



# 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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

## PLAIN LANGUAGE SUMMARY FOR TPDES OR TLAP PERMIT APPLICATIONS

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

If you are subject to the alternative language notice requirements in [30 TAC Section 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 Enter 'INDUSTRIAL' or 'DOMESTIC' here 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 TAC Chapter 39. The information provided in this summary may change during the technical review of the application and is not a federal enforceable representation of the permit application.*

Frisco Community Development Corporation (CN605857168) operates Frisco Community Development Site (RN100218643), a facility historically used for lead-acid battery recycling, secondary lead smelting, and production of lead, lead alloys, and lead oxide. Currently, the only operations being performed at the site are stormwater management, management of wastewater from other sources, treatment of stormwater from the former production area at the stormwater treatment facility, environmental assessment and remediations, landfill lining and covering, and property maintenance. The facility is located at 7471 Old Fifth Street, in Frisco, Collin County, Texas 75034. This application for renewal requests authorization of the same stormwater sources as those which are authorized under the current TPDES permit.

Discharges from the facility are expected to contain treated stormwater runoff associated with industrial activities. Stormwater from Former Production Area, Corrective Action Management Unit Remediation Consolidation Area and containment stormwater is treated by

pressure filtration, chemical precipitation and Ph adjustment before it to discharged through Outfall 001 to Stewart Creek.

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

### AGUAS RESIDUALES Introduzca 'INDUSTRIALES' o 'DOMÉSTICAS' aquí /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 es una representación ejecutiva fedérale de la solicitud de permiso.*

Frisco Community Development Corporation (CN605857168) opera la Frisco Community Development Site (RN100218643), una instalación que históricamente se ha utilizado para el reciclaje de baterías de plomo-ácido, la fundición secundaria de plomo y la producción de plomo, aleaciones de plomo y óxido de plomo. Actualmente, las únicas operaciones que se llevan a cabo en el sitio son la gestión de aguas pluviales, la gestión de aguas residuales de otras fuentes, el tratamiento de aguas pluviales de la antigua zona de producción en la instalación de tratamiento de aguas pluviales, la evaluación y remediación ambiental, el revestimiento y la cubierta de vertederos y el mantenimiento de la propiedad.. La instalación está ubicada en 7471 Old 5<sup>th</sup> Street, en Frisco, Condado de Collin, Texas 75034. Esta solicitud de renovación solicita la autorización de las mismas fuentes de aguas pluviales que las que están autorizadas bajo el permiso TPDES actual.

Se espera que las descargas de la instalación contengan escorrentías de aguas pluviales tratadas asociadas con actividades industriales. Aguas pluviales del antiguo área de producción, Unidad de gestión de acciones correctivas, Área de consolidación de remediación y contención de aguas pluviales, Unidad de Gestión de Acciones Correctivas Área de Consolidación de Remediación y aguas pluviales de las áreas de contención. están tratado por filtración a presión, precipitación química y ajuste de pH antes de su descarga a través del emisario 001 hacia Stewart Creek.

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



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

PERMIT NO. WQ0002964000

**APPLICATION.** Frisco Community Development Corporation, 6101 Frisco Square Boulevard, 5<sup>th</sup> Floor, Frisco, Texas 75034, which owns a former secondary lead smelter facility, has applied to the Texas Commission on Environmental Quality (TCEQ) to renew Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0002964000 (EPA I.D. No. TX0103292) to authorize the discharge of treated stormwater associated with industrial activities at a volume not to exceed a daily average flow of 385,000 gallons per day. The facility is located at 7471 Old 5<sup>th</sup> Street, in the city of Frisco, in Collin County, Texas 75034. The discharge route is from the plant site via a pipe to Stewart Creek, thence to Lewisville Lake. TCEQ received this application on December 30, 2024. The permit application will be available for viewing and copying at Frisco Public Library, Free Publications Area, 2nd Floor, 8000 Dallas Parkway, Frisco, 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=-96.830555,33.140277&level=18>

**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>.

**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](http://www.tceq.texas.gov/goto/cid). Search the database using the permit number for this application, which is provided at the top of this notice.

**AGENCY CONTACTS AND INFORMATION.** All public comments and requests must be submitted either electronically at <https://www14.tceq.texas.gov/epic/eComment/>, or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Please be aware that any contact information you provide, including your name, phone number, email address and physical address will become part of the agency's public record. For more information about this permit application or the permitting process, please call the TCEQ Public Education Program, Toll Free, at 1-800-687-4040 or visit their website at [www.tceq.texas.gov/goto/pep](http://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 Frisco Community Development Corporation at the address stated above or by calling Mr. Billy King, Consultant, at 214-674-0197.

Issuance Date: January 27, 2025

# 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. WQ0002964000

**SOLICITUD.** Frisco Community Development Corporation, 6101 Frisco Square Boulevard, 5th Floor, Frisco, Texas 75034, que posee una antigua instalación de fundición secundaria de plomo, ha solicitado a la Comisión de Calidad Ambiental del Estado de Texas (TCEQ) para renovar el Permiso No. WQ0002964000 (EPA I.D. No. TX0103292) del Sistema de Eliminación de Descargas de Contaminantes de Texas (TPDES) autorizar la descarga de aguas pluviales tratadas asociadas con actividades industriales a un volumen que no exceda un flujo promedio diario de 385,000 galones por día. La planta está ubicada 7471 Old 5th Street, en la Ciudad de Frisco, en el Condado de Collin, Texas 75034. La ruta de descarga es del sitio de la planta a través de una tubería hasta Stewart Creek, y de allí hasta el lago Lewisville. La TCEQ recibió esta solicitud el 30 de diciembre 2024. La solicitud de permiso estará disponible para ver y copiar en la Biblioteca Pública de Frisco, Área de Publicaciones Gratuitas, 2do piso, 8000 Dallas Parkway, Frisco, Texas antes de la fecha en que se publique 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=-96.830555,33.140277&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 DE LA TCEQ. Todos los comentarios escritos del público y los para pedidos una reunión deben ser presentados a la Oficina del Secretario Principal, MC 105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087 o por el internet at [www.tceq.texas.gov/about/comments.html](http://www.tceq.texas.gov/about/comments.html).** 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. Si necesita más información en Español sobre esta solicitud para un permiso o el proceso del permiso, por favor llame a El Programa de Educación Pública de la TCEQ, sin cobro, al 1-800-687-4040. La información general sobre la TCEQ puede ser encontrada en nuestro sitio de la red: [www.tceq.texas.gov](http://www.tceq.texas.gov).

También se puede obtener información adicional del Frisco Community Development Corporation a la dirección indicada arriba o llamando a Billy King, Consultant al 214-674-0197.

Fecha de emisión 27 de enero de 2025

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



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

### RENEWAL

Permit No. WQ0002964000

**APPLICATION AND PRELIMINARY DECISION.** Frisco Community Development Corporation, 6101 Frisco Square Boulevard, 5th Floor, Frisco, Texas 75034, which operates Frisco Community Development Site, a former secondary lead smelter that recycled lead-containing materials consisting primarily of spent lead-acid batteries, has applied to the Texas Commission on Environmental Quality (TCEQ) for a renewal of Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0002964000, which authorizes the discharge of stormwater associated with industrial activities at a permitted daily average flow from a volume not to exceed 385,000 gallons per day via Outfall 001. The TCEQ received this application on December 30, 2024.

The facility is located at 7471 Old Fifth Street, in the City of Frisco, Collin County, Texas 75034. This link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice. For the exact location, refer to the application.

<https://gisweb.tceq.texas.gov/LocationMapper/?marker=-95.035555,29.694444&level=18>

The effluent is discharged via a pipe to Stewart Creek, thence to Lewisville Lake in Segment 0823 of the Trinity River Basin. The unclassified receiving water uses are high aquatic life use for Stewart Creek. The designated uses for Segment No. 0823 are primary contact recreation, public water supply, and high aquatic life use.

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at Frisco Public Library, Free Publications Area, 2nd Floor, 8000 Dallas Parkway, Frisco, 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 Frisco Community Development Corporation at the address stated above or by calling Mr. Billy King, Consultant, at 214-674-0197.

Issued: March 4, 2026

# 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 MUNICIPALES

### RENOVACIÓN

#### PERMISO NO. WQ0002964000

**SOLICITUD Y DECISIÓN PRELIMINAR.** Frisco Community Development Corporation, 6101 Frisco Square Boulevard, 5th Floor, Frisco, Texas 75034, que opera Frisco Community Development Site, una antigua fundición secundaria de plomo que reciclaba materiales que contenían plomo, compuestos principalmente de baterías de plomo-ácido usadas ha solicitado a la Comisión de Calidad Ambiental del Estado de Texas (TCEQ) una renovación del Permiso No. WQ0002964000 del Sistema de Eliminación de Descargas de Contaminantes (TPDES) de Texas para autorizar la descarga de aguas pluviales asociadas con actividades industriales a un caudal promedio diario permitido desde un volumen que no exceda los 385,000 galones por día a través del emisario 001. La TCEQ recibió esta solicitud el 30 de diciembre del 2024.

La planta está ubicada en 7471 Old Fifth Street, en la Ciudad de Frisco, en el Condado de Collin, Texas 75034. 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=-95.035555,29.694444&level=18>

El efluente tratado es descargado a través de una tubería hasta Stewart Creek, de allí al lago Lewisville en el Segmento No. 0823 de la Cuenca del Río Trinity. Los usos no clasificados de las aguas receptoras son usos intensivo de vida acuática para Stewart Creek. Los usos designados para el Segmento No. 0823 son recreación de contacto primario, suministro público de agua y uso intensivo de vida acuática.

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 Biblioteca Pública de Frisco, Área de Publicaciones Gratuitas, 2do Piso, 8000 Dallas Parkway, Frisco, Texas. La solicitud y los avisos asociados están disponibles electrónicamente en la siguiente página web:

<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 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 para descargar aguas residuales sin proveer una oportunidad de una audiencia administrativa de lo contencioso.**

**ACCIÓN DEL DIRECTOR EJECUTIVO.** El Director Ejecutivo puede emitir una aprobación final de la solicitud a menos que exista un pedido antes del plazo de vencimiento de una audiencia administrativa de lo contencioso o se ha presentado un pedido de reconsideración. Si un pedido ha llegado antes del plazo de vencimiento de la audiencia o el pedido de reconsideración ha sido presentado, el Director Ejecutivo no emitirá una aprobación final sobre el permiso y enviará la solicitud y el pedido a los Comisionados de la TECQ para consideración en una reunión programada de la Comisión.

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

**Todos los comentarios escritos del público y los pedidos una reunión deben ser presentados durante los 30 días después de la publicación del aviso a la Oficina del Secretario Principal, MC 105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087 or por el internet a <https://www.tceq.texas.gov/goto/comment>.** 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.

**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 de Frisco Community Development Corporation a la dirección indicada arriba o llamando al Sr. Billy King, Consultor, al 214-674-0197.

Fecha de emisión 4 de marzo de 2026

December 20, 2024

Project B2101050.04

Texas Commission on Environmental Quality  
Water Quality Division  
Application Review and Processing Team (MC-148)  
P.O. Box 13087  
Austin TX 78711-3087

Re: TCEQ Industrial Stormwater Permit Application Renewal  
Customer Number: CN605857168  
Frisco Community Development Corporation  
7471 Old Fifth Street  
Frisco, Texas 75034

To Whom It May Concern:

Braun Intertec Corporation is submitting the enclosed Texas Pollutant Discharge Elimination System (TPDES) permit (Permit) application for the renewal with no changes for the existing Permit (WQ0002964000) for the Frisco Community Development Corporation (Frisco) facility located at 7471 Old Fifth Street, Frisco, Texas (Site). This application package (Package) includes the Administrative Report, Core Data Form, Supplemental Permit Information Form, Plain Language Summary, Technical Report, and the associated attachments. This Package is being submitted at least 180 days prior to the expiration date of the current Permit (June 11, 2025).

The application fee has been submitted separately via ACH and a copy of the payment voucher has been included in the enclosed Package. In accordance with the Instructions for Completing the Industrial Stormwater Permit Application, one original and two copies of this Package are being submitted.

We appreciate your assistance in review of this Package. If you have any technical questions, or require additional information, please contact Patricia Edwards at 936.321.2522 or [pedwards@braunintertec.com](mailto:pedwards@braunintertec.com)

Sincerely,

BRAUN INTERTEC CORPORATION



Patricia Edwards  
Principal Consultant II



Ava Playle  
Project Scientist II

AA/EOE  
c: Mr. Mack Borchardt, Frisco Community Development Corporation

# Table of Contents

Items below in bold and italics indicate forms and worksheets, components of application, that are included.

## Forms

### **Application for an Industrial Stormwater Permit Application Administrative Report (TCEQ Form 10411)**

#### ***Industrial Administrative Report 1.0***

#### ***Core Data Form - (TCEQ Form 10400)***

Public Involvement Plan (PIP) Form – (TCEQ Form 20960) – Not Applicable, not a new or major amendment

Industrial Administrative Report 1.1 – Not Applicable, not a new or major amendment

#### ***Supplemental Permit Information Form (SPIF) - (TCEQ Form 20971)***

Payment Submittal Form - Not Applicable, submitting payment online

Attachment 1, Individual Information - Not Applicable, not an individual applicant

#### ***Checklist of Common Deficiencies***

#### ***Plain Language Summary – (TCEQ Form 20972)***

### **Application for an Industrial Stormwater Permit Application Technical Report (TCEQ Form 10055)**

#### ***Technical Report 1.0***

## Worksheets

### ***Worksheet 1.0***

#### ***EPA Categorical Effluent Guidelines***

Worksheet 2.0 Pollutant Analysis – Not Applicable, no wastewater discharged at the facility

Worksheet 3.0 Land Application of Effluent - Not Applicable, not a TLAP application

Worksheet 3.1 Surface Land Application - Not Applicable, not disposing wastewater by surface land application

Worksheet 3.2 Subsurface Irrigation System (Non-Drip) - Not Applicable, not disposing wastewater by subsurface land application

Worksheet 3.3 Subsurface Area Drip Dispersal System - Not Applicable, not disposing wastewater by subsurface area drip dispersal system (SADDS)

### ***Worksheet 4.0***

#### ***Receiving Waters***

Worksheet 4.1 Waterbody Physical Characteristics - Not Applicable, not a new or major amendment application

Worksheet 5.0 Sewage Sludge Management and Disposal- Not Applicable, not disposing sewage sludge disposal method

Worksheet 6.0 Industrial Waste Contribution - Not Applicable, not a publicly - owned treatment work facility

### ***Worksheet 7.0***

#### ***Stormwater Discharges associated with Industrial Activities***

Worksheet 8.0 Aquaculture - Not Applicable, not disposing aquaculture wastewater

Worksheet 9.0 Class V Injection Well Inventory/Authorization Form - Not Applicable, not disposing of treated effluent via subsurface disposal

Worksheet 10.0 Quarries in the John Graves Scenic Riverway - Not Applicable, not a municipal solid waste facilities or mining facilities

Worksheet 11.0 Cooling Water System Information - Not Applicable, facility does not use water for cooling purposes

Worksheet 11.1 Impingement Mortality - Not Applicable, not subject to 40 CFR Part 125 Subpart J

Worksheet 11.2 Source Water Biological Data - Not Applicable, not subject to 40 CFR Part 125, Subpart I or N

Worksheet 11.3 Entrainment - Not Applicable, not subject to 40 CFR Part 125 Subpart J

Worksheet 12.0 Oil and Gas Exploration, Development, and Production of Wastewater Discharges - Not Applicable, not subject to effluent limitation guidelines 40 CFR Part 435

## Table of Contents (continued)

### Attachments

Attachment A	TPDES Application Fee Payment Voucher
Attachment B	Core Data Form
Attachment C	Plain Language Summary
Attachment D	USGS Topo Map
Attachment E	Supplemental Permit Information Form
Attachment F	7.5-Minute USGS Quadrangle Map
Attachment G	Facility Description and Wastewater Generating Process
Attachment H	Facility Map
Attachment I	Wastewater Treatment System
Attachment J	Flow Schematic
Attachment K	Site Map
Attachment L	Analytical Results



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

**INDUSTRIAL WASTEWATER PERMIT APPLICATION CHECKLIST**

**Complete and submit this checklist with the industrial wastewater permit application.**

APPLICANT NAME: Frisco Community Development Corporation

PERMIT NUMBER (If new, leave blank): WQ00 02964000

**Indicate if each of the following items is included in your application.**

	Y	N		Y	N
Administrative Report 1.0	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Worksheet 8.0	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Administrative Report 1.1	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Worksheet 9.0	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SPIF	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Worksheet 10.0	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Core Data Form	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Worksheet 11.0	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Public Involvement Plan Form	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Worksheet 11.1	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Plain Language Summary	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Worksheet 11.2	<input type="checkbox"/>	<input type="checkbox"/>
Technical Report 1.0	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Worksheet 11.3	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Worksheet 1.0	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Original USGS Map	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Worksheet 2.0	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Affected Landowners Map	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Worksheet 3.0	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Landowner Disk or Labels	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Worksheet 3.1	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Flow Diagram	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Worksheet 3.2	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Site Drawing	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Worksheet 3.3	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Original Photographs	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Worksheet 4.0	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Design Calculations	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Worksheet 4.1	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Solids Management Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Worksheet 5.0	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Water Balance	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Worksheet 6.0	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
Worksheet 7.0	<input checked="" type="checkbox"/>	<input type="checkbox"/>			

For TCEQ Use Only

Segment Number \_\_\_\_\_ County \_\_\_\_\_

Expiration Date \_\_\_\_\_ Region \_\_\_\_\_

Permit Number \_\_\_\_\_





# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

## INDUSTRIAL WASTEWATER PERMIT APPLICATION

### ADMINISTRATIVE REPORT 1.0

This report is required for all applications for TPDES permits and TLAPs, except applications for oil and gas extraction operations subject to 40 CFR Part 435. Contact the Applications Review and Processing Team at 512-239-4671 with any questions about completing this report.

Applications for oil and gas extraction operations subject to 40 CFR Part 435 must use the Oil and Gas Exploration and Production Administrative Report ([TCEQ Form-20893 and 20893-inst<sup>1</sup>](#)).

#### Item 1. Application Information and Fees (Instructions, Page 26)

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

Applicant Name: Frisco Community Development Corporation

Permit No.: WQ0002964000

EPA ID No.: TX0103292

Expiration Date: June 22, 2025

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  TPDES with TLAP component

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

New

Renewal with changes  Renewal without changes

Major amendment with renewal  Major amendment without renewal

Minor amendment without renewal

Minor modification without renewal

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

For TCEQ Use Only

Segment Number \_\_\_\_\_ County \_\_\_\_\_

Expiration Date \_\_\_\_\_ Region \_\_\_\_\_

Permit Number \_\_\_\_\_

<sup>1</sup> [https://www.tceq.texas.gov/publications/search\\_forms.html](https://www.tceq.texas.gov/publications/search_forms.html)

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 <sup>2</sup>	<input type="checkbox"/> \$2,050	<input type="checkbox"/> \$2,015	<input type="checkbox"/> \$450

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:

Copy of voucher attachment: A

**Item 2. Applicant Information (Instructions, Pages 26)**

a. Customer Number, if applicant is an existing customer: CN605857168

**Note:** Locate the customer number using the [TCEQ's Central Registry Customer Search](#)<sup>3</sup>.

b. Legal name of the entity (applicant) applying for this permit: Frisco Community Development Corporation

**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.)

Prefix: Mr. Full Name (Last/First Name): Mark Borchardt

Title: Special Assistant to the City Manager Credential: N/A

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

<sup>2</sup> All facilities are designated as minors until formally classified as a major by EPA.

<sup>3</sup> <https://www15.tceq.texas.gov/crpub/index.cfm?fuseaction=cust.CustSearch>

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 27)

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.)

Prefix: Click to enter text. Full Name (Last/First 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.

### Item 4. Core Data Form (Instructions, Pages 27)

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: B

### Item 5. Application Contact Information (Instructions, Page 27)

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

Prefix: Mr. Full Name (Last/First Name): Billy King

Title: Consultant Credential: N/A

Organization Name: Frisco Community Development Corporation

Mailing Address: 6101 Frisco Square Boulevard, 5th Floor City/State/Zip: Frisco, Texas 75034

Phone No: 214.674.0197 Email: billy.king.mete@gmail.com

b.  Administrative Contact  Technical Contact

Prefix: Mr. Full Name (Last/First Name): Mark Borchardt

Title: Special Assistant to the City Manager Credential: N/A

Organization Name: Frisco Community Development Corporation

Mailing Address: 6101 Frisco Square Boulevard, 5th Floor City/State/Zip: Frisco, Texas 75034

Phone No: 972.292.5127 Email: mborchardt@friscotexas.gov

Attachment: N/A

## Item 6. Permit Contact Information (Instructions, Page 28)

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

a. Prefix: Mr. Full Name (Last/First Name): Billy King

Title: Consultant Credential: N/A

Organization Name: Frisco Community Development Corporation

Mailing Address: 6101 Frisco Square Boulevard, 5th Floor City/State/Zip: Frisco, Texas 75034

Phone No: 214.674.0197 Email: billy.king.mete@gmail.com

b. Prefix: Mr. Full Name (Last/First Name): Eduardo Salazar

Title: Compliance Official Credential: N/A

Organization Name: Frisco Community Development Corporation

Mailing Address: 7471 Old 5th Street City/State/Zip: Frisco, Texas 75034

Phone No: 469.388.2924 Email: esalazar@friscotexas.gov

Attachment: N/A

## Item 7. Billing Contact Information (Instructions, Page 28)

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.

Prefix: Mr. Full Name (Last/First Name): Mack Borchardt

Title: Special Assistant to the City Manager Credential: N/A

Organization Name: Frisco Community Development Corporation

Mailing Address: 6101 Frisco Square Boulevard, 5th Floor City/State/Zip: Frisco, Texas 75034

Phone No: 972.292.5127 Email: mborchardt@friscotexas.gov

## Item 8. DMR/MER Contact Information (Instructions, Page 28)

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.

Prefix: Mr. Full Name (Last/First Name): Billy King

Title: Consultant                      Credential: Click to enter text.  
Organization Name: Frisco Community Development Corporation  
Mailing Address: 6101 Frisco Square Boulevard, 5th Floor                      City/State/Zip: Frisco, Texas 75034  
Phone No: 214.674.0197                      Email: billy.king.mete@gmail.com

## Item 9. Notice Information (Instructions, Pages 28)

a. Individual Publishing the Notices

Prefix: Ms.    Full Name (Last/First Name): Ava Lindstrom Playle  
Title: Project Scientist II                      Credential: Click to enter text.  
Organization Name: Braun Intertec Corporation  
Mailing Address: 1124 Galveston Ave #102                      City/State/Zip: Fort Worth, Texas, 76104  
Phone No: 817.985.4920                      Email: alindstrom@braunintertec.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: alindstrom@braunintertec.com

Fax: Click to enter text.

Regular Mail (USPS)

Mailing Address: Click to enter text.

City/State/Zip Code: Click to enter text.

c. Contact in the Notice

Prefix: Mr.    Full Name (Last/First Name): Billy King  
Title: Consultant                      Credential: Click to enter text.  
Organization Name: Frisco Community Development Corporation  
Phone No: 214.674.0197                      Email: billy.king.mete@gmail.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: Frisco Public Library Location within the building: Free Publications Area, 2nd Floor

Physical Address of Building: 800 Dallas Parkway

City: Frisco                      County: Collin

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.

Call the bilingual/ESL coordinator at the nearest elementary and middle schools and obtain the following information to determine if an alternative language notice(s) is 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 (TCEQ Form 20972) and include as an attachment. Attachment: C

- 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: N/A

## Item 10. Regulated Entity and Permitted Site Information (Instructions Page 29)

- a. TCEQ issued Regulated Entity Number (RN), if available: RN100218643

**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): Frisco Community Development Corporation Site (Former Exide Technologies Facility)

- 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:

Prefix: Full Name (Last/First Name):

or Organization Name: Frisco Community Development Corporation

Mailing Address: 6101 Frisco Square Boulevard, 5th Floor  
Texas 75034

City/State/Zip: Frisco,

Phone No: 972.292.5127

Email: mborchardt@friscotexas.gov

- e. Ownership of facility:  Public  Private  Both  Federal
- f. Owner of land where treatment facility is or will be: Frisco Community Development Corporation

Prefix: Full Name (Last/First Name):

or Organization Name: Frisco Community Development Corporation

Mailing Address: 6101 Frisco Square Boulevard, 5th Floor  
Texas 75034

City/State/Zip: Frisco,

Phone No: 972.292.5127

Email: mborchardt@friscotexas.gov

**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: N/A

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

Prefix: N/A Full Name (Last/First Name): N/A

or Organization Name: N/A

Mailing Address: N/A

City/State/Zip: N/A

Phone No: N/A

Email: N/A

**Note:** If not the same as the facility owner, attach a long-term lease agreement in effect for at least six years. Attachment: N/A

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

Prefix: N/A Full Name (Last/First Name): N/A

or Organization Name: N/A

Mailing Address: N/A

City/State/Zip: N/A

Phone No: N/A

Email: N/A

**Note:** If not the same as the facility owner, attach a long-term lease agreement in effect for at least six years. Attachment: N/A

## Item 11. TD PES Discharge/TLAP Disposal Information (Instructions, Page 31)

- 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

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Labeled point(s) of discharge | <input checked="" type="checkbox"/> Highlighted discharge route(s) |
| <input type="checkbox"/> Effluent disposal site boundaries        | <input checked="" type="checkbox"/> All wastewater ponds           |
| <input type="checkbox"/> Sewage sludge disposal site              | <input type="checkbox"/> New and future construction               |

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: N/A

- 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: N/A

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

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

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

Yes  No

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

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

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

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

Yes  No or New Permit  N/A

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

- j. City nearest the disposal site: N/A

- k. County in which the disposal site is located: N/A

- l. For TLAPs, describe how effluent is/will be routed from the treatment facility to the disposal site: N/A

- m. For TLAPs, identify the nearest watercourse to the disposal site to which rainfall runoff might flow if not contained: N/A

## Item 12. Miscellaneous Information (Instructions, Page 33)

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: N/A

b. Do you owe any fees to the TCEQ?

Yes  No

If yes, provide the following information:

Account no.: N/A

Total amount due: N/A

c. Do you owe any penalties to the TCEQ?

Yes  No

If yes, provide the following information:

Enforcement order no.: N/A

Amount due: N/A

**Item 13. Signature Page (Instructions, Page 33)**

Permit No: WQ0002964000

Applicant Name: Frisco Community Development Corporation

Certification: I, Mack Borchardt, 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): Mr. Mack Borchardt

Signatory title: Special Assistant to the City Manager

Signature: *Mack Borchardt*  
(Use blue ink)

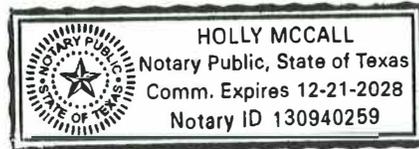
Date: 12/20/2024

Subscribed and Sworn to before me by the said Mack Borchardt  
on this 20<sup>th</sup> day of December, 20 24.

My commission expires on the 21<sup>st</sup> day of December, 20 28.

*Holly McCall*  
Notary Public

Collin County  
County, Texas



[SEAL]

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

# INDUSTRIAL WASTEWATER PERMIT APPLICATION

## ADMINISTRATIVE REPORT 1.1

The following information is required for new and amendment applications.

### Item 1. Affected Landowner Information (Instructions, Page 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/Writable 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. Original Photographs (Instructions, Page 37)**

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.](#)

# **INDUSTRIAL WASTEWATER PERMIT APPLICATION**

## **SUPPLEMENTAL PERMIT INFORMATION FORM (SPIF)**

This form applies to TPDES permit applications only. Complete and attach the Supplemental Permit information Form (SPIF) (TCEQ Form 20971).

**Attachment:** E and F

# WATER QUALITY PERMIT

## PAYMENT SUBMITTAL FORM

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

Not Applicable

- 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 38)

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.](#)

# INDUSTRIAL WASTEWATER PERMIT APPLICATION 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



# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

## INDUSTRIAL WASTEWATER PERMIT APPLICATION TECHNICAL REPORT 1.0

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, please refer to the [Instructions for Completing the Industrial Wastewater Permit Application](#)<sup>1</sup> available on the TCEQ website. Please contact the Industrial Permits Team at 512-239-4671 with any questions about this form.

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.

### Item 1. Facility/Site Information (Instructions, Page 39)

- 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 a former secondary lead smelter that recycled lead-containing materials consisting primarily of spent lead-acid batteries. The facility is conducting ongoing remediation and continues to operate active landfills.

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

See Attachment G for all wastewater generating processes at the facility

<sup>1</sup>

[https://www.tceq.texas.gov/permitting/wastewater/industrial/TPDES\\_industrial\\_wastewater\\_steps.html](https://www.tceq.texas.gov/permitting/wastewater/industrial/TPDES_industrial_wastewater_steps.html)

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

**Materials List**

Raw Materials	Intermediate Products	Final Products
N/A	N/A	N/A

**Attachment:** N/A

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

- Production areas, maintenance areas, materials-handling areas, waste-disposal areas, and water intake structures.
- The location of each unit of the WWTP including the location of wastewater collection sumps, impoundments, outfalls, and sampling points, if significantly different from outfall locations.

**Attachment:** H

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

- Yes       No

If **yes**, provide background discussion: N/A

f. Is/will the treatment facility/disposal site be located above the 100-year frequency flood level.

- Yes       No

List source(s) used to determine 100-year frequency flood plain: FEMA Flood Map

If **no**, provide the elevation of the 100-year frequency flood plain and describe what protective measures are used/proposed to prevent flooding (including tail water and rainfall run-on controls) of the treatment facility and disposal area: N/A

**Attachment:** N/A

g. For **new** or **major amendment** permit applications, will any construction operations result in a discharge of fill material into a water in the state?

- Yes       No       N/A (renewal only)

h. If **yes** to Item 1.g, has the applicant applied for a USACE CWA Chapter 404 Dredge and Fill permit?

Yes       No

If **yes**, provide the permit number: N/A

If **no**, provide an approximate date of application submittal to the USACE: N/A

## Item 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.

See Attachment I for all wastewater treatment processes at the facility.

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:** J

## Item 3. Impoundments (Instructions, Page 40)

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. Attach additional copies of the Impoundment Information table, if needed.

**Use Designation:** Indicate the use designation for each impoundment as Treatment (T), Disposal (D), Containment (C), or Evaporation (E).

**Associated Outfall Number:** Provide an outfall number if a discharge occurs or will occur.

**Liner Type:** Indicate the liner type as Compacted clay liner (C), In-situ clay liner (I), Synthetic/plastic/rubber liner (S), or Alternate liner (A). **NOTE:** See instructions for further detail on liner specifications. If an alternate liner (A) is selected, include an attachment that provides a description of the alternate liner and any additional technical information necessary for an evaluation.

**Leak Detection System:** If any leak detection systems are in place/planned, enter Y for yes. Otherwise, enter N for no.

**Groundwater Monitoring Wells and Data:** If groundwater monitoring wells are in place/planned, enter Y for yes. Otherwise, enter N for no. Attach any existing groundwater monitoring data.

**Dimensions:** Provide the dimensions, freeboard, surface area, storage capacity of the impoundments, and the maximum depth (not including freeboard). For impoundments with irregular shapes, submit surface area instead of length and width.

**Compliance with 40 CFR Part 257, Subpart D:** If the impoundment is required to be in compliance with 40 CFR Part 257, Subpart D, enter Y for yes. Otherwise, enter N for no.

