



Technical Package Cover Page

This file contains the following documents:

1. Summary of application (in plain language)
 - English
 - Alternative Language (Spanish)
 2. First notice (NORI-Notice of Receipt of Application and Intent to Obtain a Permit)
 - English
 - Alternative Language (Spanish)
 3. Second notice (NAPD-Notice of Preliminary Decision)
 - English
 - Alternative Language (Spanish)
 4. Application materials
 5. Draft permit
 6. Technical summary or fact sheet
-



Portada de Paquete Técnico

Este archivo contiene los siguientes documentos:

1. Resumen de la solicitud (en lenguaje sencillo)
 - Inglés
 - Idioma alternativo (español)
2. Primer aviso (NORI, Aviso de Recepción de Solicitud e Intención de Obtener un Permiso)
 - Inglés
 - Idioma alternativo (español)
3. Segundo aviso (NAPD, Aviso de Decisión Preliminar)
 - Inglés
 - Idioma alternativo (español)
4. Materiales de la solicitud
5. Proyecto de permiso
6. Resumen técnico u hoja de datos

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

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

Fill in the 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.

BWC Texas Terminals LLC. (CN603355918) operates Texas City Terminal II RN102178613. a The facility is designed to be a bulk liquids storage facility. Liquid products could be stored in above ground storage tanks, where they can be loaded/unloaded from trucks and barges. The facility currently does not store any products or have any tanks available for storage. Only stormwater run-off is discharged from this facility. No petroleum or chemical products are processed or treated at the terminal. The facility is located 159 Levee Road, in Texas City, Galveston County, Texas 77592. The discharge route is from the plant site via outfall 001 directly to the Texas City Ship Channel.

Discharges from the facility are expected to contain No petroleum or chemical products are processed or treated at the terminal .Stormwater run-off will be treated by 17. Enter a description of wastewater treatment used at the facility here..

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

AGUAS RESIDUALES INDUSTRIALES/AGUAS PLUVIALES

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

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

AGUAS RESIDUALES INDUSTRIALES/AGUAS PLUVIALES

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

El siguiente resumen se proporciona para esta solicitud pendiente de permiso de calidad del agua que está siendo revisada por la Comisión de Calidad Ambiental de Texas según lo exige el Capítulo 39 del Código Administrativo de Texas 30. La información proporcionada en este resumen puede cambiar durante la revisión técnica de la solicitud y no es información federal. representaciones ejecutivas de la solicitud de permiso. BWC Texas Terminals LLC, (CN602481921) opera la Terminal 2 de Texas City RN102178613. una La terminal no está en uso, solo se utiliza para descargar aguas pluviales. No se almacenan productos en este lugar.. La instalación está ubicada en 159 Levee Rd., en Texas City, Condado de Galveston, Texas 77592. Esta renovación de la solicitud es para renovar el Permiso del Sistema de Eliminación de Descargas de Contaminantes de Texas (TDPDES) No. WQ0002565000 (EPA I.D. No. TX0089753) para autorizar la descarga de aguas pluviales.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



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

PERMIT NO. WQ0002565000

APPLICATION. BWC Texas Terminals LLC, P.O. Box 3608, Texas City, Texas 77590, which owns a bulk liquid storage facility, has applied to the Texas Commission on Environmental Quality (TCEQ) to renew Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0002565000 (EPA I.D. No. TX0089753) to authorize the discharge of treated wastewater and stormwater at an intermittent and flow variable rate. The facility is located at 159 Levee Road, Texas City, in Galveston County, Texas 77592. The discharge route is from the plant site directly to Industrial Canal, thence to the Turning Basin, both of which are a part of the Texas City Ship Channel. TCEQ received this application on October 5, 2023. The permit application will be available for viewing and copying at Moore Memorial Public Library, 1701 9th Avenue North, Texas City, Texas prior to the date this notice is published in the newspaper. The application, including any updates, and associated notices are available electronically at the following webpage: <https://www.tceq.texas.gov/permitting/wastewater/pending-permits/tpdes-applications>. 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=-94.911944,29.364166&level=18>

The application is subject to the goals and policies of the Texas Coastal Management Program and must be consistent with the applicable Coastal Management Program goals and policies.

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

ADDITIONAL NOTICE. TCEQ's Executive Director has determined the application is administratively complete and will conduct a technical review of the application. After technical review of the application is complete, the Executive Director may prepare a draft permit and will issue a preliminary decision on the application. **Notice of the Application and Preliminary Decision will be published and mailed to those who are on the county-wide mailing list and to those who are on the mailing list for this application. That notice will contain the deadline for submitting public comments.**

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

will hold a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

OPPORTUNITY FOR A CONTESTED CASE HEARING. After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments. **Unless the application is directly referred for a contested case hearing, the response to comments, and the Executive Director's decision on the application, will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide instructions for requesting reconsideration of the Executive Director's decision and for requesting a contested case hearing.** A contested case hearing is a legal proceeding similar to a civil trial in state district court.

TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST: your name, address, phone number; applicant's name and proposed permit number; the location and distance of your property/activities relative to the proposed facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; a list of all disputed issues of fact that you submit during the comment period and, the statement "[I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify by name and physical address an individual member of the group who would be adversely affected by the proposed facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission may only grant a request for a contested case hearing on issues the requestor submitted in their timely comments that were not subsequently withdrawn. **If a hearing is granted, the subject of a hearing will be limited to disputed issues of fact or mixed questions of fact and law relating to relevant and material water quality concerns submitted during the comment period. 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 BWC Texas Terminals LLC at the address stated above or by calling Ms. Narshenna Moore, Environmental Manager, at 713-298-1800.

Issuance Date: July 17, 2024

Comisión de Calidad Ambiental del Estado de Texas



AVISO DE RECIBO DE LA SOLICITUD Y EL INTENTO DE OBTENER PERMISO PARA LA CALIDAD DEL AGUA RENOVACION

PERMISO NO. WQ0002565000

SOLICITUD. BWC Texas Terminals LLC, P.O. Box 3608, Texas City, Texas 77590, que posee una instalación de almacenamiento de líquidos a granel, ha solicitado a la Comisión de Calidad Ambiental del Estado de Texas (TCEQ) para renovar el Permiso No. WQ0002565000 (EPA I.D. No. TX0089753) del Sistema de Eliminación de Descargas de Contaminantes de Texas (TPDES) autorizar la descarga de aguas residuales y pluviales tratadas a velocidad intermitente y de caudal variable. La planta está ubicada 159 Levee Road, Texas City, Texas 77592 en el Condado de Galveston, Texas. La ruta de descarga es desde el sitio de la planta directamente al Canal Industrial, y de allí a la Cuenca de Giro, los cuales forman parte del Canal de Navegación de la Ciudad de Texas. La TCEQ recibió esta solicitud el October 5, 2023. La solicitud para el permiso estará disponible para leerla y copiarla en Biblioteca Pública Moore Memorial, 1701 9th Avenue North, Texas City, Texas antes de la fecha de publicación de este aviso en el periódico. La solicitud (cualquier actualización y aviso inclusive) está disponible electrónicamente en la siguiente página web:

<https://www.tceq.texas.gov/permitting/wastewater/pending-permits/tpdes-applications>. Este enlace a un mapa electrónico de la ubicación general del sitio o de la instalación es proporcionado como una cortesía y no es parte de la solicitud o del aviso. Para la ubicación exacta, consulte la solicitud.

<https://gisweb.tceq.texas.gov/LocationMapper/?marker=-94.911944,29.364166&level=18>

AVISO ADICIONAL. El Director Ejecutivo de la TCEQ ha determinado que la solicitud es administrativamente completa y conducirá una revisión técnica de la solicitud. Después de completar la revisión técnica, el Director Ejecutivo puede preparar un borrador del permiso y emitirá una Decisión Preliminar sobre la solicitud. **El aviso de la solicitud y la decisión preliminar serán publicados y enviado a los que están en la lista de correo de las personas a lo largo del condado que desean recibir los avisos y los que están en la lista de correo que desean recibir avisos de esta solicitud. El aviso dará la fecha límite para someter comentarios públicos.**

COMENTARIO PUBLICO / REUNION PUBLICA. Usted puede presentar

comentarios públicos o pedir una reunión pública sobre esta solicitud. El propósito de una reunión pública es dar la oportunidad de presentar comentarios o hacer preguntas acerca de la solicitud. La TCEQ realiza una reunión pública si el Director Ejecutivo determina que hay un grado de interés público suficiente en la solicitud o si un legislador local lo pide. Una reunión pública no es una audiencia administrativa de lo contencioso.

OPORTUNIDAD DE UNA AUDIENCIA ADMINISTRATIVA DE LO CONTENCIOSO. Después del plazo para presentar comentarios públicos, el Director Ejecutivo considerará todos los comentarios apropiados y preparará una respuesta a todo los comentarios públicos esenciales, pertinentes, o significativos. **A menos que la solicitud haya sido referida directamente a una audiencia administrativa de lo contencioso, la respuesta a los comentarios y la decisión del Director Ejecutivo sobre la solicitud serán enviados por correo a todos los que presentaron un comentario público y a las personas que están en la lista para recibir avisos sobre esta solicitud. Si se reciben comentarios, el aviso también proveerá instrucciones para pedir una reconsideración de la decisión del Director Ejecutivo y para pedir una audiencia administrativa de lo contencioso.** Una audiencia administrativa de lo contencioso es un procedimiento legal similar a un procedimiento legal civil en un tribunal de distrito del estado.

PARA SOLICITAR UNA AUDIENCIA DE CASO IMPUGNADO, USTED DEBE INCLUIR EN SU SOLICITUD LOS SIGUIENTES DATOS: su nombre, dirección, y número de teléfono; el nombre del solicitante y número del permiso; la ubicación y distancia de su propiedad/actividad con respecto a la instalación; una descripción específica de la forma cómo usted sería afectado adversamente por el sitio de una manera no común al público en general; una lista de todas las cuestiones de hecho en disputa que usted presente durante el período de comentarios; y la declaración "[Yo/nosotros] solicito/solicitamos una audiencia de caso impugnado". Si presenta la petición para una audiencia de caso impugnado de parte de un grupo o asociación, debe identificar una persona que representa al grupo para recibir correspondencia en el futuro; identificar el nombre y la dirección de un miembro del grupo que sería afectado adversamente por la planta o la actividad propuesta; proveer la información indicada anteriormente con respecto a la ubicación del miembro afectado y su distancia de la planta o actividad propuesta; explicar cómo y porqué el miembro sería afectado; y explicar cómo los intereses que el grupo desea proteger son pertinentes al propósito del grupo.

Después del cierre de todos los períodos de comentarios y de petición que aplican, el Director Ejecutivo enviará la solicitud y cualquier petición para reconsideración o para una audiencia de caso impugnado a los Comisionados de la TCEQ para su consideración durante una reunión programada de la Comisión. La Comisión sólo puede conceder una solicitud de una audiencia de caso impugnado sobre los temas que el solicitante haya

presentado en sus comentarios oportunos que no fueron retirados posteriormente. Si se concede una audiencia, el tema de la audiencia estará limitado a cuestiones de hecho en disputa o cuestiones mixtas de hecho y de derecho relacionadas a intereses pertinentes y materiales de calidad del agua que se hayan presentado durante el período de comentarios. Si ciertos criterios se cumplen, la TCEQ puede actuar sobre una solicitud para renovar un permiso sin proveer una oportunidad de una audiencia administrativa de lo contencioso.

LISTA DE CORREO. Si somete comentarios públicos, un pedido para una audiencia administrativa de lo contencioso o una reconsideración de la decisión del Director Ejecutivo, la Oficina del Secretario Principal enviará por correo los avisos públicos en relación con la solicitud. Además, puede pedir que la TCEQ ponga su nombre en una o más de las listas de correos siguientes (1) la lista de correo permanente para recibir los avisos de el solicitante indicado por nombre y número del permiso específico y/o (2) la lista de correo de todas las solicitudes en un condado específico. Si desea que se agregue su nombre en una de las listas designe cual lista(s) y envía por correo su pedido a la Oficina del Secretario Principal de la TCEQ.

CONTACTOS E INFORMACIÓN A LA AGENCIA. Todos los comentarios públicos y solicitudes deben ser presentados electrónicamente vía <http://www14.tceq.texas.gov/epic/eComment/> o por escrito dirigidos a la Comisión de Texas de Calidad Ambiental, Oficial de la Secretaría (Office of Chief Clerk), MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Tenga en cuenta que cualquier información personal que usted proporcione, incluyendo su nombre, número de teléfono, dirección de correo electrónico y dirección física pasarán a formar parte del registro público de la Agencia. Para obtener más información acerca de esta solicitud de permiso o el proceso de permisos, llame al programa de educación pública de la TCEQ, gratis, al 1-800-687-4040. Si desea información en Español, puede llamar al 1-800-687-4040.

También se puede obtener más información de BWC Texas Terminals LLC en la dirección indicada anteriormente o llamando a la Sra. Narshenna Moore, Gerente de Medio Ambiente, al 713-298-1800.

Fecha de emisión 17 de julio de 2024

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



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

RENEWAL

Permit No. WQ0002565000

APPLICATION AND PRELIMINARY DECISION. BWC Texas Terminals LLC, P.O. Box 3608, Texas City, Texas 77590, which operates Texas City Terminal II, a bulk liquid storage facility, has applied to the Texas Commission on Environmental Quality (TCEQ) for a renewal of Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0002565000, which authorizes the discharge of stormwater associated with industrial activity, hydrostatic test water, potable water, steam condensate, and air conditioner condensate on an intermittent and flow-variable basis via Outfall 001. The TCEQ received this application on October 5, 2023.

The facility is located at 159 Levee Road, in the City of Texas City, Galveston County, Texas 77590. 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=-94.911944,29.364166&level=18>

The effluent is discharged from the plant site directly to the Industrial Canal, thence to the Turning Basin, both of which are part of the Texas City Ship Channel in Segment No. 2437 of the Bays and Estuaries. The designated uses for Segment No. 2437 are non-contact recreation 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 Moore Memorial Public Library, 1701 9th Avenue North, Texas City, Texas. The application, including any updates, and associated notices are available electronically at the following webpage:

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

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

PUBLIC COMMENT / PUBLIC MEETING. You may submit public comments or request a public meeting about this application. The purpose of a public meeting is to provide the opportunity to submit 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 BWC Texas Terminals LLC at the address stated above or by calling Ms. Narshenna Moore, Environmental Manager, at 713-298-1800.

Issued: November 24, 2025

Comisión De Calidad Ambiental Del Estado De Texas



AVISO DE LA SOLICITUD Y DECISIÓN PRELIMINAR PARA EL PERMISO DEL SISTEMA DE ELIMINACION DE DESCARGAS DE CONTAMINANTES DE TEXAS (TPDES) PARA AGUAS RESIDUALES INDUSTRIALES

RENOVACIÓN

PERMISO NO. WQ 0002565000

SOLICITUD Y DECISIÓN PRELIMINAR. BWC Texas Terminals LLC, P.O. Box 3608, Texas City, Texas 77590, que opera la Terminal II de Texas City, una instalación de almacenamiento de líquidos a granel, ha solicitado a la Comisión de Calidad Ambiental de Texas (TCEQ) la renovación del Permiso del Sistema de Eliminación de Descargas de Contaminantes de Texas (TPDES) No. WQ0002565000. Este permiso autoriza la descarga de aguas pluviales asociadas con actividades industriales, agua de pruebas hidrostáticas, agua potable, condensado de vapor y condensado de aire acondicionado de manera intermitente y con flujo variable a través del punto de descarga 001. La TCEQ recibió esta solicitud el 5 de octubre de 2023.

La instalación está ubicada en 159 Levee Road, en la ciudad de Texas City, condado de Galveston, Texas 77590. Este enlace a un mapa electrónico de la ubicación general del sitio se proporciona como cortesía pública y no forma parte de la solicitud ni del aviso. Para la ubicación exacta, consulte la solicitud.

<https://gisweb.tceq.texas.gov/LocationMapper/?marker=-94.911944,29.364166&level=18>

El efluente tratado es descargado al Industrial Canal en el Segmento No. 2437 de la Cuenca del Río Turning Basin. Los usos no clasificados de las aguas receptoras son no significativos usos de la vida acuática para Texas City Ship Channel. Los usos designados para el Segmento No. 2437 son no significativos de vida acuática; abastecimiento de agua potable, provisión de agua a la industria, agua para ostras, navegación y recreación sin contacto.

El Director Ejecutivo de la TCEQ ha completado la revisión técnica de la solicitud y ha preparado un borrador del permiso. El borrador del permiso, si es aprobado, establecería las condiciones bajo las cuales la instalación debe operar. El Director Ejecutivo ha tomado una decisión preliminar que si este permiso es emitido, cumple con todos los requisitos normativos y legales. La solicitud del permiso, la decisión preliminar del Director Ejecutivo y el borrador del permiso están disponibles para leer y copiar en 1701 9th Ave N, Texas City, TX 77590. La solicitud está disponible para su consulta y reproducción a través del siguiente enlace:

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

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

COMENTARIO PUBLICO / REUNION PUBLICA. Usted puede presentar comentarios públicos o pedir una reunión pública sobre esta solicitud.

El propósito de una reunión pública es dar la oportunidad de presentar comentarios o hacer preguntas acerca de la solicitud. La TCEQ realiza una reunión pública si el Director Ejecutivo determina que hay un grado de interés público suficiente en la solicitud o si un legislador local lo pide. Una reunión pública no es una audiencia administrativa de lo contencioso.

OPORTUNIDAD PARA UNA AUDIENCIA DE CASO IMPUGNADO. Después de la fecha límite para los comentarios públicos, el director ejecutivo considerará los comentarios y preparará una respuesta a todos los comentarios públicos relevantes y materiales, o significativos. **La respuesta a los comentarios, junto con la decisión del director ejecutivo sobre la solicitud, se enviará por correo a todos los que enviaron comentarios públicos o que solicitaron estar en una lista de correo para esta solicitud. Si se reciben comentarios, el correo también proporcionará instrucciones para solicitar una audiencia de caso impugnado o reconsiderar la decisión del director ejecutivo.** Una audiencia de caso disputado es un procedimiento legal similar a un juicio civil en un tribunal de distrito estatal.

PARA SOLICITAR UNA AUDIENCIA DE CASO IMPUGNADO, USTED DEBE INCLUIR EN SU SOLICITUD LOS SIGUIENTES DATOS: su nombre, dirección, y número de teléfono; el nombre del solicitante y número del permiso; la ubicación y distancia de su propiedad/actividad con respecto a la instalación; una descripción específica de la forma cómo usted sería afectado adversamente por el sitio de una manera no común al público en general; una lista de todas las cuestiones de hecho en disputa que usted presente durante el período de comentarios; y la declaración "[Yo/nosotros] solicito/solicitamos una audiencia de caso impugnado". Si presenta la petición para una audiencia de caso impugnado de parte de un grupo o asociación, debe identificar una persona que representa al grupo para recibir correspondencia en el futuro; identificar el nombre y la dirección de un miembro del grupo que sería afectado adversamente por la planta o la actividad propuesta; proveer la información indicada anteriormente con respecto a la ubicación del miembro afectado y su distancia de la planta o actividad propuesta; explicar cómo y por qué el miembro sería afectado; y explicar cómo los intereses que el grupo desea proteger son pertinentes al propósito del grupo.

Después del cierre de todos los períodos de comentarios y de petición que aplican, el Director Ejecutivo enviará la solicitud y cualquier petición para reconsideración o para una audiencia de caso impugnado a los Comisionados de la TCEQ para su consideración durante una reunión programada de la Comisión. La Comisión sólo puede conceder una solicitud de una audiencia de caso impugnado sobre los temas que el solicitante haya presentado en sus comentarios oportunos que no fueron retirados posteriormente. Si se concede una audiencia, el tema de la audiencia estará limitado a cuestiones de hecho en disputa o cuestiones mixtas de hecho y de derecho relacionadas a intereses pertinentes y materiales de calidad del agua que se hayan presentado durante el período de comentarios.

La Comisión otorgará solamente una audiencia administrativa de lo contencioso sobre los hechos reales disputados del caso que son pertinentes y esenciales para la decisión de la Comisión sobre la solicitud. Además, la Comisión sólo otorgará una audiencia administrativa de lo contencioso sobre los asuntos que fueron presentados antes del plazo de vencimiento y que no fueron retirados posteriormente. **Si ciertos criterios se cumplen, la TCEQ puede actuar sobre una solicitud para renovar un permiso para descargar aguas residuales sin proveer una oportunidad de una audiencia administrativa de lo contencioso.**

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

LISTA DE CORREO. Si envía comentarios públicos, una solicitud de una audiencia de caso impugnado o una reconsideración de la decisión del Director Ejecutivo, se le agregará a la lista de correo para que esta solicitud reciba avisos públicos futuros enviadas por correo por la Oficina del Secretario Oficial. Además, puede solicitar ser colocado en: (1) la lista de correo permanente para un nombre de solicitante específico y número de permiso; y/o (2) la lista de correo para un condado específico. Para ser colocado en la lista de correo permanente y / o del condado, especifique claramente qué lista(s) y envíe su solicitud a la Oficina del Secretario Oficial de la TCEQ a la dirección a continuación.

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

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

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

También se puede obtener información adicional del BWC Texas Terminals LLC a la dirección indicada arriba o llamando a Shenna Moore, Sr. Environmental Manager al 713-298-1800.

Fecha de emisión: 24 de noviembre de 2025

**Applicant & Their Contacts during Application Process
Mailing List for Notice**

TCEQ Permit No. WQ0002565000

Applicant Information

Legal Name of Facility Owner BWC Texas Terminals LLC

Co-permittee (if required) N/A

Permit Mailing Address P.O. Box 3608
 Texas City, Texas 77590

Customer No.: CN603355892

Regulated Entity No.: RN102178613

Contact Information

Applicant's Representative(s) or Contact Person during Application Process

Mr. Ken Shoemaker
Director, HSEQ
BWC Terminals
1200 Smith Street, Suite 2100
Houston, Texas 77002

Phone: 281-224-3356
Email: kshoemake@bwcterminals.com

Ms. Narshenna Moore
Environmental Manager
BWC Texas Terminals LLC
P.O. Box 3608
Texas City, Texas 77590

Phone: 713-298-1800
Email: nmoore@bwcterminals.com

Notice To Be Published By

Ms. Narshenna Moore
Environmental Manager
BWC Texas Terminals LLC
P.O. Box 3608
Texas City, Texas 77590

Phone: 713-298-1800
Email: nmoore@bwcterminals.com

Mailing Lists

Fixed State Mailing List (By Chief Clerk) SB 709 (X) N/A - Minor Amendment ()

County Mailing List Galveston

City to Be Notified for Plant Galveston

City to Be Notified for Outfall and/or Disposal Site Galveston

Coastal Zone Management Plan (X) Yes () No (If yes, check notice rqmts for new & maj amend)

Notice to GLO () Yes (X) No

Adjacent/Downstream Landowners List Plus Interested Persons

Landowner Mailing List Attached () Yes (X) No

Bilingual Notice Required (X) Yes () No Spanish

Notify Following County Judges Only If They Officially Requested to Be Notified of All Permit Actions

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

July 17, 2024

Ms. Narshenna Moore
Environmental Manager
BWC Texas Terminals LLC
P.O. Box 3608
Texas City, Texas 77590

RE: Declaration of Administrative Completeness
Applicant Name: BWC Texas Terminals LLC (CN603355892)
Permit No.: WQ0002565000 (EPA I.D. No. TX0089753)
Site Name: Texas City Terminal II (RN102178613)
Type of Application: Renewal

Dear Ms. Moore:

The executive director has declared the above referenced application, received on September 28, 2023, administratively complete on July 17, 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.

Declaration of Administrative Completeness
Ms. Narshenna Moore
Page 2
July 17, 2024

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. WQ0002565000

APPLICATION. BWC Texas Terminals LLC, P.O. Box 3608, Texas City, Texas 77590, which owns a bulk liquid storage facility, has applied to the Texas Commission on Environmental Quality (TCEQ) to renew Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0002565000 (EPA I.D. No. TX0089753) to authorize the discharge of treated wastewater and stormwater at an intermittent and flow variable rate. The facility is located at 159 Levee Road, Texas City, in Galveston County, Texas 77592. The discharge route is from the plant site directly to Industrial Canal, thence to the Turning Basin, both of which are a part of the Texas City Ship Channel. TCEQ received this application on October 5, 2023. The permit application will be available for viewing and copying at Moore Memorial Public Library, 1701 9th Avenue North, Texas City, Texas prior to the date this notice is published in the newspaper. The application, including any updates, and associated notices are available electronically at the following webpage: <https://www.tceq.texas.gov/permitting/wastewater/pending-permits/tpdes-applications>. 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=-94.911944,29.364166&level=18>

The application is subject to the goals and policies of the Texas Coastal Management Program and must be consistent with the applicable Coastal Management Program goals and policies.

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

ADDITIONAL NOTICE. TCEQ's Executive Director has determined the application is administratively complete and will conduct a technical review of the application. After technical review of the application is complete, the Executive Director may prepare a draft permit and will issue a preliminary decision on the application. **Notice of the Application and Preliminary Decision will be published and mailed to those who are on the county-wide mailing list and to those who are on the mailing list for this application. That notice will contain the deadline for submitting public comments.**

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

will hold a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

OPPORTUNITY FOR A CONTESTED CASE HEARING. After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments. **Unless the application is directly referred for a contested case hearing, the response to comments, and the Executive Director's decision on the application, will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide instructions for requesting reconsideration of the Executive Director's decision and for requesting a contested case hearing.** A contested case hearing is a legal proceeding similar to a civil trial in state district court.

TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST: your name, address, phone number; applicant's name and proposed permit number; the location and distance of your property/activities relative to the proposed facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; a list of all disputed issues of fact that you submit during the comment period and, the statement "[I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify by name and physical address an individual member of the group who would be adversely affected by the proposed facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission may only grant a request for a contested case hearing on issues the requestor submitted in their timely comments that were not subsequently withdrawn. **If a hearing is granted, the subject of a hearing will be limited to disputed issues of fact or mixed questions of fact and law relating to relevant and material water quality concerns submitted during the comment period. 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 BWC Texas Terminals LLC at the address stated above or by calling Ms. Narshenna Moore, Environmental Manager, at 713-298-1800.

Issuance Date: July 17, 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:

Site or Facility Name:

Water Quality Permit Number:

Regulated Entity Number: RN Customer Number: CN

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:

Address of Public Place:

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: _____

Site or Facility Name: _____

Water Quality Permit Number: _____

Regulated Entity Number: RN _____ Customer Number: CN _____

ALTERNATIVE LANGUAGE EXEMPTION

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

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

Newspaper Name: _____

Language: _____

Applicant or Applicant Representative Signature: _____

Title: _____ Date: _____

Applicant Name: BWC Texas Terminals LLC
Permit No.: WQ0002565000

STATE OF TEXAS §
COUNTY OF _____ §

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

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

of the _____; that this newspaper is a newspaper of
(name of newspaper)

largest circulation in _____ County, Texas or is
(name of county)

a newspaper of general circulation in _____,
(name of municipality)

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

(newspaper representative's signature)

Subscribed and sworn to before me this the _____ day of _____,
20____.

Notary Public in and for the State of Texas

Print or Type Name of Notary Public

My Commission Expires _____

Applicant Name: BWC Texas Terminals LLC
Permit No.: WQ0002565000

STATE OF TEXAS §
COUNTY OF _____ §

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

_____; that said newspaper is
(name of newspaper)

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

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

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

Notary Public in and for the State of Texas

Print or Type Name of Notary Public

My Commission Expires _____

Comisión de Calidad Ambiental del Estado de Texas



AVISO DE RECIBO DE LA SOLICITUD Y EL INTENTO DE OBTENER PERMISO PARA LA CALIDAD DEL AGUA RENOVACION

PERMISO NO. WQ0002565000

SOLICITUD. BWC Texas Terminals LLC, P.O. Box 3608, Texas City, Texas 77590, que posee una instalación de almacenamiento de líquidos a granel, ha solicitado a la Comisión de Calidad Ambiental del Estado de Texas (TCEQ) para renovar el Permiso No. WQ0002565000 (EPA I.D. No. TX0089753) del Sistema de Eliminación de Descargas de Contaminantes de Texas (TPDES) autorizar la descarga de aguas residuales y pluviales tratadas a velocidad intermitente y de caudal variable. La planta está ubicada 159 Levee Road, Texas City, Texas 77592 en el Condado de Galveston, Texas. La ruta de descarga es desde el sitio de la planta directamente al Canal Industrial, y de allí a la Cuenca de Giro, los cuales forman parte del Canal de Navegación de la Ciudad de Texas. La TCEQ recibió esta solicitud el October 5, 2023. La solicitud para el permiso estará disponible para leerla y copiarla en Biblioteca Pública Moore Memorial, 1701 9th Avenue North, Texas City, Texas antes de la fecha de publicación de este aviso en el periódico. La solicitud (cualquier actualización y aviso inclusive) está disponible electrónicamente en la siguiente página web:

<https://www.tceq.texas.gov/permitting/wastewater/pending-permits/tpdes-applications>. Este enlace a un mapa electrónico de la ubicación general del sitio o de la instalación es proporcionado como una cortesía y no es parte de la solicitud o del aviso. Para la ubicación exacta, consulte la solicitud.

<https://gisweb.tceq.texas.gov/LocationMapper/?marker=-94.911944,29.364166&level=18>

AVISO ADICIONAL. El Director Ejecutivo de la TCEQ ha determinado que la solicitud es administrativamente completa y conducirá una revisión técnica de la solicitud. Después de completar la revisión técnica, el Director Ejecutivo puede preparar un borrador del permiso y emitirá una Decisión Preliminar sobre la solicitud. **El aviso de la solicitud y la decisión preliminar serán publicados y enviado a los que están en la lista de correo de las personas a lo largo del condado que desean recibir los avisos y los que están en la lista de correo que desean recibir avisos de esta solicitud. El aviso dará la fecha límite para someter comentarios públicos.**

COMENTARIO PUBLICO / REUNION PUBLICA. Usted puede presentar

comentarios públicos o pedir una reunión pública sobre esta solicitud. El propósito de una reunión pública es dar la oportunidad de presentar comentarios o hacer preguntas acerca de la solicitud. La TCEQ realiza una reunión pública si el Director Ejecutivo determina que hay un grado de interés público suficiente en la solicitud o si un legislador local lo pide. Una reunión pública no es una audiencia administrativa de lo contencioso.

OPORTUNIDAD DE UNA AUDIENCIA ADMINISTRATIVA DE LO CONTENCIOSO. Después del plazo para presentar comentarios públicos, el Director Ejecutivo considerará todos los comentarios apropiados y preparará una respuesta a todo los comentarios públicos esenciales, pertinentes, o significativos. **A menos que la solicitud haya sido referida directamente a una audiencia administrativa de lo contencioso, la respuesta a los comentarios y la decisión del Director Ejecutivo sobre la solicitud serán enviados por correo a todos los que presentaron un comentario público y a las personas que están en la lista para recibir avisos sobre esta solicitud.** Si se reciben comentarios, el aviso también proveerá instrucciones para pedir una reconsideración de la decisión del Director Ejecutivo y para pedir una audiencia administrativa de lo contencioso. Una audiencia administrativa de lo contencioso es un procedimiento legal similar a un procedimiento legal civil en un tribunal de distrito del estado.

