



Technical Package Cover Page

This file contains the following documents:

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



Portada de Paquete Técnico

Este archivo contiene los siguientes documentos:

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

Section 15. Plain Language Summary (Instructions Page 40)

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

DOMESTIC WASTEWATER

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.

Aqua Texas, Inc. (CN604063462) operates Sunset Oaks Wastewater Treatment Facility RN107695504. a domestic wastewater treatment facility. The facility is located approximately 2,500 feet northeast of the intersection of State Highway 21 and Yarrington Road, in San Marcos, Hays County, Texas 78640.

Request for renewal of permit authorizing the discharge of 270,000 GPD of treated domestic wastewater..

Discharges from the facility are expected to contain CBOD(5), Total Suspended Solids, Ammonia Nitrogen and E. coli.. Domestic wastewater is treated by *activated sludge facility operated in the complete mix mode.*

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

AGUAS RESIDUALES DOMÉSTICAS

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.

Aqua Texas, Inc. (CN604063462) opera la Instalación de Tratamiento de Aguas Residuales de Sunset Oaks RN107695504, una instalación de tratamiento de aguas residuales domésticas. La instalación está ubicada aproximadamente a 2,500 pies al noreste de la intersección de State Highway 21 y Yarrington Road, en San Marcos, Condado de Hays, Texas 78640.

Solicitud de renovación de permiso que autoriza la descarga de 270,000 GPD de aguas residuales domésticas tratadas.

Se espera que las descargas de la instalación contengan CBOD(5), Sólidos Suspendidos Totales, Nitrógeno Amoniacal y E. coli. Las aguas residuales domésticas se tratan mediante una instalación de lodos activados que funciona en modo de mezcla completa.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



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

PERMIT NO. WQ0015293001

APPLICATION. Aqua Texas, Inc., 1106 Clayton Lane, Suite 400W, Austin, Texas 75941, has applied to the Texas Commission on Environmental Quality (TCEQ) to renew Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0015293001 (EPA I.D. No. TX0135712) to authorize the discharge of treated wastewater at a volume not to exceed an annual average flow of 1,250,000 gallons per day. The domestic wastewater treatment facility is located approximately 2,500 feet North of the intersection of Highway 21, and Yarrington Road, near the city of San Marcos, in Hays County, Texas 75941. The discharge route is from the plant site to Hemphill Creek; thence to Morrison Creek; thence to Lower San Marcos River. TCEQ received this application on June 27, 2024. The permit application will be available for viewing and copying at Hays County Government Center Law Library, 712 South Stagecoach Trail, San Marcos, in Hays County, Texas prior to the date this notice is published in the newspaper. The application, including any updates, and associated notices are available electronically at the following webpage:

<https://www.tceq.texas.gov/permitting/wastewater/pending-permits/tpdes-applications>. This link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. For the exact location, refer to the application.

<https://gisweb.tceq.texas.gov/LocationMapper/?marker=-97.845091,29.921881&level=18>

ALTERNATIVE LANGUAGE NOTICE. Alternative language notice in Spanish is available at:

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

El aviso de idioma alternativo en español está disponible en

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

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

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

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

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

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

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

The Commission may only grant a request for a contested case hearing on issues the requestor submitted in their timely comments that were not subsequently withdrawn. **If a hearing is granted, the subject of a hearing will be limited to disputed issues of fact or mixed questions of fact and law relating to relevant and material water quality concerns submitted during the comment period.**

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

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

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

AGENCY CONTACTS AND INFORMATION. All public comments and requests must be submitted either electronically at <https://www14.tceq.texas.gov/epic/eComment/>, or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Please be aware that any contact information you provide, including your name, phone number, email address and physical address will become part of the agency's public record. For more information about this permit application or the permitting process, please call the TCEQ Public Education Program, Toll Free, at 1-800-687-4040 or visit their website at www.tceq.texas.gov/goto/pep. Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained from Aqua Texas, Inc. at the address stated above or by calling Mr. Abel Bautista, Wastewater Compliance Coordinator, at 281-651-0174 Extension: 54119.

Issuance Date: July 30, 2024

Comisión de Calidad Ambiental del Estado de Texas



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

PERMISO NO. WQ0015293001

SOLICITUD. Aqua Texas, Inc., 1106 Clayton Lane, Suite 400W, Austin, Texas 75941, ha solicitado a la Comisión de Calidad Ambiental del Estado de Texas (TCEQ) para renovar el Permiso No. WQ0015293001 (EPA I.D. No. TX0135712) del Sistema de Eliminación de Descargas de Contaminantes de Texas (TPDES) para autorizar la descarga de aguas residuales tratadas en un volumen que no sobrepasa un flujo promedio anual de 1,250,000 galones por día. Las aguas residuales domésticas están ubicadas aproximadamente 2,500 pies al norte de la intersección de la autopista 21 y Yarrington Road, cerca de la ciudad de San Marcos, en el condado de Hays, Texas 75941. La ruta de descarga es desde el sitio de la planta a Hemphill Creek; después a Morrison Creek; después a Lower San Marcos River. La TCEQ recibió esta solicitud el 27 de junio de 2024. La solicitud del permiso está disponible para leerla y copiarla en Hays County Government Center Law Library, 712 South Stagecoach Trail, San Marcos, en el Condado de Hays, Texas antes de la fecha de publicación de este aviso en el periódico. La solicitud, incluidas las actualizaciones y los avisos asociados, están disponibles electrónicamente en la siguiente página web: <https://www.tceq.texas.gov/permitting/wastewater/pending-permits/tpdesapplications>. 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=-97.845091,29.921881&level=18>

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

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 de Aqua Texas, Inc. a la dirección indicada arriba o llamando al Sr. Abel Bautista, Coordinador de Cumplimiento de Aguas Residuales, 281-651-0174 Extensión: 54119.

Fecha de emisión: 30 de julio de 2024

Texas Commission on Environmental Quality



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

RENEWAL

PERMIT NO. WQ0015293001

APPLICATION AND PRELIMINARY DECISION. Aqua Texas, Inc., 1106 Clayton Lane, Suite 400W, Austin, Texas 75941, has applied to the Texas Commission on Environmental Quality (TCEQ) for a renewal of Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0015293001, which authorizes the discharge of treated domestic wastewater at an annual average flow not to exceed 1,250,000 gallons per day. TCEQ received this application on June 27, 2024.

The facility is located approximately 2,500 feet North of the intersection of Highway 21, and Yarrington Road, in Hays County, Texas 75941. The treated effluent is discharged to Hemphill Creek, thence to Morrison Creek, thence to Lower San Marcos River in Segment No. 1808 of the Guadalupe River Basin. The unclassified receiving water use is limited aquatic life use for Hemphill Creek. The designated uses for Segment No. 1808 are primary contact recreation, public water supply, and high aquatic life use. 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=-97.845091,29.921881&level=18>

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 Hays County Government Center Law Library, 712 South Stagecoach Trail, San Marcos, Texas. The application, including any updates, and associated notices are available electronically at the following webpage:

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

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>.

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 comments or to ask questions about the application. TCEQ holds 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 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 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 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 request 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 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.

All written public comments and public meeting requests must be submitted to the Office of the Chief Clerk, MC 105, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, TX 78711-3087 or electronically at 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 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 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. Any personal information you submit to the TCEQ will become part of the agency's record; this includes email addresses. For more information about this permit application or the permitting process, please call the TCEQ Public Education Program, Toll Free, at 1-800-687-4040 or visit their website at www.tceq.texas.gov/goto/pep. Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained from Aqua Texas, Inc. at the address stated above or by calling Mr. Abel Bautista, Wastewater Compliance Coordinator, at 281-651-0174 Extension: 54119.

Issuance Date: April 10, 2025

Comisión de Calidad Ambiental de Texas



AVISO DE SOLICITUD Y DECISIÓN PRELIMINAR PARA EL PERMISO TPDES PARA AGUAS RESIDUALES MUNICIPALES

RENOVACIÓN

PERMISO NO. WQ0015293001

SOLICITUD Y DECISIÓN PRELIMINAR. Aqua Texas, Inc., 1106 Clayton Lane, Suite 400W, Austin, Texas 78723, ha solicitado a la Comisión de Calidad Ambiental de Texas (TCEQ, por sus siglas en inglés) una renovación al Sistema de Eliminación de Descargas de Contaminantes de Texas (TPDES, por sus siglas en inglés) Permiso No. WQ0015293001, que autoriza la descarga de aguas residuales domésticas tratadas en un flujo promedio anual que no sobrepasa los 1,250,000 galones por día. La TCEQ recibió esta solicitud el 27 de junio de 2024.

La instalación está ubicada aproximadamente 2,500 pies al Norte de la intersección de Highway 21, y Yarrington Road, en el Condado de Hays, Texas 75941. El efluente tratado se descarga a Hemphill Creek, después a Morrison Creek, después a Lower San Marcos River en el Segmento No. 1808 de la Cuenca del Río Guadalupe. El uso no clasificado del agua receptora es uso limitado de vida acuática para Hemphill Creek. Los usos designados para el Segmento No. 1808 con recreación de contacto primario, suministro público de agua y uso elevado de vida acuática. Todas las determinaciones con preliminares y están sujetas a cambios y/o revisiones adicionales. Este enlace a un mapa electrónico de la ubicación general del sitio o instalación se proporciona como cortesía pública y no forma parte de la solicitud o aviso. Para conocer la ubicación exacta, consulte la solicitud.

<https://gisweb.tceq.texas.gov/LocationMapper/?marker=-97.845091,29.921881&level=18>

El Director Ejecutivo del TCEQ ha concluido el examen técnico de la solicitud y ha preparado un proyecto de permiso. El proyecto de permiso, de ser aprobado, establecería las condiciones bajo las cuales la instalación debe operar. El Director Ejecutivo ha tomado la decisión preliminar de que este permiso, si se emite, 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 ver y copiar en la biblioteca Hays County Government Center Law Library, 712 South Stagecoach Trail, San Marcos, Texas. La solicitud, incluidas las actualizaciones y los avisos asociados, están disponibles electrónicamente en la siguiente página web: <https://www.tceq.texas.gov/permitting/wastewater/pending-permits/tpdes-applications>.

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

COMENTARIO PÚBLICO / REUNIÓN PÚBLICA. Puede enviar comentarios públicos o solicitar una reunión pública sobre esta solicitud. El propósito de una reunión pública es para brindar la oportunidad de enviar comentarios o hacer preguntas sobre la solicitud. La TCEQ convocara una reunión pública si el Director Ejecutivo determina que existe un grado significativo de interés público en la solicitud o si lo solicita un legislador local. Una reunión pública no es una audiencia de caso impugnado.

OPORTUNIDAD PARA UNA AUDIENCIA DE CASO IMPUGNADO. Después de la fecha límite para presentar comentarios públicos, el Director Ejecutivo considerará los comentarios y preparará una respuesta a todos los comentarios públicos relevantes y materiales, o significativos. **A menos que la solicitud sea remitida directamente para una audiencia de caso impugnado, la respuesta a los comentarios se enviará por correo a todos los que enviaron comentarios públicos y a aquellas personas que estén en la 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 impugnado 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 porqué el miembro sería afectado; y explicar cómo los intereses que el grupo desea proteger son pertinentes al propósito del grupo.

Tras el cierre de todos los periodos de comentarios y solicitudes aplicables, el Director Ejecutivo remitirá la solicitud y cualquier solicitud de reconsideración o de una audiencia de caso impugnado a los Comisionados de la TCEQ para su consideración en 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 TCEQ puede actuar sobre una solicitud de renovación de un permiso para el vertido de aguas residuales sin dar la oportunidad de una audiencia de caso impugnado si se cumplen ciertos criterios.**

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 solicitud a los Comisionados de 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 de esta solicitud específica para recibir futuros avisos públicos enviados 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. Si desea 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 Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087 o electrónicamente a www.tceq.texas.gov/goto/comment dentro de los 30 días a partir de la fecha de publicación de este aviso en el periódico.

INFORMACIÓN DISPONIBLE EN LÍNEA. Para obtener detalles sobre el estado de la solicitud, visite la Base de Datos Integrada de los Comisionados en 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 www.tceq.texas.gov/goto/comment, o por escrito a Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Cualquier información personal que envíe a la 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 TCEQ, línea gratuita, al 1-800-687-4040 o visite su sitio web en www.tceq.texas.gov/goto/pep. Si desea información en español, puede llamar al 1-800-687-4040.

También se puede obtener más información de Aqua Texas, Inc. en la dirección indicada anteriormente o llamando al Sr. Abel Bautista, Coordinador de Cumplimiento de Aguas Residuales, al 281-651-0174 Extensión: 54119.

Fecha de Emisión: 10 de abril de 2025



TPDES PERMIT NO.
WQ0015293001
*[For TCEQ office use only - EPA I.D.
No. TX0135712]*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
P.O. Box 13087
Austin, Texas 78711-3087

This is a renewal that replaces TPDES
Permit No. WQ0015293001 issued on
March 25, 2021.

PERMIT TO DISCHARGE WASTES
under provisions of
Section 402 of the Clean Water Act
and Chapter 26 of the Texas Water Code

Aqua Texas, Inc.

whose mailing address is

1106 Clayton Lane, Suite 400W
Austin, Texas 75941

is authorized to treat and discharge wastes from the Sunset Oaks Wastewater Treatment
Facility, SIC Code 4952

located approximately 2,500 feet North of the intersection of Highway 21, and Yarrington Road,
in Hays County, Texas 75941

to Hemphill Creek, thence to Morrison Creek, thence to Lower San Marcos River in Segment No.
1808 of the Guadalupe River Basin

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

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

ISSUED DATE:

For the Commission

INTERIM I EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTSOutfall Number 001

1. During the period beginning upon the date of issuance and lasting through the completion of expansion to the 0.54 million gallons per day (MGD) facility, the permittee is authorized to discharge subject to the following effluent limitations:

The daily average flow of effluent shall not exceed 0.27 MGD nor shall the average discharge during any two-hour period (2-hour peak) exceed 750 gallons per minute.

Effluent Characteristic	Discharge Limitations				Min. Self-Monitoring Requirements	
	Daily Avg mg/l (lbs/day)	7-day Avg mg/l	Daily Max mg/l	Single Grab mg/l	Report Daily Avg. & Max. Single Grab Measurement Frequency	Sample Type
Flow, MGD	Report	N/A	Report	N/A	Continuous	Totalizing Meter
Carbonaceous Biochemical Oxygen Demand (5-day)	5 (11)	10	20	30	One/week	Grab
Total Suspended Solids	5 (11)	10	20	30	One/week	Grab
Ammonia Nitrogen	2 (4.5)	5	10	15	One/week	Grab
<i>E. coli</i> , colony-forming units or most probable number per 100 ml	126	N/A	N/A	399	One/month	Grab

2. The effluent shall contain a total chlorine residual of at least 1.0 mg/l and shall not exceed a total chlorine residual of 4.0 mg/l after a detention time of at least 20 minutes (based on peak flow) and shall be monitored five times per week by grab sample. An equivalent method of disinfection may be substituted only with prior approval of the Executive Director.
3. The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored once per month by grab sample.
4. There shall be no discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.
5. Effluent monitoring samples shall be taken at the following location(s): Following the final treatment unit.
6. The effluent shall contain a minimum dissolved oxygen of 4.0 mg/l and shall be monitored once per week by grab sample.

INTERIM II EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTSOutfall Number 001

1. During the period beginning upon the completion of expansion to the 0.54 million gallons per day (MGD) facility and lasting through the completion of expansion to the 0.895 MGD facility, the permittee is authorized to discharge subject to the following effluent limitations:

The daily average flow of effluent shall not exceed 0.54 MGD, nor shall the average discharge during any two-hour period (2-hour peak) exceed 1,500 gallons per minute.

Effluent Characteristic	Discharge Limitations				Min. Self-Monitoring Requirements	
	Daily Avg mg/l (lbs/day)	7-day Avg mg/l	Daily Max mg/l	Single Grab mg/l	Report Daily Avg. & Daily Max. Measurement Frequency	Sample Type
Flow, MGD	Report	N/A	Report	N/A	Continuous	Totalizing Meter
Carbonaceous Biochemical Oxygen Demand (5-day)	5 (23)	10	20	30	One/week	Composite
Total Suspended Solids	5 (23)	10	20	30	One/week	Composite
Ammonia Nitrogen	2 (9)	5	10	15	One/week	Composite
<i>E. coli</i> , colony-forming units or most probable number per 100 ml	126	N/A	N/A	399	Two/month	Grab

2. The effluent shall contain a total chlorine residual of at least 1.0 mg/l after a detention time of at least 20 minutes (based on peak flow) and shall be monitored daily by grab sample at each chlorine contact chamber. The permittee shall dechlorinate the chlorinated effluent to less than 0.1 mg/l total chlorine residual and shall monitor chlorine residual daily by grab sample after the dechlorination process. An equivalent method of disinfection may be substituted only with prior approval of the Executive Director.
3. The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored twice per month by grab sample.
4. There shall be no discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.
5. Effluent monitoring samples shall be taken at the following location(s): Following the final treatment unit.
6. The effluent shall contain a minimum dissolved oxygen of 4.0 mg/l and shall be monitored once per week by grab sample.

INTERIM III EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTSOutfall Number 001

1. During the period beginning upon the completion of expansion to the 0.895 million gallons per day (MGD) facility and lasting through the completion of expansion to the 1.25 MGD facility, the permittee is authorized to discharge subject to the following effluent limitations:

The daily average flow of effluent shall not exceed 0.895 MGD, nor shall the average discharge during any two-hour period (2-hour peak) exceed 2,486 gallons per minute.

Effluent Characteristic	Discharge Limitations				Min. Self-Monitoring Requirements	
	Daily Avg mg/l (lbs/day)	7-day Avg mg/l	Daily Max mg/l	Single Grab mg/l	Report Daily Avg. & Daily Max. Measurement Frequency	Sample Type
Flow, MGD	Report	N/A	Report	N/A	Continuous	Totalizing Meter
Carbonaceous Biochemical Oxygen Demand (5-day)	5 (37)	10	20	30	One/week	Composite
Total Suspended Solids	5 (37)	10	20	30	One/week	Composite
Ammonia Nitrogen	2 (15)	5	10	15	One/week	Composite
<i>E. coli</i> , colony-forming units or most probable number per 100 ml	126	N/A	N/A	399	Two/month	Grab

2. The effluent shall contain a total chlorine residual of at least 1.0 mg/l after a detention time of at least 20 minutes (based on peak flow) and shall be monitored daily by grab sample at each chlorine contact chamber. The permittee shall dechlorinate the chlorinated effluent to less than 0.1 mg/l total chlorine residual and shall monitor chlorine residual daily by grab sample after the dechlorination process. An equivalent method of disinfection may be substituted only with prior approval of the Executive Director.
3. The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored twice per month by grab sample.
4. There shall be no discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.
5. Effluent monitoring samples shall be taken at the following location(s): Following the final treatment unit.
6. The effluent shall contain a minimum dissolved oxygen of 4.0 mg/l and shall be monitored once per week by grab sample.

FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTSOutfall Number 001

1. During the period beginning upon the completion of expansion to the 1.25 million gallons per day (MGD) facility and lasting through the date of expiration, the permittee is authorized to discharge subject to the following effluent limitations:

The annual average flow of effluent shall not exceed 1.25 MGD nor shall the average discharge during any two-hour period (2-hour peak) exceed 3,472 gallons per minute.

Effluent Characteristic	Discharge Limitations				Min. Self-Monitoring Requirements	
	Daily Avg mg/l (lbs/day)	7-day Avg mg/l	Daily Max mg/l	Single Grab mg/l	Report Daily Avg. & Daily Max. Measurement Frequency	Sample Type
Flow, MGD	Report	N/A	Report	N/A	Continuous	Totalizing Meter
Carbonaceous Biochemical Oxygen Demand (5-day)	5 (52)	10	20	30	Two/week	Composite
Total Suspended Solids	5 (52)	10	20	30	Two/week	Composite
Ammonia Nitrogen	2 (21)	5	10	15	Two/week	Composite
<i>E. coli</i> , colony-forming units or most probable number per 100 ml	126	N/A	399	N/A	One/week	Grab

2. The effluent shall contain a total chlorine residual of at least 1.0 mg/l after a detention time of at least 20 minutes (based on peak flow) and shall be monitored daily by grab sample. The permittee shall dechlorinate the chlorinated effluent to less than 0.1 mg/l total chlorine residual and shall monitor total chlorine residual daily by grab sample after the dechlorination process. An equivalent method of disinfection may be substituted only with prior approval of the Executive Director.
3. The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored once per week by grab sample.
4. There shall be no discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.
5. Effluent monitoring samples shall be taken at the following location(s): Following the final treatment unit.
6. The effluent shall contain a minimum dissolved oxygen of 4.0 mg/l and shall be monitored twice per week by grab sample.
7. The annual average flow and maximum 2-hour peak flow shall be reported monthly.

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 TWC § 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 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 (*E. coli* or Enterococci) - Colony Forming Units (CFU) or Most Probable Number (MPN) 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 substituted 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 x Concentration, mg/l x 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 (b).

- 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 and/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. The term "biosolids" is defined as sewage sludge that has been tested or processed to meet Class A, Class AB, or Class B pathogen standards in 30 TAC Chapter 312 for beneficial use.
- 7. 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 Compliance Monitoring Team of the Enforcement Division (MC 224), by the 20th day of the following month for each discharge which 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 (CWA); TWC §§ 26, 27, and 28; and THSC § 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 § 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 or biosolids 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 and/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 Compliance

Monitoring Team of the Enforcement Division (MC 224).

7. Noncompliance Notification

- a. In accordance with 30 TAC § 305.125(9) any noncompliance which may endanger human health or safety, or the environment shall be reported by the permittee to the TCEQ. Except as allowed by 30 TAC § 305.132, 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 Compliance Monitoring Team of the Enforcement Division (MC 224) within five working days of becoming aware of the noncompliance. For Publicly Owned Treatment Works (POTWs), effective December 21, 2025, 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 which deviates from the permitted effluent limitation by more than 40% shall be reported by the permittee in writing to the Regional Office and the Compliance Monitoring Team of 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 Compliance Monitoring Team of 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 Compliance Monitoring Team of 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 which 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) which 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 which would result in any discharge, on a nonroutine or infrequent basis, of a toxic pollutant which 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 which 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 which 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 TWC §§ 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 § 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 and/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 which are not described in the permit application or which 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 which 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 TWC 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(14)) 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 or biosolids 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 and/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, and/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 and/or upgrading of the domestic wastewater treatment and/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 and/or collection facilities. In the case of a domestic wastewater treatment facility which 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 Registration 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 § 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 § 335 do not apply, sludge and solid wastes, including tank cleaning and contaminated solids for disposal, shall be disposed of in accordance with THSC § 361.

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SLUDGE PROVISIONS

The permittee is authorized to dispose of sludge only at a Texas Commission on Environmental Quality (TCEQ) authorized land application site, co-disposal landfill, wastewater treatment facility, or facility that further processes sludge. **The disposal of sludge or biosolids by land application on property owned, leased or under the direct control of the permittee is a violation of the permit unless the site is authorized with the TCEQ. This provision does not authorize Distribution and Marketing of Class A or Class AB Biosolids. This provision does not authorize the permittee to land apply biosolids on property owned, leased or under the direct control of the permittee.**

SECTION I. REQUIREMENTS APPLYING TO ALL SEWAGE SLUDGE OR BIOSOLIDS LAND APPLICATION

A. General Requirements

1. The permittee shall handle and dispose of sewage sludge or biosolids in accordance with 30 TAC § 312 and all other applicable state and federal regulations in a manner that protects public health and the environment from any reasonably anticipated adverse effects due to any toxic pollutants that may be present in the sludge or biosolids.
2. In all cases, if the person (permit holder) who prepares the sewage sludge supplies the sewage sludge to another person for land application use or to the owner or lease holder of the land, the permit holder shall provide necessary information to the parties who receive the sludge to assure compliance with these regulations.
3. The land application of processed or unprocessed chemical toilet waste, grease trap waste, grit trap waste, milk solids, or similar non-hazardous municipal or industrial solid wastes, or any of the wastes listed in this provision combined with biosolids, WTP residuals or domestic septage is prohibited unless the grease trap waste is added at a fats, oil and grease (FOG) receiving facility as part of an anaerobic digestion process.

B. Testing Requirements

1. Sewage sludge or biosolids shall be tested once during the term of this permit for the Interim I, II, and III phases; and annually for the Final phase. in accordance with the method specified in both 40 CFR Part 261, Appendix II and 40 CFR Part 268, Appendix I [Toxicity Characteristic Leaching Procedure (TCLP)] or other method that receives the prior approval of the TCEQ for the contaminants listed in 40 CFR Part 261.24, Table 1. Sewage sludge or biosolids failing this test shall be managed according to RCRA standards for generators of hazardous waste, and the waste's disposition must be in accordance with all applicable requirements for hazardous waste processing, storage, or disposal. Following failure of any TCLP test, the management or disposal of sewage sludge or biosolids at a facility other than an authorized hazardous waste processing, storage, or disposal facility shall be prohibited until such time as the permittee can demonstrate the sewage sludge or biosolids no longer exhibits the hazardous waste toxicity characteristics (as demonstrated by the results of the TCLP tests). A written report shall be provided to both the TCEQ Registration and Reporting Section (MC 129) of the Permitting and Registration Support Division and the Regional Director (MC Region 11) within seven (7) days after failing the TCLP Test.

The report shall contain test results, certification that unauthorized waste management has stopped, and a summary of alternative disposal plans that comply with RCRA standards for the management of hazardous waste. The report shall be addressed to: Director, Permitting and Registration Support Division (MC 129), Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087. In addition, the permittee shall prepare an annual report on the results of all sludge toxicity testing. This annual report shall be submitted to the TCEQ Regional Office (MC Region 11) and the Compliance Monitoring Team (MC 224) of the Enforcement Division by September 30th of each year. The permittee must submit this annual report using the online electronic reporting system available through the TCEQ website unless the permittee requests and obtains an electronic reporting waiver.

2. Biosolids shall not be applied to the land if the concentration of the pollutants exceeds the pollutant concentration criteria in Table 1. The frequency of testing for pollutants in Table 1 is found in Section I.C. of this permit.

