430	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> *
<input type="checkbox"/> Rubber Processing	428	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	No
<input type="checkbox"/> Soap and Detergent Manufacturing	417	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	No
<input type="checkbox"/> Steam Electric Power Plants	423	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	No	No
<input type="checkbox"/> Textile Mills (Not Subpart C)	410	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	No
<input type="checkbox"/> Timber Products Processing	429	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes

* Test if believed present.

TABLES 8, 9, 10, and 11 (Instructions, Page 60)

Completion of Tables 8, 9, 10, and 11 **is required** as specified in Table 7 for all **external outfalls** that contain process wastewater.

Completion of Tables 8, 9, 10, and 11 **may be required** for types of industry not specified in Table 7 for specific parameters that are believed to be present in the wastewater.

Table 8 for Outfall No.: **: Volatile Compounds**

Samples are (check one): ☐ **Composites** ☐ **Grabs**

Pollutant	Sample 1 (µg/L)*	Sample 2 (µg/L)*	Sample 3 (µg/L)*	Sample 4 (µg/L)*	MAL (µg/L)
Acrolein					50
Acrylonitrile					50
Benzene					10
Bromoform					10
Carbon tetrachloride					2
Chlorobenzene					10
Chlorodibromomethane					10
Chloroethane					50
2-Chloroethylvinyl ether					10
Chloroform					10
Dichlorobromomethane [Bromodichloromethane]					10
1,1-Dichloroethane					10
1,2-Dichloroethane					10
1,1-Dichloroethylene [1,1-Dichloroethene]					10
1,2-Dichloropropane					10
1,3-Dichloropropylene [1,3-Dichloropropene]					10
Ethylbenzene					10
Methyl bromide [Bromomethane]					50
Methyl chloride [Chloromethane]					50
Methylene chloride [Dichloromethane]					20
1,1,2,2-Tetrachloroethane					10
Tetrachloroethylene [Tetrachloroethene]					10
Toluene					10
1,2-Trans-dichloroethylene [1,2-Trans-dichloroethene]					10
1,1,1-Trichloroethane					10
1,1,2-Trichloroethane					10
Trichloroethylene [Trichloroethene]					10
Vinyl chloride					10

* Indicate units if different from µg/L.

Table 9 for Outfall No.: : Acid Compounds

Samples are (check one): ☐ Composites ☐ Grabs

Pollutant	Sample 1 (µg/L)*	Sample 2 (µg/L)*	Sample 3 (µg/L)*	Sample 4 (µg/L)*	MAL (µg/L)
2-Chlorophenol					10
2,4-Dichlorophenol					10
2,4-Dimethylphenol					10
4,6-Dinitro-o-cresol					50
2,4-Dinitrophenol					50
2-Nitrophenol					20
4-Nitrophenol					50
p-Chloro-m-cresol					10
Pentachlorophenol					5
Phenol					10
2,4,6-Trichlorophenol					10

* Indicate units if different from µg/L.

Table 10 for Outfall No.: : Base/Neutral Compounds

Samples are (check one): ☐ Composites ☐ Grabs

Pollutant	Sample 1 (µg/L)*	Sample 2 (µg/L)*	Sample 3 (µg/L)*	Sample 4 (µg/L)*	MAL (µg/L)
Acenaphthene					10
Acenaphthylene					10
Anthracene					10
Benzidine					50
Benzo(a)anthracene					5
Benzo(a)pyrene					5
3,4-Benzo(b)fluoranthene [Benzo(b)fluoranthene]					10
Benzo(g,h,i)perylene					20
Benzo(k)fluoranthene					5
Bis(2-chloroethoxy)methane					10
Bis(2-chloroethyl)ether					10
Bis(2-chloroisopropyl)ether					10
Bis(2-ethylhexyl)phthalate					10
4-Bromophenyl phenyl ether					10
Butylbenzyl phthalate					10
2-Chloronaphthalene					10
4-Chlorophenyl phenyl ether					10
Chrysene					5
Dibenzo(a,h)anthracene					5
1,2-Dichlorobenzene [o-Dichlorobenzene]					10
1,3-Dichlorobenzene [m-Dichlorobenzene]					10
1,4-Dichlorobenzene [p-Dichlorobenzene]					10
3,3'-Dichlorobenzidine					5

Pollutant	Sample 1 (µg/L)*	Sample 2 (µg/L)*	Sample 3 (µg/L)*	Sample 4 (µg/L)*	MAL (µg/L)
Diethyl phthalate					10
Dimethyl phthalate					10
Di-n-butyl phthalate					10
2,4-Dinitrotoluene					10
2,6-Dinitrotoluene					10
Di-n-octyl phthalate					10
1,2-Diphenylhydrazine (as Azobenzene)					20
Fluoranthene					10
Fluorene					10
Hexachlorobenzene					5
Hexachlorobutadiene					10
Hexachlorocyclopentadiene					10
Hexachloroethane					20
Indeno(1,2,3-cd)pyrene					5
Isophorone					10
Naphthalene					10
Nitrobenzene					10
N-Nitrosodimethylamine					50
N-Nitrosodi-n-propylamine					20
N-Nitrosodiphenylamine					20
Phenanthrene					10
Pyrene					10
1,2,4-Trichlorobenzene					10

* Indicate units if different from µg/L.