PARA SOLICITAR UNA AUDIENCIA DE CASO IMPUGNADO, USTED DEBE INCLUIR EN SU SOLICITUD LOS SIGUIENTES DATOS: su nombre, dirección, y número de teléfono; el nombre del solicitante y número del permiso; la ubicación y distancia de su propiedad/actividad con respecto a la instalación; una descripción específica de la forma cómo usted sería afectado adversamente por el sitio de una manera no común al público en general; una lista de todas las cuestiones de hecho en disputa que usted presente durante el período de comentarios; y la declaración "[Yo/nosotros] solicito/solicitamos una audiencia de caso impugnado". Si presenta la petición para una audiencia de caso impugnado de parte de un grupo o asociación, debe identificar una persona que representa al grupo para recibir correspondencia en el futuro; identificar el nombre y la dirección de un miembro del grupo que sería afectado adversamente por la planta o la actividad propuesta; proveer la información indicada anteriormente con respecto a la ubicación del miembro afectado y su distancia de la planta o actividad propuesta; explicar cómo y porqué el miembro sería afectado; y explicar cómo los intereses que el grupo desea proteger son pertinentes al propósito del grupo.

Después del cierre de todos los períodos de comentarios y de petición que aplican, el Director Ejecutivo enviará la solicitud y cualquier petición para reconsideración o para una audiencia de caso impugnado a los Comisionados de la TCEQ para su consideración durante una reunión programada de la Comisión. La Comisión sólo puede conceder una solicitud de una audiencia de caso impugnado sobre los temas que el solicitante haya

presentado en sus comentarios oportunos que no fueron retirados posteriormente. Si se concede una audiencia, el tema de la audiencia estará limitado a cuestiones de hecho en disputa o cuestiones mixtas de hecho y de derecho relacionadas a intereses pertinentes y materiales de calidad del agua que se hayan presentado durante el período de comentarios. Si ciertos criterios se cumplen, la TCEQ puede actuar sobre una solicitud para renovar un permiso sin proveer una oportunidad de una audiencia administrativa de lo contencioso.

LISTA DE CORREO. Si somete comentarios públicos, un pedido para una audiencia administrativa de lo contencioso o una reconsideración de la decisión del Director Ejecutivo, la Oficina del Secretario Principal enviará por correo los avisos públicos en relación con la solicitud. Además, puede pedir que la TCEQ ponga su nombre en una o más de las listas de correos siguientes (1) la lista de correo permanente para recibir los avisos de el solicitante indicado por nombre y número del permiso específico y/o (2) la lista de correo de todas las solicitudes en un condado específico. Si desea que se agregue su nombre en una de las listas designe cual lista(s) y envía por correo su pedido a la Oficina del Secretario Principal de la TCEQ.

CONTACTOS E INFORMACIÓN A LA AGENCIA. Todos los comentarios públicos y solicitudes deben ser presentadas electrónicamente vía <http://www14.tceq.texas.gov/epic/eComment/> o por escrito dirigidos a la **Comisión de Texas de Calidad Ambiental, Oficial de la Secretaría (Office of Chief Clerk), MC-105, P.O. Box 13087, Austin, Texas 78711-3087.** Tenga en cuenta que cualquier información personal que usted proporcione, incluyendo su nombre, número de teléfono, dirección de correo electrónico y dirección física pasarán a formar parte del registro público de la Agencia. Para obtener más información acerca de esta solicitud de permiso o el proceso de permisos, llame al programa de educación pública de la TCEQ, gratis, al 1-800-687-4040. Si desea información en Español, puede llamar al 1-800-687-4040.

También se puede obtener más información de BWC Texas Terminals LLC en la dirección indicada anteriormente o llamando a la Sra. Narshenna Moore, Gerente de Medio Ambiente, al 713-298-1800.

Fecha de emission 17 de julio de 2024

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. Terry Duplantis
VP HSSE
P.O. Box 3608
Texas City, Texas 77590

Re: Transfer of Permit No. WQ0002565000 (EPA ID NO. TX0089753) (RN102178613)
BWC Texas Terminals LLC (CN603355892)

Dear Terry Duplantis:

Enclosed is a copy of an order transferring the above referenced permit which was previously issued by the Commission to NuStar Terminals Operations Partnership L.P. This action is taken under authority delegated by the Executive Director of the Texas Commission on Environmental Quality. This document is part of the affected permit and should be incorporated therein.

Should you need additional information, please contact Candice Calhoun of the Texas Commission on Environmental Quality, Water Quality Division, Water Quality Support Section (MC148) at (512) 239-4312.

Sincerely,

A handwritten signature in cursive script that reads "JEBowers".

Jennifer E. Bowers, Section Manager
Water Quality Division Support, MC 148
Office of Water Quality
Texas Commission on Environmental Quality

JEB/re

Enclosure

bcc: TCEQ Region 11, Water Program Manager



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

**APPLICATION TO TRANSFER A WASTEWATER PERMIT
OR CAFO PERMIT**

If you have questions about completing this form please contact the Applications Review and Processing Team at 512-239-4671.

SECTION 1. CURRENT PERMIT INFORMATION

What is the Permit Number? WQ0002565000

What is the EPA I.D. Number? TX TX0089753

What is the Current Name on the Permit?

Nustar Terminals Operations Partnership L.P.

What is the Customer Number (CN) for the current permittee? CN 603355892

What is the Regulated Entity Reference Number (RN): RN 102178613

For Publicly Owned Treatment Works (POTWs) Only:

- a) Does this permit require implementation of an approved pretreatment program by the POTW? Yes ☐ No ☒
- b) Does this permit have a domestic reclaimed water authorization associated with it?
NOTE: The domestic reclaimed water authorization associated with this permit will be cancelled on the same date the transfer took place. See instructions for more information.
Yes ☐ No ☒

SECTION 2. FACILITY OWNER (APPLICANT) INFORMATION

A. What is the Legal Name of the facility owner?

BWC Texas Terminals LLC

B. What is the Customer Number (CN) issued to this entity? CN 603355892

C. Complete and attach a Core Data Form (TCEQ-10400) for this customer.

SECTION 3. CO-APPLICANT INFORMATION

Complete this section only if another person or entity is required to apply as a co-permittee.

A. What is the Legal Name of the co-applicant applying for this permit?

- B.** What is the Customer Number (CN) issued to this entity? CN [REDACTED]
C. Complete and attach a Core Data Form (TCEQ-10400) for this customer.

SECTION 4. APPLICATION CONTACT INFORMATION

This is the person TCEQ will contact if additional information is needed about this application.

Application Contact First and Last Name: Narshenna Moore

Title: Environmental Manager

Credentials: [REDACTED]

Company Name: BWC Terminals

Mailing Address: PO Box 3608

City, State, and Zip Code: Texas City, Texas 77590

Phone Number: 713-298-1800 Fax Number: [REDACTED]

E-mail Address: nmoore@bwcterminals.com

SECTION 5. PERMIT CONTACT INFORMATION

This is the person TCEQ will contact if additional information is needed during the term of the permit.

Permit Contact First and Last Name: Narshenna Moore

Title: Environmental Manager

Credentials: [REDACTED]

Company Name: BWC Terminals

Mailing Address: PO Box 3608

City, State, and Zip Code: Texas City, Texas 77590

Phone Number: 713-298-1800 Fax Number: [REDACTED]

E-mail Address: nmoore@bwcterminals.com

SECTION 6. SITE INFORMATION

Site Name: BWC Texas City Terminal 1

SECTION 7. LEASE AND EASEMENT REQUIREMENTS

A. Landowner where the facility is or will be located:

Landowner Name: Port of Texas City

If this individual is not the same person as the facility owner or co-applicant, attach one of the following documents:

- A lease agreement or deed recorded easement, if the facility is NOT a fixture of the land, or
- A deed recorded easement if the facility IS a fixture of the land.

B. Landowner of the effluent disposal site:

Landowner Name: Port of Texas City

If this individual is not the same person as the facility owner or co-applicant, attach a lease agreement.

C. For CAFOs: Attach the following records:

- Warranty Deed or Property Tax Records
- Lease Agreement (for land management units that are not owned by the facility owner or co-applicant)

Facility Size on the proof of ownership, in acres:

SECTION 8. TRANSFER DATE

What is the date that the transfer of operator or ownership will occur?

SECTION 9. REPORTING AND BILLING INFORMATION

A. Please identify the individual for receiving the reporting forms.

First and Last Name: Narshenna Moore

Title: Environmental Manager Credentials:

Company Name: BWC Terminals

Mailing Address: PO Box 3608

City, State, and Zip Code: Texas City, Texas 77590

Phone Number: 713-298-1800 Fax Number:

E-mail Address: nmoore@bwcterminals.com

B. Please identify the individual for receiving the annual fee invoices.

First and Last Name: Narshenna Moore

Title: Environmental Manager Credentials:

Company Name: BWC Terminals

TRANSFEROR SIGNATURE (Current Facility Owner)

I consent to the transfer of the permit and I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. I further certify that I am authorized under 30 Texas Administrative Code Section 305.44 to sign this document and can provide documentation in proof of such authorization upon request.

Facility Owner Name: _____

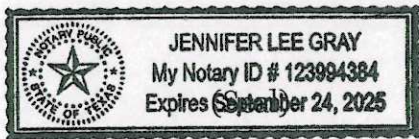
Title: _____

Signature: _____ Date: 2-15-2024

SUBSCRIBED AND SWORN to before me by the said TERRY Duplantis on

this 14 day of February, 2024

My commission expires on the 24 day of September, 2025



Notary Public

County, Texas

TRANSFeree SIGNATURE (New Facility Owner)

I certify that a change of ownership of the facility for the subject permit has been issued will occur as indicated in the application. As a condition of the transfer, I do hereby declare that:

The transferee will be the owner of the existing treatment facility from which wastewater is discharged, deposited or disposed or the facilities required to comply with the permit will be constructed as described in the application considered by the TCEQ prior to the issuance of the permit.

The transferee possesses a copy of the permit, understands the terms and conditions therein, and does accept and assume all obligations of the permit.

The transferee assumes financial responsibility for the proper maintenance and operation of all waste treatment and disposal facilities required by the permit or which may be required to comply with the permit terms and conditions. The transferee certifies that the transfer is not made for the purpose of avoiding liability for improper actions carried out prior to the date of transfer. Neither is the transfer made for the purpose of transferring responsibility for improper operations to an insolvent entity.

The transferee certifies under penalty of law that this document 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 known violations and revocation of this permit.

New Facility Owner: _____

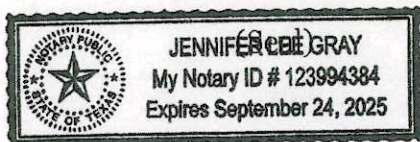
Title: _____

Signature: _____ Date: 2-15-2024

SUBSCRIBED AND SWORN to before me by the said TERRY Duplantis on

this 14 day of February, 2024

My commission expires on the 24 day of September, 2025



Notary Public

County, Texas

SITE OPERATOR SIGNATURE

Complete only for permits that include composting facilities, land application and/or disposal of sewage sludge **AND** the transferee does not own the land where the disposal activity is conducted.

I understand that I am responsible for operating the site described in the legal description in accordance with the Texas Commission on Environmental Quality requirements in 30 TAC, Chapter 332 and/or 312, the conditions set forth in the permit, and any additional conditions as required by the Texas Commission on Environmental Quality. I also certify under penalty of law that all information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine, imprisonment for violations, and revocation of this permit.

Site Operator Name: _____

Title: _____

Signature: _____ Date: _____

SUBSCRIBED AND SWORN to before me by the said _____ on

this _____ day of _____, 20_____

My commission expires on the _____ day of _____, 20_____

(Seal)

Notary Public

County, Texas

ATTACHMENT 1

INDIVIDUAL INFORMATION

Section 1. Individual Information

Complete this attachment if the facility applicant or co-applicant is an individual. Make additional copies of this attachment if both are individuals.

Prefix (Mr., Ms., Miss): [REDACTED]

Full legal name (first, middle, last): [REDACTED]

Driver's License or State Identification Number: [REDACTED]

Date of Birth: [REDACTED]

Mailing Address: [REDACTED]

City, State, and Zip Code: [REDACTED]

Phone Number: [REDACTED]

Fax Number: [REDACTED]

E-mail Address: [REDACTED]

CN: [REDACTED]

For Commission Use Only:

Customer Number:

Regulated Entity Number:

Permit Number:

[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#faq)

<https://www.usps.com/zip-code-lookup.htm#faq>

Look Up a ZIP Code™

FAQs

Go to

ZIP Code™ by Address

You entered:

P.O. BOX 3608
TEXAS CITY 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))

PO BOX 3608
TEXAS CITY TX **77592-3608**

Feedback

[Look Up Another ZIP Code™](#)

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

[^
Top](#)



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

APR-23-24 06:30 AM

Customer Name: BVW CORAL GABLES LLC

Total of delinquent transactions (Customer): \$618.75

Customer Name: BWC TERMINALS LLC

Account #: 0643837Q

Debtcolpath Stage:

Calls: HOLD

T2NM T2Q0027893 TIER2 NON-MFG FEE FY24 58162 29-FEB-24 31-MAR-24 \$50.00

Total of delinquent transactions (Account): \$50.00

Total of delinquent transactions (Customer): \$50.00

Customer Name: BWC WASTE INC

Account #: 0801438H

Debtcolpath Stage: WHOLD:REFERRED,UNCOL:EXHAUST

Calls:

WMS	WMS0038904	MUN TRAN SLDG FEE GALS FY16	22491	31-JUL-16	31-AUG-16	\$500.00
WMS	SC00189793	LATE FEE - SEP 2016		10-SEP-16	10-SEP-16	\$25.00
WMS	SC00191269	LATE FEE - OCT 2016		10-OCT-16	10-OCT-16	\$25.00
WMS	SC00192919	LATE FEE - NOV 2016		10-NOV-16	10-NOV-16	\$1.87
WMS	WMS0038904	COLLECTION COST RECOVERY		02-DEC-16	02-DEC-16	\$125.00
WMS	SC00194652	LATE FEE - DEC 2016		10-DEC-16	10-DEC-16	\$1.87

Total of delinquent transactions (Account): \$678.74

Total of delinquent transactions (Customer): \$678.74

Customer Name: BYNUM, DON

Account #: 20041360

Debtcolpath Stage: AGENCY:REFERRED,WHOLD:REFERRED

Calls: NOTES

GPS	GPS0254175	SW WQ ANNUAL FEE FY23	TXR05FT84	31-DEC-22	31-JAN-23	\$200.00
GPS	SC00321493	LATE FEE - FEB 2023		10-FEB-23	10-FEB-23	\$10.00
GPS	SC00324667	LATE FEE - MAR 2023		10-MAR-23	10-MAR-23	\$10.00
GPS	SC00326915	LATE FEE - APR 2023		10-APR-23	10-APR-23	\$1.70
GPS	GPS0254175	COLLECTION COST RECOVERY		05-MAY-23	05-MAY-23	\$50.00
GPS	SC00329025	LATE FEE - MAY 2023		10-MAY-23	10-MAY-23	\$1.70
GPS	SC00330219	LATE FEE - JUN 2023		10-JUN-23	10-JUN-23	\$1.70
GPS	SC00331208	LATE FEE - JUL 2023		10-JUL-23	10-JUL-23	\$1.70
GPS	SC00332111	LATE FEE - AUG 2023		10-AUG-23	10-AUG-23	\$1.70
GPS	SC00333051	LATE FEE - SEP 2023		10-SEP-23	10-SEP-23	\$1.70
GPS	SC00334088	LATE FEE - OCT 2023		10-OCT-23	10-OCT-23	\$1.70
GPS	SC00337249	LATE FEE - DEC 2023		10-DEC-23	10-DEC-23	\$1.70
GPS	GPS0262160	SW WQ ANNUAL FEE FY24	TXR05FT84	31-DEC-23	31-JAN-24	\$200.00
GPS	SC00342225	LATE FEE - FEB 2024		10-FEB-24	10-FEB-24	\$11.90
GPS	SC00344670	LATE FEE - MAR 2024		10-MAR-24	10-MAR-24	\$11.90
GPS	SC00346627	LATE FEE - APR 2024		10-APR-24	10-APR-24	\$3.80

Total of delinquent transactions (Account): \$511.20

Total of delinquent transactions (Customer): \$511.20

Customer Name: BYNUMS PLUMBING SERVICE INC

Account #: 0800026H

Debtcolpath Stage: WHOLD:REFERRED,UNCOL:EXHAUST

Calls:

WMS	WMS0035409	MUN TRAN SLDG FEE GALS FY14	20081	31-JUL-14	31-AUG-14	\$500.00
WMS	WMS0036940	MUN TRAN SLDG FEE GALS FY15	20081	31-JUL-15	31-AUG-15	\$500.00

Total of delinquent transactions (Account): \$1000.00

Total of delinquent transactions (Customer): \$1000.00

Customer Name: BYRD EDWARD

Account #: 0041219U

Debtcolpath Stage: UNCOL:DEAD

Calls: NOTES

UST	UST0531851	U'GROUND TANK FEE TANKS:FY00	0000064959	31-OCT-99	30-NOV-99	\$1.50
UST	SC2003-001	LATE FEE FOR UST0506251	0000064959	04-NOV-99	04-NOV-99	\$1.50
UST	UST0561916	U'GROUND TANK FEE TANKS:FY01	0000064959	30-SEP-00	31-OCT-00	\$150.00
UST	SC2103-001	LATE FEE FOR UST0561916	0000064959	10-NOV-00	10-NOV-00	\$7.50
UST	SC2104-001	LATE FEE FOR UST0561916	0000064959	11-DEC-00	11-DEC-00	\$7.50
UST	SC2105-001	LATE FEE FOR UST0561916	0000064959	16-JAN-01	16-JAN-01	\$1.31
UST	SC2106-001	LATE FEE FOR UST0561916	0000064959	12-FEB-01	12-FEB-01	\$1.31
UST	SC2107-001	LATE FEE FOR UST0561916	0000064959	12-MAR-01	12-MAR-01	\$1.31



Franchise Tax Account Status

As of : 04/22/2024 15:32:58

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

BWC TEXAS TERMINALS LLC

Texas Taxpayer Number	17526437219
Mailing Address	1200 SMITH ST STE 2100 HOUSTON, TX 77002-4325
② Right to Transact Business in Texas	ACTIVE
State of Formation	DE
Effective SOS Registration Date	03/20/1996
Texas SOS File Number	0008771111
Registered Agent Name	CORPORATION SERVICE COMPANY DBA CSC - LAWYERS INCO
Registered Office Street Address	211 E. 7TH STREET, SUITE 620 AUSTIN, TX 78701

TEXAS SECRETARY of STATE
JANE NELSON

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number:	8771111	Entity Type:	Foreign Limited Liability Company (LLC)
Original Date of Filing:	March 20, 1996	Entity Status:	In existence
Formation Date:	N/A		
Tax ID:	17526437219	FEIN:	752643721
Name:	BWC Texas Terminals LLC		
Address:	1111 Bagby St., Suite 1800 Houston, TX 77002 USA		
Fictitious Name:	N/A		
Jurisdiction:	DE, USA		
Foreign Formation Date:	March 19, 1996		

<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 Corporation Service Company dba CSC - Lawyers Incorporating Service Company			Address 211 E. 7th Street, Suite 620 Austin, TX 78701-3218 USA			Inactive Date

Order

Return to Search

Instructions:

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

Rachel Ellis

From: Moore, Narshenna (Texas City) <NMoore@bwcterminals.com>
Sent: Wednesday, May 1, 2024 12:07 PM
To: Rachel Ellis
Subject: RE: BWC Texas Terminals LLC

Hi Rachel,

I took care of the Tier II fee. See below.

Transaction Information

Trace Number: 582EA000608696
Date: 05/01/2024 12:04 PM
Payment Method: CC - Authorization 0000254565
ePay Actor: NARSHENNA MOORE
Actor Email: nmoore@bwcterminals.com
IP: 136.226.3.11
TCEQ Amount: \$50.00
Texas.gov Price: \$51.38*

* This service is provided by Texas.gov, the official website of Texas. The price of this service includes fun
ongoing operations and enhancements of Texas.gov, which is provided by a third party in partnership with

Payment Contact Information

Name: NARSHENNA MOORE
Company: BWC TERMINALS
Address: 201 DOCK RD, TEXAS CITY, TX 77590
Phone: 713-298-1800

Cart Items

Click on the voucher number to see the voucher details.

Voucher	Fee Description	AR Number	Amount
703703	TIER II - NON-MANUFACTURING	0643837Q	\$50.00
TCEQ Amount:			\$50.00

[ePay Again](#)

[Exit ePay](#)

Best Regards,



TCEQ Use Only

TCEQ Core Data Form

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

SECTION I: General Information

1. Reason for Submission (If other is checked please describe in space provided.)		
<input 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 checked="" 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 603355893		RN 102178613

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:	
BWC Texas Terminals LLC			
7. TX SOS/CPA Filing Number	8. TX State Tax ID (11 digits)	9. Federal Tax ID (9 digits)	10. DUNS Number (if applicable)
0008771111	17526437219		
11. Type of Customer:	<input checked="" type="checkbox"/> Corporation	<input type="checkbox"/> Individual	Partnership: <input type="checkbox"/> General <input type="checkbox"/> Limited
Government: <input type="checkbox"/> City <input type="checkbox"/> County <input type="checkbox"/> Federal <input type="checkbox"/> State <input type="checkbox"/> Other	<input type="checkbox"/> Sole Proprietorship	<input type="checkbox"/> Other:	
12. Number of Employees		13. Independently Owned and Operated?	
<input 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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
14. Customer Role (Proposed or Actual) – as it relates to the Regulated Entity listed on this form. Please check one of the following			
<input type="checkbox"/> Owner <input type="checkbox"/> Operator <input checked="" type="checkbox"/> Owner & Operator			
<input type="checkbox"/> Occupational Licensee <input type="checkbox"/> Responsible Party <input type="checkbox"/> Voluntary Cleanup Applicant <input type="checkbox"/> Other:			
15. Mailing Address:	PO Box 3608		
	City	Texas City	State TX ZIP 77590 ZIP + 4
16. Country Mailing Information (if outside USA)		17. E-Mail Address (if applicable)	
		nmoore@bwcterminals.com	
18. Telephone Number	19. Extension or Code	20. Fax Number (if applicable)	
(713) 298-1800		() -	

SECTION III: Regulated Entity Information

21. General Regulated Entity Information (If 'New Regulated Entity' is selected below this form should be accompanied by a permit application)	
<input type="checkbox"/> New Regulated Entity <input type="checkbox"/> Update to Regulated Entity Name <input checked="" type="checkbox"/> Update to Regulated Entity Information	
The Regulated Entity Name submitted may be updated in order to meet TCEQ Agency Data Standards (removal of organizational endings such as Inc, LP, or LLC).	
22. Regulated Entity Name (Enter name of the site where the regulated action is taking place.)	
Texas City Terminal II	

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: BWC Texas Terminals LLC EPA ID No.: TX0089753

Permit No.: WQ0002565000 Expiration Date: 02/07/2024

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

- 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 checked="" 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 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 _____ County _____

Expiration Date _____ Region _____

Permit Number _____

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

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): Narshenna Moore

Title: Environmental Manager Credential: Click to enter text.

Organization Name: BWC Texas Terminals.

Mailing Address: PO Box 3608

City: Texas City State: Texas

Zip Code: 77590

Phone No: 713-298-1800

Fax No: Click to enter text.

Email: nmoore@bwcterminals.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): Narshenna Moore

Title: Environmental Manager Credential: Click to enter text.

Organization Name: BWC Texas Terminals

Mailing Address: PO Box 3608

City: Texas City State: Texas

Zip Code: 77590

Phone No: Click to enter text.

Fax No: Click to enter text.

Email: Click to enter text.

Item 9. NOTICE INFORMATION (Instructions, Pages 27

a. Individual Publishing the Notices

☐ Mr. ☒ Ms. Full Name (First and Last): Narshenna Moore

Title: Environmental Manager Credential: Click to enter text.

Organization Name: BWC Texas Terminals

Mailing Address: PO Box 3608

City: Texas City State: Texas

Zip Code: 77590

Phone No: 713-298-1800

Fax No: Click to enter text.

Email: nmoore@Bwcterminals.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: Click to enter text.

☐ Fax: Click to enter text.

☒ Regular Mail (USPS)

Mailing Address: PO Box 3608

City: Texas City State: Texas

Zip Code: 77590

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): Texas City Terminal II

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: BWC Texas Terminals Inc.

Mailing Address: Po Box 3608

City: Texas City State: Texas

Zip Code: 77590

Phone No: 409-948-8682

Fax No: Click to enter text.

Email: N/A

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

f. Owner of land where treatment facility is or will be: Texas City Terminal Railway Company (Port of Texas City)

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

or Organization Name: Click to enter text.

Mailing Address: 2425 Highway 146 North

City: Texas City State: TX Zip Code: 77590

Phone No: 409-945-4461

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 (In some cases, a lease may not suffice - see instructions). Attachment: See Attachment C

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. TD PES 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.
- | | |
|---------------------------------------------------------------------|-------------------------------------------------------------------|
| <input checked="" type="checkbox"/> One-mile radius | <input type="checkbox"/> Three-miles downstream information |
| <input checked="" type="checkbox"/> Applicant's property boundaries | <input checked="" type="checkbox"/> Treatment facility boundaries |
| <input checked="" type="checkbox"/> Labeled point(s) of discharge | <input type="checkbox"/> Highlighted discharge route(s) |
| <input type="checkbox"/> Effluent disposal site boundaries | <input type="checkbox"/> All wastewater ponds |
| <input type="checkbox"/> Sewage sludge disposal site | <input type="checkbox"/> New and future construction |
- Attachment: See Attachment D
- 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): Texas City
- g. County in which the outfalls(s) is/are located: Galveston
- 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: Click to enter text.
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.

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

Permit No: WO0002565000

Applicant Name: BWC Texas Terminals LLC

Certification: I, Terry Duplantis, 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): Terry Duplantis

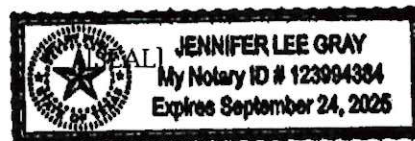
Signatory title: VP, HSSE

Signature: [Handwritten Signature]
(Use blue ink)

Date: 6-12-24

Subscribed and Sworn to before me by the said Terry Duplantis
on this 12 day of June, 2024.
My commission expires on the 24 day of September, 2025.

[Handwritten Signature]
Notary Public
[Handwritten Signature]
County, Texas



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

Certification: I, Terry Duplantis, 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): Terry Duplantis

Signatory title: VP, HSSE

Signature: _____ Date: _____
(Use blue ink)

Subscribed and Sworn to before me by the said _____
on this _____ day of _____, 20____.
My commission expires on the _____ day of _____, 20____.

Notary Public

[SEAL]

County, Texas

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

Checklist of Common Deficiencies

Below is a list of common deficiencies found during the administrative review of industrial wastewater permit applications. To ensure the timely processing of this application, please review the items below and indicate each item is complete and in accordance applicable rules at 30 TAC Chapters 21, 281, and 305 by checking the box next to the item. If an item is not required this application, indicate by checking N/A where appropriate. Please do not submit the application until all items below are addressed.

- ☒ Core Data Form (TCEQ Form No. 10400)
*(Required for all applications types. Must be completed in its entirety and signed.
Note: Form may be signed by applicant representative.)*
- ☒ Correct and Current Industrial Wastewater Permit Application Forms
*(TCEQ Form Nos. 10055 and 10411.
Version dated 5/10/2019 or later.)*
- ☒ Water Quality Permit Payment Submittal Form (Page 14)
*(Original payment sent to TCEQ Revenue Section.
See instructions for mailing address.)*
- ☒ 7.5 Minute USGS Quadrangle Topographic Map Attached
*(Full-size map if seeking "New" permit.
8 ½ x 11 acceptable for Renewals and Amendments.)*
- ☐ N/A ☒ Current/Non-Expired, Executed Lease Agreement or Easement Attached
- ☐ N/A ☒ Landowners Map
(See instructions for landowner requirements.)

Things to Know:

- All the items shown on the map must be labeled.
- The applicant's complete property boundaries must be delineated which includes boundaries of contiguous property owned by the applicant.
- The applicant cannot be its own adjacent landowner. You must identify the landowners immediately adjacent to their property, regardless of how far they are from the actual facility.
- If the applicant's property is adjacent to a road, creek, or stream, the landowners on the opposite side must be identified. Although the properties are not adjacent to applicant's property boundary, they are considered potentially affected landowners. If the adjacent road is a divided highway as identified on the USGS topographic map, the applicant does not have to identify the landowners on the opposite side of the highway.

- ☐ N/A ☐ Landowners Cross Reference List
(See instructions for landowner requirements.)
- ☐ N/A ☐ Landowners Labels or CD-RW attached
(See instructions for landowner requirements.)
- ☒ Original signature per 30 TAC § 305.44 – Blue Ink Preferred
*(If signature page is not signed by an elected official or principle executive officer,
a copy of signature authority/delegation letter must be attached.)*
- ☒ Plain Language Summary

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

AGUAS RESIDUALES INDUSTRIALES/AGUAS PLUVIALES

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

El siguiente resumen se proporciona para esta solicitud pendiente de permiso de calidad del agua que está siendo revisada por la Comisión de Calidad Ambiental de Texas según lo exige el Capítulo 39 del Código Administrativo de Texas 30. La información proporcionada en este resumen puede cambiar durante la revisión técnica de la solicitud y no es información federal. representaciones ejecutivas de la solicitud de permiso. BWC Texas Terminals LLC, (CN602481921) opera la Terminal 2 de Texas City RN102178613. una La terminal no está en uso, solo se utiliza para descargar aguas pluviales. No se almacenan productos en este lugar.. La instalación está ubicada en 159 Levee Rd., en Texas City, Condado de Galveston, Texas 77592. Esta renovación de la solicitud es para renovar el Permiso del Sistema de Eliminación de Descargas de Contaminantes de Texas (TDPDES) No. WQ0002565000 (EPA I.D. No. TX0089753) para autorizar la descarga de aguas pluviales.

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.

BWC Texas Terminals LLC. (CN603355918) operates Texas City Terminal II RN102178613. a The facility is designed to be a bulk liquids storage facility. Liquid products could be stored in above ground storage tanks, where they can be loaded/unloaded from trucks and barges. The facility currently does not store any products or have any tanks available for storage. Only stormwater run-off is discharged from this facility. No petroleum or chemical products are processed or treated at the terminal. The facility is located 159 Levee Road, in Texas City, Galveston County, Texas 77592. The discharge route is from the plant site via outfall 001 directly to the Texas City Ship Channel.