**Date of Construction:** Enter the date construction of the impoundment commenced (mm/dd/yy).

**Impoundment Information**

Parameter	Pond #1	Pond #	Pond #	Pond #
Use Designation: (T) (D) (C) or (E)	T and C			
Associated Outfall Number	001			
Liner Type (C) (I) (S) or (A)	C and S			
Alt. Liner Attachment Reference	N/A			
Leak Detection System, Y/N	N			
Groundwater Monitoring Wells, Y/N	N			
Groundwater Monitoring Data Attachment	N			
Pond Bottom Located Above The Seasonal High-Water Table, Y/N	Y			
Length (ft)	400,232			
Width (ft)	434,103			
Max Depth From Water Surface (ft), Not Including Freeboard	11.5			
Freeboard (ft)	2			
Surface Area (acres)	2			
Storage Capacity (gallons)	2,460,000			
40 CFR Part 257, Subpart D, Y/N	N			
Date of Construction	1989			

**Attachment:** N/A

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**.

Not Applicable - No new or proposed impoundments on Site

1. Liner data

Yes     No     Not yet designed

2. Leak detection system or groundwater monitoring data

Yes     No     Not yet designed

3. Groundwater impacts

Yes     No     Not yet designed

**NOTE:** Item b.3 is required if the bottom of the pond is not above the seasonal high-water table in the shallowest water-bearing zone.

**Attachment:** N/A

**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 ½-mile of the impoundments.

**Attachment:** N/A

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:** N/A

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:** N/A

## Item 4. Outfall/Disposal Method Information (Instructions, Page 42)

Complete the following tables to describe the location and wastewater discharge or disposal operations for each outfall for discharge, 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 Longitude and Latitude**

Outfall No.	Latitude (Decimal Degrees)	Longitude (Decimal Degrees)
001	33.141389	-96.831111

**Outfall Location Description**

Outfall No.	Location Description
001	Discharge pipe on the south bank of Stewart Creek

**Description of Sampling Point(s) (if different from Outfall location)**

Outfall No.	Description of sampling point
001	Discharge Pipe

**Outfall Flow Information - Permitted and Proposed**

Outfall No.	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	0.385	Report	0.385	Report	Continuous

**Outfall Discharge - Method and Measurement**

Outfall No.	Pumped Discharge? Y/N	Gravity Discharge? Y/N	Type of Flow Measurement Device Used
001	Y	N	Flume

**Outfall Discharge - Flow Characteristics**

Outfall No.	Intermittent Discharge? Y/N	Continuous Discharge? Y/N	Seasonal Discharge? Y/N	Discharge Duration (hrs/day)	Discharge Duration (days/mo)	Discharge Duration (mo/yr)
001	Y	N	N	24	15	12

**Outfall Wastestream Contributions**

**Outfall No. 001**

<b>Contributing Wastestream</b>	<b>Volume (MGD)</b>	<b>Percent (%) of Total Flow</b>
Stormwater	.36	93.5
Landfill/CAMU Stormwater (RCA)	.02	5.2
Containment Stormwater	.005	1.3

**Outfall No. N/A**

<b>Contributing Wastestream</b>	<b>Volume (MGD)</b>	<b>Percent (%) of Total Flow</b>

**Outfall No. N/A**

<b>Contributing Wastestream</b>	<b>Volume (MGD)</b>	<b>Percent (%) of Total Flow</b>

**Attachment: N/A**

## Item 5. Blowdown and Once-Through Cooling Water Discharges (Instructions, Page 43)

a. Indicate if the facility currently or proposes to:

- Yes  No      Use cooling towers that discharge blowdown or other wastestreams
- Yes  No      Use boilers that discharge blowdown or other wastestreams
- Yes  No      Discharge once-through cooling water

**NOTE:** If the facility uses or plans to use cooling towers or once-through cooling water, Item 12 is required.

b. If **yes** to any of the above, attach an 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.

In addition to each SDS, attach a summary of the above information for each specific wastestream and the associated chemical additives. Specify which outfalls are affected.

**Attachment:** N/A

c. Cooling Towers and Boilers

If the facility currently or proposes to use cooling towers or boilers that discharge blowdown or other wastestreams to the outfall(s), complete the following table.

### Cooling Towers and Boilers

Type of Unit	Number of Units	Daily Avg Blowdown (gallons/day)	Daily Max Blowdown (gallons/day)
Cooling Towers	N/A	N/A	N/A
Boilers	N/A	N/A	N/A

## Item 6. Stormwater Management (Instructions, Page 44)

Will any existing/proposed outfalls 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 a manner which may result in exposure of the activities or materials to stormwater: N/A

## Item 7. Domestic Sewage, Sewage Sludge, and Septage Management and Disposal (Instructions, Page 44)

**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: [Click to enter text.](#)
- 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.
NTMWD - Stewart Creek West Plant	TCEQ 10172-001

## Item 8. Improvements or Compliance/Enforcement Requirements (Instructions, Page 45)

- a. Is the permittee currently required to meet any implementation schedule for compliance or enforcement?
- Yes  No
- b. Has the permittee completed or planned for any improvements or construction projects?
- Yes  No
- c. If **yes** to either 8.a or 8.b, provide a brief summary of the requirements and a status update: N/A

## Item 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: 48-hour acute survival test for *Daphnia pulex* and *Pimephales promelas* which is done quarterly and the 24-hour acute biomonitoring for *Daphnia pulex* and *Pimephales promelas* which is done semi-annually.

Additionally, attach a copy of all tests performed which **have not** been submitted to the TCEQ or EPA. **Attachment:** Not Applicable – All test has been submitted to TCEQ through CDX website for NetDMR reporting

## Item 10. Off-Site/Third Party Wastes (Instructions, Page 45)

a. Does or will the facility receive wastes from off-site sources for treatment at the facility, disposal on-site via land application, or discharge via a permitted outfall?

Yes  No

If **yes**, provide responses to Items 10.b through 10.d below.

If **no**, proceed to Item 11.

b. Attach the following information to the application:

- List of wastes received (including volumes, characterization, and capability with on-site wastes).
- Identify the sources of wastes received (including the legal name and addresses of the generators).
- Description of the relationship of waste source(s) with the facility's activities.

**Attachment:** N/A

c. Is or will wastewater from another TCEQ, NPDES, or TPDES permitted facility commingled with this facility's wastewater after final treatment and prior to discharge via the final outfall/point of disposal?

Yes  No

If **yes**, provide the name, address, and TCEQ, NPDES, or TPDES permit number of the contributing facility and a copy of any agreements or contracts relating to this activity.

**Attachment:** N/A

d. Is this facility a POTW that accepts/will accept process wastewater from any SIU and has/is required to have an approved pretreatment program under the NPDES/TPDES program?

Yes  No

If **yes**, **Worksheet 6.0** of this application **is required**.

## Item 11. Radioactive Materials (Instructions, Page 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 Name	Concentration (pCi/L)
N/A	N/A

- 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 Name	Concentration (pCi/L)
N/A	N/A

**Item 12. Cooling Water (Instructions, Page 46)**

- 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

1. 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)**

<b>CWIS ID</b>				
<b>Owner</b>				
<b>Operator</b>				

2. 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. Click to enter text.](#)

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

4. Cooling water is/will be obtained from an Independent Supplier

Yes  No

If **no**, proceed to Item 12.d. If **yes**, provide the actual intake flow of the Independent Supplier's CWIS that is/will be used to provide water for cooling purposes and proceed: [Click to enter text.](#)

d. 316(b) General Criteria

1. 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

2. 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

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

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 11.0, Items 1.a, 1.b.1-3 and 6, 2.b.1, and 3.a to allow for a determination based upon BPJ.

f. Oil and Gas Exploration and Production

1. 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.

2. 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 11.0, Items 1.a, 1.b.1-3 and 6, 2.b.1, and 3.a to allow for a determination based upon BPJ. If **no**, skip to Item 12.g.3.

g. Compliance Phase and Track Selection

1. Phase I - New facility subject to 40 CFR Part 125, Subpart I

- Yes     No

If **yes**, check the box next to the compliance track selection, attach the requested information, and complete Worksheet 11.0, Items 2 and 3, and Worksheet 11.2.

- Track I - AIF greater than 2 MGD, but less than 10 MGD
  - Attach information required by *40 CFR §§ 125.86(b)(2)-(4)*.
- Track I - AIF greater than 10 MGD
  - Attach information required by *40 CFR § 125.86(b)*.
- Track II
  - Attach information required by *40 CFR § 125.86(c)*.

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

2. 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.

3. Phase III - New facility subject to 40 CFR Part 125, Subpart N

- Yes     No

If **yes**, check the box next to the 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 CWIS latitude/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.](#)

## Item 13. Permit Change Requests (Instructions, Page 48)

This item is only applicable to existing permitted facilities.

a. Is the facility requesting a **major amendment** of an existing permit?

Yes       No

If **yes**, list each request individually and provide the following information: 1) detailed information regarding the scope of each request and 2) a justification for each request. Attach any supplemental information or additional data to support each request.

N/A

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

Yes       No

If **yes**, list and describe each change individually.

N/A

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

Yes       No

If **yes**, list and describe each change individually.

N/A

## Item 14. Laboratory Accreditation (Instructions, Page 49)

All laboratory tests performed must meet the requirements of *30 TAC Chapter 25, Environmental Testing Laboratory Accreditation and Certification*, which includes the following general exemptions from National Environmental Laboratory Accreditation Program (NELAP) certification requirements:

- The laboratory is an in-house laboratory and is:
  - periodically inspected by the TCEQ; or
  - located in another state and is accredited or inspected by that state; or
  - performing work for another company with a unit located in the same site; or
  - performing pro bono work for a governmental agency or charitable organization.
- The laboratory is accredited under federal law.
- The data are needed for emergency-response activities, and a laboratory accredited under the Texas Laboratory Accreditation Program is not available.
- The laboratory supplies data for which the TCEQ does not offer accreditation.

The applicant should review *30 TAC Chapter 25* for specific requirements.

The following certification statement shall be signed and submitted with every application. See the *Signature Page* section in the Instructions, for a list of designated representatives who may sign the certification.

### CERTIFICATION:

I certify that all laboratory tests submitted with this application meet the requirements of *30 TAC Chapter 25, Environmental Testing Laboratory Accreditation and Certification*.

Printed Name: Mr. Mack Borchardt

Title: Special Assistant to the City Manager

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

  
Date: 12/20/24

# INDUSTRIAL WASTEWATER PERMIT APPLICATION WORKSHEET 4.0: RECEIVING WATERS

This worksheet is required for all TPDES permit applications.

## Item 1. Domestic Drinking Water Supply (Instructions, Page 80)

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:

1. The legal name of the owner of the drinking water supply intake: [Click to enter text.](#)
2. The distance and direction from the outfall to the drinking water supply intake: [Click to enter text.](#)

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.

## Item 2. Discharge Into Tidally Influenced Waters (Instructions, Page 80)

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

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: [Click to enter text.](#)

Not Applicable -  
Facility does not  
discharge into  
tidally influenced  
waters

## Item 3. Classified Segment (Instructions, Page 80)

The discharge is/will be directly into (or within 300 feet of) a classified segment.

Yes     No

If **yes**, stop here and do not 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.

## Item 4. Description of Immediate Receiving Waters (Instructions, Page 80)

- a. Name of the immediate receiving waters: Stewart Creek
- b. Check the appropriate description of the immediate receiving waters:
- Lake or Pond
    - Surface area (acres): Click to enter text.
    - Average depth of the entire water body (feet): Click to enter text.
    - Average depth of water body within a 500-foot radius of the discharge point (feet): Click to enter text.
  - Man-Made Channel or Ditch
  - Stream or Creek
  - Freshwater Swamp or Marsh
  - Tidal Stream, Bayou, or Marsh
  - Open Bay
  - Other, specify:

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: TCEQ Determination

- d. List the names of all perennial streams that join the receiving water within three miles downstream of the discharge point: Stewart Creek
- e. The receiving water characteristics change within three miles downstream of the discharge (e.g., natural or man-made dams, ponds, reservoirs, etc.).
- Yes
  - No

If **yes**, describe how: N/A

- f. General observations of the water body during normal dry weather conditions: During normal dry weather conditions, Stewart Creek is gradually flowing. Stewart Creek has general characteristics of a typical stream.

Date and time of observation: September 9th, 2024, at 1:00pm

- g. The water body was influenced by stormwater runoff during observations.

Yes     No

If **yes**, describe how: Stormwater is discharged from the facility to Stewart Creek during dry weather conditions. During discharge, the creek flow is higher due to the increased volume of water.

## Item 5. General Characteristics of Water Body (Instructions, Page 81)

- 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 checked="" type="checkbox"/> urban runoff
<input checked="" type="checkbox"/> agricultural runoff	<input type="checkbox"/> septic tanks
<input type="checkbox"/> upstream discharges	<input type="checkbox"/> other, specify: <u>Click to enter text.</u>

- b. Uses of water body observed or evidence of such uses (check all that apply):

<input type="checkbox"/> livestock watering	<input type="checkbox"/> industrial water supply
<input type="checkbox"/> non-contact recreation	<input type="checkbox"/> irrigation withdrawal
<input type="checkbox"/> domestic water supply	<input type="checkbox"/> navigation
<input type="checkbox"/> contact recreation	<input type="checkbox"/> picnic/park activities
<input type="checkbox"/> fishing	<input checked="" type="checkbox"/> other, specify: <u>Runoff</u>

- 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

# INDUSTRIAL WASTEWATER PERMIT APPLICATION WORKSHEET 7.0: STORMWATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITIES

This worksheet **is required** for all TPDES permit applications requesting individual permit coverage for discharges consisting of **either**: 1) solely of stormwater discharges associated with industrial activities, as defined in *40 CFR § 122.26(b)(14)(i-xi)*, **or** 2) stormwater discharges associated with industrial activities and any of the listed allowable non-stormwater discharges, as defined in the MSGP (TXR05000), Part II, Section A, Item 6.

Discharges of stormwater as defined in *40 CFR § 122.26 (b)(13)* are not required to obtain authorization under a TPDES permit (see exceptions at *40 CFR §§ 122.26(a)(1)* and *(9)*). Authorization for discharge may be required from a local municipal separate storm sewer system.

## Item 1. Applicability (Instructions, Page 89)

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.

## Item 2. Stormwater Coverage (Instructions, Page 89)

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	Authorization under MSGP	Authorized Under Individual Permit
001	<input type="checkbox"/>	<input checked="" type="checkbox"/>
GP-2, 3, 4, 7	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>

If **all** existing/proposed outfalls which discharge stormwater associated with industrial activities (and any of the allowable non-stormwater discharges) are **authorized under the MSGP**, **stop** here.

If **seeking authorization** for any outfalls which discharge stormwater associated with industrial activities (and any of the allowable non-stormwater discharges) **under an individual permit**, **proceed**.

**NOTE: The following information is required for each existing/proposed stormwater outfall for which the facility is seeking individual permit authorization under this application**

**Item 3. Site Map (Instructions, Page 90)**

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 above information was provided on the facility site map(s).

**Attachment:** K

**Item 4. Facility/Site Information (Instructions, Page 90)**

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**

<b>Outfall</b>	<b>Area of Impervious Surface (include units)</b>	<b>Total Area Drained (include units)</b>
001	13 acres	13 acres

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

Wettest month: May

Average rainfall for wettest month (total inches): 3.4 inches

25-year, 24-hour rainfall (inches): 7.25

Source: NOAA and waterdatafortexas.org

- c. Attach an inventory, or list, of materials currently handled at the facility that may be exposed to precipitation. **Attachment: Not Applicable - The facility is no longer in operation. As such, no materials are managed to support industrial processes. Currently, only materials associated with remediation and wastewater treatment are managed.**
- 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: Not Applicable - The facility is no longer in operation. As such, no materials are managed to support industrial processes. Currently, only materials associated with remediation and wastewater treatment are managed.**
- e. Describe any BMPs and controls the facility uses/proposes to prevent or effectively reduce pollution in stormwater discharges from the facility: Facility operations have been discontinued, process-related structures demolished, and remaining foundations pressure-washed to minimize pollutants.

## Item 5. Pollutant Analysis (Instructions, Page 91)

- 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): 11/08/2024
- 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 1 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)	7.3	—	7.0	—	2	—
Total suspended solids	2.5		2.5		1	—
Chemical oxygen demand	24.2		24.2		1	—
Total organic carbon	5.93		5.93		1	—
Oil and grease	ND		ND		1	—
Arsenic, total	0.005		0.005		1	0.0005
Barium, total	0.037		0.037		1	0.003
Cadmium, total	0.0013		0.0013		1	0.001
Chromium, total	ND		ND		1	0.003



\* Taken during first 30 minutes of storm event

\*\* Flow-weighted composite sample

Attachment: L

## Item 6. Storm Event Data (Instructions, Page 93)

Provide the following data for the storm event(s) which resulted in the maximum values for the analytical data submitted:

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

Not Applicable

Duration of storm event (minutes): [Click to enter text.](#)

Total rainfall during storm event (inches): [Click to enter text.](#)

Number of hours the between beginning of the storm measured and the end of the previous measurable storm event (hours): [Click to enter text.](#)

Maximum flow rate during rain event (gallons/minute): [Click to enter text.](#)

Total stormwater flow from rain event (gallons): [Click to enter text.](#)

Provide a description of the method of flow measurement or estimate:



## **Attachment A**

### **TPDES Application Fee 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:** 582EA000640396  
**Date:** 12/20/2024 12:24 PM  
**Payment Method:** CC - Authorization 0000043805  
**ePay Actor:** AVA PLAYLE  
**Actor Email:** alindstrom@braunintertec.com  
**IP:** 67.72.6.10  
**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:** AVA PLAYLE  
**Company:** BRAUN INTERTEC  
**Address:** 1124 GALVESTON AVENUE STE 102, FORT WORTH, TX 76104  
**Phone:** 214-298-4791

**Cart Items**

Click on the voucher number to see the voucher details.

Voucher	Fee Description	AR Number	Amount
<a href="#">737495</a>	WW PERMIT - MINOR FACILITY NOT SUBJECT TO 40 CFR 400-471 - RENEWAL		\$300.00
<a href="#">737496</a>	30 TAC 305.53B WQ RENEWAL NOTIFICATION FEE		\$15.00
<b>TCEQ Amount:</b>			<b>\$315.00</b>

[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**



# TCEQ Core Data Form

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

## A.1. SECTION I: General Information

<b>1. Reason for Submission</b> (If other is checked please describe in space provided.)		
<input type="checkbox"/> New Permit, Registration or Authorization (Core Data Form should be submitted with the program application.)		
<input checked="" type="checkbox"/> Renewal (Core Data Form should be submitted with the renewal form)	<input type="checkbox"/> Other	
<b>2. Customer Reference Number</b> (if issued)	<a href="#">Follow this link to search for CN or RN numbers in Central Registry**</a>	<b>3. Regulated Entity Reference Number</b> (if issued)
CN 605857168		RN 100218643

## A.2. SECTION II: Customer Information

<b>4. General Customer Information</b>		<b>5. Effective Date for Customer Information Updates</b> (mm/dd/yyyy)	
<input type="checkbox"/> New Customer		<input type="checkbox"/> Update to Customer Information	
<input type="checkbox"/> Change in Legal Name (Verifiable with the Texas Secretary of State or Texas Comptroller of Public Accounts)		<input type="checkbox"/> Change in Regulated Entity Ownership	
<i>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).</i>			
<b>6. Customer Legal Name</b> (If an individual, print last name first: eg: Doe, John)		<i>If new Customer, enter previous Customer below:</i>	
Frisco Community Development Corporation			
<b>7. TX SOS/CPA Filing Number</b>	<b>8. TX State Tax ID</b> (11 digits)	<b>9. Federal Tax ID</b> (9 digits)	<b>10. DUNS Number</b> (if applicable)
00026210-06	12305527306	230552730	038009866
<b>11. Type of Customer:</b>	<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"/> Local <input type="checkbox"/> State <input type="checkbox"/> Other	<input type="checkbox"/> Sole Proprietorship		<input type="checkbox"/> Other:
<b>12. Number of Employees</b>		<b>13. Independently Owned and Operated?</b>	
<input checked="" type="checkbox"/> 0-20 <input type="checkbox"/> 21-100 <input type="checkbox"/> 101-250 <input type="checkbox"/> 251-500 <input type="checkbox"/> 501 and higher		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<b>14. Customer Role</b> (Proposed or Actual) – as it relates to the Regulated Entity listed on this form. Please check one of the following			
<input type="checkbox"/> Owner <input type="checkbox"/> Operator <input checked="" type="checkbox"/> Owner & Operator <input type="checkbox"/> Other:			
<input type="checkbox"/> Occupational Licensee <input type="checkbox"/> Responsible Party <input type="checkbox"/> VCP/BSA Applicant			
<b>15. Mailing Address:</b>	6101 Frisco Square Boulevard, 5th Floor		
	City	TX	ZIP
	Frisco	75034	ZIP + 4
<b>16. Country Mailing Information</b> (if outside USA)		<b>17. E-Mail Address</b> (if applicable)	
		mborchardt@friscotexas.gov	
<b>18. Telephone Number</b>	<b>19. Extension or Code</b>	<b>20. Fax Number</b> (if applicable)	
( 972 ) 292-5127		( ) -	

## A.3. SECTION III: Regulated Entity Information

<b>21. General Regulated Entity Information</b> (If "New Regulated Entity" is selected, a new permit application is also required.)
<input type="checkbox"/> New Regulated Entity <input type="checkbox"/> Update to Regulated Entity Name <input checked="" type="checkbox"/> Update to Regulated Entity Information
<i>The Regulated Entity Name submitted may be updated, in order to meet TCEQ Core Data Standards (removal of organizational endings such as Inc, LP, or LLC).</i>
<b>22. Regulated Entity Name</b> (Enter name of the site where the regulated action is taking place.)

Frisco Community Development Site							
<b>23. Street Address of the Regulated Entity:</b> <i>(No PO Boxes)</i>	7471 Old Fifth Street						
	<b>City</b>	Frisco	<b>State</b>	TX	<b>ZIP</b>	75034	<b>ZIP + 4</b>
<b>24. County</b>	Collin						

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

<b>25. Description to Physical Location:</b>							
<b>26. Nearest City</b>	<b>State</b>				<b>Nearest ZIP Code</b>		
<i>Latitude/Longitude are required and may be added/updated to meet TCEQ Core Data Standards. (Geocoding of the Physical Address may be used to supply coordinates where none have been provided or to gain accuracy).</i>							
<b>27. Latitude (N) In Decimal:</b>				<b>28. Longitude (W) In Decimal:</b>			
Degrees	Minutes	Seconds	Degrees	Minutes	Seconds		
<b>29. Primary SIC Code</b> (4 digits)	<b>30. Secondary SIC Code</b> (4 digits)	<b>31. Primary NAICS Code</b> (5 or 6 digits)	<b>32. Secondary NAICS Code</b> (5 or 6 digits)				
9199	4953	921190	562219				
<b>33. What is the Primary Business of this entity?</b> <i>(Do not repeat the SIC or NAICS description.)</i>							
Community Development, Landfills							
<b>34. Mailing Address:</b>	6101 Frisco Square Boulevard, 5th Floor						
	<b>City</b>	Frisco	<b>State</b>	TX	<b>ZIP</b>	75034	<b>ZIP + 4</b>
<b>35. E-Mail Address:</b>	mborchardt@friscotexas.gov						
<b>36. Telephone Number</b>	<b>37. Extension or Code</b>		<b>38. Fax Number</b> <i>(if applicable)</i>				
( 972 ) 292-5127			( ) -				

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

<input type="checkbox"/> Dam Safety	<input type="checkbox"/> Districts	<input type="checkbox"/> Edwards Aquifer	<input type="checkbox"/> Emissions Inventory Air	<input type="checkbox"/> Industrial Hazardous Waste
<input type="checkbox"/> Municipal Solid Waste	<input type="checkbox"/> New Source Review Air	<input type="checkbox"/> OSSF	<input type="checkbox"/> Petroleum Storage Tank	<input type="checkbox"/> PWS
<input type="checkbox"/> Sludge	<input checked="" type="checkbox"/> Storm Water	<input type="checkbox"/> Title V Air	<input type="checkbox"/> Tires	<input type="checkbox"/> Used Oil
<input type="checkbox"/> Voluntary Cleanup	<input type="checkbox"/> Wastewater	<input type="checkbox"/> Wastewater Agriculture	<input type="checkbox"/> Water Rights	<input type="checkbox"/> Other:
	WQ0002964000			

#### **A.4. SECTION IV: Preparer Information**

<b>40. Name:</b>	Ava Lindstrom Playle	<b>41. Title:</b>	Project Scientist II
<b>42. Telephone Number</b>	<b>43. Ext./Code</b>	<b>44. Fax Number</b>	<b>45. E-Mail Address</b>
( 817 ) 985-4920		( ) -	alindstrom@braunintertec.com

#### **A.5. 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.

<b>Company:</b>	Frisco Community Development Corporation	<b>Job Title:</b>	Special Assistant to the City Manager
-----------------	--	-------------------	---------------------------------------

<b>Name (In Print):</b>	Mack Borchart	<b>Phone:</b>	( 972 ) 292- 5127
<b>Signature:</b>		<b>Date:</b>	

**Attachment C**  
**Plain Language Summary**



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

# PLAIN LANGUAGE SUMMARY FOR TPDES OR TLAP PERMIT APPLICATIONS

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

Applicants should use this template to develop a plain language summary as required by [Title 30, Texas Administrative Code \(30 TAC\), Chapter 39, Subchapter H](#). Applicants 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 TAC Section 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** **Enter 'INDUSTRIAL' or 'DOMESTIC' here 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 TAC Chapter 39. The information provided in this summary may change during the technical review of the application and is not a federal enforceable representation of the permit application.*

Frisco Community Development Corporation (CN605857168) operates Frisco Community Development Site (RN100218643), a facility historically used for lead-acid battery recycling, secondary lead smelting, and production of lead, lead alloys, and lead oxide. Currently, the only operations being performed at the site are stormwater management, management of wastewater from other sources, treatment of stormwater from the former production area at the stormwater treatment facility, environmental assessment and remediations, landfill lining and covering, and property maintenance. The facility is located at 7471 Old Fifth Street, in Frisco, Collin County, Texas 75034. This application for renewal requests authorization of the same stormwater sources as those which are authorized under the current TPDES permit.

Discharges from the facility are expected to contain treated stormwater runoff associated with industrial activities. Stormwater from Former Production Area, Corrective Action Management Unit Remediation Consolidation Area and containment stormwater is treated by

pressure filtration, chemical precipitation and Ph adjustment before it to discharged through Outfall 001 to Stewart Creek.

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

### AGUAS RESIDUALES Introduzca 'INDUSTRIALES' o 'DOMÉSTICAS' aquí /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 es una representación ejecutiva fedérale de la solicitud de permiso.*

Frisco Community Development Corporation (CN605857168) opera la Frisco Community Development Site (RN100218643), una instalación que históricamente se ha utilizado para el reciclaje de baterías de plomo-ácido, la fundición secundaria de plomo y la producción de plomo, aleaciones de plomo y óxido de plomo. Actualmente, las únicas operaciones que se llevan a cabo en el sitio son la gestión de aguas pluviales, la gestión de aguas residuales de otras fuentes, el tratamiento de aguas pluviales de la antigua zona de producción en la instalación de tratamiento de aguas pluviales, la evaluación y remediación ambiental, el revestimiento y la cubierta de vertederos y el mantenimiento de la propiedad.. La instalación está ubicada en 7471 Old 5<sup>th</sup> Street, en Frisco, Condado de Collin, Texas 75034. Esta solicitud de renovación solicita la autorización de las mismas fuentes de aguas pluviales que las que están autorizadas bajo el permiso TPDES actual.

Se espera que las descargas de la instalación contengan escorrentías de aguas pluviales tratadas asociadas con actividades industriales. Aguas pluviales del antiguo área de producción, Unidad de gestión de acciones correctivas, Área de consolidación de remediación y contención de aguas pluviales, Unidad de Gestión de Acciones Correctivas Área de Consolidación de Remediación y aguas pluviales de las áreas de contención. están tratado por filtración a presión, precipitación química y ajuste de pH antes de su descarga a través del emisario 001 hacia Stewart Creek.

## INSTRUCTIONS

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

Questions or comments concerning this form may be directed to the Water Quality Division's Application Review and Processing Team by email at [WQ-ARPTeam@tceq.texas.gov](mailto:WQ-ARPTeam@tceq.texas.gov) or by phone at (512) 239-4671.

## 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 TAC 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 (CN600000000) operates the Starr Power Station (RN10000000000), 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.

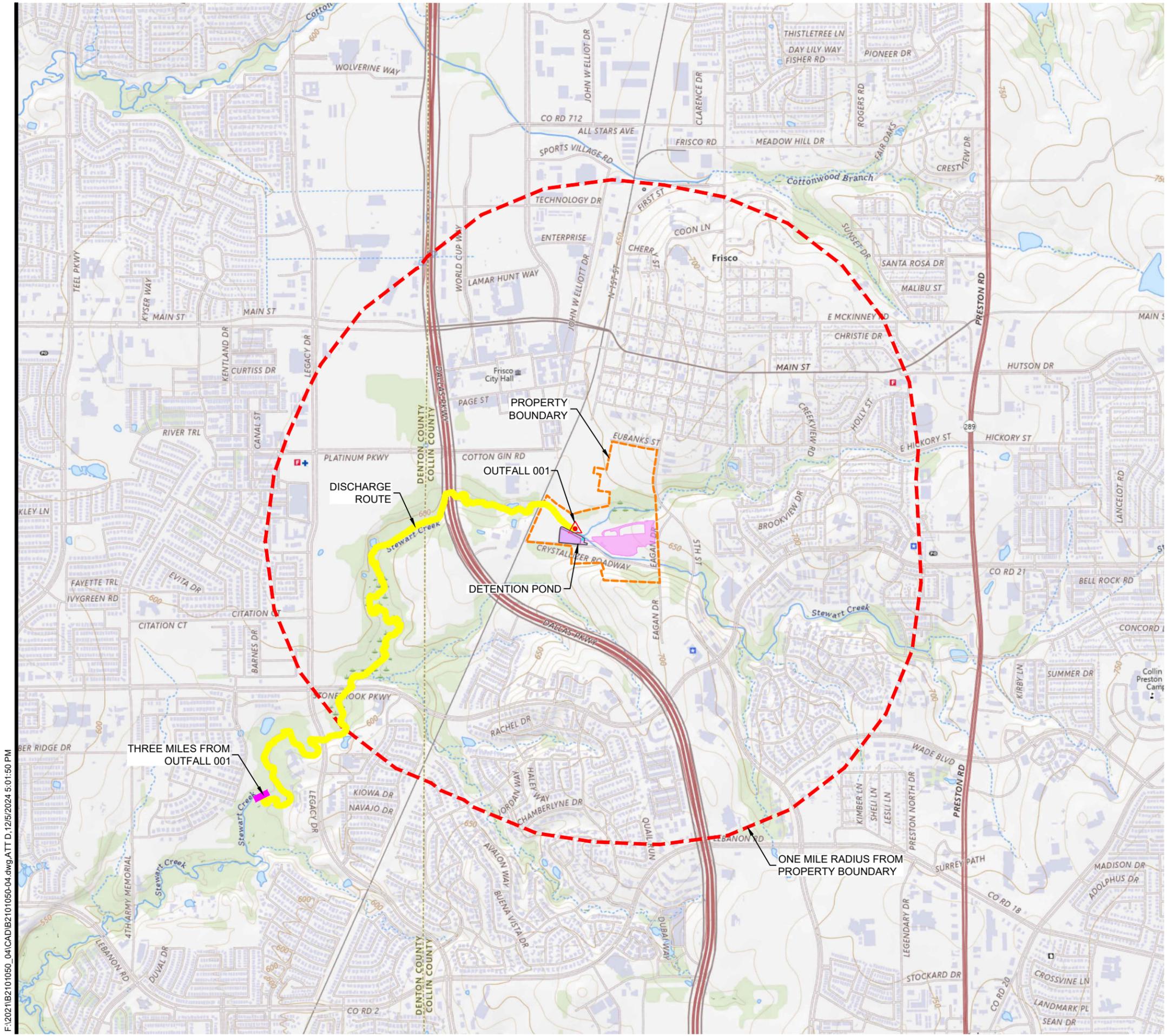
This application is for a renewal to discharge 870,000,000 gallons per day of once through cooling water, auxiliary cooling water, and also authorizes the following waste streams monitored inside the facility (internal outfalls) before it is mixed with the other wastewaters authorized for discharge via main Outfall 001, referred to 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 (CN600000000, 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.

