



# Technical Package Cover Page

## This file contains the following documents:

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



# Portada de Paquete Técnico

## Este archivo contiene los siguientes documentos:

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

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

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

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

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

## ENGLISH TEMPLATE FOR TPDES or TLAP NEW/RENEWAL/AMENDMENT APPLICATIONS INDUSTRIAL WASTEWATER/STORMWATER

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

Hudson Products Corporation (CN600305841) operates Hudson Products Corporation Wastewater Treatment Facility (RN101864924), an industrial products manufacturing plant that produces air cooled heat exchangers and fiberglass fan blades (SIC 3443 and 3564). The facility is located at 9660 Grunwald Road, in Beasley, Fort Bend County, Texas 77417.

Hudson Products Corporation whose mailing address is 9660 Grunwald Road Beasley, Texas 77417 treats and discharges wastes from Hudson Products Corporation Wastewater Treatment Facility, an industrial products manufacturing plant that produces air cooled heat exchangers and fiberglass fan blades (SIC 3443 and 3564) located at 9660 Grunwald Road, near the City of Beasley, in Fort Bend County, Texas 77417 via Outfall 001 to Turkey Creek, thence to San Bernard River Above Tidal in Segment No. 1302 of the Brazos-Colorado Coastal Basin.

Discharges from the facility contain Chemical Oxygen Demand, Total Suspended Solids, Oil and Grease, Total Aluminum, and pH. The facility discharges process wastewater (Average: 0.36 MGD, Maximum: 6.5 MGD), utility wastewater, stormwater runoff, and previously monitored effluent from Outfall 101 that is treated by a Package Aeration Wastewater Treatment Plant, operated on site.

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

### AGUAS RESIDUALES INDUSTRIALES/AGUAS PLUVIALES

*El siguiente resumen se proporciona para esta solicitud de permiso de calidad del agua pendiente que está siendo revisada por la Comisión de Calidad Ambiental de Texas según lo*

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### AGUAS RESIDUALES INDUSTRIALES/AGUAS PLUVIALES

*El siguiente resumen se proporciona para esta solicitud de permiso de calidad del agua pendiente que está siendo revisada por la Comisión de Calidad Ambiental de Texas según lo*

*requerido por el Capítulo 39 del Código Administrativo de Texas 30. La información proporcionada en este resumen puede cambiar durante la revisión técnica de la solicitud y no son representaciones federales exigibles de la solicitud de permiso.*

Hudson Products Corporation (CN600305841) opera la planta de tratamiento de aguas residuales de Hudson Products Corporation (RN101864924), una planta de fabricación de productos industriales que produce intercambiadores de calor enfriados por aire y aspas de ventilador de fibra de vidrio (SIC 3443 y 3564). La instalación está ubicada en 9660 Grunwald Road, en Beasley, condado de Fort Bend, Texas 77417.

Hudson Products Corporation, cuya dirección postal es 9660 Grunwald Road Beasley, Texas 77417, trata y descarga desechos de la planta de tratamiento de aguas residuales de Hudson Products Corporation, una planta de fabricación de productos industriales que produce intercambiadores de calor enfriados por aire y aspas de ventiladores de fibra de vidrio (SIC 3443 y 3564) ubicada en 9660 Grunwald Road, cerca de la ciudad de Beasley, en el condado de Fort Bend, Texas 77417 a través del emisario 001 hasta Turkey Creek, desde allí hasta el río San Bernard por encima de la marea en el segmento n.º 1302 de la cuenca costera de Brazos-Colorado.

Las descargas de la instalación contienen demanda química de oxígeno, sólidos suspendidos totales, aceite y grasa, aluminio total y pH. La instalación descarga aguas residuales de proceso (promedio: 0,36 MGD, máximo: 6,5 MGD), aguas residuales de servicios públicos, escorrentía de aguas pluviales y efluentes previamente monitoreados del desagüe 101 que son tratados por una planta de tratamiento de aguas residuales de aireación de paquetes, operada en el sitio.

## **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 (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.

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



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

### PERMIT NO. WQ0003985000

**APPLICATION.** Hudson Products Corporation, 9660 Grunwald Road, Beasley, Texas 77417, which owns an industrial products manufacturing plant that produces air cooled heat exchangers and fiberglass fan blades, has applied to the Texas Commission on Environmental Quality (TCEQ) to renew Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0003985000 (EPA I.D. No. TX0118940) to authorize the discharge of treated wastewater and stormwater at a volume not to exceed a daily average flow of 360,000 gallons per day. The facility is located at 9660 Grunwald Road, Beasley, in Fort Bend County, Texas 77417. The discharge route is from the plant site via Outfall 001 to Turkey Creek, thence to San Bernard River Above Tidal. TCEQ received this application on July 26, 2023. The permit application will be available for viewing and copying at Fort Bend County Libraries, Administration Office, 1003 Golfview Drive, Richmond, Texas prior to the date this notice is published in the newspaper. This link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. For the exact location, refer to the application.

<https://gisweb.tceq.texas.gov/LocationMapper/?marker=-95.958888,29.480277&level=18>

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

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

**PUBLIC COMMENT / PUBLIC MEETING. You may submit public comments or request a public meeting on this application.** The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ will hold a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

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

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

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

The Commission may only grant a request for a contested case hearing on issues the requestor submitted in their timely comments that were not subsequently withdrawn. **If a hearing is granted, the subject of a hearing will be limited to disputed issues of fact or mixed questions of fact and law relating to relevant and material water quality concerns submitted during the comment period. 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.** 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 Hudson Products Corporation at the address stated above or by calling Mr. Shayne Beauchamp, Production Planner, at 281-396-8392.

Issuance Date: August 16, 2023

# 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. WQ0003985000**

**SOLICITUD.** Hudson Products Corporation, 9660 Grunwald Road, Beasley, Texas 77417, que posee una planta de fabricación de productos industriales que produce intercambiadores de calor enfriados por aire y aspas de fibra de vidrio para ventiladores, ha solicitado a la Comisión de Calidad Ambiental del Estado de Texas (TCEQ) para renovar el Permiso No. WQ0003985000 (EPA I.D. No. TX0118940) del Sistema de Eliminación de Descargas de Contaminantes de Texas (TPDES) para autorizar la descarga de aguas residuales tratadas y aguas pluviales en un volumen que no sobrepasa un flujo promedio diario de 360,000 galones por día. La planta está ubicada 9660 Grunwald Road, Beasley, Texas en el Condado de Fort Bend, Texas 77417. La ruta de descarga es del sitio de la planta a través del emisario 001 hasta Turkey Creek, desde allí hasta el río San Bernard por encima de la marea. La TCEQ recibió esta solicitud el 26 de julio de 2023. La solicitud para el permiso estará disponible para leerla y copiarla en Bibliotecas del condado de Fort Bend, oficina de administración, 1003 Golfview Drive, Richmond, Texas antes de la fecha de publicación de este aviso en el periódico. Este enlace a un mapa electrónico de la ubicación general del sitio o de la instalación es proporcionado como una cortesía y no es parte de la solicitud o del aviso. Para la ubicación exacta, consulte la solicitud. <https://gisweb.tceq.texas.gov/LocationMapper/?marker=-95.958888,29.480277&level=18>

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

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

**OPORTUNIDAD DE UNA AUDIENCIA ADMINISTRATIVA DE LO CONTENCIOSO.** Después del plazo para presentar comentarios públicos, el Director Ejecutivo considerará todos

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

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

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

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

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

También se puede obtener información adicional del Hudson Products Corporation a la dirección indicada arriba o llamando a Shayne Beauchamp al (281) 396-8392.

Fecha de emission el 16 de agosto de 2023

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



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

### RENEWAL

#### Permit No. WQ0003985000

**APPLICATION AND PRELIMINARY DECISION.** Hudson Products Corporation, 9660 Grunwald Road, Beasley, Texas 77417, which operates Hudson Products Corporation Beasley Plant, an industrial products manufacturing plant that produces air cooled heat exchangers and fiberglass fan blades, has applied to the Texas Commission on Environmental Quality (TCEQ) for a renewal of Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0003985000, which authorizes the discharge of process wastewater, utility wastewater, stormwater runoff and previously monitored effluent (treated domestic wastewater) from Outfall 001 at a daily average flow not to exceed 360,000 gallons per day. The TCEQ received this application on July 26, 2023.

The facility is located at 9660 Grunwald Road, near the City of Beasley, Fort Bend County, Texas 77417. 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=-95.958888,29.480277&level=18>

The effluent is discharged to Turkey Creek, thence to San Bernard River Above Tidal in Segment No. 1302 of the Brazos-Colorado Coastal Basin. The unclassified receiving water uses are minimal aquatic life use for Turkey Creek. The designated uses for Segment No. 1302 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 Fort Bend County Libraries, Administration Office, 1003 Golfview Drive, Richmond, Texas.

**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 Hudson Products Corporation at the address stated above or by calling Mr. Shayne Beauchamp, Production Planner, at 281-396-8392.