Discharges from the facility are expected to contain No petroleum or chemical products are processed or treated at the terminal .Stormwater run-off will be treated by 17. Enter a description of wastewater treatment used at the facility here..

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

AGUAS RESIDUALES INDUSTRIALES/AGUAS PLUVIALES

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

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: Brewster Segment Number: _____

Admin Complete Date: 7-17-24

Agency Receiving SPIF:

☒ Texas Historical Commission ☐ U.S. Fish and Wildlife
☒ Texas Parks and Wildlife Department ☐ U.S. Army Corps of Engineers

This form applies to TPDES permit applications only. (Instructions, Page 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: BWC Texas Terminal.
2. Permit No.: WQ0002565000 EPA ID No.: TX0089753
3. Address of the project (location description that includes street/highway, city/vicinity, and county):
159 Levee Road, Texas City, Galveston, Texas 77592
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): Narshenna Moore

Organization Name: BWC Texas Terminals Mailing Address: PO Box 3608

City: Texas City

State: Texas

Zip Code: 77590

Phone No: 713-298-1800

Fax No: Click to enter text

Email: nmoore@bwcterminals.com

5. List the county in which the facility is located: Galveston
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

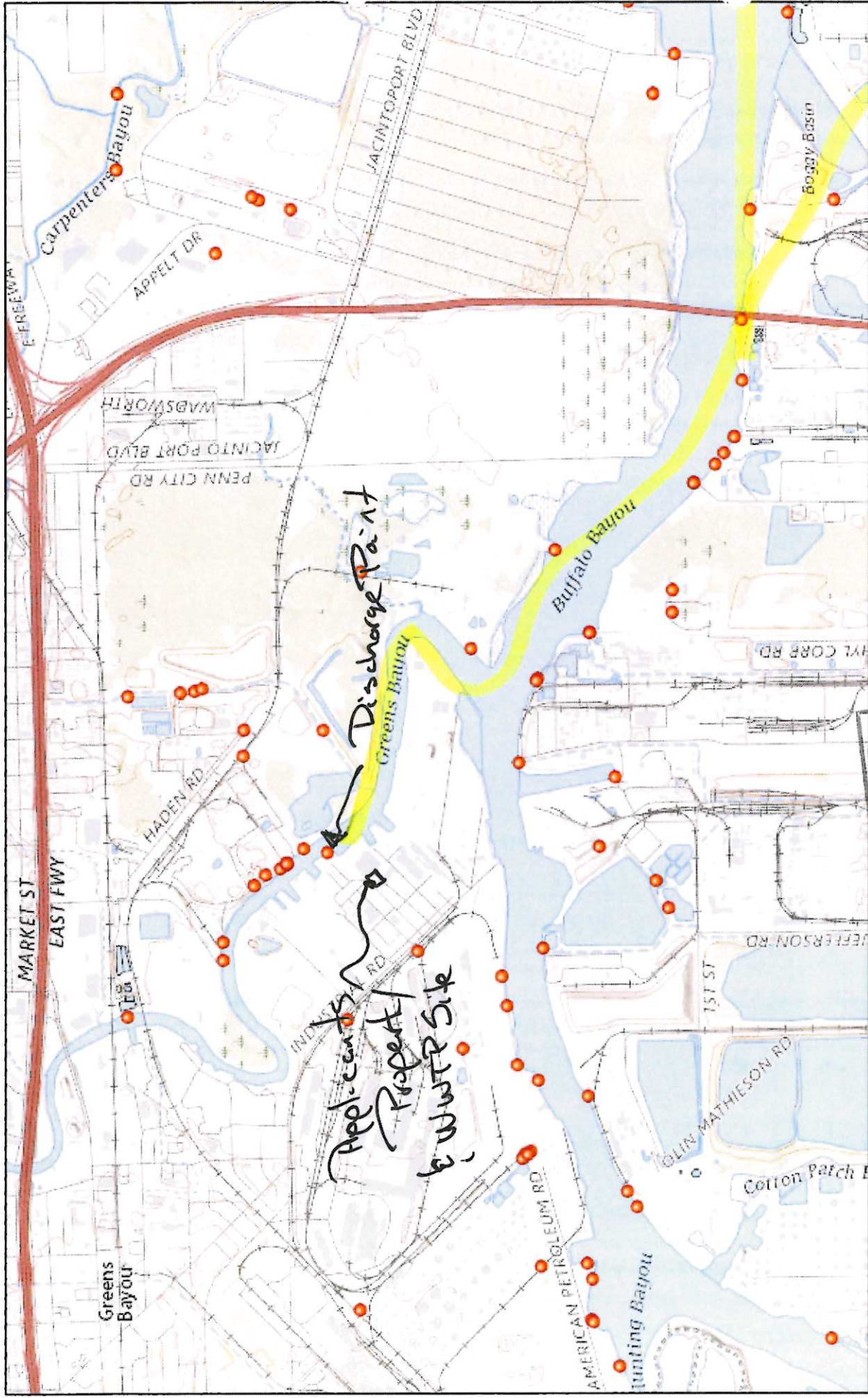
segment number: The discharge is from the plant site to the ship canal; thence to the Turning Basin; thence to the Texas City Ship Channel segment #2437

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: See Attachment E
9. Provide original photographs of any structures 50 years or older on the property. Attachment: N/A
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: This is an existing facility

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

Wastewater Outfalls in Texas



12/26/2023, 10:57:20 AM

Wastewater Outfalls

RECEIVED

JAN 02 2024

Water Quality Applications Team

1:36,112
0 0.28 0.55 1.1 mi
0 0.42 0.85 1.7 km

Rachel Ellis

From: Moore, Narshenna (Texas City) <NMoore@bwcterminals.com>
Sent: Monday, October 16, 2023 11:54 AM
To: Rachel Ellis
Cc: Shoemake, Ken (Houston)
Subject: RE: Application for Renewal Permit No. WQ0002565000-BWC Texas Terminals LLC
Attachments: REVISED MAP ATTACH D.pdf; REVISED MAP TCTII.pdf

Hi Mrs. Rachel,

I am working on a response to the NOD you sent. Will the attached maps work for the boundary and discharge route?

Best Regards,

Shenna Moore

Environmental Manager
1200 Smith Street, Suite 2100
Houston TX 77002
M (713) 298-1800
nmoore@bwcterminals.com | www.BWCTerminals.com



From: Rachel Ellis <Rachel.Ellis@tceq.texas.gov>
Sent: Friday, October 13, 2023 2:58 PM
To: Moore, Narshenna (Texas City) <NMoore@bwcterminals.com>
Cc: Shoemake, Ken (Houston) <kshoemake@bwcterminals.com>
Subject: Application for Renewal Permit No. WQ0002565000-BWC Texas Terminals LLC

*** External Email ***

Dear Ms. Moore,

The attached Notice of Deficiency (NOD) letter dated October 13, 2023, requests additional information needed to declare the application administratively complete. Please email or mail an original and two copies (with two copies of the cover letter) of the complete response to my attention by October 27, 2023. Please read below.

VIA EMAIL

Further information may also be obtained from BWC Texas Terminals LLC at the address stated above or by calling Ms. Narshenna Moore, Environmental Manager, at 713-298-1800.

Rachel Ellis

From: Rachel Ellis
Sent: Friday, October 13, 2023 2:58 PM
To: nmoore@bwcterminals.com
Cc: kshoemake@bwcterminals.com
Subject: Application for Renewal Permit No. WQ0002565000-BWC Texas Terminals LLC
Attachments: Industrial Discharge Renewal Spanish NORI.docx; Industrial and Stormwater TPDES and TLAP PLS Form (Spanish).docx

Dear Ms. Moore,

The attached Notice of Deficiency (NOD) letter dated October 13, 2023, requests additional information needed to declare the application administratively complete. Please email or mail an original and two copies (with two copies of the cover letter) of the complete response to my attention by October 27, 2023. Please read below.

VIA EMAIL

Ms. Narshenna Moore
Environmental Manager
BWC Texas Terminals LLC
P.O. Box 3608
Texas City, Texas 77590

October 13, 2023

Re: Application to Renew Permit No. WQ0002565000 (EPA I.D TX0089753)
Issued to BWC Texas Terminals LLC
CN603355918, RN102178613

Dear Ms. Moore:

We have received the application for the above referenced permit, and it is currently under review. Your attention to the following items is requested before we can declare the application administratively complete. Please submit one original and two copies (including a cover letter) of the complete response.

1. Maps: We did not find an 8 X 11 map in the application that provides the following: applicant property boundary, treatment facility boundaries, point(s) of discharge or outfalls, discharge route downstream or until it reaches classified segment, effluent disposal site, sludge disposal/land application site, one-mile radius. Please provide an 8X11 map with a response to this email.

2. 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

New rule requirements under Title 30 Texas Administrative Code (TAC) Chapter 39 relating to public notices have been implemented. The deficiencies listed below are new items that need to be provided to meet the alternative language requirements.

3. Section 8, Item E, Item No. 5 of Administrative Report 1.0 indicates that public notices in Spanish are required. After confirming the portion of the NORI contained in this letter does not contain any errors or omissions, please use the attached template to translate the NORI into Spanish. Only the first and last paragraphs are unique to this application and require translation. **Please provide the translated Spanish NORI in a Microsoft Word document.**

4. Section 8, Item E, Item No. 5 of Administrative Report 1.0 indicates that public notices in Spanish are required. Please use the attached PLS Spanish template to translate the plain language summary into Spanish. **Please provide the PLS in a Microsoft Word document.**

Please submit the complete response, addressed to my attention by October 27, 2023. If you should have any questions, please do not hesitate to call me at (512) 239-4658.

Sincerely,

Rachel L. Ellis

Attachment 1 – Industrial Discharge Renewal Spanish NORI

Attachment 2 – Industrial and Stormwater TPDES and TLAP PLS Form (Spanish NORI)

Rachel L Ellis

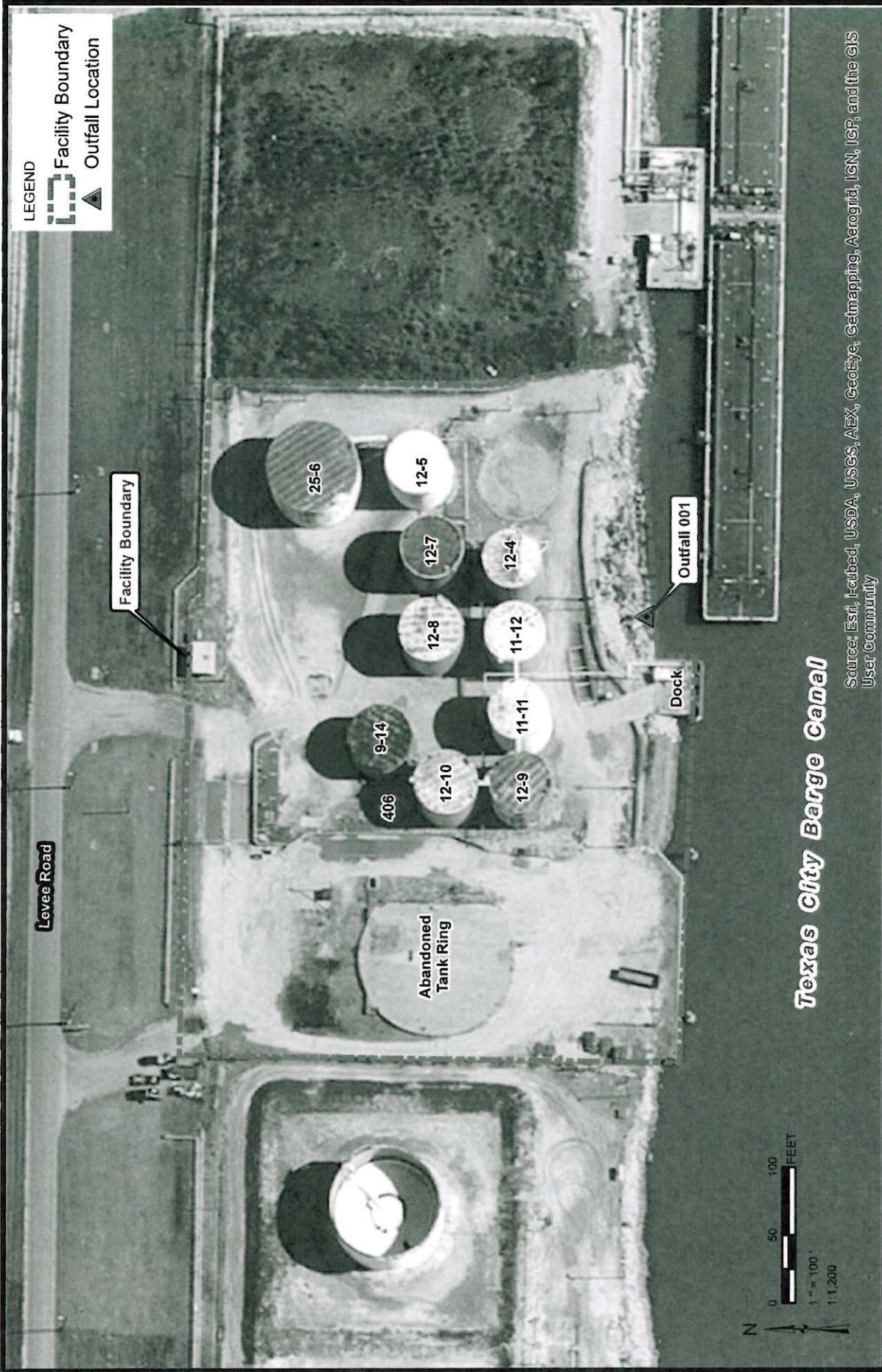
Texas Commission on Environmental Quality

Water Quality Division

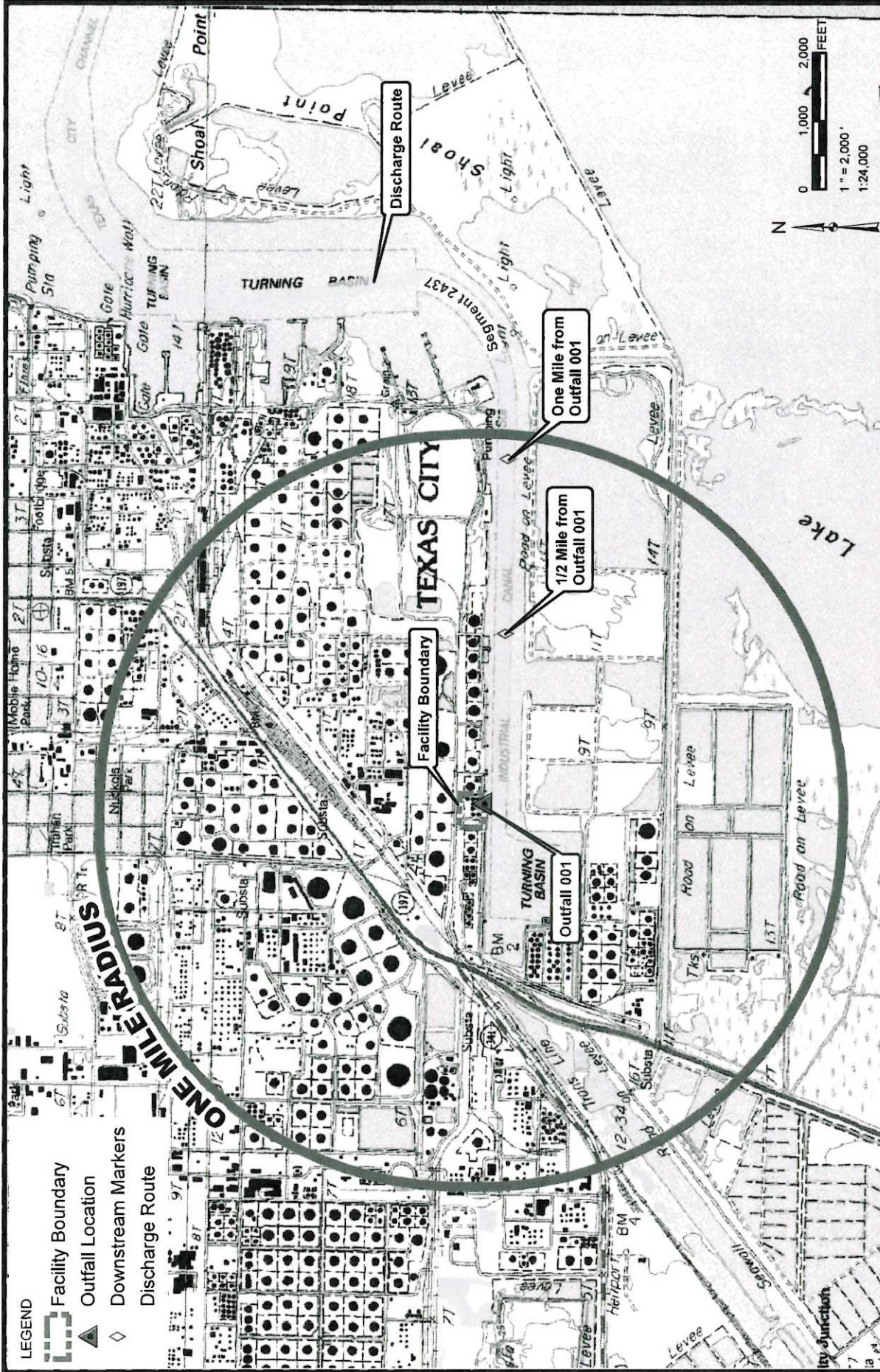
Application Review & Processing Team

Rachel.Ximenez@tceq.texas.gov





<div><div><div>BWC Terminals</div><div>BULK LIQUID STORAGE</div></div></div>	<div><div>BWC TEXAS CITY TERMINAL II TEXAS CITY, TEXAS</div><div>ATTACHMENT D</div><div>FACILITY MAP</div></div>	DRAWN BY:	N MOORE
		APPROVED BY:	T. DUPLANTIS
		PROJECT NO:	TCTII RENEWAL
		FILE NO.	TCTII 2023 RENEWAL
		DATE:	AUG 2023



BWC TEXAS CITY TERMINAL LLC TEXAS CITY, TEXAS

ATTACHMENT D
SPIF - USGS MAP

DRAWN BY:	N MOORE
APPROVED BY:	T. DUPLANTIS
PROJECT NO:	TCTII RENEWAL
FILE NO.	TCTII 2023 RENEWAL
DATE:	AUG 2023



Moore Memorial Public Library



★★★★★ Yellowpages (1) · Library

 Website


 Directions

Book online

Contact us

Calendar

 1701 9th Ave N, Texas City, TX 77590

 (409) 643-5975

 **Open** · Closes 6 PM ▲

Friday	9 AM - 6 PM
Saturday	10 AM - 4 PM
Sunday	Closed
Monday	9 AM - 8 PM
Tuesday	9 AM - 8 PM
Wednesday	9 AM - 8 PM
Thursday	9 AM - 6 PM

See hours on official site

Paid In By: NARSHENNA MOORE

Previous Ne

<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	PI00866707	631003	IFCE	582EA0005		06-APR-23	-\$300.00
PERMIT APPLICATION					41477			
NOTICE FEES WQP	PTGQ	PI00866708	631004	IFCE	582EA0005		06-APR-23	-\$15.00
WATER QUALITY PMT					41477			
WATER QUALITY	WQP	PI00900850	657703	IFCE	582EA0005		24-AUG-23	-\$300.00
PERMIT APPLICATION					65357			
NOTICE FEES WQP	PTGQ	PI00900851	657704	IFCE	582EA0005		24-AUG-23	-\$15.00
WATER QUALITY PMT					65357			
WATER QUALITY	WQP	PI00905928	661353	IFCE	582EA0005		21-SEP-23	-\$300.00
PERMIT APPLICATION					68641			
NOTICE FEES WQP	PTGQ	PI00905929	661354	IFCE	582EA0005		21-SEP-23	-\$15.00
WATER QUALITY PMT					68641			

[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 \(https://www.usps.com/zip-code-lookup.htm#faq\)](https://www.usps.com/zip-code-lookup.htm#faq)

Look Up a ZIP Code™

Go to

ZIP Code™ by Address

You entered:

1111 BAGBY STREET SUITE 1800
HOUSTON 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))**

Feedback

1111 BAGBY ST STE 1800
HOUSTON TX **77002-2548**

[Look Up Another ZIP Code™](#)

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

CHECKLIST FOR ADMIN REVIEW OF INDUSTRIAL INDIVIDUAL PERMIT APPLICATIONS

Permit No. <u>WQ0002565000</u>	EPA ID <u>TX0089753</u>	MGD _____
<u>CN603355918</u>	<u>RN102178613</u>	County <u>Galveston</u> Region No. <u>12</u>
EPA Class. <input type="checkbox"/> Major <input checked="" type="checkbox"/> Minor	App Received Date <u>10/05/23</u>	Expiration Date _____
Status <input type="checkbox"/> Inactive <input checked="" type="checkbox"/> Active	Segment No. <u>2437</u>	Permit Type <input checked="" type="checkbox"/> TPDES <input type="checkbox"/> TLAP
Authorization Type <u>IND SW</u>	Application Type <u>RENEWAL</u>	

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

Application Review Date: 10/13/23

- ☐ 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. yes

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

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
- ☐ 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 checked="" type="checkbox"/> \$315	<input type="checkbox"/> \$150
Minor, subject to categ stds	<input type="checkbox"/> \$1,250	<input type="checkbox"/> \$1,250	<input 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.

661353
Cit
print ps
10/16
For Fee report

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: _____

* Name chg needed - no need to ask applicant just process
 PCS in Span. + NORI
 8x4 Map
 * update TET Name in pers

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 *Galveston / Galveston*
- ☒ 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: YES, SPAN
- ☐ 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.

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.
- ☐ 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.**

☒ **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 checked="" 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: _____ |

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.

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



TCEQ Use Only

TCEQ Core Data Form

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

SECTION I: General Information

1. Reason for Submission (If other is checked please describe in space provided.)		
<input type="checkbox"/> New Permit, Registration or Authorization (Core Data Form should be submitted with the program application.)		
<input type="checkbox"/> Renewal (Core Data Form should be submitted with the renewal form)	<input checked="" 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 602481613		RN 102178613

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 checked="" 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:	
BWC Texas Terminals LLC		s	
7. TX SOS/CPA Filing Number	8. TX State Tax ID (11 digits)	9. Federal Tax ID (9 digits)	10. DUNS Number (if applicable)
0801188004	19434800496		
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"/> 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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
14. Customer Role (Proposed or Actual) – as it relates to the Regulated Entity listed on this form. Please check one of the following			
<input type="checkbox"/> Owner <input type="checkbox"/> Operator <input checked="" type="checkbox"/> Owner & Operator			
<input type="checkbox"/> Occupational Licensee <input type="checkbox"/> Responsible Party <input type="checkbox"/> Voluntary Cleanup Applicant <input type="checkbox"/> Other:			
15. Mailing Address:			
1111 Bagby St. Suite 1800			
City	Houston	State	TX
ZIP	77002	ZIP + 4	
16. Country Mailing Information (if outside USA)		17. E-Mail Address (if applicable)	
		tduplantis@bwcterminals.com	
18. Telephone Number	19. Extension or Code	20. Fax Number (if applicable)	
(832) 699-4089		() -	

SECTION III: Regulated Entity Information

21. General Regulated Entity Information (If 'New Regulated Entity' is selected below this form should be accompanied by a permit application)	
<input type="checkbox"/> New Regulated Entity <input checked="" type="checkbox"/> Update to Regulated Entity Name <input type="checkbox"/> Update to Regulated Entity Information	
The Regulated Entity Name submitted may be updated in order to meet TCEQ Agency Data Standards (removal of organizational endings such as Inc, LP, or LLC).	
22. Regulated Entity Name (Enter name of the site where the regulated action is taking place.)	
Texas City Terminal 2	

23. Street Address of the Regulated Entity: (No PO Boxes)	159 Levee Rd						
	City	Texas City	State	TX	ZIP	77592	ZIP + 4
24. County							

Enter Physical Location Description if no street address is provided.

25. Description to Physical Location:							
26. Nearest City	Galveston				State	TX	Nearest ZIP Code
27. Latitude (N) In Decimal:	29' 21' 48"		28. Longitude (W) In Decimal:		94' 54' 45"		
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)		
4226							
33. What is the Primary Business of this entity? (Do not repeat the SIC or NAICS description.)							
201 Dock Rd							
34. Mailing Address:	City	Texas City	State	TX	ZIP	77590	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 checked="" type="checkbox"/> Emissions Inventory Air	<input checked="" type="checkbox"/> Industrial Hazardous Waste
<input type="checkbox"/> Municipal Solid Waste	<input checked="" 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 checked="" type="checkbox"/> Title V Air	<input type="checkbox"/> Tires	<input type="checkbox"/> Used Oil
<input type="checkbox"/> Voluntary Cleanup	<input type="checkbox"/> Waste Water	<input type="checkbox"/> Wastewater Agriculture	<input type="checkbox"/> Water Rights	<input type="checkbox"/> Other:
WQ0002565000				

SECTION IV: Preparer Information

40. Name:	Narshenna Moore		41. Title:	Environmental Specialist
42. Telephone Number	43. Ext./Code	44. Fax Number	45. E-Mail Address	
(713) 298-1800		() -	nmoore@bwcterminals.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:	BWC TEXAS TERMINAL LLC	Job Title:	Vice President, HSEQ
Name (In Print):	Terry Duplantis	Phone:	(832) 699-4089
Signature:			Date:
			10-3-2023

INDUSTRIAL/MUNICIPAL APPLICATIONS ROUTE SHEET

New _____

Major Amend _____

Minor Amend _____

Renewal X

Major Facility _____

Application Reviewer _____ Technical Reviewer _____

Final Flow \geq 1MGD _____

DATE APPLICATION RECEIVED 10/05/2023

PERMIT NUMBER WQ0002565000

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 \geq 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 _____

Coastal Zone Determination

(To Be Verified Upon Receipt Of The Application)

Permit Number WQ0002565000 County GALVESTON

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 Section'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 _____



September 29, 2023

Water Quality Division
Texas Commission on Environmental Quality
Application Review & Processing Team
Houston, TX 77023

Re: BWC Texas City Terminal Inc.
Texas City Terminal II
Application for Renewal Permit WQ0002565000 (EPA I.D TX0089753)
CN602-481-613 RN102-789-613
Texas City, Galveston County, Texas

Dear TCEQ Water Quality Division,

BWC Texas City Terminal Inc is submitting the enclosed Stormwater permit renewal. The permit renewal is being submitted without sampling due to the drought in Texas. The samples will be taken as soon as there is rain for stormwater required sampling and sent in separate.

If you have any questions, please call me at (713-298-1800) or email nmoore@bwcterminals.com.

Sincerely,

Shenna Moore
Environmental Manager



Enclosures

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: BWC Texas City Terminals EPA ID No.: TX0089753

Permit No.: WQ0002565000 Expiration Date: 02/07/2024

- 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: Click to enter text.

- 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 checked="" 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 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

2437

County

BRAUN

Expiration Date

2/07/2024

Region

12

Permit Number

WQ0002565000

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

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

Epay

Voucher number: [6577030 & 657704](#) Copy of voucher attachment: [See Attachment A](#)

Item 2. Applicant Information (Instructions, Pages 25)

- a. Customer Number, if applicant is an existing customer: [CN603355918](#)

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

- b. Legal name of the entity (applicant) applying for this permit: [BWC Texas City Terminals Inc.](#)

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: [Terry Duplantis](#)

Title: [VP HSSE](#)

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): [CNClick 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: Attachment B

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): Narshenna Moore
Title: Environmental Manager Credential: Click to enter text.
Organization Name: BWC Terminals
Mailing Address: POBox 3608
City: Texas City State: Texas Zip Code: 77590
Phone No: 713-298-1800 Fax No: Click to enter text. Email: nmoore@bwcterminals.com
- b. ☒ Administrative Contact . ☐ Technical Contact
☒ Mr. ☐ Ms. Full Name (First and Last): Ken Shoemake
Title: Director, HSEQ Credential: Click to enter text.
Organization Name: BWC Terminals
Mailing Address: 1200 Smith Street, Suite 2100
City: Houston State: Texas Zip Code: 77002
Phone No: 281-224-3356 Fax No: Click to enter text. Email:
Kshoemake@bwcterminals.com
Attachment: Click to enter text.

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): Narshenna Moore
Title: Environmental Manager Credential: Click to enter text.
Organization Name: BWC Terminals
Mailing Address: PO Box 3608
City: Texas City State: Texas Zip Code: 77590
Phone No: 713-298-1800 Fax No: Click to enter text. Email: nmoore@bwcterminals.com
- b. ☒ Mr. ☐ Ms. Full Name (First and Last): Ken Shoemake
Title: Director, HSEQ Credential: Click to enter text.
Organization Name: BWC Terminals
Mailing Address: 1200 Smith Street Suite 2100
City: Houston State: Texas Zip Code: 77002
Phone No: 281-224-3356 Fax No: Click to enter text. Email:
Kshoemake@bwcterminals.com

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

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): Narshenna Moore

Title: Environmental Manager Credential: Click to enter text.

Organization Name: BWC Terminals.

Mailing Address: PO Box 3608

City: Texas City State: Texas

Zip Code: 77590

Phone No: 713-298-1800

Fax No: Click to enter text.

Email: nmoore@bwcterminals.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): Narshenna Moore

Title: Environmental Manager Credential: Click to enter text.

Organization Name: BWC Terminals

Mailing Address: PO Box 3608

City: Texas City State: Texas

Zip Code: 77590

Phone No: Click to enter text.

Fax No: Click to enter text.

Email: Click to enter text.

Item 9. NOTICE INFORMATION (Instructions, Pages 27

a. Individual Publishing the Notices

☐ Mr. ☒ Ms. Full Name (First and Last): Narshenna Moore

Title: Environmental Manager Credential: Click to enter text.

Organization Name: BWC Terminals

Mailing Address: PO Box 3608

City: Texas City State: Texas

Zip Code: 77590

Phone No: 713-298-1800

Fax No: Click to enter text.

Email: nmoore@Bwcterminals.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: Click to enter text.

☐ Fax: Click to enter text.

☒ Regular Mail (USPS)

Mailing Address: PO Box 3608

City: Texas City State: Texas

Zip Code: 77590

c. Contact in the Notice

☐ Mr. ☒ Ms Full Name (First and Last): Narshenna Moore

Title: Environmental Manager Credential: Click to enter text.

Organization Name: BWC Terminals

Phone No: 713-298-1800

Fax No: Click to enter text.

Email: nmoore@bwcterminals.com

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: Moore Memorial Library
Desk

Location within the building: Reference

Physical Address of Building: 1701 9th Avenue North

City: Texas City County: Galveston

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? Spanish

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: RN102178613

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): Texas City Terminal II

- 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: BWC Texas City Terminals Inc.