**Attachment D**  
**USGS Topo Map**



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Drawing Information	
Project No:	B2101050.04
Drawing No:	B2101050-04
Drawn By:	BJB
Date Drawn:	9/12/24
Checked By:	EE
Last Modified:	9/13/24

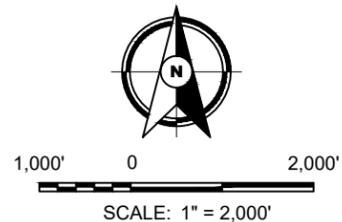
Project Information  
Frisco Community  
Development  
Corporation

7471 Old Fifth Street

Frisco, Texas

**USGS  
Topographic Map**

- PROPERTY BOUNDARY
- ONE MILE RADIUS
- DISCHARGE ROUTE
- ▲ OUTFALL LOCATION
- TREATMENT FACILITY
- AREA COVERED BY TPD PERMIT



**Attachment E**  
**Supplemental Permit Information Form**

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

**FOR AGENCIES REVIEWING DOMESTIC OR INDUSTRIAL  
TPDES WASTEWATER PERMIT APPLICATIONS**

**TCEQ USE ONLY:**

Application type:  Renewal  Major Amendment  Minor Amendment  New

County: \_\_\_\_\_ Segment Number: \_\_\_\_\_

Admin Complete Date: \_\_\_\_\_

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 53)

Complete this form as a separate document. TCEQ will mail a copy to each agency as required by our agreement with EPA. If any of the items are not completely addressed or further information is needed, we will contact you to provide the information before issuing the permit. Address each item completely.

**Do not refer to your response to any item in the permit application form.** Provide each attachment for this form separately from the Administrative Report of the application. The application will not be declared administratively complete without this SPIF form being completed in its entirety including all attachments. Questions or comments concerning this form may be directed to the Water Quality Division's Application Review and Processing Team by email at [WQ-ARPTeam@tceq.texas.gov](mailto:WQ-ARPTeam@tceq.texas.gov) or by phone at (512) 239-4671.

The following applies to all applications:

1. Permittee: Frisco Community Development Corporation

Permit No. WQ00 02964000

EPA ID No. TX 0103292

Address of the project (or a location description that includes street/highway, city/vicinity, and county):

7471 Old Fifth Street, Frisco, Collin, Texas 75034

Provide the name, address, phone and fax number of an individual that can be contacted to answer specific questions about the property.

Prefix (Mr., Ms., Miss): Mr.

First and Last Name: Billy King

Credential (P.E, P.G., Ph.D., etc.): N/A

Title: Consultant

Mailing Address: 6101 Frisco Square Boulevard, 5th Floor

City, State, Zip Code: Frisco, Texas 75034

Phone No.: 214.674.0197 Ext.: N/A Fax No.: N/A

E-mail Address: billy.king.mete@gmail.com

2. List the county in which the facility is located: Collin
3. If the property is publicly owned and the owner is different than the permittee/applicant, please list the owner of the property.

N/A

4. 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.

Discharge pipe on the south bank of Stewart Creek which flows into Lewisville Lake (Segment No. 0823)

5. 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 F**

Provide original photographs of any structures 50 years or older on the property.

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

1. List proposed construction impact (surface acres to be impacted, depth of excavation, sealing of caves, or other karst features):

N/A

2. Describe existing disturbances, vegetation, and land use:

Land was formerly used for industrial operations

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

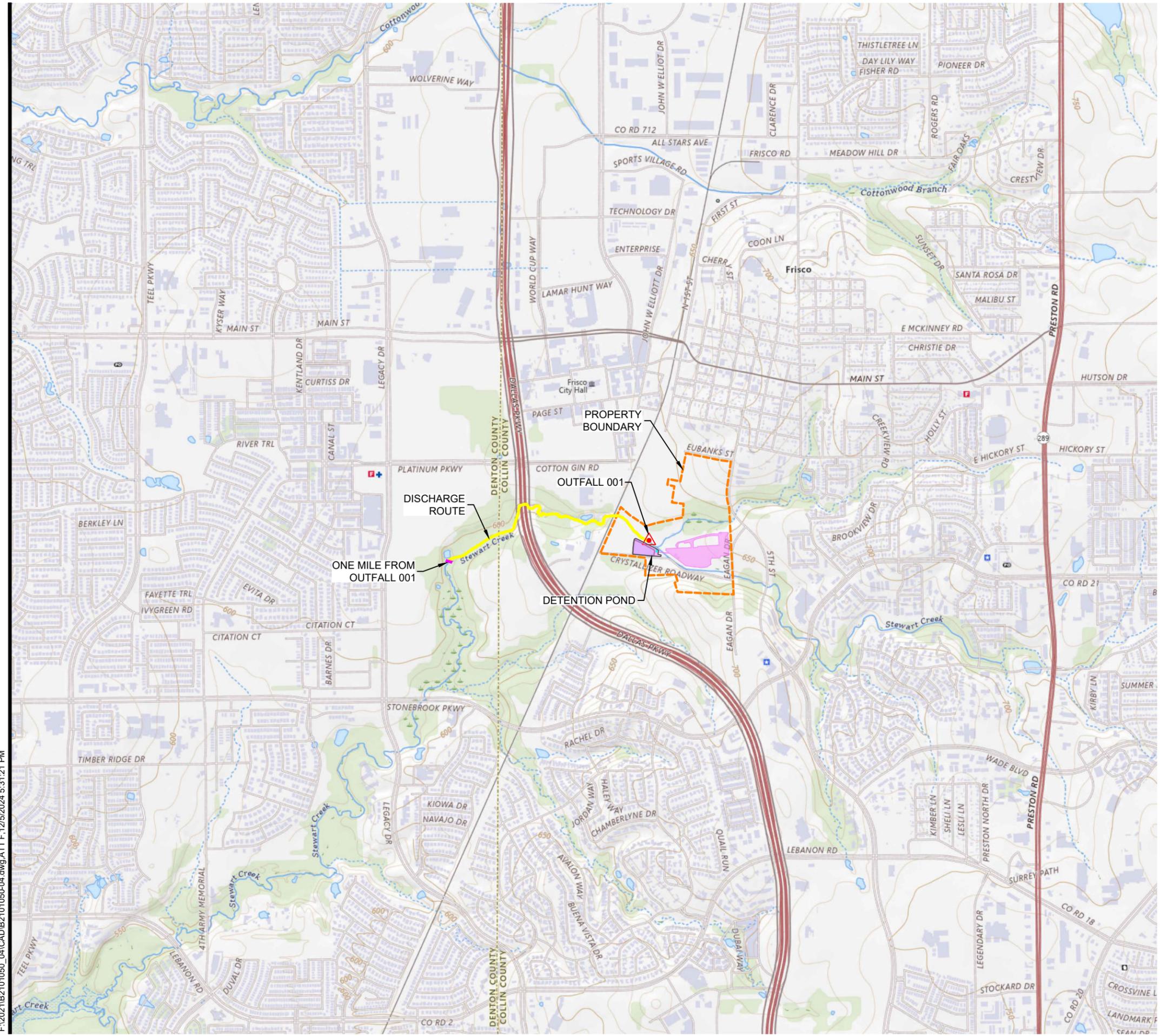
3. List construction dates of all buildings and structures on the property:

Post 1964

4. Provide a brief history of the property, and name of the architect/builder, if known.

Former Exide Facility

**Attachment F**  
**7.5-Minute USGS Quadrangle Map**



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Drawing Information

Project No:	B2101050.04
Drawing No:	B2101050-04
Drawn By:	BJB
Date Drawn:	9/12/24
Checked By:	EE
Last Modified:	9/13/24

Project Information

Frisco Community Development Corporation

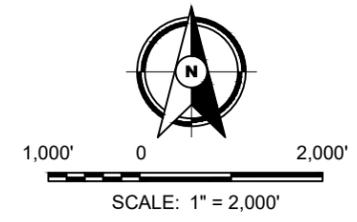
7471 Old Fifth Street

Frisco, Texas

**SPIF Map**

Attachment F

- PROPERTY BOUNDARY
- DISCHARGE ROUTE
- ▲ OUTFALL LOCATION
- TREATMENT FACILITY
- AREA COVERED BY TPDES PERMIT



## **Attachment G**

### **Facility Description and Wastewater Generating Process**

# Attachment G

## Facility Description and Wastewater Generating Process

### Facility Description and Wastewater Generating Process

The Frisco Community Development Corporation (FCDC) former Exide Technologies facility located in Frisco, Texas was historically used for lead-acid battery recycling, secondary lead smelting, and production of lead, lead alloys, and lead oxide. Previously, the following activities were conducted to support production:

- Battery storage;
- Battery breaking;
- Blast furnace operation;
- Lead oxide production;
- Maintenance related to production operations;
- Reverberatory furnace operation;
- Raw material storage; and
- Slag treatment.

All of the above operations have been discontinued. In addition, all surface features associated with these operations (except for stormwater treatment) have been demolished and removed from the facility and only concrete foundation slabs and associated sub-grade structures remain. The chemicals previously stored at the facility to support the discontinued operations have been removed from the facility. Further, extensive pressure washing of remaining concrete structures has been performed.

The current TPDES permit authorizes discharge of treated stormwater runoff associated with industrial activities. This application for renewal requests authorization of the same stormwater sources as those which are authorized under the current TPDES permit.

Historically, process wastewater was pretreated in the production area wastewater treatment facility to neutralize the pH and remove metals, resulting in an effluent high in salt content. The high-salt content water was then routed to a “crystallizer” unit for further removal of the salt. The effluent in the form of crystallizer condensate was recycled back to the facility and/or discharged to the collection system of North Texas Municipal Water District (NTMWD). Since ceasing operations of the facility, the sources of wastewater with the highest contaminant concentrations have been eliminated.

Currently, the only operations being performed at the site are as follows:

- Stormwater management;
- Management of wastewater from other sources (for disposal to local POTW);

## **Attachment G**

### **Facility Description and Wastewater Generating Process**

- Treatment of stormwater from the former production area at the stormwater treatment facility;
- Management and disposal of landfill leachate for offsite disposal;
- Environmental assessment and remediation in accordance with Hazardous Waste Permit No. 50206;
- Landfill lining, covering, and capping; and
- Property maintenance.

A revised facility layout drawing showing operations that have been terminated (i.e., demolished and removed from the site) is provided as Figure 1B. Demolished areas include former chemical storage areas, battery processing areas, and wastewater treatment areas. Prior to demolition activities, stormwater from the roofs of the buildings flowed down eaves/gutters, discharged to the concrete/pavement surrounding the buildings, and flowed in a southwesterly direction towards the southwest corner of the former production area where it entered a 36-inch diameter pipe that conveyed it to the stormwater pond via gravity as shown on Figure 1B. Subsequent to demolition activities, stormwater falls on the decontaminated slabs associated with the former buildings (and areas covered with pavement/concrete adjacent to the former building locations and adjacent northern areas). It then flows in the same southwesterly direction towards the 36-inch pipe and is conveyed to the stormwater pond. All of the former production area is covered with pavement/concrete and there are no other sources of discharge to the stormwater pond from the former production areas.

Sewer system connections were not removed during demolition. However, sanitary wastewater laterals were plugged during demolition, with the piping remaining in place. No source materials from former production operations remain in the area, and there are no wash-down or other activities that occur in these former production areas. The former production area is the location of the Remediation Consolidation Area (RCA), discussed further below.

Stormwater sources that are proposed to be discharged:

- Stormwater from Former Production Areas. Details of stormwater are generally discussed above. Additionally, the stormwater is contained by the flood wall along the southern boundary of the former production area. The flood wall was designed and constructed to prevent facility flooding from elevated stages in Stewart Creek as well as to prevent production area stormwater from entering Stewart Creek during small to moderate storm events. The stormwater pond is constructed with a dual liner and has a capacity of approximately

## **Attachment G**

### **Facility Description and Wastewater Generating Process**

2.5 million gallons. The center of the stormwater pond has a sump and associated pump to convey the accumulated stormwater to the stormwater treatment system adjacent to the stormwater pond. This wastewater source is authorized in the current TPDES permit.

- **Corrective Action Management Unit.** As indicated on Figure 1B, an additional Corrective Action Management Unit (CAMU) denoted as the RCA (Remediation Consolidation Area) will be designated as the location for the consolidation of impacted media (i.e., remediation wastes) from surrounding portions of the site. The RCA will be utilized and capped in accordance with TCEQ authorizations associated with the remediation and closure of the facility. Stormwater from this unit would also be managed as part of the TPDES permit as it is contained within the former production area.
- **Containment Stormwater.** This is stormwater that accumulates in the low sunken areas of the building foundations and no-longer-used tank containment areas. All the production buildings have been demolished and the floors and foundations are now exposed to rainfall. Stormwater accumulates in these low-lying areas. If it is not removed it becomes a mosquito breeding area. As such, it is pumped over the associated high points and allowed to flow to the collection system with the other stormwater.

Wastewater sources that will not be discharged and are not associated with this permit application:

- **French Drain.** In August 2012, a French drain was installed to mitigate the potential for subsurface discharges of water from beneath the former production area to Stewart Creek. The French drain will be abandoned during future remediation activities. The French drain is located just inside and below the grade of the flood wall on the southern portion of the former production area. It starts at the southeast corner of the former slag treatment building and runs in a westerly direction to the intersection of the flood wall and the corner of the foundation for the former battery storage building. The drain has two perforated lines with one on top of the T-footing of the flood wall and inside the wall. The other is approximately 6 to 8 inches lower in elevation and about 18 to 20 inches north of and away from the wall. The two perforated lines run parallel and the upper line ties into the lower line just upstream of the pumping manhole located at its terminus. Water is pumped from the manhole into frac tanks for sampling by North Texas Municipal Water District (NTMWD) to verify if the water can be discharged into the sewer lines or if it needs to be sent offsite for disposal. Before the French Drain is abandoned, wastewater from this source will either be treated and discharged through the POTW WWTP under an authorization issued by the North Texas Municipal Water District on behalf of the City of Frisco or sent offsite for disposal. Discharge of this wastewater is not proposed for addition to the TPDES permit.

## Attachment G

### Facility Description and Wastewater Generating Process

- Class II Landfill/North CAMU Stormwater. Historically, the Class II Landfill/North CAMU was used for disposal of process wastes such as slag, which is higher in metals and TDS content. The section of the Class II Landfill/North CAMU containing these historical process wastes was isolated by means of an interim cover. Since then, only remediation wastes from the undeveloped buffer property were disposed of, and these wastes are much lower in metals and TDS content. An interim cover was placed over this waste material and stormwater captured by this cover was managed under a Multi-Sector General Permit (MSGP Permit No. TXR05EU11). As of November 2024, a final cover has been installed to replace the interim cover and capping soils are being added for final closure. This area is subject to the Multi-Sector General Permit (MSGP) and will continue to fall under the MSGP once final capping and closure occurs. Discharge of this stormwater is not proposed for addition to the TPDES permit.
- Class II Landfill/North CAMU Leachate. Leachate, which consists of water collected from the bottom of the Class II Landfill/North CAMU, is collected via the leachate collection system. Leachate is pumped from underground sumps in the collection system to a holding tank located on the west of the landfill. This wastewater stream is sent offsite for disposal and is not proposed for addition to the TPDES permit.
- Solar Evaporation Pond. The solar evaporation pond receives stormwater that has come in contact with the waste in the active cells of the Class II Landfill/North CAMU. Rainfall that lands on the sidewalls and base of active cells of the landfill is pumped to the solar evaporation pond for evaporation or offsite disposal. This source will be closed during future remediation activities as a result of the planned closure of the Class II Landfill/North CAMU once full of remediation waste. If additional capacity is needed, or if evaporation is occurring slowly, this stormwater will be sent offsite for disposal. Because the unit may have high total dissolved solids following evaporation, this stormwater stream is not proposed for addition to the TPDES permit.

The stormwater treatment system consists of pressure filtration, pH adjustment, and chemical adsorption.

As mentioned, there are no chemicals remaining at the facility associated with former production operations. A listing of chemicals/materials which are currently associated with the stormwater treatment system at the facility are as follows:

- Magnesium Oxide, for adsorption;
- Manganese Dioxide, for adsorption; and

## Attachment G

### Facility Description and Wastewater Generating Process

- Sulfuric Acid 35% solution for pH adjustment.

These chemicals are all stored in totes, sacks, and drums over secondary containment near or within structures associated with the stormwater treatment facility for the stormwater pond.

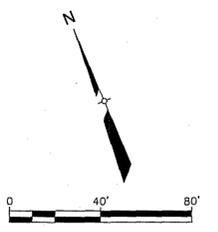
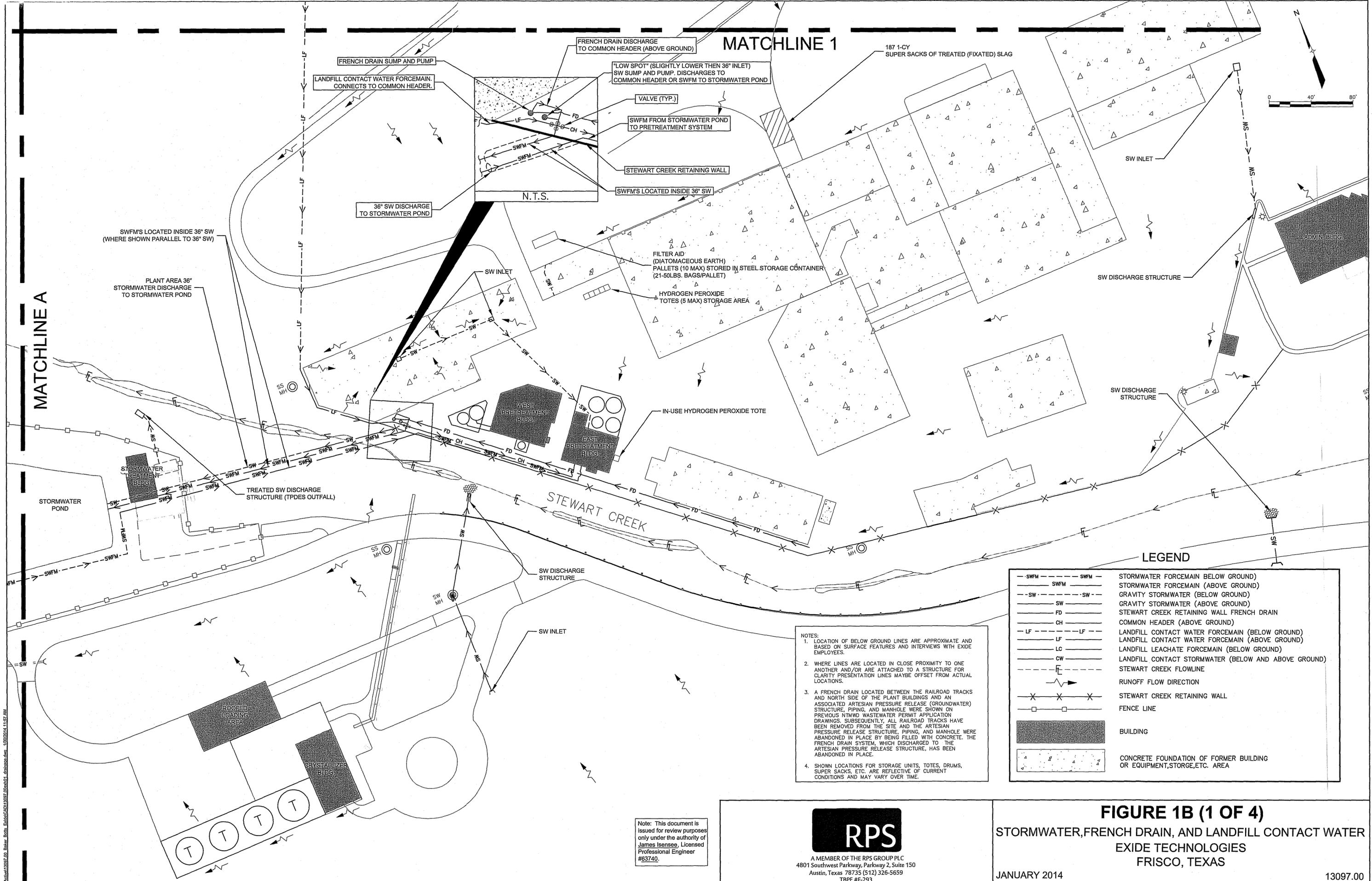
The two higher TDS source materials (landfill leachate and water in the solar evaporation pond) are directly associated with historical, process wastes managed in the Class 2 Landfill/North CAMU. These two high TDS sources of wastewater are not proposed to be included in the discharge authorization because they will be addressed through closure of the Class II Landfill/North CAMU and, if necessary, offsite disposal.

As the facility progresses through closure, miscellaneous small volume sources (i.e., well purge water, decontamination water, mobile equipment wash water, and wash water from surface cleaning) of wastewater will be generated. These sources, which are referred to as “remediation wastewaters,” are not proposed for addition to the TPDES permit. Instead, they are collected and in the same frac tanks as the French Drain water for discharge with the NTMWD to the POTW.

To summarize, the following stormwater sources are being included in the TPDES permit:

- Stormwater from Former Production Areas; and
- Containment Stormwater; and
- Landfill/CAMU Stormwater (RCA).

**Figure 1B**  
**Facility Layout Drawing**



MATCHLINE A

MATCHLINE 1

LEGEND

--- SWFM ---	STORMWATER FORCEMAIN BELOW GROUND)
--- SWFM ---	STORMWATER FORCEMAIN (ABOVE GROUND)
--- SW ---	GRAVITY STORMWATER (BELOW GROUND)
--- SW ---	GRAVITY STORMWATER (ABOVE GROUND)
--- FD ---	STEWART CREEK RETAINING WALL FRENCH DRAIN
--- CH ---	COMMON HEADER (ABOVE GROUND)
--- LF ---	LANDFILL CONTACT WATER FORCEMAIN (BELOW GROUND)
--- LF ---	LANDFILL CONTACT WATER FORCEMAIN (ABOVE GROUND)
--- LC ---	LANDFILL LEACHATE FORCEMAIN (BELOW GROUND)
--- CW ---	LANDFILL CONTACT STORMWATER (BELOW AND ABOVE GROUND)
---	STEWART CREEK FLOWLINE
---	RUNOFF FLOW DIRECTION
X X X	STEWART CREEK RETAINING WALL
□	FENCE LINE
█	BUILDING
△	CONCRETE FOUNDATION OF FORMER BUILDING OR EQUIPMENT, STORAGE, ETC. AREA

- NOTES:
1. LOCATION OF BELOW GROUND LINES ARE APPROXIMATE AND BASED ON SURFACE FEATURES AND INTERVIEWS WITH EXIDE EMPLOYEES.
  2. WHERE LINES ARE LOCATED IN CLOSE PROXIMITY TO ONE ANOTHER AND/OR ARE ATTACHED TO A STRUCTURE FOR CLARITY PRESENTATION LINES MAYBE OFFSET FROM ACTUAL LOCATIONS.
  3. A FRENCH DRAIN LOCATED BETWEEN THE RAILROAD TRACKS AND NORTH SIDE OF THE PLANT BUILDINGS AND AN ASSOCIATED ARTESIAN PRESSURE RELEASE (GROUNDWATER) STRUCTURE, PIPING, AND MANHOLE WERE SHOWN ON PREVIOUS NTHWD WASTEWATER PERMIT APPLICATION DRAWINGS. SUBSEQUENTLY, ALL RAILROAD TRACKS HAVE BEEN REMOVED FROM THE SITE AND THE ARTESIAN PRESSURE RELEASE STRUCTURE, PIPING, AND MANHOLE WERE ABANDONED IN PLACE BY BEING FILLED WITH CONCRETE. THE FRENCH DRAIN SYSTEM, WHICH DISCHARGED TO THE ARTESIAN PRESSURE RELEASE STRUCTURE, HAS BEEN ABANDONED IN PLACE.
  4. SHOWN LOCATIONS FOR STORAGE UNITS, TOTES, DRUMS, SUPER SACKS, ETC. ARE REFLECTIVE OF CURRENT CONDITIONS AND MAY VARY OVER TIME.

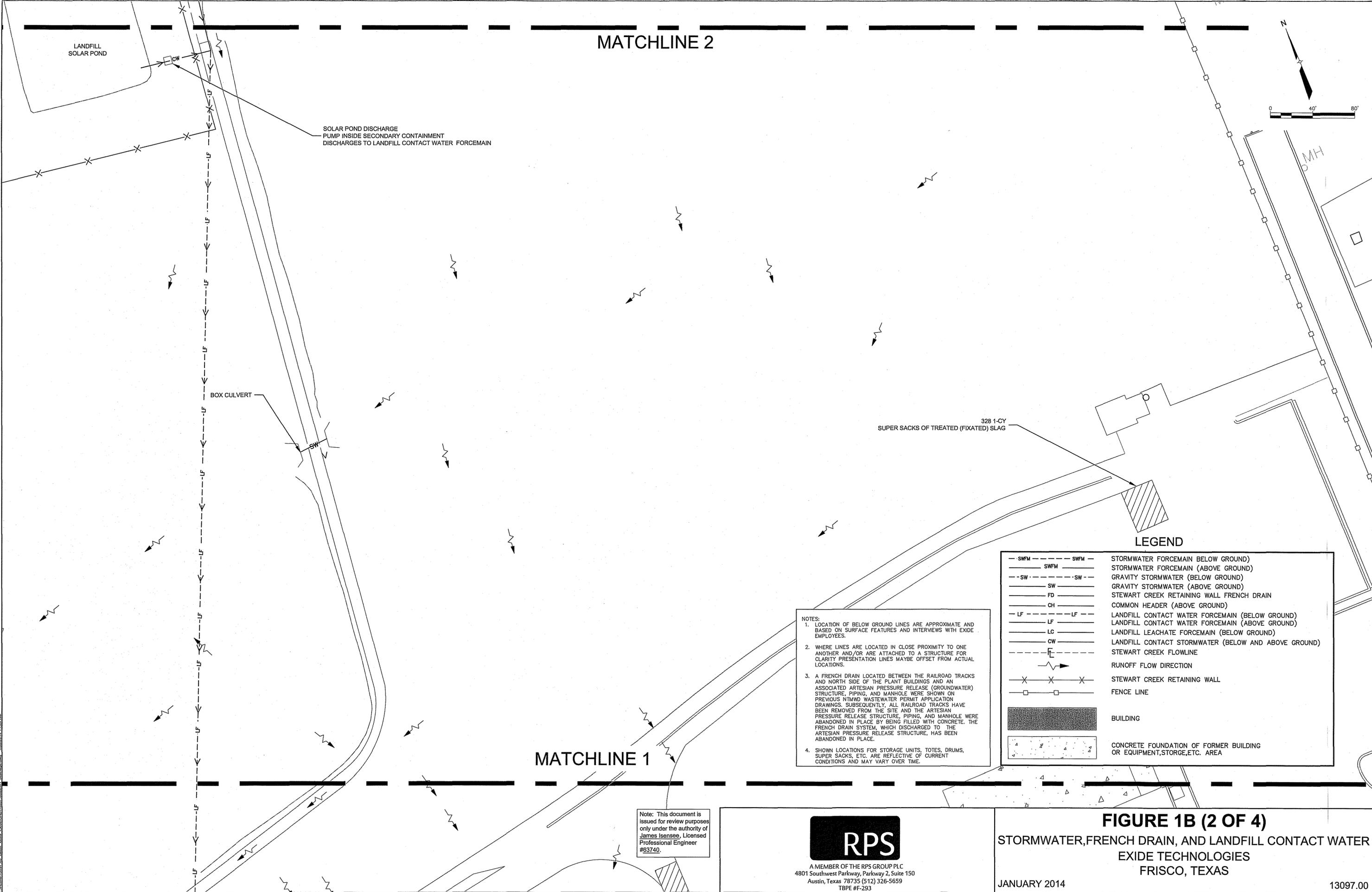
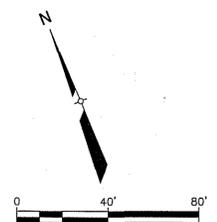
Note: This document is issued for review purposes only under the authority of James Isensee, Licensed Professional Engineer #63740.

**RPS**  
 A MEMBER OF THE RPS GROUP PLC  
 4801 Southwest Parkway, Parkway 2, Suite 150  
 Austin, Texas 78735 (512) 326-5659  
 TBPE #F-293

**FIGURE 1B (1 OF 4)**  
 STORMWATER, FRENCH DRAIN, AND LANDFILL CONTACT WATER  
 EXIDE TECHNOLOGIES  
 FRISCO, TEXAS  
 JANUARY 2014

13097.00

MATCHLINE 2



NOTES:

1. LOCATION OF BELOW GROUND LINES ARE APPROXIMATE AND BASED ON SURFACE FEATURES AND INTERVIEWS WITH EXIDE EMPLOYEES.
2. WHERE LINES ARE LOCATED IN CLOSE PROXIMITY TO ONE ANOTHER AND/OR ARE ATTACHED TO A STRUCTURE FOR CLARITY PRESENTATION LINES MAYBE OFFSET FROM ACTUAL LOCATIONS.
3. A FRENCH DRAIN LOCATED BETWEEN THE RAILROAD TRACKS AND NORTH SIDE OF THE PLANT BUILDINGS AND AN ASSOCIATED ARTESIAN PRESSURE RELEASE (GROUNDWATER) STRUCTURE, PIPING, AND MANHOLE WERE SHOWN ON PREVIOUS NTWWD WASTEWATER PERMIT APPLICATION DRAWINGS. SUBSEQUENTLY, ALL RAILROAD TRACKS HAVE BEEN REMOVED FROM THE SITE AND THE ARTESIAN PRESSURE RELEASE STRUCTURE, PIPING, AND MANHOLE WERE ABANDONED IN PLACE BY BEING FILLED WITH CONCRETE. THE FRENCH DRAIN SYSTEM, WHICH DISCHARGED TO THE ARTESIAN PRESSURE RELEASE STRUCTURE, HAS BEEN ABANDONED IN PLACE.
4. SHOWN LOCATIONS FOR STORAGE UNITS, TOTES, DRUMS, SUPER SACKS, ETC. ARE REFLECTIVE OF CURRENT CONDITIONS AND MAY VARY OVER TIME.