Issued: September 12, 2025

# Comisión De Calidad Ambiental Del Estado De Texas



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

### INDUSTRIALES

### RENOVACIÓN

### PERMISO NO. WQ0003985000

**SOLICITUD Y DECISIÓN PRELIMINAR.** Hudson Products Corporation, con domicilio en 9660 Grunwald Road, Beasley, Texas 77417, operadora de la Planta Beasley de Hudson Products Corporation, una planta de fabricación de productos industriales que produce intercambiadores de calor enfriados por aire y aspas de ventilador de fibra de vidrio, ha solicitado a la Comisión de Calidad Ambiental de Texas (TCEQ) la renovación del Permiso n.º WQ0003985000 del Sistema de Eliminación de Descargas Contaminantes de Texas (TPDES), que autoriza la descarga de aguas residuales de procesos, aguas residuales de servicios públicos, escorrentía de aguas pluviales y efluentes previamente monitoreados (aguas residuales domésticas tratadas) del Desagüe 001 con un caudal promedio diario que no exceda los 360,000 galones por día. La TCEQ recibió esta solicitud el 26 de julio de 2023.

La instalación está ubicada en 9660 Grunwald Road, cerca de la ciudad de Beasley, condado de Fort Bend, Texas 77417. Este enlace a un mapa electrónico de la ubicación general del sitio o la instalación se proporciona como cortesía pública y no forma parte de la solicitud ni del aviso. Para conocer la ubicación exacta, consulte la solicitud:

<https://gisweb.tceq.texas.gov/LocationMapper/?marker=-95.958888,29.480277&level=18>

El efluente se descarga en Turkey Creek y, de allí, en el río San Bernardo, en el segmento n.º 1302 de la cuenca costera Brazos-Colorado. Los usos no clasificados del agua receptora son el uso mínimo de la vida acuática en Turkey Creek. Los usos designados para el segmento n.º 1302 son la recreación de contacto primario, el suministro público de agua y el uso intensivo de la 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, de aprobarse, establecería las condiciones de funcionamiento de la instalación. El Director Ejecutivo ha determinado preliminarmente que este permiso, de expedirse, cumple con todos los requisitos legales y reglamentarios. La solicitud de permiso, la decisión preliminar del Director Ejecutivo y el borrador del permiso están disponibles para consulta y copia en la Oficina de Administración de las Bibliotecas del Condado de Fort Bend, 1003 Golfview Drive, Richmond, Texas.

La solicitud (cualquier actualización y aviso inclusive) está disponible electrónicamente en la siguiente página web: <https://www.tceq.texas.gov/permitting/wastewater/pending-permits/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://www.tceq.texas.gov/permitting/wastewater/pending-permits/tpdes-applications>.

**AVISO DE IDIOMA ALTERNATIVO.** El aviso de idioma alternativo en español está disponible <https://www.tceq.texas.gov/permitting/wastewater/plain-language-summaries-and-public-notice>.

**COMENTARIOS PÚBLICOS / REUNIÓN PÚBLICA.** Puede presentar comentarios públicos o solicitar una reunión pública sobre esta solicitud. El propósito de una reunión pública es brindar la oportunidad de presentar comentarios escritos u orales, o hacer preguntas sobre la solicitud. Generalmente, la TCEQ celebrará una reunión pública si el Director Ejecutivo determina que existe un interés público significativo en la solicitud o si lo solicita un legislador local. Una reunión pública no constituye una audiencia de caso contencioso.

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

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

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

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

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

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

**Todos los comentarios públicos escritos y las solicitudes de reunión pública deben enviarse a la Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087 o electrónicamente a <https://www14.tceq.texas.gov/epic/eComment/> dentro de los 30 días a partir de la fecha de publicación de este aviso en el periódico.** **INFORMACIÓN DISPONIBLE EN LÍNEA.** Para obtener detalles sobre el estado de la solicitud, visite la Base de Datos Integrada de los Comisionados en [www.tceq.texas.gov/goto/cid](http://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://www14.tceq.texas.gov/epic/eComment/>, 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 [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.

También puede obtener más información de Hudson Products Corporation en la dirección indicada anteriormente o llamando al Sr. Shayne Beauchamp, Planificador de Producción, al 281-396-8392.

Fecha de emisión: el 12 de septiembre de 2025



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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

PERMIT TO DISCHARGE WASTES

under provisions of  
Section 402 of the Clean Water Act  
and Chapter 26 of the Texas Water Code  
and 40 CFR Part 438 Subpart A

Hudson Products Corporation

whose mailing address is

9660 Grunwald Road  
Beasley, Texas 77417

is authorized to treat and discharge wastes from Hudson Products Corporation Beasley Plant, an industrial products manufacturing plant that produces air cooled heat exchangers and fiberglass fan blades (SIC 3443 and 3564)

located at 9660 Grunwald Road, near the City of Beasley, Fort Bend County, Texas 77417

to Turkey Creek, thence to San Bernard River Above Tidal in Segment No. 1302 of the Brazos-Colorado Coastal 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.  
WQ0003985000  
*[For TCEQ office use only -  
EPA I.D. No. TX0118940]*

This renewal replaces TPDES Permit  
No. WQ0003985000, issued on  
August 6, 2019.

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 process wastewater, utility wastewater, stormwater runoff, and previously monitored effluent from internal Outfall 101 subject to the following effluent limitations:

The daily average flow of effluent shall not exceed 0.36 million gallons per day (MGD). The daily maximum flow shall not exceed 6.5 MGD.

Effluent Characteristics	Discharge Limitations			Minimum Self-Monitoring Requirements	
	Daily Average mg/L	Daily Maximum mg/L	Single Grab mg/L	Report Daily Average and Daily Maximum Measurement Frequency	Sample Type
Flow	0.36, MGD	6.5, MGD	N/A	1/day <sup>1</sup>	Estimate
Chemical Oxygen Demand	N/A	200	200	1/week <sup>1</sup>	Grab
Total Suspended Solids	N/A	62	62	1/week <sup>1</sup>	Grab
Oil and Grease	N/A	15	15	1/week <sup>1</sup>	Grab
Total Aluminum	0.77	1.64	1.64	1/week <sup>1</sup>	Grab

2. The pH must not be less than 6.0 standard units nor greater than 9.0 standard units and must be monitored 1/day <sup>1</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: At the discharge point from No. 3 Lake, prior to mixing with any other waters.

<sup>1</sup> When discharge occurs. Sample shall be taken during the first shift of operation only and no later than 20 minutes after discharge begins.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

Outfall Number 101

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 treated domestic wastewater subject to the following effluent limitations:

Volume: Continuous and flow-variable basis.

Effluent Characteristics	Discharge Limitations			Minimum Self-Monitoring Requirements	
	Daily Average mg/L	Daily Maximum mg/L	Single Grab mg/L	Report Daily Average and Daily Maximum Measurement Frequency	Sample Type
Flow	Report, MGD	Report, MGD	N/A	1/day	Estimate
Biochemical Oxygen Demand, 5-day	20	65	65	1/week	Grab
Total Suspended Solids	20	65	65	1/week	Grab
<i>E coli</i> (CFU or MPN/100 mL) <sup>1</sup>	126	399	399	1/week	Grab

2. All domestic sewage shall be chlorinated sufficiently to maintain at least a 1.0 mg/L chlorine residual and at most a 4.0 mg/L chlorine residual after at least 20 minutes contact time (based on peak flow), prior to mixing with any other waters, and shall be monitored 5/week, by grab sample.
3. The pH must not be less than 6.0 standard units nor greater than 9.0 standard units and must be monitored 1/month by grab sample.
4. There must be no discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.
5. Effluent monitoring samples must be taken at the following location: at Outfall 101 at the discharge point from the sewage treatment plant prior to mixing with any other waters.

<sup>1</sup> Colony-forming units (CFU) or most probable number (MPN).

**DEFINITIONS AND STANDARD PERMIT CONDITIONS**

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

**1. Flow Measurements**

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

**2. Concentration Measurements**

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

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

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

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

### 3. Sample Type

- a. Composite sample - For domestic wastewater, a composite sample is a sample made up of a minimum of three effluent portions collected in a continuous 24-hour period or during the period of daily discharge if less than 24 hours, and combined in volumes proportional to flow, and collected at the intervals required by 30 TAC §319.9(a). For industrial wastewater, a composite sample is a sample made up of a minimum of three effluent portions collected in a continuous 24-hour period or during the period of daily discharge if less than 24 hours, and combined in volumes proportional to flow, and collected at the intervals required by 30 TAC §319.9(c).
  - b. Grab sample - an individual sample collected in less than 15 minutes.
4. Treatment Facility (facility) - wastewater facilities used in the conveyance, storage, treatment, recycling, reclamation or disposal of domestic sewage, industrial wastes, agricultural wastes, recreational wastes, or other wastes including sludge handling or disposal facilities under the jurisdiction of the Commission.
  5. The term “sewage sludge” is defined as solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in 30 TAC Chapter 312. This includes the solids that have not been classified as hazardous waste separated from wastewater by unit processes.
  6. Bypass - the intentional diversion of a waste stream from any portion of a treatment facility.

