Technical Package Cover Page

This file contains the following documents:

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

Portada de Paquete Técnico

Este archivo contiene los siguientes documentos:

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

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

PLAIN LANGUAGE SUMMARY FOR TPDES OR TLAP PERMIT APPLICATIONS

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

If you are subject to the alternative language notice requirements in 30 TAC Section 39.426, **you must provide a translated copy of the completed plain language summary in the appropriate alternative language as part of your application package**. For your convenience, a Spanish template has been provided below.

ENGLISH TEMPLATE FOR TPDES or TLAP NEW/RENEWAL/AMENDMENT APPLICATIONS

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 TAC Chapter 39. The information provided in this summary may change during the technical review of the application and is not a federal enforceable representation of the permit application.

Blumberg 209, LLC (CN606278463) proposes to operate Hempstead 209 Wastewater Treatment Plant (RN111999140), an activated sludge process plant. The facility will be located at approximately 1 mile northeast of the intersection of HWY 6 and 290, in Hempstead, Waller County, Texas 77445.

This application is for a new application to discharge at a daily average flow of 250,000 gallons per day of treated domestic wastewater.

Discharges from the facility are expected to contain five-day biochemical oxygen demand (BOD_5), total suspended solids, ammonia nitrogen, and dissolved oxygen at or below the limits established by the TCEQ to maintain natural water quality. Domestic wastewater will be treated by an aeration/digester basin, a clarifier, and a chlorine contact chamber. .

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

AGUAS RESIDUALES DOMÉSTICAS /**AGUAS PLUVIALES**

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

Blumberg 209, LLC (CN606278463) propone operar la Planta de Tratamiento de Aguas Residuales Hempstead 209 (RN111999140), una planta de proceso de lodos activados. La instalación estará ubicada aproximadamente a 1 milla al noreste de la intersección de HWY 6 y 290, en Hempstead, condado de Waller, Texas 77445.

Esta solicitud es para una nueva aplicación para descargar a un flujo promedio diario de 250,000 galones por día de aguas residuales domésticas tratadas.

Se espera que las descargas de la instalación contengan la demanda bioquímica de oxígeno (DBO5) de cinco días, sólidos suspendidos totales, nitrógeno amoniacal y oxígeno disuelto en o por debajo de los límites establecidos por la TCEQ para mantener la calidad natural del agua. Las aguas residuales domésticas serán tratadas mediante una balsa de aireación/digestor, un clarificador y una cámara de contacto de cloro.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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

PROPOSED PERMIT NO. WQ0016563001

APPLICATION. Blumberg 209, LLC, 3103 Amber Lane, Rosenberg, Texas 77471, has applied to the Texas Commission on Environmental Quality (TCEQ) for proposed Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016563001 (EPA I.D. No. TX0146234) to authorize the discharge of treated wastewater at a volume not to exceed a daily average flow of 250,000 gallons per day. The domestic wastewater treatment facility will be located approximately one mile northeast of the intersection of State Highway 6 and U.S. Highway 290, near the city of Hempstead, in Waller County, Texas 77445. The discharge route will be from the plant site to to a ditch, thence to a detention pond, thence to an unnamed tributary; thence to Clear Creek; thence to Brazos River Below Navasota River. TCEQ received this application on June 24, 2024. The permit application will be available for viewing and copying at Waller County Public Library, 2331 11th Street, Hempstead, in Waller 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=-96.0606,30.122233&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.**

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 Blumberg 209, LLC at the address stated above or by calling Mr. E. Levi Love, Jr., P.E., L Squared Engineering, at 936-647-0420.

Issuance Date: August 7, 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

PERMISO PROPUESTO NO. WQ0016563001

SOLICITUD. Blumberg 209, LLC, 3103 Amber Lane, Rosenberg, Texas 77471, ha solicitado a la Comisión de Calidad Ambiental del Estado de Texas (TCEQ) para el propuesto Permiso No. WQ0016563001 (EPA I.D. No. TX0146234) 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 diario de 250,000 galones por día. La planta estará ubicada aproximadamente una milla al noreste de la intersección de la autopista estatal 6 y la autopista estadounidense 290, cerca de la ciudad de Hempstead en el Condado de Waller, Texas 77445. La ruta de descarga es del sitio de la planta a desde el sitio de la planta hasta una zanja, de allí a un estanque de detención, de allí a un afluente sin nombre; de allí a Clear Creek; de allí al río Brazos debajo del río Navasota. La TCEQ recibió esta solicitud el June 24, 2024. La solicitud para el permiso estará disponible para leerla y copiarla en Waller County Public Library, 2331 11th Street, Hempstead, en Waller County, Texas antes de la fecha de publicación de este aviso en el periódico. La solicitud (cualquier actualización y aviso inclusive) está disponible electrónicamente en la siguiente página web: https://www.tceq.texas.gov/permitting/wastewater/pending-permits/tpdes-applications. Este enlace a un mapa electrónico de la ubicación general del sitio o de la instalación es proporcionado como una cortesía y no es parte de la solicitud o del aviso. Para la ubicación exacta, consulte la solicitud.
https://gisweb.tceq.texas.gov/LocationMapper/?marker=-96.0606,30.122233&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.