**LEGEND**

---	---	STORMWATER FORCEMAIN (BELOW GROUND)
---	---	STORMWATER FORCEMAIN (ABOVE GROUND)
---	---	GRAVITY STORMWATER (BELOW GROUND)
---	---	GRAVITY STORMWATER (ABOVE GROUND)
---	---	STEWART CREEK RETAINING WALL FRENCH DRAIN
---	---	COMMON HEADER (ABOVE GROUND)
---	---	LANDFILL CONTACT WATER FORCEMAIN (BELOW GROUND)
---	---	LANDFILL CONTACT WATER FORCEMAIN (ABOVE GROUND)
---	---	LANDFILL LEACHATE FORCEMAIN (BELOW GROUND)
---	---	LANDFILL CONTACT STORMWATER (BELOW AND ABOVE GROUND)
---	---	STEWART CREEK FLOWLINE
---	---	RUNOFF FLOW DIRECTION
---	---	STEWART CREEK RETAINING WALL
---	---	FENCE LINE
---	---	BUILDING
---	---	CONCRETE FOUNDATION OF FORMER BUILDING OR EQUIPMENT, STORAGE, ETC. AREA

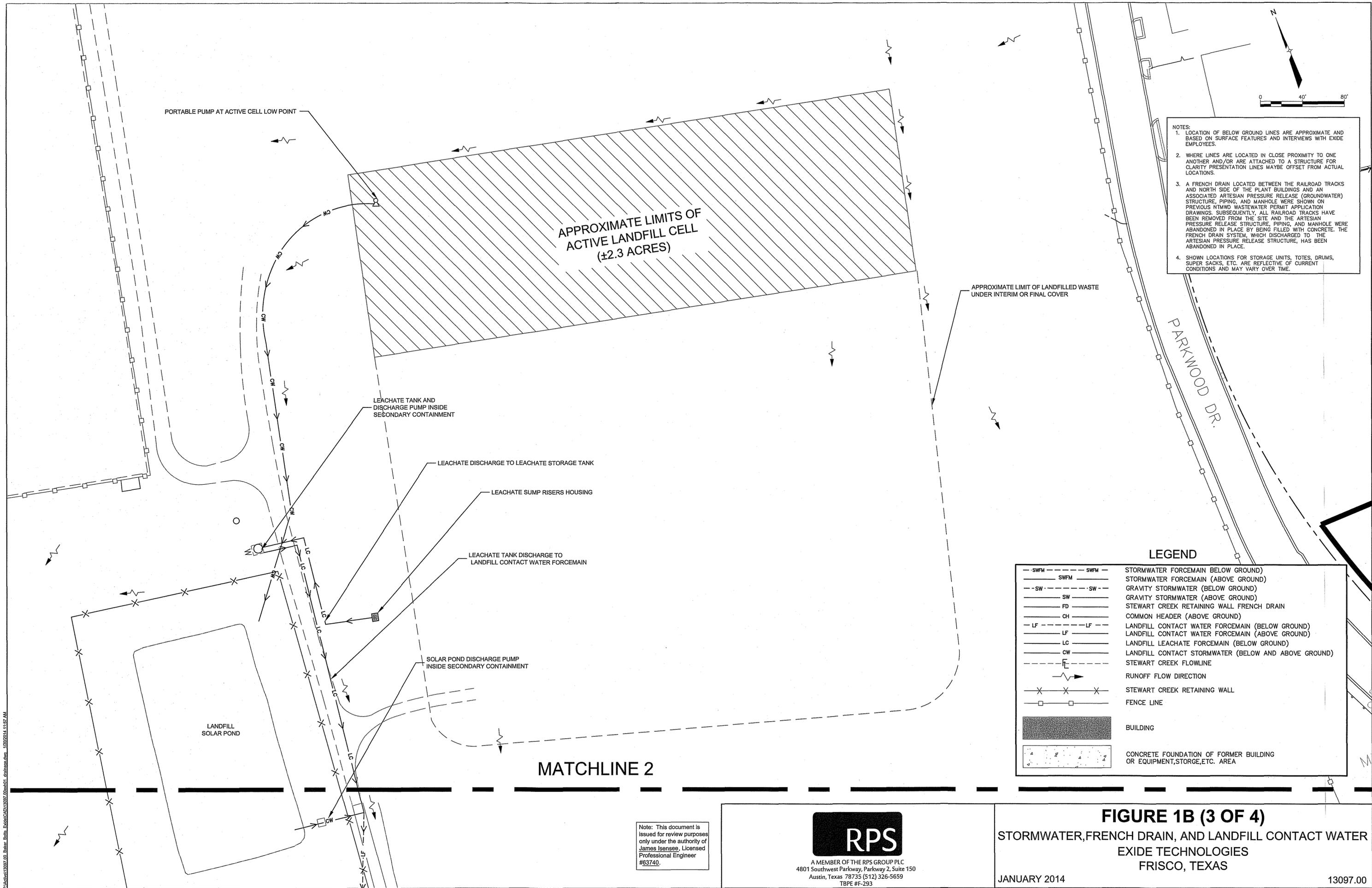
Note: This document is issued for review purposes only under the authority of James Isensee, Licensed Professional Engineer #93740.

**RPS**

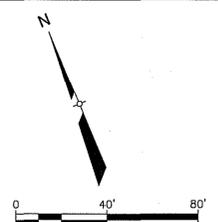
A MEMBER OF THE RPS GROUP PLC  
 4801 Southwest Parkway, Parkway 2, Suite 150  
 Austin, Texas 78735 (512) 326-5659  
 TBPE #F-293

**FIGURE 1B (2 OF 4)**  
 STORMWATER, FRENCH DRAIN, AND LANDFILL CONTACT WATER  
 EXIDE TECHNOLOGIES  
 FRISCO, TEXAS

JANUARY 2014



- NOTES:
1. LOCATION OF BELOW GROUND LINES ARE APPROXIMATE AND BASED ON SURFACE FEATURES AND INTERVIEWS WITH EXIDE EMPLOYEES.
  2. WHERE LINES ARE LOCATED IN CLOSE PROXIMITY TO ONE ANOTHER AND/OR ARE ATTACHED TO A STRUCTURE FOR CLARITY PRESENTATION LINES MAYBE OFFSET FROM ACTUAL LOCATIONS.
  3. A FRENCH DRAIN LOCATED BETWEEN THE RAILROAD TRACKS AND NORTH SIDE OF THE PLANT BUILDINGS AND AN ASSOCIATED ARTESIAN PRESSURE RELEASE (GROUNDWATER) STRUCTURE, PIPING, AND MANHOLE WERE SHOWN ON PREVIOUS NTMWD WASTEWATER PERMIT APPLICATION DRAWINGS. SUBSEQUENTLY, ALL RAILROAD TRACKS HAVE BEEN REMOVED FROM THE SITE AND THE ARTESIAN PRESSURE RELEASE STRUCTURE, PIPING, AND MANHOLE WERE ABANDONED IN PLACE BY BEING FILLED WITH CONCRETE. THE FRENCH DRAIN SYSTEM, WHICH DISCHARGED TO THE ARTESIAN PRESSURE RELEASE STRUCTURE, HAS BEEN ABANDONED IN PLACE.
  4. SHOWN LOCATIONS FOR STORAGE UNITS, TOTES, DRUMS, SUPER SACKS, ETC. ARE REFLECTIVE OF CURRENT CONDITIONS AND MAY VARY OVER TIME.



**LEGEND**

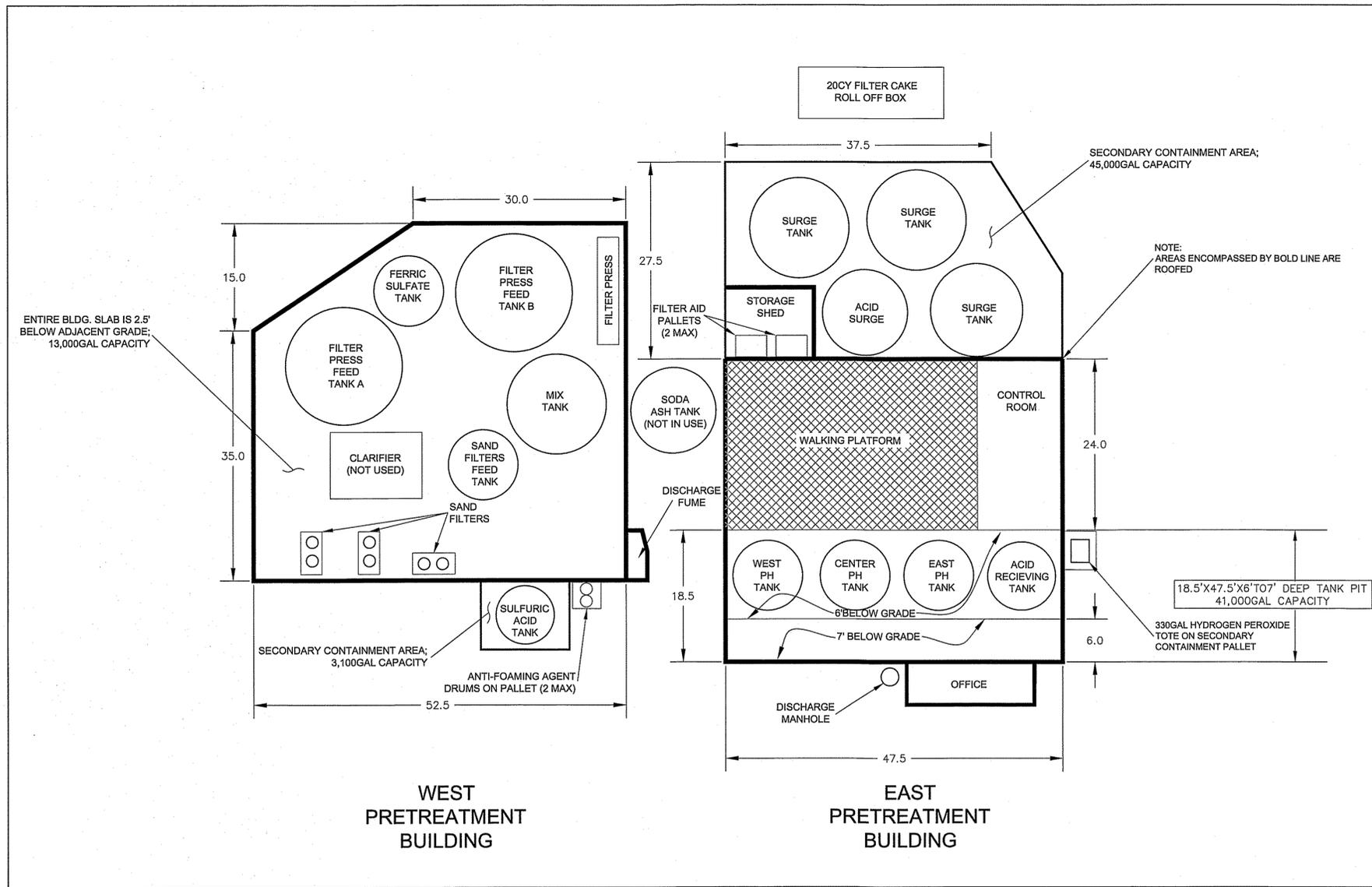
--- SWFM ---	STORMWATER FORCEMAIN BELOW GROUND
--- SWFM ---	STORMWATER FORCEMAIN (ABOVE GROUND)
--- SW ---	GRAVITY STORMWATER (BELOW GROUND)
--- SW ---	GRAVITY STORMWATER (ABOVE GROUND)
---	STEWART CREEK RETAINING WALL FRENCH DRAIN
---	COMMON HEADER (ABOVE GROUND)
--- LF ---	LANDFILL CONTACT WATER FORCEMAIN (BELOW GROUND)
--- LF ---	LANDFILL CONTACT WATER FORCEMAIN (ABOVE GROUND)
---	LANDFILL LEACHATE FORCEMAIN (BELOW GROUND)
---	LANDFILL CONTACT STORMWATER (BELOW AND ABOVE GROUND)
---	STEWART CREEK FLOWLINE
---	RUNOFF FLOW DIRECTION
X X X	STEWART CREEK RETAINING WALL
□ □ □	FENCE LINE
[Hatched Box]	BUILDING
[Dotted Box]	CONCRETE FOUNDATION OF FORMER BUILDING OR EQUIPMENT, STORAGE, ETC. AREA

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 TBPE #F-293

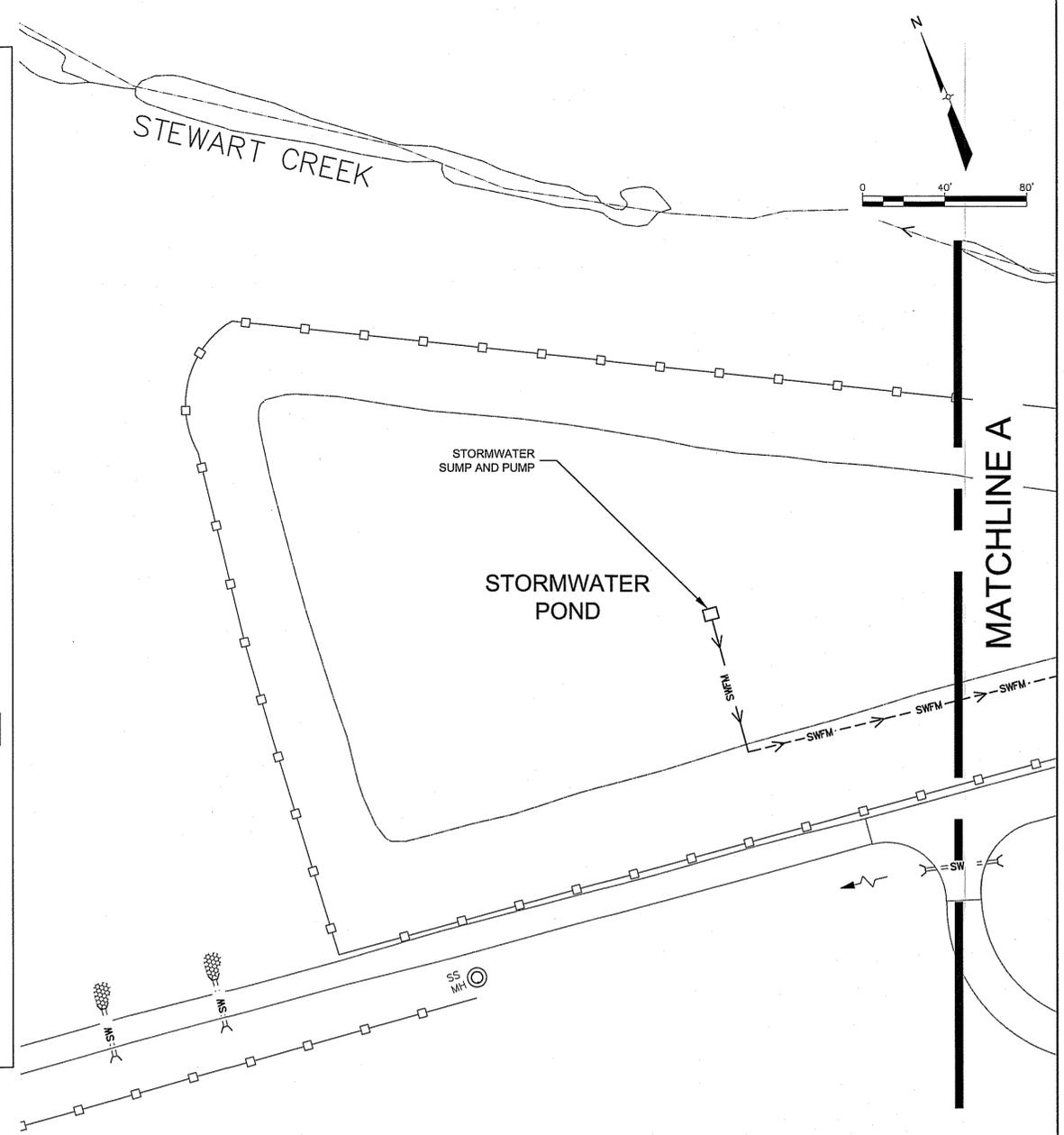
**FIGURE 1B (3 OF 4)**  
 STORMWATER, FRENCH DRAIN, AND LANDFILL CONTACT WATER  
 EXIDE TECHNOLOGIES  
 FRISCO, TEXAS  
 JANUARY 2014 13097.00

C:\pwworking\Exide\Projects\2014\20140115\141157.dwg, 1/15/2014 11:57 AM, 1/15/2014 11:57 AM



PRETREATMENT BUILDINGS EQUIPMENT LAYOUT DETAIL

NOT TO SCALE



LEGEND

--- SWFM ---	STORMWATER FORCEMAIN (BELOW GROUND)
SWFM	STORMWATER FORCEMAIN (ABOVE GROUND)
--- SW ---	GRAVITY STORMWATER (BELOW GROUND)
SW	GRAVITY STORMWATER (ABOVE GROUND)
FD	STEWART CREEK RETAINING WALL FRENCH DRAIN
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LF	LANDFILL CONTACT WATER FORCEMAIN (ABOVE GROUND)
LC	LANDFILL LEACHATE FORCEMAIN (BELOW GROUND)
CW	LANDFILL CONTACT STORMWATER (BELOW AND ABOVE GROUND)
---	STEWART CREEK FLOWLINE
→	RUNOFF FLOW DIRECTION
X X X	STEWART CREEK RETAINING WALL
□ □ □	FENCE LINE
[Hatched Area]	BUILDING
[Dotted Area]	CONCRETE FOUNDATION OF FORMER BUILDING OR EQUIPMENT, STORAGE, ETC. AREA

- NOTES:
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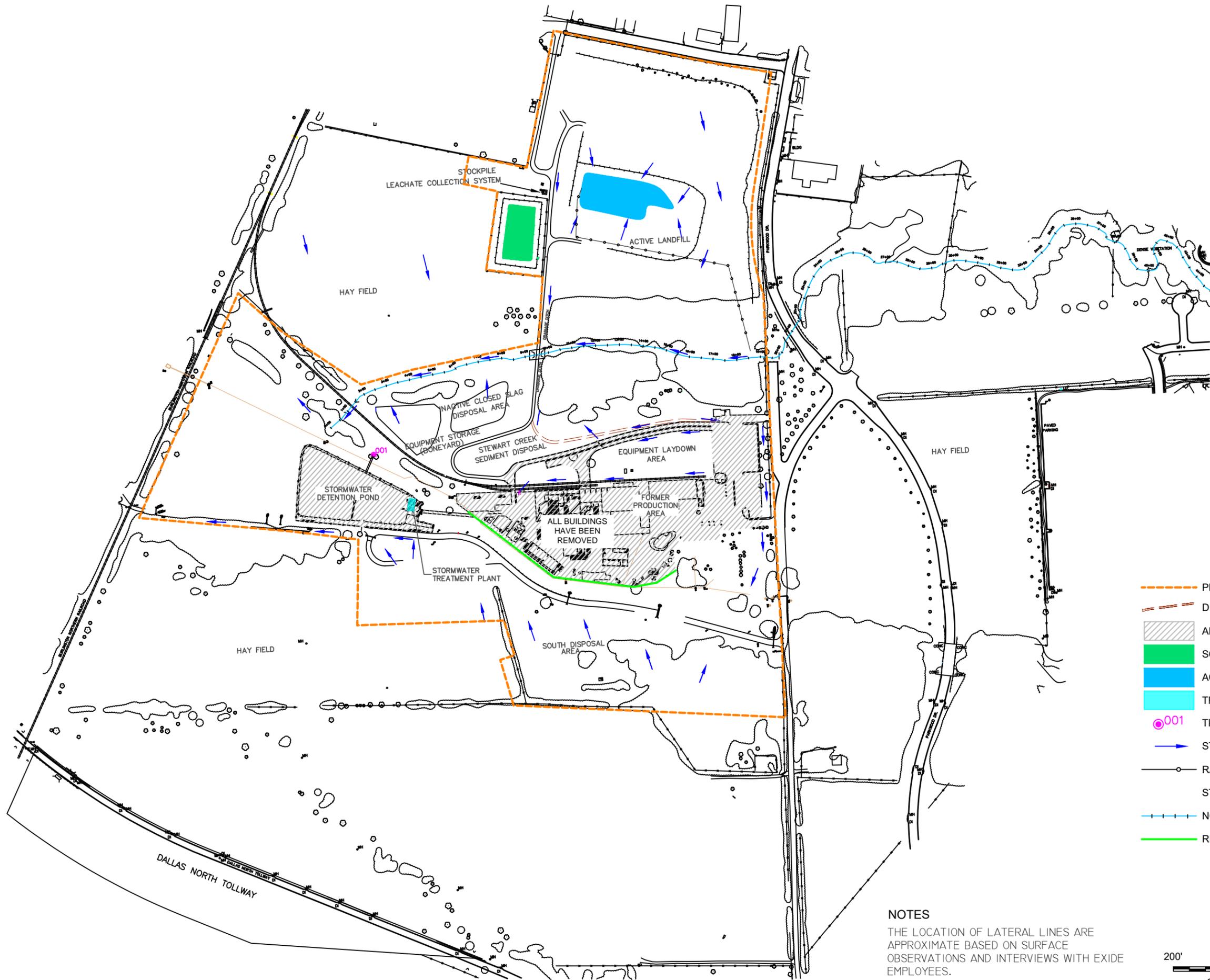
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**FIGURE 1B (4 OF 4)**  
 STORMWATER, FRENCH DRAIN, AND LANDFILL CONTACT WATER  
 EXIDE TECHNOLOGIES  
 FRISCO, TEXAS  
 JANUARY 2014

## **Attachment H**

### **Facility Map**



- PROPERTY BOUNDARY
- DIRT ROAD
- AREA COVERED BY TPDES PERMIT
- SOLAR EVAPORATION POND
- ACTIVE LANDFILL
- TREATMENT FACILITY
- TPDES PERMIT OUTFALL
- STORM WATER FLOW
- RAINWATER DISCHARGE PIPE
- STEWART CREEK
- NORTH TRIBUTARY
- RETAINING WALL

**NOTES**

THE LOCATION OF LATERAL LINES ARE APPROXIMATE BASED ON SURFACE OBSERVATIONS AND INTERVIEWS WITH EXIDE EMPLOYEES.



200' 0 400'  
SCALE: 1" = 400'

**Drawing Information**

Project No:  
B2101050.04

Drawing No:  
B2101050-04

Drawn By: BJB  
Date Drawn: 9/12/24  
Checked By: EE  
Last Modified: 9/13/24

**Project Information**

Frisco Community  
Development  
Corporation

7471 Old Fifth Street

Frisco, Texas

**Facility Map**

**Attachment I**  
**Wastewater Treatment System**

# Attachment I

## Facility Treatment System

### Facility Treatment System Description

Currently wastewaters at the facility originate from the following sources:

- Stormwater from Former Production Areas. Details of stormwater are generally discussed in **Attachment G**. Additionally; the stormwater is contained by the flood wall along the southern boundary of the former production area. The flood wall was designed and constructed to prevent facility flooding from elevated stages in Stewart Creek as well as to prevent production area stormwater from entering Stewart Creek during small to moderate storm events. The stormwater pond is constructed with a dual liner and has a capacity of approximately 2.5 million gallons. The center of the stormwater pond has a sump and associated pump to convey the accumulated stormwater to the stormwater treatment system adjacent to the stormwater pond. This wastewater source is authorized in the current TPDES permit.
- Corrective Action Management Unit. An additional Corrective Action Management Unit (CAMU) denoted as the RCA (Remediation Consolidation Area) will be designated as the location for the consolidation of impacted media (i.e., remediation wastes) from surrounding portions of the site. The RCA will be utilized and capped in accordance with TCEQ authorizations associated with the remediation and closure of the facility. Stormwater from this unit would also be managed as part of the TPDES permit as it is contained within the former production area.
- Containment Stormwater. This is stormwater that accumulates in the low sunken areas of the building foundations and no-longer-used tank containment areas. All the production buildings have been demolished, and the floors and foundations are now exposed to rainfall. Stormwater accumulates in these low-lying areas. If it is not removed, it becomes a mosquito breeding area. As such, it is pumped over the associated high points and allowed to flow to the collection system with the other stormwater.
- French Drain. In August 2012, a French drain was installed to mitigate the potential for subsurface discharges of water from beneath the former production area to Stewart Creek. The French drain will be abandoned during future remediation activities. The French drain is located just inside and below the grade of the flood wall on the southern portion of the former production area. It starts at the southeast corner of the former slag treatment building and runs in a westerly direction to the intersection of the flood wall and the corner of the foundation for the former battery storage building. The drain has two perforated lines with one on top of the T-footing of the flood wall and inside the wall. The other is approximately 6 to 8 inches lower in elevation and about 18 to 20 inches north of and away from the wall. The two perforated lines run parallel and the upper line ties into the lower line

# Attachment I

## Facility Treatment System

just upstream of the pumping manhole located at its terminus. Water is pumped from the manhole into frac tanks for sampling by North Texas Municipal Water District (NTMWD) to verify if the water can be discharged into the sewer lines or if it needs to be sent offsite for disposal. Before the French Drain is abandoned, wastewater from this source will either be treated and discharged through the POTW WWTP under an authorization issued by the North Texas Municipal Water District on behalf of the City of Frisco or sent offsite for disposal. Discharge of this wastewater is not proposed for addition to the TPDES permit.

- Class II Landfill/ North CAMU Stormwater. Historically, the Class II Landfill/North CAMU was used for disposal of process wastes such as slag, which is higher in metals and TDS content. The section of the Class II Landfill/North CAMU containing these historical process wastes was isolated by means of an interim cover. Since then, only remediation wastes from the undeveloped buffer property were disposed of, and these wastes are much lower in metals and TDS content. An interim cover was placed over this waste material and stormwater captured by this cover was managed under a Multi-Sector General Permit (MSGP Permit No. TXR05EU11). As of November 2024, a final cover has been installed to replace the interim cover and capping soils are being added for final closure. This area is subject to the Multi-Sector General Permit (MSGP) and will continue to fall under the MSGP once final capping and closure occurs. Discharge of this stormwater is not proposed for addition to the TPDES permit.
- Class II Landfill/North CAMU Leachate. Leachate, which consists of water collected from the bottom of the Class II Landfill/North CAMU, is collected via the leachate collection system. Leachate is pumped from underground sumps in the collection system to a holding tank located on the west of the landfill. Leachate in the tank is trucked offsite for disposal. This wastewater stream is sent offsite for disposal and is not proposed for addition to the TPDES permit.
- Solar Evaporation Pond. The solar evaporation pond receives stormwater that has come in contact with the waste in the active cells of the Class II Landfill/North CAMU. Rainfall that lands on the sidewalls and base of active cells of the landfill is pumped to the solar evaporation pond for evaporation or offsite disposal. This source will be closed during future remediation activities as a result of the planned closure of the Class II Landfill/North CAMU once full of remediation waste. If additional capacity is needed, or if evaporation is occurring slowly, this stormwater will be sent offsite for disposal. Because the unit may have high total dissolved solids following evaporation, this stormwater stream is not proposed for addition to the TPDES permit.

# Attachment I

## Facility Treatment System

The stormwater treatment system consists of pressure filtration, pH adjustment, and chemical adsorption.

As mentioned, there are no chemicals remaining at the facility associated with former production operations. A listing of chemicals/materials which are currently associated with the stormwater treatment system at the facility are as follows:

- Magnesium Oxide, for adsorption;
- Manganese Dioxide, for adsorption; and
- Sulfuric Acid 35% solution for pH adjustment.

These chemicals are all stored in totes, sacks, and drums over secondary containment near or within structures associated with the stormwater treatment facility for the stormwater pond.

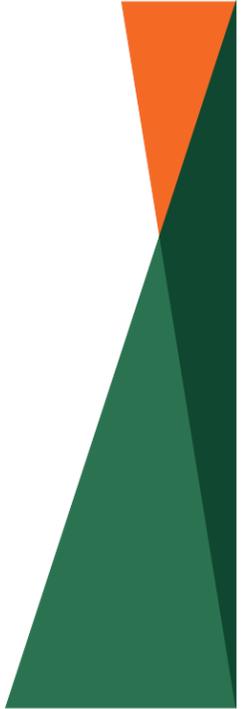
The two higher TDS source materials (landfill leachate and water in the solar evaporation pond) are directly associated with historical, process wastes managed in the Class 2 Landfill/North CAMU. These two high TDS sources of wastewater are not proposed to be included in the discharge authorization because they will be addressed through closure of the Class II Landfill/North CAMU and, if necessary, offsite disposal.

As the facility progresses through closure, miscellaneous small volume sources (i.e., well purge water, decontamination water, mobile equipment wash water, and wash water from surface cleaning) of wastewater will be generated. These sources, which are referred to as “remediation wastewaters,” are not proposed for addition to the TPDES permit. Instead, they are collected and in the same frac tanks as the French Drain water for discharge with the NTMWD to the POTW.

To summarize, the following stormwater sources are being included in the TPDES permit:

- Stormwater from Former Production Areas; and
- Containment Stormwater; and
- Landfill/CAMU Stormwater (RCA).