Table 11 for Outfall No.: [REDACTED] : Pesticides

Samples are (check one): ☐ Composites ☐ Grabs

Pollutant	Sample 1 (µg/L)*	Sample 2 (µg/L)*	Sample 3 (µg/L)*	Sample 4 (µg/L)*	MAL (µg/L)
Aldrin					0.01
alpha-BHC [alpha-Hexachlorocyclohexane]					0.05
beta-BHC [beta-Hexachlorocyclohexane]					0.05
gamma-BHC [gamma-Hexachlorocyclohexane]					0.05
delta-BHC [delta-Hexachlorocyclohexane]					0.05
Chlordane					0.2
4,4'-DDT					0.02
4,4'-DDE					0.1
4,4'-DDD					0.1
Dieldrin					0.02
Endosulfan I (alpha)					0.01
Endosulfan II (beta)					0.02
Endosulfan sulfate					0.1

Pollutant	Sample 1 (µg/L)*	Sample 2 (µg/L)*	Sample 3 (µg/L)*	Sample 4 (µg/L)*	MAL (µg/L)
Endrin					0.02
Endrin aldehyde					0.1
Heptachlor					0.01
Heptachlor epoxide					0.01
PCB 1242					0.2
PCB 1254					0.2
PCB 1221					0.2
PCB 1232					0.2
PCB 1248					0.2
PCB 1260					0.2
PCB 1016					0.2
Toxaphene					0.3

* Indicate units if different from µg/L.

Attachment: [REDACTED]

TABLE 12 (DIOXINS/FURAN COMPOUNDS)

Complete of Table 12 **is required** for **external outfalls**, as directed below. (Instructions, Pages 60-61)

- a. Indicate which compound(s) are manufactured or used at the facility and provide a brief description of the conditions of its/their presence at the facility (check all that apply).

- ☐ 2,4,5-trichlorophenoxy acetic acid (2,4,5-T) CASRN 93-76-5
- ☐ 2-(2,4,5-trichlorophenoxy) propanoic acid (Silvex, 2,4,5-TP) CASRN 93-72-1
- ☐ 2-(2,4,5-trichlorophenoxy) ethyl 2,2-dichloropropionate (Erbon) CASRN 136-25-4
- ☐ o,o-dimethyl o-(2,4,5-trichlorophenyl) phosphorothioate (Ronnell) CASRN 299-84-3
- ☐ 2,4,5-trichlorophenol (TCP) CASRN 95-95-4
- ☐ hexachlorophene (HCP) CASRN 70-30-4
- ☐ None of the above

Description: [REDACTED]

- b. Does the applicant or anyone at the facility know or have any reason to believe that 2,3,7,8-tetrachlorodibenzo-p-dioxin (TCDD) or any congeners of TCDD may be present in the effluent proposed for discharge?

- ☐ Yes ☐ No

Description: [REDACTED]

If **yes** to either Items a **or** b, complete Table 12 as instructed.

Table 12 for Outfall No.: [REDACTED]

Samples are (check one): ☐ Composites ☐ Grabs

Compound	Toxicity Equivalent Factors	Wastewater Concentration (ppq)	Wastewater Toxicity Equivalents (ppq)	Sludge Concentration (ppt)	Sludge Toxicity Equivalents (ppt)	MAL (ppq)
2,3,7,8-TCDD	1					10
1,2,3,7,8-PeCDD	1.0					50
2,3,7,8-HxCDDs	0.1					50
1,2,3,4,6,7,8-HpCDD	0.01					50
2,3,7,8-TCDF	0.1					10
1,2,3,7,8-PeCDF	0.03					50
2,3,4,7,8-PeCDF	0.3					50
2,3,7,8-HxCDFs	0.1					50
2,3,4,7,8-HpCDFs	0.01					50
OCDD	0.0003					100
OCDF	0.0003					100
PCB 77	0.0001					500
PCB 81	0.0003					500
PCB 126	0.1					500
PCB 169	0.03					500
Total						

TABLE 13 (HAZARDOUS SUBSTANCES)

Complete Table 13 is required for all external outfalls as directed below. (Instructions, Page 61)

a. Are there any pollutants listed in the instructions (pages 55-62) believed present in the discharge?

☐ Yes ☒ No

b. Are there pollutants listed in Item 1.c. of Technical Report 1.0 which are believed present in the discharge and have not been analytically quantified elsewhere in this application?

☐ Yes ☒ NoIf **yes** to either Items a or b, complete Table 13 as instructed.

Table 13 for Outfall No.: [REDACTED]

Samples are (check one): ☐ Composites ☐ Grabs

Pollutant	CASRN	Sample 1 (µg/L)	Sample 2 (µg/L)	Sample 3 (µg/L)	Sample 4 (µg/L)	Analytical Method

WORKSHEET 4.0 RECEIVING WATERS

This worksheet is **required** for all TPDES permit applications.

1. DOMESTIC DRINKING WATER SUPPLY (Instructions, Page 81)

- a. There is a surface water intake for domestic drinking water supply located within 5 (five) miles downstream from the point/proposed point of discharge.