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. Ademas, puede pedir que la TCEQ ponga su nombre en una or mas de las listas correos siguientes (1) la lista de correo permanente para recibir los avisos de el solicitante

indicado por nombre y número del permiso específico y/o (2) la lista de correo de todas las solicitudes en un condado especifico. Si desea que se agrega su nombre en una de las listas designe cual lista(s) y envia por correo su pedido a la Oficina del Secretario Principal de la TCEQ.

INFORMACIÓN DISPONIBLE EN LÍNEA. Para detalles sobre el estado de la solicitud, favor de visitar la Base de Datos Integrada de los Comisionados en www.tceq.texas.gov/goto/cid. Para buscar en la base de datos, utilizar el número de permiso para esta solicitud que aparece en la parte superior de este aviso.

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

También se puede obtener información adicional del Blumberg 209, LLC a la dirección indicada arriba o llamando a Mr. E. Levi Love, Jr., P.E., L Squared Engineering, al 936-647-0420.

Fecha de emisión el 7 de agosto de 2024

Texas Commission on Environmental Quality

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

NEW

PERMIT NO. WQ0016563001

APPLICATION AND PRELIMINARY DECISION. Blumberg 209, LLC, 3103 Amber Lane, Rosenberg, Texas 77471, has applied to the Texas Commission on Environmental Quality (TCEQ) for new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016563001, to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 250,000 gallons per day. TCEQ received this application on June 24, 2024.

The facility will be located approximately one mile northeast of the intersection of State Highway 6 and U.S. Highway 290, in Waller County, Texas 77445. The treated effluent will be discharged to an unnamed tributary, thence to a detention pond, thence to an unnamed tributary, thence to Clear Creek, thence to the Brazos River Below Navasota River in Segment No. 1202 of the Brazos River Basin. The unclassified receiving water uses are minimal aquatic life use for the unnamed tributary (upstream of the detention pond), detention pond, and unnamed tributary (downstream of the detention pond); and high aquatic life use for Clear Creek. The designated uses for Segment No. 1202 are primary contact recreation, public water supply, and high aquatic life use. In accordance with 30 Texas Administrative Code § 307.5 and the TCEQ's *Procedures to Implement the Texas Surface Water Quality Standards* (June 2010), an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Texas Commission on Environmental Quality numerical and narrative criteria to protect existing uses will be maintained. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected in Clear Creek or the Brazos River Below Navasota River, which have been identified as having high aquatic life uses. Existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received. This link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice. For the exact location, refer to the application.
https://gisweb.tceq.texas.gov/LocationMapper/?marker=-96.0606,30.122233&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 Waller County Public Library, 2331 11th Street, Hempstead, in Waller County, Texas. The application is available for viewing and copying at the following webpage:
https://www.tceq.texas.gov/permitting/wastewater/pending-permits/tpdes-applications.

ALTERNATIVE LANGUAGE NOTICE. Alternative language notice in Spanish is available at https://www.tceq.texas.gov/permitting/wastewater/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.**

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 Blumberg 209, LLC at the address stated above or by calling Mr. E. Levi Love, Jr., P.E., L Squared Engineering, at 936-647-0420.

Issuance Date: November 13, 2025

Comisión De Calidad Ambiental Del Estado De Texas

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

NUEVO

PERMISO NO. WQ0016563001

SOLICITUD Y DECISIÓN PRELIMINAR. Blumberg 209, LLC, 3103 Amber Lane, Rosenberg, Texas 77471, ha solicitado a la Comisión de Calidad Ambiental del Estado de Texas (TCEQ) un nuevo Para autorizar la descarga de aguas residuales domésticas tratadas con un flujo promedio diario que no exceda 250,000 galones por día. La TCEQ recibió esta solicitud el 24 de junio de 2024.