## MONITORING AND REPORTING REQUIREMENTS

### 1. Self-Reporting

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

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

## 2. Test Procedures

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

## 3. Records of Results

- a. Monitoring samples and measurements shall be taken at times and in a manner so as to be representative of the monitored activity.
- b. Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by 40 CFR Part 503), monitoring and reporting records, including strip charts and records of calibration and maintenance, copies of all records required by this permit, records of all data used to complete the application for this permit, and the certification required by 40 CFR §264.73(b)(9) shall be retained at the facility site, or shall be readily available for review by a TCEQ representative for a period of three years from the date of the record or sample, measurement, report, application or certification. This period shall be extended at the request of the Executive Director.
- c. Records of monitoring activities shall include the following:
  - i. date, time, and place of sample or measurement;
  - ii. identity of individual who collected the sample or made the measurement;
  - iii. date and time of analysis;
  - iv. identity of the individual and laboratory who performed the analysis;
  - v. the technique or method of analysis; and
  - vi. the results of the analysis or measurement and quality assurance/quality control records.

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

## 4. Additional Monitoring by Permittee

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

## 5. Calibration of Instruments

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

## 6. Compliance Schedule Reports

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

## 7. Noncompliance Notification

- a. In accordance with 30 TAC §305.125(9) any noncompliance that may endanger human health or safety, or the environment shall be reported by the permittee to the TCEQ. Report of such information shall be provided orally or by facsimile transmission (FAX) to the regional office within 24 hours of becoming aware of the noncompliance. A written submission of such information shall also be provided by the permittee to the regional office and the Enforcement Division (MC 224) within five working days of becoming aware of the noncompliance. For Publicly Owned Treatment Works (POTWs), effective September 1, 2020, the permittee must submit the written report for unauthorized discharges and unanticipated bypasses that exceed any effluent limit in the permit using the online electronic reporting system available through the TCEQ website unless the permittee requests and obtains an electronic reporting waiver. The written submission shall contain a description of the noncompliance and its cause; the potential danger to human health or safety, or the environment; the period of noncompliance, including exact dates and times; if the noncompliance has not been corrected, the time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance, and to mitigate its adverse effects.
- b. The following violations shall be reported under Monitoring and Reporting Requirement 7.a.:
  - i. unauthorized discharges as defined in Permit Condition 2(g).
  - ii. any unanticipated bypass that exceeds any effluent limitation in the permit.
  - iii. violation of a permitted maximum daily discharge limitation for pollutants listed specifically in the Other Requirements section of an Industrial TPDES permit.
- c. In addition to the above, any effluent violation that deviates from the permitted effluent limitation by more than 40% shall be reported by the permittee in writing to the regional office and the Enforcement Division (MC 224) within 5 working days of becoming aware of the noncompliance.
- d. Any noncompliance other than that specified in this section, or any required information not submitted or submitted incorrectly, shall be reported to the Enforcement Division (MC 224) as promptly as possible. For effluent limitation violations, noncompliances shall be reported on the approved self-report form.

8. In accordance with the procedures described in 30 TAC §§35.301 - 35.303 (relating to Water Quality Emergency and Temporary Orders) if the permittee knows in advance of the need for a bypass, it shall submit prior notice by applying for such authorization.

## 9. Changes in Discharges of Toxic Substances

All existing manufacturing, commercial, mining, and silvicultural permittees shall notify the regional office, orally or by facsimile transmission within 24 hours, and both the regional office and the Enforcement Division (MC 224) in writing within five (5) working days, after becoming aware of or having reason to believe:

- a. That any activity has occurred or will occur that would result in the discharge, on a routine or frequent basis, of any toxic pollutant listed at 40 CFR Part 122, Appendix D, Tables II and III (excluding Total Phenols) that is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
  - i. one hundred micrograms per liter (100 µg/L);
  - ii. two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/L) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;
  - iii. five (5) times the maximum concentration value reported for that pollutant in the permit application; or
  - iv. the level established by the TCEQ.

- b. That any activity has occurred or will occur that would result in any discharge, on a nonroutine or infrequent basis, of a toxic pollutant that is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
  - i. five hundred micrograms per liter (500 µg/L);
  - ii. one milligram per liter (1 mg/L) for antimony;
  - iii. ten (10) times the maximum concentration value reported for that pollutant in the permit application; or
  - iv. the level established by the TCEQ.

#### 10. Signatories to Reports

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

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

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

### **PERMIT CONDITIONS**

#### 1. General

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

#### 2. Compliance

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

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

- c. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.
- d. The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal or other permit violation that has a reasonable likelihood of adversely affecting human health or the environment.
- e. Authorization from the Commission is required before beginning any change in the permitted facility or activity that may result in noncompliance with any permit requirements.
- f. A permit may be amended, suspended and reissued, or revoked for cause in accordance with 30 TAC §§305.62 and 305.66 and TWC §7.302. The filing of a request by the permittee for a permit amendment, suspension and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
- g. There shall be no unauthorized discharge of wastewater or any other waste. For the purpose of this permit, an unauthorized discharge is considered to be any discharge of wastewater into or adjacent to water in the state at any location not permitted as an outfall or otherwise defined in the Other Requirements section of this permit.
- h. In accordance with 30 TAC §305.535(a), the permittee may allow any bypass to occur from a TPDES permitted facility that does not cause permitted effluent limitations to be exceeded or an unauthorized discharge to occur, but only if the bypass is also for essential maintenance to assure efficient operation.
- i. The permittee is subject to administrative, civil, and criminal penalties, as applicable, under Texas Water Code §§7.051 - 7.075 (relating to Administrative Penalties), 7.101 - 7.111 (relating to Civil Penalties), and 7.141 - 7.202 (relating to Criminal Offenses and Penalties) for violations including, but not limited to, negligently or knowingly violating the federal CWA §§301, 302, 306, 307, 308, 318, or 405, or any condition or limitation implementing any sections in a permit issued under the CWA §402, or any requirement imposed in a pretreatment program approved under the CWA §§402(a)(3) or 402(b)(8).

### 3. Inspections and Entry

- a. Inspection and entry shall be allowed as prescribed in the TWC Chapters 26, 27, and 28, and THSC Chapter 361.
- b. The members of the Commission and employees and agents of the Commission are entitled to enter any public or private property at any reasonable time for the purpose of inspecting and investigating conditions relating to the quality of water in the state or the compliance with any rule, regulation, permit, or other order of the Commission. Members, employees, or agents of the Commission and Commission contractors are entitled to enter public or private property at any reasonable time to investigate or monitor or, if the responsible party is not responsive or there is an immediate danger to public health or the environment, to remove or remediate a condition related to the quality of water in the state. Members, employees, Commission contractors, or agents acting under this authority who enter private property shall observe the establishment's rules and regulations concerning safety, internal security, and fire protection, and if the property has management in residence, shall notify management or the person then in charge of his presence and shall exhibit proper credentials. If any member, employee, Commission contractor, or agent is refused the right to enter in or on public or private property under this authority, the Executive Director may invoke the remedies authorized in TWC §7.002. The statement above, that Commission entry shall occur in accordance with an establishment's rules and regulations concerning safety, internal security, and fire protection, is not grounds for denial or restriction of entry to any part of the facility, but merely describes the Commission's duty to observe appropriate rules and regulations during an inspection.

#### 4. Permit Amendment or Renewal

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

#### 5. Permit Transfer

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

#### 6. Relationship to Hazardous Waste Activities

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

#### 7. Relationship to Water Rights

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

#### 8. Property Rights

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

#### 9. Permit Enforceability

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

#### 10. Relationship to Permit Application

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

#### 11. Notice of Bankruptcy.

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

### **OPERATIONAL REQUIREMENTS**

1. The permittee shall at all times ensure that the facility and all of its systems of collection, treatment, and disposal are properly operated and maintained. This includes, but is not limited to, the regular, periodic examination of wastewater solids within the treatment plant by the operator in order to maintain an appropriate quantity and quality of solids inventory as described in the various operator training manuals and according to accepted industry standards for process control. Process control, maintenance, and operations records shall be retained at the facility site, or shall be readily available for review by a TCEQ representative, for a period of three years.
2. Upon request by the Executive Director, the permittee shall take appropriate samples and provide proper analysis in order to demonstrate compliance with Commission rules. Unless otherwise specified in this permit or otherwise ordered by the Commission, the permittee shall comply with all applicable provisions of 30 TAC Chapter 312 concerning sewage sludge use and disposal and 30 TAC §§319.21 - 319.29 concerning the discharge of certain hazardous metals.