TABLE 1

<u>Pollutant</u>	<u>Ceiling Concentration</u> <u>(Milligrams per kilogram)*</u>
Arsenic	75
Cadmium	85
Chromium	3000
Copper	4300
Lead	840
Mercury	57
Molybdenum	75
Nickel	420
PCBs	49
Selenium	100
Zinc	7500

* Dry weight basis

3. Pathogen Control

All sewage sludge that is applied to agricultural land, forest, a public contact site, or a reclamation site must be treated by one of the following methods to ensure that the sludge meets either the Class A, Class AB or Class B biosolids pathogen requirements.

- a. For sewage sludge to be classified as Class A biosolids with respect to pathogens, the density of fecal coliform in the sewage sludge must be less than 1,000 most probable number (MPN) per gram of total solids (dry weight basis), or the density of *Salmonella* sp. bacteria in the sewage sludge must be less than three MPN per four grams of total solids (dry weight basis) at the time the sewage sludge is used or disposed. In addition, one of the alternatives listed below must be met:

Alternative 1 - The temperature of the sewage sludge that is used or disposed shall be maintained at or above a specific value for a period of time. See 30 TAC § 312.82(a)(2)(A) for specific information;

Alternative 5 (PFRP) - Sewage sludge that is used or disposed of must be treated in one of the Processes to Further Reduce Pathogens (PFRP) described in 40 CFR Part 503, Appendix B. PFRP include composting, heat drying, heat treatment, and thermophilic aerobic digestion; or

Alternative 6 (PFRP Equivalent) - Sewage sludge that is used or disposed of must be treated in a process that has been approved by the U. S. Environmental Protection Agency as being equivalent to those in Alternative 5.

- b. For sewage sludge to be classified as Class AB biosolids with respect to pathogens, the density of fecal coliform in the sewage sludge must be less than 1,000 MPN per gram of total solids (dry weight basis), or the density of *Salmonella* sp. bacteria in the sewage sludge be less than three MPN per four grams of total solids (dry weight basis) at the time the sewage sludge is used or disposed. In addition, one of the alternatives listed below must be met:

Alternative 2 - The pH of the sewage sludge that is used or disposed shall be raised to above 12 std. units and shall remain above 12 std. units for 72 hours.

The temperature of the sewage sludge shall be above 52° Celsius for 12 hours or longer during the period that the pH of the sewage sludge is above 12 std. units.

At the end of the 72-hour period during which the pH of the sewage sludge is above 12 std. units, the sewage sludge shall be air dried to achieve a percent solids in the sewage sludge greater than 50%; or

Alternative 3 - The sewage sludge shall be analyzed for enteric viruses prior to pathogen treatment. The limit for enteric viruses is less than one Plaque-forming Unit per four grams of total solids (dry weight basis) either before or following pathogen treatment. See 30 TAC § 312.82(a)(2)(C)(i-iii) for specific information. The sewage sludge shall be analyzed for viable helminth ova prior to pathogen treatment. The limit for viable helminth ova is less than one per four grams of total solids (dry weight basis) either before or following pathogen treatment. See 30 TAC § 312.82(a)(2)(C)(iv-vi) for specific information; or

Alternative 4 - The density of enteric viruses in the sewage sludge shall be less than one Plaque-forming Unit per four grams of total solids (dry weight basis) at the time the sewage sludge is used or disposed. The density of viable helminth ova in the sewage sludge shall be less than one per four grams of total solids (dry weight basis) at the time the sewage sludge is used or disposed.

- c. Sewage sludge that meets the requirements of Class AB biosolids may be classified a Class A biosolids if a variance request is submitted in writing that is supported by substantial documentation demonstrating equivalent methods for reducing odors and written approval is granted by the executive director. The executive director may deny the variance request or revoke that approved variance if it is determined that the variance may potentially endanger human health or the environment, or create nuisance odor conditions.
- d. Three alternatives are available to demonstrate compliance with Class B biosolids

criteria.

Alternative 1

- i. A minimum of seven random samples of the sewage sludge shall be collected within 48 hours of the time the sewage sludge is used or disposed of during each monitoring episode for the sewage sludge.
- ii. The geometric mean of the density of fecal coliform in the samples collected shall be less than either 2,000,000 MPN per gram of total solids (dry weight basis) or 2,000,000 Colony Forming Units per gram of total solids (dry weight basis).

Alternative 2 - Sewage sludge that is used or disposed of shall be treated in one of the Processes to Significantly Reduce Pathogens (PSRP) described in 40 CFR Part 503, Appendix B, so long as all of the following requirements are met by the generator of the sewage sludge.

- i. Prior to use or disposal, all the sewage sludge must have been generated from a single location, except as provided in paragraph v. below;
- ii. An independent Texas Licensed Professional Engineer must make a certification to the generator of a sewage sludge that the wastewater treatment facility generating the sewage sludge is designed to achieve one of the PSRP at the permitted design loading of the facility. The certification need only be repeated if the design loading of the facility is increased. The certification shall include a statement indicating the design meets all the applicable standards specified in Appendix B of 40 CFR Part 503;
- iii. Prior to any off-site transportation or on-site use or disposal of any sewage sludge generated at a wastewater treatment facility, the chief certified operator of the wastewater treatment facility or other responsible official who manages the processes to significantly reduce pathogens at the wastewater treatment facility for the permittee, shall certify that the sewage sludge underwent at least the minimum operational requirements necessary in order to meet one of the PSRP. The acceptable processes and the minimum operational and record keeping requirements shall be in accordance with established U.S. Environmental Protection Agency final guidance;
- iv. All certification records and operational records describing how the requirements of this paragraph were met shall be kept by the generator for a minimum of three years and be available for inspection by commission staff for review; and
- v. If the sewage sludge is generated from a mixture of sources, resulting from a person who prepares sewage sludge from more than one wastewater treatment facility, the resulting derived product shall meet one of the PSRP, and shall meet the certification, operation, and record keeping requirements of this paragraph.

Alternative 3 - Sewage sludge shall be treated in an equivalent process that has been approved by the U.S. Environmental Protection Agency, so long as all of the following requirements are met by the generator of the sewage sludge.

- i. Prior to use or disposal, all the sewage sludge must have been generated from a

single location, except as provided in paragraph v. below;

- ii. Prior to any off-site transportation or on-site use or disposal of any sewage sludge generated at a wastewater treatment facility, the chief certified operator of the wastewater treatment facility or other responsible official who manages the processes to significantly reduce pathogens at the wastewater treatment facility for the permittee, shall certify that the sewage sludge underwent at least the minimum operational requirements necessary in order to meet one of the PSRP. The acceptable processes and the minimum operational and record keeping requirements shall be in accordance with established U.S. Environmental Protection Agency final guidance;
- iii. All certification records and operational records describing how the requirements of this paragraph were met shall be kept by the generator for a minimum of three years and be available for inspection by commission staff for review;
- iv. The Executive Director will accept from the U.S. Environmental Protection Agency a finding of equivalency to the defined PSRP; and
- v. If the sewage sludge is generated from a mixture of sources resulting from a person who prepares sewage sludge from more than one wastewater treatment facility, the resulting derived product shall meet one of the Processes to Significantly Reduce Pathogens, and shall meet the certification, operation, and record keeping requirements of this paragraph.

In addition to the Alternatives 1 – 3, the following site restrictions must be met if Class B biosolids are land applied:

- i. Food crops with harvested parts that touch the biosolids/soil mixture and are totally above the land surface shall not be harvested for 14 months after application of biosolids.
- ii. Food crops with harvested parts below the surface of the land shall not be harvested for 20 months after application of biosolids when the biosolids remain on the land surface for 4 months or longer prior to incorporation into the soil.
- iii. Food crops with harvested parts below the surface of the land shall not be harvested for 38 months after application of biosolids when the biosolids remain on the land surface for less than 4 months prior to incorporation into the soil.
- iv. Food crops, feed crops, and fiber crops shall not be harvested for 30 days after application of biosolids.
- v. Domestic livestock shall not be allowed to graze on the land for 30 days after application of biosolids.
- vi. Turf grown on land where biosolids are applied shall not be harvested for 1 year after application of the biosolids when the harvested turf is placed on either land with a high potential for public exposure or a lawn.
- vii. Public access to land with a high potential for public exposure shall be restricted for 1 year after application of biosolids.

- viii. Public access to land with a low potential for public exposure shall be restricted for 30 days after application of biosolids.
 - ix. Land application of biosolids shall be in accordance with the buffer zone requirements found in 30 TAC § 312.44.
4. Vector Attraction Reduction Requirements

All bulk sewage sludge that is applied to agricultural land, forest, a public contact site, or a reclamation site shall be treated by one of the following Alternatives 1 through 10 for vector attraction reduction.

- Alternative 1 - The mass of volatile solids in the sewage sludge shall be reduced by a minimum of 38%.
- Alternative 2 - If Alternative 1 cannot be met for an anaerobically digested sludge, demonstration can be made by digesting a portion of the previously digested sludge anaerobically in the laboratory in a bench-scale unit for 40 additional days at a temperature between 30° and 37° Celsius. Volatile solids must be reduced by less than 17% to demonstrate compliance.
- Alternative 3 - If Alternative 1 cannot be met for an aerobically digested sludge, demonstration can be made by digesting a portion of the previously digested sludge with percent solids of two percent or less aerobically in the laboratory in a bench-scale unit for 30 additional days at 20° Celsius. Volatile solids must be reduced by less than 15% to demonstrate compliance.
- Alternative 4 - The specific oxygen uptake rate (SOUR) for sewage sludge treated in an aerobic process shall be equal to or less than 1.5 milligrams of oxygen per hour per gram of total solids (dry weight basis) at a temperature of 20° Celsius.
- Alternative 5 - Sewage sludge shall be treated in an aerobic process for 14 days or longer. During that time, the temperature of the sewage sludge shall be higher than 40° Celsius and the average temperature of the sewage sludge shall be higher than 45° Celsius.
- Alternative 6 - The pH of sewage sludge shall be raised to 12 or higher by alkali addition and, without the addition of more alkali shall remain at 12 or higher for two hours and then remain at a pH of 11.5 or higher for an additional 22 hours at the time the sewage sludge is prepared for sale or given away in a bag or other container.
- Alternative 7 - The percent solids of sewage sludge that does not contain unstabilized solids generated in a primary wastewater treatment process shall be equal to or greater than 75% based on the moisture content and total solids prior to mixing with other materials. Unstabilized solids are defined as organic materials in sewage sludge that have not been treated in either an aerobic or anaerobic treatment process.

Alternative 8 - The percent solids of sewage sludge that contains unstabilized solids generated in a primary wastewater treatment process shall be equal to or greater than 90% based on the moisture content and total solids prior to mixing with other materials at the time the sludge is used. Unstabilized solids are defined as organic materials in sewage sludge that have not been treated in either an aerobic or anaerobic treatment process.

Alternative 9 -

- i. Biosolids shall be injected below the surface of the land.
- ii. No significant amount of the biosolids shall be present on the land surface within one hour after the biosolids are injected.
- iii. When sewage sludge that is injected below the surface of the land is Class A or Class AB with respect to pathogens, the biosolids shall be injected below the land surface within eight hours after being discharged from the pathogen treatment process.

Alternative 10 -

- i. Biosolids applied to the land surface or placed on a surface disposal site shall be incorporated into the soil within six hours after application to or placement on the land.
- ii. When biosolids that are incorporated into the soil is Class A or Class AB with respect to pathogens, the biosolids shall be applied to or placed on the land within eight hours after being discharged from the pathogen treatment process.

C. Monitoring Requirements

Toxicity Characteristic Leaching Procedure (TCLP) Test	- once during the term of this permit for the Interim I, II and III phases and annually for Final phase.
PCBs	- once during the term of this permit for the Interim I, II and III phases and annually for Final phase.

All metal constituents and fecal coliform or *Salmonella* sp. bacteria shall be monitored at the appropriate frequency shown below, pursuant to 30 TAC § 312.46(a)(1):

<u>Amount of biosolids (*) metric tons per 365-day period</u>	<u>Monitoring Frequency</u>
0 to less than 290	Once/Year
290 to less than 1,500	Once/Quarter
1,500 to less than 15,000	Once/Two Months
15,000 or greater	Once/Month

(*) *The amount of bulk biosolids applied to the land (dry wt. basis).*

Representative samples of sewage sludge shall be collected and analyzed in accordance with the methods referenced in 30 TAC § 312.7

Identify each of the analytic methods used by the facility to analyze enteric viruses, fecal coliforms, helminth ova, *Salmonella* sp., and other regulated parameters.

Identify in the following categories (as applicable) the sewage sludge or biosolids treatment process or processes at the facility: preliminary operations (e.g., sludge or biosolids grinding and degritting), thickening (concentration), stabilization, anaerobic digestion, aerobic digestion, composting, conditioning, disinfection (e.g., beta ray irradiation, gamma ray irradiation, pasteurization), dewatering (e.g., centrifugation, sludge drying beds, sludge lagoons), heat drying, thermal reduction, and methane or biogas capture and recovery.

Identify the nature of material generated by the facility (such as a biosolid for beneficial use or land-farming, or sewage sludge or biosolids for disposal at a monofill) and whether the material is ultimately conveyed off-site in bulk or in bags.

SECTION II. REQUIREMENTS SPECIFIC TO BULK SEWAGE SLUDGE OR BIOSOLIDS FOR APPLICATION TO THE LAND MEETING CLASS A, CLASS AB or B PATHOGEN REDUCTION AND THE CUMULATIVE LOADING RATES IN TABLE 2, OR CLASS B PATHOGEN REDUCTION AND THE POLLUTANT CONCENTRATIONS IN TABLE 3

For those permittees meeting Class A, Class AB or B pathogen reduction requirements and that meet the cumulative loading rates in Table 2 below, or the Class B pathogen reduction requirements and contain concentrations of pollutants below listed in Table 3, the following conditions apply:

A. Pollutant Limits

Table 2

<u>Pollutant</u>	Cumulative Pollutant Loading Rate (pounds per acre)*
Arsenic	36
Cadmium	35
Chromium	2677
Copper	1339
Lead	268
Mercury	15
Molybdenum	Report Only
Nickel	375
Selenium	89
Zinc	2500

Table 3

<u>Pollutant</u>	Monthly Average Concentration (milligrams per kilogram)*
Arsenic	41
Cadmium	39
Chromium	1200
Copper	1500
Lead	300
Mercury	17
Molybdenum	Report Only
Nickel	420
Selenium	36
Zinc	2800

*Dry weight basis

B. Pathogen Control

All bulk sewage sludge that is applied to agricultural land, forest, a public contact site, a reclamation site, shall be treated by either Class A, Class AB or Class B biosolids pathogen reduction requirements as defined above in Section I.B.3.

C. Management Practices

1. Bulk biosolids shall not be applied to agricultural land, forest, a public contact site, or a reclamation site that is flooded, frozen, or snow-covered so that the bulk sewage sludge enters a wetland or other waters in the State.
2. Bulk biosolids not meeting Class A requirements shall be land applied in a manner which complies with Applicability in accordance with 30 TAC §312.41 and the Management Requirements in accordance with 30 TAC § 312.44.
3. Bulk biosolids shall be applied at or below the agronomic rate of the cover crop.
4. An information sheet shall be provided to the person who receives bulk Class A or AB biosolids sold or given away. The information sheet shall contain the following information:
 - a. The name and address of the person who prepared the Class A or AB biosolids that are sold or given away in a bag or other container for application to the land.
 - b. A statement that application of the biosolids to the land is prohibited except in accordance with the instruction on the label or information sheet.
 - c. The annual whole sludge application rate for the biosolids application rate for the biosolids that does not cause any of the cumulative pollutant loading rates in Table 2 above to be exceeded, unless the pollutant concentrations in Table 3 found in Section II above are met.

D. Notification Requirements

1. If bulk biosolids are applied to land in a State other than Texas, written notice shall be provided prior to the initial land application to the permitting authority for the State in which the bulk biosolids are proposed to be applied. The notice shall include:
 - a. The location, by street address, and specific latitude and longitude, of each land application site.
 - b. The approximate time period bulk biosolids will be applied to the site.
 - c. The name, address, telephone number, and National Pollutant Discharge Elimination System permit number (if appropriate) for the person who will apply the bulk biosolids.
2. The permittee shall give 180 days prior notice to the Executive Director in care of the Wastewater Permitting Section (MC 148) of the Water Quality Division of any change planned in the biosolids disposal practice.

E. Record Keeping Requirements

The documents will be retained at the facility site and/or shall be readily available for review by a TCEQ representative. The person who prepares bulk sewage sludge or a biosolids material shall develop the following information and shall retain the information at the facility site and/or shall be readily available for review by a TCEQ representative for a

period of five years. If the permittee supplies the sludge to another person who land applies the sludge, the permittee shall notify the land applier of the requirements for record keeping found in 30 TAC § 312.47 for persons who land apply.

1. The concentration (mg/kg) in the sludge of each pollutant listed in Table 3 above and the applicable pollutant concentration criteria (mg/kg), or the applicable cumulative pollutant loading rate and the applicable cumulative pollutant loading rate limit (lbs/ac) listed in Table 2 above.
2. A description of how the pathogen reduction requirements are met (including site restrictions for Class AB and Class B biosolids, if applicable).
3. A description of how the vector attraction reduction requirements are met.
4. A description of how the management practices listed above in Section II.C are being met.
5. The following certification statement:

“I certify, under penalty of law, that the applicable pathogen requirements in 30 TAC § 312.82(a) or (b) and the vector attraction reduction requirements in 30 TAC § 312.83(b) have been met for each site on which bulk biosolids are applied. This determination has been made under my direction and supervision in accordance with the system designed to ensure that qualified personnel properly gather and evaluate the information used to determine that the management practices have been met. I am aware that there are significant penalties for false certification including fine and imprisonment.”

6. The recommended agronomic loading rate from the references listed in Section II.C.3. above, as well as the actual agronomic loading rate shall be retained. The person who applies bulk biosolids shall develop the following information and shall retain the information at the facility site and/or shall be readily available for review by a TCEQ representative indefinitely. If the permittee supplies the sludge to another person who land applies the sludge, the permittee shall notify the land applier of the requirements for record keeping found in 30 TAC § 312.47 for persons who land apply:
 - a. A certification statement that all applicable requirements (specifically listed) have been met, and that the permittee understands that there are significant penalties for false certification including fine and imprisonment. See 30 TAC § 312.47(a)(4)(A)(ii) or 30 TAC § 312.47(a)(5)(A)(ii), as applicable, and to the permittee’s specific sludge treatment activities.
 - b. The location, by street address, and specific latitude and longitude, of each site on which biosolids are applied.
 - c. The number of acres in each site on which bulk biosolids are applied.
 - d. The date and time biosolids are applied to each site.
 - e. The cumulative amount of each pollutant in pounds/acre listed in Table 2 applied to each site.
 - f. The total amount of biosolids applied to each site in dry tons.

The above records shall be maintained on-site on a monthly basis and shall be made available to the Texas Commission on Environmental Quality upon request.

F. Reporting Requirements

The permittee shall report annually to the TCEQ Regional Office (MC Region 11) and Compliance Monitoring Team (MC 224) of the Enforcement Division, by September 30th of each year the following information. The permittee must submit this annual report using the online electronic reporting system available through the TCEQ website unless the permittee requests and obtains an electronic reporting waiver.

1. Identify in the following categories (as applicable) the sewage sludge or biosolids treatment process or processes at the facility: preliminary operations (e.g., sludge or biosolids grinding and degritting), thickening (concentration), stabilization, anaerobic digestion, aerobic digestion, composting, conditioning, disinfection (e.g., beta ray irradiation, gamma ray irradiation, pasteurization), dewatering (e.g., centrifugation, sludge drying beds, sludge lagoons), heat drying, thermal reduction, and methane or biogas capture and recovery.
2. Identify the nature of material generated by the facility (such as a biosolid for beneficial use or land-farming, or sewage sludge for disposal at a monofill) and whether the material is ultimately conveyed off-site in bulk or in bags.
3. Results of tests performed for pollutants found in either Table 2 or 3 as appropriate for the permittee's land application practices.
4. The frequency of monitoring listed in Section I.C. that applies to the permittee.
5. Toxicity Characteristic Leaching Procedure (TCLP) results.
6. PCB concentration in sludge or biosolids in mg/kg.
7. Identity of hauler(s) and TCEQ transporter number.
8. Date(s) of transport.
9. Texas Commission on Environmental Quality registration number, if applicable.
10. Amount of sludge or biosolids disposal dry weight (lbs/acre) at each disposal site.
11. The concentration (mg/kg) in the sludge of each pollutant listed in Table 1 (defined as a monthly average) as well as the applicable pollutant concentration criteria (mg/kg) listed in Table 3 above, or the applicable pollutant loading rate limit (lbs/acre) listed in Table 2 above if it exceeds 90% of the limit.
12. Level of pathogen reduction achieved (Class A, Class AB or Class B).
13. Alternative used as listed in Section I.B.3.(a. or b.). Alternatives describe how the pathogen reduction requirements are met. If Class B biosolids, include information on how site restrictions were met.
14. Identify each of the analytic methods used by the facility to analyze enteric viruses, fecal coliforms, helminth ova, *Salmonella* sp., and other regulated parameters.
15. Vector attraction reduction alternative used as listed in Section I.B.4.

16. Amount of sludge or biosolids transported in dry tons/year.
17. The certification statement listed in either 30 TAC § 312.47(a)(4)(A)(ii) or 30 TAC § 312.47(a)(5)(A)(ii) as applicable to the permittee's sludge or biosolids treatment activities, shall be attached to the annual reporting form.
18. When the amount of any pollutant applied to the land exceeds 90% of the cumulative pollutant loading rate for that pollutant, as described in Table 2, the permittee shall report the following information as an attachment to the annual reporting form.
 - a. The location, by street address, and specific latitude and longitude.
 - b. The number of acres in each site on which bulk biosolids are applied.
 - c. The date and time bulk biosolids are applied to each site.
 - d. The cumulative amount of each pollutant (i.e., pounds/acre) listed in Table 2 in the bulk biosolids applied to each site.
 - e. The amount of biosolids (i.e., dry tons) applied to each site.

The above records shall be maintained on a monthly basis and shall be made available to the Texas Commission on Environmental Quality upon request.

SECTION III. REQUIREMENTS APPLYING TO ALL SEWAGE SLUDGE OR BIOSOLIDS DISPOSED IN A MUNICIPAL SOLID WASTE LANDFILL

- A. The permittee shall handle and dispose of sewage sludge or biosolids in accordance with 30 TAC § 330 and all other applicable state and federal regulations to protect public health and the environment from any reasonably anticipated adverse effects due to any toxic pollutants that may be present. The permittee shall ensure that the sewage sludge meets the requirements in 30 TAC § 330 concerning the quality of the sludge or biosolids disposed in a municipal solid waste landfill.
- B. If the permittee generates sewage sludge and supplies that sewage sludge or biosolids to the owner or operator of a municipal solid waste landfill (MSWLF) for disposal, the permittee shall provide to the owner or operator of the MSWLF appropriate information needed to be in compliance with the provisions of this permit.
- C. The permittee shall give 180 days prior notice to the Executive Director in care of the Wastewater Permitting Section (MC 148) of the Water Quality Division of any change planned in the sewage sludge or biosolids disposal practice.
- D. Sewage sludge or biosolids shall be tested once during the term of this permit for the Interim I, II, and III phases and annually for the Final phase. in accordance with the method specified in both 40 CFR Part 261, Appendix II and 40 CFR Part 268, Appendix I (Toxicity Characteristic Leaching Procedure) or other method, which receives the prior approval of the TCEQ for contaminants listed in Table 1 of 40 CFR § 261.24. Sewage sludge or biosolids failing this test shall be managed according to RCRA standards for generators of hazardous waste, and the waste's disposition must be in accordance with all applicable requirements for hazardous waste processing, storage, or disposal.

Following failure of any TCLP test, the management or disposal of sewage sludge or biosolids at a facility other than an authorized hazardous waste processing, storage, or disposal facility shall be prohibited until such time as the permittee can demonstrate the sewage sludge or biosolids no longer exhibits the hazardous waste toxicity characteristics (as demonstrated by the results of the TCLP tests). A written report shall be provided to both the TCEQ Registration and Reporting Section (MC 129) of the Permitting and Registration Support Division and the Regional Director (MC Region 11) of the appropriate TCEQ field office within 7 days after failing the TCLP Test.

The report shall contain test results, certification that unauthorized waste management has stopped, and a summary of alternative disposal plans that comply with RCRA standards for the management of hazardous waste. The report shall be addressed to: Director, Permitting and Registration Support Division (MC 129), Texas Commission on Environmental Quality, P. O. Box 13087, Austin, Texas 78711-3087. In addition, the permittee shall prepare an annual report on the results of all sludge toxicity testing. This annual report shall be submitted to the TCEQ Regional Office (MC Region 11) and the Compliance Monitoring Team (MC 224) of the Enforcement Division by September 30 of each year.

- E. Sewage sludge or biosolids shall be tested as needed, in accordance with the requirements of 30 TAC Chapter 330.
- F. Record Keeping Requirements

The permittee shall develop the following information and shall retain the information for five years.

1. The description (including procedures followed and the results) of all liquid Paint Filter Tests performed.
2. The description (including procedures followed and results) of all TCLP tests performed.

The above records shall be maintained on-site on a monthly basis and shall be made available to the Texas Commission on Environmental Quality upon request.

G. Reporting Requirements

The permittee shall report annually to the TCEQ Regional Office (MC Region 11) and Compliance Monitoring Team (MC 224) of the Enforcement Division by September 30th of each year the following information. The permittee must submit this annual report using the online electronic reporting system available through the TCEQ website unless the permittee requests and obtains an electronic reporting waiver.

1. Identify in the following categories (as applicable) the sewage sludge or biosolids treatment process or processes at the facility: preliminary operations (e.g., sludge or biosolids grinding and degritting), thickening (concentration), stabilization, anaerobic digestion, aerobic digestion, composting, conditioning, disinfection (e.g., beta ray irradiation, gamma ray irradiation, pasteurization), dewatering (e.g., centrifugation, sludge drying beds, sludge lagoons), heat drying, thermal reduction, and methane or biogas capture and recovery.
2. Toxicity Characteristic Leaching Procedure (TCLP) results.
3. Annual sludge or biosolids production in dry tons/year.
4. Amount of sludge or biosolids disposed in a municipal solid waste landfill in dry tons/year.
5. Amount of sludge or biosolids transported interstate in dry tons/year.
6. A certification that the sewage sludge or biosolids meets the requirements of 30 TAC § 330 concerning the quality of the sludge disposed in a municipal solid waste landfill.
7. Identity of hauler(s) and transporter registration number.
8. Owner of disposal site(s).
9. Location of disposal site(s).
10. Date(s) of disposal.