La instalación se encuentra aproximadamente a una milla al noreste de la intersección de la Carretera Estatal 6 (State Highway 6) y la Carretera Federal 290 (U.S. Highway 290), en el Condado de Waller, Texas 77445. El efluente tratado se descargará a un afluente sin nombre, luego a una laguna de detención, después a otro afluente sin nombre, posteriormente a Clear Creek, y finalmente al Río Brazos debajo del Río Navasota, en el Segmento No. 1202 de la Cuenca del Río Brazos.Los usos del agua receptora no clasificada son de uso acuático mínimo para el afluente sin nombre (aguas arriba de la laguna de detención), la laguna de detención y el afluente sin nombre (aguas abajo de la laguna de detención); y de uso acuático alto para Clear Creek.Los usos designados para el Segmento No. 1202 son recreación primaria por contacto, suministro público de agua y uso acuático alto.De acuerdo con el Título 30 del Código Administrativo de Texas §307.5 y los Procedimientos de la TCEQ para Implementar los Estándares de Calidad del Agua Superficial de Texas (junio de 2010), se realizó una revisión de antidegradación de las aguas receptoras.Una revisión de antidegradación de Nivel 1 determinó preliminarmente que los usos existentes de calidad del agua no serán afectados por esta acción de permiso.Los criterios numéricos y narrativos de la Comisión de Calidad Ambiental de Texas (TCEQ) para proteger los usos existentes se mantendrán.Una revisión de antidegradación de Nivel 2 determinó preliminarmente que no se espera una degradación significativa de la calidad del agua en Clear Creek ni en el Río Brazos debajo del Río Navasota, los cuales han sido identificados como cuerpos de agua con usos acuáticos altos.Los usos existentes serán mantenidos y protegidos.La determinación preliminar puede ser reevaluada y modificada si se recibe nueva información.Un 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 ni del aviso.Para conocer la ubicación exacta, consulte la solicitud.
https://gisweb.tceq.texas.gov/LocationMapper/?marker=-96.0606,30.122233&level=18

El Director Ejecutivo de la Comisión de Calidad Ambiental de Texas (TCEQ) ha completado la revisión técnica de la solicitud y ha preparado un borrador de permiso. El borrador de permiso, si se aprueba, establecerá las condiciones bajo las cuales deberá operar la instalación. El Director Ejecutivo ha tomado una decisión preliminar de que este permiso, si se emite, cumple con todos los requisitos legales y reglamentarios aplicables. La solicitud de permiso, la decisión preliminar del Director Ejecutivo y el borrador de permiso están disponibles para su consulta y copia en la Biblioteca Pública del Condado de Waller, ubicada en 2331 11th Street, Hempstead, en el Condado de Waller, Texas. La solicitud también está disponible para su consulta y copia 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-notices.

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 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 el número de permiso propuesto; la ubicación y distancia de su propiedad o actividades en relación con la instalación propuesta; una descripción específica de cómo se vería afectado adversamente por la instalación de una manera que no sea común al público en general; una lista de todos los asuntos de hecho en disputa que presente durante el período de comentarios; y la declaración "[Yo/Nosotros] solicitamos una audiencia de caso impugnado." Si la solicitud de audiencia de caso impugnado se presenta en nombre de un grupo o asociación, la solicitud debe designar al representante del grupo para recibir la correspondencia futura; identificar por nombre y dirección física a un miembro individual del grupo que se vería afectado adversamente por la instalación o actividad propuesta; proporcionar la información mencionada anteriormente con respecto a la ubicación y distancia del miembro afectado en relación con la instalación o actividad; explicar cómo y por qué el miembro se vería afectado; y explicar cómo los intereses que el grupo busca proteger están relacionados con el 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.

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 https://www.tceq.texas.gov/goto/comment dentro de los 30 días a partir de la fecha de publicación de este aviso en el periódico.

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

CONTACTOS E INFORMACIÓN DE LA AGENCIA. Los comentarios y solicitudes públicas deben enviarse electrónicamente a https://www.tceq.texas.gov/goto/comment, o por escrito a Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Cualquier información personal que envíe a 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 https://www.tceq.texas.gov/agency/decisions/participation/permitting-participation. Si desea información en español, puede llamar al 1-800-687-4040.

También se puede obtener información adicional de Blumberg 209, LLC en la dirección indicada anteriormente o llamando al Sr. E. Levi Love, Jr., P.E., de L Squared Engineering, al 936-647-0420.

Fecha de emisión 13 de noviembre de 2025

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

DOMESTIC WASTEWATER PERMIT APPLICATION CHECKLIST

Complete and submit this checklist with the application.

APPLICANT NAME: Blumberg 209, LLC

PERMIT NUMBER (If new, leave blank): WQ00 Click to enter text.