3. Domestic wastewater treatment facilities shall comply with the following provisions:
  - a. The permittee shall notify the Municipal Permits Team, Wastewater Permitting Section (MC 148) of the Water Quality Division, in writing, of any facility expansion at least 90 days prior to conducting such activity.
  - b. The permittee shall submit a closure plan for review and approval to the Municipal Permits Team, Wastewater Permitting Section (MC 148) of the Water Quality Division, for any closure activity at least 90 days prior to conducting such activity. Closure is the act of permanently taking a waste management unit or treatment facility out of service and includes the permanent removal from service of any pit, tank, pond, lagoon, surface impoundment or other treatment unit regulated by this permit.
4. The permittee is responsible for installing prior to plant start-up, and subsequently maintaining, adequate safeguards to prevent the discharge of untreated or inadequately treated wastes during electrical power failures by means of alternate power sources, standby generators, or retention of inadequately treated wastewater.
5. Unless otherwise specified, the permittee shall provide a readily accessible sampling point and, where applicable, an effluent flow measuring device or other acceptable means by which effluent flow may be determined.
6. The permittee shall remit an annual water quality fee to the Commission as required by 30 TAC Chapter 21. Failure to pay the fee may result in revocation of this permit under TWC §7.302(b)(6).
7. Documentation

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

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

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

- b. The plans and specifications for domestic sewage collection and treatment works associated with any domestic permit must be approved by the Commission, and failure to secure approval before commencing construction of such works or making a discharge is a violation of this permit and each day is an additional violation until approval has been secured.
  - c. Permits for domestic wastewater treatment plants are granted subject to the policy of the Commission to encourage the development of area-wide waste collection, treatment, and disposal systems. The Commission reserves the right to amend any domestic wastewater permit in accordance with applicable procedural requirements to require the system covered by this permit to be integrated into an area-wide system, should such be developed; to require the delivery of the wastes authorized to be collected in, treated by or discharged from said system, to such area-wide system; or to amend this permit in any other particular to effectuate the Commission's policy. Such amendments may be made when the changes required are advisable for water quality control purposes and are feasible on the basis of waste treatment technology, engineering, financial, and related considerations existing at the time the changes are required, exclusive of the loss of investment in or revenues from any then existing or proposed waste collection, treatment or disposal system.
9. Domestic wastewater treatment plants shall be operated and maintained by sewage plant operators holding a valid certificate of competency at the required level as defined in 30 TAC Chapter 30.
  10. For Publicly Owned Treatment Works (POTWs), the 30-day average (or monthly average) percent removal for BOD and TSS shall not be less than 85%, unless otherwise authorized by this permit.
  11. Facilities that generate industrial solid waste as defined in 30 TAC §335.1 shall comply with these provisions:
    - a. Any solid waste, as defined in 30 TAC §335.1 (including but not limited to such wastes as garbage, refuse, sludge from a waste treatment, water supply treatment plant or air pollution control facility, discarded materials, discarded materials to be recycled, whether the waste is solid, liquid, or semisolid), generated by the permittee during the management and treatment of wastewater, must be managed in accordance with all applicable provisions of 30 TAC Chapter 335, relating to Industrial Solid Waste Management.
    - b. Industrial wastewater that is being collected, accumulated, stored, or processed before discharge through any final discharge outfall, specified by this permit, is considered to be industrial solid waste until the wastewater passes through the actual point source discharge and must be managed in accordance with all applicable provisions of 30 TAC Chapter 335.
    - c. The permittee shall provide written notification, pursuant to the requirements of 30 TAC §335.8(b)(1), to the Corrective Action Section (MC 127) of the Remediation Division informing the Commission of any closure activity involving an Industrial Solid Waste Management Unit, at least 90 days prior to conducting such an activity.
    - d. Construction of any industrial solid waste management unit requires the prior written notification of the proposed activity to the Registration and Reporting Section (MC 129) of the Permitting and Remediation Support Division. No person shall dispose of industrial solid waste, including sludge or other solids from wastewater treatment processes, prior to fulfilling the deed recordation requirements of 30 TAC §335.5.
    - e. The term "industrial solid waste management unit" means a landfill, surface impoundment, waste-pile, industrial furnace, incinerator, cement kiln, injection well, container, drum, salt dome waste containment cavern, or any other structure vessel, appurtenance, or other improvement on land used to manage industrial solid waste.
    - f. The permittee shall keep management records for all sludge (or other waste) removed from any wastewater treatment process. These records shall fulfill all applicable requirements of 30 TAC Chapter 335 and must include the following, as it pertains to wastewater treatment and discharge:
      - i. volume of waste and date(s) generated from treatment process;
      - ii. volume of waste disposed of on-site or shipped off-site;
      - iii. date(s) of disposal;

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

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

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

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**OTHER REQUIREMENTS**

1. Violations of daily maximum limitations for the following pollutants shall be reported orally or by facsimile to TCEQ Region 12 within 24 hours from the time the permittee becomes aware of the violation, followed by a written report within five working days to TCEQ Region 12 and Compliance Monitoring Team (MC 224):

<b>Pollutant</b>	<b>MAL<sup>1</sup> (mg/L)</b>
Aluminum (Total)	0.0025

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. There is no mixing zone established for this discharge to an intermittent stream. Acute toxic criteria apply at the point of discharge.
3. The domestic wastewater treatment plant (Outfall 101) must be operated and maintained by a wastewater treatment plant operator holding a valid certificate of competency. The certificate of competency for the operator must be a Class A, Class B, Class C, or Class D certificate in accordance with 30 TAC §30.350.
4. A certified operator shall inspect the on-site domestic wastewater treatment facilities daily and maintain at the plant site a record of these inspections. These records shall be available at the plant site for inspection by authorized representatives of the commission for at least three years. During this daily inspection, the on-site package plant, including but not limited to, the clarifier, any equalization tanks, and the chlorine contact chamber shall be checked to ensure the facility is properly operated and maintained. The chlorine contact chamber specifically shall be inspected for any solids entering the chamber, proper retention time, and the proper stocking and functioning of

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

the chlorine feed system. This requirement expires at the conclusion of this permit term and may be continued at the discretion of the TCEQ.

5. This permit does not authorize on-site disposal of sewage sludge. The permittee shall ensure that all sewage sludge which is not a hazardous waste (as defined in 30 TAC Chapter 335) is handled, transported, and disposed of in compliance with the applicable provisions of 30 TAC Chapter 312. The permittee shall ensure that all sewage sludge which is a hazardous waste (as defined in 30 TAC Chapter 335) is handled, transported, and disposed of in compliance with the applicable provisions of 30 TAC Chapter 335. The permittee shall keep records of all sludges removed from the wastewater treatment plant site. Such records will include the following information:

- A. Volume (dry weight basis) of sludge disposed;
- B. Date of disposal;
- C. Identity and registration number of hauler;
- D. Location and registration or permit number of disposal site; and
- E. Method of final disposal.

The above records must be maintained on a monthly basis and be available at the plant site for inspection by authorized representatives of the TCEQ for at least five years

6. COOLING WATER INTAKE STRUCTURE REQUIREMENTS

The permittee shall provide written notification to the TCEQ Industrial Permits Team (MC 148) and Region 12 Office of any changes in the method by which the facility obtains water for cooling purposes. This notification must be submitted 30 days prior to any such change and must include a description of the planned changes. The TCEQ may, upon review of the notification, reopen the permit to include additional terms and conditions as necessary.

7. POND REQUIREMENTS

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

- A. N/A.
- B. An **existing** wastewater pond must be maintained to meet or exceed the original approved design and liner requirements; or, in the absence of original approved requirements, must be maintained to prevent unauthorized discharges of wastewater into or adjacent to water in the state. The permittee shall maintain copies of all liner construction and testing documents at the facility or in a reasonably accessible location and make the information available to the executive director upon request.
- C. A **new** wastewater pond constructed after the issuance date of this permit must be lined in compliance with one of the following requirements if it will contain process wastewater as defined in 40 CFR § 122.2. The executive director will review ponds that will contain only non-process wastewater on a case-by-case basis to determine whether the pond must be lined. If a pond will contain only non-process wastewater, the owner shall notify the Industrial Permits Team (MC 148) to obtain a written determination at least 90 days before the pond is placed into service and copy the TCEQ Compliance Monitoring Team (MC 224) and regional office. The permittee must submit all information about the proposed pond contents that is reasonably necessary for the executive director to make a determination. If the executive director

determines that a pond does not need to be lined, then the pond is exempt from C(1) through C(3) and D through G of POND REQUIREMENTS.

A wastewater pond that only contains domestic wastewater must comply with the design requirements in 30 TAC Chapter 217 and 30 TAC § 309.13(d) in lieu of items C(1) through C(3) of this subparagraph.

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

The certification must be provided to the TCEQ Water Quality Assessment Team (MC 150), Industrial Permits Team (MC 148), and regional office. A copy of the liner certification and construction details (i.e., as-built drawings, construction QA/QC documentation, and post construction testing) must be kept on-site or in a reasonably accessible location (in either hardcopy or digital format) until the pond is closed.