☐ Yes ☒ No

If **no**, stop here and proceed to Item 2. If **yes**, provide the following information:

i. The legal name of the owner of the drinking water supply intake: N/A

v. The distance and direction from the outfall to the drinking water supply intake: N/A

- b. Locate and identify the intake on the USGS 7.5-minute topographic map provided for Administrative Report 1.0.

☐ Check this box to confirm the above requested information is provided.

2. DISCHARGE INTO TIDALLY INFLUENCED WATERS (Instructions, Page 81)

If the discharge is to tidally influenced waters, complete this section. Otherwise, proceed to Item 3.

- a. Width of the receiving water at the outfall: N/A feet

- b. Are there oyster reefs in the vicinity of the discharge?

☐ Yes ☐ No

If **yes**, provide the distance and direction from the outfall(s) to the oyster reefs: 1.1 miles

- c. Are there sea grasses within the vicinity of the point of discharge?

☐ Yes ☐ No

If **yes**, provide the distance and direction from the outfall(s) to the grasses: 1.1 miles

3. CLASSIFIED SEGMENT (Instructions, Page 81)

The discharge is/will be directly into (or within 300 feet of) a classified segment.

☐ Yes ☒ No

If **yes**, stop here. It is not necessary to complete Items 4 and 5 of this worksheet or Worksheet 4.1.

If **no**, complete Items 4 and 5 and Worksheet 4.1 may be required.

4. DESCRIPTION OF IMMEDIATE RECEIVING WATERS (Instructions, Page 82)

a. Name of the immediate receiving waters: White Branch

b. Check the appropriate description of the immediate receiving waters:

- | | |
|---|--|
| <input type="checkbox"/> Lake or Pond | <input type="checkbox"/> Man-Made Channel or Ditch |
| • Surface area (acres): <u> </u> | <input checked="" type="checkbox"/> Stream or Creek |
| • Average depth of the entire water body (feet): <u> </u> | <input type="checkbox"/> Freshwater Swamp or Marsh |
| • Average depth of water body within a 500-foot radius of the discharge point (feet): <u> </u> | <input type="checkbox"/> Tidal Stream, Bayou, or Marsh |
| | <input type="checkbox"/> Open Bay |
| | <input type="checkbox"/> Other, specify: <u> </u> |

If **Man-Made Channel or Ditch** or **Stream or Creek** were selected above, provide responses to Items 4.c – 4.g below:

c. For **existing discharges**, check the description below that best characterizes the area **upstream** of the discharge.

For **new discharges**, check the description below that best characterizes the area **downstream** of the discharge.

- ☒ Intermittent (dry for at least one week during most years)
- ☐ Intermittent with Perennial Pools (enduring pools containing habitat to maintain aquatic life uses)
- ☐ Perennial (normally flowing)

Check the source(s) of the information used to characterize the area upstream (existing discharge) or downstream (new discharge):

- ☐ USGS flow records
- ☒ personal observation
- ☐ historical observation by adjacent landowner(s)
- ☐ other, specify:

d. List the names of all perennial streams that join the receiving water within three miles downstream of the discharge point: Steele Creek

e. The receiving water characteristics change within three miles downstream of the discharge (e.g., natural or man-made dams, ponds, reservoirs, etc.).

☐ Yes ☒ No

If **yes**, describe how:

f. General observations of the water body during normal dry weather conditions:

Date and time of observation:

g. The water body was influenced by stormwater runoff during observations.

☐ Yes ☒ No

If **yes**, describe how:

5. GENERAL CHARACTERISTICS OF WATER BODY (Instructions, Page 82)

- a. Is the receiving water upstream of the existing discharge or proposed discharge site influenced by any of the following (check all that apply):
- | | |
|---|--|
| <input type="checkbox"/> oil field activities | <input type="checkbox"/> urban runoff |
| <input type="checkbox"/> agricultural runoff | <input type="checkbox"/> septic tanks |
| <input type="checkbox"/> upstream discharges | <input checked="" type="checkbox"/> other, specify: <input type="text"/> |
- b. Uses of water body observed or evidence of such uses (check all that apply):
- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> livestock watering | <input type="checkbox"/> fishing | <input type="checkbox"/> picnic/park activities |
| <input type="checkbox"/> non-contact recreation | <input type="checkbox"/> industrial water supply | <input type="checkbox"/> other, specify: <input type="text"/> |
| <input type="checkbox"/> domestic water supply | <input type="checkbox"/> irrigation withdrawal | <input type="text"/> |
| <input type="checkbox"/> contact recreation | <input type="checkbox"/> navigation | |
- c. Description which best describes the aesthetics of the receiving water and the surrounding area (check only one):
- ☐ **Wilderness:** outstanding natural beauty; usually wooded or un-pastured area: water clarity exceptional
- ☒ **Natural Area:** trees or native vegetation common; some development evident (from fields, pastures, dwellings); water clarity discolored
- ☐ **Common Setting:** not offensive, developed but uncluttered; water may be colored or turbid
- ☐ **Offensive:** stream does not enhance aesthetics; cluttered; highly developed; dumping areas; water discolored

WORKSHEET 7.0

STORMWATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITIES

This worksheet **is required** for all TPDES permit applications requesting individual permit coverage for discharges consisting of **either**: 1) solely of stormwater discharges associated with industrial activities, as defined in *40 CFR § 122.26(b)(14)(i-xi)*, **or** 2) stormwater discharges associated with industrial activities and any of the listed allowable non-stormwater discharges, as defined in the MSGP (TXR05000), Part II, Section A, Item 6.