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

	Y	N		Y	N
Administrative Report 1.0	☒	☐	Original USGS Map Attachment C	☒	☐
Administrative Report 1.1	☒	☐	Affected Landowners Map Att K	☒	☐
SPIF Attachment 1	☒	☐	Landowner Disk or Labels Att K	☒	☐
Core Data Form Attachment A	☒	☐	Buffer Zone Map Attachment E	☒	☐
Public Involvement Plan Form B	☒	☐	Flow Diagram Attachment G	☒	☐
Technical Report 1.0	☒	☐	Site Drawing Attachment D	☒	☐
Technical Report 1.1	☒	☐	Original Photographs Att O	☒	☐
Worksheet 2.0	☒	☐	Design Calculations Att H	☒	☐
Worksheet 2.1	☐	☒	Solids Management Plan Att I	☒	☐
Worksheet 3.0	☐	☒	Water Balance	☐	☒
Worksheet 3.1	☐	☒			
Worksheet 3.2	☐	☒			
Worksheet 3.3	☐	☒			
Worksheet 4.0	☐	☒			
Worksheet 5.0	☐	☒			
Worksheet 6.0	☐	☒			
Worksheet 7.0	☐	☒			

For TCEQ Use Only

Segment Number _____County _____
Expiration Date _____Region_____
Permit Number _____

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

DOMESTIC WASTEWATER PERMIT APPLICATION ADMINISTRATIVE REPORT 1.0

For any questions about this form, please contact the Applications Review and Processing Team at 512-239-4671.

Section 1. Application Fees (Instructions Page 26)

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

Flow	New/Major Amendment	Renewal
<0.05 MGD	$350.00 ☐	$315.00 ☐
≥0.05 but <0.10 MGD	$550.00 ☐	$515.00 ☐
≥0.10 but <0.25 MGD	$850.00 ☐	$815.00 ☐
≥0.25 but <0.50 MGD	$1,250.00 ☒	$1,215.00 ☐
≥0.50 but <1.0 MGD	$1,650.00 ☐	$1,615.00 ☐
≥1.0 MGD	$2,050.00 ☐	$2,015.00 ☐

Minor Amendment (for any flow) $150.00 ☐

Payment Information:

Mailed Check/Money Order Number: Click to enter text.

Check/Money Order Amount: Click to enter text.

Name Printed on Check: Click to enter text.

EPAY Voucher Number: 709989 & 709990

Copy of Payment Voucher enclosed? Yes ☒

Section 2. Type of Application (Instructions Page 26)

a. Check the box next to the appropriate authorization type.

☐ Publicly-Owned Domestic Wastewater

☒ Privately-Owned Domestic Wastewater

☐ Conventional Wastewater Treatment

b. Check the box next to the appropriate facility status.

☐ Active ☒ Inactive

c. Check the box next to the appropriate permit type.

- ☒ TPDES Permit
- ☐ TLAP
- ☐ TPDES Permit with TLAP component
- ☐ Subsurface Area Drip Dispersal System (SADDS)

d. Check the box next to the appropriate application type

- ☒ New
- ☐ Major Amendment *with* Renewal
- ☐ Major Amendment *without* Renewal
- ☐ Renewal without changes
- ☐ Minor Amendment *with* Renewal
- ☐ Minor Amendment *without* Renewal
- ☐ Minor Modification of permit

e. For amendments or modifications, describe the proposed changes: Click to enter text.

f. For existing permits:

Permit Number: WQ00 Click to enter text.

EPA I.D. (TPDES only): TX Click to enter text.

Expiration Date: Click to enter text.

Section 3. Facility Owner (Applicant) and Co-Applicant Information (Instructions Page 26)

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

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

Blumberg 209, LLC

(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: Click to enter text.

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. Last Name, First Name: Schumann, Jonathan

Title: Owner Credential: Click to enter text.

B. Co-applicant 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-applicant applying for this permit?

Click to enter text.

(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-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: Click to enter text.

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: Click to enter text. Last Name, First Name: Click to enter text.

Title: Click to enter text. Credential: Click to enter text.

Provide a brief description of the need for a co-permittee: Click to enter text.

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 A

Section 4. Application Contact Information (Instructions Page 27)

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. Last Name, First Name: Schumann, Jonathan

Title: Owner Credential: Click to enter text.

Organization Name: Blumberg 209, LLC

Mailing Address: 3103 Amber Ln City, State, Zip Code: Rosenberg, TX 77471

Phone No.: (281)814-4465 E-mail Address: Js@val-west.com

Check one or both: ☒ Administrative Contact ☐ Technical Contact

B. Prefix: Mr. Last Name, First Name: Love, E. Levi, Jr.

Title: Professional Engineer Credential: P.E.

Organization Name: L Squared Engineering

Mailing Address: 3307 W Davis St, Suite 100 City, State, Zip Code: Conroe, TX 77304

Phone No.: (936)647-0420 E-mail Address: Levi@L2Engineering.com

Check one or both: ☐ Administrative Contact ☒ Technical Contact

Section 5. Permit Contact Information (Instructions Page 27)

Provide the names and contact information for two individuals that can be contacted throughout the permit term.

A. Prefix: Mr. Last Name, First Name: Schumann, Jonathan

Title: Owner Credential: Click to enter text.

Organization Name: Blumberg 209, LLC

Mailing Address: 3103 Amber Ln City, State, Zip Code: Rosenberg, TX 77471

Phone No.: (281)814-4465 E-mail Address: Js@val-west.com

B. Prefix: Mr. Last Name, First Name: Love, E. Levi, Jr.

Title: Professional Engineer Credential: P.E.