**Attachment J**  
**Flow Schematic**



Drawing Information

Project No:  
B2101050.04  
Drawing No:  
B2101050-04  
Drawn By: BJB  
Date Drawn: 9/12/24  
Checked By: EE  
Last Modified: 9/13/24

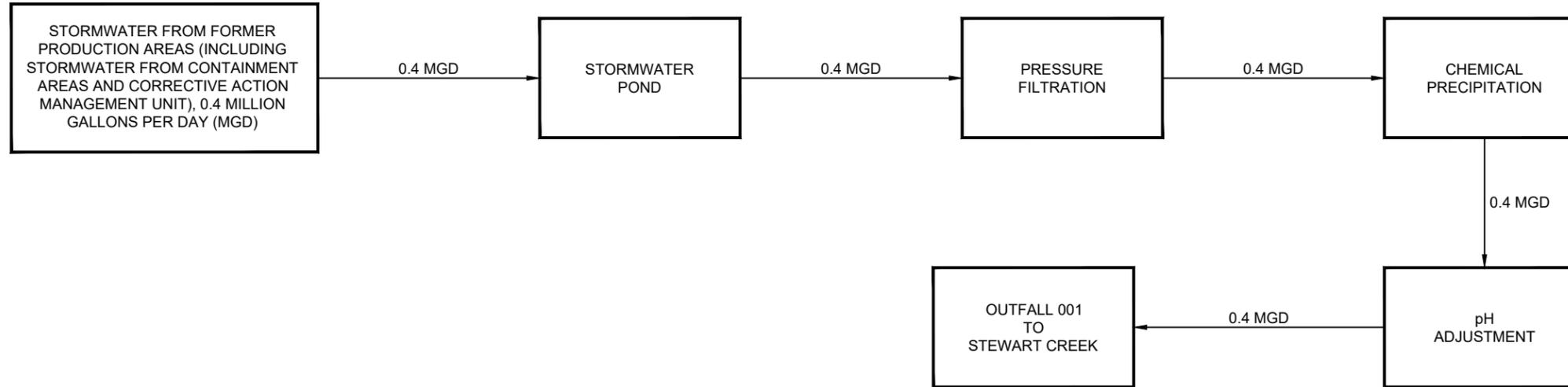
Project Information

Frisco Community  
Development  
Corporation

7471 Old Fifth Street

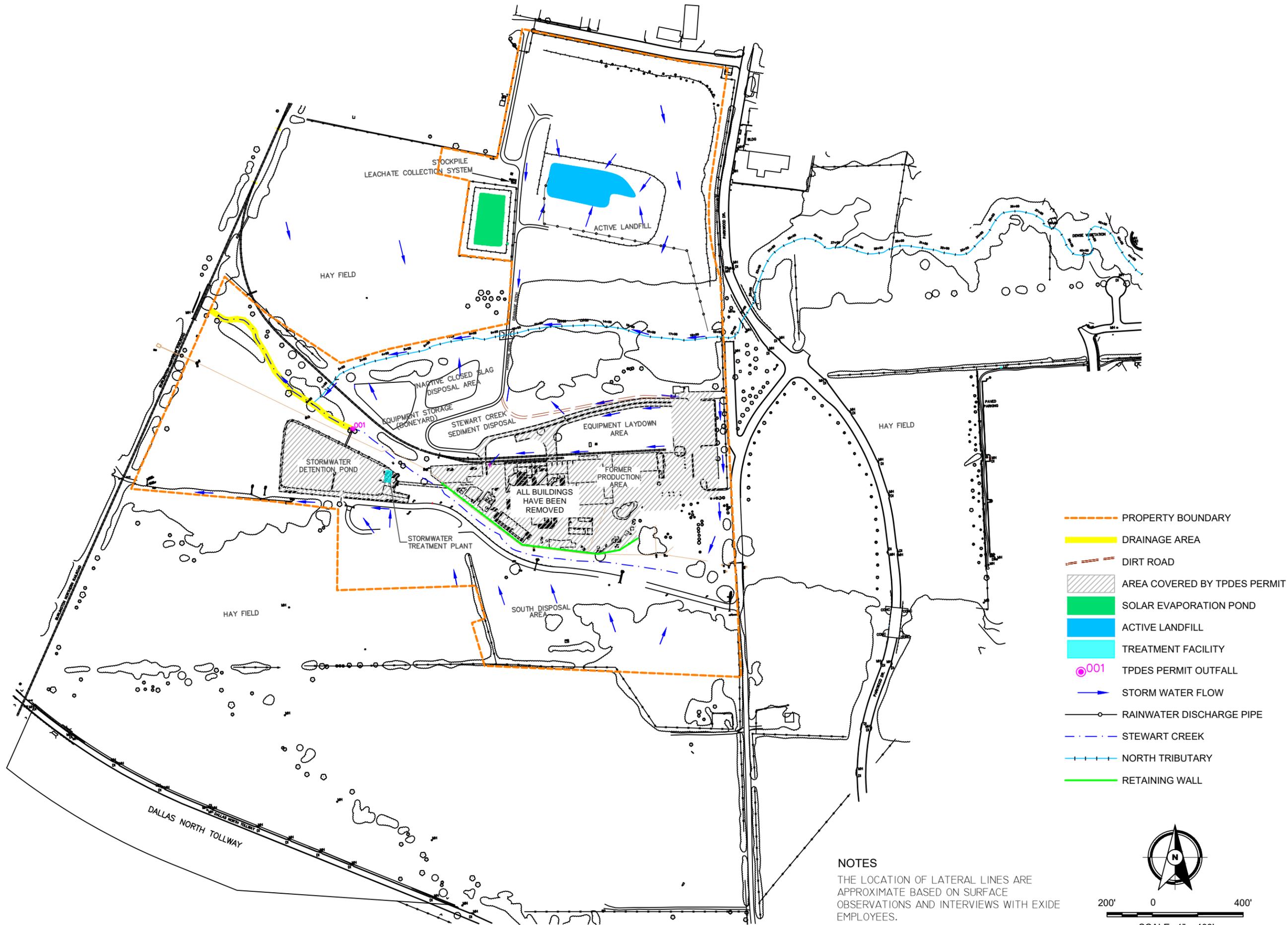
Frisco, Texas

**Flow Schematic  
Water Balance  
Map**



## **Attachment K**

### **Site Map**



Drawing Information

Project No:  
B2101050.04

Drawing No:  
B2101050-04

Drawn By: BJB  
Date Drawn: 9/12/24  
Checked By: EE  
Last Modified: 9/13/24

Project Information

Frisco Community  
Development  
Corporation

7471 Old Fifth Street

Frisco, Texas

Site Map

**Attachment L**  
**Analytical Results**



Monday, November 18, 2024

Frisco Community Development Corp/City of Fri  
Eduardo Salazar  
6101 Frisco Square Blvd  
Frisco, Texas 75034  
Tel: (972) 335-2121 Fax:

Re: Project Name: SPW  
Project Number: F.C.D.C/Former Exide Technologies  
Project Location: 7471 Fifth Street Frisco, Texas 75034

SPL Inc received 7 liquid sample(s). The analysis performed were as follows:

<u>Sample</u>	<u>Sample ID</u>	<u>Matrix</u>	<u>Collected</u>	<u>Analysis</u>
24110116-001	Permit - A	Liquid	11/8/2024 08:00	Chemical Oxygen Demand, Nitrate/Nitrite - N, Phosphorus, Total - P
24110116-002	Permit - B	Liquid	11/8/2024 08:00	Aluminum, Arsenic, Barium, Boron, Cadmium, Chromium, Cobalt, Copper, Iron, Lead, Magnesium, Manganese, Mercury, Molybdenum, Nickel, Selenium, Silver, Thallium, Tin, Titanium, Zinc
24110116-003	Permit - D	Liquid	11/8/2024 08:00	Bromide, Color, Apparent, Hexavalent Chromium, pH, Trivalent Chromium
24110116-004	Permit E-1, 2 & 3	Liquid	11/8/2024 07:30	N-Hexane Extractable Material
24110116-005	Permit - F	Liquid	11/8/2024 08:00	Total Organic Carbon
24110116-006	Permit - G	Liquid	11/8/2024 08:00	Total Suspended Solids
24110116-007	Permit - H	Liquid	11/8/2024 08:00	Sulfide

*To the best of my knowledge, all problems/ anomalies, observed by the laboratory as having the potential to affect the quality of the data, have been identified via associated flags and/ or in the case narrative. The analyses and data met requirements of NELAP except where noted. All non-NELAP methods are identified accordingly and all estimated uncertainties of test results are within method or EPA specifications.*

Respectfully submitted,

Cade Cassell  
Project Manager



Frisco Community Development Corp/City of Fri  
Eduardo Salazar

### Analytical Report

Project Name: **SPW**

Customer Sample ID: **Permit - A**

SPL Sample ID: 24110116-001

Sample Received: 11/8/2024

Matrix: **Liquid**

Sample Collected: **11/8/2024 08:00**

Parameter	SDL	ML	Result	Units	Date Analyzed	Method	Analyst	Flags
<b>General Chemistry</b>								
Chemical Oxygen Demand	20.0	25	<b>24.2</b>	mg/L	11/14/24 14:37	410.4	K.E.L.	J-5
Nitrate/Nitrite	0.50	0.1	ND	mg/L	11/11/24 12:02	300.0	W.S.	Dx5
Phosphorus, Total - P	0.01	0.01	<b>0.06</b>	mg/L	11/11/24 09:30	SM 4500-P B,E	B.F.	



Frisco Community Development Corp/City of Fri  
Eduardo Salazar

### Analytical Report

Project Name: **SPW**

Customer Sample ID: **Permit - B**  
SPL Sample ID: 24110116-002  
Sample Received: 11/8/2024

Matrix: **Liquid**  
Sample Collected: **11/8/2024 08:00**

Parameter	SDL	MLL	Result	Units	Date Analyzed	Method	Analyst	Flags
<b>Metals</b>								
<i>Digested by method 200.8 on 11/14/24 at 09:28</i>								
Aluminum	0.010	0.02	<b>0.122</b>	mg/L	11/14/24 18:08	200.8	M.F.	
Arsenic	0.003	0.005	<b>0.005</b>	mg/L	11/14/24 18:08	200.8	M.F.	J-5
Barium	0.003	0.005	<b>0.037</b>	mg/L	11/14/24 18:08	200.8	M.F.	
Boron	0.003	0.005	<b>0.06</b>	mg/L	11/14/24 18:08	200.8	M.F.	
Cadmium	0.0005	0.001	<b>0.0013</b>	mg/L	11/14/24 18:08	200.8	M.F.	
Chromium	0.003	0.005	ND	mg/L	11/14/24 18:08	200.8	M.F.	
Cobalt	0.003	0.005	ND	mg/L	11/14/24 18:08	200.8	M.F.	
Copper	0.0025	0.005	<b>0.0067</b>	mg/L	11/14/24 18:08	200.8	M.F.	
Iron	0.10	0.2	ND	mg/L	11/14/24 18:08	200.8	M.F.	
Lead	0.003	0.005	<b>0.015</b>	mg/L	11/14/24 18:08	200.8	M.F.	
Magnesium	0.250	0.5	<b>9.33</b>	mg/L	11/14/24 18:08	200.8	M.F.	
Manganese	0.001	0.002	<b>0.012</b>	mg/L	11/14/24 18:08	200.8	M.F.	
Molybdenum	0.002	0.005	<b>0.008</b>	mg/L	11/14/24 18:08	200.8	M.F.	
Nickel	0.003	0.005	ND	mg/L	11/14/24 18:08	200.8	M.F.	
Selenium	0.0025	0.005	ND	mg/L	11/14/24 18:08	200.8	M.F.	
Silver	0.001	0.001	ND	mg/L	11/14/24 18:08	200.8	M.F.	
Thallium	0.003	0.005	ND	mg/L	11/14/24 18:08	200.8	M.F.	
Tin	0.005	0.01	ND	mg/L	11/14/24 18:08	200.8	M.F.	
Titanium	0.003	0.005	ND	mg/L	11/14/24 18:08	200.8	M.F.	
Zinc	0.003	0.005	<b>0.004</b>	mg/L	11/14/24 18:08	200.8	M.F.	J-5
<i>Digested by method 245.1 on 11/12/24 at 09:30</i>								
Mercury	0.0001	0.0002	ND	mg/L	11/14/24 15:38	245.1	K.E.L.	



Frisco Community Development Corp/City of Fri  
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### Analytical Report

Project Name: **SPW**

Customer Sample ID: **Permit - D**

SPL Sample ID: 24110116-003

Sample Received: 11/8/2024

Matrix: **Liquid**

Sample Collected: **11/8/2024 08:00**

Parameter	SDL	MQL	Result	Units	Date Analyzed	Method	Analyst	Flags
<b>General Chemistry</b>								
Bromide	0.20	0.2	ND	mg/L	11/11/24 11:47	300.0	W.S.	
Color, Apparent	10	10	15	CPU	11/08/24 14:45	SM 2120-B	B.F.	
pH			7.0	pH Units	11/08/24 14:45	SM 2120-B	B.F.	S-12,S-14
Chromium, Hexavalent	0.005	0.01	ND	mg/L	11/08/24 13:20	SM 3500-Cr-B	B.F.	
pH	0.1	0.1	7.3	pH Units	11/11/24 15:20	SM 4500-H+B	B.F.	S-12,S-14
Chromium, Trivalent	0.010	0.01	ND	mg/L		Calculation		E-5



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### Analytical Report

Project Name: **SPW**

Customer Sample ID: **Permit E-1, 2 & 3**

SPL Sample ID: 24110116-004

Matrix: **Liquid**

Sample Received: 11/8/2024

Sample Collected: **11/8/2024 07:30**

Parameter	SDL	ML	Result	Units	Date Analyzed	Method	Analyst	Flags
<b>General Chemistry</b>								
Oil and Grease (HEM)	5.0	10	ND	mg/L	11/11/24 10:00	1664	W.S.	



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### Analytical Report

Project Name: **SPW**

Customer Sample ID: **Permit - F**

SPL Sample ID: 24110116-005

Matrix: **Liquid**

Sample Received: 11/8/2024

Sample Collected: **11/8/2024 08:00**

Parameter	SDL	ML	Result	Units	Date Analyzed	Method	Analyst	Flags
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**Subcontract**

**Total Organic Carbon**

Total Organic Carbon	1.00	1	<b>5.93</b>	mg/L	11/13/24 22:42	SM 5310-C	Sub.	L-2
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Frisco Community Development Corp/City of Fri  
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### Analytical Report

Project Name: **SPW**

Customer Sample ID: **Permit - G**

SPL Sample ID: 24110116-006

Sample Received: 11/8/2024

Matrix: **Liquid**

Sample Collected: **11/8/2024 08:00**

Parameter	SDL	ML	Result	Units	Date Analyzed	Method	Analyst	Flags
<b>General Chemistry</b>								
Total Suspended Solids	1.0	5	2.5	mg/L	11/08/24 14:55	SM 2540-D	K.V.	J-5



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### Analytical Report

Project Name: **SPW**

Customer Sample ID: **Permit - H**

SPL Sample ID: 24110116-007

Sample Received: 11/8/2024

Matrix: **Liquid**

Sample Collected: **11/8/2024 08:00**

Parameter	SDL	ML	Result	Units	Date Analyzed	Method	Analyst	Flags
<b>General Chemistry</b>								
Sulfide	0.10	0.1	ND	mg/L	11/12/24 16:00	SM 4500-S2 D	W.S.	



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### Sample Cross Reference

Project Name: **SPW**

Customer ID:	Lab ID:	Test	Method	QCBatchID:
Permit - A	24110116-001	Chemical Oxygen Demand	410.4	COD__08426_L
		Nitrate/Nitrite - N	300.0	IC__07628_L
		Phosphorus, Total - P	SM 4500-P B,E	PHOS_01442_L
Permit - B	24110116-002	Mercury	245.1	MERC_01655_L
		Cadmium	200.8	META_10087_L
		Magnesium	200.8	META_10087_L
		Lead	200.8	META_10087_L
		Iron	200.8	META_10087_L
		Copper	200.8	META_10087_L
		Molybdenum	200.8	META_10087_L
		Chromium	200.8	META_10087_L
		Boron	200.8	META_10087_L
		Barium	200.8	META_10087_L
		Arsenic	200.8	META_10087_L
		Aluminum	200.8	META_10087_L
		Cobalt	200.8	META_10087_L
		Zinc	200.8	META_10087_L
		Nickel	200.8	META_10087_L
		Selenium	200.8	META_10087_L
		Silver	200.8	META_10087_L
Thallium	200.8	META_10087_L		
Tin	200.8	META_10087_L		
Titanium	200.8	META_10087_L		
Manganese	200.8	META_10087_L		
Permit - D	24110116-003	Color, Apparent	SM 2120-B	COLO_01918_L
		Hexavalent Chromium	SM 3500-Cr-B	HEXL_05636_L
		Bromide	300.0	IC__07628_L
		pH	SM 4500-H+B	PH__02829_L
Permit E-1, 2 & 3	24110116-004	N-Hexane Extractable Material	1664	ONG__02429_L
Permit - F	24110116-005	Total Organic Carbon	SM 5310-C	SUB__60623_L
Permit - G	24110116-006	Total Suspended Solids	SM 2540-D	TSS__09756_L
Permit - H	24110116-007	Sulfide	SM 4500-S2 D	MBSU_00917_L



Frisco Community Development Corp/City of Fri  
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### QC Summary

Project Name: **SPW**

QC Type	Parameter	Result	Reference Value	Spike Conc	Rec	Rec Limits	RPD	RPD Limits	Flags
<b>QCBatchID COD_08426_L</b>									
Blank	Chemical Oxygen Demand	ND mg/L							
LCS	Chemical Oxygen Demand	506 mg/L		500 mg/L	101%	90-110%			
LCSD	Chemical Oxygen Demand	495 mg/L		500 mg/L	99%	90-110%	2.2%	0-20%	
MS	Chemical Oxygen Demand	1020 mg/L	ND	1000 mg/L	102%	80-120%			
MSD	Chemical Oxygen Demand	1040 mg/L	ND	1000 mg/L	104%	80-120%	1.9%	0-20%	
<b>QCBatchID COLO_01918_L</b>									
Blank	Color, Apparent	ND CPU							
	pH	ND pH Units							
Replicate	Color, Apparent	15 CPU	15 CPU				0.0%	0-25%	
	pH	7.0 pH Units	7 pH Units				0.0%		
<b>QCBatchID HEXL_05636_L</b>									
Blank	Chromium, Hexavalent	ND mg/L							
LCS	Chromium, Hexavalent	0.050 mg/L		0.05 mg/L	100%	90-110%			
LCSD	Chromium, Hexavalent	0.048 mg/L		0.05 mg/L	96%	90-110%	4.1%	0-20%	
MS	Chromium, Hexavalent	0.048 mg/L	ND	0.05 mg/L	96%	80-120%			
MSD	Chromium, Hexavalent	0.046 mg/L	ND	0.05 mg/L	92%	80-120%	4.3%	0-20%	
<b>QCBatchID IC_07628_L</b>									
Blank	Bromide	ND mg/L							
	Nitrate/Nitrite	ND mg/L							
LCS	Bromide	9.63 mg/L		10 mg/L	96%	90-110%			
	Nitrate	2.83 mg/L		3 mg/L	94%	90-110%			
	Nitrite	2.85 mg/L		3 mg/L	95%	90-110%			
LCSD	Bromide	9.71 mg/L		10 mg/L	97%	90-110%	0.8%	0-20%	
	Nitrate	2.85 mg/L		3 mg/L	95%	90-110%	0.7%	0-20%	
	Nitrite	2.88 mg/L		3 mg/L	96%	90-110%	1.1%	0-20%	
MS	Bromide	9.81 mg/L	ND	10 mg/L	98%	80-120%			
	Nitrate	2.88 mg/L	ND	3 mg/L	96%	80-120%			
	Nitrite	2.90 mg/L	ND	3 mg/L	97%	80-120%			
MSD	Bromide	9.71 mg/L	ND	10 mg/L	97%	80-120%	1.0%	0-20%	
	Nitrate	2.88 mg/L	ND	3 mg/L	96%	80-120%	0.0%	0-20%	
	Nitrite	2.88 mg/L	ND	3 mg/L	96%	80-120%	0.7%	0-20%	
<b>QCBatchID MBSU_00917_L</b>									
Blank	Sulfide	ND mg/L							
LCS	Sulfide	0.50 mg/L		0.5 mg/L	100%	90-110%			
LCSD	Sulfide	0.49 mg/L		0.5 mg/L	98%	90-110%	2.0%	0-20%	
MS	Sulfide	0.47 mg/L	ND	0.51 mg/L	92%	80-120%			
MSD	Sulfide	0.46 mg/L	ND	0.51 mg/L	90%	80-120%	2.2%	0-20%	
<b>QCBatchID ONG_02429_L</b>									
Blank	Oil and Grease (HEM)	ND mg/L							
LCS	Oil and Grease (HEM)	35.1 mg/L		40 mg/L	88%	78-114%			



Frisco Community Development Corp/City of Fri  
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### QC Summary

Project Name: **SPW**

QC Type	Parameter	Result	Reference Value	Spike Conc	Rec	Rec Limits	RPD	RPD Limits	Flags
<b>QCBatchID ONG_02429_L</b>									
LCSD	Oil and Grease (HEM)	33.4 mg/L		40 mg/L	84%	78-114%	5.0%	0-18%	
MS	Oil and Grease (HEM)	35.2 mg/L	ND	38.5 mg/L	91%	78-114%			
MSD	Oil and Grease (HEM)	33.5 mg/L	ND	38.5 mg/L	87%	78-114%	5.0%	0-18%	
<b>QCBatchID PH_02829_L</b>									
LCS	pH	7.0 pH Units		7 pH Units	100%	98-102%			
LCSD	pH	7.0 pH Units		7 pH Units	100%	98-102%	0.0%	0-10%	
Replicate	pH	7.3 pH Units	7.3 pH Units				0.0%	0-10%	
<b>QCBatchID PHOS_01442_L</b>									
Blank	Phosphorus, Total - P	ND mg/L							
LCS	Phosphorus, Total - P	0.52 mg/L		0.5 mg/L	104%	90-110%			
LCSD	Phosphorus, Total - P	0.53 mg/L		0.5 mg/L	106%	90-110%	1.9%	0-20%	
MS	Phosphorus, Total - P	0.64 mg/L	0.12 mg/L	0.5 mg/L	104%	80-120%			
MSD	Phosphorus, Total - P	0.65 mg/L	0.12 mg/L	0.5 mg/L	106%	80-120%	1.6%	0-20%	
<b>QCBatchID TSS_09756_L</b>									
Blank	Total Suspended Solids	ND mg/L							
LCS	Total Suspended Solids	494 mg/L		500 mg/L	99%	85-115%			
LCSD	Total Suspended Solids	489 mg/L		500 mg/L	98%	85-115%	1.0%	0-15%	
Replicate	Total Suspended Solids	80.0 mg/L	76.9 mg/L				4.0%	0-15%	
<b>QCBatchID MERC_01655_L</b>									
Blank	Mercury	ND mg/L							
LCS	Mercury	0.0100 mg/L		0.01 mg/L	100%	85-115%			
LCSD	Mercury	0.0100 mg/L		0.01 mg/L	100%	85-115%	0.0%	0-25%	
MS	Mercury	0.0100 mg/L	ND	0.01 mg/L	100%	80-120%			
MSD	Mercury	0.0109 mg/L	ND	0.01 mg/L	109%	80-120%	8.6%	0-25%	
<b>QCBatchID META_10087_L</b>									
Blank	Aluminum	ND mg/L							
	Arsenic	ND mg/L							
	Barium	ND mg/L							
	Boron	ND mg/L							
	Cadmium	ND mg/L							
	Chromium	ND mg/L							
	Cobalt	ND mg/L							
	Copper	ND mg/L							
	Iron	ND mg/L							
	Lead	ND mg/L							
	Magnesium	ND mg/L							
	Manganese	ND mg/L							
	Molybdenum	ND mg/L							
	Nickel	ND mg/L							
	Selenium	ND mg/L							



Frisco Community Development Corp/City of Fri  
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### QC Summary

Project Name: **SPW**

QC Type	Parameter	Result	Reference Value	Spike Conc	Rec	Rec Limits	RPD	RPD Limits	Flags
<b>QC Batch ID META_10087_L</b>									
	Silver	ND mg/L							
	Thallium	ND mg/L							
	Tin	ND mg/L							
	Titanium	ND mg/L							
	Zinc	ND mg/L							
LCS	Aluminum	1.05 mg/L		1.1 mg/L	96%	85-115%			
	Arsenic	0.102 mg/L		0.1 mg/L	102%	85-115%			
	Barium	0.106 mg/L		0.1 mg/L	106%	85-115%			
	Boron	0.20 mg/L		0.2 mg/L	100%	85-115%			
	Cadmium	0.0978 mg/L		0.1 mg/L	98%	85-115%			
	Chromium	0.104 mg/L		0.1 mg/L	104%	85-115%			
	Cobalt	0.100 mg/L		0.1 mg/L	100%	85-115%			
	Copper	0.1002 mg/L		0.1 mg/L	100%	85-115%			
	Iron	9.89 mg/L		10.1 mg/L	98%	85-115%			
	Lead	0.101 mg/L		0.1 mg/L	101%	85-115%			
	Magnesium	10.2 mg/L		10.1 mg/L	101%	85-115%			
	Manganese	0.108 mg/L		0.1 mg/L	108%	85-115%			
	Molybdenum	0.100 mg/L		0.1 mg/L	100%	85-115%			
	Nickel	0.098 mg/L		0.1 mg/L	98%	85-115%			
	Selenium	0.0984 mg/L		0.1 mg/L	98%	85-115%			
	Silver	0.104 mg/L		0.1 mg/L	104%	85-115%			
	Thallium	0.096 mg/L		0.1 mg/L	96%	85-115%			
	Tin	0.093 mg/L		0.1 mg/L	93%	85-115%			
	Titanium	0.103 mg/L		0.1 mg/L	103%	85-115%			
	Zinc	0.096 mg/L		0.1 mg/L	96%	85-115%			
LCSD	Aluminum	1.10 mg/L		1.1 mg/L	100%	85-115%	4.9%	0-20%	
	Arsenic	0.105 mg/L		0.1 mg/L	105%	85-115%	2.9%	0-20%	
	Barium	0.105 mg/L		0.1 mg/L	105%	85-115%	1.0%	0-20%	
	Boron	0.21 mg/L		0.2 mg/L	105%	85-115%	4.9%	0-20%	
	Cadmium	0.1034 mg/L		0.1 mg/L	103%	85-115%	5.6%	0-20%	
	Chromium	0.107 mg/L		0.1 mg/L	107%	85-115%	2.8%	0-20%	
	Cobalt	0.104 mg/L		0.1 mg/L	104%	85-115%	3.9%	0-20%	
	Copper	0.1075 mg/L		0.1 mg/L	108%	85-115%	7.0%	0-20%	
	Iron	10.3 mg/L		10.1 mg/L	102%	85-115%	4.1%	0-20%	
	Lead	0.104 mg/L		0.1 mg/L	104%	85-115%	2.9%	0-20%	
	Magnesium	10.1 mg/L		10.1 mg/L	100%	85-115%	1.0%	0-20%	
	Manganese	0.108 mg/L		0.1 mg/L	108%	85-115%	0.0%	0-20%	
	Molybdenum	0.106 mg/L		0.1 mg/L	106%	85-115%	5.8%	0-20%	
	Nickel	0.106 mg/L		0.1 mg/L	106%	85-115%	7.8%	0-20%	
	Selenium	0.1006 mg/L		0.1 mg/L	101%	85-115%	2.2%	0-20%	
	Silver	0.110 mg/L		0.1 mg/L	110%	85-115%	5.6%	0-20%	
	Thallium	0.106 mg/L		0.1 mg/L	106%	85-115%	9.9%	0-20%	
	Tin	0.102 mg/L		0.1 mg/L	102%	85-115%	9.2%	0-20%	
	Titanium	0.106 mg/L		0.1 mg/L	106%	85-115%	2.9%	0-20%	



Frisco Community Development Corp/City of Fri  
Eduardo Salazar

### QC Summary

Project Name: **SPW**

QC Type	Parameter	Result	Reference Value	Spike Conc	Rec	Rec Limits	RPD	RPD Limits	Flags
<b>QCBatchID META_10087_L</b>									
	Zinc	0.099 mg/L		0.1 mg/L	99%	85-115%	3.1%	0-20%	
MS	Aluminum	6.13 mg/L	0.739 mg/L	5.5 mg/L	98%	80-120%			
	Arsenic	0.525 mg/L	ND	0.5 mg/L	105%	80-120%			
	Barium	0.580 mg/L	0.044 mg/L	0.5 mg/L	107%	80-120%			
	Boron	1.40 mg/L	0.4 mg/L	1 mg/L	100%	80-120%			
	Cadmium	0.4835 mg/L	ND	0.5 mg/L	97%	80-120%			
	Chromium	0.524 mg/L	0.018 mg/L	0.5 mg/L	101%	80-120%			
	Cobalt	0.536 mg/L	0.04 mg/L	0.5 mg/L	99%	80-120%			
	Copper	0.4965 mg/L	ND	0.5 mg/L	99%	80-120%			
	Iron	48.7 mg/L	ND	50.5 mg/L	96%	80-120%			
	Lead	0.512 mg/L	ND	0.5 mg/L	102%	80-120%			
	Magnesium	58.2 mg/L	7.53 mg/L	50.5 mg/L	100%	80-120%			
	Manganese	0.690 mg/L	0.157 mg/L	0.5 mg/L	107%	80-120%			
	Molybdenum	0.517 mg/L	0.006 mg/L	0.5 mg/L	102%	80-120%			
	Nickel	0.483 mg/L	0.011 mg/L	0.5 mg/L	94%	80-120%			
	Selenium	0.5071 mg/L	ND	0.5 mg/L	101%	80-120%			
	Silver	0.500 mg/L	ND	0.5 mg/L	100%	80-120%			
	Thallium	0.531 mg/L	ND	0.5 mg/L	106%	80-120%			
	Tin	0.563 mg/L	0.069 mg/L	0.5 mg/L	99%	80-120%			
	Titanium	0.521 mg/L	ND	0.5 mg/L	104%	80-120%			
	Zinc	0.935 mg/L	0.43 mg/L	0.5 mg/L	101%	80-120%			
MSD	Aluminum	6.13 mg/L	0.739 mg/L	5.5 mg/L	98%	80-120%	0.0%	0-20%	
	Arsenic	0.529 mg/L	ND	0.5 mg/L	106%	80-120%	0.8%	0-20%	
	Barium	0.579 mg/L	0.044 mg/L	0.5 mg/L	107%	80-120%	0.2%	0-20%	
	Boron	1.38 mg/L	0.4 mg/L	1 mg/L	98%	80-120%	1.4%	0-20%	
	Cadmium	0.4569 mg/L	ND	0.5 mg/L	91%	80-120%	5.7%	0-20%	
	Chromium	0.537 mg/L	0.018 mg/L	0.5 mg/L	104%	80-120%	2.5%	0-20%	
	Cobalt	0.536 mg/L	0.04 mg/L	0.5 mg/L	99%	80-120%	0.0%	0-20%	
	Copper	0.4970 mg/L	ND	0.5 mg/L	99%	80-120%	0.1%	0-20%	
	Iron	49.0 mg/L	ND	50.5 mg/L	97%	80-120%	0.6%	0-20%	
	Lead	0.490 mg/L	ND	0.5 mg/L	98%	80-120%	4.4%	0-20%	
	Magnesium	57.7 mg/L	7.53 mg/L	50.5 mg/L	99%	80-120%	0.9%	0-20%	
	Manganese	0.696 mg/L	0.157 mg/L	0.5 mg/L	108%	80-120%	0.9%	0-20%	
	Molybdenum	0.503 mg/L	0.006 mg/L	0.5 mg/L	99%	80-120%	2.8%	0-20%	
	Nickel	0.478 mg/L	0.011 mg/L	0.5 mg/L	93%	80-120%	1.0%	0-20%	
	Selenium	0.5078 mg/L	ND	0.5 mg/L	102%	80-120%	0.1%	0-20%	
	Silver	0.477 mg/L	ND	0.5 mg/L	95%	80-120%	4.7%	0-20%	
	Thallium	0.500 mg/L	ND	0.5 mg/L	100%	80-120%	6.0%	0-20%	
	Tin	0.538 mg/L	0.069 mg/L	0.5 mg/L	94%	80-120%	4.5%	0-20%	
	Titanium	0.529 mg/L	ND	0.5 mg/L	106%	80-120%	1.5%	0-20%	
	Zinc	0.893 mg/L	0.43 mg/L	0.5 mg/L	93%	80-120%	4.6%	0-20%	
<b>QCBatchID SUB_60623_L</b>									
Blank	Total Organic Carbon	ND mg/L							



Frisco Community Development Corp/City of Fri  
Eduardo Salazar

### QC Summary

Project Name: **SPW**

QC Type	Parameter	Result	Reference Value	Spike Conc	Rec	Rec Limits	RPD	RPD Limits	Flags
<b>QC Batch ID SUB_60623_L</b>									
LCS	Total Organic Carbon	4.77 mg/L		5 mg/L	95%	78-119%			
MS	Total Organic Carbon	12.9 mg/L	2.99 mg/L	10 mg/L	99%	85-115%			
MSD	Total Organic Carbon	13.1 mg/L	2.99 mg/L	10 mg/L	101%	85-115%	1.5%	0-20%	



Frisco Community Development Corp/City of Fri  
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### Case Narrative

Project Name: **SPW**

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E-5	Calculation not available under scope of NELAP accreditation.
J-5	The associated concentration is an estimated value detected between the SDL and the Adjusted MQL
L-2	Analysis performed by SPL Kilgore, 2600 Dudley Rd. Kilgore TX 75662 - Lab ID- T104704201
S-12	Analysis performed outside of the method required 15 minute hold time.
S-14	Result automatically temperature corrected to 25°C.
Dx [Value]	Sample diluted by [Value] amount
ppm	Parts per million = mg/Kg or mg/L
ppb	Parts per billion = ug/Kg or ug/L
MQL	Method quantitation limit
SDL	Sample detection limit (reflects any laboratory adjustments made to the sample during analysis such as dry weight or dilutions)
SQL	Sample quantitation limit (reflects any laboratory adjustments made to the sample during analysis such as dry weight or dilution)
ND	Analyte not detected at or above SDL
LCS/LCSD	Laboratory control spike / Laboratory control spike duplicate
MS/MSD	Matrix spike / Matrix spike duplicate
RPD	Relative percent difference
Sub	Analysis performed by subcontract laboratory

Solid samples submitted to the laboratory for analysis by SW-846 Method 8260 should be collected by SW-846 Method 5035. Those samples in which concentrations are less than or equal to 200 ug/kg should be collected in accordance with SW-846 Method 5035, Section 6.2.1. For samples with higher concentrations (> 200 ug/kg), collect samples by SW-846 Method 5035, Section 6.2.2 or 6.2.3. Sample results may not accurately reflect volatile concentrations if collection is not performed according to the referenced methodologies.