Mailing Address: Po Box 3608

City: Texas City

State: Texas

Zip Code: 77590

Phone No: 409-948-8682

Fax No: Click to enter text.

Email: N/A

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

- f. Owner of land where treatment facility is or will be: Texas City Terminal Railway Company (Port of Texas City)

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

or Organization Name: Click to enter text.

Mailing Address: 2425 Highway 146 North

City: Texas City

State: TX

Zip Code: 77590

Phone No: 409-945-4461

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 (In some cases, a lease may not suffice - see instructions). Attachment: See Attachment C

- 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: [See Attachment D](#)

- 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): [Texas City](#)

- g. County in which the outfalls(s) is/are located: [Galveston](#)

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

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: Narshenna Moore

- 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: WQ0002565000

Applicant Name: BWC Texas City Terminals Inc.

Certification: I, Terry Duplantis, 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.

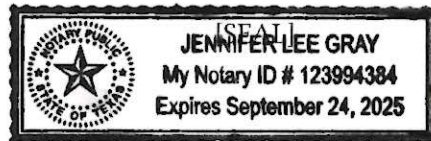
Signatory name (typed or printed): Terry Duplantis

Signatory title: VP, HSSE

Signature: [Signature] Date: 8/29/23
(Use blue ink)

Subscribed and Sworn to before me by the said Terry Duplantis
on this 29 day of August, 2023.
My commission expires on the 24 day of September, 2025.

[Signature]
Notary Public
[Signature]
County, Texas



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

INDUSTRIAL ADMINISTRATIVE REPORT 1.1

The following information is required for new and amendment applications.

Item 1. AFFECTED LANDOWNER INFORMATION (Instructions, Pages 34-35)

- a. Attach a landowner map or drawing, with scale, as applicable. Check the box next to each item to confirm it has been provided.
- ☐ The applicant's property boundaries.
 - ☐ The facility site boundaries within the applicant's property boundaries.
 - ☐ The distance the buffer zone falls into adjacent properties and the property boundaries of the landowners located within the buffer zone.
 - ☐ The property boundaries of all landowners surrounding the applicant's property. (Note: if the application is a major amendment for a lignite mine, the map must include the property boundaries of all landowners adjacent to the new facility (ponds).)
 - ☐ The point(s) of discharge and highlighted discharge route(s) clearly shown for one mile downstream.
 - ☐ The property boundaries of the landowners located on both sides of the discharge route for one full stream mile downstream of the point of discharge.
 - ☐ The property boundaries of the landowners along the watercourse for a one-half mile radius from the point of discharge if the point of discharge is into a lake, bay, estuary, or affected by tides.
 - ☐ The boundaries of the effluent disposal site (e.g., irrigation area or subsurface drainfield site) and all evaporation/holding ponds within the applicant's property.
 - ☐ The property boundaries of all landowners surrounding the applicant's property boundaries where the effluent disposal site is located.
 - ☐ The boundaries of the sludge land application site (for land application of sewage sludge for beneficial use) and the property boundaries of landowners within one-quarter mile of the applicant's property boundaries where the sewage sludge land application site is located.
 - ☐ The property boundaries of landowners within one-half mile in all directions from the applicant's property boundaries where the sewage sludge disposal site (e.g., sludge surface disposal site or sludge monofil) is located.

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

- b. Check the box next to the format of the landowners list:

☐ Readable/Writeable CD ☐ Four sets of labels

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

- d. Provide the source of the landowners' names and mailing addresses: [Click to enter text.](#)

- e. As required by Texas Water Code § 5.115, is any permanent school fund land affected by this application?

☐ Yes ☐ No

If yes, provide the location and foreseeable impacts and effects this application has on the land(s):
[Click to enter text.](#)

Item 2. Public Involvement Plan Form (Instructions, Page 36)

Complete and attach one Public Involvement Plan (PIP) Form (TCEQ Form 20960) for each application for a new permit or major amendment to a permit.

Item 3. ORIGINAL PHOTOGRAPHS (Instructions, Page 36)

Provide original ground level photographs. Check the box next to each of the following items to indicate it is included.

- ☐ At least one original photograph of the new or expanded treatment unit location.
- ☐ At least two photographs of the existing/proposed point of discharge and as much area downstream (photo 1) and upstream (photo 2) as can be captured. If the discharge is to an open water body (e.g., lake, bay), the point of discharge should be in the right or left edge of each photograph showing the open water and with as much area on each respective side of the discharge as can be captured.
- ☐ At least one photograph of the existing/proposed effluent disposal site.
- ☐ A plot plan or map showing the location and direction of each photograph.

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

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

ATTACHMENT 1

INDIVIDUAL INFORMATION

Item 1. Individual information (Instructions, Page 37)

Complete this attachment if the facility applicant or co-applicant is an individual. Make additional copies of this attachment if both are individuals.

Prefix (Mr., Ms., or Miss): [Click to enter text.](#)

Full legal name (first, middle, and last): [Click to enter text.](#)

Driver's License or State Identification Number: [Click to enter text.](#)

Date of Birth: [Click to enter text.](#)

Mailing Address: [Click to enter text.](#)

City, State, and Zip Code: [Click to enter text.](#)

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

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

E-mail Address: [Click to enter text.](#)

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

Checklist of Common Deficiencies

Below is a list of common deficiencies found during the administrative review of industrial wastewater permit applications. To ensure the timely processing of this application, please review the items below and indicate each item is complete and in accordance applicable rules at 30 TAC Chapters 21, 281, and 305 by checking the box next to the item. If an item is not required this application, indicate by checking N/A where appropriate. Please do not submit the application until all items below are addressed.

- ☒ Core Data Form (TCEQ Form No. 10400)
*(Required for all applications types. Must be completed in its entirety and signed.
Note: Form may be signed by applicant representative.)*
- ☒ Correct and Current Industrial Wastewater Permit Application Forms
*(TCEQ Form Nos. 10055 and 10411.
Version dated 5/10/2019 or later.)*
- ☒ Water Quality Permit Payment Submittal Form (Page 14)
*(Original payment sent to TCEQ Revenue Section.
See instructions for mailing address.)*
- ☒ 7.5 Minute USGS Quadrangle Topographic Map Attached
*(Full-size map if seeking "New" permit.
8 1/2 x 11 acceptable for Renewals and Amendments.)*
- ☐ N/A ☒ Current/Non-Expired, Executed Lease Agreement or Easement Attached
- ☐ N/A ☒ Landowners Map
(See instructions for landowner requirements.)

Things to Know:

- All the items shown on the map must be labeled.
- The applicant's complete property boundaries must be delineated which includes boundaries of contiguous property owned by the applicant.
- The applicant cannot be its own adjacent landowner. You must identify the landowners immediately adjacent to their property, regardless of how far they are from the actual facility.
- If the applicant's property is adjacent to a road, creek, or stream, the landowners on the opposite side must be identified. Although the properties are not adjacent to applicant's property boundary, they are considered potentially affected landowners. If the adjacent road is a divided highway as identified on the USGS topographic map, the applicant does not have to identify the landowners on the opposite side of the highway.

- ☐ N/A ☐ Landowners Cross Reference List
(See instructions for landowner requirements.)
- ☐ N/A ☐ Landowners Labels or CD-RW attached
(See instructions for landowner requirements.)
- ☒ Original signature per 30 TAC § 305.44 – Blue Ink Preferred
*(If signature page is not signed by an elected official or principle executive officer,
a copy of signature authority/delegation letter must be attached.)*
- ☒ Plain Language Summary

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.

BWC Texas City Terminals Inc. (CN603355918) operates Texas City Terminal II RN102178613. a The facility is designed to be a bulk liquids storage facility. Liquid products could be stored in above ground storage tanks, where they can be loaded/unloaded from trucks and barges. The facility currently does not store any products or have any tanks available for storage. Only stormwater run-off is discharged from this facility. No petroleum or chemical products are processed or treated at the terminal. The facility is located 159 Levee Road, in Texas City, Galveston County, Texas 77592. The discharge route is from the plant site via outfall 001 directly to the Texas City Ship Channel.

Discharges from the facility are expected to contain No petroleum or chemical products are processed or treated at the terminal .Stormwater run-off will be treated by 17. Enter a description of wastewater treatment used at the facility here..

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

AGUAS RESIDUALES INDUSTRIALES/AGUAS PLUVIALES

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

1. Introduzca el nombre del solicitante aquí. (2. Introduzca el número de cliente aquí (es decir, CN6 #####).) 3. Elija del menú desplegable. 4. Introduzca el nombre de la instalación aquí. 5. Introduzca el número de entidad regulada aquí (es decir, RN1 #####). 6. Elija del menú desplegable. 7. Introduzca la descripción de la instalación aquí. . La instalación 8. Elija del menú desplegable. ubicado 9. Introduzca la ubicación aquí. , en 10. Introduzca el nombre de la ciudad aquí. , Condado de 11. Introduzca el nombre del condado aquí. , Texas 12. Introduzca el código postal aquí. . 13. Introduzca el resumen de la petición de solicitud aquí. <<Para las solicitudes de TLAP incluya la siguiente oración, de lo contrario, elimine:>> Este permiso no autorizará una descarga de contaminantes en el agua en el estado. Se espera que las descargas de la instalación contengan 14. Liste todos los contaminantes esperados aquí. . 15. Introduzca los tipos de aguas residuales descargadas aquí. 16. Elija del menú desplegable. tratado por 17. Introduzca una descripción del tratamiento de aguas residuales utilizado en la instalación aquí. .

INSTRUCTIONS

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

Example

Individual Industrial Wastewater 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.

ABC Corporation (CN6000000000) operates the Starr Power Station (RN100000000000), a two-unit gas fired electric generating facility. Unit 1 has a generating capacity of 393 megawatts (MWs) and Unit 2 has a generating capacity of 528 MWs. The facility is located at 1356 Starr Street, near the City of Austin, Travis County, Texas 78753.

This application is for a renewal to discharge 870,000,000 gallons per day of once through cooling water, auxiliary cooling water, and also authorizes the following waste streams monitored inside the facility (internal outfalls) before it is mixed with the other wastewaters authorized for discharge via main Outfall 001, referred as "previously monitored effluents" (low volume wastewater, metal cleaning waste, and stormwater (from diked oil storage area yards, and storm drains)) via Outfall 001. Low volume waste sources, metal cleaning waste, and stormwater drains on a continuous and flow-variable basis via internal Outfall 101.

The discharge of once through cooling water via Outfall 001 and low volume waste and metal cleaning waste via Outfall 101 from this facility is subject to federal effluent limitation guidelines at 40 CFR Part 423. The pollutants expected from these discharges based on 40 CFR Part 423 are: free available chlorine, total residual chlorine, total suspended solids, oil and grease, total iron, total copper, and pH. Temperature is also expected from these discharges. Additional potential pollutants are included in the Industrial Wastewater Application Technical Report, Worksheet 2.0.

Cooling water and boiler make-up water are supplied by Lake Starr Reservoir. The City of Austin municipal water plant (CN6000000000, PWS 00000) supplies the facility's potable water and serves as an alternate source of boiler make-up water. Water from the Lake Starr Reservoir is withdrawn at the intake structure and treated with sodium hypochlorite to prevent biofouling and sodium bromide as a chlorine enhancer to improve efficacy and then passed through condensers and auxiliary equipment on a once-through basis to cool equipment and condense exhaust steam. Low volume wastewater from blowdown of boiler Units 1 and 2 and metal cleaning wastes receive no treatment prior to discharge via Outfall 101. Plant floor and equipment drains and stormwater runoff from diked oil storage areas, yards, and storm drains are routed through an oil and water separator prior to discharge via Outfall 101. Domestic wastewater, blowdown, and backwash water from the service water filter, clarifier, and sand filter are routed to the Starr Creek Domestic Sewage Treatment Plant, TPDES Permit No. WQ0010000001, for treatment and disposal. Metal cleaning waste from equipment cleaning is generally disposed of off-site.

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 Application](#)¹ 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).

The facility is designed to be a bulk liquids storage terminal. Liquid products could be stored in above ground storage tanks, where they can be loaded/unloaded from trucks and barges.

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

Only stormwater run-off is discharged from this facility. No storage tanks are in use because the facility is currently dormant.

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

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

Materials List

Raw Materials	Intermediate Products	Final Products
Currently no material are stored at the facility but it has the ability to store petroleum products. The site will need brand new everything to operate.		

Attachment:

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: See Attachment F

e. Is this a new permit application for an existing facility?

☐ Yes ☒ No

If **yes**, provide background discussion: **This is a permit renewal application.**

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: Texas City Terminal Railway Company

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: A four-foot-high berm surrounds the tank area and O/W separator.

Attachment: Attachment F

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: Attachment F

If **no**, provide an approximate date of application submittal to the USACE: Attachment F

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.

Oil/water
separator

- 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: See Attachment G

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 #	Pond #	Pond #	Pond #
Use Designation: (T) (D) (C) or (E)				
Associated Outfall Number				
Liner Type (C) (I) (S) or (A)				
Alt. Liner Attachment Reference				
Leak Detection System, Y/N				
Groundwater Monitoring Wells, Y/N				
Groundwater Monitoring Data Attachment				
Pond Bottom Located Above The Seasonal High-Water Table, Y/N				
Length (ft)				
Width (ft)				
Max Depth From Water Surface (ft), Not Including Freeboard				
Freeboard (ft)				
Surface Area (acres)				
Storage Capacity (gallons)				
40 CFR Part 257, Subpart D, Y/N				
Date of Construction				

Impoundment Information

Parameter	Pond #	Pond #	Pond #	Pond #
Use Designation: (T) (D) (C) or (E)				
Associated Outfall Number				
Liner Type (C) (I) (S) or (A)				
Alt. Liner Attachment Reference				
Leak Detection System, Y/N				
Groundwater Monitoring Wells, Y/N				
Groundwater Monitoring Data Attachment				
Pond Bottom Located Above The Seasonal High-Water Table, Y/N				
Length (ft)				
Width (ft)				
Max Depth From Water Surface (ft), not including freeboard				
Freeboard (ft)				
Surface Area (acres)				
Storage Capacity (gallons)				
40 CFR Part 257, Subpart D, Y/N				
Date of Construction				

Attachment: [Link to Attachment](#)

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	29°21'49	-94°54'42

Outfall Location Description

Outfall Number	Location Description
001	West side of the property

Description of Sampling Points (if different from Outfall location)

Outfall Number	Description of Sampling Point

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	Report	Report	Report	Report	Report

Outfall Discharge – Method and Measurement

Outfall Number	Pumped Discharge? Y/N	Gravity Discharge? Y/N	Type of Flow Measurement Device Used
001	No	Yes	Estimate

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	Yes	No	No	N/A	N/A	12

Wastestream Contributions

Outfall No.:

Contributing Wastestreams	Volume (MGD)	% of Total Flow
Stormwater	0.1	>99%

Outfall No.:

Contributing Wastestreams	Volume (MGD)	% of Total Flow

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: See Attachment I

- 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	N/A	N/A
Boilers	N/A	N/A	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: See Attachment I

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:** A holding tank is utilized to store domestic waste. The tank is pumped out as needed by a septic/tank wastewater disposal company.
- 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.
Galveston Waste Management	23239

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: **NO IMPROVEMENTS**

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: **NO TOXICITY TESTS**

Additionally, attach a copy of all tests performed which **have not** been submitted to the TCEQ or EPA.

Attachment: **NO ATTACHMENTS**

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: ☐ Attachment 10.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: ☐ Attachment 10.c

- 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)

- 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: 123456789

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*:

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.o, 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: [Click to enter text](#)

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: [Click to enter text](#)

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.

Click to enter text.

- b. Is the facility requesting any **minor amendments** to the permit?

☐ Yes ☒ No

If **yes**, list and discuss the requested changes.

Click to enter text.

- c. Is the facility requesting any **minor modifications** to the permit?

☐ Yes ☒ No

If **yes**, list and discuss the requested changes.

Click to enter text.

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

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

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

c. Refineries (40 CFR Part 419)

Provide the applicable subcategory and a brief justification.

Click to enter text

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.

Click to enter text

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

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, Terry Duplantis, 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): 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. 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:** Attachment 1

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:** Attachment 2

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.: [REDACTED]**Samples 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.: [REDACTED]**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)
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, 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.: 014113-001

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.: **1015-10-001**

Samples are (check one): ☐ Composites ☐ Grabs

Pollutant	Sample 1	Sample 2	Sample 3	Sample 4	MAL
Tributyltin (µg/L)	N/A				0.010
Enterococci (cfu or MPN/100 mL)	N/A				N/A
<i>E. coli</i> (cfu or MPN/100 mL)	N/A				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.: Click to outfall

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 [Fenprothrin]					—
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.: **1116-14-011-01-1-01**

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.: Click to enter text : 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-Benzofluoranthene [Benzo(b)fluoranthene]					10
Benzo(ghi)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)
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:

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:

- 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:

If **yes** to either Items a **or** b, complete Table 12 as instructed.

Table 12 for Outfall No.: **TCEQ-10055**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.: **TCEQ-10055**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 3.0

LAND APPLICATION OF EFFLUENT

This worksheet is required for all applications for a permit to dispose of wastewater by land application.

1. TYPE OF DISPOSAL SYSTEM (Instructions, Page 70)

Check the box next to the type of land disposal requested by this application:

- | | |
|--------------------------------------------------|--------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Irrigation | <input type="checkbox"/> Subsurface application |
| <input type="checkbox"/> Evaporation | <input type="checkbox"/> Subsurface soils absorption |
| <input type="checkbox"/> Evapotranspiration beds | <input type="checkbox"/> Surface application |
| <input type="checkbox"/> Drip irrigation system | <input type="checkbox"/> Other, specify: Click to enter text |

2. LAND APPLICATION AREA (Instructions, Page 70)

Land Application Area Information

Effluent Application (gallons/day)	Irrigation Acreage (acres)	Describe land use & indicate type(s) of crop(s)	Public Access? (Y/N)

3. ANNUAL CROPPING PLAN (Instructions, Page 70)

Attach the required cropping plan that includes each of the following:

- Cool and warm season plant species
- Breakdown of acreage and percent of total acreage for each crop
- Crop growing season
- Harvesting method/number of harvests
- Minimum/maximum harvest height
- Crop yield goals
- Soils map
- Nitrogen requirements per crop
- Additional fertilizer requirements
- Supplemental watering requirements
- Crop salt tolerances
- Justification for not removing existing vegetation to be irrigated

Attachment: Click to enter text

4. WELL AND MAP INFORMATION (Instructions, Page 71)

a. Check each box to confirm the required information is shown and labeled on the attached USGS map:

- ☐ The exact boundaries of the land application area
- ☐ On-site buildings
- ☐ Waste-disposal or treatment facilities
- ☐ Effluent storage and tailwater control facilities
- ☐ Buffer zones
- ☐ All surface waters in the state onsite and within 500 feet of the property boundaries
- ☐ All water wells within 1/2-mile of the disposal site, wastewater ponds, or property boundaries
- ☐ All springs and seeps onsite and within 500 feet of the property boundaries

Attachment: [Click to enter text](#)

b. List and cross reference all water wells located on or within 500 feet of the disposal site, wastewater ponds, or property boundaries in the following table. Attach additional pages as necessary to include all of the wells.

Well and Map Information Table

Well ID	Well Use	Producing? Y/N/U	Open, cased, capped, or plugged?	Proposed Best Management Practice

Attachment: [Click to enter text](#)

c. Groundwater monitoring wells or lysimeters are/will be installed around the land application site or wastewater ponds.

- ☐ Yes ☐ No

If **yes**, provide the existing/proposed location of the monitoring wells or lysimeters on the site map attached for Item 4.a. Additionally, attach information on the depth of the wells or lysimeters, sampling schedule, and monitoring parameters for TCEQ review, possible modification, and approval.

Attachment: [Click to enter text](#)

d. Attach a short groundwater technical report using 30 TAC § 309.20(a)(4) as guidance.

Attachment: [Click to enter text](#)

5. SOIL MAP AND SOIL INFORMATION (Instructions, Page 72)

Check each box to confirm that the following information is attached:

- a. ☐ USDA NRCS Soil Survey Map depicting the area to be used for land application with the locations identified by fields and crops
- b. ☐ Breakdown of acreage and percent of total acreage for each soil type
- c. ☐ Copies of laboratory soil analyses

Attachment:

6. LABORATORY ACCREDITATION CERTIFICATION (Instructions, Page 73)

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 32, 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)

7. EFFLUENT MONITORING DATA (Instructions, Page 73)

Completion of Table 14 **is required** for all **renewal** and **major amendment** applications. Complete the table with monitoring data for the previous two years for all parameters regulated in the current permit. An additional table has been provided with blank headers for parameters regulated in the current permit which are not listed in Table 14.

Table 14 for Site No.: 001

Samples are (check one): ☐ Composites ☒ Grabs

[illegible]

Attach an explanation of all persistent excursions to permitted parameters and corrective actions taken.

Attachment:

Use this table to provide effluent analysis for parameters regulated in the current permit which are not listed in Table 14.

Additional Parameter Effluent Analysis

[illegible]

Attach an explanation of all persistent excursions to permitted parameters and corrective actions taken.

Attachment:

8. POLLUTANT ANALYSIS (Instructions, Page 73)

- 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):
- ☒ Check the box to confirm all samples were collected no more than 12 months prior to the date of application submittal.
- Completion of Tables 15 and 16 **is required** for all applications for the authorization of land application.

Table 15 for Site No.: 001; Samples are (check one):☐ Composites ☐ Grabs

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				
Ammonia nitrogen				
Total suspended solids				
Nitrate nitrogen				
Total organic nitrogen				
Total phosphorus				
Oil and grease				
Total residual chlorine				
Total dissolved solids				
Sulfate				
Chloride				
Fluoride				
Fecal Coliform (cfu/100 mL)				
Specific conductance (mmhos/cm)				
pH (standard units; min/max)				
Soluble sodium				
Soluble calcium				
Soluble magnesium				
SAR (unitless)				

Table 16: for Site No.:

001; 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)
Aluminum, total					2.5
Antimony, total					5
Arsenic, total					0.5
Barium, total					3
Beryllium, total					0.5
Boron, total					20
Cadmium, total					1
Chromium, total					3
Chromium, hexavalent					3
Chromium, trivalent					N/A
Copper, total					2
Cyanide					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

WORKSHEET 3.1

SURFACE LAND APPLICATION AND EVAPORATION

This worksheet **is required** for all applications for a permit to dispose of wastewater by surface land application or evaporation.

1. EDWARDS AQUIFER (Instructions, Page 74)

- a. Is the facility subject to *30 TAC Chapter 213*, Edwards Aquifer Rules?

☐ Yes ☒ No

If **no**, proceed to Item 2. If **yes**, complete Items 1.b and 1.c.

- b. Check the box next to the subchapter applicable to the facility.

☐ *30 TAC Chapter 213, Subchapter A*
☐ *30 TAC Chapter 213, Subchapter B*

- c. If *30 TAC Chapter 213, Subchapter A* applies, attach **either**: 1) a Geologic Assessment (if conducted in accordance with *30 TAC § 213.5*) **or** 2) a report that contains the following information:

- A description of the surface geological units within the proposed land application site and wastewater pond area.
- The location and extent of any sensitive recharge features in the land application site and wastewater pond area
- A list of any proposed BMPs to protect the recharge features.

Attachment: ☐

2. SURFACE SPRAY/IRRIGATION (Instructions, Pages 74-75)

- a. Provide the following information on the irrigation operations:

Area under irrigation (acres): ☐

Design application rate (acre-ft/acre/yr): ☐

Design application frequency (hours/day): ☐

Design application frequency (days/week): ☐

Design total nitrogen loading rate (lbs nitrogen/acre/year): ☐

Average slope of the application area (percent): ☐

Maximum slope of the application area (percent): ☐

Irrigation efficiency (percent): ☐

Effluent conductivity (mmhos/cm): ☐

Soil conductivity (mmhos/cm): ☐

Curve number: ☐

Describe the application method and equipment: ☐

- b. Attach a detailed engineering report which includes a water balance, storage volume calculations, and a nitrogen balance.

Attachment: ☐

3. EVAPORATION PONDS (Instructions, Page 75)

- a. Daily average effluent flow into ponds: gallons per day
- b. Attach a separate engineering report of evaporation calculations for average long-term and worst-case critical conditions.

Attachment:

4. EVAPOTRANSPIRATION BEDS (Instructions, Page 75)

- a. Provide the following information on the evapotranspiration beds:
Number of beds:
Area of bed(s) (acres):
Depth of bed(s) (feet):
Void ratio of soil in the beds:
Storage volume within the beds (include units):
Description of any lining to protect groundwater:
- b. Attach a certification by a licensed Texas professional engineer that the liner meets TCEQ requirements.

Attachment:

- c. Attach a separate engineering report with water balance, storage volume calculations, and description of the liner.

Attachment:

5. OVERLAND FLOW (Instructions, Page 75)

- a. Provide the following information on the overland flow:
Area used for application (acres):
Slopes for application area (percent):
Design application rate (gpm/foot of slope width):
Slope length (feet):
Design BOD₅ loading rate (lbs BOD₅/acre/day):
Design application frequency (hours/day):
Design application frequency (days/week):
- b. Attach a separate engineering report with the method of application and design requirements according to 30 TAC § 217.212.

Attachment:

WORKSHEET 3.2

SUBSURFACE IRRIGATION SYSTEMS (NON-DRIP)

This worksheet **is required** for all applications for a permit to dispose of wastewater by subsurface land application.

- ☐ Check the box to confirm the Class V Injection Well Inventory/Authorization Form (Worksheet 9.0) has been submitted to the TCEQ UIC Permits Team as directed.

1. EDWARDS AQUIFER (Instructions, Page 76)

- a. The subsurface system is/will be located on the Edwards Aquifer Recharge Zone, as mapped by the TCEQ?
- ☐ Yes ☒ No
- b. The subsurface system is/will be located on the Edwards Aquifer Transition Zone, as mapped by the TCEQ?
- ☐ Yes ☒ No

If **yes** to Item 1.a **or** 1.b, the subsurface system may be prohibited by *30 TAC § 213.8*. Contact the Water Quality Assessment Section at (512) 239-4671 to determine if the proposed activity is affected by this rule.

2. SUBSURFACE APPLICATION (Instructions, Page 76)

- a. Check the box next to the type of subsurface land disposal system requested by this application:
- ☐ Conventional drainfield, beds, or trenches
- ☐ Low pressure dosing
- ☐ Other:
- b. Provide the following information on the irrigation operations:
- Application area (acres):
- Area of drainfield (square feet):
- Application rate (gal/square ft/day):
- Depth to groundwater (feet):
- Area of trench (square feet):
- Dosing duration per area (hours):
- Number of beds:
- Dosing amount per area (inches/day):
- Soil infiltration rate (inches/hour):
- Storage volume (gallons):
- Area of bed(s) (square feet):
- Soil classification:
- c. Attach a separate engineering report using *30 TAC § 309.20, Subchapter C, Land Disposal of Sewage Effluent* as guidance, excluding items b(3)(A) and b(3)(B). Include a description of the schedule of dosing basin rotation.

Attachment:

WORKSHEET 3.3

SUBSURFACE AREA DRIP DISPERSAL SYSTEMS

This worksheet **is required** for all applications for a permit to dispose of wastewater using a SADDs.

- ☐ Check the box to confirm the Class V Injection Well Inventory/Authorization Form (Worksheet 9.o) for this type of disposal system has been submitted to the TCEQ UIC Permits Team as directed.

1. EDWARDS AQUIFER (Instructions, Page 76)

- a. The SADDs is/will be located on the Edwards Aquifer Recharge Zone, as mapped by the TCEQ?
- ☐ Yes ☐ No

- b. The SADDs is/will be located on the Edwards Aquifer Transition Zone, as mapped by the TCEQ?
- ☐ Yes ☐ No

If **yes** to Item 1.a **or** 1.b, the SADDs may be prohibited by 30 TAC § 213.8. Contact the Water Quality Assessment Section at (512) 239-4671 to determine if the proposed activity is affected by this rule.

2. ADMINISTRATIVE INFORMATION (Instructions, Page 77)

- a. Provide the legal name of all corporations or other business entities managed, owned, or otherwise closely related to the owner of the treatment facility:

- b. The owner of the land where the WWTF is/will be located is the same as the owner of the WWTF.
- ☐ Yes ☐ No

If **no**, provide the legal name of all corporations or other business entities managed, owned, or otherwise closely related to the owner of the land where the WWTF is/will be located:

- c. Provide the legal name of the owner of the SADDs:

- d. The owner of the SADDs is the same as the owner of the WWTF or the site where the WWTF is/will be located.

☐ Yes ☐ No

If **no**, identify the legal name of all corporations or other business entities managed, owned, or otherwise closely related to the entity identified in Item 1.c:

- e. Provide the legal name of the owner of the land where the SADDs is located:

- f. The owner of the land where the SADDs is/will be located is the same as owner of the WWTF, the site where the WWTF is located, or the owner of the SADDs.

☐ Yes ☐ No

If **no**, provide the legal name of all corporations or other business entities managed, owned, or otherwise closely related to the entity identified in item 1.e:

3. SADDs (Instructions, Pages 78-79)

a. Check the box next to the type SADDs requested by this application:

- ☐ Subsurface drip/trickle irrigation
☐ Surface drip irrigation
☐ Other:

b. Attach a description of the SADDs proposed/used by the facility (see instructions for guidance).

Attachment:

c. Provide the following information on the SADDs:

Application area (acres):

Soil infiltration rate (inches/hour):

Average slope of the application area:

Maximum slope of the application area:

Storage volume (gallons):

Major soil series:

Depth to groundwater (feet):

Effluent conductivity (mmhos/cm):

d. The facility is/will be located west of the boundary shown in 30 TAC § 222.83 **and** using a vegetative cover of non-native grasses over seeded with cool-season grasses.

☐ Yes ☐ No

If **yes**, the facility may propose a hydraulic application rate up to, but not to exceed, 0.1 gal/ft²/day.

e. The facility is/will be located east of the boundary shown in 30 TAC § 222.83 **or** is the facility proposing any crop other than non-native grasses.

☐ Yes ☐ No

If **yes**, the facility must use the formula in 30 TAC § 222.83 to calculate the maximum hydraulic application rate.

f. The facility has or plans to submit an alternative method to calculate the hydraulic application rate for approval by the ED.

☐ Yes ☐ No

If **yes**, provide the following information on the hydraulic application rates:

- Hydraulic application rate (gal/square foot/day):
- Nitrogen application rate (gal/square foot/day):

g. Provide the following dosing information:

Number of doses per day:

Dosing duration per area (hours):

Rest period between doses (hours):

Dosing amount per area (inches/day):

Number of zones:

h. The system is/will be a surface drip irrigation system using existing native vegetation as a crop?

☐ Yes ☐ No

If **yes**, attach the following information:

- A vegetation survey by a certified arborist describing the percent canopy cover and relative percentage of major overstory and understory plant species.