The above records shall be maintained on-site on a monthly basis and shall be made available to the Texas Commission on Environmental Quality upon request.

SECTION IV. REQUIREMENTS APPLYING TO SLUDGE OR BIOSOLIDS TRANSPORTED TO ANOTHER FACILITY FOR FURTHER PROCESSING

These provisions apply to sludge or biosolids that is transported to another wastewater treatment facility or facility that further processes sludge or biosolids. These provisions are intended to allow transport of sludge or biosolids to facilities that have been authorized to accept sludge or biosolids. These provisions do not limit the ability of the receiving facility to determine whether to accept the sludge or biosolids, nor do they limit the ability of the receiving facility to request additional testing or documentation.

A. General Requirements

1. The permittee shall handle and dispose of sewage sludge or biosolids in accordance with 30 TAC Chapter 312 and all other applicable state and federal regulations in a manner that protects public health and the environment from any reasonably anticipated adverse effects due to any toxic pollutants that may be present in the sludge.
2. Sludge or biosolids may only be transported using a registered transporter or using an approved pipeline.

B. Record Keeping Requirements

1. For sludge transported by an approved pipeline, the permittee must maintain records of the following:
 - a. the amount of sludge or biosolids transported;
 - b. the date of transport;
 - c. the name and TCEQ permit number of the receiving facility or facilities;
 - d. the location of the receiving facility or facilities;
 - e. the name and TCEQ permit number of the facility that generated the waste; and
 - f. copy of the written agreement between the permittee and the receiving facility to accept sludge or biosolids.
2. For sludge or biosolids transported by a registered transporter, the permittee must maintain records of the completed trip tickets in accordance with 30 TAC § 312.145(a)(1)-(7) and amount of sludge or biosolids transported.
3. The above records shall be maintained on-site on a monthly basis and shall be made available to the TCEQ upon request. These records shall be retained for at least five years.

C. Reporting Requirements

The permittee shall report the following information annually to the TCEQ Regional Office (MC Region 11) and Compliance Monitoring Team (MC 224) of the Enforcement Division, by September 30th of each year. The permittee must submit this annual report using the online electronic reporting system available through the TCEQ website unless the permittee requests and obtains an electronic reporting waiver.

1. Identify in the following categories (as applicable) the sewage sludge or biosolids treatment process or processes at the facility: preliminary operations (e.g., sludge or biosolids grinding and degritting), thickening (concentration), stabilization, anaerobic digestion, aerobic digestion, composting, conditioning, disinfection (e.g., beta ray irradiation, gamma ray irradiation, pasteurization), dewatering (e.g., centrifugation, sludge drying beds, sludge lagoons), heat drying, thermal reduction, and methane or biogas capture and recovery.
2. the annual sludge or biosolids production;
3. the amount of sludge or biosolids transported;
4. the owner of each receiving facility;
5. the location of each receiving facility; and
6. the date(s) of disposal at each receiving facility.

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OTHER REQUIREMENTS

1. The permittee shall employ or contract with one or more licensed wastewater treatment facility operators or wastewater system operations companies holding a valid license or registration according to the requirements of 30 TAC Chapter 30, Occupational Licenses and Registrations, and in particular 30 TAC Chapter 30, Subchapter J, Wastewater Operators and Operations Companies.

This Category C facility for the Interim I, II, and III phases, and Category B facility for the Final phase must be operated by a chief operator or an operator holding a Class C license or higher for Interim I, II, and III phases; and Class B license or higher for the Final phase. The facility must be operated a minimum of five days per week by the licensed chief operator or an operator holding the required level of license or higher. The licensed chief operator or operator holding the required level of license or higher must be available by telephone or pager seven days per week. Where shift operation of the wastewater treatment facility is necessary, each shift that does not have the on-site supervision of the licensed chief operator must be supervised by an operator in charge who is licensed not less than one level below the category for the facility.

2. The facility is not located in the Coastal Management Program boundary.
3. There is no mixing zone established for this discharge to an intermittent stream with perennial pools. Chronic toxic criteria apply at the point of discharge.
4. The permittee submitted sufficient evidence of legal restrictions prohibiting residential structures within the part of the buffer zone not owned by the permittee according to 30 TAC § 309.13(e)(3). The permittee shall comply with the requirements of 30 TAC § 309.13(a) through (d). See Attachment A.
5. The permittee shall provide facilities for the protection of its wastewater treatment facility from a 100-year flood.
6. In accordance with 30 TAC § 319.9, a permittee that has at least twelve months of uninterrupted compliance with its bacteria limit may notify the commission in writing of its compliance and request a less frequent measurement schedule. To request a less frequent schedule, the permittee shall submit a written request to the TCEQ Wastewater Permitting Section (MC 148) for each phase that includes a different monitoring frequency. The request must contain all of the reported bacteria values (Daily Avg. and Daily Max/Single Grab) for the twelve consecutive months immediately prior to the request. If the Executive Director finds that a less frequent measurement schedule is protective of human health and the environment, the permittee may be given a less frequent measurement schedule. For this permit, one/month may be reduced to one/quarter in the Interim I phase, two/month may be reduced to one/month in the Interim II and III phases, and one/week may be reduced to two/month in the Final phase. **A violation of any bacteria limit by a facility that has been granted a less frequent measurement schedule will require the permittee to return to the standard frequency schedule and submit written notice to the TCEQ Wastewater Permitting Section (MC 148).** The permittee may not apply for another reduction in measurement frequency for at least 24 months from the date of the last violation. The Executive Director may establish a more frequent measurement schedule if necessary to protect human health or the environment.

7. Prior to construction of the Interim II, III, and Final phases of treatment facilities, the permittee shall submit to the TCEQ Wastewater Permitting Section (MC 148) a summary transmittal letter in accordance with the requirements in 30 TAC § 217.6(d). If requested by the Wastewater Permitting Section, the permittee shall submit plans, specifications, and a final engineering design report which comply with 30 TAC Chapter 217, Design Criteria for Domestic Wastewater Systems. The permittee shall clearly show how the treatment system will meet the effluent limitations required on Pages 2a, 2b, and 2c of this permit. A copy of the summary transmittal letter shall be available at the plant site for inspection by authorized representatives of the TCEQ.

Plans and specifications have been approved for the Interim I (0.27 MGD) phase wastewater treatment facility, in accordance with 30 TAC § 217, Design Criteria for Domestic Wastewater Systems. A summary transmittal approval letter was issued on December 11, 2020 (Log No. 1120/097). A copy of the summary transmittal letter shall be available at the plant site for inspection by authorized representatives of the TCEQ.

8. The permittee shall notify the TCEQ Regional Office (MC Region 11) and the Applications Review and Processing Team (MC 148) of the Water Quality Division, in writing at least forty-five days prior to the completion of the Interim II, III, and Final phases facility, on Notification of Completion Form 20007.
9. The applicant will retest effluent TDS, chloride, and sulfate; within 180 days of commencement of the Final (1.25 MGD) phase.

BIOMONITORING REQUIREMENTS**CHRONIC BIOMONITORING REQUIREMENTS: FRESHWATER**

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

1. **Scope, Frequency, and Methodology**

- a. The permittee shall test the effluent for toxicity in accordance with the provisions below. Such testing will determine if an appropriately dilute effluent sample adversely affects the survival, reproduction, or growth of the test organisms.
- b. Within 90 days of discharge from the 1.25 MGD facility, the permittee shall conduct the following toxicity tests using the test organisms, procedures, and quality assurance requirements specified in this part of this permit and in accordance with "Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms," fourth edition (EPA-821-R-02-013) or its most recent update:
 - 1) Chronic static renewal survival and reproduction test using the water flea (*Ceriodaphnia dubia*) (Method 1002.0). This test should be terminated when 60% of the surviving adults in the control produce three broods or at the end of eight days, whichever occurs first. This test shall be conducted once per quarter.
 - 2) Chronic static renewal 7-day larval survival and growth test using the fathead minnow (*Pimephales promelas*) (Method 1000.0). A minimum of five replicates with eight organisms per replicate shall be used in the control and in each dilution. This test shall be conducted once per quarter.

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

- c. The permittee shall use five effluent dilution concentrations and a control in each toxicity test. These effluent dilution concentrations are 32%, 42%, 56%, 75%, and 100% effluent. The critical dilution, defined as 100% effluent, is the effluent concentration representative of the proportion of effluent in the receiving water during critical low flow or critical mixing conditions.
- d. This permit may be amended to require a WET limit, a chemical-specific effluent limit, a best management practice, or other appropriate actions to address toxicity. The permittee may be required to conduct a toxicity reduction evaluation (TRE) after multiple toxic events.
- e. Testing Frequency Reduction
 - 1) If none of the first four consecutive quarterly tests demonstrates

significant toxicity, the permittee may submit this information in writing and, upon approval, reduce the testing frequency to once per six months for the invertebrate test species and once per year for the vertebrate test species.

- 2) If one or more of the first four consecutive quarterly tests demonstrates significant toxicity, the permittee shall continue quarterly testing for that species until this permit is reissued. If a testing frequency reduction had been previously granted and a subsequent test demonstrates significant toxicity, the permittee shall resume a quarterly testing frequency for that species until this permit is reissued.

2. Required Toxicity Testing Conditions

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

- 1) a control mean survival of 80% or greater;
- 2) a control mean number of water flea neonates per surviving adult of 15 or greater;
- 3) a control mean dry weight of surviving fathead minnow larvae of 0.25 mg or greater;
- 4) a control coefficient of variation percent (CV%) of 40 or less in between replicates for the young of surviving females in the water flea test; and the growth and survival endpoints in the fathead minnow test;
- 5) a critical dilution CV% of 40 or less for the young of surviving females in the water flea test; and the growth and survival endpoints for the fathead minnow test. However, if statistically significant lethal or nonlethal effects are exhibited at the critical dilution, a CV% greater than 40 shall not invalidate the test;
- 6) a percent minimum significant difference of 47 or less for water flea reproduction; and
- 7) a percent minimum significant difference of 30 or less for fathead minnow growth.

- b. Statistical Interpretation

- 1) For the water flea survival test, the statistical analyses used to determine if there is a significant difference between the control and an effluent dilution shall be the Fisher's exact test as described in the manual referenced in in Part 1.b.
- 2) For the water flea reproduction test and the fathead minnow larval survival and growth tests, the statistical analyses used to determine if there is a significant difference between the control and an effluent

dilution shall be in accordance with the manual referenced in Part 1.b..

- 3) The permittee is responsible for reviewing test concentration-response relationships to ensure that calculated test-results are interpreted and reported correctly. The document entitled "Method Guidance and Recommendation for Whole Effluent Toxicity (WET) Testing (40 CFR Part 136)" (EPA 821-B-00-004) provides guidance on determining the validity of test results.
- 4) If significant lethality is demonstrated (that is, there is a statistically significant difference in survival at the critical dilution when compared to the survival in the control), the conditions of test acceptability are met, and the survival of the test organisms are equal to or greater than 80% in the critical dilution and all dilutions below that, then the permittee shall report a survival No Observed Effect Concentration (NOEC) of not less than the critical dilution for the reporting requirements.
- 5) The NOEC is defined as the greatest effluent dilution at which no significant effect is demonstrated. The Lowest Observed Effect Concentration (LOEC) is defined as the lowest effluent dilution at which a significant effect is demonstrated. A significant effect is defined as a statistically significant difference between the survival, reproduction, or growth of the test organism in a specified effluent dilution when compared to the survival, reproduction, or growth of the test organism in the control (0% effluent).
- 6) The use of NOECs and LOECs assumes either a monotonic (continuous) concentration-response relationship or a threshold model of the concentration-response relationship. For any test result that demonstrates a non-monotonic (non-continuous) response, the NOEC should be determined based on the guidance manual referenced in Item 3.
- 7) Pursuant to the responsibility assigned to the permittee in Part 2.b.3), test results that demonstrate a non-monotonic (non-continuous) concentration-response relationship may be submitted, prior to the due date, for technical review. The guidance manual referenced in Item 3 will be used when making a determination of test acceptability.
- 8) TCEQ staff will review test results for consistency with rules, procedures, and permit requirements.

c. Dilution Water

- 1) Dilution water used in the toxicity tests must be the receiving water collected at a point upstream of the discharge point as close as possible to the discharge point but unaffected by the discharge. Where the toxicity tests are conducted on effluent discharges to receiving waters that are classified as intermittent streams, or where the toxicity tests are conducted on effluent discharges where no receiving water is available due to zero flow conditions, the permittee shall:

- a) substitute a synthetic dilution water that has a pH, hardness, and alkalinity similar to that of the closest downstream perennial water unaffected by the discharge; or
 - b) use the closest downstream perennial water unaffected by the discharge.
 - 2) Where the receiving water proves unsatisfactory as a result of pre-existing instream toxicity (i.e. fails to fulfill the test acceptance criteria of Part 2.a.), the permittee may substitute synthetic dilution water for the receiving water in all subsequent tests provided the unacceptable receiving water test met the following stipulations:
 - a) a synthetic lab water control was performed (in addition to the receiving water control) which fulfilled the test acceptance requirements of Part 2.a;
 - b) the test indicating receiving water toxicity was carried out to completion (i.e., 7 days); and
 - c) the permittee submitted all test results indicating receiving water toxicity with the reports and information required in Part 3.
 - 3) The synthetic dilution water shall consist of standard, moderately hard, reconstituted water. Upon approval, the permittee may substitute other appropriate dilution water with chemical and physical characteristics similar to that of the receiving water.
- d. Samples and Composites
- 1) The permittee shall collect a minimum of three composite samples from Outfall 001. The second and third composite samples will be used for the renewal of the dilution concentrations for each toxicity test.
 - 2) The permittee shall collect the composite samples such that the samples are representative of any periodic episode of chlorination, biocide usage, or other potentially toxic substance being discharged on an intermittent basis.
 - 3) The permittee shall initiate the toxicity tests within 36 hours after collection of the last portion of the first composite sample. The holding time for any subsequent composite sample shall not exceed 72 hours. Samples shall be maintained at a temperature of 0-6 degrees Centigrade during collection, shipping, and storage.
 - 4) If Outfall 001 ceases discharging during the collection of effluent samples, the requirements for the minimum number of effluent samples, the minimum number of effluent portions, and the sample holding time are waived during that sampling period. However, the permittee must have collected an effluent composite sample volume sufficient to complete the required toxicity tests with renewal of the effluent. When possible, the

effluent samples used for the toxicity tests shall be collected on separate days if the discharge occurs over multiple days. The sample collection duration and the static renewal protocol associated with the abbreviated sample collection must be documented in the full report.

- 5) The effluent samples shall not be dechlorinated after sample collection.

3. Reporting

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

- a. The permittee shall prepare a full report of the results of all tests conducted in accordance with the manual referenced in Part 1.b. for every valid and invalid toxicity test initiated whether carried to completion or not.
- b. The permittee shall routinely report the results of each biomonitoring test on the Table 1 forms provided with this permit.
 - 1) Annual biomonitoring test results are due on or before January 20th for biomonitoring conducted during the previous 12-month period.
 - 2) Semiannual biomonitoring test results are due on or before July 20th and January 20th for biomonitoring conducted during the previous 6-month period.
 - 3) Quarterly biomonitoring test results are due on or before April 20th, July 20th, October 20th, and January 20th for biomonitoring conducted during the previous calendar quarter.
 - 4) Monthly biomonitoring test results are due on or before the 20th day of the month following sampling.
- c. Enter the following codes for the appropriate parameters for valid tests only:
 - 1) For the water flea, Parameter TLP3B, enter a "1" if the NOEC for survival is less than the critical dilution; otherwise, enter a "0."
 - 2) For the water flea, Parameter TOP3B, report the NOEC for survival.
 - 3) For the water flea, Parameter TXP3B, report the LOEC for survival.
 - 4) For the water flea, Parameter TWP3B, enter a "1" if the NOEC for reproduction is less than the critical dilution; otherwise, enter a "0."
 - 5) For the water flea, Parameter TPP3B, report the NOEC for reproduction.
 - 6) For the water flea, Parameter TYP3B, report the LOEC for reproduction.
 - 7) For the fathead minnow, Parameter TLP6C, enter a "1" if the NOEC for

survival is less than the critical dilution; otherwise, enter a "o."

- 8) For the fathead minnow, Parameter TOP6C, report the NOEC for survival.
 - 9) For the fathead minnow, Parameter TXP6C, report the LOEC for survival.
 - 10) For the fathead minnow, Parameter TWP6C, enter a "1" if the NOEC for growth is less than the critical dilution; otherwise, enter a "o."
 - 11) For the fathead minnow, Parameter TPP6C, report the NOEC for growth.
 - 12) For the fathead minnow, Parameter TYP6C, report the LOEC for growth.
- d. Enter the following codes for retests only:
- 1) For retest number 1, Parameter 22415, enter a "1" if the NOEC for survival is less than the critical dilution; otherwise, enter a "o."
 - 2) For retest number 2, Parameter 22416, enter a "1" if the NOEC for survival is less than the critical dilution; otherwise, enter a "o."

4. Persistent Toxicity

The requirements of this Part apply only when a test demonstrates a significant effect at the critical dilution. Significant lethality and significant effect were defined in Part 2.b. Significant sublethality is defined as a statistically significant difference in growth/reproduction at the critical dilution when compared to the growth/reproduction in the control.

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

If neither test demonstrates significant lethality and the permittee is testing under the reduced testing frequency provision of Part 1.e., the permittee shall return to a quarterly testing frequency for that species.
- c. If the two retests are performed due to a demonstration of significant sublethality, and one or both of the two retests specified in Part 4.a. demonstrates significant lethality, the permittee shall again perform two retests as stipulated in Part 4.a.

- d. If the two retests are performed due to a demonstration of significant sublethality, and neither test demonstrates significant lethality, the permittee shall continue testing at the quarterly frequency.
- e. Regardless of whether retesting for lethal or sublethal effects, or a combination of the two, no more than one retest per month is required for a species.

5. Toxicity Reduction Evaluation

- a. Within 45 days of the retest that demonstrates significant lethality, or within 45 days of being so instructed due to multiple toxic events, the permittee shall submit a general outline for initiating a TRE. The outline shall include, but not be limited to, a description of project personnel, a schedule for obtaining consultants (if needed), a discussion of influent and effluent data available for review, a sampling and analytical schedule, and a proposed TRE initiation date.
- b. Within 90 days of the retest that demonstrates significant lethality, or within 90 days of being so instructed due to multiple toxic events, the permittee shall submit a TRE action plan and schedule for conducting a TRE. The plan shall specify the approach and methodology to be used in performing the TRE. A TRE is a step-wise investigation combining toxicity testing with physical and chemical analyses to determine actions necessary to eliminate or reduce effluent toxicity to a level not effecting significant lethality at the critical dilution. The TRE action plan shall describe an approach for the reduction or elimination of lethality for both test species defined in Part 1.b. At a minimum, the TRE action plan shall include the following:
 - 1) Specific Activities - The TRE action plan shall specify the approach the permittee intends to utilize in conducting the TRE, including toxicity characterizations, identifications, confirmations, source evaluations, treatability studies, and alternative approaches. When conducting characterization analyses, the permittee shall perform multiple characterizations and follow the procedures specified in the document entitled "Toxicity Identification Evaluation: Characterization of Chronically Toxic Effluents, Phase I" (EPA/600/6-91/005F) or alternate procedures. The permittee shall perform multiple identifications and follow the methods specified in the documents entitled "Methods for Aquatic Toxicity Identification Evaluations, Phase II Toxicity Identification Procedures for Samples Exhibiting Acute and Chronic Toxicity" (EPA/600/R-92/080) and "Methods for Aquatic Toxicity Identification Evaluations: Phase III Toxicity Confirmation Procedures for Samples Exhibiting Acute and Chronic Toxicity" (EPA/600/R-92/081). All characterization, identification, and confirmation tests shall be conducted in an orderly and logical progression;
 - 2) Sampling Plan - The TRE action plan should describe sampling locations, methods, holding times, chain of custody, and preservation techniques. The effluent sample volume collected for all tests shall be adequate to perform the toxicity characterization/identification/confirmation procedures, and chemical-specific analyses when the toxicity tests show significant lethality. Where the permittee has identified or suspects a

- specific pollutant and source of effluent toxicity, the permittee shall conduct, concurrent with toxicity testing, chemical-specific analyses for the identified and suspected pollutant and source of effluent toxicity;
- 3) Quality Assurance Plan - The TRE action plan should address record keeping and data evaluation, calibration and standardization, baseline tests, system blanks, controls, duplicates, spikes, toxicity persistence in the samples, randomization, reference toxicant control charts, and mechanisms to detect artifactual toxicity; and
 - 4) Project Organization - The TRE action plan should describe the project staff, project manager, consulting engineering services (where applicable), consulting analytical and toxicological services, etc.
- c. Within 30 days of submittal of the TRE action plan and schedule, the permittee shall implement the TRE.
 - d. The permittee shall submit quarterly TRE activities reports concerning the progress of the TRE. The quarterly reports are due on or before April 20th, July 20th, October 20th, and January 20th. The report shall detail information regarding the TRE activities including:
 - 1) results and interpretation of any chemical-specific analyses for the identified and suspected pollutant performed during the quarter;
 - 2) results and interpretation of any characterization, identification, and confirmation tests performed during the quarter;
 - 3) any data and substantiating documentation which identifies the pollutant(s) and source of effluent toxicity;
 - 4) results of any studies/evaluations concerning the treatability of the facility's effluent toxicity;
 - 5) any data that identifies effluent toxicity control mechanisms that will reduce effluent toxicity to the level necessary to meet no significant lethality at the critical dilution; and
 - 6) any changes to the initial TRE plan and schedule that are believed necessary as a result of the TRE findings.
 - e. During the TRE, the permittee shall perform, at a minimum, quarterly testing using the more sensitive species. Testing for the less sensitive species shall continue at the frequency specified in Part 1.b.
 - f. If the effluent ceases to effect significant lethality, i.e., there is a cessation of lethality, the permittee may end the TRE. A cessation of lethality is defined as no significant lethality for a period of 12 consecutive months with at least monthly testing. At the end of the 12 months, the permittee shall submit a statement of intent to cease the TRE and may then resume the testing frequency specified in Part 1.b.

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

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

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

TABLE 1 (SHEET 1 OF 4)

BIOMONITORING REPORTING

CERIODAPHNIA DUBIA SURVIVAL AND REPRODUCTION

Dates and Times Composites Collected

No. 1 FROM: _____ Date _____ Time _____ TO: _____ Date _____ Time _____

No. 2 FROM: _____ Date _____ Time _____ TO: _____ Date _____ Time _____

No. 3 FROM: _____ Date _____ Time _____ TO: _____ Date _____ Time _____

Test initiated: _____ am/pm _____ date

Dilution water used: _____ Receiving water _____ Synthetic Dilution water

NUMBER OF YOUNG PRODUCED PER ADULT AT END OF TEST

REP	Percent effluent					
	0%	32%	42%	56%	75%	100%
A						
B						
C						
D						
E						
F						
G						
H						
I						
J						
Survival Mean						
Total Mean						
CV%*						
PMSD						

*Coefficient of Variation = standard deviation x 100/mean (calculation based on young of the surviving adults)

Designate males (M), and dead females (D), along with number of neonates (x) released prior to death.

TABLE 1 (SHEET 2 OF 4)

CERIODAPHNIA DUBIA SURVIVAL AND REPRODUCTION TEST

1. Dunnett's Procedure or Steel's Many-One Rank Test or Wilcoxon Rank Sum Test (with Bonferroni adjustment) or t-test (with Bonferroni adjustment) as appropriate:

Is the mean number of young produced per adult significantly less than the number of young per adult in the control for the % effluent corresponding to significant nonlethal effects?

CRITICAL DILUTION (100%): _____ YES _____ NO

PERCENT SURVIVAL

Time of Reading	Percent effluent					
	0%	32%	42%	56%	75%	100%
24h						
48h						
End of Test						

2. Fisher's Exact Test:

Is the mean survival at test end significantly less than the control survival for the % effluent corresponding to lethality?

CRITICAL DILUTION (100%): _____ YES _____ NO

3. Enter percent effluent corresponding to each NOEC\LOEC below:

a.) NOEC survival = _____ % effluent

b.) LOEC survival = _____ % effluent

c.) NOEC reproduction = _____ % effluent

d.) LOEC reproduction = _____ % effluent

TABLE 1 (SHEET 3 OF 4)

BIOMONITORING REPORTING

FATHEAD MINNOW LARVAE GROWTH AND SURVIVAL

Dates and Times No. 1 FROM: _____ Date Time TO: _____ Date Time
Composites
Collected No. 2 FROM: _____ TO: _____
No. 3 FROM: _____ TO: _____

Test initiated: _____ am/pm _____ date

Dilution water used: _____ Receiving water _____ Synthetic dilution water

FATHEAD MINNOW GROWTH DATA

Effluent Concentration	Average Dry Weight in replicate chambers					Mean Dry Weight	CV%*
	A	B	C	D	E		
0%							
32%							
42%							
56%							
75%							
100%							
PMSD							

* Coefficient of Variation = standard deviation x 100/mean

- Dunnett's Procedure or Steel's Many-One Rank Test or Wilcoxon Rank Sum Test (with Bonferroni adjustment) or t-test (with Bonferroni adjustment) as appropriate:

Is the mean dry weight (growth) at 7 days significantly less than the control's dry weight (growth) for the % effluent corresponding to significant nonlethal effects?

CRITICAL DILUTION (100%): _____ YES _____ NO

TABLE 1 (SHEET 4 OF 4)
BIOMONITORING REPORTING
FATHEAD MINNOW GROWTH AND SURVIVAL TEST
FATHEAD MINNOW SURVIVAL DATA

Effluent Concentration	Percent Survival in replicate chambers					Mean percent survival			CV%*
	A	B	C	D	E	24h	48h	7 day	
0%									
32%									
42%									
56%									
75%									
100%									

* Coefficient of Variation = standard deviation x 100/mean

2. Dunnett's Procedure or Steel's Many-One Rank Test or Wilcoxon Rank Sum Test (with Bonferroni adjustment) or t-test (with Bonferroni adjustment) as appropriate:

Is the mean survival at 7 days significantly less than the control survival for the % effluent corresponding to lethality?