- E. Protection and maintenance requirements for a pond subject to subparagraph B or C (including ponds with in-situ soil liners).
- (1) The permittee shall maintain a liner to prevent the unauthorized discharge of wastewater into or adjacent to water in the state.
  - (2) A liner must be protected from damage caused by animals. Fences or other protective devices or measures may be used to satisfy this requirement.

- (3) The permittee shall maintain the structural integrity of the liner and shall keep the liner and embankment free of woody vegetation, animal burrows, and excessive erosion.
  - (4) The permittee shall inspect each pond liner and each leak detection system at least once per month. Evidence of damage or unauthorized discharge must be evaluated by a Texas-licensed professional engineer or Texas-licensed professional geoscientist within 30 days. The permittee is not required to drain an operating pond or to inspect below the waterline during these routine inspections.
    - a. A Texas-licensed professional engineer or Texas-licensed professional geoscientist must evaluate damage to a pond liner, including evidence of an unauthorized discharge without visible damage.
    - b. Pond liner damage must be repaired at the recommendation of a Texas-licensed professional engineer or Texas-licensed professional geoscientist. If the damage is significant or could result in an unauthorized discharge, then the repair must be documented and certified by a Texas-licensed professional engineer. Within 60 days after a repair is completed, the liner certification must be provided to the TCEQ Water Quality Assessments Team (MC 150) and regional office. A copy of the liner certification must be maintained at the facility or in a reasonably accessible location and made available to the executive director upon request.
    - c. A release determination and subsequent corrective action will be based on 40 CFR Part 257 or the Texas Risk Reduction Program (30 TAC Chapter 350), as applicable. If evidence indicates that an unauthorized discharge occurred, including evidence that the actual permeability exceeds the design permeability, the matter may also be referred to the TCEQ Enforcement Division to ensure the protection of the public and the environment.
- F. For a pond subject to subparagraph B or C (including ponds with in-situ soil liners), the permittee shall have a Texas-licensed professional engineer perform an evaluation of each pond that requires a liner at least once every five years. The evaluation must include: (1) a physical inspection of the pond liner to check for structural integrity, damage, and evidence of leaking; (2) a review of the liner documentation for the pond; and (3) a review of all documentation related to liner repair and maintenance performed since the last evaluation. For the purposes of this evaluation, evidence of leaking also includes evidence that the actual permeability exceeds the design permeability. The permittee is not required to drain an operating pond or to inspect below the waterline during the evaluation. A copy of the engineer's evaluation report must be maintained at the facility or in a reasonably accessible location and made available to the executive director upon request.
- G. For a pond subject to subparagraph B or C (including ponds with in-situ soil liners), the permittee shall maintain at least 2.0 feet of freeboard in the pond except when:
- (1) the freeboard requirement temporarily cannot be maintained due to a large storm event that requires the additional retention capacity to be used for a limited period of time;
  - (2) the freeboard requirement temporarily cannot be maintained due to upset plant conditions that require the additional retention capacity to be used for treatment for a limited period of time; or
  - (3) the pond was not required to have at least 2.0 feet of freeboard according to the requirements at the time of construction.

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**DESCRIPTION OF APPLICATION**

Applicant: Hudson Products Corporation; Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0003985000 (EPA I.D. No. TX0118940)

Regulated activity: Industrial wastewater permit

Type of application: Renewal

Request: Renewal without changes

Authority: Federal Clean Water Act (CWA) §402; Texas Water Code (TWC) §26.027; 30 Texas Administrative Code (TAC) Chapter 305, Subchapters C-F, and Chapters 307 and 319; commission policies; and Environmental Protection Agency (EPA) guidelines

**EXECUTIVE DIRECTOR RECOMMENDATION**

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

**REASON FOR PROJECT PROPOSED**

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

**PROJECT DESCRIPTION AND LOCATION**

The applicant currently operates Hudson Products Corporation Beasley Plant, an industrial products manufacturing plant that produces air cooled heat exchangers and fiberglass fan blades.

The wastewater generated at the facility consists of well water which is used for industrial and domestic purposes. Wastewaters from industrial processes (X-ray, heat treatment washdown, tube-out testing, heat pipe boiler, finning, finning boiler, fan shop boiler, air compressors, blade mold cooling, maintenance shop washdown, and research and development) are routed to an onsite retention pond system, beginning with Lake No. 1. Domestic wastewater generated onsite is routed to the facility's package aeration wastewater treatment plant and discharged through internal Outfall 101, thence to Lake No. 1. Stormwater collected via the stormwater collection and drainage network is commingled with industrial process water and treated domestic wastewater before entering Lake No. 1. Overflow from Lake No. 1 passes through a skimmer before subsequently reaching Lake No. 2. Overflow from Lake No. 2 goes to Lake No. 3, which may then overflow for discharge via Outfall 001. Based on the combined capacity of Lake Nos. 1 through 3 (approximately 31.2 million gallons), greater volumes of wastewater are lost via evaporation during dry-weather conditions than would potentially discharge via Outfall 001. Because the retention pond system essentially acts as an evaporation pond system, the discharge via Outfall 001 is highly intermittent.

The facility is located at 9660 Grunwald Road, near the City of Beasley, Fort Bend County, Texas 77417.

**Discharge Route and Designated Uses**

The effluent is discharged to Turkey Creek, thence to San Bernard River Above Tidal in Segment No. 1302 of the Brazos-Colorado Coastal Basin. The unclassified receiving water uses are minimal aquatic

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life use for Turkey Creek. The designated uses for Segment No. 1302 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 Houston Toad (*Bufo houstonensis* Sanders), an endangered aquatic-dependent species of critical concern, occurs within the watershed of Segment 1302. This determination is based on the United States Fish and Wildlife Service's (USFWS) biological opinion on the State of Texas authorization of the TPDES program (September 14, 1998, October 21, 1998 update). To make this determination for TPDES permits, TCEQ and EPA only consider aquatic or aquatic dependent species occurring in watersheds of critical concern or high priority as listed in Appendix A of the USFWS biological opinion. The determination is subject to reevaluation due to subsequent updates or amendments to the biological opinion.

Species distribution information for the Segment 1302 watershed is provided by the United States Fish and Wildlife Service and documents the toad's presence solely in the vicinity of Hayes Creek in Colorado County, which is farther up the watershed from the facility associated with this permit action. Based upon this information, it is determined that the facility's discharge is not expected to impact the Houston Toad. The permit does not require EPA review with respect to the presence of endangered or threatened species.

**Impaired Water Bodies**

Segment No. 1302 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 from the confluence with the Intracoastal Waterway in Brazoria County upstream to the confluence with Coushatta Creek (Assessment Units 1302\_01, 1302\_02 and 1302\_03).

This facility discharges treated domestic wastewater via Outfall 001 on a highly intermittent basis. In accordance with the discharge monitoring reports submitted by the permittee, this facility has not discharged via Outfall 001 in the past five years. Because the discharge is so highly intermittent, no impact to the receiving segment is anticipated. However, to ensure the proper operation of the package plant, Other Requirement No. 4 has been added to the draft permit to prevent adverse impact to the receiving segment, if discharge ever occurs via Outfall 001. Additionally, the existing permit already establishes a bacteria effluent limit at internal Outfall 101, which

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

There are no completed TMDLs for Segment No. 1302.

**Dissolved Oxygen**

Only internal Outfall 101 (domestic wastewater) is expected to discharge wastewater with significant concentrations of oxygen demanding substances. However, effluent from internal Outfall 101 is routed through a series of holding ponds prior to discharge via Outfall 001. Discharge from these ponds occurs on a highly intermittent basis. Due to these factors, no significant dissolved oxygen depletion is expected in the receiving streams as a result of this discharge.

**SUMMARY OF EFFLUENT DATA**

The following is a quantitative description of the discharge described in the monthly effluent report data for the period of August 2019, through June 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

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the reporting period for each pollutant. Flows are expressed in million gallons per day (MGD). All pH values are expressed in standard units (SU). Bacteria values are expressed in colony forming units (cfu) or most probable number (MPN) per 100 milliliters (mL).