Attachment: [Link to attachment](#)

- Attach a separate engineering report using *30 TAC § 309.20, Subchapter C, Land Disposal of Sewage Effluent* as guidance, excluding items b(3)(A) and b(3)(B). Include a description of the schedule of dosing basin rotation.

Attachment: [Link to attachment](#)

4. REQUIRED PLANS (Instructions, Pages 79-80)

a. Attach a Soil Evaluation with all information required in *30 TAC § 222.73*.

Attachment: [Link to attachment](#)

b. Attach a Site Preparation Plan with all information required in *30 TAC § 222.75*.

Attachment: [Link to attachment](#)

c. Attach a Recharge Feature Plan with all information required in *30 TAC § 222.79*.

Attachment: [Link to attachment](#)

d. Provide soil sampling and testing with all information required in *30 TAC § 222.157*.

Attachment: [Link to attachment](#)

5. FLOOD AND RUN-ON PROTECTION (Instructions, Page 80)

a. Is the existing/proposed SADDs located within the 100-year frequency flood level?

☐ Yes ☐ No

Source: [Link to attachment](#)

If **yes**, describe how the site will be protected from inundation: [Link to attachment](#)

b. Is the existing/proposed SADDs within a designated floodway?

☐ Yes ☐ No

If **yes**, attach either the FEMA flood map or alternate information used to make this determination.

Attachment: [Link to attachment](#)

6. SURFACE WATERS IN THE STATE (Instructions, Page 80)

a. Attach a buffer map which shows the appropriate buffers on surface waters in the state, water wells, and springs/seeps.

Attachment: [Link to attachment](#)

b. The facility has or plans to request a buffer variance from water wells or waters in the state?

☐ Yes ☐ No

If **yes**, attach the additional information required in *30 TAC § 222.81(c)*.

Attachment: [Link to attachment](#)

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: City of Orlando

v. The distance and direction from the outfall to the drinking water supply intake: 1000 feet N

- 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: Approximately 1000 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: 1000 feet N

- 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: 1000 feet N

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:

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): <input type="text"/> | <input type="checkbox"/> Stream or Creek |
| • Average depth of the entire water body (feet): <input type="text"/> | <input type="checkbox"/> Freshwater Swamp or Marsh |
| • Average depth of water body within a 500-foot radius of the discharge point (feet): <input type="text"/> | <input type="checkbox"/> Tidal Stream, Bayou, or Marsh |
| | <input type="checkbox"/> Open Bay |
| | <input type="checkbox"/> Other, specify: <input type="text"/> |

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: N/A

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 type="checkbox"/> other, specify: <input type="text"/> |
- b. Uses of water body observed or evidence of such uses (check all that apply):
- | | | |
|-------------------------------------------------|--------------------------------------------------|---------------------------------------------------------------|
| <input 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="checkbox"/> <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 4.1

WATERBODY PHYSICAL CHARACTERISTICS

The following information **is required** for new applications, EPA-designated Major facilities, and major amendment applications requesting to add an outfall if the receiving waters are perennial or intermittent with perennial pools (including impoundments) for a TDPES permit.

Complete the transects downstream of the existing or proposed discharges.

1. DATA COLLECTION (Instructions, Pages 83-84)

- a. Date of study: Time of study:
 Waterbody name:
 General location:
- b. Type of stream upstream of an existing discharge or downstream of a proposed discharge (check only one):
☐ perennial ☐ intermittent with perennial pools ☐ impoundment
- c. No. of defined stream bends:
 Well: Moderately: Poorly:
- d. No. of riffles:
- e. Evidence of flow fluctuations (check one):
☐ Minor ☐ Moderate ☐ Severe
- f. Provide the observed stream uses and where there is evidence of channel obstructions/modifications:
- g. Complete the following table with information regarding the transect measurements.

Stream Transect Data

Transect Location	Habitat Type*	Water Surface Width (ft)	Stream Depths (ft)**							

* riffle, run, glide, or pool

** channel bed to water surface

2. SUMMARIZE MEASUREMENTS (Instructions, Page 84)

Provide the following information regarding the transect measurements:

Streambed slope of entire reach (from USGS map in ft. /ft.):

Approximate drainage area above the most downstream transect from USGS map or county highway map (square miles):

Length of stream evaluated (ft):

Number of lateral transects made:

Average stream width (ft):

Average stream depth (ft):

Average stream velocity (ft/sec):

Instantaneous stream flow (ft³/sec):

Indicate flow measurement method (VERY IMPORTANT – type of meter, floating chip timed over a fixed distance, etc.):

Flow fluctuations (i.e., minor, moderate, or severe):

Size of pools (i.e., large, small, moderate, or none):

Maximum pool depth (ft):

Total number of stream bends:

 Number well defined:

 Number moderately defined:

 Number poorly defined:

Total number of riffles:

WORKSHEET 5.0

SEWAGE SLUDGE MANAGEMENT AND DISPOSAL

The following information **is required** for all TPDES permit applications that meet the conditions as outlined in Technical Report 1.0, Item 7.

1. SEWAGE SLUDGE SOLIDS MANAGEMENT PLAN (Instructions, Page 85)

a. Is this a new permit application or an amendment permit application?

☐ Yes ☒ No

b. Does or will the facility discharge in the Lake Houston watershed?

☐ Yes ☒ No

If **yes** to either Item 1.a **or** 1.b, attach a solids management plan.

Attachment: [Link to attachment](#)

2. SEWAGE SLUDGE MANAGEMENT AND DISPOSAL (Instructions, Pages 85-86)

a. Check the box next to the sludge disposal method(s) authorized under the facility's existing permit (check all that apply).

- ☐ Permitted landfill
- ☐ Marketing and distribution by the permittee, attach Form TCEQ-00551
- ☐ Registered land application site, attach Form TCEQ-00565
- ☐ Processed by the permittee, attach Form TCEQ-00744
- ☐ Surface disposal site (sludge monofill), attach Form TCEQ-00744
- ☐ Transported to another WWTP
- ☐ Beneficial land application, attach Form TCEQ-10451
- ☐ Incineration, attach Form TCEQ-00744

Based on the selection(s) made above, complete and attach the required TCEQ forms as directed. Failure to submit the required TCEQ form will result in delays in processing the application

Attachment: [Link to attachment](#)

b. Provide the following information for each disposal site:

Disposal site name: [Link to attachment](#)

TCEQ Permit/Registration Number: [Link to attachment](#)

County where disposal site is located: [Link to attachment](#)

c. Method of sewage sludge transportation: ☐ truck ☐ train ☐ pipe ☐ other: [Link to attachment](#)

TCEQ Hauler Registration Number: [Link to attachment](#)

Sludge is transported as a: ☐ liquid ☐ semi-liquid ☐ semi-solid ☐ solid

- d. Purpose of land application: ☐ reclamation ☐ soil conditioning ☒ N/A
- e. If sewage sludge is transported to another WWTP for treatment, attach a written statement or copy of contractual agreements confirming that the WWTP identified above will accept and be responsible for the sludge from this facility for the life of the permit (at least 5 years).

Attachment: [Click to attach file](#)

3. AUTHORIZATION FOR SEWAGE SLUDGE DISPOSAL (Instructions, Page 86)

- a. If this is a new or major amendment application which requests authorization of a new sewage sludge disposal method, check the new sewage disposal method(s) requested for authorization (check all that apply):

- ☐ Marketing and distribution by the permittee, attach Form TCEQ-00551
- ☐ Processed by the permittee, attach Form TCEQ-00744
- ☐ Surface disposal site (sludge monofill), attach Form TCEQ-00744
- ☐ Beneficial land application, attach Form TCEQ-10451
- ☐ Incineration, attach Form TCEQ-00744

Based on the selection(s) made above, complete and attach any required TCEQ forms, as directed. Failure to submit the required TCEQ form will result in delays in processing the application

Attachment: [Click to attach file](#)

NOTE: New authorization for beneficial land application, incineration, processing, or disposal in the TPDES permit or TLAP **requires a major amendment to the permit**. New authorization for composting may require a major amendment to the permit. See the instructions to determine if a major amendment is required or if authorization for composting can be added through the renewal process.

WORKSHEET 6.0

INDUSTRIAL WASTE CONTRIBUTION

This worksheet **is required** for all applications for publicly-owned treatment works (POTWs).

For an explanation of the terms used in this worksheet, refer to the General Definitions on pages 4-12 and the Definitions Relating to Pretreatment on pages 13-14 of the Instructions.

1. ALL POTWS (Instructions, Page 87)

- a. Complete the following table with the number of each type of industrial users (IUs) that discharge to the POTW and the daily average flows from each.

Industrial User Information

Type of Industrial User	Number of Industrial Users	Daily Average Flow (gallons per day)
CIU		
SIU - Non-categorical		
Other IU		

- b. In the past three years, has the POTW experienced treatment plant interference?

☐ Yes ☒ No

If **yes**, identify the date(s), duration, nature of interference, and probable cause(s) and possible source(s) of each interference event. Include the names of the IU(s) that may have caused the interference:

- c. In the past three years, has the POTW experienced pass-through?

☐ Yes ☒ No

If **yes**, identify the date(s), duration, pollutants passing through the treatment plant, and probable cause(s) and possible source(s) of each pass-through event. Include the names of the IU(s) that may have caused the pass-through:

- d. Does the POTW have, or is it required to develop, an approved pretreatment program?

☐ Yes ☒ No

If **yes**, answer all questions in Item 2 and skip Item 3.

If **no**, skip Item 2 and answer all questions in Item 3 for each significant industrial user and categorical industrial user.

2. POTWS WITH APPROVED PRETREATMENT PROGRAMS OR THOSE REQUIRED TO DEVELOP A PRETREATMENT PROGRAM (Instructions, Pages 87-88)

- a. Have there been any substantial modifications to the POTW's approved pretreatment program that have not been submitted to the Approval Authority (TCEQ) for approval according to *40 CFR § 403.18*?

☐ Yes ☐ No

If **yes**, include an attachment which identifies all substantial modifications that have not been submitted to the TCEQ and the purpose of the modifications.

Attachment:

- b. Have there been any non-substantial modifications to the POTW's approved pretreatment program that have not been submitted to the Approval Authority (TCEQ)?

☐ Yes ☐ No

If **yes**, include an attachment which identifies all non-substantial modifications that have not been submitted to the TCEQ and the purpose of the modification.

Attachment: [Click to enter text](#)

- c. List all parameters measured above the MAL in the POTW's effluent monitoring during the last three years:

Effluent Parameters Measured Above the MAL

Pollutant	Concentration	MAL	Units	Date

Attachment: [Click to enter text](#)

- d. Has any SIU, CIU, or other IU caused or contributed to any other problems (excluding interference or pass-through) at the POTW in the past three years?

☐ Yes ☐ No

If **yes**, provide a description of each episode, including date(s), duration, description of problems, and probable pollutants. Include the name(s) of the SIU(s)/CIU(s)/other IU(s) that may have caused or contributed to any of the problems: [Click to enter text](#)

3. SIGNIFICANT INDUSTRIAL USER AND CATEGORICAL INDUSTRIAL USER INFORMATION (Instructions, Pages 88-89)

POTWs that **do not** have an approved pretreatment program **are required** to provide the following information for each SIU and CIU:

- a. Mr. or Ms.: [Click to enter text](#) First/Last Name: [Click to enter text](#)
Organization Name: [Click to enter text](#) SIC Code: [Click to enter text](#)
Phone number: [Click to enter text](#) Email address: [Click to enter text](#)
Physical Address: [Click to enter text](#) City/State/ZIP Code: [Click to enter text](#)

Attachment: [Click to enter text](#)

- b. Describe the industrial processes or other activities that affect or contribute to the SIU(s) or CIU(s) discharge (e.g., process and non-process wastewater): [Click to enter text](#)

Attachment: [Click to enter text](#)

- c. Provide a description of the principal products(s) or service(s) performed: [Click to enter text](#)

d. Flow rate information

Flow rate information

Effluent Type	Discharge (gallons per day)	Discharge Frequency (continuous, batch, or intermittent)
Process wastewater		
Non-process wastewater		

e. Pretreatment Standards

i. Is the SIU or CIU subject to technology-based local limits as defined in the application instructions?

☐ Yes ☐ No

ii. Is the SIU subject to categorical pretreatment standards?

☐ Yes ☐ No

If **yes**, provide the category and subcategory or subcategories in the SIUs Subject To Categorical Pretreatment Standards table.

SIUs Subject To Categorical Pretreatment Standards

Category in 40 CFR	Subcategory in 40 CFR	Subcategory in 40 CFR	Subcategory in 40 CFR	Subcategory in 40 CFR

f. Has the SIU or CIU caused or contributed to any problem(s) (e.g., interferences, pass through, odors, corrosion, blockages) at the POTW in the past three years?

☐ Yes ☐ No

If **yes**, provide a description of each episode, including dates, duration, description of problems, and probable pollutants, and include the name(s) of the SIU(s)/CIU(s) that may have caused or contributed to the problem(s):

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 (TXRo5000), 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
001	<input type="checkbox"/>	<input checked="" 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: See Attachment F

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)
001	4.2 acres	4.2 acres

- b. Provide the following local area rainfall information and the source of the information.

Wettest month: September

Average rainfall for wettest month (total inches): 5.4

25-year, 24-hour rainfall (inches): 10

Source: US Climate Data/Rainfall Frequency Atlas of the US

- 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, Terry Duplantis, 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.

Table 17 Pollutant Analysis for Outfall No.: 001

Pollutant	Grab Sample* Maximum (mg/L)	Composite Sample** Maximum (mg/L)	Grab Sample* Average (mg/L)	Composite Sample** Average (mg/L)	Number of Storm Events Sampled	MAL (mg/L)
pH (standard units)	(max)	—	(min)	—		—
Total suspended solids						—
Chemical oxygen demand						—
Total organic carbon						—
Oil and grease						—
Arsenic, total						0.0005
Barium, total						0.003
Cadmium, total						0.001
Chromium, total						0.003
Chromium, trivalent						—
Chromium, hexavalent						0.003
Copper, total						0.002
Lead, total						0.0005
Mercury, total						0.000005
Nickel, total						0.002
Selenium, total						0.005
Silver, total						0.0005
Zinc, total						0.005

* Taken during first 30 minutes of storm event

** Flow-weighted composite sample

d. Complete Table 18 as directed on pages 92-94 of the Instructions.

Table 18 Pollutant Analysis for Outfall No.: 110510-0001-105

[illegible]

* Taken during first 30 minutes of storm event

** Flow-weighted composite sample

Attachment: [Click to enlarge text](#)

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:

WORKSHEET 8.0 AQUACULTURE

This worksheet **is required** for all TPDES permit applications requesting individual permit coverage for discharges of aquaculture wastewater.

1. FACILITY/SITE INFORMATION (Instructions, Pages 95-96)

- a. Complete the following table with information regarding production ponds, raceways, and fabricated tanks at the facility:

Production Pond Descriptions:

Number of Ponds	Dimensions (include units)	Area of Each Pond (include units)	Number of Ponds × Area of Ponds (include units)

Total surface area of all ponds:

Raceway Descriptions:

Number of Raceways	Dimensions (include units)

Fabricated Tank Descriptions:

Number of Tanks	Dimensions (include units)

b. Does the facility have a TPWD-approved emergency plan?

☐ Yes ☐ No

If **yes**, attach a copy of the approved plan.

Attachment:

c. Does the facility have an aquatic plant transplant authorization?

☐ Yes ☐ No

If **yes**, attach a copy of the authorization letter.

Attachment:

d. Provide the number of aquaculture facilities located within 25-miles of this facility:

2. SPECIES IDENTIFICATION (Instructions, Page 96)

Complete the following table regarding each species raised, source, origin, and disease status of the stock. Identify and attach copies of any current relevant authorizations or permits that authorize the species.

Stock Species Information

Species	Source of Stock	Origin of Stock	Disease Status	Authorizations

Attachment:

3. STOCK MANAGEMENT PLAN (Instructions, Page 96)

Attach a detailed stock management plan.

Attachment:

4. WATER TREATMENT AND DISCHARGE DESCRIPTION (Instructions, Page 97)

Attach a detailed description of the discharge practices and water treatment process(es).

Attachment:

5. SOLID WASTE MANAGEMENT (Instructions, Page 97)

Attach a description of the solid waste-disposal practices.

Attachment:

6. SITE ASSESSMENT REPORT (Instructions, Pages 97-98)

All new and expanding commercial shrimp facilities located/to be located within the coastal zone must attach a detailed site assessment report which identifies sensitive aquatic habitats within the coastal zone.

Attachment:

WORKSHEET 9.0

CLASS V INJECTION WELL INVENTORY/AUTHORIZATION FORM

SUBMIT TO: TCEQ UIC Permits Team Radioactive Materials Division MC 233 PO Box 13087 Austin, Texas 78711-3087 512/239-6466	TEXAS COMMISSION ON ENVIRONMENTAL QUALITY CLASS V INJECTION WELL INVENTORY/ AUTHORIZATION FORM	For TCEQ Use Only Reg. No. Date Received: Date Authorized:
--------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------

Reg. No. 5

Class V Well Designation Code: Click to enter text

SECTION I GENERAL INFORMATION (Instructions, Page 101)

Provide the requested information for Items 1 through 8.

1. TCEQ Program (PST, VCP, IHW, etc.): Click to enter text Program ID: Click to enter text
 Contact Name: Click to enter text Phone Number: Click to enter text
2. Agent/Consultant: Click to enter text
 Contact Name: Click to enter text Phone Number: Click to enter text
 Address (Street, City, State, and Zip Code): Click to enter text
3. ☐ Owner ☐ Operator
 Owner/Operator: Click to enter text
 Contact Name: Click to enter text Phone Number: Click to enter text
 Address (Street, City, State, and Zip Code): Click to enter text
4. Facility Name: Click to enter text
 Address (Street, City, County, State, and Zip Code) or location description (if no address is available):
Click to enter text
 Contact Name: Click to enter text Phone Number: Click to enter text
5. Latitude and Longitude (degrees-minutes-seconds): Click to enter text
 Method of determination (GPS, TOPO, etc.): Click to enter text
 Attach topographic quadrangle map as Attachment A.
6. Type of Well Construction (Vertical Injection, Subsurface Fluid Distribution System, Infiltration Gallery, Temporary Injection Points, etc.): Click to enter text
 Number of Injection Wells: Click to enter text
7. Detailed Description regarding purpose of Injection System: Click to enter text
 Attach a Site Map as Attachment B (Include Approved Remediation Plan, if appropriate).
8. Water Well Driller/Installer: Click to enter text License Number: Click to enter text
 Address (Street, City, State, and Zip Code): Click to enter text
 Phone Number: Click to enter text

SECTION II PROPOSED DOWN HOLE DESIGN

Attach a diagram signed and sealed by a licensed engineer as Attachment C

Name of String	Size	Setting Depth	Sacks Cement/Grout - Slurry Volume - Top of Cement	Hole Size	Weight PVC/Steel (lbs/ft)
9. Casing					
10. Tubing					
11. Screen					

SECTION III PROPOSED TRENCH SYSTEM, SUBSURFACE FLUID DISTRIBUTION SYSTEM, OR INFILTRATION GALLERY

Attach a diagram signed and sealed by a licensed engineer as Attachment D and provide the information requested in Items 12 through 13.

12. System(s) Dimensions:

13. System(s) Construction:

SECTION IV SITE HYDROGEOLOGICAL AND INJECTION ZONE DATA

Provide the information requested in Items 14 through 31.

14. Name of Contaminated Aquifer:

15. Receiving Formation Name of Injection Zone:

16. Well/Trench Total Depth:

17. Surface Elevation:

18. Depth to Ground Water:

19. Injection Zone Depth:

20. Injection Zone vertically isolated geologically? ☐ Yes ☐ No

Impervious Strata between Injection Zone and nearest Underground Source of Drinking Water:

- Name:
- Thickness:

21. Provide a list of contaminants and the levels (ppm) in contaminated aquifer as Attachment E.

22. Provide the Horizontal and Vertical extent of contamination and injection plume as Attachment F.

23. Provide Formation (Injection Zone) Water Chemistry (Background levels) TDS, etc. as Attachment G.

24. Provide the Injection Fluid Chemistry in PPM at point of injection as Attachment H.

25. Lowest Known Depth of Ground Water with < 10,000 PPM TDS:

26. Maximum injection Rate/Volume/Pressure:

27. Water wells within 1/4-mile radius (attach map as Attachment I):

28. Injection wells within 1/4-mile radius (attach map as Attachment I):

29. Monitor wells within 1/4 mile radius (attach drillers logs and map as Attachment I):

30. Sampling frequency:

31. Known hazardous components in injection fluid:

SECTION V SITE HISTORY

Provide the information requested in Items 32 through 35

32. Type of Facility:

33. Contamination Dates:

34. Provide the original Contamination (VOCs, TPH, BTEX, etc.) and Concentrations as attachment J

35. Provide the results of any previous remediation as attachment K.

NOTE: Authorization Form should be completed in detail and authorization given by the TCEQ before construction, operation, and/or conversion can begin. Attach additional pages as necessary.

CLASS V INJECTION WELL DESIGNATIONS

- 5A07 Heat Pump/AC return (IW used for groundwater to heat or cool buildings)
- 5A19 Industrial Cooling Water Return Flow (IW used to cool industrial process equipment)
- 5B22 Salt Water Intrusion Barrier (IW used to inject fluids to prevent the intrusion of salt water into an aquifer)
- 5D02 Stormwater Drainage (IW designed for the disposal of rain water)
- 5D04 Industrial Stormwater Drainage Wells (IW designed for the disposal of rain water associated with industrial facilities)
- 5F01 Agricultural Drainage (IW that receive agricultural runoff)
- 5R21 Aquifer Recharge (IW used to inject fluids to recharge an aquifer)
- 5S23 Subsidence Control Wells (IW used to control land subsidence caused by groundwater withdrawal)
- 5W09 Untreated Sewage
- 5W10 Large Capacity Cesspools (Cesspools that are designed for 5,000 gpd or greater)
- 5W11 Large Capacity Septic systems (Septic systems designed for 5,000 gpd or greater)
- 5W12 WTPP disposal
- 5W20 Industrial Process Waste-disposal Wells
- 5W31 Septic System (Well Disposal method)
- 5W32 Septic System Drainfield Disposal
- 5X13 Mine Backfill (IW used to control subsidence, dispose of mining byproducts, or fill sections of a mine)
- 5X25 Experimental Wells (Pilot Test) (IW used to test new technologies or tracer dye studies)
- 5X26 Aquifer Remediation (IW used to clean up, treat, or prevent contamination of a USDW)
- 5X27 Other Wells
- 5X28 Motor Vehicle Waste-disposal Wells (IW used to dispose of waste from a motor vehicle site - These are currently banned)
- 5X29 Abandoned Drinking Water Wells (waste disposal)

WORKSHEET 10.0

QUARRIES IN THE JOHN GRAVES SCENIC RIVERWAY

This worksheet **is required** for all applications for individual permits for a municipal solid waste facilities or mining facilities located within a Water Quality Protection Area in the John Graves Scenic Riverway.

Review 30 TAC §§ 311.71-311.82 thoroughly prior to completing any portion of this worksheet.

1. EXCLUSIONS (Instructions, Pages 101-102)

- a. Is this a municipal solid waste facility?
☐ Yes ☐ No
- b. Has this quarry been in operation since January 1, 1994 without cessation of operation for more than 30 consecutive days and under the same ownership?
☐ Yes ☐ No
- c. Is this a coal mine?
☐ Yes ☐ No
- d. Is this a facility mining clay and/or shale for use in manufacturing of structural clay products?
☐ Yes ☐ No

If **yes** to **any** of the above questions, **stop here**. The facility is required to maintain acceptable documentation, as outlined in *30 TAC § 311.72(c)*, at the facility to demonstrate the exclusion(s).

2. LOCATION OF THE QUARRY (Instructions, Page 102)

Check the box next to the distance between the quarry and the nearest navigable water body:

- ☐ < 200 feet ☐ 200 feet – 1,500 feet ☐ 1,500 feet – 1 mile ☐ > 1 mile

NOTE: The construction or operation of any new quarry or expansion of any existing quarry is **prohibited** within 200 feet of any water body located within a water quality protection area in the John Graves Scenic Riverway.

3. ADDITIONAL REQUIREMENTS (Instructions, Pages 102-104)

Use the table in the Instructions to determine if additional application requirements apply to the facility based on distance between the quarry and the nearest waterway. Attach as appropriate or enter N/A.

- a. Attach a Restoration Plan: [REDACTED]
- b. Amount of Financial Assurance for Restoration: \$ [REDACTED]
Mechanism: [REDACTED]
- c. Attach a Technical Demonstration: [REDACTED]
- d. Attach a Reclamation Plan: [REDACTED]
- e. Amount of Financial Assurance for Reclamation: \$ [REDACTED]
Mechanism: [REDACTED]

WORKSHEET 11.0

COOLING WATER SYSTEM INFORMATION

This worksheet **is required** for all TPDES permit applications **that meet the conditions outlined in Technical Report 1.0, Item 12.**

1. COOLING WATER SYSTEM DATA (Instructions, Pages 105-106)

- a. Complete the following table with information regarding the cooling water system.

Cooling Water System Data

Total DIF	
Total AIF	
Intake Flow Uses (%)	
Contact cooling	
Non-contact cooling	
Process uses	
Other	

- b. Attach the following information:
- A narrative description of the design and annual operation of the facility's cooling water system and its relationship to the CWIS(s).
 - A scaled map depicting the location of each CWIS, impoundment, intake pipe, and canals, pipes, or waterways used to convey cooling water to, or within, the cooling water system. Provide the latitude and longitude for each CWIS and any intake pipe(s) on the map. Indicate the position of the intake pipe within the water column.
 - A description of water reuse activities, if applicable, reductions in total water withdrawals, if applicable, and the proportion of the source waterbody withdrawn (on a monthly basis).
 - Design and engineering calculations prepared by a qualified professional and data to support the information provided in above item a.
 - Previous year (a minimum of 12 months) of AIF data.
 - A narrative description of existing or proposed impingement and entrainment technologies or operation measures and a summary of their performance, including, but not limited to, reductions in impingement mortality and entrainment due to intake location and reductions in total water withdrawals and usage.

Attachment: 

2. COOLING WATER INTAKE STRUCTURE(S) DATA (Instructions, Page 106)

- a. Complete the following table with information regarding each cooling water intake structure (this includes primary and make-up CWIS(s)).

Cooling Water Intake Structure(s) Data

CWIS ID				
DIF				
AIF				
Intake Flow Uses (%)				
Contact cooling				
Non-contact cooling				
Process uses				
Other				
Latitude				
Longitude				

- b. Attach the following information regarding the CWIS(s):
- A narrative description of the configuration of each CWIS, annual and daily operation, including any seasonal changes, and where it is located in the water body and in the water column.
 - Engineering calculations for each CWIS.

Attachment: 

3. SOURCE WATER PHYSICAL DATA (Instructions, Pages 106-107)

- a. Complete the following table with information regarding the CWIS(s) source waterbody (this includes primary and make-up CWIS(s)).

Source Waterbody Data

CWIS ID				
Source waterbody				
Mean annual flow				
Source				

- b. Attach the following information regarding the source waterbody.
- A narrative description of the source water for each CWIS, including areal dimensions, depths, salinity and temperature regimes, and other documentation that supports this determination of the water body type where each cooling water intake structure is located.
 - A narrative description of the source waterbody's hydrological and geomorphological features.
 - Scaled drawings showing the physical configuration of all source water bodies used by the facility, including the source waterbody's hydrological and geomorphological features. **NOTE:** The source waterbody's hydrological and geomorphological features may be included on the map submitted for item 1.b.ii of this worksheet.
 - A description of the methods used to conduct any physical studies to determine the intake's area of influence within the waterbody and the results of such studies.

Attachment: 

4. OPERATIONAL STATUS (Instructions, Page 107)

- a. Is this application for a power production or steam generation facility?

☐ Yes ☐ No

If **no**, proceed to Item 4.b. If **yes**, provide the following information as an attachment:

- i. Describe the operating status of each individual unit, including age, capacity utilization rate (or equivalent) for the previous five years (a minimum of 60 months), and any seasonal changes in operation.
- ii. Describe any extended or unusual outages or other factors which significantly affect current data for flow, impingement, entrainment.
- iii. Identify any operating unit with a capacity utilization rate of less than 8 percent averaged over a contiguous period of two years (a minimum of 24 months).
- iv. Describe any major upgrades completed within the last 15 years, including but not limited to boiler replacement, condenser replacement, turbine replacement, or changes of fuel type.

Attachment: [Click to attach file](#)

- b. Process Units

- i. Is this application for a facility which has process units that use cooling water (other than for power production or steam generation)?

☐ Yes ☐ No

If **no**, proceed to Item 4.c. If **yes**, continue.

- ii. Does the facility use or intend to use reductions in flow or changes in operations to meet the requirements of 40 CFR § 125.94(c)?

☐ Yes ☐ No

If **no**, proceed to Item 4.c. If **yes**, attach descriptions of the following information:

- Individual production processes and product lines
- The operating status, including age of each line and seasonal operation
- Any extended or unusual outages that significantly affect current data for flow, impingement, entrainment, or other factors
- Any major upgrades completed within the last 15 years and plans or schedules for decommissioning or replacement of process units or production processes and product lines.

Attachment: [Click to attach file](#)

- c. Is this an application for a nuclear power production facility?

☐ Yes ☐ No

If **no**, proceed to Item 4.d. If **yes**, attach a description of completed, approved, or scheduled upgrades and the Nuclear Regulatory Commission relicensing status for each unit at the facility.

Attachment: [Click to attach file](#)

- d. Is this an application for a manufacturing facility?

☐ Yes ☐ No

If **no**, proceed to Worksheet 11.1. If **yes**, attach descriptions of current and future production schedules and any plans or schedules for any new units planned within the next five years (a minimum of 60 mos)

Attachment: [Click to attach file](#)

WORKSHEET 11.1

IMPINGEMENT MORTALITY

This worksheet **is required** for all TPDES permit applications that **meet the conditions outlined in Technical Report 1.0, Item 12**. Complete one copy of this worksheet for **each** individual CWIS the facility uses or proposes to use.

CWIS ID: 1111111111111111

1. IMPINGEMENT COMPLIANCE TECHNOLOGY SELECTION (Instructions, Page 108)

Check the box next to the method of compliance for the Impingement Mortality Standard selected by the facility.