Discharges of stormwater as defined in *40 CFR § 122.26 (b)(13)* are not required to obtain authorization under a TPDES permit (see exceptions at *40 CFR §§ 122.26(a)(1)* and *(9)*). Authorization for discharge may be required from a local municipal separate storm sewer system.

1. APPLICABILITY (Instructions, Page 90)

Do discharges from any of the existing/proposed outfalls consist either 1) solely of stormwater discharges associated with industrial activities **or** 2) stormwater discharges associated with industrial activities and any of the allowable non-stormwater discharges?

☐ Yes ☒ No

If **no**, stop here. If **yes**, proceed as directed.

2. STORMWATER OUTFALL COVERAGE (Instructions, Page 91)

List each existing/proposed stormwater outfall at the facility and indicate which type of authorization covers or is proposed to cover discharges.

Authorization coverage

Outfall	Authorized Under MSGP	Authorized Under Individual Permit
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>

If **all** existing/proposed outfalls which discharge stormwater associated with industrial activities (and any of the allowable non-stormwater discharges) are **authorized under the MSGP**, **stop** here.

If **seeking authorization** for any outfalls which discharge stormwater associated with industrial activities (and any of the allowable non-stormwater discharges) **under an individual permit**, **proceed**.

NOTE: The following information is required for each existing/proposed stormwater outfall for which the facility is seeking individual permit authorization under this application.

3. SITE MAP (Instructions, Page 91)

Attach a site map or maps (drawn to scale) of the entire facility with the following information.

- the location of each stormwater outfall to be covered by the permit
- an outline of the drainage area that is within the facility's boundary and that contributes stormwater to each outfall to be covered by the permit
- connections or discharge points to municipal separate storm sewer systems
- locations of all structures (e.g. buildings, garages, storage tanks)
- structural control devices that are designed to reduce pollution in discharges of stormwater associated with industrial activities
- process wastewater treatment units (including ponds)
- bag house and other air treatment units exposed to stormwater (stormwater runoff, snow melt runoff, and surface runoff and drainage)
- landfills; scrapyards; surface water bodies (including wetlands)
- vehicle and equipment maintenance areas
- physical features of the site that may influence discharges of stormwater associated with industrial activities or contribute a dry weather flow
- locations where spills or leaks of reportable quality (as defined in 30 TAC § 327.4) have occurred during the three years before this application was submitted to obtain coverage under an individual permit
- processing areas, storage areas, material loading/unloading areas, and other locations where significant materials are exposed to stormwater (stormwater runoff, snow melt runoff, and surface runoff and drainage)

☐ Check the box to confirm all the above information was provided on the facility site map(s).

Attachment:

4. FACILITY/SITE INFORMATION (Instructions, Pages 91-92)

- a. Provide the area of impervious surface and the total area drained by each stormwater outfall requested for authorization by this permit application.

Impervious Surfaces

Outfall	Area of Impervious Surface (include units)	Total Area Drained (include units)

- b. Provide the following local area rainfall information and the source of the information.

Wettest month:

Average rainfall for wettest month (total inches): _____

25-year, 24-hour rainfall (inches): _____

Source: _____

- c. Attach an inventory, or list, of materials currently handled at the facility that may be exposed to precipitation. **Attachment:** _____
- d. Attach narrative descriptions of the industrial processes and activities involving the materials in the above-listed inventory that occur outdoors or in some manner that may result in exposure of the materials to precipitation or runoff (see instructions for guidance). **Attachment:** _____
- e. Describe any BMPs and controls the facility uses/proposes to prevent or effectively reduce pollution in stormwater discharges from the facility: _____


5. LABORATORY ACCREDITATION CERTIFICATION (Instructions, Page 92)

Effective July 1, 2008, all laboratory tests performed must meet the requirements of *30 TAC Chapter 25, Environmental Testing Laboratory Accreditation and Certification* with the following general exemptions:

- a. The laboratory is an in-house laboratory and is:
 - i. periodically inspected by the TCEQ; or
 - ii. located in another state and is accredited or inspected by that state; or
 - iii. performing work for another company with a unit located in the same site; or
 - vi. performing pro bono work for a governmental agency or charitable organization.
- b. The laboratory is accredited under federal law.
- c. The data are needed for emergency-response activities, and a laboratory accredited under the Texas Laboratory Accreditation Program is not available.
- d. The laboratory supplies data for which the TCEQ does not offer accreditation.

Review *30 TAC Chapter 25* for specific requirements. The following certification statement shall be signed and submitted with every application. See Instructions, Page 32, for a list of approved signatories.