CRITICAL DILUTION (100%): _____ YES _____ NO

3. Enter percent effluent corresponding to each NOEC\LOEC below:

a.) NOEC survival = _____ % effluent

b.) LOEC survival = _____ % effluent

c.) NOEC growth = _____ % effluent

d.) LOEC growth = _____ % effluent

24-HOUR ACUTE BIOMONITORING REQUIREMENTS: FRESHWATER

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

1. Scope, Frequency, and Methodology

- a. The permittee shall test the effluent for lethality in accordance with the provisions in this section. Such testing will determine compliance with Texas Surface Water Quality Standard 30 TAC § 307.6(e)(2)(B), which requires greater than 50% survival of the appropriate test organisms in 100% effluent for a 24-hour period.
- b. Within 90 days of discharge from the 1.25 MGD facility, the toxicity tests specified shall be conducted once per six months. The permittee shall conduct the following toxicity tests using the test organisms, procedures, and quality assurance requirements specified in this section of the permit and in accordance with “Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms,” fifth edition (EPA-821-R-02-012) or its most recent update:
 - 1) Acute 24-hour static toxicity test using the water flea (*Daphnia pulex* or *Ceriodaphnia dubia*). A minimum of five replicates with eight organisms per replicate shall be used in the control and each dilution.
 - 2) Acute 24-hour static toxicity test using the fathead minnow (*Pimephales promelas*). A minimum of five replicates with eight organisms per replicate shall be used in the control and each dilution.

A valid test result must be submitted for each reporting period. The permittee must report, and then repeat, an invalid test during the same reporting period. The repeat test shall include the control and the 100% effluent dilution and use the appropriate number of organisms and replicates, as specified above. An invalid test is defined as any test failing to satisfy the test acceptability criteria, procedures, and quality assurance requirements specified in the test methods and permit.

- c. In addition to an appropriate control, a 100% effluent concentration shall be used in the toxicity tests. Except as discussed in item 2.b., the control and dilution water shall consist of standard, synthetic, moderately hard, reconstituted water.
- d. This permit may be amended to require a WET limit, a Best Management Practice (BMP), Chemical-Specific (CS) limits, or other appropriate actions to address toxicity. The permittee may be required to conduct a Toxicity Reduction Evaluation after multiple toxic events.
- e. As the dilution series specified in the Chronic Biomonitoring Requirements includes a 100% effluent concentration, the results from those tests may fulfill the requirements of this Section; any tests performed in the proper time interval may be substituted. Compliance will be evaluated as specified in item a. The 50% survival in 100% effluent for a 24-hour period standard applies to all tests utilizing a 100% effluent dilution, regardless of whether the results are submitted

to comply with the minimum testing frequency defined in item b.

2. Required Toxicity Testing Conditions

- a. Test Acceptance - The permittee shall repeat any toxicity test, including the control, if the control fails to meet a mean survival equal to or greater than 90%.
- b. Dilution Water - In accordance with item 1.c., the control and dilution water shall normally consist of standard, synthetic, moderately hard, reconstituted water. If the permittee utilizes the results of a chronic test to satisfy the requirements in item 1.e., the permittee may use the receiving water or dilution water that meets the requirements of item 2.a as the control and dilution water.
- c. Samples and Composites
 - 1) The permittee shall collect one composite sample from Outfall 001.
 - 2) The permittee shall collect the composite sample such that the sample is representative of any periodic episode of chlorination, biocide usage, or other potentially toxic substance being discharged.
 - 3) The permittee shall initiate the toxicity tests within 36 hours after collection of the last portion of the composite sample. The sample shall be maintained at a temperature of 0-6 degrees Centigrade during collection, shipping, and storage.
 - 4) If Outfall 001 ceases discharging during the collection of the effluent composite sample, the requirements for the minimum number of effluent portions are waived. However, the permittee must have collected a composite sample volume sufficient for completion of the required test. The abbreviated sample collection, duration, and methodology must be documented in the full report.
 - 5) The effluent sample shall not be dechlorinated after sample collection.

3. Reporting

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

- a. The permittee shall prepare a full report of the results of all tests conducted in accordance with the manual referenced in Part 1.b. for every valid and invalid toxicity test initiated.
- b. The permittee shall routinely report the results of each biomonitoring test on the Table 2 forms provided with this permit.
 - 1) Semiannual biomonitoring test results are due on or before July 20th and January 20th for biomonitoring conducted during the previous 6-month period.

- 2) Quarterly biomonitoring test results are due on or before April 20th, July 20th, and October 20th, and January 20th for biomonitoring conducted during the previous calendar quarter.
- c. Enter the following codes for the appropriate parameters for valid tests only:
 - 1) For the water flea, Parameter TIE3D, enter a "0" if the mean survival at 24 hours is greater than 50% in the 100% effluent dilution; if the mean survival is less than or equal to 50%, enter a "1."
 - 2) For the fathead minnow, Parameter TIE6C, enter a "0" if the mean survival at 24 hours is greater than 50% in the 100% effluent dilution; if the mean survival is less than or equal to 50%, enter a "1."
- d. Enter the following codes for retests only:
 - 1) For retest number 1, Parameter 22415, enter a "0" if the mean survival at 24 hours is greater than 50% in the 100% effluent dilution; if the mean survival is less than or equal to 50%, enter a "1."
 - 2) For retest number 2, Parameter 22416, enter a "0" if the mean survival at 24 hours is greater than 50% in the 100% effluent dilution; if the mean survival is less than or equal to 50%, enter a "1."
4. Persistent Mortality

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

 - a. The permittee shall conduct 2 additional tests (retests) for each species that demonstrates significant lethality. The two retests shall be conducted once per week for 2 weeks. Five effluent dilution concentrations in addition to an appropriate control shall be used in the retests. These effluent concentrations are 6%, 13%, 25%, 50% and 100% effluent. The first retest shall be conducted within 15 days of the laboratory determination of significant lethality. All test results shall be submitted within 20 days of test completion of the second retest. Test completion is defined as the 24th hour.
 - b. If one or both of the two retests specified in Part 4.a. demonstrates significant lethality, the permittee shall initiate the TRE requirements as specified in Part 5.
5. Toxicity Reduction Evaluation
 - a. Within 45 days of the retest that demonstrates significant lethality, the permittee shall submit a general outline for initiating a TRE. The outline shall include, but not be limited to, a description of project personnel, a schedule for obtaining consultants (if needed), a discussion of influent and effluent data available for review, a sampling and analytical schedule, and a proposed TRE initiation date.

- b. Within 90 days of the retest that demonstrates significant lethality, the permittee shall submit a TRE action plan and schedule for conducting a TRE. The plan shall specify the approach and methodology to be used in performing the TRE. A TRE is a step-wise investigation combining toxicity testing with physical and chemical analyses to determine actions necessary to eliminate or reduce effluent toxicity to a level not effecting significant lethality at the critical dilution. The TRE action plan shall lead to the successful elimination of significant lethality for both test species defined in Part 1.b. At a minimum, the TRE action plan shall include the following:
- 1) Specific Activities - The TRE action plan shall specify the approach the permittee intends to utilize in conducting the TRE, including toxicity characterizations, identifications, confirmations, source evaluations, treatability studies, and alternative approaches. When conducting characterization analyses, the permittee shall perform multiple characterizations and follow the procedures specified in the document entitled "Methods for Aquatic Toxicity Identification Evaluations: Phase I Toxicity Characterization Procedures" (EPA/600/6-91/003) or alternate procedures. The permittee shall perform multiple identifications and follow the methods specified in the documents entitled "Methods for Aquatic Toxicity Identification Evaluations: Phase II Toxicity Identification Procedures for Samples Exhibiting Acute and Chronic Toxicity" (EPA/600/R-92/080) and "Methods for Aquatic Toxicity Identification Evaluations: Phase III Toxicity Confirmation Procedures for Samples Exhibiting Acute and Chronic Toxicity" (EPA/600/R-92/081). All characterization, identification, and confirmation tests shall be conducted in an orderly and logical progression;
 - 2) Sampling Plan - The TRE action plan should describe sampling locations, methods, holding times, chain of custody, and preservation techniques. The effluent sample volume collected for all tests shall be adequate to perform the toxicity characterization/identification/confirmation procedures and chemical-specific analyses when the toxicity tests show significant lethality. Where the permittee has identified or suspects specific pollutant and source of effluent toxicity, the permittee shall conduct, concurrent with toxicity testing, chemical-specific analyses for the identified and suspected pollutant and source of effluent toxicity;
 - 3) Quality Assurance Plan - The TRE action plan should address record keeping and data evaluation, calibration and standardization, baseline tests, system blanks, controls, duplicates, spikes, toxicity persistence in the samples, randomization, reference toxicant control charts, and mechanisms to detect artifactual toxicity; and
 - 4) Project Organization - The TRE Action Plan should describe the project staff, project manager, consulting engineering services (where applicable), consulting analytical and toxicological services, etc.
- c. Within 30 days of submittal of the TRE action plan and schedule, the permittee shall implement the TRE.

- d. The permittee shall submit quarterly TRE activities reports concerning the progress of the TRE. The quarterly TRE activities reports are due on or before April 20th, July 20th, October 20th, and January 20th. The report shall detail information regarding the TRE activities including:
- 1) results and interpretation of any chemical-specific analyses for the identified and suspected pollutant performed during the quarter;
 - 2) results and interpretation of any characterization, identification, and confirmation tests performed during the quarter;
 - 3) any data and substantiating documentation that identifies the pollutant and source of effluent toxicity;
 - 4) results of any studies/evaluations concerning the treatability of the facility's effluent toxicity;
 - 5) any data that identifies effluent toxicity control mechanisms that will reduce effluent toxicity to the level necessary to eliminate significant lethality; and
 - 6) any changes to the initial TRE plan and schedule that are believed necessary as a result of the TRE findings.
- e. During the TRE, the permittee shall perform, at a minimum, quarterly testing using the more sensitive species. Testing for the less sensitive species shall continue at the frequency specified in Part 1.b.
- f. If the effluent ceases to effect significant lethality, i.e., there is a cessation of lethality, the permittee may end the TRE. A cessation of lethality is defined as no significant lethality for a period of 12 consecutive weeks with at least weekly testing. At the end of the 12 weeks, the permittee shall submit a statement of intent to cease the TRE and may then resume the testing frequency specified in Part 1.b.

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

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

- g. The permittee shall complete the TRE and submit a final report on the TRE activities no later than 18 months from the last test day of the retest that demonstrates significant lethality. The permittee may petition the Executive Director (in writing) for an extension of the 18-month limit. However, to warrant an extension the permittee must have demonstrated due diligence in its pursuit of the toxicity identification evaluation/TRE and must prove that circumstances beyond its control stalled the toxicity identification evaluation/TRE. The report shall specify the control mechanism that will, when implemented, reduce effluent toxicity as specified in Part 5.h. The report shall also specify a corrective action schedule for implementing the selected control mechanism. A copy of the TRE final report shall also be submitted to the U.S. EPA Region 6 office.
- h. Within 3 years of the last day of the test confirming toxicity, the permittee shall comply with 30 TAC § 307.6(e)(2)(B), which requires greater than 50% survival of the test organism in 100% effluent at the end of 24-hours. The permittee may petition the Executive Director (in writing) for an extension of the 3-year limit. However, to warrant an extension the permittee must have demonstrated due diligence in its pursuit of the toxicity identification evaluation/TRE and must prove that circumstances beyond its control stalled the toxicity identification evaluation/TRE.

The permittee may be exempted from complying with 30 TAC § 307.6(e)(2)(B) upon proving that toxicity is caused by an excess, imbalance, or deficiency of dissolved salts. This exemption excludes instances where individually toxic components (e.g., metals) form a salt compound. Following the exemption, this permit may be amended to include an ion-adjustment protocol, alternate species testing, or single species testing.
- i. Based upon the results of the TRE and proposed corrective actions, this permit may be amended to modify the biomonitoring requirements where necessary, require a compliance schedule for implementation of corrective actions, specify a WET limit, specify a best management practice, and specify a chemical-specific limit.
- j. Copies of any and all required TRE plans and reports shall also be submitted to the U.S. EPA Region 6 office, 6WQ-PO.

TABLE 2 (SHEET 1 OF 2)

WATER FLEA SURVIVAL

GENERAL INFORMATION

	Time	Date
Composite Sample Collected		
Test Initiated		

PERCENT SURVIVAL

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

Enter percent effluent corresponding to the LC₅₀ below:

24 hour LC₅₀ = _____% effluent

TABLE 2 (SHEET 2 OF 2)
FATHEAD MINNOW SURVIVAL

GENERAL INFORMATION

	Time	Date
Composite Sample Collected		
Test Initiated		

PERCENT SURVIVAL

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

Enter percent effluent corresponding to the LC₅₀ below:

24 hour LC₅₀ = _____% effluent

FACT SHEET AND EXECUTIVE DIRECTOR'S PRELIMINARY DECISION

For draft Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0015293001, EPA I.D. No. TX0135712, to discharge to water in the state.

Issuing Office: Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Applicant: Aqua Texas, Inc.
1106 Clayton Lane, Suite 400W
Austin, Texas 75941

Prepared By: Sonia Bhuiya
Municipal Permits Team
Wastewater Permitting Section (MC 148)
Water Quality Division
(512) 239-1205

Date: December 10, 2024

Permit Action: Renewal

1. 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 includes an expiration date of **five years from the date of issuance**.

2. APPLICANT ACTIVITY

The applicant has applied to the Texas Commission on Environmental Quality (TCEQ) for a renewal of the existing permit that authorizes the discharge of treated domestic wastewater at a daily average flow not to exceed 0.27 million gallons per day (MGD) in the Interim I phase, a daily average flow not to exceed 0.54 MGD in the Interim II phase, a daily average flow not to exceed 0.895 MGD in the Interim III phase, and an annual average flow not to exceed 1.25 MGD in the Final phase. The existing wastewater treatment facility serves the Sunset Oaks.

3. FACILITY AND DISCHARGE LOCATION

The plant site is located approximately 2,500 feet North of the intersection of Highway 21, and Yarrington Road, in Hays County, Texas 75941.

Outfall Location:

Outfall Number	Latitude	Longitude
001	29.92350 N	97.84595 W

The treated effluent is discharged to Hemphill Creek, thence to Morrison Creek, thence to Lower San Marcos River in Segment No. 1808 of the Guadalupe River Basin. The

unclassified receiving water use is limited aquatic life use for Hemphill Creek. The designated uses for Segment No. 1808 are primary contact recreation, public water supply, and high aquatic life use.

4. TREATMENT PROCESS DESCRIPTION AND SEWAGE SLUDGE DISPOSAL

The Sunset Oaks Wastewater Treatment Facility will be an activated sludge process plant operated in the conventional aeration mode. Treatment units in the Interim I phase are from a concentric package plant with a bar screen, an aeration basin, a final clarifier, a sludge digester, a chlorine contact chamber, and a tertiary filter. Treatment units in the Interim II phase include an additional concentric package plant with the same treatment train as the Interim I phase. Treatment units in the Interim III phase include four fine screens, three aeration basins, two final clarifiers, a sludge digester, two chlorine contact chambers, and four tertiary filters. Treatment units in the Final phase include three fine screens, four aeration basins, two final clarifiers, a sludge thickener, a sludge digester, three chlorine contact chambers, and four tertiary filters. The facility is operating in the Interim I phase.

Sludge generated from the treatment facility is hauled by a registered transporter and disposed of at a TCEQ-authorized land application site, Austin AA Processing facility, Registration/Permit No. 0002384000, in Travis County. The draft permit also authorizes the disposal of sludge at a TCEQ-authorized land application site, co-disposal landfill, wastewater treatment facility, or facility that further processes sludge.

5. SUMMARY OF SELF-REPORTED EFFLUENT ANALYSES

The following is a summary of the applicant's effluent monitoring data for the period May 2022 through June 2024. The average of Daily Average value is computed by the averaging of all 30-day average values for the reporting period for each parameter: flow, five-day carbonaceous biochemical oxygen demand (CBOD₅), total suspended solids (TSS), ammonia nitrogen (NH₃-N). The average of Daily Average value for *Escherichia coli* (*E. coli*) in colony-forming units (CFU) or most probable number (MPN) per 100 ml is calculated via geometric mean.

<u>Parameter</u>	<u>Average of Daily Avg</u>
Flow, MGD	0.067
CBOD ₅ , mg/l	3.21
TSS, mg/l	2.34
NH ₃ -N, mg/l	0.21
<i>E. coli</i> , CFU or MPN per 100 ml	0.0

6. DRAFT PERMIT CONDITIONS AND MONITORING REQUIREMENTS

The effluent limitations and monitoring requirements for those parameters that are limited in the draft permit are as follows:

A. INTERIM I PHASE EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

The daily average flow of effluent shall not exceed 0.27 MGD, nor shall the average discharge during any two-hour period (2-hour peak) exceed 750 gallons

per minute.

<u>Parameter</u>	<u>30-Day Average</u>		<u>7-Day</u>	<u>Daily</u>
	<u>mg/l</u>	<u>lbs/day</u>	<u>Average</u> <u>mg/l</u>	<u>Maximum</u> <u>mg/l</u>
CBOD ₅	5	11	10	20
TSS	5	11	10	20
NH ₃ -N	2	4.5	5	10
	0	0	0	0
DO (minimum)	4.0	N/A	N/A	N/A
<i>E. coli</i> , CFU or MPN per 100 ml	126	N/A	N/A	N/A

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored once per month by grab sample. There shall be no discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.

The effluent shall contain a total chlorine residual of at least 1.0 mg/l and shall not exceed a total chlorine residual of 4.0 mg/l after a detention time of at least 20 minutes (based on peak flow) and shall be monitored five times per week by grab sample. An equivalent method of disinfection may be substituted only with prior approval of the Executive Director.

<u>Parameter</u>	<u>Monitoring Requirement</u>
Flow, MGD	Five/week
CBOD ₅	One/week
TSS	One/week
NH ₃ -N	One/week
DO	One/week
<i>E. coli</i>	One/month

B. INTERIM II PHASE EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

The daily average flow of effluent shall not exceed 0.54 MGD, nor shall the average discharge during any two-hour period (2-hour peak) exceed 1,500 gallons per minute.

<u>Parameter</u>	<u>30-Day Average</u>		<u>7-Day</u>	<u>Daily</u>
	<u>mg/l</u>	<u>lbs/day</u>	<u>Average</u> <u>mg/l</u>	<u>Maximum</u> <u>mg/l</u>
CBOD ₅	5	23	10	20
TSS	5	23	10	20
NH ₃ -N	2	9	5	10
DO (minimum)	4.0	N/A	N/A	N/A
<i>E. coli</i> , CFU or MPN per 100 ml	126	N/A	N/A	399

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored twice per month by grab sample. There shall be no

discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.

The effluent shall contain a chlorine residual of at least 1.0 mg/l after a detention time of at least 20 minutes (based on peak flow) and shall be monitored daily by grab sample at each chlorine contact chamber. The permittee shall dechlorinate the chlorinated effluent to less than 0.1 mg/l chlorine residual and shall monitor chlorine residual daily by grab sample after the dechlorination process. An equivalent method of disinfection may be substituted only with prior approval of the Executive Director.

<u>Parameter</u>	<u>Monitoring Requirement</u>
Flow, MGD	Continuous
CBOD ₅	One/week
TSS	One/week
NH ₃ -N	One/week
DO	One/week
<i>E. coli</i>	Two/month

C. INTERIM III PHASE EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

The daily average flow of effluent shall not exceed 0.895 MGD, nor shall the average discharge during any two-hour period (2-hour peak) exceed 2,486 gallons per minute.

<u>Parameter</u>	<u>30-Day Average</u>		<u>7-Day Average</u>	<u>Daily Maximum</u>
	<u>mg/l</u>	<u>lbs/day</u>	<u>mg/l</u>	<u>mg/l</u>
CBOD ₅	5	37	10	20
TSS	5	37	10	20
NH ₃ -N	2	15	5	10
DO (minimum)	4.0	N/A	N/A	N/A
<i>E. coli</i> , CFU or MPN per 100 ml	126	N/A	N/A	399

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored twice per month by grab sample. There shall be no discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.

The effluent shall contain a chlorine residual of at least 1.0 mg/l after a detention time of at least 20 minutes (based on peak flow) and shall be monitored daily by grab sample at each chlorine contact chamber. The permittee shall dechlorinate the chlorinated effluent to less than 0.1 mg/l chlorine residual and shall monitor chlorine residual daily by grab sample after the dechlorination process. An equivalent method of disinfection may be substituted only with prior approval of the Executive Director.

<u>Parameter</u>	<u>Monitoring Requirement</u>
Flow, MGD	Continuous

CBOD ₅	One/week
TSS	One/week
NH ₃ -N	One/week
DO	One/week
<i>E. coli</i>	Two/month

D. FINAL PHASE EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

The annual average flow of effluent shall not exceed 1.25 MGD, nor shall the average discharge during any two-hour period (2-hour peak) exceed 3,472 gallons per minute.

<u>Parameter</u>	<u>30-Day Average</u>		<u>7-Day</u>	<u>Daily</u>
	<u>mg/l</u>	<u>lbs/day</u>	<u>Average</u>	<u>Maximum</u>
			<u>mg/l</u>	<u>mg/l</u>
CBOD ₅	5	52	10	20
TSS	5	52	10	20
NH ₃ -N	2	21	5	10
DO (minimum)	4.0	N/A	N/A	N/A
<i>E. coli</i> , CFU or MPN/100 ml	126	N/A	N/A	399

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored once per week by grab sample. There shall be no discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.

The effluent shall contain a total chlorine residual of at least 1.0 mg/l after a detention time of at least 20 minutes (based on peak flow) and shall be monitored daily by grab sample. The permittee shall dechlorinate the chlorinated effluent to less than 0.1 mg/l total chlorine residual and shall monitor total chlorine residual daily by grab sample after the dechlorination process. An equivalent method of disinfection may be substituted only with prior approval of the Executive Director.

<u>Parameter</u>	<u>Monitoring Requirement</u>
Flow, MGD	Continuous
CBOD ₅	Two/week
TSS	Two/week
NH ₃ -N	Two/week
DO	Two/week
<i>E. coli</i>	One/week

E. SEWAGE SLUDGE REQUIREMENTS

The draft permit includes Sludge Provisions according to the requirements of 30 TAC Chapter 312, Sludge Use, Disposal, and Transportation. Sludge generated from the treatment facility is hauled by a registered transporter and disposed of at a TCEQ-authorized land application site, Austin AA Processing facility, Registration/Permit No. 0002384000, in Travis County. The draft permit also

authorizes the disposal of sludge at a TCEQ-authorized land application site, co-disposal landfill, wastewater treatment facility, or facility that further processes sludge.

F. WHOLE EFFLUENT TOXICITY (BIOMONITORING) REQUIREMENTS

- (1) The draft permit includes chronic freshwater biomonitoring requirements as follows. The permit requires five dilutions in addition to the control (0% effluent) to be used in the toxicity tests. These additional effluent concentrations shall be 32%, 42%, 56%, 75%, and 100%. The low-flow effluent concentration (critical dilution) is defined as 100% effluent. The critical dilution is in accordance with the "Aquatic Life Criteria" section of the "Water Quality Based Effluent Limitations/Conditions" section.
 - (a) Chronic static renewal survival and reproduction test using the water flea (*Ceriodaphnia dubia*). The frequency of the testing is once per quarter for at least the first year of testing, after which the permittee may apply for a testing frequency reduction.
 - (b) Chronic static renewal 7-day larval survival and growth test using the fathead minnow (*Pimephales promelas*). The frequency of the testing is once per quarter for at least the first year of testing, after which the permittee may apply for a testing frequency reduction.
- (2) The draft permit includes the following minimum 24-hour acute freshwater biomonitoring requirements at a frequency of once per six months:
 - (a) Acute 24-hour static toxicity test using the water flea (*Daphnia pulex* or *Ceriodaphnia dubia*).
 - (b) Acute 24-hour static toxicity test using the fathead minnow (*Pimephales promelas*).

F. SUMMARY OF CHANGES FROM APPLICATION

None.

G. SUMMARY OF CHANGES FROM EXISTING PERMIT

The Standard Permit Conditions, Sludge Provisions, Other Requirements, and Biomonitoring sections of the draft permit have been updated.

The draft permit includes all updates based on the 30 TAC § 312 rule change effective April 23, 2020.

Other Requirement 9 to have the applicant retest effluent TDS, chloride, and sulfate within 180 days upon commencement of the final (1.25 MGD) flow phase.

Other Requirement No. 8 from the existing permit has been updated.

Other Requirement No. 9 from the existing permit has been removed as it is no longer necessary.

7. DRAFT PERMIT RATIONALE

A. TECHNOLOGY-BASED EFFLUENT LIMITATIONS/CONDITIONS

Regulations promulgated in Title 40 of the 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.

Effluent limitations for maximum and minimum pH are in accordance with 40 CFR § 133.102(c) and 30 TAC § 309.1(b).

B. WATER QUALITY SUMMARY AND COASTAL MANAGEMENT PLAN

(1) WATER QUALITY SUMMARY

The treated effluent is discharged to Hemphill Creek, thence to Morrison Creek, thence to Lower San Marcos River in Segment No. 1808 of the Guadalupe River Basin. The unclassified receiving water use is limited aquatic life use for Hemphill Creek. The designated uses for Segment No. 1808 are primary contact recreation, public water supply, and high aquatic life use. The effluent limitations in the draft permit will maintain and protect the existing instream uses. All determinations are preliminary and subject to additional review and/or revisions.

The discharge from this permit action is not expected to have an effect on any federal endangered or threatened aquatic or aquatic dependent species or proposed species or their critical habitat. This determination is based on the United States Fish and Wildlife Service's (USFWS) biological opinion on the State of Texas authorization of the Texas Pollutant Discharge Elimination System (TPDES; September 14, 1998; October 21, 1998 update). To make this determination for TPDES permits, TCEQ and EPA only considered aquatic or aquatic dependent species occurring in watersheds of critical concern or high priority as listed in Appendix A of the USFWS biological opinion. Though the Peck's cave amphipod (*Stygobromus pecki*), Barton Springs Salamander (*Eurycea sosorum*), Fountain Darter (*Etheostoma fonticola*), San Marcos Gambusia (*Gambusia georgei*), San Marcos Salamander (*Eurycea nana*), Texas Wild Rice (*Zizania texana*), Texas Blind Salamander (*Eurycea (Typhlomolge) rathbuni*), Comal Springs Riffle Beetle (*Heterelmis comalensis*), and Comal Springs Dryopoint Beetle (*Stygoparnus comalensis*) can occur in Hays County, they are not known to be present in the segment for this discharge. The determination is subject to reevaluation due to subsequent updates or amendments to the biological opinion. The permit does not require EPA review with respect to the presence of endangered or threatened species.