Solid samples submitted to the laboratory for analysis by TNRCC Method 1005 should be collected in accordance to the methodology. Those samples in which concentrations of C6 to C12 are known to be absent, or fall under the Petroleum Storage Tank (PST) rule, may be collected in bulk sample jars in accordance with TNRCC Method 1005, Revision 3 clarifications. For samples with concentrations of C6 to C12, or where knowledge of the site does not exist, collect samples by TNRCC Method 1005, Section 6.1. Sample results may not accurately reflect TPH concentrations if collection is not performed according to the referenced methodologies.

Solid sample results reported on a dry weight basis for all applicable analysis, unless otherwise noted. Dry weight calculations based upon % solids obtained as outlined in EPA method 5035 section 7.5.

This report is intended only for the use of Frisco Community Development Corp/City of Frisco and may contain information that is privileged and confidential. It may not be reproduced in full (or in part) without the expressed written permission of Frisco Community Development Corp/City of Frisco and Southern Petroleum Laboratories, Inc.

Southern Petroleum Laboratories, Inc. certifies to the best of its knowledge that all results contained in this report are consistent with the National Environmental Laboratory Accreditation Program, except where otherwise noted.



Frisco Community Development Corp/City of Fri  
Eduardo Salazar

### Sample Preservation Verification

Project Name: **SPW**

Receipt temp: **1.3 °C on Ice**

Receipt method: **Customer Courier**

Custody seal intact: **Present on each container**

All samples / labels received intact: **Yes**

Customer Sample ID: **Permit - A**

Collected By: **Eduardo Salazar**

SPL Sample ID: **24110116-001**

Collector Affiliation: **Frisco Community Development C**

Collected: **11/07/24 08:38 until 11/08/24 08:00**

Matrix: **Liquid**

<u>Bottle Type</u>	<u>Count</u>	<u>Collection Method</u>	<u>Parts / Interval</u>	<u>Indicated / Observed Preservation</u>	<u>pH</u>
250 mL Plastic	1	Flow Composite	96 part	H2SO4	<2

Customer Sample ID: **Permit - B**

Collected By: **Eduardo Salazar**

SPL Sample ID: **24110116-002**

Collector Affiliation: **Frisco Community Development C**

Collected: **11/07/24 08:38 until 11/08/24 08:00**

Matrix: **Liquid**

<u>Bottle Type</u>	<u>Count</u>	<u>Collection Method</u>	<u>Parts / Interval</u>	<u>Indicated / Observed Preservation</u>	<u>pH</u>
250 mL Plastic	1	Flow Composite	96 part	HNO3	<2

Customer Sample ID: **Permit - D**

Collected By: **Eduardo Salazar**

SPL Sample ID: **24110116-003**

Collector Affiliation: **Frisco Community Development C**

Collected: **11/07/24 08:38 until 11/08/24 08:00**

Matrix: **Liquid**

<u>Bottle Type</u>	<u>Count</u>	<u>Collection Method</u>	<u>Parts / Interval</u>	<u>Indicated / Observed Preservation</u>	<u>pH</u>
500 mL Plastic	1	Flow Composite	96 part	Temp	-

Customer Sample ID: **Permit E-1, 2 & 3**

Collected By: **Eduardo Salazar**

SPL Sample ID: **24110116-004**

Collector Affiliation: **Frisco Community Development C**

Collected: **11/08/24 07:30**

Matrix: **Liquid**

<u>Bottle Type</u>	<u>Count</u>	<u>Collection Method</u>	<u>Parts / Interval</u>	<u>Indicated / Observed Preservation</u>	<u>pH</u>
500 mL Amber	3	Grab		H2SO4	*

*\* Preservation verified at analysis*

Customer Sample ID: **Permit - F**

Collected By: **Eduardo Salazar**

SPL Sample ID: **24110116-005**

Collector Affiliation: **Frisco Community Development C**

Collected: **11/07/24 08:38 until 11/08/24 08:00**

Matrix: **Liquid**

<u>Bottle Type</u>	<u>Count</u>	<u>Collection Method</u>	<u>Parts / Interval</u>	<u>Indicated / Observed Preservation</u>	<u>pH</u>
250 ml Amber	1	Flow Composite	96 part	H2SO4	<2



Frisco Community Development Corp/City of Fri  
Eduardo Salazar

### Sample Preservation Verification

Project Name: **SPW**

---

Customer Sample ID: <b>Permit - G</b>	Collected By: <b>Eduardo Salazar</b>
SPL Sample ID: <b>24110116-006</b>	Collector Affiliation: <b>Frisco Community Development C</b>
Collected: <b>11/07/24 08:38 until 11/08/24 08:00</b>	Matrix: <b>Liquid</b>

<u>Bottle Type</u>	<u>Count</u>	<u>Collection Method</u>	<u>Parts / Interval</u>	<u>Indicated / Observed Preservation</u>	<u>pH</u>
1000 mL Plastic	1	Flow Composite	96 part	Temp	-

---

Customer Sample ID: <b>Permit - H</b>	Collected By: <b>Eduardo Salazar</b>
SPL Sample ID: <b>24110116-007</b>	Collector Affiliation: <b>Frisco Community Development C</b>
Collected: <b>11/07/24 08:38 until 11/08/24 08:00</b>	Matrix: <b>Liquid</b>

<u>Bottle Type</u>	<u>Count</u>	<u>Collection Method</u>	<u>Parts / Interval</u>	<u>Indicated / Observed Preservation</u>	<u>pH</u>
250 mL Plastic	1	Flow Composite	96 part	NaOH & Zinc Acetate	>9

---

Sample conditions at time of receipt at laboratory verified in part or in whole by:

CH



SPL



Documentation

PROJECT DESCRIPTION: SPW

Frisco Community Development Corporation  
601 Frisco Square Blvd  
Frisco, TX 75034  
Telephone 469 388 2924

04110116

CHAIN OF CUSTODY RECORD

INDUSTRY: F.C.D.C./Former Exide Technologies	OUTFALL: SPW	SAMPLER: Eduardo Salazar							
ADDRESS: 7471 Fifth Street Frisco, Texas 75034	NATURE OF INDUSTRY: Former Secondary Smelting	REPRESENTING: City of Frisco							
INDUSTRY REPRESENTATIVE (S): Eduardo Salazar	SIGNATURE: <i>Eduardo Salazar</i>								
SAMPLE No. / IDENTIFICATION	DATE (S)	TIME (S)	SAMPLE TYPE **	ANALYSES REQUESTED	pH	DATE TIME	INITIALS	PRESERVATION/ REMARKS/CONTAINERS / ALL SAMPLES COOL ≤ 6° C	INITIALS
001 Permit - A	11/07/24 - 11/08/24	8:38 AM - 8:00 AM	FC	COD, Phos, NO3+NO3	7.2	11/08/24 8:35 AM	ES	H2SO4/250 ml/plastic	ES
002 Permit - B	11/07/24 - 11/08/24	8:38 AM - 8:00 AM	FC	*	7.2	11/08/24 8:32 AM	ES	HNO3/250 ml/plastic	ES
003 Permit - D	11/07/24 - 11/08/24	8:38 AM - 8:00 AM	FC	***	7.2	11/08/24 8:30 AM	ES	None/500 ml Plastic	ES
004 Permit - E-1, 2 & 3	11/07/24 - 11/08/24	7:30 AM	G	O & G	7.3	11/08/24 7:30 AM	ES	H2SO4/3x500 ml Amber Glass	ES
005 Permit - F	11/07/24 - 11/08/24	8:38 AM - 8:00 AM	FC	TOC	7.2	11/08/24 8:37 AM	ES	H2SO4/250 ml Amber Glass	ES
006 Permit - G	11/07/24 - 11/08/24	8:38 AM - 8:00 AM	FC	TSS	7.2	11/08/24 8:30 AM	ES	None/1 liter Plastic	ES
007 Permit - H	11/07/24 - 11/08/24	8:38 AM - 8:00 AM	FC	Sulfide	7.2	11/08/24 8:34 AM	ES	NaOH + Zn Acetate 250 ml/plastic	ES

*200% Rusech*

\*Al, As, Ba, B, Cd, Co, Cu, Cr, Fe, Ti, Sn, Tl, Pb, Hg, Mg, Mn, Mo, Ni, Se, Ag, and Zn. \*\*\* Cr+6, Cr+3, pH, Br, Color

FIELD INFORMATION: Storm Water Retention Pond /Collected with an ISCO Auto Sampler Model #3700FR

E-MAIL RESULTS TO Billy.bing.metc@gmail.com ESalazar@friscoctexas.gov Lindstrom, Amy <ALindstrom@braunintertec.com>

USE WASTE WATER REPORT FORMAT

RELINQUISHED BY: (Signature)	REPRESENTING	DATE	TIME	RECEIVED BY: (Signature)	REPRESENTING	DATE	TIME
<i>Eduardo Salazar</i>	City of Frisco	11/27/24	10:15 AM	<i>Steve Wunsold</i>	JCS6	11/27/24	10:15 AM
<i>Steve Wunsold</i>	JCS6	11/27/24	11:50 AM	<i>Steve Wunsold</i>	JCS6	11/27/24	11:50

\*\* TC = TIME COMPOSITE (96 PARTS) FC = FLOW WEIGHTED COMPOSITE (96 PARTS) G = GRAB

*1.9°C PLH-401*



### Documentation

PROJECT DESCRIPTION: **SPW**



### Supplemental Sample Receipt Checklist

Client: F.C.D. / Former Exide Technologies Date Received: 11/18/24  
Project: F.C.D. / Former Exide Technologies Received By: Christopher Hillis  
SPL Project ID: 24110116

Thermometer ID: P&A 4601 Correction Factor: 0.3 °C  
Observed cooler Temperature: 1.0 °C Corrected cooler Temperature: 1.3 °C

- Samples Received on Ice:  Y  N
- Proper bottles received in good condition:  Y  N
- Samples received match COC:  Y  N
- Bottles filled with adequate volume:  Y  N
- Samples appropriately preserved\*:  Y  N
- Samples received within hold time:  Y  N
- VOA vials filled properly:  Y  N  NA
- Custody Seal Present:  Y  N
- Custody Seal Intact:  Y  N  NA

Note:  
\*Samples needing thermal preservation that are sampled within 2 hours of receipt and received on ice are acceptable even if the measured temperature is higher than the allowable.

Comments:  
Each Bottle has a seal



SPL



Documentation

PROJECT DESCRIPTION: SPW

24110116

**Samantha Simmons**

**From:** Eduardo G. Salazar <ESalazar@friscotexas.gov>  
**Sent:** Thursday, November 14, 2024 7:07 AM  
**To:** Samantha Simmons  
**Subject:** RE: SPL Sample Receipt : 24110116  
**Attachments:** COCC.pdf

Good morning Samantha,

Attached is the COCC with the correction.

Thanks,  
Eduardo

---

**From:** Samantha Simmons <Samantha.Simmons@spllabs.com>  
**Sent:** Wednesday, November 13, 2024 5:19 PM  
**To:** Eduardo G. Salazar <ESalazar@friscotexas.gov>  
**Subject:** SPL Sample Receipt : 24110116

**CAUTION: External Email**

SPL received samples on 11/8 but the collection date looks like it is recorded incorrectly on the COC for the O&G analysis. It is noted that this was a grab collection but there are composite times. If you could please update us with this information so we can update the system accordingly.

**Samantha Simmons**  
Customer Service Manager  
Environmental  
[samantha.simmons@spllabs.com](mailto:samantha.simmons@spllabs.com)  
Office: 972-424-6422 | Direct: 945-800-6420  
1825 E Plano Parkway, Suite 160 | Plano, TX 75074



For more information visit [spllabs.com](http://spllabs.com)  
[LinkedIn SPL](#)

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**Documentation**

PROJECT DESCRIPTION: **SPW**

24110116

Frisco Community Development Corporation  
 6101 Frisco Square Blvd  
 Frisco, TX 75034  
 Telephone: 469 288 2944

24110116

CHAIN OF CUSTODY RECORD

INDUSTRY: F.C.D.C./Former Esde Technologies	OUTFALL: SPW	SAMPLER: Eduardo Salazar
ADDRESS: 7471 Fisk Street Frisco, Texas 75034	NATURE OF INDUSTRY: Former Secondary Sewerline	REPRESENTING: City of Frisco
INDUSTRY REPRESENTATIVE(S): Eduardo Salazar		SIGNATURE: <i>Eduardo Salazar</i>

SAMPLE No. / IDENTIFICATION	DATE (S)	TIME (S)	SAMPLE TYPE**	ANALYSES REQUESTED	pH	DATE TIME	INITIALS	*PRESERVATION/REMARKS/CONTAINERS/ ALL SAMPLES COOL TO 4°C	INITIALS
001 Permit - A	11/07/24 - 11/08/24	8:38 AM - 8:00 AM	FC	COD, Phos, NO3+NO3	7.2	11/08/24 8:35 AM	ES	H2SO4/250 ml/plastic	ES
002 Permit - B	11/07/24 - 11/08/24	8:38 AM - 8:00 AM	FC	"	7.2	11/08/24 8:32 AM	ES	HNO3/250 ml/plastic	ES
003 Permit - D	11/07/24 - 11/08/24	8:38 AM - 8:00 AM	FC	***	7.2	11/08/24 8:30 AM	ES	None/500 ml Plastic	ES
004 Permit - B-1, 2 & 3	11/07/24 - 11/08/24	7:30 AM	G	O & G	7.3	11/08/24 7:30 AM	ES	H2SO4/3x500 ml Amber Glass	ES
005 Permit - F	11/07/24 - 11/08/24	8:38 AM - 8:00 AM	FC	TOC	7.2	11/08/24 8:37 AM	ES	H2SO4/250 ml Amber Glass	ES
006 Permit - G	11/07/24 - 11/08/24	8:38 AM - 8:00 AM	FC	TSS	7.2	11/08/24 8:30 AM	ES	None/1 liter Plastic	ES
007 Permit - H	11/07/24 - 11/08/24	8:38 AM - 8:00 AM	FC	Sulfido	7.2	11/08/24 8:34 AM	ES	NaOH + Zn Acetate 250 ml/plastic	ES

\*Al, As, Ba, B, Cd, Co, Cr, Cu, Fe, Ti, Sn, Tl, Pb, Hg, Mg, Mn, Mo, Ni, Se, Ag, and Zn. \*\*\* Cr+6, Cr+3, pH, B, Color

(200% Rusch)

FIELD INFORMATION: Storm Water Retention Pond/Collected with an ISCO Auto Sampler Model #1196R

E-MAIL RESULTS TO: Billy.Magmeta@grsll.com ES@esr.com ES@esr.com 21601st St, Ave <All@esr.com@brana-hi-terce.com>

USE WASTE WATER REPORT FORMAT

RELINQUISHED BY (Signature) <i>Eduardo Salazar</i>	REPRESENTING City of Frisco	DATE 11/24	TIME 10:15 AM	RECEIVED BY (Signature) <i>Rita Arnold</i>	REPRESENTING JCS6	DATE 11/18/24	TIME 10:15 AM
RELINQUISHED BY (Signature) <i>Rita Arnold</i>	REPRESENTING JCS6	DATE 11/18/24	TIME 11:50 AM	RECEIVED BY (Signature) <i>ES</i>	REPRESENTING SPL	DATE 11/18/24	TIME 11:50

\*\*TC - TIME COMPOSITE (24 PARTS) FC - FLOW WEIGHTED COMPOSITE (24 PARTS) G - GRAB

1.3°C PL-1A-40T

January 23, 2025

Project B2101050.04

Mrs. Abesha Micheal  
Applications Review and Processing Team (MC 148)  
Water Quality Division  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

RE: Response to Notice of Deficiencies  
Frisco Community Development Corporation  
7471 Old Fifth Street, Frisco, Collin County, Texas  
Regulated Entity No.: RN100218643  
TCEQ Permit No.: WQ0002964000

Dear Mrs. Micheal:

On behalf of Frisco Community Development Corporation, Braun Intertec Corporation has prepared this response to the Texas Commission on Environmental Quality (TCEQ) Notice of Deficiencies (NOD) dated January 9, 2025. The NOD notes deficiencies in the Core Data Form, and Administrative Report of the Texas Pollutant Discharge Elimination System (TPDES) permit (Permit) application for the renewal with no changes for the existing Permit (WQ0002964000) for the Frisco Community Development Corporation (FCDC) facility located at 7471 Old Fifth Street, Frisco, Texas (Site).

Deficiencies were noted in the following areas:

- Core Data Form Section II, Items 7 & 8
- Core Data Form Section III, Items 26, 27 & 28
- Core Data Form Section V, Item 46
- Administrative Report 1.0, Item 9d
- Administrative Report 1.0, Items 13 and 2c
- Industrial Discharge Amendment NORI
- Industrial Discharge Amendment Spanish NORI
- Technical Report 1.1, Item 14

For reference, we have presented TCEQ comments below in *italics*, with our response thereafter.

1. *Section II, items 7 & 8 on page 1 of the Core Data Form (CDF): Thank you for addressing these items. However, the TX SOS charter (filing) Number and the State Franchise TAX ID Number were in correct. After a routine verification with the Texas Secretary of State and the Texas Comptroller's Office they show, the Charter Number as 134188001, and the TAX ID Number as 30117625670. Please confirm the charter number and TAX ID number is accurate for Frisco Community Development Corporation and submit an update the CDF.*

Response

The Core Data Form has been updated with the correct information and is being submitted as a separate attachment to this letter.

2. *Section III, items 26, 27 & 28, on page 2 of the Core Data Form (CDF): These items were left blank. However, all items on the form must be completed to ensure that we have the most updated information. Please complete and submit a revised and signed CDF.*

Response

The Core Data Form has been updated and is being submitted as a separate attachment to this letter.

3. *Section V, Item 46 on Page 2 & 3 of the Core Data Form (CDF): The CDF was not signed. Please provide a revised pages 2 & 3 and signed by Mr. Ava Lindstrom Playle. (the name indicated on CDF, item 40)*

Response

The Core Data Form has been signed by the authorized responsible corporate officer and is being submitted as a separate attachment to this letter.

4. *Item 9D on page 7 of the application. Thank you for addressing this item. However, the physical address of the building is incorrect. Per Google verification the physical address is 8000 Dallas Pkwy, Frisco, TX. Please update page 7.*

Response

Item 9D on page 7 has been updated to include the correct physical address of the library and is being submitted as a separate attachment to this letter

5. *Item 13 on page 12 and item 2C on page 4 of the application: Thank you for providing a notarized signature page signed by Mr. Mack Borchardt, Special Assistant to the City Manager for Frisco Community Development Corporation is a responsible corporate officer. However, TCEQ rules require that the application be signed by a responsible person at least the level of vice president, or Board of Directors. Please provide additional documentation showing that Mr. Mack Borchardt is authorized to sign and submit this document.*

Response

A notarized signature from the facility responsible person has been updated for Item 2c and item 13 and is being attached as a separate attachment to this letter. In addition to the above request, we are attaching Item 14 on page 15 of the Technical Report to satisfy the laboratory accreditation with certification from the same facility responsible person as the updated Administrative Report.

6. *The following is a portion of the NORI which contains information relevant to your application. Please read it carefully and indicate if it contains any errors or omissions. The complete notice will be sent to you once the application is declared administratively complete.*

Response

The NORI was reviewed and there were errors noted. Tracked changes are shown below.

**APPLICATION.** Frisco Community Development Corporation, 6101 Frisco Square Boulevard, 5th Floor, Frisco, Texas 75034, which owns a former secondary lead smelter facility, has applied to the Texas Commission on Environmental Quality (TCEQ) to renew Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0002964000 (EPA I.D. No. TX0103292) to authorize the discharge of treated ~~wastewater and~~ stormwater at a volume not to exceed a daily average flow of 385,000 gallons per day. The ~~domestic~~ wastewater treatment facility is located at 7471 Old 5th Street, in the city of Frisco, in Collin County, Texas 75034. The discharge route is from the plant site via a pipe to Stewart Creek, thence to Lewisville Lake. TCEQ received this application on December 30, 2024. The permit application will be available for viewing and copying at Frisco Public Library, 8000 Dallas Parkway, Free Publications Area, 2nd Floor, Frisco, 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=-96.830555,33.140277&level=18>

7. *The application indicates that public notices in Spanish are required. After confirming the portion of the NORI above 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.*

Response

A translated Spanish NORI has been prepared and is being submitted in Microsoft Word document.

We appreciate your assistance in review of this Package. If you have any technical questions, or require additional information, please contact Ava Lindstrom Playle at 817.985.4920 or [alindstrom@braunintertec.com](mailto:alindstrom@braunintertec.com), or Patricia Edwards at 936.321.2522 or [pedwards@braunintertec.com](mailto:pedwards@braunintertec.com).

Sincerely,

BRAUN INTERTEC CORPORATION



Ava Playle  
Project Scientist II



Patricia Edwards  
Principal Consultant II

Enclosures

cc: Mr. Billy King, Consultant for Frisco Community Development Corporation  
Mr. Mack Borchardt, Frisco Community Development Corporation

**Administrative 1.0, Item 4**

**Core Data Form**



# TCEQ Core Data Form

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

## A.1. SECTION I: General Information

<b>1. Reason for Submission</b> (If other is checked please describe in space provided.)		
<input type="checkbox"/> New Permit, Registration or Authorization (Core Data Form should be submitted with the program application.)		
<input checked="" type="checkbox"/> Renewal (Core Data Form should be submitted with the renewal form)		<input type="checkbox"/> Other
<b>2. Customer Reference Number</b> (if issued)	Follow this link to search for CN or RN numbers in Central Registry**	<b>3. Regulated Entity Reference Number</b> (if issued)
CN 605857168		RN 100218643

## A.2. SECTION II: Customer Information

<b>4. General Customer Information</b>		<b>5. Effective Date for Customer Information Updates</b> (mm/dd/yyyy)	
<input type="checkbox"/> New Customer		<input type="checkbox"/> Update to Customer Information	
<input type="checkbox"/> Change in Legal Name (Verifiable with the Texas Secretary of State or Texas Comptroller of Public Accounts)		<input type="checkbox"/> Change in Regulated Entity Ownership	
<i>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).</i>			
<b>6. Customer Legal Name</b> (If an individual, print last name first: eg: Doe, John)		<i>If new Customer, enter previous Customer below:</i>	
Frisco Community Development Corporation			
<b>7. TX SOS/CPA Filing Number</b>	<b>8. TX State Tax ID</b> (11 digits)	<b>9. Federal Tax ID</b> (9 digits)	<b>10. DUNS Number</b> (if applicable)
0134188001	30117625670	81-1304365	190075143
<b>11. Type of Customer:</b>	<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"/> Local <input type="checkbox"/> State <input type="checkbox"/> Other	<input type="checkbox"/> Sole Proprietorship	<input type="checkbox"/> Other:	
<b>12. Number of Employees</b>		<b>13. Independently Owned and Operated?</b>	
<input checked="" type="checkbox"/> 0-20 <input type="checkbox"/> 21-100 <input type="checkbox"/> 101-250 <input type="checkbox"/> 251-500 <input type="checkbox"/> 501 and higher		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<b>14. Customer Role</b> (Proposed or Actual) – as it relates to the Regulated Entity listed on this form. Please check one of the following			
<input type="checkbox"/> Owner <input type="checkbox"/> Operator <input checked="" type="checkbox"/> Owner & Operator <input type="checkbox"/> Other:			
<input type="checkbox"/> Occupational Licensee <input type="checkbox"/> Responsible Party <input type="checkbox"/> VCP/BSA Applicant			
<b>15. Mailing Address:</b>	6101 Frisco Square Boulevard, 5th Floor		
	<b>City</b>	<b>State</b>	<b>ZIP</b>
	Frisco	TX	75034
<b>16. Country Mailing Information</b> (if outside USA)		<b>17. E-Mail Address</b> (if applicable)	
		mborchardt@friscotexas.gov	
<b>18. Telephone Number</b>	<b>19. Extension or Code</b>	<b>20. Fax Number</b> (if applicable)	
( 972 ) 292-5127		( ) -	

## A.3. SECTION III: Regulated Entity Information

<b>21. General Regulated Entity Information</b> (If 'New Regulated Entity' is selected, a new permit application is also required.)
<input type="checkbox"/> New Regulated Entity <input type="checkbox"/> Update to Regulated Entity Name <input checked="" type="checkbox"/> Update to Regulated Entity Information
<i>The Regulated Entity Name submitted may be updated, in order to meet TCEQ Core Data Standards (removal of organizational endings such as Inc, LP, or LLC).</i>
<b>22. Regulated Entity Name</b> (Enter name of the site where the regulated action is taking place.)

Frisco Community Development Corporation							
<b>23. Street Address of the Regulated Entity:</b> <i>(No PO Boxes)</i>	7471 Old Fifth Street						
	<b>City</b>	Frisco	<b>State</b>	TX	<b>ZIP</b>	75034	<b>ZIP + 4</b>
<b>24. County</b>	Collin						

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

<b>25. Description to Physical Location:</b>	7471 Old Fifth Street				
<b>26. Nearest City</b>	<b>State</b>			<b>Nearest ZIP Code</b>	
Frisco	TX			75034	
<i>Latitude/Longitude are required and may be added/updated to meet TCEQ Core Data Standards. (Geocoding of the Physical Address may be used to supply coordinates where none have been provided or to gain accuracy).</i>					
<b>27. Latitude (N) In Decimal:</b>	33.14035		<b>28. Longitude (W) In Decimal:</b>	-96.82747	
Degrees	Minutes	Seconds	Degrees	Minutes	Seconds
33	08	25.26	96	49	38.91
<b>29. Primary SIC Code</b> (4 digits)	<b>30. Secondary SIC Code</b> (4 digits)		<b>31. Primary NAICS Code</b> (5 or 6 digits)	<b>32. Secondary NAICS Code</b> (5 or 6 digits)	
9199	4953		921190	562219	
<b>33. What is the Primary Business of this entity?</b> <i>(Do not repeat the SIC or NAICS description.)</i>					
Community Development, Landfills					
<b>34. Mailing Address:</b>	6101 Frisco Square Boulevard, 5th Floor				
	<b>City</b>	Frisco	<b>State</b>	TX	<b>ZIP</b> 75034 <b>ZIP + 4</b>
<b>35. E-Mail Address:</b>	mborchardt@friscotexas.gov				
<b>36. Telephone Number</b>	<b>37. Extension or Code</b>		<b>38. Fax Number</b> <i>(if applicable)</i>		
( 972 ) 292-5127			( ) -		

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

<input type="checkbox"/> Dam Safety	<input type="checkbox"/> Districts	<input type="checkbox"/> Edwards Aquifer	<input type="checkbox"/> Emissions Inventory Air	<input type="checkbox"/> Industrial Hazardous Waste
<input type="checkbox"/> Municipal Solid Waste	<input type="checkbox"/> New Source Review Air	<input type="checkbox"/> OSSF	<input type="checkbox"/> Petroleum Storage Tank	<input type="checkbox"/> PWS
<input type="checkbox"/> Sludge	<input checked="" type="checkbox"/> Storm Water	<input type="checkbox"/> Title V Air	<input type="checkbox"/> Tires	<input type="checkbox"/> Used Oil
<input type="checkbox"/> Voluntary Cleanup	WQ0002964000	<input type="checkbox"/> Wastewater	<input type="checkbox"/> Wastewater Agriculture	<input type="checkbox"/> Water Rights
		<input type="checkbox"/> Wastewater Agriculture	<input type="checkbox"/> Water Rights	<input type="checkbox"/> Other:

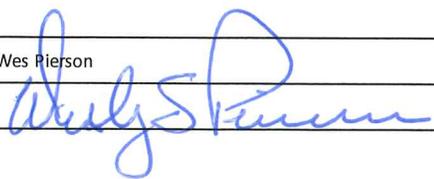
#### A.4. SECTION IV: Preparer Information

<b>40. Name:</b>	Ava Lindstrom Playle	<b>41. Title:</b>	Project Scientist II
<b>42. Telephone Number</b>	<b>43. Ext./Code</b>	<b>44. Fax Number</b>	<b>45. E-Mail Address</b>
( 817 ) 985-4920		( ) -	alindstrom@braunintertec.com

#### A.5. 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.

<b>Company:</b>	Frisco Community Development Corporation	<b>Job Title:</b>	Frisco City Manager, Frisco Community Development Corporation Operations Manager
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Name (In Print):	Wes Pierson	Phone:	972-292-5105
Signature:		Date:	1/17/25

**Administrative 1.0, Item 9D**  
**Public Viewing Location Information**

Title: Consultant                      Credential: Click to enter text.  
Organization Name: Frisco Community Development Corporation  
Mailing Address: 6101 Frisco Square Boulevard, 5th Floor                      City/State/Zip: Frisco, Texas 75034  
Phone No: 214.674.0197                      Email: billy.king.mete@gmail.com

## Item 9. Notice Information (Instructions, Pages 28)

a. Individual Publishing the Notices

Prefix: Ms.    Full Name (Last/First Name): Ava Lindstrom Playle  
Title: Project Scientist II                      Credential: Click to enter text.  
Organization Name: Braun Intertec Corporation  
Mailing Address: 1124 Galveston Ave #102                      City/State/Zip: Fort Worth, Texas, 76104  
Phone No: 817.985.4920                      Email: alindstrom@braunintertec.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: alindstrom@braunintertec.com

Fax: Click to enter text.

Regular Mail (USPS)

Mailing Address: Click to enter text.

City/State/Zip Code: Click to enter text.

c. Contact in the Notice

Prefix: Mr.    Full Name (Last/First Name): Billy King  
Title: Consultant                      Credential: Click to enter text.  
Organization Name: Frisco Community Development Corporation  
Phone No: 214.674.0197                      Email: billy.king.mete@gmail.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: Frisco Public Library Location within the building: Free Publications Area, 2nd Floor

Physical Address of Building: 8000 Dallas Parkway

City: Frisco                      County: Collin

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.

**Administrative 1.0, Item 2c**  
**Updated Facility Responsible Person**

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 <sup>2</sup>	<input type="checkbox"/> \$2,050	<input type="checkbox"/> \$2,015	<input type="checkbox"/> \$450

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: 737495 and 737496

Copy of voucher attachment: A

**Item 2. Applicant Information (Instructions, Pages 26)**

a. Customer Number, if applicant is an existing customer: CN605857168

**Note:** Locate the customer number using the [TCEQ's Central Registry Customer Search](#)<sup>3</sup>.

b. Legal name of the entity (applicant) applying for this permit: Frisco Community Development Corporation

**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.)

Prefix: Mr. Full Name (Last/First Name): Wes Pierson

Title: Frisco City Manager Credential: N/A

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

<sup>2</sup> All facilities are designated as minors until formally classified as a major by EPA.