- ☐ Closed-cycle recirculating system (CCRS) [40 CFR § 125.94(c)(1)]
- ☐ 0.5 ft/s Through-Screen Design Velocity [40 CFR § 125.94(c)(2)] – Proceed to Worksheet 11.2
- ☐ 0.5 ft/s Through Screen Actual Velocity [40 CFR § 125.94(c)(3)]
- ☐ Existing offshore velocity cap [40 CFR § 125.94(c)(4)] – Proceed to Worksheet 11.2
- ☐ Modified traveling screens [40 CFR § 125.94(c)(5)]
- ☐ System of technologies [40 CFR § 125.94(c)(6)]
- ☐ Impingement mortality performance standard [40 CFR § 125.94(c)(7)]
- ☐ De minimis rate of impingement [40 CFR § 125.94(c)(11)]
- ☐ Low capacity utilization power-generation facilities [40 CFR § 125.94(c)(12)]

If 0.5 ft/s Through-Screen Design Velocity [40 CFR § 125.94(c)(2)] or existing offshore velocity cap [40 CFR § 125.94(c)(4)] was selected, proceed to Worksheet 11.2. Otherwise, continue to Item 2.

2. IMPINGEMENT COMPLIANCE TECHNOLOGY INFORMATION (Instructions, Pages 108-109)

Complete the following sections based on the selection made for item 1 above.

a. CCRS [40 CFR § 125.94(c)(1)]

- ☐ Check this box to confirm the CWS meets the definition of CCRS located at 40 CFR § 125.91(c) and provide a response to the following questions.

i. Does the facility use or propose to use a CWIS to replenish water losses to the CWS?

- ☐ Yes ☐ No

If **no**, proceed to item a.ii. If **yes**, provide the following information as an attachment and continue.

1. CWIS ID
2. 12 months of intake flow data for any CWIS used for make-up intake flows to replenish cooling water losses, excluding intakes for losses due to blowdown, drift, or evaporation.
3. A narrative description of any physical or operational measures taken to minimize make-up withdraws.

Attachment: 1111111111111111

NOTE: Do not complete a separate Worksheet 11.1 for a make-up CWIS.

ii. Does the facility use or propose to use cooling towers?

☐ Yes ☐ No

If **no**, proceed to Worksheet 11.2. If **yes**, provide the following information and proceed to Worksheet 11.2.

1. Average number of COCs prior to blowdown:

Average COCs prior to blowdown

Cooling Tower ID				
COCs				

2. Attach COC monitoring data for each cooling tower from the previous year (a minimum of 12 months)

Attachment: [Click to enter text](#)

3. Maximum number of COCs each cooling tower can accomplish based on design of the system.

Calculated COCs prior to blowdown

Cooling Tower ID				
COCs				

4. Describe conditions that may limit the number of COCs prior to blowdown, if any, including but not limited to permit conditions: [Click to enter text](#)

b. 0.5 ft/s Through Screen Actual Velocity [40 CFR § 125.94(c)(3)]

Provide daily intake flow measurement monitoring data from the previous year (a minimum of 12 months) as an attachment and proceed to Worksheet 11.2.

Attachment: [Click to enter text](#)

c. Modified traveling screens [40 CFR § 125.94(c)(5)]

Provide the following information as an attachment and proceed to Worksheet 11.2.

- A description of the modified traveling screens and associated equipment.
- A site-specific impingement technology performance optimization study that includes a narrative description of the biological data collection methods
- Biological sampling data from the previous two years (a minimum of 24 months).

Attachment: [Click to enter text](#)

d. System of technologies [40 CFR § 125.94(c)(6)] or impingement mortality performance standard [40 CFR § 125.94(c)(7)]

Provide the following information as an attachment and proceed to Worksheet 11.2.

- A description of the system of technologies used or proposed for use by the facility to achieve compliance with the impingement mortality standard.
- A site-specific impingement technology performance optimization study that includes a narrative description of the biological data collection methods.
- Biological sampling data from the previous two years (a minimum of 24 months).

Attachment: [Click to enter text](#)

e. De minimis rate of impingement [40 CFR § 125.94(c)(11)]

Provide the following information and proceed to Worksheet 11.2.

- i. Attach monitoring data from the previous year (a minimum of 12 months) of intake flow measured at a frequency of 1/day on days of operation.

Attachment: [Click to enter text](#)

- ii. If the rate of impingement caused by the CWIS is extremely low (at an organism or age-one equivalent count), attach supplemental information to Worksheet 11.O, item 1.b.vi. to support this determination.

Attachment: [Click to enter text](#)

f. Low capacity utilization power-generation facilities [40 CFR § 125.94(c)(12)]

Attach monthly utilization data from the previous 2 years (a minimum of 24 months) for each operating unit and proceed to Worksheet 11.2.

Attachment: [Click to enter text](#)

WORKSHEET 11.2

SOURCE WATER BIOLOGICAL DATA

This worksheet **is required** for all TPDES permit applications that **meet the conditions outlined in Technical Report 1.0, Item 12**. Complete one copy of this worksheet for **each** source waterbody of a CWIS for which a facility has selected an Impingement Mortality Technology Option described at *40 CFR §§ 125.94(c)(1)-(7)*.

Name of source waterbody:

1. SPECIES MANAGEMENT (Instructions, Page 110)

- a. The facility has obtained an incidental take permit for its cooling water intake structure(s) from the USFWS or the NMFS.

☐ Yes ☐ No

If yes, attach any information submitted in order to obtain that permit, which may be used to supplement the permit application information requirements of paragraph *40 CFR § 125.95(f)*.

Attachment:

- b. Is the facility requesting a waiver from application requirements at *40 CFR § 122.21(r)(4)* in accordance with *40 CFR § 125.95* for any CWIS(s) that withdraw from a man-made reservoir that is stocked and managed by a state or federal natural resources agency or the equivalent?

☐ Yes ☐ No

If **yes**, attach a copy of the most recent managed fisheries report to TPWD, or equivalent.

Attachment:

- c. There are no federally listed threatened or endangered species or critical habitat designations within the source water body.

☐ True ☐ False

2. SOURCE WATER BIOLOGICAL DATA (Instructions, Pages 110-111)

New Facilities (Phase I, Track I and II)

- Provide responses to all items in this section and stop.

Existing Facilities (Phase II)

- If the answer to **1.b.** above was **no**, provide responses to all items in this section and proceed to Worksheet 11.3.
- If the answer to **1.b.** was **yes** and **1.c.** was **true**, do not complete any items in this section and proceed to Worksheet 11.3.
- If the answer to **1.b.** was **yes** and **1.c.** was **false**, attach a response for any item in this section that is not contained within the most recent TPWD, or equivalent and proceed to Worksheet 11.3.

Attachment: LIST TO ATTACHMENT

- a. A list of the data requested at *40 CFR § 122.21(r)(4)(ii)* through *(vi)* that are not available, and efforts made to identify sources of the data.
 - b. Provide a list of species (or relevant taxa) in the vicinity of the CWIS and identify the following information regarding each species listed.
 - all life stages and their relative abundance,
 - identification of all species and life stages that would be most susceptible to impingement and entrainment,
 - forage base,
 - significance to commercial fisheries,
 - significance to recreational fisheries,
 - primary period of reproduction,
 - larval recruitment, and
 - period of peak abundance for relevant taxa.
 - c. Data representative of the seasonal and daily activities (e.g., feeding and water column migration) of biological organisms in the vicinity of the CWIS(s).
 - d. Identify all threatened, endangered, and other protected species that might be susceptible to impingement and entrainment at the CWIS(s).
 - e. Documentation of any public participation or consultation with federal or state agencies undertaken.
- The following is required for existing facilities only. Include the following information with the above listed attachment.
- f. Identify any protective measures and stabilization activities that have been implemented and provide a description of how these measures and activities affected the baseline water condition in the vicinity of the intake.
 - g. A list of fragile species, as defined at *40 CFR § 125.92(m)*, at the facility. The applicant need only identify those species not already identified as fragile at *40 CFR § 125.92(m)*.

NOTE: New units at an existing facility are not required to resubmit this information if the cooling water withdrawals for the operation of the new unit are from an existing intake.

WORKSHEET 11.3 ENTRAINMENT

This worksheet **is required** for all TPDES permit applications that **meet the conditions outlined in Technical Report 1.0, Item 12**. Complete one copy of this worksheet for **each** individual CWIS the facility uses or proposes to use.

CWIS ID:

1. APPLICABILITY (Instructions, Page 112)

Is the AIF of the CWIS identified above greater than, or equal to, 125 MGD?

☐ Yes ☐ No

- If **no** or the facility has selected **CCRS** [40 CFR § 125.94(c)(1)] for the impingement mortality compliance method, complete Item 2 and stop here.
- If **yes** and the facility is **seeking a waiver** from application requirements in accordance with 40 CFR § 125.95 for any CWIS(s) that withdraw from a man-made reservoir that is stocked and managed by a state or federal natural resources agency or the equivalent, complete item 2 and stop.
- If **yes** and the facility is **not seeking a waiver** from application requirements in accordance with 40 CFR § 125.95, complete item 2 and provide any required and completed studies listed in item 3. For any required studies in item 3 that are not complete, provide a detailed explanation for the delay and an anticipated schedule for completion and submittal.

2. EXISTING ENTRAINMENT PERFORMANCE STUDIES (Instructions, Page 112)

Attach any previously conducted studies or studies obtained from other facilities addressing technology efficacy, through-facility entrainment survival, and other entrainment studies.

Attachment:

3. FACILITY ENTRAINMENT PERFORMANCE STUDIES (Instructions, Page 112)

- a. Attach an entrainment characterization study, as described at 40 CFR § 122.21(r)(9).

Attachment:

- b. Attach a comprehensive feasibility study, as described as 40 CFR § 122.21(r)(10).

Attachment:

- c. Attach a benefits valuation study, as described as 40 CFR § 122.21(r)(11).

Attachment:

- d. Attach a non-water quality environmental and other impacts study, as described as 40 CFR § 122.21(r)(12).

Attachment:

- e. Attach a peer review analysis, as described as 40 CFR § 122.21(r)(13).

Attachment:

WORKSHEET 12.0

OIL AND GAS EXPLORATION, DEVELOPMENT, AND PRODUCTION WASTEWATER DISCHARGES

This worksheet is **required** for all TPDES permit applications that are subject to Effluent Limitation Guidelines in 40 CFR Part 435.

1. OPERATIONAL INFORMATION (Instructions, Page 113)

- a. Is the wastewater from an oil and gas exploration, development, or production facility located west of the 98th meridian?

☐ Yes ☐ No

If yes, continue to the next question. If no, skip to Item 2 relating to Production/Process Data.

- b. Provide justification for how the wastewater is/will be used for agriculture or wildlife propagation.

2. PRODUCTION/PROCESS DATA (Instructions, Page 113)

- a. Provide the applicable 40 CFR Part 435 Subpart(s).

- b. Describe if the permit being sought is for discharges from exploration, development, production, or for a combination of more than one of those activities.

- c. Provide information on all waste-streams generated and specify which waste-streams you are requesting to be authorized for discharge.

Wastestreams Generated

Wastestream	Requesting authorization to discharge? (Yes/No)	Volume (MGD)	% of Total Flow

Attachment: [Click to enter text](#)

- d. Describe how the facility will manage wastestreams for which discharge authorization is not being sought.

[Click to enter text](#)

Attachment: [Click to enter text](#)

- e. Provide information on miscellaneous discharges.

[Click to enter text](#)

Attachment: [Click to enter text](#)

- f. List of chemicals that are in use, or will be used, downhole. Provide the category, concentration used/to be used, and purpose of using the chemical. Attach a safety data sheet for each chemical listed.

Chemicals List

Category	Chemical Name	Concentration (specify units)	Purpose

Attachment: [Click to enter text](#)

- g. List of chemicals that are in use, or will be used, to treat the wastewater to be discharged under this authorization. Provide the concentration used/to be used and purpose of using the chemical. Attach a safety data sheet for each chemical listed.

Wastewater Treatment Chemicals List

Chemical Name	Concentration (specify units)	Purpose

Attachment: [Click to enter text](#)

3. LABORATORY ACCREDITATION CERTIFICATION (Instructions, Page 114)

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 32, 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)

4. POLLUTANT ANALYSIS (Instructions, Page 114)

Tables 1, 2, 6, and 7 located in Worksheet 2.0 are required. In addition, Table 19 below is required and must be completed for each outfall and submitted with this application. The remaining tables in Worksheet 2.0, are required as applicable.

Table 19 for Outfall No.:

Samples are (check one): ☐ **Composites** ☐ **Grabs**

Pollutant	Sample 1 (mg/L)*	Sample 2 (mg/L)*	Sample 3 (mg/L)*	Sample 4 (mg/L)*
Calcium				
Potassium				
Sodium				

* Indicate units if different from mg/L.

ATTACHMENT A

Electronic Payment Voucher

Your transaction is complete. Thank you for using TCEQ ePay.

Note: It may take up to 3 working days for this electronic payment to be processed and be reflected in the TCEQ ePay system. Print this receipt and the vouchers for your records. An email receipt has also been sent.

Transaction Information

Trace Number: 582EA000568641
Date: 09/19/2023 02:43 PM
Payment Method: CC - Authorization 0000249694
ePay Actor: NARSHENNA MOORE
Actor Email: nmoore@bwcterminals.com
IP: 136.226.100.255
TCEQ Amount: \$315.00
Texas.gov Price: \$322.34*

* 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: NARSHENNA MOORE
Company: BWC TEXAS CITY TERMINAL INC
Address: 201 DOCK RD, TEXAS CITY, TX 77590
Phone: 713-298-1800

Cart Items

Click on the voucher number to see the voucher details.

Voucher	Fee Description	AR Number	Amount
661353	WW PERMIT - FACILITY WITH FLOW < .05 MGD - RENEWAL		\$300.00
661354	30 TAC 305.53B WQ RENEWAL NOTIFICATION FEE		\$15.00
TCEQ Amount:			\$315.00

[ePay Again](#)[Exit ePay](#)

Note: It may take up to 3 working days for this electronic payment to be processed and be reflected in the TCEQ ePay system. Print this receipt for your records.

ATTACHMENT B

CORE DATA FORM

ATTACHMENT C

Lease Agreement

LEASE AGREEMENT

This Lease Agreement (the "Lease Agreement") made and entered into effective as of July 1, 2021, (the "Effective Date"), by and between Texas City Terminal Railway Company, a Texas corporation d/b/a the Port of Texas City, hereinafter called "**Terminal**," and BWC Texas Terminals LLC, a Delaware limited liability company, hereinafter called "**BWC**." Terminal and BWC are sometimes collectively referred to herein as the "**Parties**" or individually as a "**Party**."

There is, prior to the Effective Date, a certain Lease Agreement with an effective date of April 1, 1986, as amended (hereinafter the "**1986 Lease Agreement**"), covering the Leased Premises (as defined herein). As of the Effective Date, the 1986 Lease Agreement is terminated; provided, however, that the provisions of the 1986 Lease Agreement that expressly or by their nature survive the termination of the 1986 Lease Agreement with regard to actions occurring or arising prior to the Effective Date (including the indemnity obligations under Section 13 and the obligations under Section 12 thereunder) shall survive.

1. LEASED PREMISES

1.1 Terminal hereby leases to BWC, and BWC hereby lets from Terminal, for the term and upon the covenants, stipulations and provisions in this Lease Agreement, those certain tracts of land described in *Exhibit A* shown outlined in red on *Exhibit A-1* and shaded in red on the aerial in *Exhibit A-2* attached hereto and incorporated herein for all purposes, for a total of approximately 14.945 acres, all located in Galveston County, Texas, collectively referred to herein as the "**Leased Premises**."

1.2 BWC acknowledges that it will be familiar with the condition of the Leased Premises as of the Effective Date. Except as otherwise expressly set forth in this Lease Agreement, BWC accepts the same in its present "as is", "where is" condition, without warranty, express or

implied, with any and all latent and patent defects. Terminal and BWC expressly acknowledge and agree, as a moving and material part of the consideration for Terminal entering into this Lease Agreement with BWC, that (except as may be expressly provided otherwise in this Lease Agreement, if any) Terminal has made no warranties to BWC as to the condition of the Leased Premises, either express or implied, and Terminal and BWC expressly disclaim any implied warranty that the Leased Premises are suitable for BWC's intended purposes. BWC further acknowledges that it is not relying upon any representation, warranty, statement, or other assertion of Terminal (except for any representations, warranties, statements or other assertions of Terminal that are expressly contained in this Lease Agreement).

2. TERM

2.1 The initial term of this Lease Agreement shall commence on the Effective Date. The end of the initial term shall be two (2) years after the Effective Date, unless sooner terminated as herein provided, said term being referred to as the "*Initial Term*." Provided that this Lease Agreement has not theretofore been validly cancelled pursuant to any of the provisions hereof, and provided that BWC is not then in default in the performance of any of its obligations hereunder (after the expiration of any applicable notice and cure period hereunder), the Initial Term shall automatically be extended from year to year "*Extended Term*", unless, at least one hundred twenty (120) calendar days prior to the expiration of the Initial Term or immediately preceding Extended Term, as applicable, BWC sends Terminal written notice of cancellation. The Initial Term, together with any Extended Term, shall be referred to herein as the "*Lease Term*."

2.2 Notwithstanding the terms set forth in this Lease Agreement, Terminal or BWC may terminate this Lease Agreement without cause upon one hundred eighty (180) day's written notice, however, that at Terminal's election, no such termination by BWC shall be effective unless

and until BWC has vacated the Premises as required herein. If Terminal elects to terminate this Lease Agreement, in whole or in part, and such termination is not due to a breach by BWC of its obligations hereunder, Terminal shall refund to BWC (pro-rata for time elapsed under this Lease) any unearned Annual Rental that might have been paid in advance to Terminal by BWC, provided, however, that Terminal shall not be liable to BWC for any other Annual Rental or consideration previously accrued and paid to Terminal hereunder.

3. GUARANTEED RENTAL

3.1 During the Initial Term, Annual Rental (herein so called) for the Leased Premises shall be One Hundred Seventy Three Thousand, Six Hundred and 00/100 dollars (\$173,600.00) per year, herein called the "*Annual Rental*," payable in quarterly payments of Forty-Three Thousand, Four Hundred and 00/100 dollars (\$43,400.00). Should the term of this Lease Agreement commence on a day other than the first day of a calendar month, the rent for the first fractional month and for the last fractional month shall be prorated.

3.2 At the beginning of the first and third Extended Terms, the Annual Rental shall be increased by One Hundred Seventy Three Thousand, Six Hundred and 00/100 dollars each term. Each Term following the third Extended Term will be considered a "*Rental Adjustment Period*." At the beginning of each Rental Adjustment Period, the Annual Rental to be paid in the Rental Adjustment Period shall be adjusted upward to correspond with variations in the GDP Price Deflator Index Figure in conformity with *Exhibit B* attached hereto, which Exhibit is incorporated herein for all purposes. Annual Rental during any Rental Adjustment Period shall be calculated based upon the GDP Implicit Price Deflator Index figure for the quarter corresponding with the day in the calendar year in which the Rental Adjustment Period commences, divided by the GDP Price Deflator Index figure for the quarter of the calendar year corresponding with the Effective

Date, the figure produced by such division shall be multiplied by the Annual Rental figure, the product of which shall be the Annual Rental owing during the applicable Rental Adjustment Period. The Annual Rental during any Rental Adjustment Period shall be paid, in advance, in quarterly payments.

3.3 Upon commencement of each Rental Adjustment Period, BWC shall continue to pay to Terminal the Annual Rental (on a quarterly basis) that was owing during the preceding term, until Terminal notifies BWC in writing of the correct amount of the Annual Rental applicable to such Rental Adjustment Period, with copies of Terminal's calculations and the index table on the basis of which such adjusted rental has been computed pursuant to the provisions of this Section. BWC shall then promptly remit, without interest, to Terminal any deficiency in the amount of Annual Rental previously paid by BWC during such Rental Adjustment Period, or Terminal shall promptly reimburse, without interest, to BWC any excess in the amount of Annual Rental previously paid by BWC during such Rental Adjustment Period, and thereafter BWC shall pay to Terminal the Annual Rental so computed during the remainder of the Rental Adjustment Period.

3.4 Not more than once every five years following the fifth Extended Term, Terminal may redetermine the Annual Rental. If Terminal redetermines the Annual Rental, Terminal shall notify BWC of such change.

3.5 In the event that BWC shall remain in possession of the Leased Premises after the expiration or valid cancellation of this Lease Agreement pursuant to the express terms of this Lease Agreement, BWC shall become a month-to-month tenant-at-will, and BWC agrees that monthly rental shall be at a rate equal to 115% of the Annual Rental divided by 12 applicable during the last month prior to such expiration or valid cancellation of this Lease Agreement.

4. USE OF PREMISES

4.1 The Leased Premises shall be used by BWC and its contractors, subcontractors and invitees solely for the transportation and storage of products related to BWC's business in the Port of Texas City. BWC shall not use the Leased Premises in any manner or for any purpose which will cause the forfeiture of or will violate any law applicable to the Leased Premises in such a manner as to materially threaten or harm Terminal's fee simple title to the same. Unless specifically permitted by this Lease Agreement, or otherwise specifically authorized in writing by Terminal, no activities or operations performed by or on behalf of BWC on the Leased Premises shall cause any unreasonable and material interference with (1) the constant, continuous and uninterrupted day-to-day railroad operations of Terminal, its lessees and licensees on Terminal's properties surrounding the Leased Premises or (2) the other operations and facilities of Terminal, its lessees and licensees on Terminal's surrounding properties. BWC shall not use or permit the use of the Leased Premises for the disposal of: (a) any substance or material that is listed, defined or otherwise designated as a "hazardous substance" under Section 101(14) of CERCLA or Section 361.003(11) of the Texas Health & Safety Code; (b) any "Chemical of Concern" as defined by Section 350.4 of Title 30 of the Texas Administrative Code; (c) any hydrocarbons, petroleum, petroleum products or waste; (d) any metabolite or chemical breakdown product or derivative or component part of substances identified above; and (e) any other chemical, substance or waste, that is regulated by, or may form the basis of liability under, any Environmental Laws (as defined in Section 4.2 below) (collectively, "*Hazardous Substances*"); provided that BWC may store on the Leased Premises Hazardous Substances pursuant to applicable federal, Texas, and local laws.

4.2 BWC's use of docks on or near the Leased Premises shall be governed by the terms and conditions of Terminal's published tariffs (maritime schedule or circular) and any amendment

or supplement, including payment of wharfage and dockage charges.

4.3 Except as authorized by Environmental Law (as defined below), BWC shall not knowingly release or discharge, or knowingly allow the release or discharge, of any Hazardous Substances onto the Leased Premises or adjacent waters or lands. BWC and its employees, agents, invitees and independent contractors shall at all times comply with all applicable Environmental Laws in its operations and business on the Leased Premises. The term "*Environmental Law*" means any federal, state or local law, ordinance, order, decree, rule or regulation or common law, in effect on the date hereof (and as hereafter amended from time to time) or hereafter enacted or imposed, pertaining to health, safety, land use or environmental protection, including but not limited to the Comprehensive Environmental Response, Compensation and Liability Act ("*CERCLA*"), the Resource Conservation and Recovery Act ("*RCRA*"), the Clean Air Act, the Clean Water Act, the Toxic Substances Control Act, the Federal Insecticide, Fungicide and Rodenticide Act and each comparable Texas law, including Texas Water Code, Texas Health and Safety Code and Texas Natural Resources Code, each as amended.

5. UTILITIES

5.1 BWC shall pay, promptly before delinquency, all charges for gas, electricity, light, heat, power, telephone or other communication service and all other utilities used, rendered or supplied upon or in connection with the Leased Premises during the Lease Term and shall **INDEMNIFY** and **HOLD HARMLESS** Terminal against any liability or damages on such account. Terminal shall not be liable for any failure of electric current or of any service by any utilities, provided that, in the event of such a failure, Terminal shall cooperate with BWC's efforts to cause any such services to be restored.

6. TAXES

6.1 Terminal agrees to pay all ad valorem taxes, assessments and other charges levied and/or assessed against the Leased Premises, or any part thereof, by any governmental taxing authority having jurisdiction during the Lease Term hereof, such payment to be made by Terminal during the Lease Term on behalf of BWC prior to the time such taxes are due. Promptly after payment of ad valorem taxes, Terminal shall provide to BWC a detailed statement and evidence of amounts paid. BWC shall, within thirty (30) days, reimburse Terminal for all amounts so paid on behalf of BWC. BWC shall also pay all such taxes which may be charged, assessed or imposed upon all improvements to the Leased Premises (except for any improvements owned and operated by third parties), and upon BWC's fixtures, equipment and personal property on the Leased Premises, and BWC shall pay all license fees and other taxes and charges which may be lawfully imposed upon the business of BWC conducted upon the Leased Premises.

6.2 Terminal will provide tax statements to BWC promptly upon Terminal's receipt of such tax statements, so that BWC may, in its discretion, render or protest the values in such tax statements. Notwithstanding any provision contained herein, BWC shall have the right, at BWC's sole cost and expense and in its sole discretion, to contest by appropriate legal proceedings the validity or amount of any ad valorem taxes, assessments and other charges levied and/or assessed against the Leased Premises, or any part thereof, or the valuation of the Leased Premises (land or improvements or both) on which any such taxes, assessments and other charges are based; provided, however, BWC shall **INDEMNIFY** and **HOLD HARMLESS** Terminal from all costs, expenses, liabilities, damages, interest and penalties arising out of or in connection with any such contest. During any such contest, BWC may request Terminal defer payment of such taxes, assessments and other charges; however, in the event of any such contest, BWC shall be required to stay the foreclosure or enforcement of any tax lien or pay such taxes, assessments and other

charges if deemed necessary by Terminal to protect its interest in the Leased Premises.

7. OWNERSHIP, MAINTENANCE AND REPAIR OF IMPROVEMENTS

7.1 Throughout the Lease Term, title to and ownership of the improvements constructed on the Leased Premises by BWC shall be deemed to be vested in BWC as its property. BWC shall be authorized to construct on the Leased Premises such buildings, structures, parking, fencing, and/or other improvements as it shall deem reasonably appropriate to enable BWC to use the Leased Premises in the manner set forth in Section 4. All improvements installed or relocated by BWC on the Leased Premises shall be constructed of materials meeting proper engineering standards and practices, and shall be constructed in a good and workmanlike manner. All improvements constructed by BWC on the Leased Premises shall strictly comply with all valid and applicable federal, state and local laws, regulations, municipal ordinances, administrative rules and regulations, as now or hereafter may be promulgated (including all federal and state environmental laws and regulations, occupational safety and health acts and regulations, laws and regulations relating to pipelines and all Railroad administration regulations) applicable to the Leased Premises and the improvements. Except for improvements owned and operated by third parties (if any), (a) BWC shall be solely responsible for all improvements on the Leased Premises and for their maintenance, repair, replacement and compliance with all applicable laws and regulations, including the repair and replacement of damage to improvements caused by the actions or omissions of BWC or third parties (except Terminal), (b) BWC shall also maintain such improvements and the entire Leased Premises, in a good, safe and sightly condition, and in compliance with all applicable laws and regulations throughout the Lease Term, and (c) BWC shall not permit or commit any waste on the Leased Premises.

7.2 Except upon Terminal's written consent, which shall not be unreasonably withheld,

conditioned, or delayed, BWC shall not materially alter the elevation of the Leased Premises. Any alteration of the elevation of the Leased Premises shall not negatively affect the drainage of the Leased Premises or surrounding land.

8. REMOVAL OF IMPROVEMENTS

8.1 BWC may, at its discretion, at any time during the Term, remove any improvements constructed on the Leased Premises by BWC during the Lease Term, including all related improvements, posts, pilings, footings, and foundations on or below the surface (except as may continue to be used by BWC during the Term), leveling all retaining walls, filling and compacting all excavations and holes, smoothing and leveling the surface, and removing therefrom all foreign substances, trash and debris, all in a good and workmanlike manner.

8.2 All improvements constructed by BWC on the Leased Premises (prior to or during the Lease Term) shall remain the property of BWC throughout the Lease Term, and upon termination or valid cancellation hereof (pursuant to the express provisions hereof), unless ownership is accepted by Terminal as provided herein (including in this paragraph below), all such improvements shall be removed from the Leased Premises by BWC, including, without limitation, removing all improvements, posts, pilings, footings, and foundations on or below the surface, leveling all retaining walls, filling and compacting all excavations and holes, smoothing and leveling the surface of the Leased Premises, and removing therefrom all foreign substances, trash and debris, all in a good and workmanlike manner. If all such removal work is not completed on or before the date of such termination or cancellation, BWC shall pay to Terminal rental (for the applicable tract upon which the improvement is located) for each day after such termination or cancellation until such removal work is fully completed, a sum equaling one hundred fifteen (115%) percent of one three hundred sixty fifth (1/365th) of the Annual Rental owing for the last

year that this Lease Agreement remains in force. Indemnity provisions set forth in this Lease Agreement shall continue to apply during such removal work. Notwithstanding the foregoing, Terminal shall have the option, in its sole discretion, to allow any improvements constructed by BWC on the Leased Premises to remain on the Leased Premises and become Terminal's property upon the expiration or termination of this Lease Agreement, by sending written notice from Terminal to BWC at least ninety (90) days before the expiration of the Lease Term of Terminal's exercise of such option.

8.3 BWC shall, in writing, notify Terminal when BWC has completed removal work to the extent required under Section 8.2 above. If within thirty (30) calendar days after Terminal has received such written notice, Terminal fails to give written notice to BWC setting forth in understandable detail in what respects such removal work is not complete, it shall be deemed that such removal work has been completed to Terminal's satisfaction, and BWC shall have no further obligation in that respect, except to the extent the removal work cannot be verified through a visual inspection of the Leased Premises by Terminal. If BWC should fail to complete all of such removal work within one hundred eighty (180) days after the termination or valid cancellation (pursuant to the express provisions hereof) of this Lease Agreement, at Terminal's option, Terminal may in writing notify BWC to that effect, specifying wherein such removal work is not complete. If within thirty (30) calendar days after BWC's receipt of such written notice, BWC fails to complete such removal work:

- a) the remaining improvements may, at Terminal's option, then and thereafter be deemed permanently abandoned to Terminal's sole ownership, without further notice to BWC; or
- b) at Terminal's option without further notice to BWC, Terminal may complete such removal work and cause the remaining improvements to be sold for salvage at private sale, applying the proceeds of such sale first to the cost of such removal work and any other costs incurred by Terminal, the balance if any, to the daily rental referred to

above, or other rental due Terminal from BWC, with any balance the remaining of which to be remitted to BWC. If Terminal's costs of such removal exceed the proceeds of the salvage sale, BWC shall promptly pay the amount of that excess to Terminal.