I, Jason Bish, certify that all laboratory tests submitted with this application meet the requirements of *30 TAC Chapter 25, Environmental Testing Laboratory Accreditation and Certification*.



(Signature)

6. POLLUTANT ANALYSIS (Instructions, Pages 92-93)

- a. Provide the date range of all sampling events conducted to obtain the analytical data submitted with this application (e.g., 05/01/2018-05/30/2018): _____
- b. ☐ Check the box to confirm all samples were collected no more than 12 months prior to the date of application submittal.
- c. Complete Table 17 as directed on page 92 of the Instructions.

* Taken during first 30 minutes of storm event

d. Complete Table 18 as directed on pages 92-94 of the Instructions.

* Taken during first 30 minutes of storm event

Attachment:

7. STORM EVENT DATA (Instructions, Page 94)

Provide the following data for the storm event(s) which resulted in the maximum values for the analytical data submitted:

Date of storm event:

Duration of storm event (minutes):

Total rainfall during storm event (inches):

Number of hours the between beginning of the storm measured and the end of the previous measurable storm event (hours):

Maximum flow rate during rain event (gallons/minute):

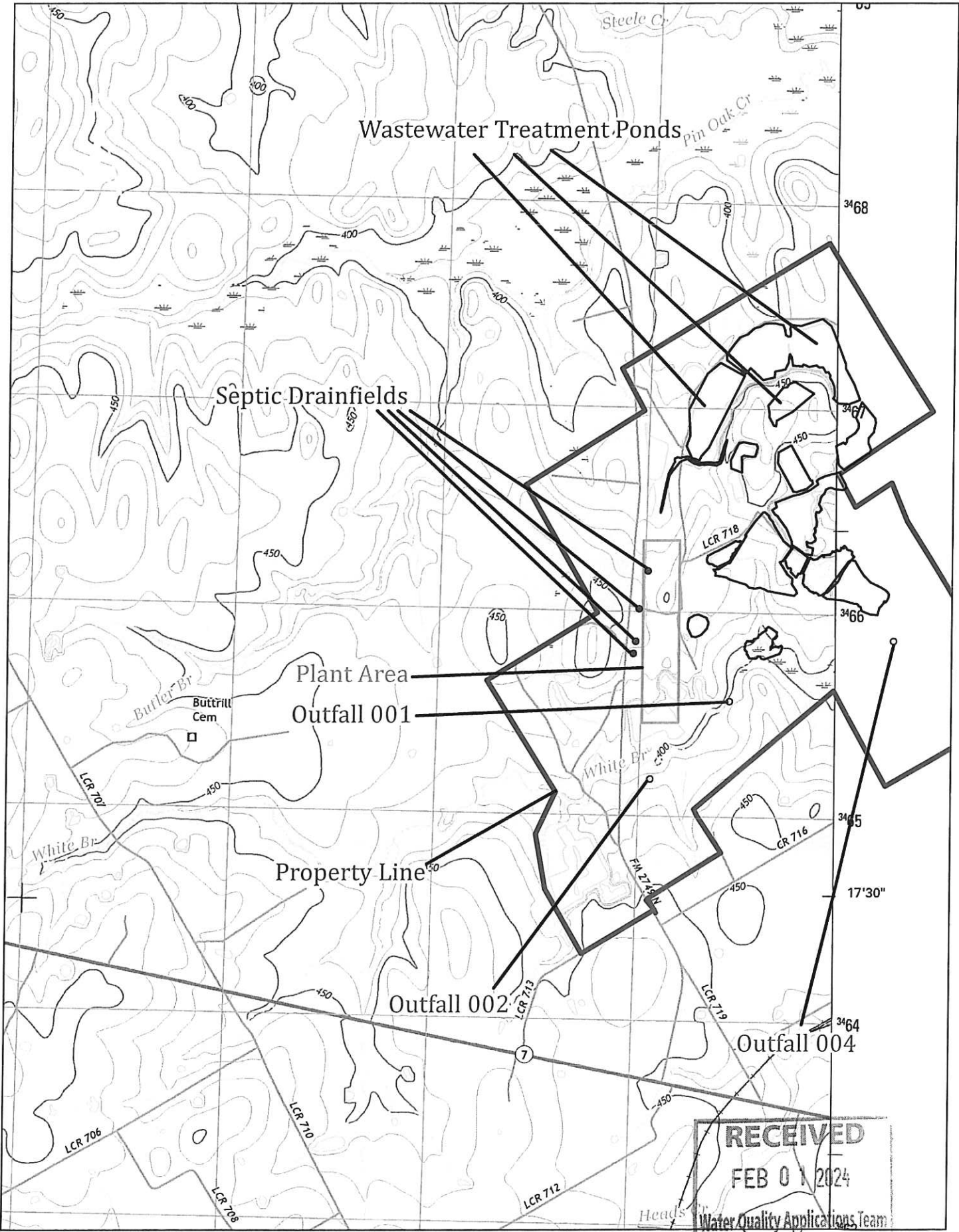
Total stormwater flow from rain event (gallons):

Provide a description of the method of flow measurement or estimate:

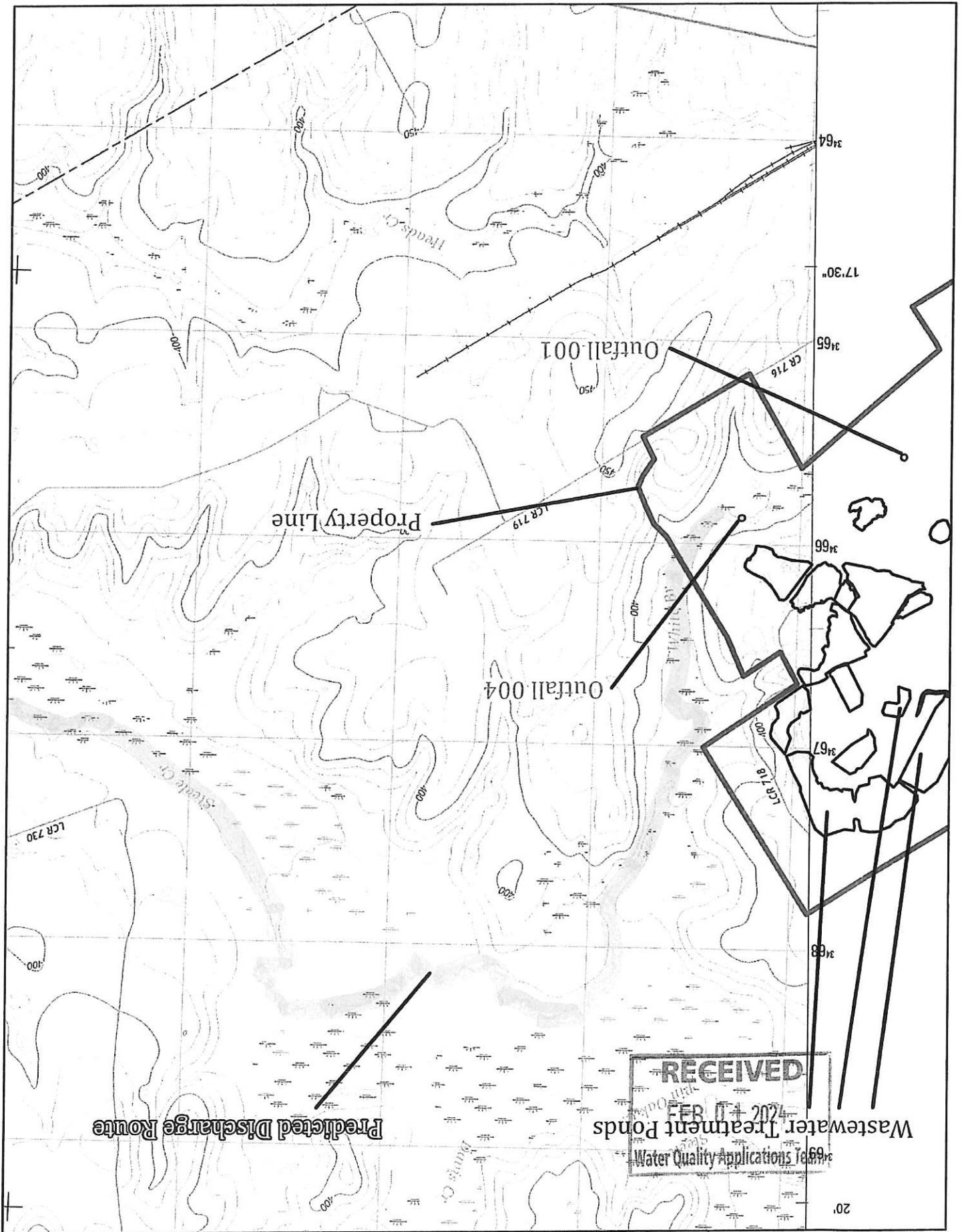
**ATTACHMENT 2: SUPPLEMENTAL PERMIT INFORMATION FORM
(SPIF)**

**SPIF
USGS Quadrangle Maps
Equipment Photographs**

Kosse East USGS Map - Detail