Organization Name: L Squared Engineering

Mailing Address: 3307 W Davis St, Suite 100 City, State, Zip Code: Conroe, TX 77304

Phone No.: (936)647-0420 E-mail Address: Levi@L2Engineering.com

Section 6. Billing Contact Information (Instructions Page 27)

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. Last Name, First Name: Schumann, Jonathan

Title: Owner Credential: Click to enter text.

Organization Name: Blumberg 209, LLC

Mailing Address: 3103 Amber Ln City, State, Zip Code: Rosenberg, TX 77471

Phone No.: (281)814-4465 E-mail Address: Js@val-west.com

Section 7. DMR/MER Contact Information (Instructions Page 27)

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

Prefix: Mr. Last Name, First Name: Schumann, Jonathan

Title: Owner Credential: Click to enter text.

Organization Name: Blumberg 209, LLC

Mailing Address: 3103 Amber Ln City, State, Zip Code: Rosenberg, TX 77471

Phone No.: (281)814-4465 E-mail Address: Js@val-west.com

Section 8. Public Notice Information (Instructions Page 27)

A. Individual Publishing the Notices

Prefix: Mr. Last Name, First Name: Love, E. Levi, Jr.

Title: Professional Engineer Credential: P.E.

Organization Name: L Squared Engineering

Mailing Address: 3307 W Davis St, Suite 100 City, State, Zip Code: Conroe, TX 77304

Phone No.: (936)647-0420 E-mail Address: Levi@L2Engineering.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 permit to be listed in the Notices

Prefix: Mr. Last Name, First Name: Love, E. Levi, Jr.

Title: Professional Engineer Credential: P.E.

Organization Name: L Squared Engineering

Mailing Address: 3307 W Davis St, Suite 100 City, State, Zip Code: Conroe, TX 77304

Phone No.: (936)647-0420 E-mail Address: Levi@L2Engineering.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: Waller County Public Library

Location within the building:

Physical Address of Building: 2331 11th St, Hempstead, TX 77445

City: Hempstead County: Waller

Contact Name:

Phone No.: (979)826-7658 Ext.:

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. Plain Language Summary Template

Complete the Plain Language Summary (TCEQ Form 20972) and include as an attachment.

Attachment: Attachment 2

G. 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: B

Section 9. Regulated Entity and Permitted Site Information (Instructions Page 29)

A. If the site is currently regulated by TCEQ, provide the Regulated Entity Number (RN) issued to this site. **RN** Click to enter text.

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):

Hempstead 209 Wastewater Treatment Plant

C. Owner of treatment facility: Blumberg 209, LLC

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

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

Prefix: Mr. Last Name, First Name: Schumann, Jonathan

Title: Owner Credential: Click to enter text.

Organization Name: Blumberg 209, LLC

Mailing Address: 3103 Amber Ln City, State, Zip Code: Rosenberg, TX 77471

Phone No.: (281)814-4465 E-mail Address: Js@val-west.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: N/A

E. Owner of effluent disposal site:

Prefix: N/A Last Name, First Name: N/A

Title: N/A Credential: N/A

Organization Name: N/A

Mailing Address: N/A City, State, Zip Code: N/A

Phone No.: N/A E-mail Address: N/A

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: N/A

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

Prefix: N/A Last Name, First Name: N/A

Title: N/A Credential: N/A

Organization Name: N/A

Mailing Address: N/A City, State, Zip Code: N/A

Phone No.: N/A E-mail Address: N/A

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: N/A

Section 10. TPDES Discharge Information (Instructions Page 31)

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:

New Permit: The effluent disposal site is located approximately 1 mile northeast of the intersection of HWY 6 and 290.

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:

New Permit: The plant will discharge treated effluent to a ditch, thence through a detention pond, thence to an unnamed tributary of Clear Creek; thence to Clear Creek (Segment Number 1202Q).

City nearest the outfall(s): Hempstead, TX

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

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: N/A

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 32)

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:

Not a TLAP

B. City nearest the disposal site: N/A

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

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

N/A

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

Section 12. Miscellaneous Information (Instructions Page 32)

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.

Sludge will be hauled off TBD.

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: Click to enter text.

D. Do you owe any fees to the TCEQ?

☐ Yes ☒ No

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

Account number: Click to enter text.

Amount past due: Click to enter text.

E. Do you owe any penalties to the TCEQ?

☐ Yes ☒ No

If **yes**, please provide the following information:

Enforcement order number: Click to enter text.

Amount past due: Click to enter text.

Section 13. Attachments (Instructions Page 33)

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: **Attachment 1 (SPIF) & Attachment 2 (Plain Language Summary)**

Section 14. Signature Page (Instructions Page 34)

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

Permit Number: Click to enter text.