9. INSURANCE

9.1 BWC shall furnish evidence of insurance to be carried by BWC during the Lease Term at its sole expense with an insurance company or companies reasonably satisfactory to Terminal. BWC shall procure from such company or companies a written certificate or certificates of insurance reasonably satisfactory to Terminal that said insurance is in full force and effect. BWC shall not cancel or materially change such insurance without thirty (30) days prior written notice to Terminal. BWC's insurance shall be endorsed to provide that the insurer(s) waive right(s) of subrogation against Terminal and further shall include Terminal as an additional insured under all said policies, except for the policies covering subparagraphs (a) and (b) below, where only waiver of subrogation provisions shall be applicable.

a. **Insurance on Buildings and Improvements.** At all times during the Lease Term, BWC will keep all buildings and other improvements located or being constructed on the Leased Premises insured against loss or damage by fire, with extended coverage endorsement or its equivalent.

b. **Workers' Compensation Insurance.** Workers' Compensation Insurance in statutory limits as prescribed by applicable law covering all liabilities owed for compensation and other benefits under applicable state or federal workers' compensation laws, and Coverage B Employer's Liability Insurance in the amount of \$1,000,000 (See Excess Limits below). Both the statutory coverage and Coverage B shall contain endorsements providing coverages for voluntary compensation and occupational disease, including liability under the Longshore and Harbor Worker's Compensation Act and the Outer Continental Shelf Lands Act (if applicable to the

operations of BWC).

c. **Comprehensive or Commercial General Liability.** Comprehensive or Commercial General Liability (Bodily Injury and Property Damage) Insurance, including the following supplementary coverages: (i) Contractual Liability; (ii) Products hazards; (iii) Completed operations hazard; (iv) Broad Form Property Damage Liability Insurance; and (v) Coverage for explosion, collapse and underground hazards; (vi) Seepage & Pollution Liability and Cleanup and Containment. The limit of liability for all such insurance required under this Section shall not be less than \$1,000,000.00 combined single limit per occurrence.

d. **Automobile Bodily Injury and Property Damage Liability.** Such insurance shall extend to owned, if any, non-owned, and hired automobiles used by BWC in connection with its operations. The limits of liability of such insurance shall be not less than \$1,000,000.00 Combined Single Limit for Bodily Injury and Property Damage Combined per accident.

e. **Excess Liability/Umbrella Liability.** Excess Liability/Umbrella Liability in excess of underlying coverages in a limit not less than \$10,000,000 any one occurrence and in the aggregate.

9.2 Notwithstanding the foregoing, at all times, BWC, at its sole option, may self-insure any or all of the above coverages. If BWC elects to self-insure such risks, it should provide to Terminal a certification of self-insurance signed by a duly authorized officer of BWC indicating its election to self-insure. BWC's election to self-insure such risks will not alter or impact any of the duties or responsibilities of any party as outlined above. Such certification will remain in place until written evidence of the contrary is given or until the expiration of this Lease Agreement.

9.3 Upon the termination or expiration of this Lease Agreement, all insurance requirements will cease.

10. INDEMNIFICATION

10.1 Subject to the proportionate responsibility and liability allocation provisions set forth in Section 10.3, BWC hereby agrees to **INDEMNIFY, DEFEND** (upon Terminal's request), **and HOLD HARMLESS** Terminal, as well as Terminal's parent entities, subsidiaries, affiliates and members, including the officers, directors, employees and representatives of each of them (individually, "***Terminal Party***" and collectively, the "***Terminal Parties***") from and against (1) all damage to real or personal property, and (2) all claims, suits, actions, proceedings, losses, costs, damages, injuries, assessments, fines, penalties, liens, reasonable attorneys' and experts' fees and court costs, or demands or awards of any nature (including those arising under any federal, state or local environmental law including CERCLA, RCRA, Oil Pollution Act, the Texas Water Code or Texas Health & Safety Code, and any other strict liability laws) incurred by or asserted against Terminal by any person or governmental agency whomsoever (including BWC and including survivors claiming under the wrongful death statute) or awards of any kind or nature whatsoever that directly or indirectly result from or arise out of, relate to, or are otherwise connected with any of the following: (a) any breach of BWC's obligations under this Lease Agreement by BWC; (b) any activity or operations of or on behalf of BWC or one of its agents, contractors, subcontractors or their employees on the Leased Premises, during the Lease Term; (c) the injury or death of any person coming onto the Leased Premises during the Lease Term or the injury or death of any person while on the Leased Premises during the Lease Term due to a physical condition of the Leased Premises (provided that the term "physical condition" does not relate to a condition arising solely from an Excluded Hazardous Substances, as such term is defined in Section 16); (d) any negligent or willful act or omission of BWC, its agents, contractors, subcontractors or licensees and (e) a BWC Release (as defined in Section 16) (collectively, subparagraphs a-e, "***BWC***

Liabilities" and/or "*BWC Liability*"). Subject to Section 10.3, the term "BWC Liability" or "BWC Liabilities" shall include such liabilities arising from the Terminal Parties' own past, present or future negligence or strict liability, including liabilities under CERCLA, RCRA, the Texas Water Code, Health & Safety Code, and Federal Employees Liability Act or any other state or federal strict liability law or regulation.

10.2 Subject to the proportionate responsibility and liability allocation provisions set forth in Section 10.3, Terminal hereby agrees to INDEMNIFY, DEFEND (upon BWC's request), and HOLD HARMLESS BWC, as well as BWC's parent entities, subsidiaries, affiliates and members, including the officers, directors, employees and representatives of each of them (collectively, the "BWC Parties") from and against (1) all damage to real or personal property, and (2) all claims, suits, actions, proceedings, losses, costs, damages, injuries, assessments, fines, penalties, liens, reasonable attorneys' and experts' fees and court costs, or demands or awards of any nature (including those arising under any federal, state or local environmental law including CERCLA, RCRA, Oil Pollution Act, the Texas Water Code or Texas Health & Safety Code, and any other strict liability laws) incurred by or asserted against any of the BWC Parties by any person or governmental agency whomsoever (including Terminal and including survivors claiming under the wrongful death statute) or awards of any kind or nature whatsoever that directly or indirectly result from or arise out of, relate to, or are otherwise connected with any of the following: (a) any breach of Terminal's obligations under this Lease Agreement or (b) any negligent or willful act or omission of Terminal, its employees, agents, contractors, or subcontractors on the Leased Premises (collectively, clauses a-c, "Terminal Liabilities" and/or "Terminal Liability"). Subject to Section 10.3, the term "Terminal Liability" or "Terminal Liabilities" shall include such liabilities arising from the BWC Parties' own past, present or future negligence or strict liability, including liabilities

under CERCLA, RCRA, the Texas Water Code, Health & Safety Code, and Federal Employees Liability Act or any other state or federal strict liability law or regulation.

10.3 If either (i) an agreement between Terminal and BWC (or their respective insurers) is reached, or (ii) a final, non-appealable judgment or order is issued by a judicial, regulatory, or arbitral body or authority with proper jurisdiction over the subject matter in question is rendered, holding that a BWC Liability was caused or contributed to (regardless of the percentage thereto) by Terminal's negligence, the indemnity obligations of BWC under Section 10.1 shall be limited to the remaining percentage(s) of the BWC Liability not attributable to Terminal's negligence. Terminal's failure to inspect for, detect, correct or warn of dangers or defects in or on the Leased Premises, or Terminal's allegedly causing or permitting BWC's employees to work in an unsafe place, or Terminal's status as the owner or prior operator of the Leased Premises, or Terminal's failure to provide or failure to adequately provide security for the Leased Premises, shall not, in and of themselves, be deemed "negligence" of Terminal within the meaning of that term as used in this Section. If either (i) an agreement between Terminal and BWC (or their respective insurers) is reached, or (ii) a final, non-appealable judgment or order is issued by a judicial, regulatory, or arbitral body or authority with proper jurisdiction over the subject matter in question is rendered, holding that a Terminal Liability was caused or contributed to (regardless of the percentage thereto) by BWC's negligence, the indemnity obligations of Terminal under Section 10.2 shall be limited to the remaining percentage(s) of the Terminal Liability not attributable to BWC's negligence. Either Party shall reimburse the other for any overpayment under Section 10.1 or 10.2, respectively, within thirty (30) days after the date of the complete execution of such agreement or the entry of such final, non-appealable judgment or order.

10.4 Each Party shall have thirty (30) days after its receipt of notice (or such shorter

period of time as is necessary to allow each respective Party to preserve its rights under the law) of a possible Terminal Liability or BWC Liability, respectively, or of notice of another express indemnity obligation under this Lease Agreement t, to assume and control the defense of such liability at its expense (the "Claim Notice"). A delay in providing notice shall not affect or limit either Party's rights of indemnity under this Lease Agreement to the extent that such delay does not result in increasing costs incurred in connection with the liability asserted against the indemnified party. Counsel selected by the indemnifying party pursuant to this Lease Agreement shall be subject to the approval (such approval not to be unreasonably withheld, delayed, or conditioned) of the indemnified party. However, the indemnified party may elect to defend any possible liability asserted against such indemnified party, if it, in good faith, determines that there is a conflict of interest (or a reasonable likelihood for a conflict of interest) between any of the parties involved in such liability (e.g., if the respective negligence of the other Party is at issue. Under such circumstances, the indemnified party may elect to defend any such liability asserted against such indemnified party on its own behalf. Likewise, if the indemnifying party elects not to defend against any such liability asserted against the indemnified party on behalf of the indemnified party, then it shall promptly so notify the indemnified party and, in such event, the indemnified party shall thereupon be entitled, at its option, to assume and control the defense of such liability asserted against the indemnified party through counsel of its choice.

In the event that either the indemnifying party does not elect to conduct the defense or the indemnified party chooses to control its own defense as provided herein, then (i) counsel shall be subject to the prior approval of the indemnifying party, which approval shall not be unreasonably withheld, conditioned, or delayed, and (ii) within sixty (60) days after receiving a written request for payment or reimbursement, the indemnifying party shall pay the reasonable costs and expenses

of such defense, including attorneys' fees, if and to the extent required under this Lease Agreement, and shall reasonably cooperate with the indemnified party in such defense. Notwithstanding anything in this Lease Agreement, if either Party is not controlling the defense of a liability asserted against it, such Party may participate in such defense with counsel of its choice at its own expense. The indemnifying party may not settle any liability asserted against the other Party being defended on behalf of the indemnified party without the prior written consent of the indemnified party, such consent not to be unreasonably withheld, delayed, or conditioned.

10.5 This Section shall survive the cancellation, termination or expiration of the Lease Term.

11. LIMITATION OF LIABILITY

11.1 Under no circumstances whatsoever shall either Party ever be liable to the other for consequential, incidental, punitive or special damages. The immediately preceding sentence shall not be deemed to limit or deny any remedies which BWC may have in the event of a default by Terminal hereunder which do not involve the individual liability of Terminal.

11.2 As between BWC and Terminal, BWC is responsible for the security and safety of the Leased Premises and of BWC's employees, invitees, contractors and subcontractors, present on the Leased Premises, notwithstanding any security measures that might be taken or undertaken by Terminal and notwithstanding anything in this Lease Agreement to the contrary. Furthermore, as between BWC and Terminal, BWC hereby **RELEASES** Terminal from all liabilities, claims, causes of actions, losses, costs, damages or injuries, which are caused by, arise out of or in connection with, or are related to any lapse in or failure to provide security by Terminal, including the **negligence** of Terminal in providing or failing to provide security.

12. ACCESS TO LEASED PREMISES

Access to the Leased Premises shall be over public streets of the City of Texas City.

13. ASSIGNMENT AND SUBLETTING

BWC shall not assign or in any manner transfer or encumber this Lease Agreement or any estate or interest herein or the Leased Premises without the prior written consent of Terminal, which consent shall not be unreasonably withheld, conditioned or delayed, except that BWC may assign its interest in this Lease Agreement or sublease all or a portion of the Leased Premises to an affiliate of BWC, without Terminal's consent, provided that BWC shall send prompt written notice to Terminal of any such assignment or sublease. For purposes hereof, an "affiliate of BWC" means any individual, corporation, partnership, joint venture, trust, limited liability company, unincorporated organization, or other entity now or hereafter under the control of BWC or any of its successors.

14. EMINENT DOMAIN

14.1 If all of the Leased Premises shall be acquired or condemned by eminent domain (including by purchase in lieu thereof) for any public or quasi-public use or purpose ("*Eminent Domain*"), this Lease Agreement shall terminate as of the date the possession of the Leased Premises shall be required for such public purpose, and the rents provided hereunder shall be paid to such date, and BWC shall have no further obligation to pay any further rent not yet paid to Terminal as of such date. If a portion of the Leased Premises shall be acquired or condemned by Eminent Domain for any public or quasi-public use or purpose, then this Lease Agreement shall cease and terminate with respect to the portion so taken from the date the possession of such portion shall be required for any such public purpose and the minimum guaranteed rental payable by BWC pursuant to the provisions hereof shall be reduced by that proportion thereof that the area of the Leased Premises taken bears to the total area of the Leased Premises; and if such portion of

such Leased Premises so taken is such as to destroy the usefulness of the Leased Premises for the purposes for which the same are leased pursuant hereto, for a period of thirty (30) days after such date, BWC shall have the right, in its discretion, to either terminate this Lease Agreement and declare the same null and void as of the date possession is surrendered to the public authority, or to continue in the possession of the remainder of the same under the terms herein provided, in which latter case all of the provisions of the Lease Agreement shall continue in full force and effect, save and except that the portion of the Leased Premises taken by Eminent Domain shall be excluded therefrom and the Annual Rental payable by BWC pursuant to the provisions hereof shall be reduced by that proportion thereof that the area of the Leased Premises taken bears to the total area of the Leased Premises.

14.2 All damages to Terminal's estate for any such taking mentioned hereinabove shall belong to and be awarded to Terminal for diminution in value of Terminal's fee estate of the premises herein leased, and shall be independently recovered by Terminal, and similarly, all damages for any such taking hereinabove mentioned of BWC's estate shall belong to and be awarded to BWC as compensation to BWC for diminution in value of BWC's leasehold estate and shall be independently recovered by BWC as such.

15. DEFAULT

15.1 If any rental payable by BWC to Terminal shall be and remain unpaid for more than thirty (30) days following BWC's receipt of written notice by Terminal to BWC, or if BWC shall violate or make default in any of the other covenants, agreements, stipulations or conditions herein contained, and such violation or default shall continue for a period of sixty (60) days after BWC's receipt of written notice to BWC from Terminal of such violation or default (provided that, if such violation or default cannot be cured within such s day period, BWC shall have an additional cure

period not to exceed a total of one hundred eighty (180) days as long as BWC begins to cure such violation or default within such sixty (60) day period and diligently pursues the same to completion), then it shall be optional for Terminal, upon written notice to BWC, to declare this Lease Agreement forfeited and the Lease Term ended and to enter the Leased Premises, with or without process of law, using reasonable force as may be necessary to remove all persons or chattels therefrom, and Terminal shall not be liable for damages by reason of such entry, and the liability of BWC for the rent provided for herein shall not be relinquished or extinguished for the balance of the Lease Term. It is further understood and agreed that BWC will pay, in addition to the rentals and other sums agreed to be paid hereunder, such additional sums as any court may adjudge as reasonable attorney's fees in the event any suit or action is instituted by Terminal to enforce the provisions of this Lease Agreement or to collect the rentals due Terminal hereunder. Any entry by Terminal shall be without prejudice to any remedy of Terminal for arrears of rent or breach of covenant; it is expressly understood and agreed that Terminal may resume possession of the Leased Premises, without terminating this Lease Agreement, and relet the same for the remainder of the Lease Term for the best rent obtainable for the account of BWC, which shall make good any deficiency. Any such deficiency or parts thereof may be recovered from BWC as such deficiency or part thereof is determined from time to time, or Terminal may recover in one or more proceedings the anticipated difference in such rental payable under the terms of this Lease Agreement for the remaining portion of the Lease Term hereof, less the then present value of the then fair rental value of the Leased Premises for such period.

15.2 If Terminal shall fail to perform any of its obligations under this Lease Agreement and such failure shall continue for thirty (30) days after Terminal's receipt of written notice from BWC thereof or, if such failure cannot be cured within such thirty (30) day period, if Terminal has

not begun to cure such failure within such thirty (30) day period and diligently pursued the same to completion (not to exceed a total of one hundred eighty (180) days), or if Terminal breaches any of its representations or warranties hereunder, Terminal shall be in default under this Lease Agreement. If Terminal is in default with respect to any obligation under this Lease Agreement, in addition to any and all other remedies available to BWC under this Lease Agreement, at law or in equity, BWC may terminate this Lease Agreement by written notice to Terminal (in which event BWC shall have no further obligation to pay any further rent or any remaining Reimbursement Amount not yet paid to Terminal as of such date) and/or perform the obligation on behalf of and at the expense of Terminal, pay any sum necessary for the performance, and deduct the reasonable cost thereof with interest at the rate of ten percent (10%) per annum from the rent that is due or that will become due under this Lease Agreement.

16. ENVIRONMENTAL WARRANTY & COVENANTS

16.1 In the event there is a release of Hazardous Substances (defined in Section 4.1) (in quantities that exceed an Industrial Cleanup Standard, as defined below) that comes to be located (regardless of the cause) on the Leased Premises during the Lease Term or term of the 1986 Lease Agreement (collectively, a "**BWC Release**"), BWC shall, at no cost to Terminal: (a) promptly report such existence to the appropriate local, state and/or federal environmental authorities, if not previously notified and if required by applicable regulation or law; (b) promptly notify Terminal of the release of Hazardous Substances; and (c) diligently pursue an Environmental Cleanup of such Hazardous Material(s) and area affected by such Hazardous Substances. In the event BWC no longer has access, Terminal shall provide BWC with reasonable access to the Leased Premises for the purpose of conducting the Environmental Cleanup of a BWC Release, if necessary. Notwithstanding the foregoing, BWC shall not be required under this Lease Agreement to conduct an Environmental Cleanup of Excluded Hazardous Substances (as later defined in this paragraph)

that do not contain Hazardous Substances from a BWC Release or that are not required to be remediated or addressed due to a BWC Release.

16.2 Excluded Hazardous Substances also include Hazardous Substances which come to be located on the Leased Premises after the Effective Date of this Lease Agreement or the 1986 Lease Agreement, that BWC can clearly establish to have solely (1) originated from a pipeline on the Leased Premises which is neither owned nor operated by BWC or an affiliate or (2) migrated into the Leased Premises from property not owned or operated by BWC or an affiliate, (except in the event the Hazardous Substances under (1) or (2) above come to be located on the Leased Premises as a result of the operations or activities of BWC or its contractors), which Hazardous Substances are hereinafter collectively referred to as "Excluded Hazardous Substances". In the event BWC elects to conduct an Environmental Cleanup of Excluded Hazardous Substances, which is first approved by Terminal in writing, Terminal shall promptly reimburse BWC for the costs of such Environmental Cleanup, provided that the written approval includes an acknowledgment that the Hazardous Substances are Excluded Hazardous Substances and subject to reimbursement by Terminal. The term "*Environmental Cleanup*," as used in this Lease Agreement, means the investigation, containment and cleanup of Hazardous Substances (including all investigations, administrative actions, testing or monitoring activities, response actions, "removal" and "remedial actions," as those terms are defined in Sections 361.003(29) and (30) of the Texas Health & Safety Code, and any other actions) necessary to achieve the standard for industrial property in the vicinity of the Leased Premises set forth in the Texas Risk Reduction Program (contained in Title 30 of the Texas Administrative Code, Chapter 350, or any such later promulgated standard that replaces or amends the Texas Risk Reduction Program standard) and all other actions which are required by any local, state or federal governmental authority to address

the Hazardous Substances or the release or threatened release thereof. An Environmental Cleanup shall include the replacing or temporarily relocating of railroad tracks or other fixtures or equipment of Terminal adversely affected by the remediation work. "*Industrial Cleanup Standard*" means the environmental cleanup standard for industrial property in the vicinity of the Leased Premises as set forth in the Texas Risk Reduction Program contained in Title 30 of the Texas Administrative Code, Chapter 350 (specifically, 30 TAC 350.33), or any such later promulgated standard that replaces or amends the Texas Risk Reduction Program standard for such industrial property.

16.3 Terminal shall cooperate with BWC's efforts in conducting any Environmental Cleanup on the Leased Premises, if necessary, and with the other's efforts to meet the applicable Industrial Cleanup Standard. Terminal, and BWC to the extent of its leasehold interest, shall also record and allow to be recorded in the appropriate deed records a notice of Hazardous Substances on the Leased Premises and restrictive covenants restricting the use of the Leased Premises to industrial uses, provided that the form of any such deed recordation is first approved by Terminal and BWC, which approval shall not be unreasonably withheld, conditioned or delayed.

16.4 BWC hereby **RELEASES** Terminal from the costs of any Environmental Cleanup required to be paid for or incurred by BWC under the terms of this Lease Agreement. Furthermore, an Environmental Cleanup conducted by BWC or on behalf of BWC as required under this Lease Agreement shall not unreasonably interfere with the then-current or any future industrial use of the Leased Premises or other property of Terminal, including day-to-day railroad operations. In the event that such Environmental Cleanup conducted or required of BWC unreasonably interferes with the current or future industrial use of the Leased Premises or other property of Terminal, including day-to-day railroad operations, BWC must promptly alter or amend the Environmental

Cleanup (whether such is completed or not and regardless of the time period elapsed between the Environmental Cleanup and Terminal's request to alter the Environmental Cleanup because of the interference), upon notice from Terminal, as necessary to prevent and/or eliminate such unreasonable interference. This Section shall survive the cancellation, termination or expiration of this Lease Agreement.

17. EXCEPTIONS AND RESERVATIONS

17.1 This Lease is granted by Terminal and is accepted by BWC subject to any prior pipeline and utility easements or other encumbrances affecting any portion of the Leased Premises.

17.2 Terminal hereby reserves the right to grant to itself or third parties pipeline and utility easements affecting the Leased Premises so long as such do not unreasonably interfere with the use of the Leased Premises by BWC for the purposes stated in Section 4 above.

18. ATTORNEYS' FEES

18.1 In the event either Party hereto sues the other to remedy a breach hereof or to enforce specific performance to this Lease Agreement, and such Party is successful in such action, then the losing Party to such action shall pay all reasonable expenses incurred by the prevailing Party, including reasonable attorneys' fees and court costs incurred by such Party.

19. WAIVER

19.1 The waiver by either Party hereto of any breach or default by the other Party of any of the provisions contained herein shall not be deemed to be a waiver of any such provision or of any subsequent breach or default hereunder.

20. QUIET ENJOYMENT

20.1 If BWC performs all of the terms, covenants and conditions of this Lease Agreement, including the payment of rental, BWC shall peaceably and quietly hold and enjoy the

Leased Premises against Terminal during the Lease Term, subject to the terms and conditions of this Lease Agreement.

21. NOTICES

21.1 All notices to be given by one Party to the other under this Lease Agreement shall be given in writing and mailed by registered or certified mail, return receipt requested, as follows:

Terminal:
THE PORT OF TEXAS CITY
Attn: President and Executive Director
2425 SH 146 North
Texas City, Texas 77590

or such other address designated by written notice to BWC;

BWC TEXAS TERMINALS LLC
201 Dock Road
Texas City, TX 77590

With a copy to:

BWC TERMINALS LLC
ATTN: Sr. Vice President & General Counsel
1111 Bagby St Suite 1800
Houston, Texas 77002

or such other address designated by written notice to Terminal. Notices shall be deemed delivered as of the date shown on the return receipt, or if personally delivered as of the date shown on the receipt therefor signed by the officer to whom delivered. Each Party may change its address hereunder by sending notice of such address to the other Party pursuant to the terms of this Section.

22. ENTIRE AGREEMENT

This Lease Agreement constitutes the entire agreement between Terminal and BWC concerning the Leased Premises, and there are no other covenants, agreements or provisions, either oral or written, between them concerning the Leased Premises.

23. VENUE

This Lease Agreement is made and entered into, and all payments and performances due are payable and performable in the City of Texas City, Galveston County, Texas. Venue of any dispute or lawsuit between the Parties concerning this Lease Agreement or the Leased Premises shall be in either Texas State Judicial District Court in Galveston County, Texas or the United States District Court for the Southern District of Texas. This Lease Agreement shall be construed, and the rights and obligations of the Parties hereunder shall be determined in accordance with the laws of the State of Texas, excluding any principle of conflict of laws that would require application of the laws of any other jurisdiction. This Lease Agreement has been negotiated and written jointly between Terminal and BWC and shall not be construed against any Party; and any rule of contract construction or interpretation providing for an interpretation or construction against any Party shall not apply.

24. AMENDMENT

No subsequent alteration, amendment, change, deletion or addition to this Lease Agreement shall be binding upon Terminal or BWC unless the same are in writing and signed by both Terminal and BWC.

25. SUCCESSORS AND ASSIGNS

This Lease Agreement shall extend to and be binding upon and inure to the benefit of Terminal, its successors and assigns, and BWC, its successors and assigns; provided however, the foregoing shall not be construed to permit an assignment of this Lease Agreement or a sublease of all or part of the Leased Premises except pursuant to the terms of Section 13 hereof.

26. TERMINAL - BWC RELATIONSHIP

The relationship created by this Lease Agreement is that of landlord and tenant. No

provision in this Lease Agreement shall be construed in such a way as to constitute Terminal and BWC as joint venturers or co-partners or to make either Party the agent of the other Party or to make either Party liable for the debts of the other Party.

27. MISCELLANEOUS

27.1 Headings. The section, paragraph and sub-paragraph headings used herein are for convenience of reference only, and shall not be deemed to limit or construe any provision hereof.

27.2 Signage. BWC may erect, place and maintain any sign, awning, canopy or advertising matter, advertising its business anywhere in or upon the Leased Premises or any part thereof, without the approval of Terminal of any such sign, awning, canopy or advertising material; provided, however, BWC shall and must comply with all laws, ordinances and regulations applicable thereto and the same shall be operated and maintained at the cost, expense and risk of BWC.

27.3 Waiver of Landlord's Lien. In consideration of the terms and provisions of this Lease Agreement, Terminal hereby waives any and all landlord's liens and security interests, including, without limitation, statutory, constitutional, and contractual, in connection with this Lease Agreement and the Leased Premises.

27.4 Severability. In case any one or more of the provisions contained in this Lease Agreement shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision hereof, and this Lease Agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

27.5 Brokers. Each Party hereby represents and warrants to the other Party that it has not incurred or authorized any brokerage commission, finder's fees or similar payments in

connection with this Lease Agreement. Each party hereby indemnifies and holds the other party harmless from and against any claim for brokerage commission, finder's fees or similar payment arising by virtue of authorization by, through, or under the indemnifying party in connection with this Lease Agreement.

27.6 Time. If the time period for the performance of any act called for under this Lease Agreement expires, or the day on which notice is deemed given falls on a Saturday, Sunday or any other day on which banking institutions in the State of Texas are authorized or obligated by law or executive order to close or on which banking institutions in the Galveston County area are in fact closed due to a natural disaster, act of war or terrorism or other similar causes (collectively, a "Holiday"), the act in question may be performed, or notice shall be deemed given, on the next succeeding day that is not a Saturday, Sunday or Holiday.

27.7 Authority. Each Party represents and warrants that such Party has full right and authority to execute, deliver and perform this Lease Agreement, and that no further consents are necessary from any other officer, employee, agent, entity, or person associated with such Party, and each person executing this Lease Agreement on behalf of a Party hereunder represents and warrants that he or she was authorized to do so. Each Party represents and warrants that its execution, delivery and performance of this Lease Agreement does not and will not with the passage of time or giving of notice constitute a default under any agreement to which it is a party or by which it is bound.

27.8 Memorandum of Lease. Contemporaneously with its execution of this Lease Agreement, each party agrees to sign a Memorandum of this Lease Agreement (in form and substance reasonably acceptable to both Parties), to be recorded in the real property records of Galveston County, Texas.

27.9 Complete Signatures. This Lease Agreement shall not be effective unless and until it has been executed by both Terminal and BWC, as evidenced below.

27.9 Counterparts. This Lease Agreement may be executed in multiple originals and when executed, all such counterparts shall constitute one document.

[signatures contained on next page]

TERMINAL:

TEXAS CITY TERMINAL RAILWAY
COMPANY, d/b/a THE PORT OF TEXAS
CITY

BWC:

BWC TEXAS TERMINALS LLC

BY: 

ITS: PRESIDENT

BY: Frank Marrocco

ITS: Senior VP, Commercial

Exhibits:

EXHIBIT "A" – Legal Description of Leased Area

EXHIBIT "A-1" – Lease Print

EXHIBIT "A-2" – Aerial of Leased Area

EXHIBIT "B" – GDP Price Deflator Index

EXHIBIT "A"

Metes and bounds description of a
14.945 acre parcel of land in the
George Preacher and John Grant
Surveys, Galveston County, Texas.

COMMENCING at the Southeast corner of a 33.04 acre tract of land, said 33.04 acres being fully described in an assignment of lease from Sid Richardson Refining Company to Texas City Refining Company.

THENCE North 00°26' West a distance of 265.50 feet to the POINT OF BEGINNING of the tract described herein;

THENCE North 00°26' West a distance of 144.00 feet to a point for corner;

THENCE South 89°59'31" West a distance of 215.55 feet to a point for corner;

THENCE North 46°24'23" West a distance of 20.60 feet to a point for corner;

THENCE North 00°40'08" East a distance of 111.37 feet to a point for corner;

THENCE North 89°47'58" West a distance of 134.24 feet to a point for corner;

THENCE North 00°40'41" East a distance of 187.87 feet to a point for corner;

THENCE North 61°32'00" West a distance of 7.08 feet to a point for corner

THENCE North 02°56'35" East at 30.06 feet passing the centerline of a railroad Track, in all a distance of 182.77 feet to a point for corner, said point being 15.00 feet perpendicularly distant from the centerline of a railroad track;

THENCE North 69°08'28" East a distance of 119.56 feet to a point for corner;

THENCE North 67°22'24" East a distance of 91.39 feet to a point for corner;

THENCE North 78°50'18" East a distance of 140.46 feet to a point for corner;

THENCE North 89°50'30" East a distance of 127.50 feet to a point for corner;

THENCE South 77°07'28" East a distance of 204.16 feet to a point for corner;

THENCE North 26°13'31" East, at 15.00 feet passing the centerline of a railroad track, in all a distance of 30.00 feet to a point for corner, said point being 15.00 feet perpendicularly distant from the centerline of said railroad track.

THENCE North 63°47'07" West. Parallel to said railroad track a distance of 587.51 feet to a point for corner;

THENCE North 00°31'27" West a distance of 29.14 feet to a point for corner, said Point being South 00°31'27" East a distance of 15.00 feet from the centerline of a railroad track;

THENCE North 89°28'33" East parallel to said railroad track a distance of 518.80 feet to a point for corner;

THENCE South 27°32'42" East a distance of 85.33 feet to a point for corner, said Point being 21.00 feet perpendicularly distant from the west face of a hurricane protection Seawall;

THENCE South 00°58'50" East parallel to the hurricane protection seawall, at 251.84 feet passing the centerline of a railroad track, at 516.33 feet passing the centerline Of a railroad track, in all a distance of 531.33 feet to a point for corner;

THENCE North 89°31'20" East a distance of 70.21 feet to a point for corner;

THENCE South 02°14'00" East a distance of 400.86 feet to a point for corner;

THENCE South 33°34'00" East a distance of 51.80 feet to a point for corner;

THENCE South 00°13'53" East a distance of 232.90 feet to a point for corner;

THENCE South 89°34'00" West a distance of 309.22 feet to a point for corner;

THENCE North 00°27'55" West a distance of 267.60 feet to a point for corner;

THENCE South 87°46'00" West a distance of 158.69 feet to the POINT OF BEGINNING containing 14.977 acres.