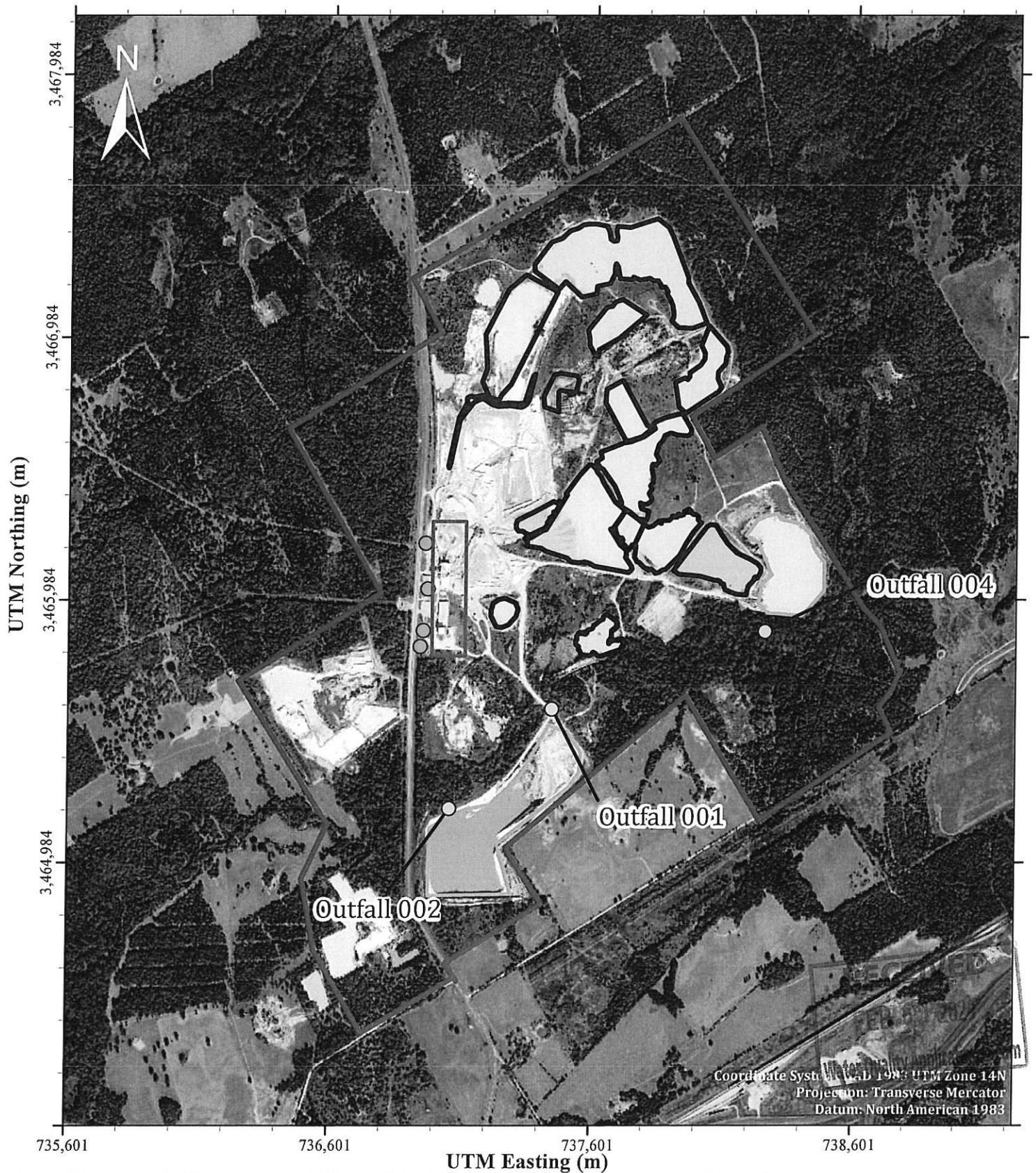
Oletha USGS Map - Detail



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FEB 01 2024
Water Quality Applications Team