Applicant: Blumberg 209, LLC

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): Jonathan Schumann

Signatory title: Manager

Signature: _____ Date: 6-11-24

(Use blue ink)

Subscribed and Sworn to before me by the said Jonathan Schumann

on this 11 day of June, 20 24.

My commission expires on the 16th day of November, 20 26.

_____

Notary Public

[SEAL]

DONNETTA CUFFEE
Notary ID #134069354
My Commission Expires
November 16, 2026

Fort Bend

County, Texas

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

Transaction Information

Voucher Number: 709989
Trace Number: 582EA000614617
Date: 06/18/2024 03:55 PM
Payment Method: CC - Authorization 000005355G
Voucher Amount: $1,200.00
Fee Type: WW PERMIT - FACILITY WITH FLOW >= .25 & < .50 MGD - NEW AND MAJOR AMENDMENTS
ePay Actor: JERRY BARNES
Actor Email: jbarnes@l2engineering.com
IP: 24.32.135.66

Payment Contact Information

Name: EARL L LOVE JR
Company: L SQUARED ENGINEERING
Address: 3307 WEST DAVIS STREET, CONROE, TX 77304
Phone: 936-647-0420

Site Information

Site Name: HEMPSTEAD 209 WASTEWATER TREATMENT PLANT
Site Location: 1 MILE NORTHEAST OF THE INTERSECTION OF HWY 6 AND 290 HEMPSTEAD WALLER COUNTY TX

Customer Information

Customer Name: BLUMBERG 209 LLC
Customer Address: 3103 AMBER LN, ROSENBERG, TX 77471

Close

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

Transaction Information

Voucher Number:	709990
Trace Number:	582EA000614617
Date:	06/18/2024 03:55 PM
Payment Method:	CC - Authorization 000005355G
Voucher Amount:	$50.00
Fee Type:	30 TAC 305.53B WQ NOTIFICATION FEE
ePay Actor:	JERRY BARNES
Actor Email:	jbarnes@l2engineering.com
IP:	24.32.135.66

Payment Contact Information

Name:	EARL L LOVE JR
Company:	L SQUARED ENGINEERING
Address:	3307 WEST DAVIS STREET, CONROE, TX 77304
Phone:	936-647-0420

Close

DOMESTIC WASTEWATER PERMIT APPLICATION ADMINISTRATIVE REPORT 1.0

The following information is required for new and amendment applications.

Section 1. Affected Landowner Information (Instructions Page 36)

A. Indicate by a check mark that the landowners map or drawing, with scale, includes the following information, as applicable:

☒ The applicant's property boundaries

☒ The facility site boundaries within the applicant's property boundaries

☒ The distance the buffer zone falls into adjacent properties and the property boundaries of the landowners located within the buffer zone

☒ The property boundaries of all landowners surrounding the applicant's property (Note: if the application is a major amendment for a lignite mine, the map must include the property boundaries of all landowners adjacent to the new facility (ponds).)

☒ The point(s) of discharge and highlighted discharge route(s) clearly shown for one mile downstream

☒ The property boundaries of the landowners located on both sides of the discharge route for one full stream mile downstream of the point of discharge

☐ N/A The property boundaries of the landowners along the watercourse for a one-half mile radius from the point of discharge if the point of discharge is into a lake, bay, estuary, or affected by tides

☐ N/A The boundaries of the effluent disposal site (for example, irrigation area or subsurface drainfield site) and all evaporation/holding ponds within the applicant's property

☐ N/A The property boundaries of all landowners surrounding the effluent disposal site

☐ N/A The boundaries of the sludge land application site (for land application of sewage sludge for beneficial use) and the property boundaries of landowners surrounding the applicant's property boundaries where the sewage sludge land application site is located

☐ N/A The property boundaries of landowners within one-half mile in all directions from the applicant's property boundaries where the sewage sludge disposal site (for example, sludge surface disposal site or sludge monofill) is located

B. ☒ Indicate by a check mark that a separate list with the landowners' names and mailing addresses cross-referenced to the landowner's map has been provided.

C. Indicate by a check mark in which format the landowners list is submitted:

☒ USB Drive ☐ Four sets of labels

D. Provide the source of the landowners' names and mailing addresses: Waller County Appraisal District

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

☐ Yes ☒ No

If **yes**, provide the location and foreseeable impacts and effects this application has on the land(s):

Click to enter text.

Section 2. Original Photographs (Instructions Page 38)

Provide original ground level photographs. Indicate with checkmarks that the following information is provided.

☒ At least one original photograph of the new or expanded treatment unit location

☒ At least two photographs of the existing/proposed point of discharge and as much area downstream (photo 1) and upstream (photo 2) as can be captured. If the discharge is to an open water body (e.g., lake, bay), the point of discharge should be in the right or left edge of each photograph showing the open water and with as much area on each respective side of the discharge as can be captured.