Segment No. 1808 is not currently listed on the State's inventory of

impaired and threatened waters (the 2022 Clean Water Act Section 303(d) list).

The pollutant analysis of treated effluent provided by the permittee in the application indicated 477 mg/l total dissolved solids (TDS), 37.6 mg/l sulfate, and 87 mg/l chloride present in the effluent. The segment criteria for Segment No. 1808 are 400 mg/l for TDS, 50 mg/l for sulfate, and 50 mg/l for chlorides. Effluent dissolved solids were not screened because the submitted effluent results likely are not representative of the effluent after the facility expansion and upgraded treatment units. Other Requirement 9 to have the applicant retest effluent TDS, chloride, and sulfate within 180 days upon commencement of the final (1.25 MGD) flow phase.

The effluent limitations and conditions in the draft permit comply with EPA-approved portions of the 2018 Texas Surface Water Quality Standards (TSWQS), 30 TAC §§ 307.1 - 307.10, effective March 1, 2018; 2014 TSWQS, effective March 6, 2014; 2010 TSWQS, effective July 22, 2010; and 2000 TSWQS, effective July 26, 2000.

(2) CONVENTIONAL PARAMETERS

Effluent limitations for the conventional effluent parameters (i.e., Five-Day Biochemical Oxygen Demand or Five-Day Carbonaceous Biochemical Oxygen Demand, Ammonia Nitrogen, etc.) are based on stream standards and waste load allocations for water quality-limited streams as established in the TSWQS and the State of Texas Water Quality Management Plan (WQMP).

The existing effluent limits have been reviewed for consistency with the State of Texas Water Quality Management Plan (WQMP). The existing limits are consistent with the approved WQMP.

The effluent limitations in the draft permit meet the requirements for secondary treatment and the requirements for disinfection according to 30 TAC Chapter 309, Subchapter A: Effluent Limitations.

(3) COASTAL MANAGEMENT PLAN

The facility is not located in the Coastal Management Program boundary.

C. WATER QUALITY-BASED EFFLUENT LIMITATIONS/CONDITIONS

(1) GENERAL COMMENTS

The Texas Surface Water Quality Standards (30 TAC Chapter 307) state that surface waters will not be toxic to man, or to terrestrial or aquatic life. The methodology outlined in the *Procedures to Implement the Texas Surface Water Quality Standards*, (June 2010) is designed to ensure compliance with 30 TAC Chapter 307. Specifically, the methodology is designed to ensure that no source will be allowed to discharge any

wastewater that: (1) results in instream aquatic toxicity; (2) causes a violation of an applicable narrative or numerical state water quality standard; (3) results in the endangerment of a drinking water supply; or (4) results in aquatic bioaccumulation that threatens human health.

(2) AQUATIC LIFE CRITERIA

(a) SCREENING

Water quality-based effluent limitations are calculated from freshwater aquatic life criteria found in Table 1 of the Texas Surface Water Quality Standards (30 TAC Chapter 307).

There is no mixing zone for this discharge directly to an intermittent stream with perennial pools; acute and chronic freshwater criteria apply at the end of pipe. The following critical effluent percentages are being used:

Acute Effluent %	100%	Chronic Effluent %	100%
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Waste load allocations (WLAs) are calculated using the above estimated effluent percentages, criteria outlined in the Texas Surface Water Quality Standards, and partitioning coefficients for metals (when appropriate and designated in the implementation procedures). The WLA is the end-of-pipe effluent concentration that can be discharged when, after mixing in the receiving stream, instream numerical criteria will not be exceeded. From the WLA, a long-term average (LTA) is calculated using a log normal probability distribution, a given coefficient of variation (0.6), and a 90th percentile confidence level. The LTA is the long-term average effluent concentration for which the WLA will never be exceeded using a selected percentile confidence level. The lower of the two LTAs (acute and chronic) is used to calculate a daily average and daily maximum effluent limitation for the protection of aquatic life using the same statistical considerations with the 99th percentile confidence level and a standard number of monthly effluent samples collected (12). Assumptions used in deriving the effluent limitations include segment values for hardness, chlorides, pH, and total suspended solids (TSS) according to the segment-specific values contained in the TCEQ guidance document *Procedures to Implement the Texas Surface Water Quality Standards*. The segment values are 225 mg/l for hardness (as calcium carbonate), 25 mg/l for chlorides, 7.7 standard units for pH, and 8.0 mg/l for TSS. For additional details on the calculation of water quality-based effluent limitations, refer to the TCEQ guidance document.

TCEQ practice for determining significant potential is to compare the reported analytical data 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% of the calculated daily average water quality-based effluent limitation. Monitoring and reporting is required when analytical data reported in the application exceeds 70% of the calculated daily average water quality-

based effluent limitation. See Attachment A of this Fact Sheet

(b) PERMIT ACTION

Analytical data reported in the application was screened against calculated water quality-based effluent limitations for the protection of aquatic life. Reported analytical data does not exceed 70% of the calculated daily average water quality-based effluent limitations for aquatic life protection.

(3) AQUATIC ORGANISM BIOACCUMULATION CRITERIA

(a) SCREENING

Water quality-based effluent limitations for the protection of human health are calculated using criteria for the consumption of freshwater fish tissue found in Table 2 of the Texas Surface Water Quality Standards (30 TAC Chapter 307). The discharge point is to an intermittent stream with perennial pools or to an intermittent stream within 3 miles upstream of an intermittent stream with perennial pools. Human health screening using incidental freshwater fish tissue criteria (= 10 X freshwater fish tissue criteria) is applicable due to the perennial pools that support incidental freshwater fisheries. TCEQ uses the mass balance equation to estimate dilution in the intermittent stream with perennial pools during average flow conditions. The estimated dilution for human health protection is calculated using the permitted flow of 1.25 MGD and the harmonic mean flow of 0.10cfs for Hemphill Creek, an intermittent water body with perennial pools. The following effluent percentage is being used:

Human Health Effluent %	95.084%
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Water quality-based effluent limitations for human health protection against the consumption of fish tissue are calculated using the same procedure as outlined for calculation of water quality-based effluent limitations for aquatic life protection. A 99th percentile confidence level in the long-term average calculation is used with only one long-term average value being calculated.

Significant potential is again determined by comparing reported analytical data against 70% and 85% of the calculated daily average water quality-based effluent limitation. See Attachment A of this Fact Sheet.

(b) PERMIT ACTION

Reported analytical data does not exceed 70% of the calculated daily average water quality-based effluent limitation for human health protection.

(4) DRINKING WATER SUPPLY PROTECTION

(a) SCREENING

Water Quality Segment No. 1808, which receives the discharge from this facility, is designated as a public water supply. The discharge point is located at a distance greater than three miles from the classified segment. Screening reported analytical data of the effluent against water quality-based effluent limitations calculated for the protection of a drinking water supply is not applicable due to the distance between the discharge point and the classified segment.

(b) PERMIT ACTION

None.

(5) WHOLE EFFLUENT TOXICITY (BIOMONITORING) CRITERIA

(a) SCREENING

TCEQ has determined that there may be pollutants present in the effluent that may have the potential to cause toxic conditions in the receiving stream. Whole effluent biomonitoring is the most direct measure of potential toxicity that incorporates the effects of synergism of effluent components and receiving stream water quality characteristics. Biomonitoring of the effluent is, therefore, required as a condition of this permit to assess potential toxicity.

The applicant is not currently monitoring whole effluent toxicity because the requirements do not take effect until the Final phase.

A reasonable potential (RP) determination was performed in accordance with 40 CFR § 122.44(d)(1)(ii) to determine whether the discharge will reasonably be expected to cause or contribute to an exceedance of a state water quality standard or criterion within that standard. Each test species is evaluated separately. The RP determination is based on representative data from the previous three years of WET testing. This determination was performed in accordance with the methodology outlined in the TCEQ letter to the EPA dated December 28, 2015, and approved by the EPA in a letter dated December 28, 2015.

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

(b) PERMIT ACTION

The test species are appropriate to measure the toxicity of the effluent consistent with the requirements of the State water quality standards. The biomonitoring frequency has been established to reflect the likelihood of ambient toxicity and to provide data representative of the toxic potential of the facility's discharge. This permit may be reopened to require effluent

limits, additional testing, and/or other appropriate actions to address toxicity if biomonitoring data show actual or potential ambient toxicity to be the result of the permittee's discharge to the receiving stream or water body.

No analytical data is available because the facility is not currently discharging as a 1.25 MGD facility. The requirement for the biomonitoring is not in effect until 90 days after commencement of discharge from the 1.25 MGD facility.

(6) **WHOLE EFFLUENT TOXICITY CRITERIA (24-HOUR ACUTE)**

(a) **SCREENING**

The applicant is not currently monitoring whole effluent toxicity because the requirements do not take effect until the Final phase.

(b) **PERMIT ACTION**

The applicant is not currently monitoring whole effluent toxicity because the requirements do not take effect until the Final (1.25 MGD) phase.

9. WATER QUALITY VARIANCE REQUESTS

No variance requests have been received.

10. 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 review 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, along with the Executive Director's preliminary decision, as contained in the technical summary or fact sheet, to the Chief Clerk. 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 proceeding.

After the public comment deadline, the Executive Director prepares a response to all

significant public comments on the application or the draft permit raised during the public comment period. The Chief Clerk then mails the Executive Director's response to comments and final decision to people who have filed comments, requested a contested case hearing, or requested to be on the mailing list. This notice provides that if a person is not satisfied with the Executive Director's response and decision, they can request a contested case hearing or file a request to reconsider the Executive Director's decision within 30 days after the notice is mailed.

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

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

For additional information about this application, contact Sonia Bhuiya at (512) 239-1205.

11. ADMINISTRATIVE RECORD

The following items were considered in developing the draft permit:

A. PERMIT(S)

TPDES Permit No. WQ0015293001 issued on March 25, 2021.

B. APPLICATION

Application received on June 27, 2024, and additional information received on July 30, 2024.

C. MEMORANDA

Interoffice Memoranda from the Water Quality Assessment Section of the TCEQ Water Quality Division. Interoffice Memorandum from the Pretreatment Team of the TCEQ Water Quality Division.

D. MISCELLANEOUS

Federal Clean Water Act § 402; Texas Water Code § 26.027; 30 TAC Chapters 30, 305, 309, 312, and 319; Commission policies; and U.S. Environmental Protection Agency guidelines.

Texas Surface Water Quality Standards, 30 TAC §§ 307.1 - 307.10.

Procedures to Implement the Texas Surface Water Quality Standards (IP), Texas Commission on Environmental Quality, June 2010, as approved by the U.S. Environmental Protection Agency, and the IP, January 2003, for portions of the 2010 IP not approved by the U.S. Environmental Protection Agency.

Texas 2022 Clean Water Act Section 303(d) List, Texas Commission on Environmental Quality, June 1, 2022; approved by the U.S. Environmental Protection Agency on July 7, 2022.

Texas Natural Resource Conservation Commission, Guidance Document for Establishing Monitoring Frequencies for Domestic and Industrial Wastewater Discharge Permits, Document No. 98-001.000-OWR-WQ, May 1998.

Attachment A: Calculated Water Quality Based Effluent Limitations

TEXTTOX MENU #7 - INTERMITTENT STREAM WITH PERENNIAL POOLS

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

Table 1, 2014 Texas Surface Water Quality Standards (30 TAC 307) for Freshwater Aquatic Life

Table 2, 2018 Texas Surface Water Quality Standards for Human Health, Incidental Fishery

"Procedures to Implement the Texas Surface Water Quality Standards," TCEQ, June 2010

PERMIT INFORMATION

Permittee Name:	WQ0015293001
TPDES Permit No.:	Aqua Texas, Inc.
Outfall No.:	001
Prepared by:	Sonia Bhuiya
Date:	December 10, 2024

DISCHARGE INFORMATION

Intermittent Receiving Waterbody:	
Segment No.:	1808
TSS (mg/L):	8
pH (Standard Units):	7.7
Hardness (mg/L as CaCO ₃):	225
Chloride (mg/L):	25
Effluent Flow for Aquatic Life (MGD):	1.25
Critical Low Flow [7Q2] (cfs):	0
% Effluent for Chronic Aquatic Life:	100
% Effluent for Acute Aquatic Life:	100
Effluent Flow for Human Health (MGD):	1.25
Harmonic Mean Flow (cfs):	0.1
% Effluent for Human Health:	95.084

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	#####	Assumed
Arsenic	5.68	-0.73	104892.47	0.544		#####	Assumed
Cadmium	6.60	-1.13	379759.21	0.248		#####	Assumed
Chromium (total)	6.52	-0.93	478769.32	0.207		#####	Assumed
Chromium (trivalent)	6.52	-0.93	478769.32	0.207		#####	Assumed
Chromium (hexavalent)	N/A	N/A	N/A	1.00	Assumed	#####	Assumed
Copper	6.02	-0.74	224757.09	0.357		#####	Assumed
Lead	6.45	-0.80	533983.71	0.190		#####	Assumed
Mercury	N/A	N/A	N/A	1.00	Assumed	#####	Assumed
Nickel	5.69	-0.57	149705.83	0.455		#####	Assumed
Selenium	N/A	N/A	N/A	1.00	Assumed	#####	Assumed
Silver	6.38	-1.03	281719.76	0.307		#####	Assumed
Zinc	6.10	-0.70	293654.74	0.299		#####	Assumed

AQUATIC LIFE

CALCULATE DAILY AVERAGE AND DAILY MAXIMUM EFFLUENT LIMITATIONS:

<i>Parameter</i>	<i>FW Acute Criterion (µg/L)</i>	<i>FW Chronic Criterion (µg/L)</i>	<i>WLAa (µg/L)</i>	<i>WLAc (µg/L)</i>	<i>LTAa (µg/L)</i>	<i>LTAc (µg/L)</i>	<i>Daily Avg. (µg/L)</i>	<i>Daily Max. (µg/L)</i>
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Aldrin	3.0	N/A	3.00	N/A	1.72	N/A	2.52	5.34
Aluminum	991	N/A	991	N/A	568	N/A	834	1765
Arsenic	340	150	625	276	358	212	312	660
Cadmium	18.9	0.432	76.2	1.74	43.7	1.34	1.97	4.17
Carbaryl	2.0	N/A	2.00	N/A	1.15	N/A	1.68	3.56
Chlordane	2.4	0.004	2.40	0.00400	1.38	0.00308	0.00452	0.00957
Chlorpyrifos	0.083	0.041	0.0830	0.0410	0.0476	0.0316	0.0464	0.0981
Chromium (+3)	1107	144	5347	696	3064	536	787	1665
Chromium (+6)	15.7	10.6	15.7	10.6	9.00	8.16	11.9	25.3
Copper	30.5	18.9	85.3	53.0	48.9	40.8	59.9	126
Cyanide (free)	45.8	10.7	45.8	10.7	26.2	8.24	12.1	25.6
4,4'-DDT	1.1	0.001	1.10	0.00100	0.630	0.000770	0.00113	0.00239
Demeton	N/A	0.1	N/A	0.100	N/A	0.0770	0.113	0.239
Diazinon	0.17	0.17	0.170	0.170	0.0974	0.131	0.143	0.302
Dicofol	59.3	19.8	59.3	19.8	34.0	15.2	22.4	47.4
Dieldrin	0.24	0.002	0.240	0.00200	0.138	0.00154	0.00226	0.00478
Diuron	210	70	210	70.0	120	53.9	79.2	167
Endosulfan I (alpha)	0.22	0.056	0.220	0.0560	0.126	0.0431	0.0633	0.134
Endosulfan II (beta)	0.22	0.056	0.220	0.0560	0.126	0.0431	0.0633	0.134
Endosulfan sulfate	0.22	0.056	0.220	0.0560	0.126	0.0431	0.0633	0.134
Endrin	0.086	0.002	0.0860	0.00200	0.0493	0.00154	0.00226	0.00478
Guthion	N/A	0.01	N/A	0.0100	N/A	0.00770	0.0113	0.0239
Heptachlor	0.52	0.004	0.520	0.00400	0.298	0.00308	0.00452	0.00957
Hexachlorocyclohexane (Lindane)	1.126	0.08	1.13	0.0800	0.645	0.0616	0.0905	0.191
Lead	154	6.01	813	31.7	466	24.4	35.8	75.8
Malathion	N/A	0.01	N/A	0.0100	N/A	0.00770	0.0113	0.0239
Mercury	2.4	1.3	2.40	1.30	1.38	1.00	1.47	3.11
Methoxychlor	N/A	0.03	N/A	0.0300	N/A	0.0231	0.0339	0.0718
Mirex	N/A	0.001	N/A	0.00100	N/A	0.000770	0.00113	0.00239
Nickel	930	103.3	2043	227	1171	175	256	543
Nonylphenol	28	6.6	28.0	6.60	16.0	5.08	7.47	15.8
Parathion (ethyl)	0.065	0.013	0.0650	0.0130	0.0372	0.0100	0.0147	0.0311
Pentachlorophenol	17.6	13.5	17.6	13.5	10.1	10.4	14.8	31.4
Phenanthrene	30	30	30.0	30.0	17.2	23.1	25.2	53.4
Polychlorinated Biphenyls (PCBs)	2.0	0.014	2.00	0.0140	1.15	0.0108	0.0158	0.0335
Selenium	20	5	20.0	5.00	11.5	3.85	5.65	11.9
Silver	0.8	N/A	6.50	N/A	3.72	N/A	5.47	11.5
Toxaphene	0.78	0.0002	0.780	0.000200	0.447	0.000154	0.000226	0.000478
Tributyltin (TBT)	0.13	0.024	0.130	0.0240	0.0745	0.0185	0.0271	0.0574
2,4,5 Trichlorophenol	136	64	136	64.0	77.9	49.3	72.4	153
Zinc	233	235	780	787	447	606	657	1390

HUMAN HEALTH (APPLIES FOR INCIDENTAL FRESHWATER FISH TISSUE)

CALCULATE DAILY AVERAGE AND DAILY MAXIMUM EFFLUENT LIMITATIONS:

<i>Parameter</i>	<i>Incidental Fish</i>				
	<i>Criterion (µg/L)</i>	<i>WLAh (µg/L)</i>	<i>LTAh (µg/L)</i>	<i>Daily Avg. (µg/L)</i>	<i>Daily Max. (µg/L)</i>
Acrylonitrile	1150	1209	1125	1653	3498
Aldrin	#####	0.000121	0.000112	0.000164	0.000348
Anthracene	13170	13851	12881	18935	40061
Antimony	10710	11264	10475	15398	32578
Arsenic	N/A	N/A	N/A	N/A	N/A
Barium	N/A	N/A	N/A	N/A	N/A
Benzene	5810	6110	5683	8353	17673

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Benzidine	1.07	1.13	1.05	1.53	3.25
Benzo(a)anthracene	0.25	0.263	0.245	0.359	0.760
Benzo(a)pyrene	0.025	0.0263	0.0245	0.0359	0.0760
Bis(chloromethyl)ether	2.745	2.89	2.68	3.94	8.34
Bis(2-chloroethyl)ether	428.3	450	419	615	1302
Bis(2-ethylhexyl) phthalate [Di(2-ethylhexyl) phthalate]	75.5	79.4	73.8	108	229
Bromodichloromethane [Dichlorobromomethane]	2750	2892	2690	3953	8365
Bromoform [Tribromomethane]	10600	11148	10368	15240	32243
Cadmium	N/A	N/A	N/A	N/A	N/A
Carbon Tetrachloride	460	484	450	661	1399
Chlordane	0.025	0.0263	0.0245	0.0359	0.0760
Chlorobenzene	27370	28785	26770	39352	83255
Chlorodibromomethane [Dibromochloromethane]	1830	1925	1790	2631	5566
Chloroform [Trichloromethane]	76970	80950	75283	110666	234131
Chromium (hexavalent)	5020	5280	4910	7217	15270
Chrysene	25.2	26.5	24.6	36.2	76.6
Cresols [Methylphenols]	93010	97819	90972	133728	282922
Cyanide (free)	N/A	N/A	N/A	N/A	N/A
4,4'-DDD	0.02	0.0210	0.0196	0.0287	0.0608
4,4'-DDE	0.0013	0.00137	0.00127	0.00186	0.00395
4,4'-DDT	0.004	0.00421	0.00391	0.00575	0.0121
2,4'-D	N/A	N/A	N/A	N/A	N/A
Danitol [Fenpropathrin]	4730	4975	4626	6800	14387
1,2-Dibromoethane [Ethylene Dibromide]	42.4	44.6	41.5	60.9	128
<i>m</i> -Dichlorobenzene [1,3-Dichlorobenzene]	5950	6258	5820	8554	18098
<i>o</i> -Dichlorobenzene [1,2-Dichlorobenzene]	32990	34696	32267	47432	100350
<i>p</i> -Dichlorobenzene [1,4-Dichlorobenzene]	N/A	N/A	N/A	N/A	N/A
3,3'-Dichlorobenzidine	22.4	23.6	21.9	32.2	68.1
1,2-Dichloroethane	3640	3828	3560	5233	11072
1,1-Dichloroethylene [1,1-Dichloroethene]	551140	579637	539062	792421	1676484
Dichloromethane [Methylene Chloride]	133330	140224	130408	191700	405569
1,2-Dichloropropane	2590	2724	2533	3723	7878
1,3-Dichloropropene [1,3-Dichloropropylene]	1190	1252	1164	1710	3619
Dicofol [Kelthane]	3	3.16	2.93	4.31	9.12
Dieldrin	2.0E-04	0.000210	0.000196	0.000287	0.000608
2,4-Dimethylphenol	84360	88722	82511	121291	256610
Di- <i>n</i> -Butyl Phthalate	924	972	904	1328	2810
Dioxins/Furans [TCDD Equivalents]	7.97E-07	8.38E-07	7.80E-07	0.0000011	0.0000024
Endrin	0.2	0.210	0.196	0.287	0.608
Epichlorohydrin	20130	21171	19689	28942	61232
Ethylbenzene	18670	19635	18261	26843	56791
Ethylene Glycol	1.68E+08	176686541	164318483	241548169	511030481
Fluoride	N/A	N/A	N/A	N/A	N/A
Heptachlor	0.001	0.00105	0.000978	0.00143	0.00304
Heptachlor Epoxide	0.0029	0.00305	0.00284	0.00416	0.00882
Hexachlorobenzene	0.0068	0.00715	0.00665	0.00977	0.0206
Hexachlorobutadiene	2.2	2.31	2.15	3.16	6.69
Hexachlorocyclohexane (<i>alpha</i>)	0.084	0.0883	0.0822	0.120	0.255
Hexachlorocyclohexane (<i>beta</i>)	2.6	2.73	2.54	3.73	7.90
Hexachlorocyclohexane (<i>gamma</i>) [Lindane]	3.41	3.59	3.34	4.90	10.3
Hexachlorocyclopentadiene	116	122	113	166	352
Hexachloroethane	23.3	24.5	22.8	33.5	70.8
Hexachlorophene	29	30.5	28.4	41.6	88.2
4,4'-Isopropylidenediphenol [Bisphenol A]	159820	168084	156318	229787	486148

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Lead	38.3	212	197	290	614
Mercury	0.122	0.128	0.119	0.175	0.371
Methoxychlor	30	31.6	29.3	43.1	91.2
Methyl Ethyl Ketone	9.92E+06	10432920	9702615	14262844	30175133
Methyl <i>tert</i> -butyl ether [MTBE]	104820	110240	102523	150708	318846
Nickel	11400	26349	24504	36021	76207
Nitrate-Nitrogen (as Total Nitrogen)	N/A	N/A	N/A	N/A	N/A
Nitrobenzene	18730	19698	18320	26929	56973
N-Nitrosodiethylamine	21	22.1	20.5	30.1	63.8
N-Nitroso-di- <i>n</i> -Butylamine	42	44.2	41.1	60.3	127
Pentachlorobenzene	3.55	3.73	3.47	5.10	10.7
Pentachlorophenol	2.9	3.05	2.84	4.16	8.82
Polychlorinated Biphenyls [PCBs]	6.40E-03	0.00673	0.00626	0.00920	0.0194
Pyridine	9470	9960	9262	13615	28806
Selenium	N/A	N/A	N/A	N/A	N/A
1,2,4,5-Tetrachlorobenzene	2.4	2.52	2.35	3.45	7.30
1,1,2,2-Tetrachloroethane	263.5	277	258	378	801
Tetrachloroethylene [Tetrachloroethylene]	2800	2945	2739	4025	8517
Thallium	2.3	2.42	2.25	3.30	6.99
Toluene	N/A	N/A	N/A	N/A	N/A
Toxaphene	0.11	0.116	0.108	0.158	0.334
2,4,5-TP [Silvex]	3690	3881	3609	5305	11224
1,1,1-Trichloroethane	7843540	8249095	7671658	11277337	23858857
1,1,2-Trichloroethane	1660	1746	1624	2386	5049
Trichloroethylene [Trichloroethene]	719	756	703	1033	2187
2,4,5-Trichlorophenol	18670	19635	18261	26843	56791
TTHM [Sum of Total Trihalomethanes]	N/A	N/A	N/A	N/A	N/A
Vinyl Chloride	165	174	161	237	501

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

Aquatic Life	70% of Daily Avg.	85% of Daily Avg.
Parameter	(µg/L)	(µg/L)
Aldrin	1.76	2.14
Aluminum	584	709
Arsenic	218	265
Cadmium	1.38	1.67
Carbaryl	1.17	1.43
Chlordane	0.00316	0.00384
Chlorpyrifos	0.0324	0.0394
Chromium (+3)	551	669
Chromium (+6)	8.39	10.1
Copper	41.9	50.9
Cyanide (free)	8.47	10.2
4,4'-DDT	0.000792	0.000962
Demeton	0.0792	0.0962
Diazinon	0.100	0.121
Dicofol	15.6	19.0
Dieldrin	0.00158	0.00192
Diuron	55.4	67.3
Endosulfan (alpha)	0.0443	0.0538
Endosulfan (beta)	0.0443	0.0538
Endosulfan sulfate	0.0443	0.0538