<sup>3</sup> <https://www15.tceq.texas.gov/crpub/index.cfm?fuseaction=cust.CustSearch>

**Administrative 1.0, Item 13**

**Updated Facility Responsible Person Signature**

**Item 13. Signature Page (Instructions, Page 33)**

Permit No: WQ0002964000

Applicant Name: Frisco Community Development Corporation

Certification: I, Wes Pierson, 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.

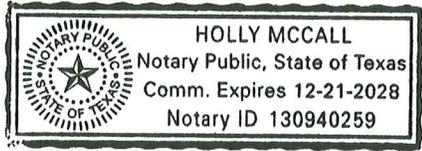
Signatory name (typed or printed): Mr. Wes Pierson

Signatory title: Frisco City Manager and Frisco Community Development Corporation Operations Manager

Signature:  Date: 1/17/25  
(Use blue ink)

Subscribed and Sworn to before me by the said Wesley S. Pierson  
on this 17<sup>th</sup> day of January, 20 25.  
My commission expires on the 21<sup>st</sup> day of December, 20 28.

Holly McCall  
Notary Public  
Collin  
County, Texas



[SEAL]

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

**Technical 1.0, Item 14**

**Updated Facility Responsible Person Signature**

## Item 14. Laboratory Accreditation (Instructions, Page 49)

All laboratory tests performed must meet the requirements of *30 TAC Chapter 25, Environmental Testing Laboratory Accreditation and Certification*, which includes the following general exemptions from National Environmental Laboratory Accreditation Program (NELAP) certification requirements:

- The laboratory is an in-house laboratory and is:
  - periodically inspected by the TCEQ; or
  - located in another state and is accredited or inspected by that state; or
  - performing work for another company with a unit located in the same site; or
  - performing pro bono work for a governmental agency or charitable organization.
- The laboratory is accredited under federal law.
- The data are needed for emergency-response activities, and a laboratory accredited under the Texas Laboratory Accreditation Program is not available.
- The laboratory supplies data for which the TCEQ does not offer accreditation.

The applicant should review *30 TAC Chapter 25* for specific requirements.

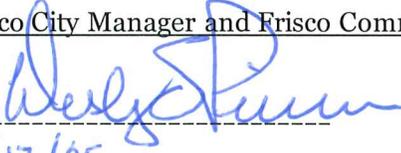
The following certification statement shall be signed and submitted with every application. See the *Signature Page* section in the Instructions, for a list of designated representatives who may sign the certification.

### CERTIFICATION:

I certify that all laboratory tests submitted with this application meet the requirements of *30 TAC Chapter 25, Environmental Testing Laboratory Accreditation and Certification*.

Printed Name: Mr. Wes Pierson

Title: Frisco City Manager and Frisco Community Development Corporation Operations Manager

Signature: 

Date: 1/17/25

# 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. WQ0002964000

**SOLICITUD.** Frisco Community Development Corporation, 6101 Frisco Square Boulevard, 5th Floor, Frisco, Texas 75034, que posee una antigua instalación de fundición secundaria de plomo, ha solicitado a la Comisión de Calidad Ambiental del Estado de Texas (TCEQ) para renovar el Permiso No. WQ0002964000 (EPA I.D. No. TX0103292) del Sistema de Eliminación de Descargas de Contaminantes de Texas (TPDES) autorizar la descarga de aguas pluviales tratadas asociadas con actividades industriales a un volumen que no exceda un flujo promedio diario de 385,000 galones por día. La planta está ubicada 7471 Old 5th Street, en la Ciudad de Frisco, en el Condado de Collin, Texas 75034. La ruta de descarga es del sitio de la planta a través de una tubería hasta Stewart Creek, y de allí hasta el lago Lewisville. La TCEQ recibió esta solicitud el 30 de diciembre. La solicitud para el permiso está disponible para leerla y copiarla en la Biblioteca Pública de Frisco, Área de Publicaciones Gratuitas, 2nd Floor, 8000 Dallas Parkway, Frisco, Texas, antes de la fecha en que se publique 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=-96.830555,33.140277&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 DE LA TCEQ. Todos los comentarios escritos del público y los para pedidos una reunión deben ser presentados a la Oficina del Secretario Principal, MC 105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087 o por el internet at [www.tceq.texas.gov/about/comments.html](http://www.tceq.texas.gov/about/comments.html).** 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. Si necesita más información en Español sobre esta solicitud para un permiso o el proceso del permiso, por favor llame a El Programa de Educación Pública de la TCEQ, sin cobro, al 1-800-687-4040. La información general sobre la TCEQ puede ser encontrada en nuestro sitio de la red: [www.tceq.texas.gov](http://www.tceq.texas.gov).

También se puede obtener información adicional del Frisco Community Development Corporation a la dirección indicada arriba o llamando a Billy King, Consultant al 214-674-0197.

Fecha de emisión \_\_\_\_\_ *[Date notice issued]*



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

Frisco Community Development Corporation

whose mailing address is

6101 Frisco Square Boulevard, 5th Floor  
Frisco, Texas 75034

is authorized to treat and discharge wastes from Frisco Community Development Site, a former secondary lead smelter that recycled lead-containing materials consisting primarily of spent lead-acid batteries (SIC 4953 and 9199)

located at 7471 Old Fifth Street, in the City of Frisco, Collin County, Texas 75034

via a pipe to Stewart Creek, thence to Lewisville Lake in Segment 0823 of the Trinity River Basin

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

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

ISSUED DATE:

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For the Commission

TPDES PERMIT NO.  
WQ0002964000  
*[For TCEQ office use only -  
EPA I.D. No. TX0103292]*

This renewal replaces TPDES Permit  
No. WQ0002964000, issued on  
June 22, 2020.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

Outfall 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 activities<sup>1</sup> subject to the following effluent limitations:

The daily average flow of effluent shall not exceed 0.385 million gallons per day (MGD).

	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	0.385 MGD	Report, MGD	N/A	1/day <sup>2</sup>	Instantaneous
Total Suspended Solids	10	15	20	1/day <sup>2</sup>	Composite
Oil and Grease	10	15	15	1/day <sup>2</sup>	Grab
Total Arsenic	0.10	0.20	0.30	1/day <sup>2</sup>	Composite
Total Cadmium	0.05	0.10	0.20	1/day <sup>2</sup>	Composite
Total Lead	0.17	0.36	0.55	1/day <sup>2</sup>	Composite
Total Zinc	0.28	0.60	0.90	1/day <sup>2</sup>	Composite

2. The pH must not be less than 6.0 standard units nor greater than 9.0 standard units and must be monitored 1/day<sup>2</sup> 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: Outfall 001, after the final treatment unit and prior to entering Stewart Creek.

<sup>1</sup> Includes stormwater from former production areas, containment stormwater, and corrective action management unit (CAMU)/landfill stormwater. See Other Requirement No. 6, Definitions.

<sup>2</sup> When discharge occurs.

**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. Violations of daily maximum limitations for the following pollutants shall be reported orally or by facsimile to the TCEQ Region 4 Office within 24 hours from the time the permittee becomes aware of the violation, followed by a written report within five working days to the TCEQ Region 4 Office and Compliance Monitoring Team (MC 224):

<b>Pollutant</b>	<b>MAL<sup>1</sup> (mg/L)</b>
Arsenic (Total)	0.0005
Cadmium (Total)	0.001
Lead (Total)	0.0005
Zinc (Total)	0.005

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

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.

2. All wastewater retention ponds must be operated in such a manner as to maintain a minimum freeboard of two feet. Any design changes of wastewater ponds must be submitted to the Executive Director of the TCEQ for prior approval.
3. Runoff from the truck staging area and the concrete roadway/railroad spur area north of the oxide building must be routed to the stormwater collection area and treated.
4. **DISCHARGE PROHIBITIONS**
  - a. This permit does not authorize the discharge of process wastewater (including grey water). Process wastewater must be disposed of in an authorized manner.
  - b. This permit does not authorize the discharge of domestic wastewater. All domestic wastewater must be disposed of in an approved manner, such as routing to an approved on-site septic tank and drainfield system or to an authorized third party for treatment and disposal.

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<sup>1</sup> Minimum analytical level.

- c. This permit does not authorize the discharge of groundwater from the French drain, landfill leachate, wastewater from the solar evaporation pond, or remediation wastewater. These wastewaters must be routed to the City of Frisco's wastewater treatment plant or disposed of in another authorized manner.
5. The permittee shall maintain coverage under the TPDES Multi-Sector General Permit (TXR050000) for all other stormwater discharges from this facility (with the exception of the discharge via Outfall 001) or amend this permit to authorize discharges from those outfalls.
6. DEFINITIONS
  - a. *Stormwater from former production areas* – stormwater that falls on the decontaminated slabs associated with former buildings and areas covered with pavement/concrete adjacent to the former building locations and adjacent northern areas.
  - b. *CAMU/Landfill stormwater* – stormwater generated from the North CAMU/Class 2 landfill, which has an interim cover over open cells that contain process wastes, and stormwater from the future CAMU/Remediation Consolidation Area.
  - c. *Containment stormwater* – rainwater that accumulates in sunken areas of foundations from demolished production buildings and tank containment areas that are no longer used.

48-HOUR ACUTE BIOMONITORING REQUIREMENTS: FRESHWATER

The provisions of this section apply to Outfall 001 for whole effluent toxicity (WET) testing.

1. Scope, Frequency, and Methodology

- a. The permittee shall test the effluent for toxicity in accordance with the provisions below. Such testing will determine if an appropriately dilute effluent sample adversely affects the survival of the test organisms.
- b. The permittee shall conduct the following toxicity tests using the test organisms, procedures, and quality assurance requirements specified in this part of this permit and in accordance with "Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms," fifth edition (EPA-821-R-02-012) or its most recent update:
  - 1) Acute static renewal 48-hour definitive toxicity test using the water flea (*Daphnia pulex* or *Ceriodaphnia dubia*). A minimum of five replicates with eight organisms per replicate shall be used in the control and in each dilution. This test shall be conducted once per quarter when discharging.
  - 2) Acute static renewal 48-hour definitive toxicity test using the fathead minnow (*Pimephales promelas*). A minimum of five replicates with eight organisms per replicate shall be used in the control and in each dilution. This test shall be conducted once per quarter when discharging.

The permittee must perform and submit a valid test for each test species during the required reporting period for that species. A minimum of five replicates with eight organisms per replicate shall be used in the control and each dilution. A repeat test shall include the control and all effluent dilutions and use the appropriate number of organisms and replicates, as specified above. An invalid test is defined as any test failing to satisfy the test acceptability criteria, procedures, and quality assurance requirements specified in the test methods and permit.

- c. The permittee shall use five effluent dilution concentrations and a control in each toxicity test. These effluent dilution concentrations are 32%, 42%, 56%, 75%, and 100% effluent. The critical dilution, defined as 100% effluent, is the effluent concentration representative of the proportion of effluent in the receiving water during critical low flow or critical mixing conditions.
- d. This permit may be amended to require a WET limit, a chemical-specific limit, a best management practice, or other appropriate actions to address toxicity. The permittee may be required to conduct a toxicity reduction evaluation (TRE) after multiple toxic events.
- e. Testing Frequency Reduction
  - 1) If none of the first four consecutive quarterly tests demonstrates significant lethal effects, the permittee may submit this information in writing and, upon approval, reduce the testing frequency to once per six months for the invertebrate test species and once per year for the vertebrate test species.
  - 2) If one or more of the first four consecutive quarterly tests demonstrates

significant lethal effects, the permittee shall continue quarterly testing for that species until this permit is reissued. If a testing frequency reduction had been previously granted and a subsequent test demonstrates significant lethal effects, the permittee shall resume a quarterly testing frequency for that species until this permit is reissued.

2. Required Toxicity Testing Conditions

a. Test Acceptance - The permittee shall repeat any toxicity test, including the control and all effluent dilutions, which fails to meet any of the following criteria:

- 1) a control mean survival of 90% or greater; and
- 2) a coefficient of variation percent (CV%) of 40 or less for both the control and critical dilution. However, if significant lethality is demonstrated, a CV% greater than 40 shall not invalidate the test. The CV% requirement does not apply when significant lethality occurs.

b. Statistical Interpretation

- 1) For the water flea and fathead minnow tests, the statistical analyses used to determine if there is a significant difference between the control and an effluent dilution shall be in accordance with the manual referenced in Part 1.b.
- 2) The permittee is responsible for reviewing test concentration-response relationships to ensure that calculated test results are interpreted and reported correctly. The document entitled "Method Guidance and Recommendation for Whole Effluent Toxicity (WET) Testing (40 CFR Part 136)" (EPA 821-B-00-004) provides guidance on determining the validity of test results.
- 3) If significant lethality is demonstrated (that is, there is a statistically significant difference in survival at the critical dilution when compared to the survival in the control), the conditions of test acceptability are met, and the survival of the test organisms are equal to or greater than 90% in the critical dilution and all dilutions below that, then the permittee shall report a survival No Observed Effect Concentration (NOEC) of not less than the critical dilution for the reporting requirements.
- 4) The NOEC is defined as the greatest effluent dilution at which no significant lethality is demonstrated. The Lowest Observed Effect Concentration (LOEC) is defined as the lowest effluent dilution at which significant lethality is demonstrated. Significant lethality is defined as a statistically significant difference the survival of the test organism in a specified effluent dilution when compared to the survival of the test organism in the control.
- 5) The use of NOECs and LOECs assumes either a monotonic (continuous) concentration-response relationship or a threshold model of the concentration-response relationship. For any test result that demonstrates a non-monotonic (non-continuous) response, the NOEC should be determined based on the guidance manual referenced in Item 2.
- 6) Pursuant to the responsibility assigned to the permittee in Part 2.b.2), test results that demonstrate a non-monotonic (non-continuous) concentration-response relationship may be submitted, prior to the due date, for technical

review. The guidance manual referenced in Item 2 will be used when making a determination of test acceptability.

- 7) TCEQ staff will review test results for consistency with rules, procedures, and permit requirements.

c. Dilution Water

- 1) Dilution water used in the toxicity tests must be the receiving water collected at a point upstream of the discharge point as close as possible to the discharge point but unaffected by the discharge. Where the toxicity tests are conducted on effluent discharges to receiving waters that are classified as intermittent streams, or where the toxicity tests are conducted on effluent discharges where no receiving water is available due to zero flow conditions, the permittee shall:
  - a) substitute a synthetic dilution water that has a pH, hardness, and alkalinity similar to that of the closest downstream perennial water unaffected by the discharge; or
  - b) use the closest downstream perennial water unaffected by the discharge.
- 2) Where the receiving water proves unsatisfactory as a result of preexisting instream toxicity (i.e. fails to fulfill the test acceptance criteria Part 2.a.), the permittee may substitute synthetic dilution water for the receiving water in all subsequent tests provided the unacceptable receiving water test met the following stipulations:
  - a) a synthetic lab water control was performed (in addition to the receiving water control) which fulfilled the test acceptance requirements of Part 2.a;
  - b) the test indicating receiving water toxicity was carried out to completion; and
  - c) the permittee submitted all test results indicating receiving water toxicity with the reports and information required in Part 3.
- 3) The synthetic dilution water shall consist of standard, moderately hard, reconstituted water. Upon approval, the permittee may substitute other appropriate dilution water with chemical and physical characteristics similar to that of the receiving water.

d. Samples and Composites

- 1) The permittee shall collect a minimum of two composite samples from Outfall 001. The second composite sample will be used for the renewal of the dilution concentrations for each toxicity test.
- 2) The permittee shall collect the composite samples such that the samples are representative of any periodic episode of chlorination, biocide usage, or other potentially toxic substance being discharged on an intermittent basis.
- 3) The permittee shall initiate the toxicity tests within 36 hours after collection of the last portion of the first composite sample. The holding time for the

subsequent composite sample shall not exceed 72 hours. Samples shall be maintained at a temperature of 0-6 degrees Centigrade during collection, shipping, and storage.

- 4) If Outfall 001 ceases discharging during the collection of effluent samples, the requirements for the minimum number of effluent samples, the minimum number of effluent portions, and the sample holding time are waived during that sampling period. However, the permittee must have collected an effluent composite sample volume sufficient to complete the required toxicity tests with renewal of the effluent. When possible, the effluent samples used for the toxicity tests shall be collected on separate days if the discharge occurs over multiple days. The sample collection duration and the static renewal protocol associated with the abbreviated sample collection must be documented in the full report.

### 3. Reporting

All reports, tables, plans, summaries, and related correspondence required in this section shall be submitted to the attention of the Standards Implementation Team (MC 150) of the Water Quality Division.

- a. The permittee shall prepare a full report of the results of all tests conducted in accordance with the manual referenced in Part 1.b for every valid and invalid toxicity test initiated, whether carried to completion or not.
- b. The permittee shall routinely report the results of each biomonitoring test on the Table 1 forms provided with this permit.
  - 1) Annual biomonitoring test results are due on or before January 20th for biomonitoring conducted during the previous 12-month period.
  - 2) Semiannual biomonitoring test results are due on or before July 20th and January 20th for biomonitoring conducted during the previous 6-month period.
  - 3) Quarterly biomonitoring test results are due on or before April 20th, July 20th, October 20th, and January 20th for biomonitoring conducted during the previous calendar quarter.
  - 4) Monthly biomonitoring test results are due on or before the 20th day of the month following sampling.
- c. Enter the following codes for the appropriate parameters for valid tests only:
  - 1) For the water flea, Parameter TEM3D, enter a "1" if the NOEC for survival is less than the critical dilution; otherwise, enter a "0."
  - 2) For the water flea, Parameter TOM3D, report the NOEC for survival.
  - 3) For the water flea, Parameter TXM3D, report the LOEC for survival.
  - 4) For the fathead minnow, Parameter TEM6C, enter a "1" if the NOEC for survival is less than the critical dilution; otherwise, enter a "0."
  - 5) For the fathead minnow, Parameter TOM6C, report the NOEC for survival.

- 6) For the fathead minnow, Parameter TXM6C, report the LOEC for survival.
- d. Enter the following codes for retests only:
  - 1) For retest number 1, Parameter 22415, enter a "1" if the NOEC for survival is less than the critical dilution; otherwise, enter a "0."
  - 2) For retest number 2, Parameter 22416, enter a "1" if the NOEC for survival is less than the critical dilution; otherwise, enter a "0."

#### 4. Persistent Toxicity

The requirements of this part apply only when a toxicity test demonstrates significant lethality. Significant lethality was defined in Part 2.b.

- a. The permittee shall conduct a total of 2 additional tests (retests) for any species that demonstrates significant lethality. The two retests shall be conducted monthly during the next two consecutive months. The permittee shall not substitute either of the two retests in lieu of routine toxicity testing. All reports shall be submitted within 20 days of test completion. Test completion is defined as the last day of the test.
- b. If one or both of the two retests specified in Part 4.a. demonstrates significant lethality, the permittee shall initiate the TRE requirements as specified in Part 5.
- c. The provisions of Part 4.a. are suspended upon completion of the two retests and submittal of the TRE action plan and schedule defined in Part 5.

#### 5. Toxicity Reduction Evaluation

- a. Within 45 days of the retest that demonstrates significant lethality, the permittee shall submit a general outline for initiating a TRE. The outline shall include, but not be limited to, a description of project personnel, a schedule for obtaining consultants (if needed), a discussion of influent and effluent data available for review, a sampling and analytical schedule, and a proposed TRE initiation date.
- b. Within 90 days of the retest that demonstrates significant lethality, the permittee shall submit a TRE action plan and schedule for conducting a TRE. The plan shall specify the approach and methodology to be used in performing the TRE. A TRE is a step-wise investigation combining toxicity testing with physical and chemical analyses to determine actions necessary to eliminate or reduce effluent toxicity to a level not effecting significant lethality at the critical dilution. The TRE action plan shall describe an approach for the reduction or elimination of lethality for both test species defined in Part 1.b. At a minimum, the TRE action plan shall include the following:
  - 1) Specific Activities - The TRE action plan shall specify the approach the permittee intends to utilize in conducting the TRE, including toxicity characterizations, identifications, confirmations, source evaluations, treatability studies, and alternative approaches. When conducting characterization analyses, the permittee shall perform multiple characterizations and follow the procedures specified in the document entitled "Methods for Aquatic Toxicity Identification Evaluations: Phase I Toxicity Characterization Procedures" (EPA/600/6-91/003) or alternate procedures. The permittee shall perform multiple identifications and follow the methods specified in the documents entitled "Methods for Aquatic Toxicity Identification Evaluations: Phase II

Toxicity Identification Procedures for Samples Exhibiting Acute and Chronic Toxicity" (EPA/600/R-92/080) and "Methods for Aquatic Toxicity Identification Evaluations: Phase III Toxicity Confirmation Procedures for Samples Exhibiting Acute and Chronic Toxicity" (EPA/600/R-92/081). All characterization, identification, and confirmation tests shall be conducted in an orderly and logical progression;

- 2) Sampling Plan - The TRE action plan should describe sampling locations, methods, holding times, chain of custody, and preservation techniques. The effluent sample volume collected for all tests shall be adequate to perform the toxicity characterization/identification/confirmation procedures and chemical-specific analyses when the toxicity tests show significant lethality. Where the permittee has identified or suspects a specific pollutant and source of effluent toxicity, the permittee shall conduct, concurrent with toxicity testing, chemical-specific analyses for the identified and suspected pollutant and source of effluent toxicity;
  - 3) Quality Assurance Plan - The TRE action plan should address record keeping and data evaluation, calibration and standardization, baseline tests, system blanks, controls, duplicates, spikes, toxicity persistence in the samples, randomization, reference toxicant control charts, and mechanisms to detect artifactual toxicity; and
  - 4) Project Organization - The TRE action plan should describe the project staff, project manager, consulting engineering services (where applicable), consulting analytical and toxicological services, etc.
- c. Within 30 days of submittal of the TRE action plan and schedule, the permittee shall implement the TRE.
- d. The permittee shall submit quarterly TRE activities reports concerning the progress of the TRE. The quarterly reports are due on or before April 20th, July 20th, October 20th, and January 20th. The report shall detail information regarding the TRE activities including:
- 1) results and interpretation of any chemical specific analyses for the identified and suspected pollutant performed during the quarter;
  - 2) results and interpretation of any characterization, identification, and confirmation tests performed during the quarter;
  - 3) any data and substantiating documentation which identifies the pollutant(s) and source of effluent toxicity;
  - 4) results of any studies/evaluations concerning the treatability of the facility's effluent toxicity;
  - 5) any data that identifies effluent toxicity control mechanisms that will reduce effluent toxicity to the level necessary to meet no significant lethality at the critical dilution; and
  - 6) any changes to the initial TRE plan and schedule that are believed necessary as a result of the TRE findings.

- e. During the TRE, the permittee shall perform, at a minimum, quarterly testing using the more sensitive species. Testing for the less sensitive species shall continue at the frequency specified in Part 1.b.
- f. If the effluent ceases to effect significant lethality, i.e., there is a cessation of lethality, the permittee may end the TRE. A cessation of lethality is defined as no significant lethality for a period of 12 consecutive months with at least monthly testing. At the end of the 12 months, the permittee shall submit a statement of intent to cease the TRE and may then resume the testing frequency specified in Part 1.b.

This provision accommodates situations where operational errors and upsets, spills, or sampling errors triggered the TRE, in contrast to a situation where a single toxicant or group of toxicants cause lethality. This provision does not apply as a result of corrective actions taken by the permittee. Corrective actions are defined as proactive efforts that eliminate or reduce effluent toxicity. These include, but are not limited to, source reduction or elimination, improved housekeeping, changes in chemical usage, and modifications of influent streams and effluent treatment.

The permittee may only apply this cessation of lethality provision once. If the effluent again demonstrates significant lethality to the same species, the permit will be amended to add a WET limit with a compliance period, if appropriate. However, prior to the effective date of the WET limit, the permittee may apply for a permit amendment removing and replacing the WET limit with an alternate toxicity control measure by identifying and confirming the toxicant and an appropriate control measure.

- g. The permittee shall complete the TRE and submit a final report on the TRE activities no later than 28 months from the last test day of the retest that confirmed significant lethal effects at the critical dilution. The permittee may petition the Executive Director (in writing) for an extension of the 28-month limit. However, to warrant an extension the permittee must have demonstrated due diligence in its pursuit of the toxicity identification evaluation/TRE and must prove that circumstances beyond its control stalled the toxicity identification/TRE. The report shall provide information pertaining to the specific control mechanism selected that will, when implemented, result in the reduction of effluent toxicity to no significant lethality at the critical dilution. The report shall also provide a specific corrective action schedule for implementing the selected control mechanism.
- h. Based on the results of the TRE and proposed corrective actions, this permit may be amended to modify the biomonitoring requirements, where necessary, require a compliance schedule for implementation of corrective actions, specify a WET limit, specify a best management practice, and specify a chemical-specific limit.
- i. Copies of any and all required TRE plans and reports shall also be submitted to the U.S. EPA Region 6 office, 6WQ-PO.

TABLE 1 (SHEET 1 OF 2)

WATER FLEA SURVIVAL

Dates and Times                      Date    Time                      Date    Time  
 Composites                      No. 1 FROM: \_\_\_\_\_ TO: \_\_\_\_\_  
 Collected                      No. 2 FROM: \_\_\_\_\_ TO: \_\_\_\_\_

Test initiated: \_\_\_\_\_ am/pm \_\_\_\_\_ date  
 Dilution water used: \_\_\_\_\_ Receiving water    \_\_\_\_\_ Synthetic Dilution water

PERCENT SURVIVAL

Time	Rep	Percent effluent					
		0%	32%	42%	56%	75%	100%
24h	A						
	B						
	C						
	D						
	E						
48h	A						
	B						
	C						
	D						
	E						
Mean at test end							
CV%*							

\*Coefficient of Variation = Standard Deviation x 100/mean

Dunnnett’s Procedure or Steel’s Many-One Rank Test as appropriate:

Is the mean survival at 48 hours significantly less than the control survival?

CRITICAL DILUTION (100%): \_\_\_\_\_ YES \_\_\_\_\_ NO

Enter percent effluent corresponding to the NOEC below:

1) NOEC survival = \_\_\_\_\_% effluent

2) LOEC survival = \_\_\_\_\_% effluent

TABLE 1 (SHEET 2 OF 2)

FATHEAD MINNOW SURVIVAL

Dates and Times Composites Collected No. 1 FROM: \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_ TO: \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_  
 No. 2 FROM: \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_ TO: \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_

Test initiated: \_\_\_\_\_ am/pm \_\_\_\_\_ date

Dilution water used: \_\_\_\_\_ Receiving water \_\_\_\_\_ Synthetic Dilution water

PERCENT SURVIVAL

Time	Rep	Percent effluent					
		0%	32%	42%	56%	75%	100%
24h	A						
	B						
	C						
	D						
	E						
48h	A						
	B						
	C						
	D						
	E						
Mean at test end							
CV%*							

\* Coefficient of Variation = standard deviation x 100/mean

Dunnett's Procedure or Steel's Many-One Rank Test as appropriate:

Is the mean survival at 48 hours significantly less than the control survival?

CRITICAL DILUTION (100%): \_\_\_\_\_ YES \_\_\_\_\_ NO

Enter percent effluent corresponding to the NOEC below:

1) NOEC survival = \_\_\_\_\_% effluent

2) LOEC survival = \_\_\_\_\_% effluent

24-HOUR ACUTE BIOMONITORING REQUIREMENTS: FRESHWATER

The provisions of this section apply to Outfall 001 for whole effluent toxicity (WET) testing.

1. Scope, Frequency, and Methodology

- a. The permittee shall test the effluent for lethality in accordance with the provisions in this section. Such testing will determine compliance with Texas Surface Water Quality Standard 30 TAC § 307.6(e)(2)(B), which requires greater than 50% survival of the appropriate test organisms in 100% effluent for a 24-hour period.
- b. The toxicity tests specified shall be conducted once per six months when discharging. The permittee shall conduct the following toxicity tests using the test organisms, procedures, and quality assurance requirements specified in this section of the permit and in accordance with “Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms,” fifth edition (EPA-821-R-02-012) or its most recent update:
  - 1) Acute 24-hour static toxicity test using the water flea (*Daphnia pulex* or *Ceriodaphnia dubia*). A minimum of five replicates with eight organisms per replicate shall be used in the control and each dilution.
  - 2) Acute 24-hour static toxicity test using the fathead minnow (*Pimephales promelas*). A minimum of five replicates with eight organisms per replicate shall be used in the control and each dilution.

The permittee must perform and report a valid test for each test species during the prescribed reporting period. An invalid test must be repeated during the same reporting period. An invalid test is defined as any test failing to satisfy the test acceptability criteria, procedures, and quality assurance requirements specified in the test methods and permit.

- c. In addition to an appropriate control, a 100% effluent concentration shall be used in the toxicity tests. The control and dilution water shall consist of standard, synthetic, moderately hard, reconstituted water.
- d. This permit may be amended to require a WET limit, a best management practice, a chemical-specific limit, or other appropriate actions to address toxicity. The permittee may be required to conduct a toxicity reduction evaluation (TRE) after multiple toxic events.
- e. As the dilution series specified in the 48-Hour Acute Biomonitoring Requirements includes a 100% effluent concentration, the results from those tests may fulfill the requirements of this section; any tests performed in the proper time interval may be substituted. Compliance will be evaluated as specified in Part 1.a. The 50% survival in 100% effluent for a 24-hour period standard applies to all tests utilizing a 100% effluent dilution, regardless of whether the results are submitted to comply with the minimum testing frequency.

2. Required Toxicity Testing Conditions

- a. Test Acceptance – The permittee shall repeat any toxicity test, including the control, if the control fails to meet a mean survival equal to or greater than 90%.

- b. Dilution Water - In accordance with Part 1.c., the control and dilution water shall consist of standard, synthetic, moderately hard, reconstituted water.
- c. Samples and Composites
  - 1) The permittee shall collect one composite sample from Outfall 001.
  - 2) The permittee shall collect the composite sample such that the sample is representative of any periodic episode of chlorination, biocide usage, or other potentially toxic substance being discharged on an intermittent basis.
  - 3) The permittee shall initiate the toxicity tests within 36 hours after collection of the last portion of the composite sample. The sample shall be maintained at a temperature of 0-6 degrees Centigrade during collection, shipping, and storage.
  - 4) If Outfall 001 ceases discharging during the collection of the effluent composite sample, the requirements for the minimum number of effluent portions are waived. However, the permittee must have collected a composite sample volume sufficient for completion of the required test. The abbreviated sample collection, duration, and methodology must be documented in the full report.

### 3. Reporting

All reports, tables, plans, summaries, and related correspondence required in this section shall be submitted to the attention of the Standards Implementation Team (MC 150) of the Water Quality Division.