ATTACHMENT 3: FACILITY MAP

Kosse Plant Facility Map

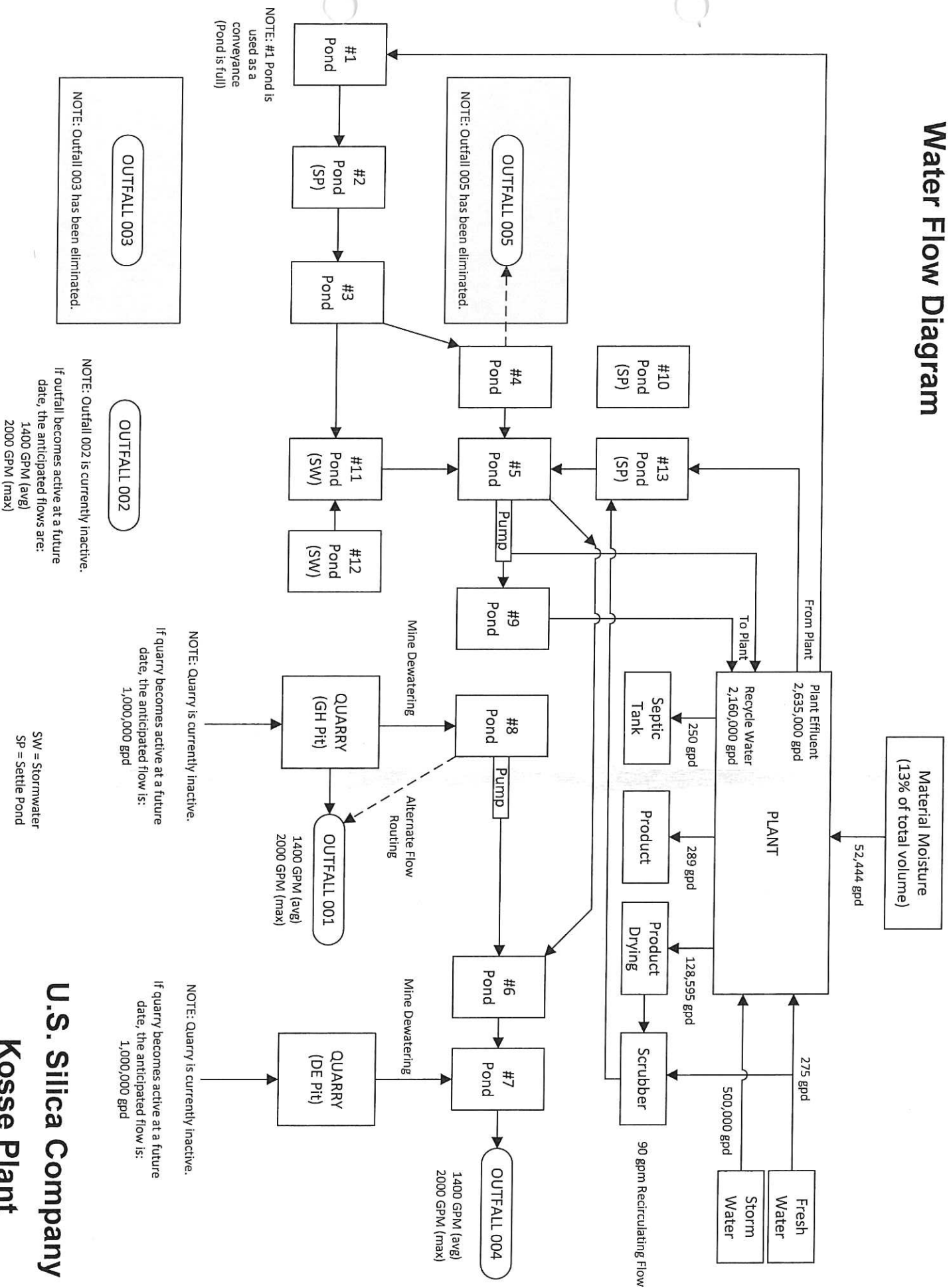


LEGEND

- | | | |
|---------------|---------------------------|---------|
| Property Line | Wastewater Treatment Pond | Quarry |
| Plant Area | Septic Drainfield | Outfall |

ATTACHMENT 4: PROCESS FLOW DIAGRAM / WATER BALANCE

Water Flow Diagram



U.S. Silica Company

Kosse Plant

ATTACHMENT 5: GENERAL TESTING REQUIREMENTS INFO

"Read the general testing requirements in the instructions for important information about sampling, test methods, and MALs. If a contact laboratory was used, attach a list which includes the name, contact information, and pollutants analyzed for each laboratory/firm"

Contract Laboratory:

- Aqua-Tech Laboratories, Inc.

Contact Information:

- Address: 3512 Montopolis Dr. Suite A, Austin, TX 78744.
- Phone: (512) 301-9559

Pollutants Analyzed:

- Hexavalent Chromium
- Copper

ATTACHMENT 6: EPAY COPY OF VOUCHER

TCEQ ePay Receipt**Transaction Information**

Trace Number: 582EA000590471
Date: 01/30/2024 10:07 AM
Payment Method: CC - Authorization 0000081568
ePay Actor: WES PENN
TCEQ Amount: \$1,215.00
Texas.gov Price:: \$1,242.59*

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

Payment Contact Information

Name: WES PENN
Company: U S SILICA
Address: 24275 KATY FREEWAY SUITE 600, KATY, TX 77494
Phone: 903-780-9594

Cart Items

Voucher	Fee Description	AR Number	Amount
684404	WW PERMIT - MINOR FACILITY SUBJECT TO 40 CFR 400-471 - RENEWAL		\$1,200.00
684405	30 TAC 305.53B WQ RENEWAL NOTIFICATION FEE		\$15.00
		TCEQ Amount:	\$1,215.00



TCEQ ePay Voucher Receipt**Transaction Information**

Voucher Number: 684404
Trace Number: 582EA000590471
Date: 01/30/2024 10:07 AM
Payment Method: CC - Authorization 0000081568
Voucher Amount: \$1,200.00
Fee Type: WW PERMIT - MINOR FACILITY SUBJECT TO 40 CFR 400-471 - RENEWAL
ePay Actor: WES PENN

Payment Contact Information

Name: WES PENN
Company: U S SILICA
Address: 24275 KATY FREEWAY SUITE 600, KATY, TX 77494
Phone: 903-780-9594

Site Information

Site Name: U S SILICA KOSSE PLANT
Site Address: 4171 FARM TO MARKET ROAD 2749, KOSSE, TX 76653
Site Location: SAME AS ADDRESS

Customer Information

Customer Name: U S SILICA COMPANY
Customer Address: 24275 KATY FREEWAY SUITE 600, KATY, TX 77494

Other Information

Program Area ID: WQ0001176000



TCEQ ePay Voucher Receipt

Transaction Information

Voucher Number: 684405
Trace Number: 582EA000590471
Date: 01/30/2024 10:07 AM
Payment Method: CC - Authorization 0000081568
Voucher Amount: \$15.00
Fee Type: 30 TAC 305.53B WQ RENEWAL NOTIFICATION FEE
ePay Actor: WES PENN

Payment Contact Information

Name: WES PENN
Company: U S SILICA
Address: 24275 KATY FREEWAY SUITE 600, KATY, TX 77494
Phone: 903-780-9594