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Endrin	0.00158	0.00192
Guthion	0.00792	0.00962
Heptachlor	0.00316	0.00384
Hexachlorocyclohexane (Lindane)	0.0633	0.0769
Lead	25.1	30.4
Malathion	0.00792	0.00962
Mercury	1.03	1.25
Methoxychlor	0.0237	0.0288
Mirex	0.000792	0.000962
Nickel	179	218
Nonylphenol	5.22	6.34
Parathion (ethyl)	0.0103	0.0125
Pentachlorophenol	10.3	12.6
Phenanthrene	17.6	21.4
Polychlorinated Biphenyls (PCBs)	0.0110	0.0134
Selenium	3.96	4.81
Silver	3.83	4.65
Toxaphene	0.000158	0.000192
Tributyltin (TBT)	0.0190	0.0230
2,4,5 Trichlorophenol	50.7	61.5
Zinc	460	558

	70% of Daily Avg.	85% of Daily Avg.
Human Health		
Parameter	(µg/L)	(µg/L)
Acrylonitrile	1157	1405
Aldrin	0.000115	0.000140
Anthracene	13254	16095
Antimony	10779	13088
Arsenic	N/A	N/A
Barium	N/A	N/A
Benzene	5847	7100
Benzidine	1.07	1.30
Benzo(a)anthracene	0.251	0.305
Benzo(a)pyrene	0.0251	0.0305
Bis(chloromethyl)ether	2.76	3.35
Bis(2-chloroethyl)ether	431	523
Bis(2-ethylhexyl) phthalate [Di(2-ethylhexyl) phthalate]	75.9	92.2
Bromodichloromethane [Dichlorobromomethane]	2767	3360
Bromoform [Tribromomethane]	10668	12954
Cadmium	N/A	N/A
Carbon Tetrachloride	462	562
Chlordane	0.0251	0.0305
Chlorobenzene	27546	33449
Chlorodibromomethane [Dibromochloromethane]	1841	2236
Chloroform [Trichloromethane]	77466	94066
Chromium (hexavalent)	5052	6135
Chrysene	25.3	30.7
Cresols [Methylphenols]	93609	113669
Cyanide (free)	N/A	N/A
4,4'-DDD	0.0201	0.0244
4,4'-DDE	0.00130	0.00158
4,4'-DDT	0.00402	0.00488
2,4'-D	N/A	N/A

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Danitol [Fenprothrin]	4760	5780
1,2-Dibromoethane [Ethylene Dibromide]	42.6	51.8
<i>m</i> -Dichlorobenzene [1,3-Dichlorobenzene]	5988	7271
<i>o</i> -Dichlorobenzene [1,2-Dichlorobenzene]	33202	40317
<i>p</i> -Dichlorobenzene [1,4-Dichlorobenzene]	N/A	N/A
3,3'-Dichlorobenzidine	22.5	27.3
1,2-Dichloroethane	3663	4448
1,1-Dichloroethylene [1,1-Dichloroethene]	554695	673558
Dichloromethane [Methylene Chloride]	134190	162945
1,2-Dichloropropane	2606	3165
1,3-Dichloropropene [1,3-Dichloropropylene]	1197	1454
Dicofol [Kelthane]	3.01	3.66
Dieldrin	0.000201	0.000244
2,4-Dimethylphenol	84904	103097
Di- <i>n</i> -Butyl Phthalate	929	1129
Dioxins/Furans [TCDD Equivalents]	8.02E-07	9.74E-07
Endrin	0.201	0.244
Epichlorohydrin	20259	24601
Ethylbenzene	18790	22816
Ethylene Glycol	169083718	205315944
Fluoride	N/A	N/A
Heptachlor	0.00100	0.00122
Heptachlor Epoxide	0.00291	0.00354
Hexachlorobenzene	0.00684	0.00831
Hexachlorobutadiene	2.21	2.68
Hexachlorocyclohexane (<i>alpha</i>)	0.0845	0.102
Hexachlorocyclohexane (<i>beta</i>)	2.61	3.17
Hexachlorocyclohexane (<i>gamma</i>) [Lindane]	3.43	4.16
Hexachlorocyclopentadiene	116	141
Hexachloroethane	23.4	28.4
Hexachlorophene	29.1	35.4
4,4'-Isopropylidenediphenol [Bisphenol A]	160850	195319
Lead	203	246
Mercury	0.122	0.149
Methoxychlor	30.1	36.6
Methyl Ethyl Ketone	9983991	12123417
Methyl <i>tert</i> -butyl ether [MTBE]	105496	128102
Nickel	25214	30617
Nitrate-Nitrogen (as Total Nitrogen)	N/A	N/A
Nitrobenzene	18850	22890
N-Nitrosodiethylamine	21.1	25.6
N-Nitroso-di- <i>n</i> -Butylamine	42.2	51.3
Pentachlorobenzene	3.57	4.33
Pentachlorophenol	2.91	3.54
Polychlorinated Biphenyls [PCBs]	0.00644	0.00782
Pyridine	9531	11573
Selenium	N/A	N/A
1,2,4,5-Tetrachlorobenzene	2.41	2.93
1,1,2,2-Tetrachloroethane	265	322
Tetrachloroethylene [Tetrachloroethylene]	2818	3421
Thallium	2.31	2.81
Toluene	N/A	N/A
Toxaphene	0.110	0.134
2,4,5-TP [Silvex]	3713	4509

Aqua Texas, Inc. TPDES Permit No. WQ0015293001
 Fact Sheet and Executive Director's Preliminary Decision

1,1,1-Trichloroethane	7894136	9585737
1,1,2-Trichloroethane	1670	2028
Trichloroethylene [Trichloroethene]	723	878
2,4,5-Trichlorophenol	18790	22816
TTHM [Sum of Total Trihalomethanes]	N/A	N/A
Vinyl Chloride	166	201



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY DOMESTIC WASTEWATER PERMIT APPLICATION CHECKLIST

Complete and submit this checklist with the application.

APPLICANT: Aqua Texas, Inc.

PERMIT NUMBER: WQ0015293001

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

	Y	N		Y	N
Administrative Report 1.0	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Original USGS Map	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Administrative Report 1.1	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Affected Landowners Map	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SPIF	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Landowner Disk or Labels	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Core Data Form	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Buffer Zone Map	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Public Involvement Plan Form	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Flow Diagram	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Technical Report 1.0	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Site Drawing	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Technical Report 1.1	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Original Photographs	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Worksheet 2.0	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Design Calculations	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Worksheet 2.1	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Solids Management Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Worksheet 3.0	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Water Balance	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Worksheet 3.1	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
Worksheet 3.2	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
Worksheet 3.3	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
Worksheet 4.0	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
Worksheet 5.0	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
Worksheet 6.0	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
Worksheet 7.0	<input type="checkbox"/>	<input checked="" type="checkbox"/>			

For TCEQ Use Only

Segment Number _____ County _____
 Expiration Date _____ Region _____
 Permit Number _____



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
**APPLICATION FOR A DOMESTIC WASTEWATER PERMIT
ADMINISTRATIVE REPORT 1.0**

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

Section 1. Application Fees (Instructions Page 29)

Indicate the amount submitted for the application fee (check only one).

Flow	New/Major Amendment	Renewal
<0.05 MGD	\$350.00 <input type="checkbox"/>	\$315.00 <input type="checkbox"/>
≥0.05 but <0.10 MGD	\$550.00 <input type="checkbox"/>	\$515.00 <input type="checkbox"/>
≥0.10 but <0.25 MGD	\$850.00 <input type="checkbox"/>	\$815.00 <input type="checkbox"/>
≥0.25 but <0.50 MGD	\$1,250.00 <input type="checkbox"/>	\$1,215.00 <input type="checkbox"/>
≥0.50 but <1.0 MGD	\$1,650.00 <input type="checkbox"/>	\$1,615.00 <input type="checkbox"/>
≥1.0 MGD	\$2,050.00 <input type="checkbox"/>	\$2,015.00 <input checked="" type="checkbox"/>

Minor Amendment (for any flow) \$150.00 ☐

Payment Information:

Mailed Check/Money Order Number:
Check/Money Order Amount:
Name Printed on Check:
EPAY Voucher Number: 708698/708699
Copy of Payment Voucher enclosed? Yes ☒

Section 2. Type of Application (Instructions Page 29)

- | | |
|---|---|
| <input type="checkbox"/> New TPDES | <input type="checkbox"/> New TLAP |
| <input type="checkbox"/> Major Amendment <u>with</u> Renewal | <input type="checkbox"/> Minor Amendment <u>with</u> Renewal |
| <input type="checkbox"/> Major Amendment <u>without</u> Renewal | <input type="checkbox"/> Minor Amendment <u>without</u> Renewal |
| <input checked="" type="checkbox"/> Renewal without changes | <input type="checkbox"/> Minor Modification of permit |

For amendments or modifications, describe the proposed changes:

For existing permits:

Permit Number: WQ0015293001

EPA I.D. (TPDES only): TX0135712

Expiration Date: 12/17/2024

TCEQ ePay Voucher Receipt

Transaction Information

Voucher Number: 708698
Trace Number: 582EA000613364
Date: 06/10/2024 08:00 AM
Payment Method: CC - Authorization 0000029702
Voucher Amount: \$2,000.00
Fee Type: WW PERMIT - FACILITY WITH FLOW >= 1.0 MGD - RENEWAL
ePay Actor: SCOT FOLTZ

Payment Contact Information

Name: SCOT FOLTZ
Company: AQUA TEXAS
Address: 1106 CLAYTON LN SUITE 400W, AUSTIN, TX 78723
Phone: 512-844-6475

Site Information

Site Name: SUNSET OAKS WASTEWATER TREATMENT FACILITY
Site Location: 2500 FEET N OF HWY 21 AND YARRINGTON RD

Customer Information

Customer Name: AQUA TEXAS
Customer Address: 1106 CLAYTON LN SUITE 400W, AUSTIN, TX 78723

Other Information

Program Area ID: 0015293001

6/11/24, 10:38 AM

www3.tceq.texas.gov/epay/index.cfm?fuseaction=cor.viewcor&pmt_log_id=1293157

TCEQ ePay Voucher Receipt

Transaction Information

Voucher Number:	708699
Trace Number:	582EA000613364
Date:	06/10/2024 08:00 AM
Payment Method:	CC - Authorization 0000029702
Voucher Amount:	\$15.00
Fee Type:	30 TAC 305.53B WQ RENEWAL NOTIFICATION FEE
ePay Actor:	SCOT FOLTZ

Payment Contact Information

Name:	SCOT FOLTZ
Company:	AQUA TEXAS
Address:	1106 CLAYTON LN SUITE 400W, AUSTIN, TX 78723
Phone:	512-844-6475

https://www3.tceq.texas.gov/epay/index.cfm?fuseaction=cor.viewcor&pmt_log_id=1293157

Section 3. Facility Owner (Applicant) and Co-Applclicant Information (Instructions Page 29)

A. The owner of the facility must apply for the permit.

What is the Legal Name of the entity (applicant) applying for this permit?

Aqua Texas, Inc.

(The legal name must be spelled exactly as filed with the Texas Secretary of State, County, or in the legal documents forming the entity.)

If the applicant is currently a customer with the TCEQ, what is the Customer Number (CN)? You may search for your CN on the TCEQ website at <http://www15.tceq.texas.gov/crpub/>

CN: 604062463

What is the name and title of the person signing the application? The person must be an executive official meeting signatory requirements in 30 TAC § 305.44.

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

First and Last Name: Craig Blanchette

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

Title: President

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

What is the Legal Name of the co-applclicant applying for this permit?

N/A

(The legal name must be spelled exactly as filed with the TX SOS, with the County, or in the legal documents forming the entity.)

If the co-applclicant is currently a customer with the TCEQ, what is the Customer Number (CN)? You may search for your CN on the TCEQ website at: <http://www15.tceq.texas.gov/crpub/>

CN:

What is the name and title of the person signing the application? The person must be an executive official meeting signatory requirements in 30 TAC § 305.44.

Prefix (Mr., Ms., Miss):

First and Last Name:

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

Title:

Provide a brief description of the need for a co-permittee:

C. Core Data Form

Complete the Core Data Form for each customer and include as an attachment. If the customer type selected on the Core Data Form is **Individual**, complete **Attachment 1** of Administrative Report 1.0.

Attachment: D

Section 4. Application Contact Information (Instructions Page 30)

This is the person(s) TCEQ will contact if additional information is needed about this application. Provide a contact for administrative questions and technical questions.

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

First and Last Name: Stephanie Landsman

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

Title:

Organization Name: Landsman Environmental LLC

Mailing Address: 9597 Jones Road #962

City, State, Zip Code: Jersey Village, TX 77065

Phone No.: 281-658-5899 Ext.:

Fax No.:

E-mail Address: stephanie@landsmanenviro.com

Check one or both: ☒ Administrative Contact

☐ Technical Contact

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

First and Last Name: Abel Bautista

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

Title: Wastewater Compliance Coordinator

Organization Name: Aqua Texas, Inc.

Mailing Address: 19244 Ella Blvd.

City, State, Zip Code: Spring, TX 77388

Phone No.: 281-651-0174 Ext.: 54119 Fax No.:

E-mail Address: abautista@aquaamerica.com

Check one or both: ☐ Administrative Contact

☒ Technical Contact

Section 5. Permit Contact Information (Instructions Page 30)

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

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

First and Last Name: Craig Blanchette

Credential (P.E, P.G., Ph.D., etc.): [REDACTED]

Title: President

Organization Name: Aqua Texas, Inc.

Mailing Address: 1106 Clayton Lane Ste. 400W

City, State, Zip Code: Austin, TX 78723

Phone No.: 512-990-4400 Ext.: 56105 Fax No.: [REDACTED]

E-mail Address: clblanchette@aquaamerica.com

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

First and Last Name: Abel Bautista

Credential (P.E, P.G., Ph.D., etc.): [REDACTED]

Title: Wastewater Compliance Manager

Organization Name: Aqua Texas, Inc.

Mailing Address: 19244 Ella Blvd.

City, State, Zip Code: Spring, TX 77388

Phone No.: 281-651-0174 Ext.: 54119 Fax No.: [REDACTED]

E-mail Address: abautista@aquaamerica.com

Section 6. Billing Information (Instructions Page 30)

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

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

First and Last Name: Jose Loya

Credential (P.E, P.G., Ph.D., etc.): [REDACTED]

Title: [REDACTED]

Organization Name: Aqua Texas, Inc.

Mailing Address: 1106 Clayton Lane Ste. 400W

City, State, Zip Code: Austin, TX 78723

Phone No.: 512-990-4400 Ext.: [REDACTED]

Fax No.: [REDACTED]

E-mail Address: aquatexasAP@aquaamerica.com

Section 7. DMR/MER Contact Information (Instructions Page 31)

Provide the name and complete mailing address of the person delegated to receive and submit Discharge Monitoring Reports (EPA 3320-1) or maintain Monthly Effluent Reports.

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

First and Last Name: Scot Foltz

Credential (P.E, P.G., Ph.D., etc.): [REDACTED]

Title: Environmental Compliance Manager

Organization Name: Aqua Texas, Inc.

Mailing Address: 1106 Clayton Lane Ste. 400W

City, State, Zip Code: Austin, TX 78723

Phone No.: 512-990-4400 Ext.: 56101 Fax No.: [REDACTED]

E-mail Address: swfoltz@aquaamerica.com

DMR data is required to be submitted electronically. Create an account at:
<https://www.tceq.texas.gov/permitting/netdmr/netdmr.html>.

Section 8. Public Notice Information (Instructions Page 31)

A. Individual Publishing the Notices

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

First and Last Name: Stephanie Landsman

Credential (P.E, P.G., Ph.D., etc.): [REDACTED]

Title: [REDACTED]

Organization Name: Landsman Environmental LLC

Mailing Address: 9597 Jones Road #962

City, State, Zip Code: Jersey Village, TX 77065

Phone No.: 2818-658-5899 Ext.: [REDACTED]

Fax No.: [REDACTED]

E-mail Address: stephanie@landsmanenviro.com

B. Method for Receiving Notice of Receipt and Intent to Obtain a Water Quality Permit Package

Indicate by a check mark the preferred method for receiving the first notice and instructions:

☒ E-mail Address

☐ Fax

☐ Regular Mail

C. Contact person to be listed in the Notices

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

First and Last Name: Abel Bautista

Credential (P.E, P.G., Ph.D., etc.): [REDACTED]

Title: Wastewater Compliance Manager

Organization Name: Aqua Texas, Inc.

Phone No.: 281-651-0174 Ext.: 54119

E-mail: abautista@aquaamerica.com

D. Public Viewing Information

If the facility or outfall is located in more than one county, a public viewing place for each county must be provided.

Public building name: Hays County Government Center

Location within the building: Law Library

Physical Address of Building: 712 S. Stagecoach Trail

City: San Marcos

County: Hays

Contact Name: [REDACTED]

Phone No.: 512-393-7709 Ext.: [REDACTED]

E. Bilingual Notice Requirements:

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

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

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

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

☒ Yes ☐ No

If **no**, publication of an alternative language notice is not required; **skip to** Section 9 below.

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

☒ Yes ☐ No

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

☐ Yes ☒ No

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

☐ Yes ☒ No

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

F. Public Involvement Plan Form

Complete the Public Involvement Plan Form (TCEQ Form 20960) for each application for a new permit or major amendment to a permit and include as an attachment.

Attachment: N/A

Section 9. Regulated Entity and Permitted Site Information (Instructions Page 33)

- A. If the site is currently regulated by TCEQ, provide the Regulated Entity Number (RN) issued to this site. RN107695504

Search the TCEQ's Central Registry at <http://www15.tceq.texas.gov/crpub/> to determine if the site is currently regulated by TCEQ.

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

Sunset Oaks Wastewater Treatment Plant

- C. Owner of treatment facility: Aqua Texas, Inc.

Ownership of Facility: ☐ Public ☒ Private ☐ Both ☐ Federal

- D. Owner of land where treatment facility is or will be:

Prefix (Mr., Ms., Miss):

First and Last Name: Aqua Texas, Inc.

Mailing Address: 1106 Clayton Lane Ste. 400W

City, State, Zip Code: Austin, TX 78723

Phone No.: 512-990-4400

E-mail Address: swfoltz@aquaamerica.com

If the landowner is not the same person as the facility owner or co-applicant, attach a lease agreement or deed recorded easement. See instructions.

Attachment:

- E. Owner of effluent disposal site:

Prefix (Mr., Ms., Miss): N/A

First and Last Name:

Mailing Address:

City, State, Zip Code:

Phone No.: [REDACTED] E-mail Address: [REDACTED]

If the landowner is not the same person as the facility owner or co-applicant, attach a lease agreement or deed recorded easement. See instructions.

Attachment: [REDACTED]

- F. Owner of sewage sludge disposal site (if authorization is requested for sludge disposal on property owned or controlled by the applicant):

Prefix (Mr., Ms., Miss): N/A

First and Last Name: [REDACTED]

Mailing Address: [REDACTED]

City, State, Zip Code: [REDACTED]

Phone No.: [REDACTED] E-mail Address: [REDACTED]

If the landowner is not the same person as the facility owner or co-applicant, attach a lease agreement or deed recorded easement. See instructions.

Attachment: [REDACTED]

Section 10. TPDES Discharge Information (Instructions Page 34)

- A. Is the wastewater treatment facility location in the existing permit accurate?

☒ Yes ☐ No

If no, or a new permit application, please give an accurate description:

[REDACTED]

- B. Are the point(s) of discharge and the discharge route(s) in the existing permit correct?

☒ Yes ☐ No

If no, or a new or amendment permit application, provide an accurate description of the point of discharge and the discharge route to the nearest classified segment as defined in 30 TAC Chapter 307:

[REDACTED]

City nearest the outfall(s): San Marcos

County in which the outfalls(s) is/are located: Hays

Outfall Latitude: 29.92350

Longitude: -97.84595

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

☐ Yes ☒ No

If **yes**, indicate by a check mark if:

☐ Authorization granted ☐ Authorization pending

For **new and amendment** applications, provide copies of letters that show proof of contact and the approval letter upon receipt.

Attachment:

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

N/A

Section 11. TLAP Disposal Information (Instructions Page 36)

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

☐ Yes ☐ No

If **no**, or a new or amendment permit application, provide an accurate description of the disposal site location:

- B. City nearest the disposal site:

- C. County in which the disposal site is located:

- D. Disposal Site Latitude: Longitude:

- E. For TLAPs, describe the routing of effluent from the treatment facility to the disposal site:

- F. For TLAPs, please identify the nearest watercourse to the disposal site to which rainfall runoff might flow if not contained:

Section 12. Miscellaneous Information (Instructions Page 37)

- A. Is the facility located on or does the treated effluent cross American Indian Land?

☐ Yes ☒ No

B. If the existing permit contains an onsite sludge disposal authorization, is the location of the sewage sludge disposal site in the existing permit accurate?

☐ Yes ☐ No ☒ Not Applicable

If No, or if a new onsite sludge disposal authorization is being requested in this permit application, provide an accurate location description of the sewage sludge disposal site.

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

☐ Yes ☒ No

If yes, list each person formerly employed by the TCEQ who represented your company and was paid for service regarding the application:

D. Do you owe any fees to the TCEQ?

☐ Yes ☒ No

If yes, provide the following information:

Account number:

Amount past due:

E. Do you owe any penalties to the TCEQ?

☐ Yes ☒ No

If yes, please provide the following information:

Enforcement order number:

Amount past due:

Section 13. Attachments (Instructions Page 38)

Indicate which attachments are included with the Administrative Report. Check all that apply:

- ☐ Lease agreement or deed recorded easement, if the land where the treatment facility is located or the effluent disposal site are not owned by the applicant or co-applicant.
- ☒ Original full-size USGS Topographic Map with the following information:
 - Applicant's property boundary

- Treatment facility boundary
 - Labeled point of discharge for each discharge point (TPDES only)
 - Highlighted discharge route for each discharge point (TPDES only)
 - Onsite sewage sludge disposal site (if applicable)
 - Effluent disposal site boundaries (TLAP only)
 - New and future construction (if applicable)
 - 1 mile radius information
 - 3 miles downstream information (TPDES only)
 - All ponds.
- ☐ Attachment 1 for Individuals as co-applicants
- ☐ Other Attachments. Please specify:

Section 14. Signature Page (Instructions Page 39)

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

Permit Number: W00015293001

Applicant: Aqua Texas, Inc.

Certification:

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

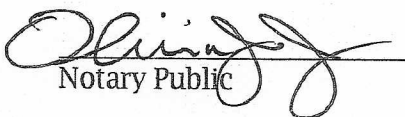
I further certify that I am authorized under 30 Texas Administrative Code § 305.44 to sign and submit this document, and can provide documentation in proof of such authorization upon request.

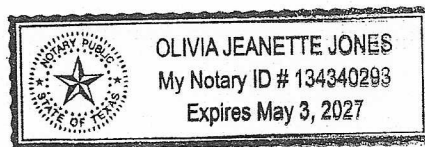
Signatory name (typed or printed): Craig L. Blanchette

Signatory title: President

Signature:  Date: 6/10/24
(Use blue ink)

Subscribed and Sworn to before me by the said Craig Blanchette
on this 10 day of June, 2024.
My commission expires on the 3 day of May, 2027.


Notary Public



[SEAL]

Travis
County, Texas

Section 15. Plain Language Summary (Instructions Page 40)

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

DOMESTIC WASTEWATER

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.

Aqua Texas, Inc. (CN604063462) operates Sunset Oaks Wastewater Treatment Facility RN107695504. a domestic wastewater treatment facility. The facility is located approximately 2,500 feet northeast of the intersection of State Highway 21 and Yarrington Road, in San Marcos, Hays County, Texas 78640.

Request for renewal of permit authorizing the discharge of 270,000 GPD of treated domestic wastewater..

Discharges from the facility are expected to contain CBOD(5), Total Suspended Solids, Ammonia Nitrogen and E. coli.. Domestic wastewater is treated by *activated sludge facility operated in the complete mix mode.*

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

AGUAS RESIDUALES DOMÉSTICAS

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.

Aqua Texas, Inc. (CN604063462) opera la Instalación de Tratamiento de Aguas Residuales de Sunset Oaks RN107695504. una instalación de tratamiento de aguas residuales domésticas. La instalación está ubicada aproximadamente a 2,500 pies al noreste de la intersección de State Highway 21 y Yarrington Road, en San Marcos, Condado de Hays, Texas 78640.

Solicitud de renovación de permiso que autoriza la descarga de 270,000 GPD de aguas residuales domésticas tratadas.

Se espera que las descargas de la instalación contengan CBOD(5), Sólidos Suspendidos Totales, Nitrógeno Amoniacal y E. coli. Las aguas residuales domésticas se tratan mediante una instalación de lodos activados que funciona en modo de mezcla completa.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

SUPPLEMENTAL PERMIT INFORMATION FORM (SPIF)

FOR AGENCIES REVIEWING DOMESTIC TPDES WASTEWATER PERMIT APPLICATIONS

TCEQ USE ONLY:Application type: ☐ Renewal ☐ Major Amendment ☐ Minor Amendment ☐ New

County: _____ Segment Number: _____

Admin Complete Date: _____

Agency Receiving SPIF:

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

This form applies to TPDES permit applications only. (Instructions, Page 53)

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

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

The following applies to all applications:

1. Permittee: Aqua Texas, Inc.

Permit No. WQ00 15293001EPA ID No. TX 0135712

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

2,500 feet north of the intersection of Highway 21 and Yarrington Road, San Marcos, Hays County.

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

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

First and Last Name: Abel Bautista

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

Title: Wastewater Compliance Coordinator

Mailing Address: 19244 Ella Blvd.

City, State, Zip Code: Spring, TX 77388

Phone No.: 281-651-0174 Ext.: 56114 Fax No.:

E-mail Address: abautista@aquaaamerica.com

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

N/A

4. Provide a description of the effluent discharge route. The discharge route must follow the flow of effluent from the point of discharge to the nearest major watercourse (from the point of discharge to a classified segment as defined in 30 TAC Chapter 307). If known, please identify the classified segment number.

To Hemphill Creek; thence to Morrison Creek; thence to Lower San Marcos River in Segment No. 1808 of the Guadalupe River Basin

5. Please provide a separate 7.5-minute USGS quadrangle map with the project boundaries plotted and a general location map showing the project area. Please highlight the discharge route from the point of discharge for a distance of one mile downstream. (This map is required in addition to the map in the administrative report).