☐ N/A At least one photograph of the existing/proposed effluent disposal site

☒ A plot plan or map showing the location and direction of each photograph

Section 3. Buffer Zone Map (Instructions Page 38)

A. Buffer zone map. Provide a buffer zone map on 8.5 x 11-inch paper with all of the following information. The applicant's property line and the buffer zone line may be distinguished by using dashes or symbols and appropriate labels.

- The applicant's property boundary;
- The required buffer zone; and
- Each treatment unit; and
- The distance from each treatment unit to the property boundaries.

B. Buffer zone compliance method. Indicate how the buffer zone requirements will be met. Check all that apply.

☐ Ownership

☒ Restrictive easement

☐ Nuisance odor control

☐ Variance

C. Unsuitable site characteristics. Does the facility comply with the requirements regarding unsuitable site characteristic found in 30 TAC § 309.13(a) through (d)?

☒ Yes ☐ No

DOMESTIC WASTEWATER PERMIT APPLICATION

SUPPLEMENTAL PERMIT INFORMATION FORM (SPIF)

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

Attachment: **Attachment 1**

WATER QUALITY PERMIT

PAYMENT SUBMITTAL FORM

Use this form to submit the Application Fee, if the mailing the payment.

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

Mail this form and the check or money order to:

BY REGULAR U.S. MAIL

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

BY OVERNIGHT/EXPRESS MAIL

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

Fee Code: WQP **Waste Permit No:** Click to enter text.

1. Check or Money Order Number: Click to enter text.
2. Check or Money Order Amount: Click to enter text.
3. Date of Check or Money Order: Click to enter text.
4. Name on Check or Money Order: Click to enter text.
5. APPLICATION INFORMATION

   Name of Project or Site: Hempstead 209 Wastewater Treatment Plant

   Physical Address of Project or Site: Approximately 1 mile Northeast of the intersection of HWY 6 and 290. Hempstead, Waller County, TX

   If the check is for more than one application, attach a list which includes the name of each Project or Site (RE) and Physical Address, exactly as provided on the application.

Staple Check or Money Order in This Space

ATTACHMENT 1

INDIVIDUAL INFORMATION

Section 1. Individual Information (Instructions Page 41)

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

Prefix (Mr., Ms., Miss): Click to enter text.

Full legal name (Last Name, First Name, Middle Initial): Click to enter text.

Driver's License or State Identification Number: Click to enter text.

Date of Birth: Click to enter text.

Mailing Address: Click to enter text.

City, State, and Zip Code: Click to enter text.

Phone Number: Click to enter text. Fax Number: Click to enter text.

E-mail Address: Click to enter text.

CN: Click to enter text.

For Commission Use Only:
Customer Number:
Regulated Entity Number:
Permit Number:

DOMESTIC WASTEWATER PERMIT APPLICATION CHECKLIST OF COMMON DEFICIENCIES

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

Core Data Form (TCEQ Form No. 10400) ☒ Yes
(Required for all application types. Must be completed in its entirety and signed. Note: Form may be signed by applicant representative.)

Correct and Current Industrial Wastewater Permit Application Forms ☒ Yes
(TCEQ Form Nos. 10053 and 10054. Version dated 6/25/2018 or later.)

Water Quality Permit Payment Submittal Form (Page 19) ☒ Yes
(Original payment sent to TCEQ Revenue Section. See instructions for mailing address.)

7.5 Minute USGS Quadrangle Topographic Map Attached ☒ Yes
(Full-size map if seeking "New" permit. 8 ½ x 11 acceptable for Renewals and Amendments)

Current/Non-Expired, Executed Lease Agreement or Easement ☒ N/A ☐ Yes

Landowners Map ☐ N/A ☒ Yes
(See instructions for landowner requirements)

Things to Know:

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

Landowners Cross Reference List ☐ N/A ☒ Yes
(See instructions for landowner requirements)

Landowners Labels or USB Drive attached ☐ N/A ☒ Yes
(See instructions for landowner requirements)

Original signature per 30 TAC § 305.44 – Blue Ink Preferred ☒ Yes
(If signature page is not signed by an elected official or principle executive officer, a copy of signature authority/delegation letter must be attached)

Plain Language Summary ☒ Yes

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

SUPPLEMENTAL PERMIT INFORMATION FORM (SPIF)

FOR AGENCIES REVIEWING DOMESTIC OR INDUSTRIAL TPDES WASTEWATER PERMIT APPLICATIONS

TCEQ USE ONLY:

Application type: ____Renewal ____Major Amendment ____Minor Amendment ____New

County: _____ Segment Number: _____

Admin Complete Date: _____

Agency Receiving SPIF:

_____ Texas Historical Commission _____ U.S. Fish and Wildlife

_____ Texas Parks and Wildlife Department _____ U.S. Army Corps of Engineers

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

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

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

The following applies to all applications:

1. Permittee: Blumberg 209, LLC

   Permit No. WQ00 Click here to enter text EPA ID No. TX Click here to enter text

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

   The site is located approximately 1 mile northeast of the intersection of HWY 6 and 290, Hempstead, Waller County, Texas 77445.