**Flow**

Outfall	Frequency	Avg of Daily Avg, MGD	Max of Daily Max, MGD
001 <sup>1</sup>	Intermittent	No Discharge	No Discharge
101	Continuous	0.12	0.211

**Effluent Characteristics**

Outfall	Pollutant	Avg of Daily Avg	Max of Daily Max
		mg/L	mg/L
101	Five-day Biochemical Oxygen Demand	4.53	37.5
	Total Suspended Solids	5.49	44
	<i>Escherichia Coli</i> (CFU or MPN per 100 mL)	3.61	19,900
	Chlorine Residual	1.0, minimum	4.0, maximum
	pH	6.1 SU, minimum	8.1 SU, maximum

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

**Effluent Limitation Violations**

Outfall	Pollutant (units)	Report Date	Daily Average		Daily Maximum	
			Limit	Reported	Limit	Reported
101	<i>E. coli</i> (cfu/100ml)	08/31/2019	126	110	399	548
	<i>E. coli</i> (cfu/100ml)	09/30/2020	126	154	399	613
	<i>E. coli</i> (cfu/100ml)	10/31/2020	126	493	399	2420
	<i>E. coli</i> (cfu/100ml)	08/31/2021	126	326	399	1300
	<i>E. coli</i> (cfu/100ml)	03/31/2022	126	493	399	2420
	<i>E. coli</i> (cfu/100ml)	09/20/2023	126	610	399	2420
	<i>E. coli</i> (cfu/100ml)	04/30/2024	126	123	399	470
	<i>E. coli</i> (cfu/100ml)	05/31/2024	126	362	399	1780
	<i>E. coli</i> (cfu/100ml)	06/30/2024	126	4983	399	19900
<i>E. coli</i> (cfu/100ml)	05/31/2025	126	95	399	435	

In response to an inquiry sent to the applicant on February 23, 2024, the applicant indicated that the effluent limitation violations above are the result of several mechanical failures and issues with the chlorine contact chamber associated with the domestic wastewater treatment package plant. In response, Other Requirement No. 4 has been added to the draft permit requiring daily inspection of the on-site domestic wastewater treatment plant by a certified operator. If effluent limit violations continue to occur, they may be addressed by the Enforcement Division of the TCEQ at their discretion.

**DRAFT PERMIT CONDITIONS**

The draft permit authorizes the discharge of process wastewater, utility wastewater, stormwater runoff, and previously monitored effluent (treated domestic wastewater) at Internal Outfall 101, at a daily average flow not to exceed 0.36 MGD via Outfall 001.

<sup>1</sup> No discharge occurred since the issuance of the previous permit.

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Effluent limitations are established in the draft permit as follows:

Outfall	Pollutant	Daily Average mg/L	Daily Maximum mg/L
001	Flow	0.36 MGD	6.5 MGD
	Chemical oxygen demand	N/A	200
	Total suspended solids	N/A	62
	Oil and grease	N/A	15
	Total aluminum	0.77	1.64
	pH	6.0 SU, minimum	9.0 SU, maximum
101	Flow	Report, MGD	Report, MGD
	Five-day biochemical oxygen demand	20	65
	Total suspended solids	20	65
	<i>E. coli</i> (CFU or MPN/100 mL)	126	399
	Total chlorine residual	1.0, minimum	4.0, maximum
	pH	6.0 SU, minimum	9.0 SU, maximum

**OUTFALL LOCATIONS**

Outfall	Latitude	Longitude
001	29.474925 N	95.960737 W

**Technology-Based Effluent Limitations**

Regulations in Title 40 of the Code of Federal Regulations (40 CFR) require that technology-based limitations be placed in wastewater discharge permits based on effluent limitations guidelines, where applicable, or on best professional judgment (BPJ) in the absence of guidelines. Technology-based effluent limitations from 40 CFR Part 438 applies to the discharge from onsite processes that produce metal products and machinery by oily operations.

Appendix A of 40 CFR Part 438 Subpart A describes typical metal products and machineries; Appendix B defines oily operations; and Appendix C defines metal-bearing operations. The provisions of 40 CFR Part 438 Subpart A are applicable to discharges resulting from the production of air-cooled heat exchangers and fiberglass fan blades. Process wastewater at the facility addressed by the Metal Products & Machinery regulations include steam cleaning of the headers and manifolds prior to painting at the header shop, lard oil dewatering wastewater from the finning area, submerged air pressure test tank water, occasional heat exchanger steam cleaning wastewater from the tube out area, and maintenance shop washdown. Development of technology-based effluent limitations for Outfall 001 are presented in Appendix A.

A review of the technology-based effluent limits for Outfall 001 in Appendix A demonstrate that limitations for total suspended solids and oil and grease in the existing permit are more stringent. Therefore, effluent limitations for total suspended solids and oil and grease are continued in accordance with the EPA's anti-backsliding requirements located in 40 CFR § 122.44(l).

Effluent limitations for chemical oxygen demand at Outfall 001 were implemented originally using BPJ and are continued in accordance with the EPA's anti-backsliding requirements located in 40 CFR § 122.44(l).

The effluent limitations for five-day biochemical oxygen demand, total suspended solids, *E. coli*, total chlorine residual, and pH at internal Outfall 101 were implemented in accordance with the effluent limitations established for domestic wastewater treatment facilities located in 30 TAC § 309.3 and

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309.4. While the effluent limitations for *E. coli*, chlorine residual and pH are typically water quality-based effluent limitations, they were applied at Internal Outfall 101 using BPJ to provide an adequate monitoring point to ensure the protection of the receiving segment when the domestic wastewater discharge eventually reaches External Outfall 001. These effluent limitations have been continued in the draft permit in accordance with the EPA's anti-backsliding requirements located in 40 CFR § 122.44(l).

### **Water Quality-Based Effluent Limitations**

Calculations of water quality-based effluent limitations for the protection of aquatic life is presented in Appendix B. Aquatic life criteria established in Table 1 of 30 TAC Chapter 307 are incorporated into the calculations, as are recommendations in the Water Quality Assessment Team's memorandum dated August 24, 2023.

TCEQ practice for determining significant potential is to compare the reported analytical data from the facility against percentages of the calculated daily average water quality-based effluent limitation. Permit limitations are required when analytical data reported in the application exceeds 85 percent of the calculated daily average water quality-based effluent limitation. Monitoring and reporting is required when analytical data reported in the application exceeds 70 percent of the calculated daily average water quality-based effluent limitation.

While no discharge has occurred from Outfall 001 since the issuance of the existing permit, the retention ponds prior to the sampling point at Outfall 001 were sampled for the purposes of the application. Data from the retention ponds reported in the application was screened against the calculated water quality-based effluent limitations and no additional limits are required at Outfall 001. The limits in the existing permit were compared to the calculated water quality-based effluent limits to determine whether the existing limits are still protective. The existing limits for total aluminum are more stringent than the calculated water quality-based limits.

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

The concentrations of TDS, chloride, and sulfate reported in the application are all well below 70 percent of the respective criteria for these parameters in Segment No. 1302; therefore, no further screening is necessary.

### **pH Screening**

The existing permit includes pH limits of 6.0 – 9.0 SU at Outfall 001 and Internal Outfall 101, which discharge into an unclassified water body. Consistent with the procedures for pH screening that were submitted to EPA with a letter dated May 28, 2014, and approved by EPA in a letter dated June 2, 2014, requiring a discharge to an unclassified water body to meet pH limits of 6.0 – 9.0 standard units reasonably ensures instream compliance with *Texas Surface Water Quality Standards* pH criteria. These limits have been carried forward in the draft permit.

### **316(b) Cooling Water Intake Structures**

The facility obtains water for cooling purposes from a groundwater well located on facility property. Groundwater is not considered waters of the United States (WOTUS), and the facility does not own and operate a cooling water intake structure which withdraws from a WOTUS or other waters that may be considered WOTUS. Obtaining water from a groundwater source for cooling purposes does not constitute the use of a cooling water intake structure; therefore, the facility is not subject to Section 316(b) of the CWA or 40 CFR Part 125, Subpart J.

Other Requirement No. 6 has been added to the draft permit and requires the permittee to notify the TCEQ of any changes in the method by which cooling water is obtained. Upon receipt of such

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notification, the TCEQ may reopen the permit to include additional terms and conditions as necessary.

**Whole Effluent Toxicity Testing (Biomonitoring)**

Biomonitoring requirements are not included in the draft permit at Outfall 001. The existing permit did not establish biomonitoring requirements and because discharge authorized via Outfall 001 occurs very rarely, if ever, the discharges authorized by this permit do not meet the threshold established in the *Procedures to Implement the Texas Surface Water Quality Standards* (RG-194) to impose biomonitoring requirements.

**SUMMARY OF CHANGES FROM APPLICATION**

No changes were made from the application.

**SUMMARY OF CHANGES FROM EXISTING PERMIT**

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

1. Pages 3-13 were updated (May 2021 version).
2. The facility name authorized by the draft permit has been updated to reflect the facility name provided in the application, in accordance with Industrial Wastewater Permitting Team practice.
3. The volume authorized for discharge via internal Outfall 101 was updated to reflect the continuous and flow-variable nature of the discharge in accordance with the practice of the Wastewater Permitting Section.
4. Other Requirement No. 4 was added to the draft permit, requiring a certified operator to conduct a daily inspection of the onsite domestic wastewater treatment facility, due to the treatment inconsistencies reported in the monthly discharge monitoring reports.
5. Other Requirement No. 5 was added to the draft permit to ensure proper monitoring and handling of sludge from the domestic wastewater package plant in accordance with 40 CFR Chapter I, Subchapter O.
6. Other Requirement No. 6 has been added to the draft permit to address the usage of non-contact cooling water at the facility. This addition is in accordance with the TCEQs requirements for those facilities that use water for cooling purposes.
7. Other Requirement No. 7 has been added to the draft permit which establishes requirements for pond liners of ponds that contain process wastewater. This change is in accordance with TCEQ practice for all facilities that utilize process wastewater retention ponds onsite.