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

Does your project involve any of the following? Check all that apply.

- ☐ Proposed access roads, utility lines, construction easements
- ☐ Visual effects that could damage or detract from a historic property's integrity
- ☐ Vibration effects during construction or as a result of project design
- ☐ Additional phases of development that are planned for the future
- ☐ Sealing caves, fractures, sinkholes, other karst features

☐ Disturbance of vegetation or wetlands

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

none

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

none

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

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

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
DOMESTIC WASTEWATER PERMIT APPLICATION

DOMESTIC TECHNICAL REPORT 1.0

The Following Is Required For All Applications
Renewal, New, And Amendment

Section 1. Permitted or Proposed Flows (Instructions Page 51)

A. Existing/Interim I Phase

Design Flow (MGD): 0.06

2-Hr Peak Flow (MGD): 0.24

Estimated construction start date: [Click here to enter text.](#)

Estimated waste disposal start date: [Click here to enter text.](#)

B. Interim II Phase

Design Flow (MGD): 0.24

2-Hr Peak Flow (MGD): 0.96

Estimated construction start date: 2024

Estimated waste disposal start date: [Click here to enter text.](#)

C. Final Phase

Design Flow (MGD): 0.54

2-Hr Peak Flow (MGD): 2.16

Estimated construction start date: 2026

Estimated waste disposal start date: [Click here to enter text.](#)

D. Current operating phase: Existing

Provide the startup date of the facility:

Section 2. Treatment Process (Instructions Page 51)

A. Treatment process description

Provide a detailed description of the treatment process. **Include the type of treatment plant, mode of operation, and all treatment units.** Start with the plant's head works and finish with the point of discharge. Include all sludge processing and drying units. **If more than one phase exists or is proposed in the permit, a description of *each phase* must be provided.**
Process description:

Attachment E

Port or pipe diameter at the discharge point, in inches: 12

B. Treatment Units

In Table 1.0(1), provide the treatment unit type, the number of units, and dimensions (length, width, depth) of each treatment unit, accounting for *all* phases of operation.

Table 1.0(1) – Treatment Units

Treatment Unit Type	Number of Units	Dimensions (L x W x D)
Attachment E		

C. Process flow diagrams

Provide flow diagrams for the existing facilities and each proposed phase of construction.

Attachment: C

Section 3. Site Drawing (Instructions Page 52)

Provide a site drawing for the facility that shows the following:

- The boundaries of the treatment facility;
- The boundaries of the area served by the treatment facility;
- If land disposal of effluent, the boundaries of the disposal site and all storage/holding ponds; and
- If sludge disposal is authorized in the permit, the boundaries of the land application or disposal site.

Attachment: B

Provide the name and a description of the area served by the treatment facility.

Sunset Oaks

Section 4. Unbuilt Phases (Instructions Page 52)

Is the application for a renewal of a permit that contains an unbuilt phase or phases?

Yes ☒

No ☐

If yes, does the existing permit contain a phase that has not been constructed within five years of being authorized by the TCEQ?

Yes ☒

No ☐

If yes, provide a detailed discussion regarding the continued need for the unbuilt phase. Failure to provide sufficient justification may result in the Executive Director recommending denial of the unbuilt phase or phases.

Engineers are working on Phase II at this time and will continue to upgrade the facility as more connections come in.

Section 5. Closure Plans (Instructions Page 53)

Have any treatment units been taken out of service permanently, or will any units be taken out of service in the next five years?

Yes ☐

No ☒

If yes, was a closure plan submitted to the TCEQ?

Yes ☐

No ☐

If yes, provide a brief description of the closure and the date of plan approval.

Section 6. Permit Specific Requirements (Instructions Page 53)

For applicants with an existing permit, check the *Other Requirements* or *Special Provisions* of the permit.

A. Summary transmittal

Have plans and specifications been approved for the existing facilities and each proposed phase?

Yes ☐

No ☒

If yes, provide the date(s) of approval for each phase:

Provide information, including dates, on any actions taken to meet a requirement or provision pertaining to the submission of a summary transmittal letter. Provide a copy of an approval letter from the TCEQ, if applicable.

B. Buffer zones

Have the buffer zone requirements been met?

Yes ☒

No ☐

Provide information below, including dates, on any actions taken to meet the conditions of the buffer zone. If available, provide any new documentation relevant to maintaining the buffer zones.

C. Other actions required by the current permit

Does the *Other Requirements* or *Special Provisions* section in the existing permit require submission of any other information or other required actions? Examples include Notification of Completion, progress reports, soil monitoring data, etc.

Yes ☒

No ☐

If yes, provide information below on the status of any actions taken to meet the conditions of an *Other Requirement* or *Special Provision*.

Other Requirement No. 7 in current permit states that prior to construction of the Interim I, Interim II and Final phases of the treatment facility, permittee shall submit a summary submittal letter in accordance with the requirements in 30 TAC 217.6 (c). Other Requirement No. 8 states that reporting requirements are suspended until plant startup or discharge from this facility.

D. Grit and grease treatment

1. Acceptance of grit and grease waste

Does the facility have a grit and/or grease processing facility onsite that treats and decants or accepts transported loads of grit and grease waste that are discharged directly to the wastewater treatment plant prior to any treatment?

Yes ☐

No ☒

If No, stop here and continue with Subsection E. Stormwater Management.

2. Grit and grease processing

Describe below how the grit and grease waste is treated at the facility. In your description, include how and where the grit and grease is introduced to the treatment works and how it is separated or processed. Provide a flow diagram showing how grit and grease is processed at the facility.

3. Grit disposal

Does the facility have a Municipal Solid Waste (MSW) registration or permit for grit disposal?

Yes ☐

No ☐

If No, contact the TCEQ Municipal Solid Waste team at 512-239-0000. Note: A registration or permit is required for grit disposal. Grit shall not be combined with treatment plant sludge. See the instruction booklet for additional information on grit disposal requirements and restrictions.

Describe the method of grit disposal.

4. Grease and decanted liquid disposal

Note: A registration or permit is required for grease disposal. Grease shall not be combined with treatment plant sludge. For more information, contact the TCEQ Municipal Solid Waste team at 512-239-0000.

Describe how the decant and grease are treated and disposed of after grit separation.

E. Stormwater management

1. Applicability

Does the facility have a design flow of 1.0 MGD or greater in any phase?

Yes ☐

No ☒

Does the facility have an approved pretreatment program, under 40 CFR Part 403?

Yes ☐

No ☐

If no to both of the above, then skip to Subsection F, Other Wastes Received.

2. MSGP coverage

Is the stormwater runoff from the WWTP and dedicated lands for sewage disposal currently permitted under the TPDES Multi-Sector General Permit (MSGP), TXR050000?

Yes ☐

No ☐

If yes, please provide MSGP Authorization Number and skip to Subsection F, Other Wastes Received:

TXR05

or TXRNE

If no, do you intend to seek coverage under TXR050000?

Yes ☐

No ☐

3. Conditional exclusion

Alternatively, do you intend to apply for a conditional exclusion from permitting based TXR050000 (Multi Sector General Permit) Part II B.2 or TXR050000 (Multi Sector General Permit) Part V, Sector T 3(b)?

Yes ☐

No ☐

If yes, please explain below then proceed to Subsection F, Other Wastes Received:

4. Existing coverage in individual permit

Is your stormwater discharge currently permitted through this individual TPDES or TLAP permit?

Yes ☐

No ☐

If yes, provide a description of stormwater runoff management practices at the site that are authorized in the wastewater permit then skip to Subsection F, Other Wastes Received.

5. Zero stormwater discharge

Do you intend to have no discharge of stormwater via use of evaporation or other means?

Yes ☐

No ☐

If yes, explain below then skip to Subsection F. Other Wastes Received.

Note: If there is a potential to discharge any stormwater to surface water in the state as the result of any storm event, then permit coverage is required under the MSGP or an individual discharge permit. This requirement applies to all areas of facilities with treatment plants or systems that treat, store, recycle, or reclaim domestic sewage, wastewater or sewage sludge (including dedicated lands for sewage sludge disposal located within the onsite property boundaries) that meet the applicability criteria of above. You have the option of obtaining coverage under the MSGP for direct discharges, (recommended), or obtaining coverage under this individual permit.

6. Request for coverage in individual permit

Are you requesting coverage of stormwater discharges associated with your treatment plant under this individual permit?

Yes ☐

No ☐

If yes, provide a description of stormwater runoff management practices at the site for which you are requesting authorization in this individual wastewater permit and describe whether you intend to comingle this discharge with your treated effluent or discharge it via a separate dedicated stormwater outfall. Please also indicate if you intend to divert stormwater to the treatment plant headworks and indirectly discharge it to water in the state.

Note: Direct stormwater discharges to waters in the state authorized through this individual permit will require the development and implementation of a stormwater pollution

If yes to any of the above, provide a the date that the plant started accepting septic waste, or is anticipated to start accepting septic waste, an estimate of monthly septic waste acceptance (gallons or millions of gallons), an estimate of the BOD₅ concentration of the septic waste, and the design BOD₅ concentration of the influent from the collection system. Also note if this information has or has not changed since the last permit action.

--

Note: Permits that accept sludge from other wastewater treatment plants may be required to have influent flow and organic loading monitoring.

3. Acceptance of other wastes (not including septic, grease, grit, or RCRA, CERCLA or as discharged by IUs listed in Worksheet 6)

Is the facility accepting or will it accept wastes that are not domestic in nature excluding the categories listed above?

Yes ☐

No ☒

If yes, provide the date that the plant started accepting the waste, an estimate how much waste is accepted on a monthly basis (gallons or millions of gallons), a description of the entities generating the waste, and any distinguishing chemical or other physical characteristic of the waste. Also note if this information has or has not changed since the last permit action.

--

Section 7. Pollutant Analysis of Treated Effluent (Instructions Page 58)

Is the facility in operation?

Yes ☐

No ☐

If no, this section is not applicable. Proceed to Section 8.

If yes, provide effluent analysis data for the listed pollutants. *Wastewater treatment facilities* complete Table 1.0(2). *Water treatment facilities* discharging filter backwash water, complete Table 1.0(3).

Note: The sample date must be within 1 year of application submission.

Table 1.0(2) - Pollutant Analysis for Wastewater Treatment Facilities

Pollutant	Average Conc.	Max Conc.	No. of Samples	Sample Type	Sample Date/ Time
CBOD ₅ , mg/l	<2.03		1	Grab	4/17/24;1025
Total Suspended Solids, mg/l	<1.00		1	Grab	4/17/24;1025
Ammonia Nitrogen, mg/l	<0.0500		1	Grab	4/17/24;1025
Nitrate Nitrogen, mg/l	42.3		1	Grab	4/17/24;1025
Total Kjeldahl Nitrogen, mg/l	<1.00		1	Grab	4/17/24;1025
Sulfate, mg/l	37.6		1	Grab	4/17/24;1025
Chloride, mg/l	87.0		1	Grab	4/17/24;1025
Total Phosphorus, mg/l	1.80		1	Grab	4/17/24;1025
pH, standard units	8.10		1	Grab	4/17/24;1025
Dissolved Oxygen*, mg/l	7.73		1	Grab	4/17/24;1025
Chlorine Residual, mg/l	5.10		1	Grab	4/17/24;1025
<i>E.coli</i> (CFU/100ml) freshwater	1.00		1	Grab	4/17/24;1025
Enterococci (CFU/100ml) saltwater	N/A				
Total Dissolved Solids, mg/l	477		1	Grab	4/17/24;1025
Electrical Conductivity, μ mohs/cm, †	768		1	Grab	4/17/24;1025
Oil & Grease, mg/l	<5.00		1	Grab	4/17/24;1025
Alkalinity (CaCO ₃)*, mg/l	152		1	Grab	4/17/24;1025

*TPDES permits only

†TLAP permits only

Table 1.0(3) - Pollutant Analysis for Water Treatment Facilities

Pollutant	Average Conc.	Max Conc.	No. of Samples	Sample Type	Sample Date/ Time
Total Suspended Solids, mg/l					
Total Dissolved Solids, mg/l					
pH, standard units					



Aqua TX - Wimberley
2611 FM 2325
Wimberley, TX 78676

Reported:
05/23/2024 14:37

Sample Results

Client Sample ID: Outfall 001
Lab Sample ID: 24D2193-01

Sample Matrix: Waste Water
Date Collected: 05/01/2024 9:24
Collected by: Frank Herrada

Sunset Oaks - Non Potable - Permit Renew

[none]

Method	Analyte	*	Result Q	Units	DF	SDL	LRL	Batch	Analyzed	Analyst
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General Chemistry

SM 2320 B	Alkalinity as CaCO ₃	A	152	mg/L	1	10.0	10.0	BHE0471	05/03/2024 12:43	AKA
SM 5210 B	Carbonaceous BOD (CBOD)	A	<2.03 FF, U	mg/L	13514	2.03	2.03	BHE0450	05/07/2024 12:15	JDD
SM 2510 B	Conductivity	A	768	umhos/cm @ 25 °C	1	2.00	2.00	BHE0471	05/03/2024 12:43	AKA
EPA 350.1	Ammonia as N	A	<0.0500 U	mg/L	1	0.0200	0.0500	BHE0666	05/10/2024 12:34	NAZ
EPA 1664A	n-Hexane Extractable Material (O&G)	A	<5.00 U	mg/L	1	5.00	5.00	BHE1903	05/12/2024 10:17	ARW
EPA 300.0	Sulfate	A	37.6	mg/L	1	0.0341	1.00	BHE0452	05/03/2024 06:08	AGZ
SM 2540 C	Residue-filterable (TDS)	A	477	mg/L	1	10.0	10.0	BHE0464	05/06/2024 13:13	BP
SM 4500-NH ₃ C	Total Kjeldahl Nitrogen - (TKN)	A	<1.00 U	mg/L	1	0.100	1.00	BHE0874	05/07/2024 09:10	GIW
EPA 365.1	Total Phosphorus	A	1.80	mg/L	1	0.117	0.200	BHE0855	05/07/2024 12:00	MLB
SM 2540 D	Residue-nonfilterable (TSS)	A	<1.00 U	mg/L	1	1.00	1.00	BHE0640	05/06/2024 10:27	JRU

Field

Hach 10360	DO Field	N	7.73	mg/L	1	1.00	1.00	BHE0591	05/01/2024 09:24	CLNT
Calc	Flow Field	N	0.0950	MGD	1	0.00	0.00	BHE0591	05/01/2024 09:24	CLNT
SM 4500-H+ B	pH	A	8.10	pH Units @ 25 °C	1	1.00	1.00	BHE0591	05/01/2024 09:24	CLNT

* A = Accredited, N = Not Accredited or Accreditation not available



Aqua TX - Wimberley
2611 FM 2325
Wimberley, TX 78676

Reported:
05/23/2024 14:37

Sample Results
(Continued)

Client Sample ID: Outfall 001
Lab Sample ID: 24D2193-01RE2

Sample Matrix: Waste Water
Date Collected: 05/01/2024 9:24
Collected by: Frank Herrada

Sunset Oaks - Non Potable - Permit Renew

[none]

Method	Analyte	*	Result Q	Units	DF	SDL	IRL	Batch	Analyzed	Analyst
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General Chemistry

EPA 300.0	Chloride (Rerun)	A	87.0	mg/L	5	0.172	5.00	BHE1000	05/04/2024 19:15	AGZ
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* A = Accredited, N = Not Accredited or Accreditation not available



Aqua TX - Wimberley
2611 FM 2325
Wimberley, TX 78676

Reported:
05/23/2024 14:37

Sample Results
(Continued)

Client Sample ID: Outfall 001
Lab Sample ID: 24D4237-01

Sample Matrix: Waste Water
Date Collected: 04/17/2024 10:25
Collected by: Francisco Gutierrez

Sunset Oaks - Non Potable - Permit Renewal - Ecoli

[none]

Method	Analyte	*	Result Q	Units	DF	SDL	LRL	Batch	Analyzed	Analyst
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Microbiology

SM 9223 B (Collert Quanti-Tray)	Escherichia coli (E. coli)	A	1.00	MPN/100 mL	1	1.00	1.00	BHD3081	04/18/2024 15:53	JKB
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Field

SM 4500-Cl G	Total Residual Chlorine	A	5.10	mg/L	1	0.25	0.25	BHD3217	04/17/2024 10:25	FG
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* A = Accredited, N = Not Accredited or Accreditation not available



Aqua TX - Wimberley
2611 FM 2325
Wimberley, TX 78676

Reported:
05/23/2024 14:37

Sample Results
(Continued)

Client Sample ID: Outfall 001
Lab Sample ID: 24E4166-01

Sample Matrix: Waste Water
Date Collected: 05/16/2024 9:40
Collected by: Jamal Abdullah

Sunset Oaks - Permit Renewal - Recollect

[none]

Method	Analyte	*	Result Q	Units	DF	SDL	LRL	Batch	Analyzed	Analyst
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General Chemistry

EPA 300.0	Nitrate as N	A	42.3	mg/L	20	0.284	2.00	BHE3061	05/18/2024 02:47	EM
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* A = Accredited, N = Not Accredited or Accreditation not available

Pollutant	Average Conc.	Max Conc.	No. of Samples	Sample Type	Sample Date/ Time
Fluoride, mg/l					
Aluminum, mg/l					
Alkalinity (CaCO ₃), mg/l					

Section 8. Facility Operator (Instructions Page 60)

Facility Operator Name: John Price

Facility Operator's License Classification and Level: WW:"C"

Facility Operator's License Number: WW0066773

Section 9. Sewage Sludge Management and Disposal (Instructions Page 60)

A. Sludge disposal method

Identify the current or anticipated sludge disposal method or methods from the following list. Check all that apply.

- ☐ Permitted landfill
- ☒ Permitted or Registered land application site for beneficial use
- ☐ Land application for beneficial use authorized in the wastewater permit
- ☐ Permitted sludge processing facility
- ☐ Marketing and distribution as authorized in the wastewater permit
- ☐ Composting as authorized in the wastewater permit
- ☐ Permitted surface disposal site (sludge monofill)
- ☐ Surface disposal site (sludge monofill) authorized in the wastewater permit
- ☐ Transported to another permitted wastewater treatment plant or permitted sludge processing facility. If you selected this method, a written statement or contractual agreement from the wastewater treatment plant or permitted sludge processing facility accepting the sludge must be included with this application.
- ☐ Other:

B. Sludge disposal site

Disposal site name: Austin WW Processing Facility

TCEQ permit or registration number: WQ0002384000

County where disposal site is located: Travis

C. Sludge transportation method

Method of transportation (truck, train, pipe, other): truck

Name of the hauler: Wastewater Residuals Management LLC

Hauler registration number: 24343

Sludge is transported as a:

Liquid ☐ semi-liquid ☐ semi-solid ☐ solid ☐

Section 10. Permit Authorization for Sewage Sludge Disposal (Instructions Page 60)

A. Beneficial use authorization

Does the existing permit include authorization for land application of sewage sludge for beneficial use?

Yes ☐ No ☒

If yes, are you requesting to continue this authorization to land apply sewage sludge for beneficial use?

Yes ☐ No ☐

If yes, is the completed **Application for Permit for Beneficial Land Use of Sewage Sludge (TCEQ Form No. 10451)** attached to this permit application (see the instructions for details)?

Yes ☐ No ☐

B. Sludge processing authorization

Does the existing permit include authorization for any of the following sludge processing, storage or disposal options?

Sludge Composting Yes ☐ No ☒

Marketing and Distribution of sludge Yes ☐ No ☒

Sludge Surface Disposal or Sludge Monofill Yes ☐ No ☒

Temporary storage in sludge lagoons Yes ☐ No ☒

If yes to any of the above sludge options and the applicant is requesting to continue this authorization, is the completed **Domestic Wastewater Permit Application: Sewage Sludge**

Technical Report (TCEQ Form No. 10056) attached to this permit application?

Yes ☐ No ☐

Section 11. Sewage Sludge Lagoons (Instructions Page 61)

Does this facility include sewage sludge lagoons?

Yes ☐ No ☒

If yes, complete the remainder of this section. If no, proceed to Section 12.

A. Location information

The following maps are required to be submitted as part of the application. For each map, provide the Attachment Number.

- Original General Highway (County) Map:

Attachment:

- USDA Natural Resources Conservation Service Soil Map:

Attachment:

- Federal Emergency Management Map:

Attachment:

- Site map:

Attachment:

Discuss in a description if any of the following exist within the lagoon area. Check all that apply.

- ☐ Overlap a designated 100-year frequency flood plain
- ☐ Soils with flooding classification
- ☐ Overlap an unstable area
- ☐ Wetlands
- ☐ Located less than 60 meters from a fault
- ☐ None of the above

Attachment:

If a portion of the lagoon(s) is located within the 100-year frequency flood plain, provide the protective measures to be utilized including type and size of protective structures:

B. Temporary storage information

Provide the results for the pollutant screening of sludge lagoons. These results are in addition to pollutant results in Section 7 of Technical Report 1.0.

Nitrate Nitrogen, mg/kg:

Total Kjeldahl Nitrogen, mg/kg:

Total Nitrogen (=nitrate nitrogen + TKN), mg/kg:

Phosphorus, mg/kg:

Potassium, mg/kg:

pH, standard units:

Ammonia Nitrogen mg/kg:

Arsenic:

Cadmium:

Chromium:

Copper:

Lead:

Mercury:

Molybdenum:

Nickel:

Selenium:

Zinc:

Total PCBs:

Provide the following information:

Volume and frequency of sludge to the lagoon(s):

Total dry tons stored in the lagoons(s) per 365-day period:

Total dry tons stored in the lagoons(s) over the life of the unit:

C. Liner information

Does the active/proposed sludge lagoon(s) have a liner with a maximum hydraulic conductivity

of 1×10^{-7} cm/sec?

Yes ☐ No ☐

If yes, describe the liner below. Please note that a liner is required.

D. Site development plan

Provide a detailed description of the methods used to deposit sludge in the lagoon(s):

Attach the following documents to the application.

- Plan view and cross-section of the sludge lagoon(s)

Attachment: ☐

- Copy of the closure plan

Attachment: ☐

- Copy of deed recordation for the site

Attachment: ☐

- Size of the sludge lagoon(s) in surface acres and capacity in cubic feet and gallons

Attachment: ☐

- Description of the method of controlling infiltration of groundwater and surface water from entering the site

Attachment: ☐

- Procedures to prevent the occurrence of nuisance conditions

Attachment: ☐

E. Groundwater monitoring

Is groundwater monitoring currently conducted at this site, or are any wells available for groundwater monitoring, or are groundwater monitoring data otherwise available for the sludge lagoon(s)?

Yes ☐ No ☐

If groundwater monitoring data are available, provide a copy. Provide a profile of soil types

encountered down to the groundwater table and the depth to the shallowest groundwater as a separate attachment.

Attachment: [REDACTED]

Section 12. Authorizations/Compliance/Enforcement (Instructions Page 63)

A. Additional authorizations

Does the permittee have additional authorizations for this facility, such as reuse authorization, sludge permit, etc?

Yes ☐ No ☒

If yes, provide the TCEQ authorization number and description of the authorization:

[REDACTED]

B. Permittee enforcement status

Is the permittee currently under enforcement for this facility?

Yes ☐ No ☒

Is the permittee required to meet an implementation schedule for compliance or enforcement?

Yes ☐ No ☒

If yes to either question, provide a brief summary of the enforcement, the implementation schedule, and the current status:

[REDACTED]

Section 13. RCRA/CERCLA Wastes (Instructions Page 63)

A. RCRA hazardous wastes

Has the facility received in the past three years, does it currently receive, or will it receive RCRA hazardous waste?

Yes ☐ No ☒

B. Remediation activity wastewater

Has the facility received in the past three years, does it currently receive, or will it receive

CERCLA wastewater, RCRA remediation/corrective action wastewater or other remediation activity wastewater?

Yes ☐ No ☒

C. Details about wastes received

If yes to either Subsection A or B above, provide detailed information concerning these wastes with the application.

Attachment:



Section 14. Laboratory Accreditation (Instructions Page 64)

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

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

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

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

CERTIFICATION:

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

Printed Name: Craig Blanchette

Title: President

Signature: C. Blanchette

Date: 6/10/24

DOMESTIC TECHNICAL REPORT WORKSHEET 2.0

RECEIVING WATERS

The following is required for all TPDES permit applications

Section 1. Domestic Drinking Water Supply (Instructions Page 73)

Is there a surface water intake for domestic drinking water supply located within 5 miles downstream from the point or proposed point of discharge?

Yes ☐

No ☒

If yes, provide the following:

Owner of the drinking water supply:

Distance and direction to the intake:

Attach a USGS map that identifies the location of the intake.

Attachment:

Section 2. Discharge into Tidally Affected Waters (Instructions Page 73)

Does the facility discharge into tidally affected waters?

Yes ☐

No ☒

If yes, complete the remainder of this section. If no, proceed to Section 3.

A. Receiving water outfall

Width of the receiving water at the outfall, in feet:

B. Oyster waters

Are there oyster waters in the vicinity of the discharge?

Yes ☐

No ☐

If yes, provide the distance and direction from outfall(s).

--

C. Sea grasses

Are there any sea grasses within the vicinity of the point of discharge?

Yes ☐

No ☐

If yes, provide the distance and direction from the outfall(s).

Section 3. Classified Segments (Instructions Page 73)

Is the discharge directly into (or within 300 feet of) a classified segment?

Yes ☒

No ☐

If yes, this Worksheet is complete.

If no, complete Sections 4 and 5 of this Worksheet.

Section 4. Description of Immediate Receiving Waters (Instructions Page 75)

Name of the immediate receiving waters:

A. Receiving water type

Identify the appropriate description of the receiving waters.