SAVE and EXCEPT the following:
Tract A: a 30 foot wide strip of land
46.62 feet long centered on an existing
railroad track, 0.032 acres.

Leaving a net acreage of 14.945 acres.

EXHIBIT "A-2"

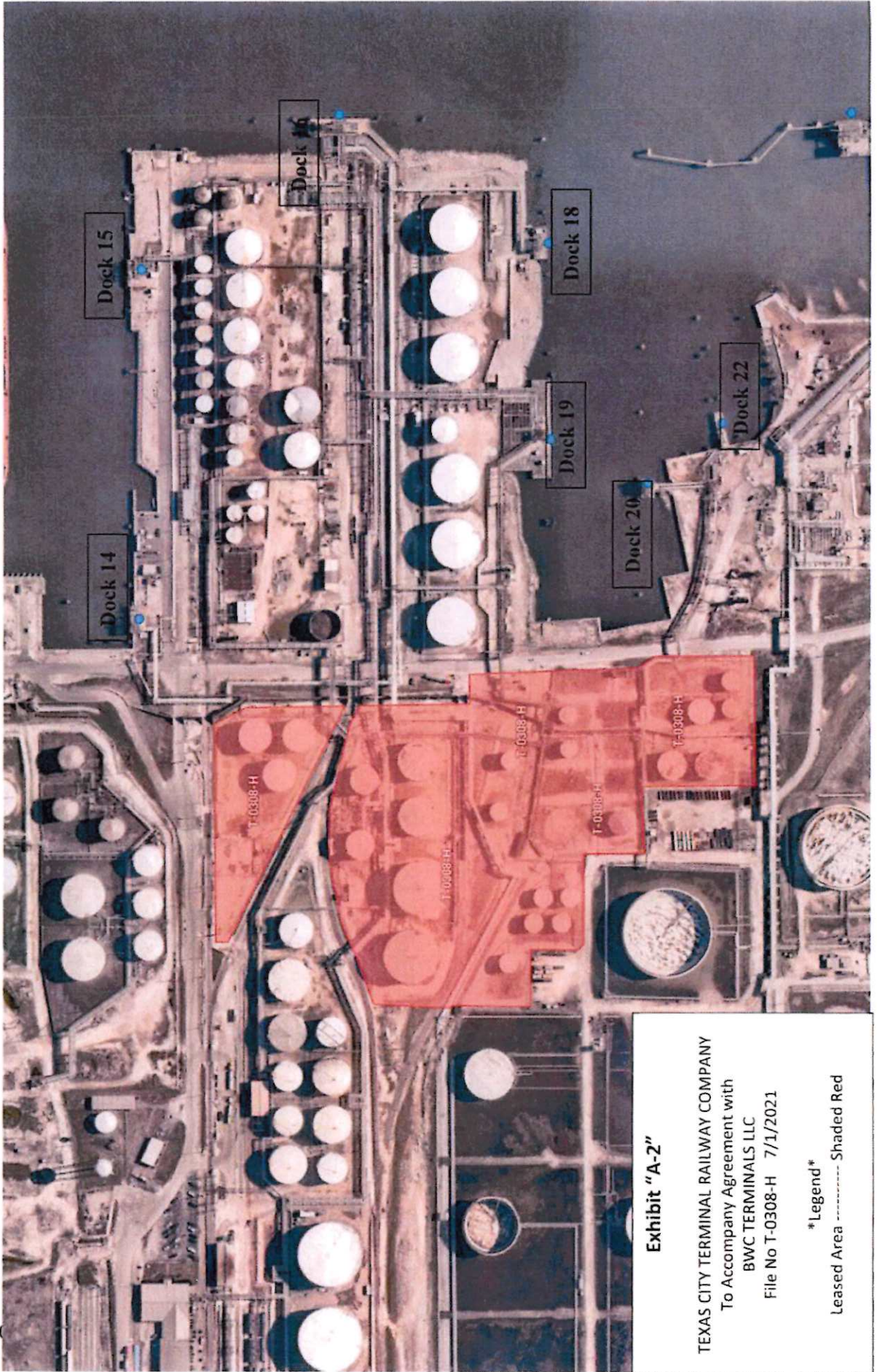


EXHIBIT "B"

Bureau of Economic Analysis

Table 1.1.9. Implicit Price Deflators for Gross Domestic Product

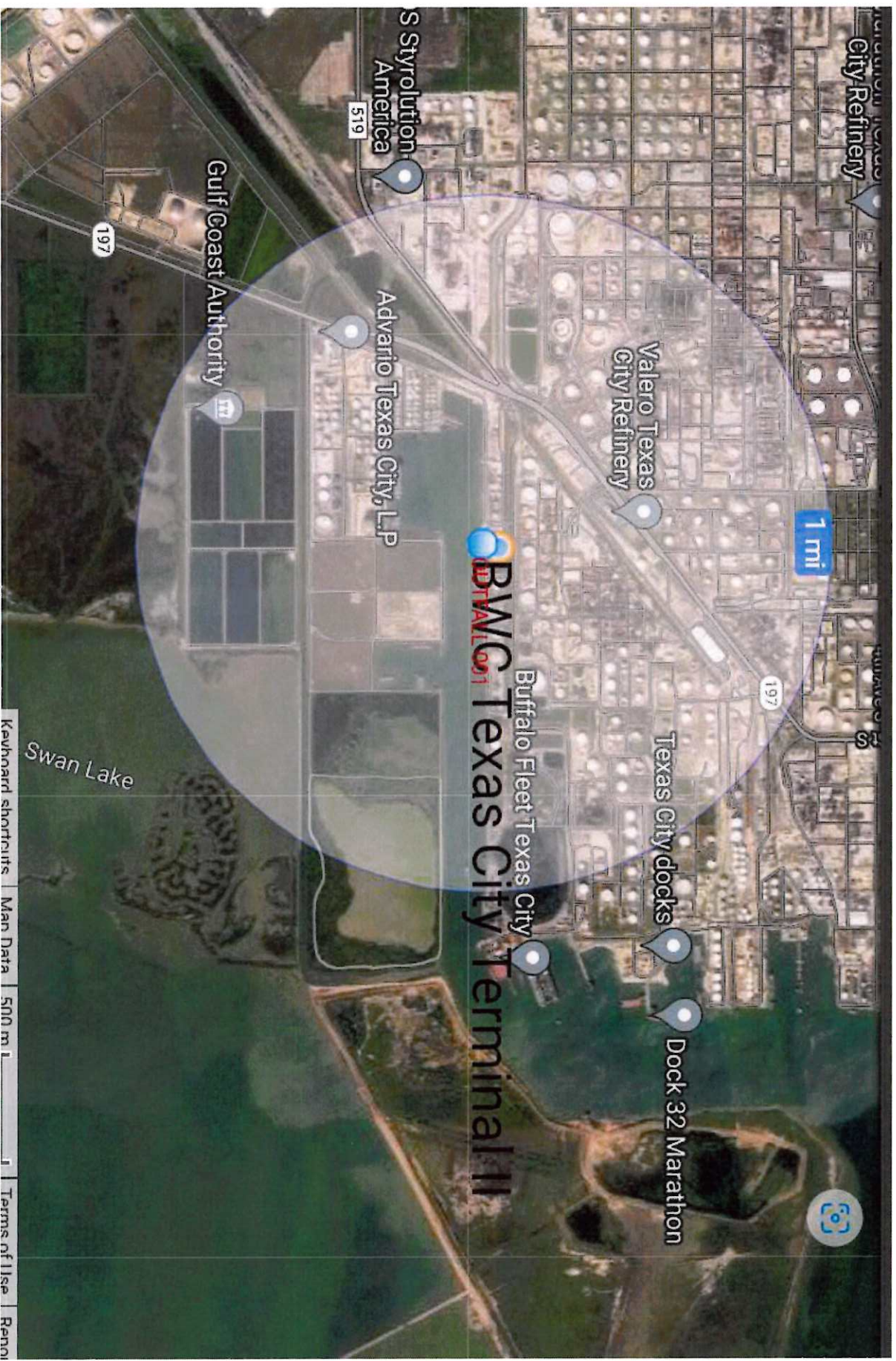
[Index numbers, 2012=100] Seasonally adjusted

Last Revised on: August 26, 2021 - Next Release Date September 30, 2021

Line		2019	2019	2019	2019	2020	2020	2020	2020	2021	2021
		Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2
1	Gross domestic product	111.514	112.152	112.517	112.978	113.346	112.859	113.888	114.439	115.652	117.410
2	Personal consumption expenditures	109.097	109.833	110.136	110.604	110.946	110.491	111.490	111.910	112.970	114.756
3	Goods	94.649	95.121	94.696	94.859	94.588	93.230	94.345	94.418	95.771	97.927
4	Durable goods	86.994	86.864	86.370	85.765	85.421	84.783	86.344	86.386	86.879	90.320
5	Nondurable goods	98.672	99.490	99.106	99.719	99.485	97.712	98.544	98.636	100.547	101.790
6	Services	116.631	117.531	118.248	118.896	119.599	119.709	120.620	121.263	122.105	123.595
7	Gross private domestic investment	108.520	108.990	109.114	109.342	109.395	109.134	110.022	110.143	110.919	111.958
8	Fixed investment	109.210	109.678	109.913	109.926	110.334	110.694	111.307	111.840	112.855	114.090
9	Nonresidential	103.820	104.249	104.312	104.160	104.488	104.867	104.899	105.009	105.207	105.434
10	Structures	117.483	118.858	119.585	120.223	120.799	120.620	120.931	121.086	122.253	124.877
11	Equipment	98.029	97.983	97.688	97.556	97.739	97.755	97.330	96.802	97.341	96.558
12	Intellectual property products	102.880	103.373	103.515	102.919	103.328	104.420	104.848	105.682	105.063	105.471
13	Residential	132.957	133.595	134.613	135.384	136.132	136.402	139.442	141.651	145.838	151.085
14	Change in private inventories	---	---	---	---	---	---	---	---	---	---
15	Net exports of goods and services	---	---	---	---	---	---	---	---	---	---
16	Exports	98.415	99.298	98.674	98.254	97.686	93.047	95.998	97.440	102.192	106.832
17	Goods	91.943	92.546	91.532	91.144	90.082	84.632	87.831	89.297	94.733	100.204
18	Services	112.897	114.428	114.730	114.270	114.959	112.352	114.659	115.985	118.569	120.613
19	Imports	90.180	90.796	89.898	89.421	89.139	86.349	88.008	88.489	91.286	94.207
20	Goods	86.581	87.224	86.167	85.558	85.212	82.180	83.900	84.261	87.241	90.210
21	Services	108.853	109.314	109.300	109.574	109.732	108.574	109.755	111.061	112.329	114.684
22	Government consumption expenditures and gross investment	112.839	113.067	113.355	113.711	114.503	114.253	114.922	115.769	117.294	118.997
23	Federal	111.076	110.304	110.675	111.070	111.400	111.443	112.267	112.957	114.063	115.188
24	National defense	108.354	108.663	109.019	109.404	109.646	109.298	110.259	110.933	112.146	113.290
25	Nondefense	115.334	112.875	113.270	113.681	114.148	114.765	115.398	116.111	117.063	118.164
26	State and local	114.012	114.875	115.110	115.444	116.535	116.093	116.659	117.612	119.417	121.510
Addendum:											
27	Gross national product	111.504	112.141	112.505	112.965	113.332	112.846	113.873	114.432	115.632	117.389

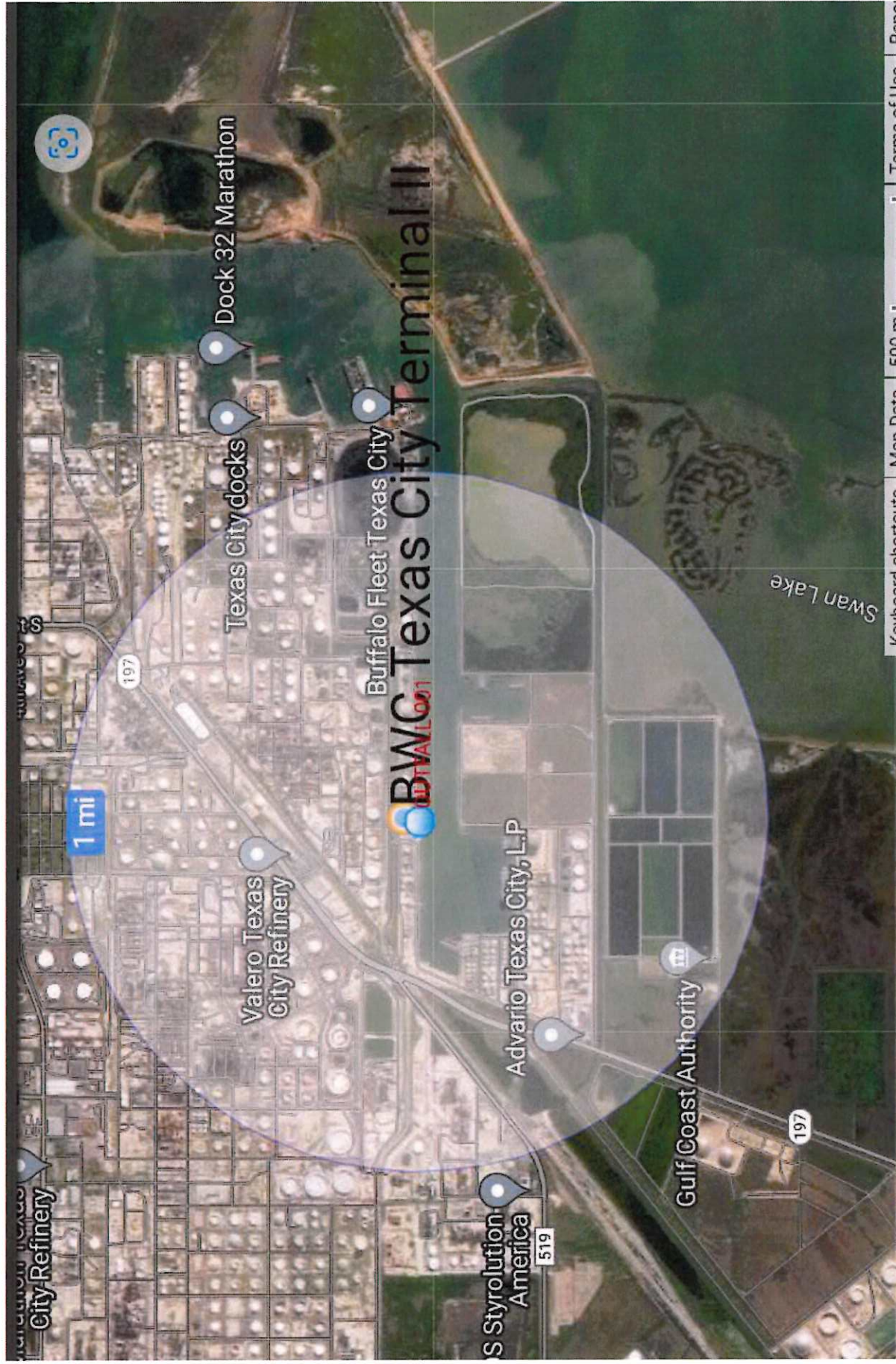
ATTACHMENT D

USGS MAP



ATTACHMENT E

FACILITY MAP



Terms of Use | 500 m | Keyboard shortcuts | Map Data | Texas City Terminal II

ATTACHMENT F

PLOT PLAN

Plot Plan



Texas City Terminal II

ATTACHMENT G

WATER FLOW SCHEMATIC

OUTFALL 001



OIL / Water Separator



STORMWATER RUNOFF

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



ENDORSEMENT TO

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

PERMIT NO. WQ0002565000

EPA I.D. No. TX0089753

FROM: NuStar Terminals Operations Partnership L.P.

TO: BWC Texas Terminals LLC

The name of the above-referenced Texas Water Quality Permit issued February 7, 2019, has changed. That part of the signature page pertaining to the name and mailing address of the permit holder is hereby changed so that the same shall hereinafter be and read as follows:

"BWC Texas Terminals LLC
P.O. Box 3608
Texas City, Texas 77590"

The change of name is in accordance with 30 Texas Administrative Code Subsection 50.45(b)(3).

This order is part of the permit and should be attached thereto.

Issued Date: July 16, 2024



For The Commission

Permit Application Routing and Summary Sheet

This sheet must be filed on the left side of the permit file until the application is issued, denied or withdrawn. After which it is moved to the right side of the permit file. If the application is denied or withdrawn, the file must be remanded back to the Application Review and Processing Team.

Applicant Name	<u>BWC Texas Terminals LLC</u>		
Plant Name	<u>Texas Terminals 1</u>		
TCEQ Permit #	<u>WQ0002565000</u>	EPA ID #	<u>TX0089753</u>
TCEQ Region	<u>12</u>	Segment No.	<u>2437</u>
		Receiving Water	<u>Industrial Canal</u>
CN603355892	<u>RN102178613</u>	County	<u>Galveston</u>

Facility Active?	<u>Yes</u>		
Within Coastal Zone?	<u>Yes</u>	(If yes, check notice rqmts for new & maj amend)	
Above Threshold?	<u>No</u>		
EPA Classification	<u>Minor</u>		
Authorization Type	<u>Industrial Stormwater</u>		
Discharge Type	<u>TPDES</u>		
Application Type	<u>Renewal</u>		

Task	Due Date	Actual Date	Initial PTT Deadline
Application Received		<u>10/5/2023</u>	2/27/2024
Initial Review	<u>10/15/2023</u>	<u>10/13/2023</u>	
NOD Required	<u>Yes</u>	<u>10/13/2023</u>	Reviewer Name
Admin Complete	<u>11/13/2023</u>	<u>7/17/2024</u>	<u>Rachel Ellis</u>
WQA Complete	<u>12/14/2023</u>		See below
Draft Complete	<u>1/28/2024</u>		
Tech Complete	<u>2/7/2024</u>		
Draft Mailed	<u>2/10/2024</u>		
File with CCO	<u>2/27/2024</u>		
Standards Reviewer			
Peer Reviewer			
Crit. Cond. Reviewer			
Modeling Reviewer			
Biomon Reviewer			
Groundwater Reviewer			
Soils Reviewer			



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

TPDES PERMIT NO.
WQ0002565000
*[For TCEQ office use only -
EPA I.D. No. TX0089753]*

This renewal replaces TPDES Permit
No. WQ0002565000, issued on
November 26, 2013.

NuStar Terminals Operations Partnership L.P.

whose mailing address is
6531 Evergreen Avenue
Jacksonville, Florida 32208

is authorized to treat and discharge wastes from Texas City Terminal II, a bulk liquid storage facility
(SIC 4226)

located at 159 Levee Road in Texas City, in Galveston County, Texas 77590

directly to the Industrial Canal, thence to the Turning Basin, both of which are a part of the Texas City
Ship Channel in Segment No. 2437 of the Bays and Estuaries

only according to effluent limitations, monitoring requirements The, 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. 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: February 7, 2019



For the Commission

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

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.

- 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,

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).

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 149) of the Commission, and such waiver of these requirements will be reviewed upon expiration of the existing permit; however, any such waiver shall not be interpreted as condoning or excusing any violation of any permit parameter.

- 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.

TCEQ Revision 01/2016

4. Except for the discharge of stormwater, hydrostatic test water, and stormwater-like discharges via permitted Outfall 001, all other wastewaters (including but not limited to domestic wastewater, pump station water, tank bottom water, tank cleaning water, and line cleaning water) shall be collected and disposed of in accordance with the rules and requirements of the TCEQ.



TEXAS COMMISSION ON ENVIRONMENTAL
QUALITY

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

TPDES PERMIT NO.
WQ0002565000
*[For TCEQ office use only -
EPA I.D. No. TX0089753]*

This renewal replaces TPDES Permit
No. WQ0002565000, issued on
February 7, 2019.

PERMIT TO DISCHARGE WASTES

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

BWC Texas Terminals, LLC

whose mailing address is

P.O. Box 3608
Texas City, Texas 77590

is authorized to treat and discharge wastes from Texas City Terminal II, bulk liquid storage facility
(SIC 4226)

located at 159 Levee Road, in Texas City, in Galveston County, Texas 77590

from the plant site directly to Industrial Canal, thence to the Turning Basin, both of which are part of
the Texas Ship Channel., thence to Texas City Ship Channel in Segment No. 2437 of the Bays and
Estuaries

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 Number 001

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 stormwater associated with industrial activity, hydrostatic test water, potable water, steam condensate, and air conditioner condensate subject to the following effluent limitations:

Volume: Intermittent and flow-variable.

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 ¹	Estimate
Oil and Grease	N/A	15	15	1/day ¹	Grab
Benzene	N/A	0.45	0.45	1/day ¹	Grab
BTEX ²	N/A	0.45	0.45	1/day ¹	Grab
Mercury, Total	N/A	0.01	0.01	1/year ¹	Grab

2. The pH must not be less than 6.0 standard units nor greater than 9.0 standard units and must be monitored 1/day¹ by grab sample.
3. There must be no discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.
4. Effluent monitoring samples must be taken at the following location: Immediately after discharge from Outfall 001, located in the rip rap area, approximately mid-way along the south wall of the tank area.

¹ When discharge occurs. The initial sample must be collected within 30 minutes of the beginning of discharge.

²Reported as the summation of the results of analyses for benzene, ethylbenzene, toluene, and total xylene.

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.

TCEQ Revision 05/2021

OTHER REQUIREMENTS

1. The executive director reviewed this action for consistency with the goals and policies of the Texas Coastal Management Program (CMP) in accordance with the regulations of the General Land Office and determined that the action is consistent with the applicable CMP goals and policies.
2. Violations of daily maximum limitations for the following pollutants shall be reported orally or by facsimile to TCEQ Region 12 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 12 and the Enforcement Division (MC 224):

Pollutant	MAL (mg/L)
Mercury (Total)	0.000005
Benzene	0.010
BTEX	---
Toluene	0.010
Ethylbenzene	0.010
Xylenes	---

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 minimum analytical level (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.

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. Any untreated overflow from the facilities designed, constructed, and operated to contain the volume of stormwater runoff generated from a 10-year, 24-hour storm event, shall not be subject to the effluent limitations specified on page 2 of this permit. The term “10-year, 24-hour storm event” shall mean a storm event with a probable recurrence interval of once every ten years as defined by the National Weather Service in Technical Paper No. 40 “Rainfall Frequency Atlas of the United States, May 1961 (and subsequent amendments to the document, or equivalent regional or state rainfall probability information).

4. Except for the discharge of stormwater, hydrostatic test water, and stormwater-like discharges via permitted Outfall 001, all other wastewaters (including but not limited to domestic wastewater, pump station water, tank bottom water, tank cleaning water, and line cleaning water) shall be collected and disposed of in accordance with the rules and requirements of the TCEQ.
5. Reporting requirements according to 30 TAC §§ 319.1-319.12 and any additional effluent reporting requirements contained in the permit are suspended from the effective date of the permit until plant startup or discharge, whichever occurs first, from the facility described by this permit. The permittee shall provide written notice to the TCEQ Region 12 Office, Applications Review and Processing Team (MC 148) of the Water Quality Division, and Compliance Monitoring Team (MC 224) at least forty-five days prior to plant startup or anticipated discharge, whichever occurs first, on Notification of Completion Form 20007.

STATEMENT OF BASIS / TECHNICAL SUMMARY AND
EXECUTIVE DIRECTOR'S PRELIMINARY DECISION
TPDES Permit No. WQ0002565000«TPDES»

DESCRIPTION OF APPLICATION

Applicant: BWC Texas Terminals LLC; Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0002565000 (EPA I.D. No. TX0089753)

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 Texas City Terminal II, a bulk liquid storage facility.

The wastewater consists of stormwater associated with industrial activity, hydrostatic test water, steam condensate, and air conditioner condensate. A four-foot tall berm surrounds the tank storage area and the oil/water separator. The stormwater discharge collected in this berm area is treated by an onsite oil/water separator, then discharged through Outfall 001. All facility piping leading to the site's dock is hydrostatically tested annually to ensure structural integrity. The loading/unloading areas are constructed in a manner to prevent any product spillage from commingling with stormwater runoff. A 200-gallon holding tank stores domestic waste, which is evacuated as needed, by Galveston Waste Management, Inc., a septic tank/wastewater disposal company.

The facility is located at 159 Levee Road, in Texas City, Galveston County, Texas 77590.

Discharge Route and Designated Uses

The effluent is discharged from the plant site directly to Industrial Canal, thence to the Turning Basin, both of which are part of the Texas City Ship Channel in Segment No. 2437 of the Bays and Estuaries. The designated uses for Segment No. 2437 are non-contact recreation 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.

STATEMENT OF BASIS / TECHNICAL SUMMARY AND
EXECUTIVE DIRECTOR'S PRELIMINARY DECISION
TPDES Permit No. WQ0002565000«TPDES»

Endangered Species Review

The discharge from this permit action is not expected to have an effect on any federal endangered or threatened aquatic or aquatic dependent species or proposed species or their critical habitat. This determination is based on the United States Fish and Wildlife Service's (USFWS) 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 considered aquatic or aquatic dependent species occurring in watersheds of critical concern or high priority as listed in Appendix A of the USFWS biological opinion. Though the piping plover, *Charadrius melodus* Ord, can occur in Galveston County, the county is north of Copano Bay and not a watershed of high priority per Appendix A of the biological opinion. The determination is subject to reevaluation due to subsequent updates or amendments to the biological opinion. The permit does not require EPA review with respect to the presence of endangered or threatened species.

Impaired Water Bodies

Segment No. 2437 is currently listed on the State's inventory of impaired and threatened waters (the **2022** Clean Water Act Section 303(d) list). The listing is for dioxin in edible tissue and PCBs in edible tissue throughout the entire segment (AU 2437_01). Further impairment of the segment is not anticipated as a result of this permit action because this is a permit renewal and as such does not authorize any increase in pollutant loadings. Additionally, no dioxin or PCBs are associated with this facility or the discharge from this facility; therefore, this discharge is not anticipated to contribute to these impairments.

Completed Total Maximum Daily Loads (TMDLs)

There are no completed TMDLs for Segment No. 2437.

Dissolved Oxygen

Due to the intermittent nature of the discharge and the low levels of oxygen-demanding constituents expected from this type of discharge, 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 October 2018 through September 2023. 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	0.07	0.07

Effluent Characteristics

Outfall	Pollutant	Avg of Daily Avg	Max of Daily Max
		mg/L	mg/L
001	Oil and Grease	N/A	3.6
	Benzene	N/A	0
	BTEX	N/A	0
	Mercury, Total	N/A	0
	pH	N/A	8.99 SU (max)

STATEMENT OF BASIS / TECHNICAL SUMMARY AND
EXECUTIVE DIRECTOR'S PRELIMINARY DECISION
TPDES Permit No. WQ0002565000«TPDES»

No effluent limit violations were documented in the monthly effluent reports.

DRAFT PERMIT CONDITIONS

The draft permit authorizes the discharge of stormwater associated with industrial activity, hydrostatic test water, potable water, steam condensate and air conditioner condensate on an intermittent and flow-variable basis via Outfall 001.

Effluent limitations are established in the draft permit as follows:

Outfall	Pollutant	Daily Average mg/L	Daily Maximum mg/L
001	Flow	Report, MGD	Report, MGD
	Oil and Grease	N/A	15
	Benzene	N/A	0.45
	BTEX ¹	N/A	0.45
	Mercury, Total	N/A	0.01
	pH	Between 6.0 and 9.0 standard units	

OUTFALL LOCATIONS

Outfall	Latitude	Longitude
001	29.363611 N	94.911667 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. The discharge of stormwater associated with industrial activity, hydrostatic test water, potable water, steam condensate, and air conditioner condensate is not subject to federal effluent limitations guidelines. Sampling requirements and numeric limits for oil and grease, benzene, and BTEX based previously on BPJ are carried forward in the draft permit and are typical limitations for discharges from similar petroleum bulk storage facilities.

Water Quality-Based Effluent Limitations

Due to the nature of the discharge (predominately stormwater and hydrostatic test water) discharging on an intermittent and flow variable basis, no critical conditions were developed, nor water quality-based effluent limitations were calculated for this facility. Numeric effluent limits for total mercury are carried forward in the draft permit based on previous water-quality screening.

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

Segment No. 2437, which receives the discharge from this facility, does not have criteria established for TDS, chloride, or sulfate in 30 TAC Chapter 307; therefore, no screening was performed for TDS, chloride, or sulfate in the effluent.

¹ Reported as the summation of the results of analyses for benzene, ethylbenzene, toluene, and total xylene.

STATEMENT OF BASIS / TECHNICAL SUMMARY AND
EXECUTIVE DIRECTOR'S PRELIMINARY DECISION
TPDES Permit No. WQ0002565000«TPDES»

pH Screening

Stormwater runoff from Outfall 001 was not screened against pH criteria, which is standard TCEQ practice. Due to the intermittent nature of the discharge, critical conditions were not developed and thus pH screening was not conducted.

Whole Effluent Toxicity Testing (Biomonitoring)

Biomonitoring requirements are not included in the draft permit.

The existing permit did not establish biomonitoring requirements and discharges authorized by this permit do not meet the threshold established in the *Procedures to Implement the Texas Surface Water Quality Standards* (RG-194) to impose biomonitoring requirements.

SUMMARY OF CHANGES FROM APPLICATION

No changes were made from the application.

SUMMARY OF CHANGES FROM EXISTING PERMIT

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

1. Pages 3-13 were updated (May 2021 version).
2. Other Requirement # 5 was added to document rainfall conditions that justify the effluent limitations exemption in Other Requirement #4.

BASIS FOR DRAFT PERMIT

The following items were considered in developing the draft permit:

1. Application received on October 5, 2023, and additional information received on May 7, 2024.
2. Existing permits: TPDES Permit No. WQ0002565000 issued on February 7, 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.

STATEMENT OF BASIS / TECHNICAL SUMMARY AND
EXECUTIVE DIRECTOR'S PRELIMINARY DECISION
TPDES Permit No. WQ0002565000«TPDES»

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: N/A.
13. Consistency with the Coastal Management Plan: The executive director has reviewed this action for consistency with the goals and policies of the Texas Coastal Management Program (CMP) in accordance with the regulations of the General Land Office and has determined that the action is consistent with the applicable CMP goals and policies.
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. General Guidance – Industrial Permits: Uncontaminated Stormwater Runoff, EPA, January 1997.

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 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.

STATEMENT OF BASIS / TECHNICAL SUMMARY AND
EXECUTIVE DIRECTOR'S PRELIMINARY DECISION
TPDES Permit No. WQ0002565000«TPDES»

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 Aldo Guerrero at (512) 239-4317.

Aldo Guerrero
Aldo Guerrero

September 12, 2025
Date