**BASIS FOR DRAFT PERMIT**

The following items were considered in developing the draft permit:

1. Application received on July 26, 2023, and additional information received on August 7, 2023, and March 5, 2024.
2. Existing permits: TPDES Permit No. WQ0003985000 issued on August 6, 2019.
3. TCEQ Rules.
4. *Texas Surface Water Quality Standards* – 30 TAC §§307.1-307.10, effective March 1, 2018, as approved by EPA Region 6.
5. *Texas Surface Water Quality Standards* – 30 TAC §§307.1-307.10, effective March 6, 2014, as approved by EPA Region 6, for portions of the 2018 standards not approved by EPA Region 6.

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6. *Texas Surface Water Quality Standards* – 30 TAC §§307.1-307.10, effective July 22, 2010, as approved by EPA Region 6, for portions of the 2014 standards not approved by EPA Region 6.
7. *Texas Surface Water Quality Standards* – 30 TAC §§307.1-307.10, effective August 17, 2000, and Appendix E, effective February 27, 2002, for portions of the 2010 standards not approved by EPA Region 6.
8. *Procedures to Implement the Texas Surface Water Quality Standards* (IPs), Texas Commission on Environmental Quality, June 2010, as approved by EPA Region 6.
9. *Procedures to Implement the Texas Surface Water Quality Standards*, Texas Commission on Environmental Quality, January 2003, for portions of the 2010 IPs not approved by EPA Region 6.
10. Memos from the Standards Implementation Team and Water Quality Assessment Team of the Water Quality Assessment Section of the TCEQ.
11. *Guidance Document for Establishing Monitoring Frequencies for Domestic and Industrial Wastewater Discharge Permits*, TCEQ Document No. 98-001.000-OWR-WQ, May 1998.
12. EPA Effluent Guidelines: 40 CFR Part 438 Subpart A (NSPS, BPT). A new source determination was performed and the discharge of lard oil dewatering wastewater, wastewaters generated from steam cleaning of the headers and manifolds at the header shop, submerged air pressure test tank water, and maintenance shop washdown water are new sources as defined at 40 CFR §122.2.
13. 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).
14. 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).
15. General Guidance – Industrial Permits: Uncontaminated Stormwater Runoff, EPA, January 1997.

#### **PROCEDURES FOR FINAL DECISION**

When an application is declared administratively complete, the chief clerk sends a letter to the applicant advising the applicant to publish the Notice of Receipt of Application and Intent to Obtain Permit in the newspaper. In addition, the Chief Clerk instructs the applicant to place a copy of the application in a public place for reviewing and copying in the county where the facility is or will be located. This application will be in a public place throughout the comment period. The Chief Clerk also mails this notice to any interested persons and, if required, to landowners identified in the permit application. This notice informs the public about the application and provides that an interested person may file comments on the application or request a contested case hearing or a public meeting.

Once a draft permit is completed, it is sent to the Chief Clerk, along with the Executive Director's preliminary decision contained in the technical summary or fact sheet. At that time, the Notice of Application and Preliminary Decision will be mailed to the same people and published in the same newspaper as the prior notice. This notice sets a deadline for making public comments. The applicant must place a copy of the Executive Director's preliminary decision and draft permit in the public place with the application.

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

After the public comment deadline, the Executive Director prepares a response to all significant public comments on the application or the draft permit raised during the public comment period. The Chief Clerk then mails the Executive Director's response to comments and final decision to people who have filed comments, requested a contested case hearing, or requested to be on the mailing list. This notice

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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 Alexander Owens at (512) 239-6707.

*Alexander Owens*  
Alexander Owens

July 30, 2025  
Date

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**Appendix A**  
**Calculated Technology-Based Effluent Limits**

The provisions of 40 CFR Part 438 Subpart A are applicable to discharges resulting from the production of air-cooled heat exchangers and fiberglass fan blades. Process wastewaters addressed by the Metal Products & Machinery (MP&M) (40 CFR Part 438) regulations also include:

1. Lard oil dewatering wastewater from the finning area.
2. Steam cleaning of the headers and manifolds prior to painting at the header shop.
3. Submerged air pressure test tank water from the tube out area.
4. Maintenance shop wash down water.

A new source determination was conducted and because the facility was constructed after June 12, 2003, this facility is defined as a new source. Therefore, new source performance standards apply to the discharges from this facility. However, 40 CFR Part 438.15 states that NSPS are the same as the best practicable control technology currently available (BPT) found in 40 CFR Part 438.12. Therefore, the calculations below for total suspended solids and oil and grease utilize the BPT effluent limitations guidelines established in 40 CFR Part 438, Subpart A.

Engineering maximum estimates for wastestreams contributing to Outfall 001 are as follows:

<b>Wastestream Source</b>	<b>Wastestream Type</b>	<b>Volume (GPD)</b>	<b>% of Outfall 001 contribution</b>
Heat pipe boiler (blowdown)	Non-process	2,000	0.295%
Finning boiler (blowdown)	Non-process	2,000	0.295%
Air compressor condensate	Non-process	1,000	0.148%
Fan shop boiler (blowdown)	Non-process	2,000	0.295%
Blade mold cooling (non-contact cooling water from the fan shop)	Non-process	5,000	0.739%
R&D boiler (blowdown)	Non-process	2,000	0.295%
Wastewater Treatment Plant Effluent	Non-process	20,000	2.954%
Stormwater	Non-process	610,000	90.103%
X-ray (filter photo developing wastewater from the radiograph shop)	Process – Not MP&M regulated	5,500	0.812%
Finning (lard oil dewatering)	Process – Not MP&M regulated, but deemed an oily wastewater by TCEQ	7,500	1.108%
Heat treat wash down (Steam cleaning of the headers and manifolds prior to painting at the header shop)	Process – MP&M regulated	7,500	1.108%
Tube out testing (submerged air pressure test tank water and occasional heat exchanger steam cleaning wastewater)	Process – MP&M regulated	7,500	1.108%
Maintenance shop wash down	Process – MP&M regulated	5,000	0.739%
<b>Total =</b>		<b>677,000</b>	

When discharging, MP&M wastestreams comprise 4.062% of the Outfall 001 flow. Effluent Limit

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Guidelines (ELGs) at 40 CFR § 438.12 regulate TSS at a daily maximum of 62 mg/L and total recoverable oil and grease as n-hexane extractable material (O&G as HEM) at a daily maximum of 46 mg/L.

It is the permit writer's Best Professional Judgement (BPJ) that the following wastestreams be allowed the following TSS limits:

Wastestream Source	BPJ – TSS (mg/L)	Volume (GPD)	% of Outfall 001 contribution
Heat pipe boiler	100	2,000	0.295%
Finning boiler	100	2,000	0.295%
Air compressor condensate	100	1,000	0.148%
Fan shop boiler	100	2,000	0.295%
Blade mold cooling	100	5,000	0.739%
R&D boiler	100	2,000	0.295%
Wastewater Treatment Plant Effluent	65	20,000	2.954%
Stormwater	65	610,000	90.103%
X-ray	45	5,500	0.812%

**Total = 95.938%**

Each MP&M limit and BPJ allowance are multiplied by the percentage contribution to Outfall 001, then summed to determine the daily maximum TSS limit:

Wastestream Source	Effluent Limit – TSS (mg/L)	% of Outfall 001 contribution	Effluent Limit × % Contribution
Heat pipe boiler	100	0.295%	0.295
Finning boiler	100	0.295%	0.295
Air compressor condensate	100	0.148%	0.148
Fan shop boiler	100	0.295%	0.295
Blade mold cooling	100	0.739%	0.739
R&D boiler	100	0.295%	0.295
Wastewater Treatment Plant Effluent	65	2.954%	1.920
Stormwater	65	90.103%	58.567
X-ray photo development wastewater	45	0.812%	0.365
Finning	62	1.107%	0.686
Heat treat wash down	62	1.107%	0.686
Tube out testing	62	1.107%	0.686
Maintenance shop wash down	62	0.739%	0.458

**Total = 100.000% = 65.439**

In considering the MP&M ELG of 62 mg/L and BPJ values for the remaining Outfall 001 wastestreams, a daily maximum TSS limit of 62 mg/L is being used, as it is a more stringent limit than the calculated 65.439 mg/L limit. The effluent limit is being carried forward based on anti-backsliding requirements in 40 CFR § 122.44 (l).

It is TCEQ standard practice to assign a limit of 15 mg/L for oil and grease on discharges of

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stormwater<sup>1</sup> and utility discharges. This combination of stormwater and utility wastewater is 92.171% of the discharge. The combination of MP&M guideline discharges accounts for 4.062% of the discharge, which are subject to the ELG of 46 mg/L. Assuming these parameters, a value of 15.694 mg/L is produced for O&G HEM. The existing permit limit of 15 mg/L is more stringent and therefore is continued in the draft permit based on anti-backsliding requirements in 40 CFR § 122.44 (l).