- a. The permittee shall prepare a full report of the results of all tests conducted pursuant to this permit in accordance with the manual referenced in Part 1.b. for every valid and invalid toxicity test initiated.
- b. The permittee shall routinely report the results of each biomonitoring test on the Table 2 forms provided with this permit.
  - 1) Semiannual biomonitoring test results are due on or before July 20th and January 20th for biomonitoring conducted during the previous 6-month period.
  - 2) Quarterly biomonitoring test results are due on or before April 20th, July 20th, and October 20th, and January 20th for biomonitoring conducted during the previous calendar quarter.
- c. Enter the following codes for the appropriate parameters for valid tests only:
  - 1) For the water flea, Parameter TIE3D, enter a "0" if the mean survival at 24 hours is greater than 50% in the 100% effluent dilution; if the mean survival is less than or equal to 50%, enter "1."
  - 2) For the fathead minnow, Parameter TIE6C, enter a "0" if the mean survival at 24 hours is greater than 50% in the 100% effluent dilution; if the mean survival is less than or equal to 50%, enter "1."
- d. Enter the following codes for retests only:
  - 1) For retest number 1, Parameter 22415, enter a "0" if the mean survival at 24

hours is greater than 50% in the 100% effluent dilution; if the mean survival is less than or equal to 50%, enter "1."

- 2) For retest number 2, Parameter 22416, enter a "0" if the mean survival at 24 hours is greater than 50% in the 100% effluent dilution; if the mean survival is less than or equal to 50%, enter "1."

#### 4. Persistent Mortality

The requirements of this part apply when a toxicity test demonstrates significant lethality, which is defined as a mean mortality of 50% or greater of organisms exposed to the 100% effluent concentration for 24 hours.

- a. The permittee shall conduct 2 additional tests (retests) for each species that demonstrates significant lethality. The two retests shall be conducted once per week for 2 weeks. Five effluent dilution concentrations in addition to an appropriate control shall be used in the retests. These effluent concentrations are 6%, 13%, 25%, 50%, and 100% effluent. The first retest shall be conducted within 15 days of the laboratory determination of significant lethality. All test results shall be submitted within 20 days of test completion of the second retest. Test completion is defined as the 24th hour.
- b. If one or both of the two retests specified in Part 4.a. demonstrates significant lethality, the permittee shall initiate the TRE requirements as specified in Part 5.

#### 5. Toxicity Reduction Evaluation

- a. Within 45 days of the retest that demonstrates significant lethality, the permittee shall submit a general outline for initiating a TRE. The outline shall include, but not be limited to, a description of project personnel, a schedule for obtaining consultants (if needed), a discussion of influent and effluent data available for review, a sampling and analytical schedule, and a proposed TRE initiation date.
- b. Within 90 days of the retest that demonstrates significant lethality, the permittee shall submit a TRE action plan and schedule for conducting a TRE. The plan shall specify the approach and methodology to be used in performing the TRE. A TRE is a step-wise investigation combining toxicity testing with physical and chemical analyses to determine actions necessary to eliminate or reduce effluent toxicity to a level not effecting significant lethality at the critical dilution. The TRE action plan shall lead to the successful elimination of significant lethality for both test species defined in Part 1.b. At a minimum, the TRE action plan shall include the following:
  - 1) Specific Activities - The TRE action plan shall specify the approach the permittee intends to utilize in conducting the TRE, including toxicity characterizations, identifications, confirmations, source evaluations, treatability studies, and alternative approaches. When conducting characterization analyses, the permittee shall perform multiple characterizations and follow the procedures specified in the document entitled "Methods for Aquatic Toxicity Identification Evaluations: Phase I Toxicity Characterization Procedures" (EPA/600/6-91/003) or alternate procedures. The permittee shall perform multiple identifications and follow the methods specified in the documents entitled "Methods for Aquatic Toxicity Identification Evaluations: Phase II Toxicity Identification Procedures for Samples Exhibiting Acute and Chronic Toxicity" (EPA/600/R-92/080) and "Methods for Aquatic Toxicity Identification Evaluations: Phase III Toxicity Confirmation Procedures for

Samples Exhibiting Acute and Chronic Toxicity” (EPA/600/R-92/081). All characterization, identification, and confirmation tests shall be conducted in an orderly and logical progression;

- 2) Sampling Plan - The TRE action plan should describe sampling locations, methods, holding times, chain of custody, and preservation techniques. The effluent sample volume collected for all tests shall be adequate to perform the toxicity characterization/identification/confirmation procedures, and chemical-specific analyses when the toxicity tests show significant lethality. Where the permittee has identified or suspects a specific pollutant and source of effluent toxicity, the permittee shall conduct, concurrent with toxicity testing, chemical-specific analyses for the identified and suspected pollutant and source of effluent toxicity;
  - 3) Quality Assurance Plan - The TRE action plan should address record keeping and data evaluation, calibration and standardization, baseline tests, system blanks, controls, duplicates, spikes, toxicity persistence in the samples, randomization, reference toxicant control charts, and mechanisms to detect artifactual toxicity; and
  - 4) Project Organization - The TRE Action Plan should describe the project staff, manager, consulting engineering services (where applicable), consulting analytical and toxicological services, etc.
- c. Within 30 days of submittal of the TRE action plan and schedule, the permittee shall implement the TRE.
- d. The permittee shall submit quarterly TRE activities reports concerning the progress of the TRE. The quarterly TRE Activities Reports are due on or before April 20th, July 20th, October 20th, and January 20th. The report shall detail information regarding the TRE activities including:
- 1) results and interpretation of any chemical-specific analyses for the identified and suspected pollutant performed during the quarter;
  - 2) results and interpretation of any characterization, identification, and confirmation tests performed during the quarter;
  - 3) any data and substantiating documentation that identifies the pollutant and source of effluent toxicity;
  - 4) results of any studies/evaluations concerning the treatability of the facility's effluent toxicity;
  - 5) any data that identifies effluent toxicity control mechanisms that will reduce effluent toxicity to the level necessary to eliminate significant lethality; and
  - 6) any changes to the initial TRE plan and schedule that are believed necessary as a result of the TRE findings.
- e. During the TRE, the permittee shall perform, at a minimum, quarterly testing using the more sensitive species. Testing for the less sensitive species shall continue at the frequency specified in Part 1.b.

- f. If the effluent ceases to effect significant lethality, i.e., there is a cessation of lethality, the permittee may end the TRE. A cessation of lethality is defined as no significant lethality for a period of 12 consecutive weeks with at least weekly testing. At the end of the 12 weeks, the permittee shall submit a statement of intent to cease the TRE and may then resume the testing frequency specified in Part 1.b.

This provision accommodates situations where operational errors and upsets, spills, or sampling errors triggered the TRE, in contrast to a situation where a single toxicant or group of toxicants cause lethality. This provision does not apply as a result of corrective actions taken by the permittee. Corrective actions are defined as proactive efforts that eliminate or reduce effluent toxicity. These include, but are not limited to, source reduction or elimination, improved housekeeping, changes in chemical usage, and modifications of influent streams and effluent treatment.

The permittee may only apply this cessation of lethality provision once. If the effluent again demonstrates significant lethality to the same species, the permit will be amended to add a WET limit with a compliance period, if appropriate. However, prior to the effective date of the WET limit, the permittee may apply for a permit amendment removing and replacing the WET limit with an alternate toxicity control measure by identifying and confirming the toxicant and an appropriate control measure.

- g. The permittee shall complete the TRE and submit a final report on the TRE activities no later than 18 months from the last test day of the retest that demonstrates significant lethality. The permittee may petition the Executive Director (in writing) for an extension of the 18-month limit. However, to warrant an extension the permittee must have demonstrated due diligence in its pursuit of the toxicity identification evaluation/TRE and must prove that circumstances beyond its control stalled the toxicity identification evaluation/TRE. The report shall specify the control mechanism that will, when implemented, reduce effluent toxicity as specified in Part 5.h. The report shall also specify a corrective action schedule for implementing the selected control mechanism.
- h. Within 3 years of the last day of the test confirming toxicity, the permittee shall comply with 30 TAC § 307.6(e)(2)(B), which requires greater than 50% survival of the test organism in 100% effluent at the end of 24-hours. The permittee may petition the Executive Director (in writing) for an extension of the 3-year limit. However, to warrant an extension the permittee must have demonstrated due diligence in its pursuit of the toxicity identification evaluation/TRE and must prove that circumstances beyond its control stalled the toxicity identification evaluation/TRE.

The permittee may be exempted from complying with 30 TAC § 307.6(e)(2)(B) upon proving that toxicity is caused by an excess, imbalance, or deficiency of dissolved salts. This exemption excludes instances where individually toxic components (e.g., metals) form a salt compound. Following the exemption, this permit may be amended to include an ion-adjustment protocol, alternate species testing, or single species testing.

- i. Based upon the results of the TRE and proposed corrective actions, this permit may be amended to modify the biomonitoring requirements where necessary, require a compliance schedule for implementing corrective actions, specify a WET limit, specify a best management practice, and specify a chemical-specific limit.
- j. Copies of any and all required TRE plans and reports shall also be submitted to the U.S. EPA Region 6 office, 6WQ-PO.



TABLE 2 (SHEET 1 OF 2)

WATER FLEA SURVIVAL

GENERAL INFORMATION

	Time	Date
Composite Sample Collected		
Test Initiated		

PERCENT SURVIVAL

Time	Rep	Percent effluent					
		0%	6%	13%	25%	50%	100%
24h	A						
	B						
	C						
	D						
	E						
	MEAN*						

Enter percent effluent corresponding to the LC50 below:

24 hour LC50 = \_\_\_\_\_% effluent

TABLE 2 (SHEET 2 OF 2)  
 FATHEAD MINNOW SURVIVAL

GENERAL INFORMATION

	Time	Date
Composite Sample Collected		
Test Initiated		

PERCENT SURVIVAL

Time	Rep	Percent effluent					
		0%	6%	13%	25%	50%	100%
24h	A						
	B						
	C						
	D						
	E						
	MEAN						

Enter percent effluent corresponding to the LC50 below:

24 hour LC50 = \_\_\_\_\_% effluent

STATEMENT OF BASIS/TECHNICAL SUMMARY AND  
EXECUTIVE DIRECTOR'S PRELIMINARY DECISION

**DESCRIPTION OF APPLICATION**

Applicant: Frisco Community Development Corporation; Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0002964000 (EPA I.D. No. TX0103292)

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 Frisco Community Development Corporation (FCDC), formerly Exide Technologies, currently operates the Frisco Community Development Site facility located in Frisco, Texas, historically used for lead-acid battery recycling, secondary lead smelting, and production of lead, lead alloys, and lead oxide. Previously, the following activities were conducted to support production:

- Battery storage;
- Battery breaking;
- Blast furnace operation;
- Lead oxide production;
- Maintenance related to production operations;
- Reverberatory furnace operation;
- Raw material storage; and
- Slag treatment.

All of the above operations have been discontinued. In addition, all surface features associated with these operations (except for stormwater treatment) have been demolished and removed from the facility and only concrete foundation slabs and associated sub-grade structures remain. The chemicals previously stored at the facility to support the discontinued operations have been removed from the facility. Further, extensive pressure washing of remaining concrete structures has been performed. The current TPDES permit authorizes discharge of stormwater runoff associated with industrial activities. This application for renewal requests authorization of the same stormwater sources as those which are authorized under the current TPDES permit.

STATEMENT OF BASIS / TECHNICAL SUMMARY AND  
EXECUTIVE DIRECTOR'S PRELIMINARY DECISION  
TPDES Permit No. WQ0002964000

Historically, process wastewater was pretreated in the production area wastewater treatment facility to neutralize the pH and remove metals, resulting in an effluent high in salt content. The high-salt content water was then routed to a "crystallizer" unit for further removal of the salt. The effluent in the form of crystallizer condensate was recycled back to the facility and/or discharged to the collection system of North Texas Municipal Water District (NTMWD). Since ceasing operations of the facility, the sources of wastewater with the highest contaminant concentrations have been eliminated.

Currently, the only operations being performed at the site are as follows:

- Stormwater management;
- Management of wastewater from other sources (for disposal to local POTW);
- Treatment of stormwater from the former production area at the stormwater treatment facility;
- Management and disposal of landfill leachate for offsite disposal;
- Environmental assessment and remediation in accordance with Hazardous Waste Permit No. 50206;
- Landfill lining, covering, and capping; and
- Property maintenance.

A revised facility layout drawing showing operations that have been terminated (i.e., demolished and removed from the site) is provided as Figure 1B of the permit application. Demolished areas include former chemical storage areas, battery processing areas, and wastewater treatment areas. Prior to demolition activities, stormwater from the roofs of the buildings flowed down eaves/gutters, discharged to the concrete/pavement surrounding the buildings, and flowed in a southwesterly direction towards the southwest corner of the former production area where it entered a 36-inch diameter pipe that conveyed it to the stormwater pond via gravity as shown on Figure 1B of the permit application. Subsequent to demolition activities, stormwater falls on the decontaminated slabs associated with the former buildings (and areas covered with pavement/concrete adjacent to the former building locations and adjacent northern areas). It then flows in the same southwesterly direction towards the 36-inch pipe and is conveyed to the stormwater pond. All of the former production area is covered with pavement/concrete and there are no other sources of discharge to the stormwater pond from the former production areas.

Sewer system connections were not removed during demolition. However, sanitary wastewater laterals were plugged during demolition, with the piping remaining in place. No source materials from former production operations remain in the area, and there are no wash-down or other activities that occur in these former production areas. The former production area is the location of the Remediation Consolidation Area (RCA), discussed further below.

Stormwater sources that are authorized to be discharged:

- Stormwater from Former Production Areas. Details of stormwater are generally discussed above. Additionally, the stormwater is contained by the flood wall along the southern boundary of the former production area. The flood wall was designed and constructed to prevent facility flooding from elevated stages in Stewart Creek as well as to prevent production area stormwater from entering Stewart Creek during small to moderate storm events. The stormwater pond is constructed with a dual liner and has a capacity of approximately 2.5 million gallons. The center of the stormwater pond has a sump and associated pump to convey the accumulated stormwater to the stormwater treatment system adjacent to the stormwater pond. This wastewater source is authorized in the current TPDES permit.

STATEMENT OF BASIS / TECHNICAL SUMMARY AND  
EXECUTIVE DIRECTOR'S PRELIMINARY DECISION  
TPDES Permit No. WQ0002964000

- Corrective Action Management Unit. As indicated on Figure 1B of the permit application, an additional Corrective Action Management Unit (CAMU) denoted as the RCA, will be designated as the location for the consolidation of impacted media (i.e., remediation wastes) from surrounding portions of the site. The RCA will be utilized and capped in accordance with TCEQ authorizations associated with the remediation and closure of the facility. Stormwater from this unit would also be managed as part of the TPDES permit as it is contained within the former production area.
- Containment Stormwater. This is stormwater that accumulates in the low sunken areas of the building foundations and no-longer-used tank containment areas. All the production buildings have been demolished and the floors and foundations are now exposed to rainfall. Stormwater accumulates in these low-lying areas. If it is not removed it becomes a mosquito breeding area. As such, it is pumped over the associated high points and allowed to flow to the collection system with the other stormwater.

Wastewater sources that will not be discharged and are not associated with this permit application:

- French Drain. In August 2012, a French drain was installed to mitigate the potential for subsurface discharges of water from beneath the former production area to Stewart Creek. The French drain will be abandoned during future remediation activities. The French drain is located just inside and below the grade of the flood wall on the southern portion of the former production area. It starts at the southeast corner of the former slag treatment building and runs in a westerly direction to the intersection of the flood wall and the corner of the foundation for the former battery storage building. The drain has two perforated lines with one on top of the T-footing of the flood wall and inside the wall. The other is approximately 6 to 8 inches lower in elevation and about 18 to 20 inches north of and away from the wall. The two perforated lines run parallel and the upper line ties into the lower line just upstream of the pumping manhole located at its terminus. Water is pumped from the manhole into frac tanks for sampling by North Texas Municipal Water District (NTMWD) to verify if the water can be discharged into the sewer lines or if it needs to be sent offsite for disposal. Before the French Drain is abandoned, wastewater from this source will either be treated and discharged through the POTW WWTP under an authorization issued by the North Texas Municipal Water District on behalf of the City of Frisco or sent offsite for disposal. Discharge of this wastewater is not proposed for addition to the TPDES permit. Class II Landfill/North CAMU Stormwater. Historically, the Class II Landfill/North CAMU was used for disposal of process wastes such as slag, which is higher in metals and TDS content. The section of the Class II Landfill/North CAMU containing these historical process wastes was isolated by means of an interim cover. Since then, only remediation wastes from the undeveloped buffer property were disposed of, and these wastes are much lower in metals and TDS content. An interim cover was placed over this waste material and stormwater captured by this cover was managed under a Multi-Sector General Permit (MSGP). As of November 2024, a final cover has been installed to replace the interim cover and capping soils are being added for final closure. This area is subject to the Multi-Sector General Permit (MSGP) and will continue to fall under the MSGP once final capping and closure occurs. Discharge of this stormwater is not proposed for addition to the TPDES permit.
- Class II Landfill/North CAMU Leachate. Leachate, which consists of water collected from the bottom of the Class II Landfill/North CAMU, is collected via the leachate collection system. Leachate is pumped from underground sumps in the collection system to a holding tank located on the west of the landfill. This wastewater stream is sent offsite for disposal and is not proposed for addition to the TPDES permit.
- Solar Evaporation Pond. The solar evaporation pond receives stormwater that has come in contact with the waste in the active cells of the Class II Landfill/North CAMU. Rainfall that lands on the sidewalls and base of active cells of the landfill is pumped to the solar

STATEMENT OF BASIS / TECHNICAL SUMMARY AND  
EXECUTIVE DIRECTOR'S PRELIMINARY DECISION  
TPDES Permit No. WQ0002964000

evaporation pond for evaporation or offsite disposal. This source will be closed during future remediation activities as a result of the planned closure of the Class II Landfill/North CAMU once full of remediation waste. If additional capacity is needed, or if evaporation is occurring slowly, this stormwater will be sent offsite for disposal. Because the unit may have high total dissolved solids following evaporation, this stormwater stream is not proposed for addition to the TPDES permit.

As mentioned, there are no chemicals remaining at the facility associated with former production operations. A listing of chemicals/materials which are currently associated with the stormwater treatment system at the facility are as follows:

- Magnesium Oxide, for adsorption;
- Manganese Dioxide, for adsorption; and
- Sulfuric Acid 35% solution for pH adjustment.

These chemicals are all stored in totes, sacks, and drums over secondary containment near or within structures associated with the stormwater treatment facility for the stormwater pond.

The two higher TDS source materials (landfill leachate and water in the solar evaporation pond) are directly associated with historical, process wastes managed in the Class 2 Landfill/North CAMU. These two high TDS sources of wastewater are not proposed to be included in the discharge authorization because they will be addressed through closure of the Class II Landfill/North CAMU and, if necessary, offsite disposal.

As the facility progresses through closure, miscellaneous small volume sources (i.e., well purge water, decontamination water, mobile equipment wash water, and wash water from surface cleaning) of wastewater will be generated. These sources, which are referred to as "remediation wastewaters," are not proposed for addition to the TPDES permit. Instead, they are collected and in the same frac tanks as the French Drain water for discharge with the NTMWD to the POTW.

To summarize, the following stormwater sources are being included in the TPDES permit:

- Stormwater from Former Production Areas;
- Containment Stormwater; and
- Landfill/CAMU Stormwater (RCA).

The stormwater treatment system following routing of stormwater to the stormwater pond consists of pressure filtration, pH adjustment, and chemical adsorption prior to discharge via Outfall 001 to Stewart Creek.

The facility is located at 7471 Old Fifth Street, in the City of Frisco, Collin County, Texas 75034.

### **Discharge Route and Designated Uses**

The effluent is discharged via a pipe to Stewart Creek, thence to Lewisville Lake in Segment 0823 of the Trinity River Basin. The unclassified receiving water uses are high aquatic life use for Stewart Creek. The designated uses for Segment No. 0823 are primary contact recreation, public water supply, and high aquatic life use. The effluent limits in the draft permit will maintain and protect the existing instream uses. All determinations are preliminary and subject to additional review and revisions.

### **Endangered Species Review**

The discharge from this permit 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

STATEMENT OF BASIS / TECHNICAL SUMMARY AND  
EXECUTIVE DIRECTOR'S PRELIMINARY DECISION  
TPDES Permit No. WQ0002964000

on the State of Texas authorization of the TPDES (September 14, 1998; October 21, 1998 update). To make this determination for TPDES permits, TCEQ and the 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's 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. 0823 is currently listed on the state's inventory of impaired and threatened waters, the 2022 CWA §303(d) list. The listing is for bacteria in water at Clear Creek (AU 0823C\_01). The discharge of domestic wastewater is not authorized by the draft permit, therefore this facility is not expected to contribute to the bacteria impairment of the segment. The draft permit was not revised to address the impairment. The permit application is for renewal only and there is no request to increase flow or include a pollutant loading.

**Completed Total Maximum Daily Loads (TMDLs)**

There are no completed TMDLs for Segment No. 0823.

**Dissolved Oxygen**

The applicant provided four effluent samples that all indicated very low levels of CBOD<sub>5</sub> and NH<sub>3</sub>-N. Therefore, no additional monitoring requirements, sampling requirements, or effluent limits for CBOD<sub>5</sub> and NH<sub>3</sub>-N are warranted for the reissued permit.

**SUMMARY OF EFFLUENT DATA**

The following is a quantitative description of the discharge described in the monthly effluent report data for the period June 2020 through May 2025. 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	Average of Daily Avg, MGD	Maximum of Daily Max, MGD
001	Intermittent	0.111	0.226

**Effluent Characteristics**

Outfall	Parameter	Average of Daily Avg, mg/L	Maximum of Daily Max, mg/L
001	Total Suspended Solids (TSS)	2.75	31
	Oil and Grease	6.73	14.3
	Total Arsenic	0.005	0.017
	Total Cadmium	0.002	0.017
	Total Lead	0.022	0.11
	Total Zinc	0.001	0.042
	pH	3.9 SU, min	8.7 SU

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

STATEMENT OF BASIS / TECHNICAL SUMMARY AND  
EXECUTIVE DIRECTOR'S PRELIMINARY DECISION  
TPDES Permit No. WQ0002964000

**Effluent Limitation Violations**

Outfall	Pollutant (units)	Report Date	Daily Average		Daily Maximum	
			Limit	Reported	Limit	Reported
001	pH	September 30, 2021	6.0 (min)	3.9	9.0 (max)	7.7

The draft permit was not changed to address the effluent limit violation for pH due to it being a single violation, as it does not represent a consistent pattern of exceedance. Therefore, no further corrective action is necessary in the draft permit.

**DRAFT PERMIT CONDITIONS**

The draft permit authorizes the discharge of stormwater associated with industrial activities at a daily average flow not to exceed 0.385 MGD 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	0.385 MGD	Report
	TSS	10	15
	Oil and Grease	10	15
	Total Arsenic	0.10	0.20
	Total Cadmium	0.05	0.10
	Total Lead	0.17	0.36
	Total Zinc	0.28	0.60
	pH	6.0 SU, min	9.0 SU

OUTFALL LOCATIONS

Outfall	Latitude	Longitude
001	33.141389 N	96.831111 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 (ELGs), where applicable, or on best professional judgment (BPJ) in the absence of guidelines. The discharge of stormwater associated with industrial activities (stormwater from former production areas, CAMU/landfill stormwater, and containment stormwater) is not subject to any ELGs.

The existing limits for TSS and oil and grease at Outfall 001 were previously established based on BPJ and have been carried forward in the draft permit based on EPA's anti-backsliding regulations located at 40 CFR § 122.44(l).

**Water Quality-Based Effluent Limitations**

Water quality screening is not applicable because TPDES stormwater permits generally do not contain water quality-based effluent limitations. As stated in 30 TAC §307.8(e), controls on the quality of permitted stormwater discharges are largely based on implementing best management practices and

STATEMENT OF BASIS / TECHNICAL SUMMARY AND  
EXECUTIVE DIRECTOR'S PRELIMINARY DECISION  
TPDES Permit No. WQ0002964000

technology-based limits in combination with instream monitoring to assess standards attainment and to determine whether additional controls on stormwater are needed.

Analytical data provided in the application and in the self-reported DMRs was screened against the requirements at 30 TAC § 319.22 – Hazardous Metals, Quality Levels – Inland Waters. The reported concentrations did not exceed the quality criteria, and no additional limits or monitoring requirements are necessary based on the screening.

The existing limits for total arsenic, total cadmium, total lead, and total zinc were previously established based on requirements at 30 TAC § 319.22, TCEQ practice, and EPA guidance for facilities which discharge stormwater associated with industrial activities as BPJ. The existing limits are still protective and have been carried forward in the draft permit at Outfall 001.

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

Water quality screening for TDS, chloride, and sulfate is not applicable because TPDES stormwater permits generally do not contain water quality-based effluent limitations. As stated in 30 TAC §307.8(e), controls on the quality of permitted stormwater discharges are largely based on implementing best management practices and technology-based limits in combination with instream monitoring to assess standards attainment and to determine whether additional controls on stormwater are needed.

### **pH Screening**

The existing permit includes pH limits of 6.0 – 9.0 SU at Outfall 001, which discharges into an unclassified water body. Consistent with the procedures for pH screening that were submitted to EPA with a letter dated May 28, 2014, and approved by EPA in a letter dated June 2, 2014, requiring a discharge to an unclassified water body to meet pH limits of 6.0 – 9.0 standard units reasonably ensures instream compliance with *Texas Surface Water Quality Standards* pH criteria. These limits have been carried forward in the draft permit.

### **Whole Effluent Toxicity Testing (Biomonitoring)**

Biomonitoring requirements are established in the existing permit and are continued in the draft permit at Outfall 001.

For freshwater 48-hour acute testing, the recommended test species are the water flea (*Ceriodaphnia dubia* or *Daphnia pulex*) and the fathead minnow (*Pimephales promelas*). The recommended testing frequency is once per quarter for both test species. The recommended dilution series is 32%, 42%, 56%, 75%, and 100% with a critical dilution of 100%.

For 24-hour acute testing, the recommended test species are the water flea (*Ceriodaphnia dubia* or *Daphnia pulex*) and the fathead minnow. The recommended testing frequency is once per six months for both test species. In the past three years, the permittee has performed twelve 24-hour acute tests, with zero demonstrations of significant mortality (i.e., zero failures).

In the past three years, the permittee has performed twenty 48-hour acute tests, with zero demonstrations of significant toxicity (i.e., zero failures).

A reasonable potential determination was performed in accordance with 40 CFR §122.44(d)(1)(ii) to determine whether the discharge will reasonably be expected to cause or contribute to an exceedance of a state water quality standard or criterion within that standard. Each test species is evaluated separately. The RP determination is based on representative data from the previous three years of WET testing. This determination was performed in accordance with the methodology outlined in the

STATEMENT OF BASIS / TECHNICAL SUMMARY AND  
EXECUTIVE DIRECTOR'S PRELIMINARY DECISION  
TPDES Permit No. WQ0002964000

TCEQ letter to the EPA dated December 28, 2015, and approved by the EPA in a letter dated December 28, 2015.

With zero failures, a determination of no RP was made. WET limits are not required, and both test species may be eligible for the testing frequency reduction after one year of quarterly testing.

### **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. The existing permit was issued to Exide Technologies LLC. A permit transfer to the permittee was issued by TCEQ on May 5, 2021.
3. SIC Codes have changed from the existing permit as the primary business activities have changed. The original facility was shut down and demolished. Only landfill and remediation operations remain.
4. Other Requirement #4 was removed as, typically, critical conditions are not developed and water quality standards are not applied for stormwater outfalls. The Other Requirements section was rearranged accordingly.
5. Other Requirement #8 was removed as this condition has been satisfied. The facility confirmed fulfillment of Other Requirement #8 by providing additional information on January 12, 2026. The Other Requirements section was rearranged accordingly.

### **BASIS FOR DRAFT PERMIT**

The following items were considered in developing the draft permit:

1. Application received on December 30, 2024, and additional information received on January 23, 2025, September 18, 2025, December 12, 2025 and January 12, 2026.
2. Existing permits: TPDES Permit No. WQ0002964000 issued on June 22, 2020.
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.

STATEMENT OF BASIS / TECHNICAL SUMMARY AND  
EXECUTIVE DIRECTOR'S PRELIMINARY DECISION  
TPDES Permit No. WQ0002964000

8. *Procedures to Implement the Texas Surface Water Quality Standards (IPs)*, Texas Commission on Environmental Quality, June 2010, as approved by EPA Region 6.
9. *Procedures to Implement the Texas Surface Water Quality Standards*, Texas Commission on Environmental Quality, January 2003, for portions of the 2010 IPs not approved by EPA Region 6.
10. Memos from the Standards Implementation Team and Water Quality Assessment Team of the Water Quality Assessment Section of the TCEQ.
11. *Guidance Document for Establishing Monitoring Frequencies for Domestic and Industrial Wastewater Discharge Permits*, TCEQ Document No. 98-001.000-OWR-WQ, May 1998.
12. EPA Effluent Guidelines: N/A.
13. Consistency with the Coastal Management Plan: N/A.
14. Letter dated May 28, 2014, from L'Oreal W. Stepney, P.E., Deputy Director, Office of Water, TCEQ, to Bill Honker, Director, Water Quality Protection Division, EPA (TCEQ proposed development strategy for pH evaluation procedures).
15. Letter dated June 2, 2014, from William K. Honker, P.E., Director, Water Quality Protection Division, EPA, to L'Oreal W. Stepney, P.E., Deputy Director, Office of Water, TCEQ (Approval of TCEQ proposed development strategy for pH evaluation procedures).
16. Letter dated December 28, 2015, from L'Oreal Stepney, P.E., Deputy Director, Office of Water, TCEQ, to Bill Honker, Director, Water Quality Protection Division, EPA (TCEQ proposed development strategy for procedures to determine reasonable potential for whole effluent toxicity limitations).
17. Letter dated December 28, 2015, 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 procedures to determine reasonable potential for whole effluent toxicity limitations).
18. 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

STATEMENT OF BASIS / TECHNICAL SUMMARY AND  
EXECUTIVE DIRECTOR'S PRELIMINARY DECISION  
TPDES Permit No. WQ0002964000

filed comments, requested a contested case hearing, or requested to be on the mailing list. This notice provides that if a person is not satisfied with the Executive Director's response and decision, they can request a contested case hearing or file a request to reconsider the Executive Director's decision within 30 days after the notice is mailed.

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

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

For additional information about this application, contact Aldo Guerrero at (512) 239-4317.

*Aldo Guerrero*  
Aldo Guerrero

October 1, 2025  
Date

STATEMENT OF BASIS / TECHNICAL SUMMARY AND  
EXECUTIVE DIRECTOR'S PRELIMINARY DECISION  
TPDES Permit No. WQ0002964000

**Appendix A**  
**Comparison of Effluent Limits**

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

Outfall	Pollutant	Technology-Based		Water Quality-Based		Existing Permit	
		Daily Avg	Daily Max	Daily Avg	Daily Max	Daily Avg	Daily Max
		mg/L	mg/L	mg/L	mg/L	mg/L	mg/L
001	Flow	0.385 MGD	Report, MGD	-	-	<b>0.385 MGD</b>	<b>Report, MGD</b>
	Total Suspended Solids	10	15	-	-	<b>10</b>	<b>15</b>
	Oil and Grease	10	15	-	-	<b>10</b>	<b>15</b>
	Total Arsenic	0.10	0.20	-	-	<b>0.10</b>	<b>0.20</b>
	Total Cadmium	-	-	0.05	0.10	<b>0.05</b>	<b>0.10</b>
	Total Lead	-	-	0.5	1.0	<b>0.17</b>	<b>0.36</b>
	Total Selenium	-	-	-	-	-	Report
	Total Zinc	-	-	1.0	2.0	<b>0.28</b>	<b>0.60</b>
	pH	6.0 SU, min	9.0 SU	6.0 SU, min	9.0 SU	<b>6.0 SU, min</b>	<b>9.0 SU</b>