☐

Stream

☐

Freshwater Swamp or Marsh

☐

Lake or Pond

Surface area, in acres:

Average depth of the entire water body, in feet:

Average depth of water body within a 500-foot radius of discharge point, in feet:

☐

Man-made Channel or Ditch

☐

Open Bay

☐

Tidal Stream, Bayou, or Marsh

☐

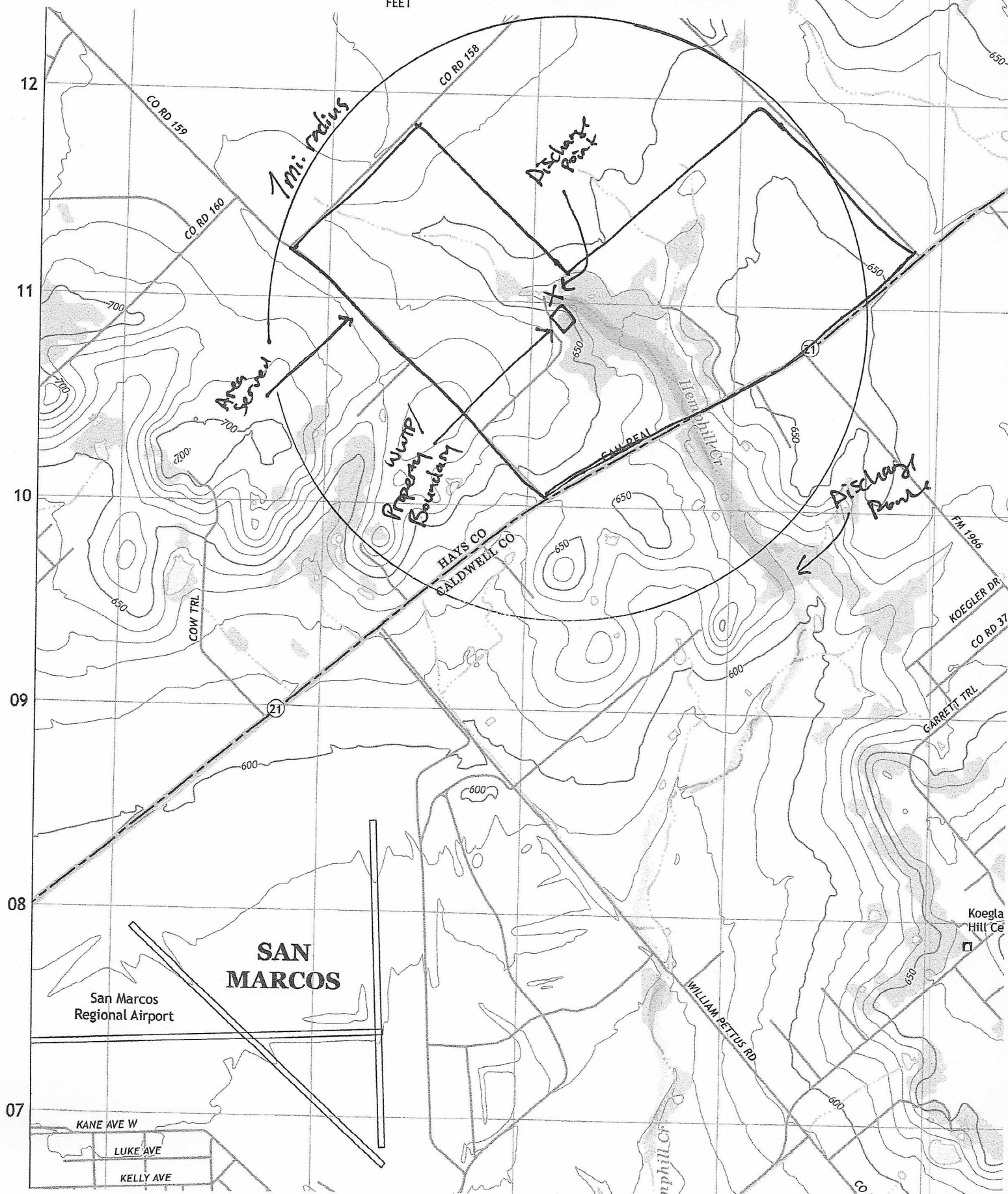
Other, specify:

Attachment Index

<i>Attachment</i>	<i>Title</i>
A	Original USGS Topographic Map
B	Site Drawing
C	Flow Diagram
D	Core Data Form
E	Treatment Process Description & Treatment Unit Dimensions

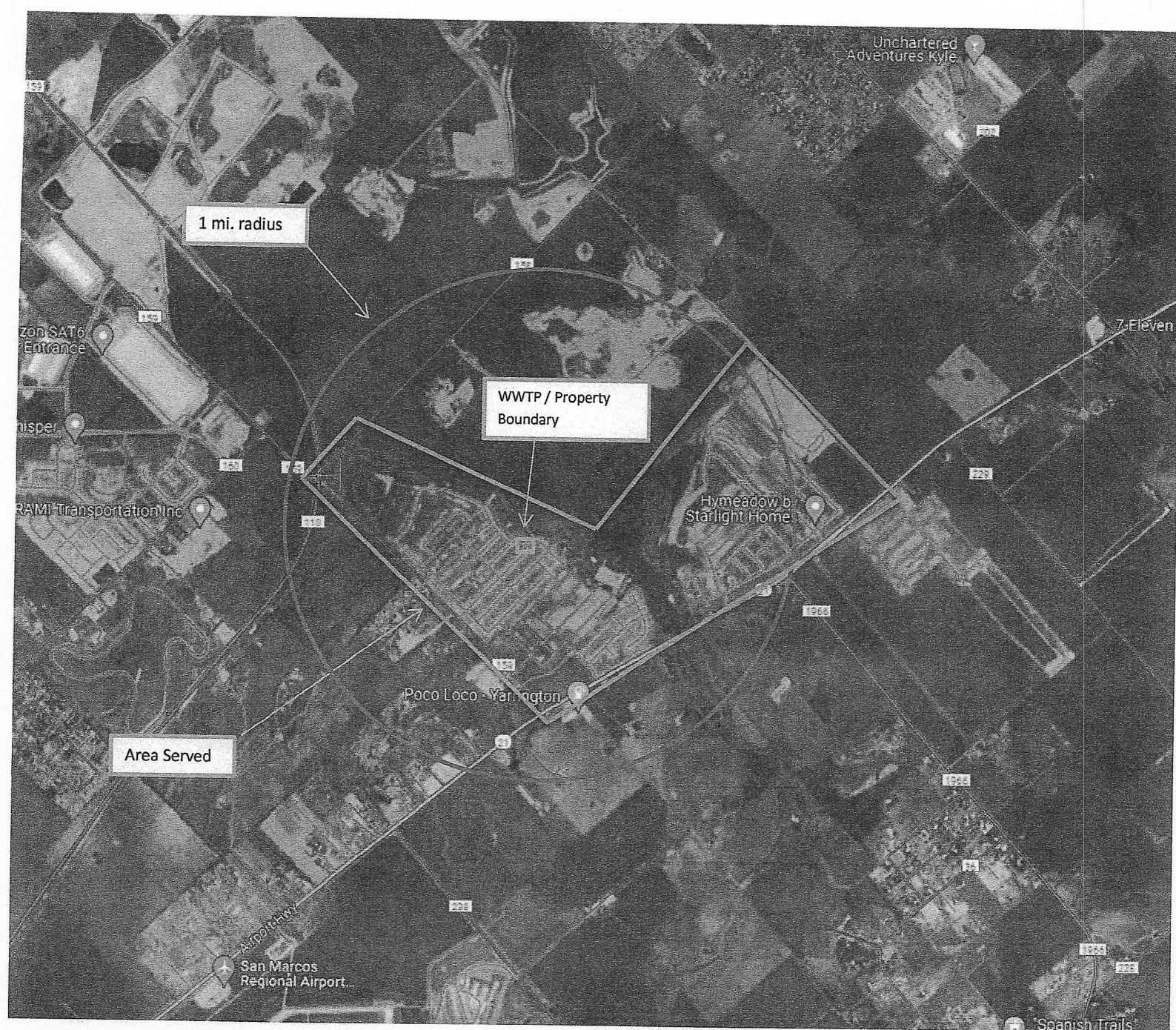
Attachment A

Original USGS Topographic Map



Attachment B

Site Drawing

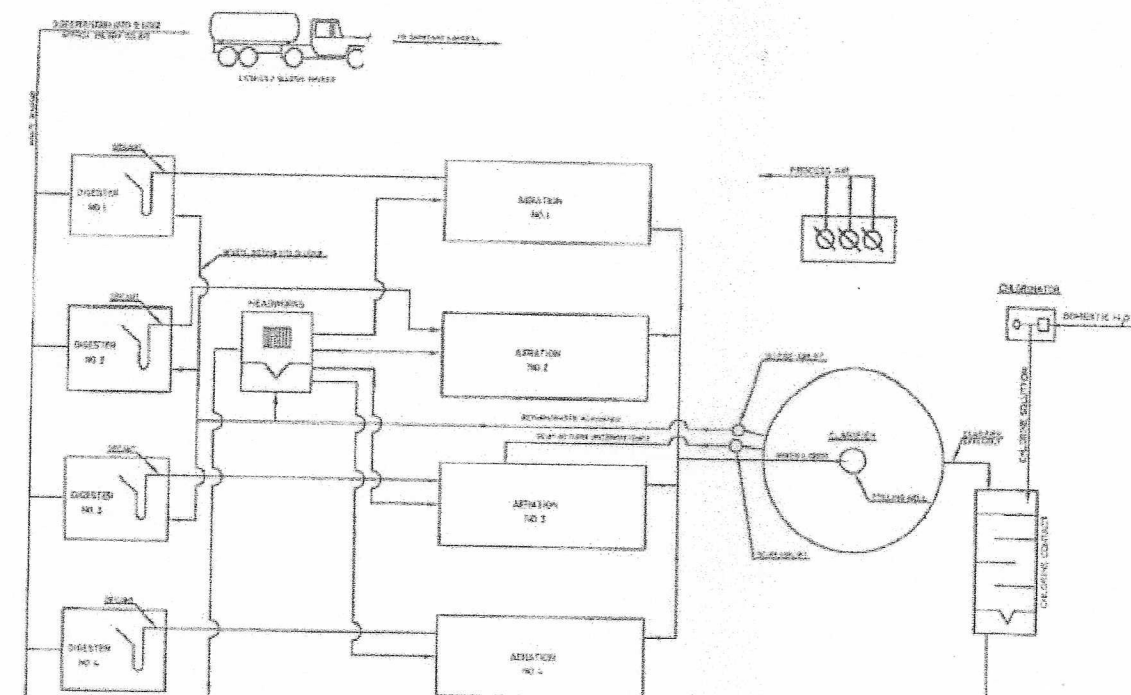


Aqua Texas, INC
WQ0015293001
April 2024

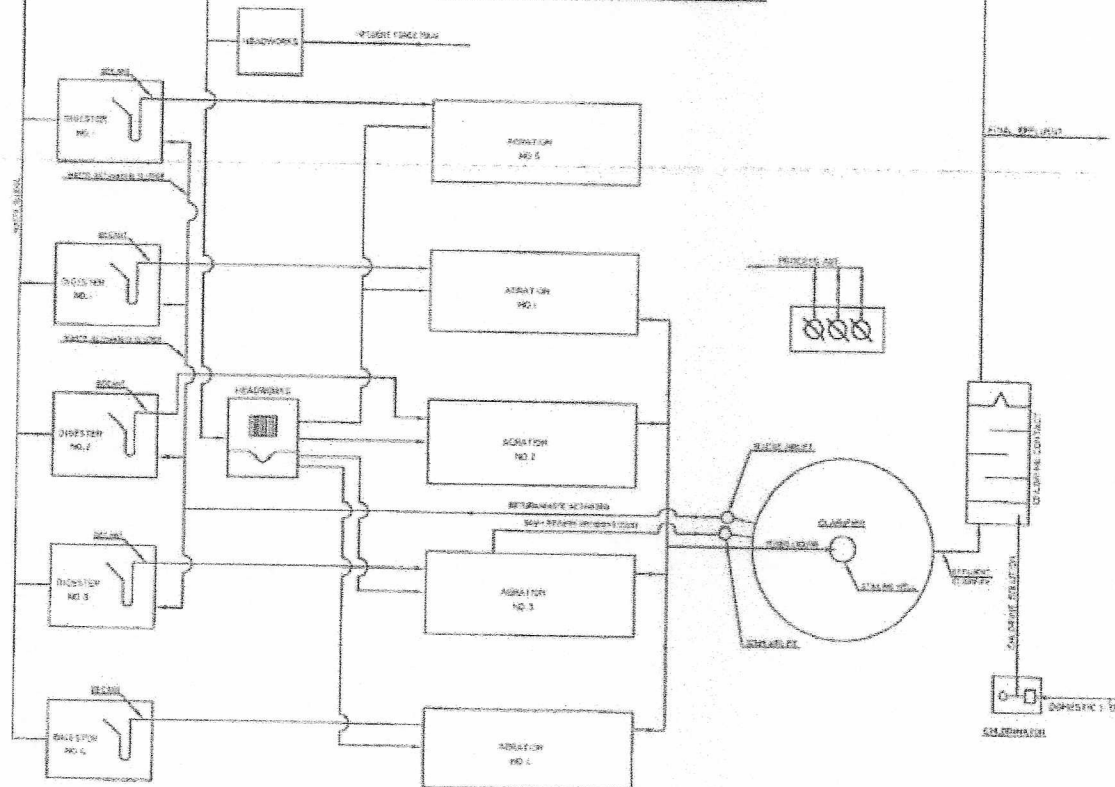


Attachment C

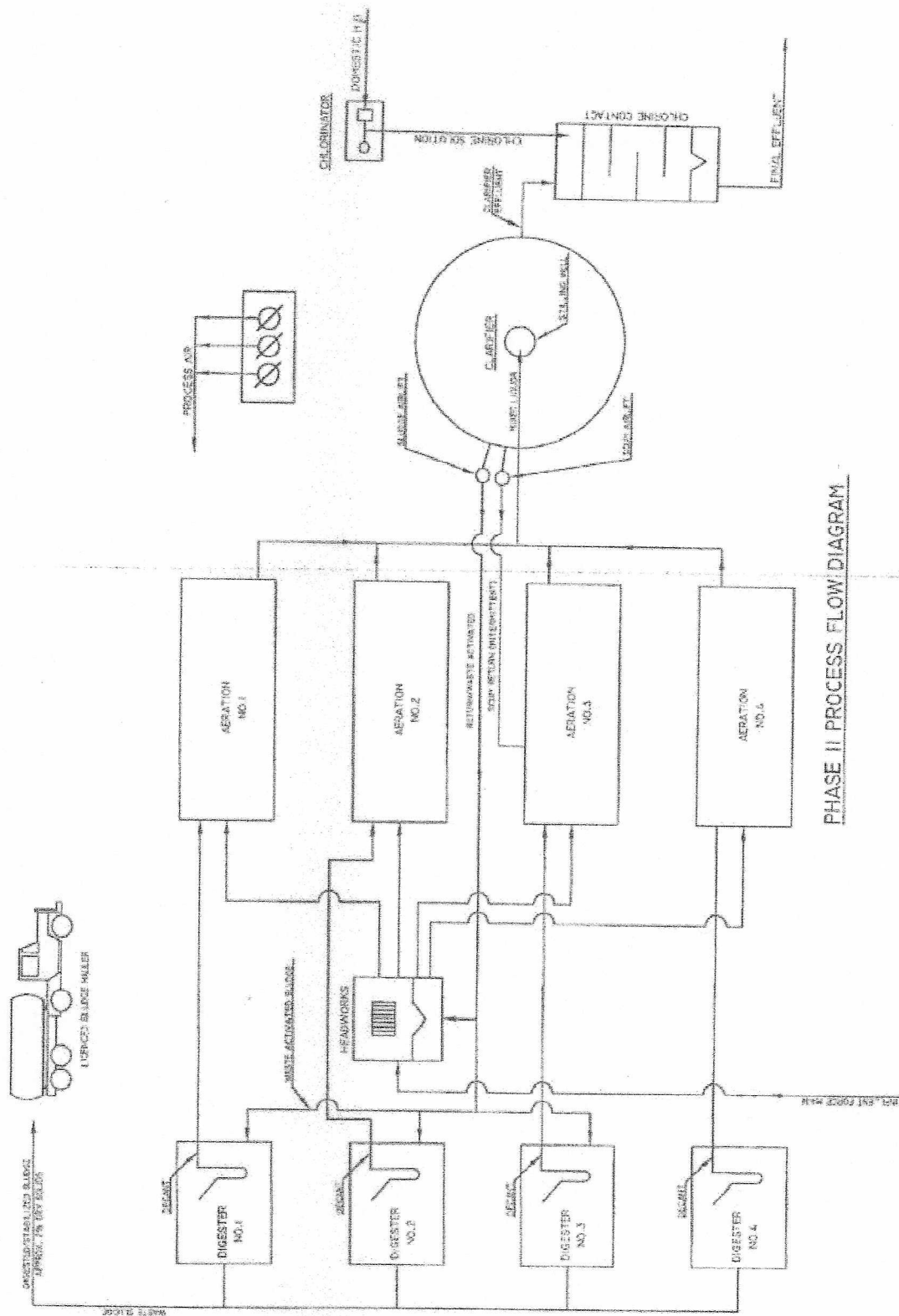
Flow Diagram



PROCESS FLOW DIAGRAM 300,000 GPD



PHASE III PROCESS FLOW DIAGRAM



PHASE II PROCESS FLOW DIAGRAM

Attachment D

Core Data Form



TCEQ Core Data Form

TCEQ Use Only

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

SECTION I: General Information

1. Reason for Submission (If other is checked please describe in space provided.) <input type="checkbox"/> New Permit, Registration or Authorization (Core Data Form should be submitted with the program application.) <input checked="" type="checkbox"/> Renewal (Core Data Form should be submitted with the renewal form) <input checked="" type="checkbox"/> Other		
2. Customer Reference Number (if issued) CN 604062463	Follow this link to search for CN or RN numbers in Central Registry**	3. Regulated Entity Reference Number (if issued) RN 107695504

SECTION II: Customer Information

4. General Customer Information		5. Effective Date for Customer Information Updates (mm/dd/yyyy)	
<input type="checkbox"/> New Customer <input type="checkbox"/> Change in Legal Name (Verifiable with the Texas Secretary of State or Texas Comptroller of Public Accounts)		<input type="checkbox"/> Update to Customer Information <input checked="" type="checkbox"/> Change in Regulated Entity Ownership	
The Customer Name submitted here may be updated automatically based on what is current and active with the Texas Secretary of State (SOS) or Texas Comptroller of Public Accounts (CPA).			
6. Customer Legal Name (If an individual, print last name first: eg: Doe, John) <i>If new Customer, enter previous Customer below:</i> Aqua Texas, Inc.			
7. TX SOS/CPA Filing Number 0800304878	8. TX State Tax ID (11 digits) 32014405503	9. Federal Tax ID (9 digits)	10. DUNS Number (if applicable)
11. Type of Customer: <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Individual Government: <input type="checkbox"/> City <input type="checkbox"/> County <input type="checkbox"/> Federal <input type="checkbox"/> State <input type="checkbox"/> Other <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Partnership: <input type="checkbox"/> General <input type="checkbox"/> Limited <input type="checkbox"/> Other:		13. Independently Owned and Operated? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
12. Number of Employees <input type="checkbox"/> 0-20 <input type="checkbox"/> 21-100 <input checked="" type="checkbox"/> 101-250 <input type="checkbox"/> 251-500 <input type="checkbox"/> 501 and higher		14. Customer Role (Proposed or Actual) – as it relates to the Regulated Entity listed on this form. Please check one of the following: <input type="checkbox"/> Owner <input type="checkbox"/> Operator <input checked="" type="checkbox"/> Owner & Operator <input type="checkbox"/> Occupational Licensee <input type="checkbox"/> Responsible Party <input type="checkbox"/> Voluntary Cleanup Applicant <input type="checkbox"/> Other:	
15. Mailing Address: 1106 Clayton Lane, Suite 400W City: Austin State: TX ZIP: 78723 ZIP + 4:			
16. Country Mailing Information (if outside USA)		17. E-Mail Address (if applicable) aboutista@aquaamerica.com	
18. Telephone Number (281) 651-0174	19. Extension or Code 54119	20. Fax Number (if applicable) () -	

SECTION III: Regulated Entity Information

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

23. Street Address of the Regulated Entity: (No PO Boxes)								
	City		State		ZIP		ZIP + 4	
24. County	Hays							

Enter Physical Location Description if no street address is provided.

25. Description to Physical Location:	2500 feet North of the intersection of Highway 21 and Yarrington Road									
26. Nearest City	San Marcos				State	TX		Nearest ZIP Code	78640	
27. Latitude (N) In Decimal:	29.921944		28. Longitude (W) In Decimal:		-97.846111					
Degrees	Minutes	Seconds	Degrees	Minutes	Seconds					
29. Primary SIC Code (4 digits)	4952		30. Secondary SIC Code (4 digits)			31. Primary NAICS Code (5 or 6 digits)	22132		32. Secondary NAICS Code (5 or 6 digits)	
33. What is the Primary Business of this entity? (Do not repeat the SIC or NAICS description.)										
Water and Wastewater Service Provider										
34. Mailing Address:	1106 Clayton Lane, Suite 400W									
	City	Austin	State	TX	ZIP	78723	ZIP + 4			
35. E-Mail Address:	aboutista@aquaaamerica.com									
36. Telephone Number	(281) 654-174		37. Extension or Code	54119		38. Fax Number (if applicable)				() -

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

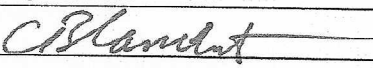
<input type="checkbox"/> Dam Safety	<input type="checkbox"/> Districts	<input type="checkbox"/> Edwards Aquifer	<input type="checkbox"/> Emissions Inventory Air	<input type="checkbox"/> Industrial Hazardous Waste
<input type="checkbox"/> Municipal Solid Waste	<input type="checkbox"/> New Source Review Air	<input type="checkbox"/> OSSF	<input type="checkbox"/> Petroleum Storage Tank	<input type="checkbox"/> PWS
<input type="checkbox"/> Sludge	<input type="checkbox"/> Storm Water	<input type="checkbox"/> Title V Air	<input type="checkbox"/> Tires	<input type="checkbox"/> Used Oil
<input type="checkbox"/> Voluntary Cleanup	<input checked="" type="checkbox"/> Waste Water	<input type="checkbox"/> Wastewater Agriculture	<input type="checkbox"/> Water Rights	<input type="checkbox"/> Other:
WQ0015293001				

SECTION IV: Preparer Information

40. Name:	Stephanie Landsman			41. Title:	Wastewater Specialist		
42. Telephone Number	43. Ext./Code	44. Fax Number	45. E-Mail Address				
(281) 658-5899		() -	stephanie@landsmanenviro.com				

SECTION V: Authorized Signature

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

Company:	Aqua Texas, Inc.		Job Title:	President	
Name(In Print) :	Craig Blanchette			Phone:	(512) 990-4400
Signature:				Date:	6/10/24

Attachment E

Treatment Process Description & Treatment Unit Dimensions

Facility Dimensions & Facility Features

The facility will employ the complete mix variation of the activated sludge process designed for single stage nitrification - From the lift station the wastewater will travel through a coarse barscreen then to the complete mix basin; from the basin the mix-liquor will be transferred to the clarifier where solids will be settled out and clear water will flow over the weirs then into the chlorine contact basin. The settled solids will either be transferred to the digester or returned to the headworks.

Phase I - 0.060MGD

Unit	Length	Width	Height
Clarifier		36' Diameter	12'
Chlorine Contact	1800cuft		
Aeration	32'	12'	12'
Digester	20'	12'	12'

Phase II - 0.24MGD

Unit	Length	Width	Height
Clarifier		36' Diameter	12'
Chlorine Contact	2000cuft		
Aeration 4@	35'	12'	12'
Digester 4@	23'	12'	12'

Phase III - 0.540MGD

Unit	Length	Width	Height
Clarifier		40' & 36' Diameter	12'
Chlorine Contact	4100cuft		
Aeration 9@	35'	12'	12'
Digester 9@	23'	12'	12'

- For short power outages the sewage will be contained in the collection system. Influent is from a triplex lift station which will not function during a general power outage. The plant features one digester, chlorinator, and stand-by blowers. The collection system will be new, and minimum infiltration is anticipated. The plant is to be maintained and operated by personnel licensed by the State of Texas.
- The plant is designed to be maintained without bypassing. Replacement or repair of the interior coating system is the only maintenance item that would necessitate bypassing and the epoxy system should last 25-30 years.
- An intruder resistant fence will be placed around the facility.



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
DOMESTIC WASTEWATER PERMIT APPLICATION

DOMESTIC TECHNICAL REPORT 1.0

The Following Is Required For All Applications
Renewal, New, And Amendment

Section 1. Permitted or Proposed Flows (Instructions Page 51)

A. Existing/Interim I Phase

Design Flow (MGD): 0.06

2-Hr Peak Flow (MGD): 0.24

Estimated construction start date: [Click here to enter text](#)

Estimated waste disposal start date: [Click here to enter text](#)

B. Interim II Phase

Design Flow (MGD): 0.24

2-Hr Peak Flow (MGD): 0.96

Estimated construction start date: 2024

Estimated waste disposal start date: [Click here to enter text](#)

C. Final Phase

Design Flow (MGD): 1.25

2-Hr Peak Flow (MGD): 4.99

Estimated construction start date: 2026

Estimated waste disposal start date: [Click here to enter text](#)

D. Current operating phase: Existing

Provide the startup date of the facility:

Francesca Findlay

From: Francesca Findlay
Sent: Friday, July 19, 2024 11:29 AM
To: Stephanie Landsman
Cc: Bautista, Abel M
Subject: RE: WQ0015293001 Aqua Texas Inc

Good morning,

I am checking to see if you have any information on the above file. WQ0015293001. The response was due on 07/17/2024. Do I need to request a 30 day letter?

Thank you,

Francesca Findlay
License & Permit Specialist
ARP Team | Water Quality Division
512-239-2441
Texas Commission on Environmental Quality



Please consider whether it is necessary to print this e-mail

How is our customer service? Fill out our online customer satisfaction survey at <http://www.tceq.texas.gov/customersurvey>.

From: Francesca Findlay
Sent: Tuesday, July 2, 2024 3:08 PM
To: Stephanie Landsman <stephanie@landsmanenviro.com>
Cc: Bautista, Abel M <AMBautista@aquaamerica.com>
Subject: RE: WQ0015293001 Aqua Texas Inc

Dear Ms. Landsman:

The attached Notice of Deficiency letter sent on July 2, 2024, requesting additional information needed to declare the application administratively complete. Please send the complete response to my attention July 17, 2024.

Thank you,

Francesca Findlay

Francesca Findlay
License & Permit Specialist
ARP Team | Water Quality Division
512-239-2441
Texas Commission on Environmental Quality



Please consider whether it is necessary to print this e-mail