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<sup>1</sup> General Guidance – Industrial Permits: Uncontaminated Stormwater Runoff, EPA, January 1997.

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**Appendix B**  
**Calculated Water Quality-Based Effluent Limits**

**TEXTOX MENU #1 - INTERMITTENT STREAM**

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

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

**PERMIT INFORMATION**

Permittee Name:	Hudson Products Coporation
TPDES Permit No:	WQ0003985000
Outfall No:	001
Prepared By:	Alexander Owens
Date:	January 12, 2024

**DISCHARGE INFORMATION**

Intermittent Receiving Waterbody:	Turkey Creek
Segment No:	1302
TSS (mg/L):	8
pH (Standard Units):	6.9
Hardness (mg/L as CaCO <sub>3</sub> ):	32
Chloride (mg/L):	39
Effluent Flow for Aquatic Life (MGD):	0.36
Critical Low Flow [7Q2] (cfs):	0
% Effluent for Acute Aquatic Life:	100

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

<i>Stream/River Metal</i>	<i>Intercept (b)</i>	<i>Slope (m)</i>	<i>Partition Coefficient (Kp)</i>	<i>Dissolved Fraction (Cd/Ct)</i>	<i>Source</i>	<i>Water Effect Ratio (WER)</i>	<i>Source</i>
Aluminum	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Arsenic	5.68	-0.73	104892.47	0.544		1.00	Assumed
Cadmium	6.60	-1.13	379759.21	0.248		1.00	Assumed
Chromium (total)	6.52	-0.93	478769.32	0.207		1.00	Assumed
Chromium (trivalent)	6.52	-0.93	478769.32	0.207		1.00	Assumed
Chromium (hexavalent)	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Copper	6.02	-0.74	224757.09	0.357		1.00	Assumed
Lead	6.45	-0.80	533983.71	0.190		1.00	Assumed
Mercury	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Nickel	5.69	-0.57	149705.83	0.455		1.00	Assumed
Selenium	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Silver	6.38	-1.03	281719.76	0.307		1.00	Assumed
Zinc	6.10	-0.70	293654.74	0.299		1.00	Assumed

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**AQUATIC LIFE**

**CALCULATE DAILY AVERAGE AND DAILY MAXIMUM EFFLUENT LIMITATIONS:**

<i>Parameter</i>	<i>FW Acute Criterion (µg/L)</i>	<i>WLAa (µg/L)</i>	<i>LTAa (µg/L)</i>	<i>Daily Avg. (µg/L)</i>	<i>Daily Max. (µg/L)</i>
Aldrin	3.0	3.00	1.72	2.52	5.34
Aluminum	991	991	568	834	1765
Arsenic	340	625	358	526	1114
Cadmium	2.83092862	11.4	6.55	9.62	20.3
Carbaryl	2.0	2.00	1.15	1.68	3.56
Chlordane	2.4	2.40	1.38	2.02	4.27
Chlorpyrifos	0.083	0.0830	0.0476	0.0699	0.147
Chromium (trivalent)	224.08482	1082	620	911	1928
Chromium (hexavalent)	15.7	15.7	9.00	13.2	27.9
Copper	4.8539576	13.6	7.78	11.4	24.2
Cyanide (free)	45.8	45.8	26.2	38.5	81.6
4,4'-DDT	1.1	1.10	0.630	0.926	1.96
Demeton	N/A	N/A	N/A	N/A	N/A
Diazinon	0.17	0.170	0.0974	0.143	0.302
Dicofol [Kelthane]	59.3	59.3	34.0	49.9	105
Dieldrin	0.24	0.240	0.138	0.202	0.427
Diuron	210	210	120	176	374
Endosulfan I ( <i>alpha</i> )	0.22	0.220	0.126	0.185	0.392
Endosulfan II ( <i>beta</i> )	0.22	0.220	0.126	0.185	0.392
Endosulfan sulfate	0.22	0.220	0.126	0.185	0.392
Endrin	0.086	0.0860	0.0493	0.0724	0.153
Guthion [Azinphos Methyl]	N/A	N/A	N/A	N/A	N/A
Heptachlor	0.52	0.520	0.298	0.438	0.926
Hexachlorocyclohexane ( <i>gamma</i> ) [Lindane]	1.126	1.13	0.645	0.948	2.00
Lead	18.3194252	96.6	55.3	81.3	172
Malathion	N/A	N/A	N/A	N/A	N/A
Mercury	2.4	2.40	1.38	2.02	4.27
Methoxychlor	N/A	N/A	N/A	N/A	N/A
Mirex	N/A	N/A	N/A	N/A	N/A
Nickel	178.575338	392	225	330	699
Nonylphenol	28	28.0	16.0	23.5	49.8
Parathion (ethyl)	0.065	0.0650	0.0372	0.0547	0.115
Pentachlorophenol	7.88924153	7.89	4.52	6.64	14.0
Phenanthrene	30	30.0	17.2	25.2	53.4
Polychlorinated Biphenyls [PCBs]	2.0	2.00	1.15	1.68	3.56
Selenium	20	20.0	11.5	16.8	35.6
Silver	0.8	9.15	5.24	7.70	16.3
Toxaphene	0.78	0.780	0.447	0.657	1.38
Tributyltin [TBT]	0.13	0.130	0.0745	0.109	0.231
2,4,5 Trichlorophenol	136	136	77.9	114	242
Zinc	44.6240264	149	85.6	125	266

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

Aquatic Life <i>Parameter</i>	<i>70% of Daily Avg. (µg/L)</i>	<i>85% of Daily Avg. (µg/L)</i>	<i>Sample 1 (µg/L)</i>
Aldrin	1.76	2.14	
Aluminum	584	709	302
Arsenic	368	447	1.5
Cadmium	6.74	8.18	
Carbaryl	1.17	1.43	
Chlordane	1.41	1.71	
Chlorpyrifos	0.0489	0.0594	
Chromium (trivalent)	638	774	4
Chromium (hexavalent)	9.25	11.2	4
Copper	8.00	9.72	4
Cyanide (free)	27.0	32.7	0
4,4'-DDT	0.648	0.787	
Demeton	N/A	N/A	
Diazinon	0.100	0.121	
Dicofol [Kelthane]	34.9	42.4	
Dieldrin	0.141	0.171	
Diuron	123	150	
Endosulfan I ( <i>alpha</i> )	0.129	0.157	
Endosulfan II ( <i>beta</i> )	0.129	0.157	
Endosulfan sulfate	0.129	0.157	
Endrin	0.0507	0.0615	
Guthion [Azinphos Methyl]	N/A	N/A	
Heptachlor	0.306	0.372	
Hexachlorocyclohexane ( <i>gamma</i> ) [Lindane]	0.663	0.806	
Lead	56.9	69.1	0.85
Malathion	N/A	N/A	
Mercury	1.41	1.71	0.5
Methoxychlor	N/A	N/A	
Mirex	N/A	N/A	
Nickel	231	280	4
Nonylphenol	16.5	20.0	
Parathion (ethyl)	0.0383	0.0465	
Pentachlorophenol	4.65	5.64	0
Phenanthrene	17.6	21.4	0
Polychlorinated Biphenyls [PCBs]	1.17	1.43	0
Selenium	11.7	14.3	0
Silver	5.39	6.54	2
Toxaphene	0.459	0.558	
Tributyltin [TBT]	0.0766	0.0930	
2,4,5 Trichlorophenol	80.1	97.3	0
Zinc	88.1	107	20.2

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**Appendix C**  
**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	-	-	-	-	<b>0.36 MGD</b>	<b>6.5 MGD</b>
	Chemical Oxygen Demand	N/A	200	-	-	<b>N/A</b>	<b>200</b>
	Total Suspended Solids	N/A	65.439	-	-	<b>N/A</b>	<b>62</b>
	Oil and Grease	N/A	15.694	-	-	<b>N/A</b>	<b>15</b>
	Total Aluminum	-	-	0.834	1.765	<b>0.77</b>	<b>1.64</b>
	pH	-	-	6.0 SU (minimum)	9.0 SU (maximum)	<b>6.0 SU (minimum)</b>	<b>9.0 SU (maximum)</b>
101	Flow	-	-	-	-	<b>Report, MGD</b>	<b>Report, MGD</b>
	Five-Day Biochemical Oxygen Demand	20	65	-	-	<b>20</b>	<b>65</b>
	Total Suspended Solids	20	65	-	-	<b>20</b>	<b>65</b>
	<i>E. Coli</i>	-	-	126	399	<b>126</b>	<b>399</b>
	Residual Chlorine	1.0, Min	4.0	-	-	<b>1.0, Min</b>	<b>4.0</b>
	pH	6.0 SU, Min	9.0 SU, Max	-	-	<b>6.0 SU, Min</b>	<b>9.0 SU</b>