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: E. Levi Love, Jr.

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

Title: Professional Engineer

Mailing Address: 3307 W Davis St, Suite 100

City, State, Zip Code: Conroe, TX 77304

Phone No.: (936)647-0420 Ext.: Click here to enter text. Fax No.: Click here to enter text.

E-mail Address: Levi@L2Engineering.com

2. List the county in which the facility is located: Waller
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.

The plant will discharge treated effluent to a ditch, thence through a detention pond, thence to an unnamed tributary of Clear Creek; thence to Clear Creek (Segment Number 1202Q).

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

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

N/A

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

The current use is cattle grazing land and forest.

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

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

Phase I – Construction begins January 2026 and ends December 2026, Phase II Construction Begins January 2028 and ends December 2028, Phase III Construction begins January 2030 and ends December 2030.

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

The property covers 209 acres and includes a creek and several ponds. Blumberg Road provides access. The land is mostly forested and currently vacant.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

PLAIN LANGUAGE SUMMARY FOR TPDES OR TLAP PERMIT APPLICATIONS

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

If you are subject to the alternative language notice requirements in 30 TAC Section 39.426, **you must provide a translated copy of the completed plain language summary in the appropriate alternative language as part of your application package**. For your convenience, a Spanish template has been provided below.

ENGLISH TEMPLATE FOR TPDES or TLAP NEW/RENEWAL/AMENDMENT APPLICATIONS

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 TAC Chapter 39. The information provided in this summary may change during the technical review of the application and is not a federal enforceable representation of the permit application.

Blumberg 209, LLC (CN_____) proposes to operate Hempstead 209 Wastewater Treatment Plant (RN_____), an activated sludge process plant. The facility will be located at approximately 1 mile northeast of the intersection of HWY 6 and 290, in Hempstead, Waller County, Texas 77445.

This application is for a new application to discharge at a daily average flow of 250,000 gallons per day of treated domestic wastewater.

Discharges from the facility are expected to contain five-day biochemical oxygen demand (BOD_5), total suspended solids, ammonia nitrogen, and dissolved oxygen at or below the limits established by the TCEQ to maintain natural water quality. Domestic wastewater will be treated by an aeration/digester basin, a clarifier, and a chlorine contact chamber. .

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

AGUAS RESIDUALES DOMÉSTICAS **/AGUAS PLUVIALES**

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

Blumberg 209, LLC (CN_____) propone operar la Planta de Tratamiento de Aguas Residuales Hempstead 209 (RN_____), una planta de proceso de lodos activados. La instalación estará ubicada aproximadamente a 1 milla al noreste de la intersección de HWY 6 y 290, en Hempstead, condado de Waller, Texas 77445.

Esta solicitud es para una nueva aplicación para descargar a un flujo promedio diario de 250,000 galones por día de aguas residuales domésticas tratadas.

Se espera que las descargas de la instalación contengan la demanda bioquímica de oxígeno (DBO5) de cinco días, sólidos suspendidos totales, nitrógeno amoniacal y oxígeno disuelto en o por debajo de los límites establecidos por la TCEQ para mantener la calidad natural del agua. Las aguas residuales domésticas serán tratadas mediante una balsa de aireación/digestor, un clarificador y una cámara de contacto de cloro.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

DOMESTIC WASTEWATER PERMIT APPLICATION TECHNICAL REPORT 1.0

For any questions about this form, please contact the Domestic Wastewater Permitting Team at 512-239-4671.

The following information is required for all renewal, new, and amendment applications.

Section 1. Permitted or Proposed Flows (Instructions Page 43)

A. Existing/Interim I Phase

Design Flow (MGD): 0.0625

2-Hr Peak Flow (MGD): 0.25

Estimated construction start date: January 2026

Estimated waste disposal start date: December 2026

B. Interim II Phase

Design Flow (MGD): 0.0625

2-Hr Peak Flow (MGD): 0.25

Estimated construction start date: January 2028

Estimated waste disposal start date: December 2028

C. Final Phase

Design Flow (MGD): 0.125

2-Hr Peak Flow (MGD): 0.5

Estimated construction start date: January 2030

Estimated waste disposal start date: December 2030

D. Current Operating Phase: N/A

Provide the startup date of the facility: N/A

Section 2. Treatment Process (Instructions Page 43)

A. Current Operating Phase

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, a description of *each phase* must be provided**.

See Attachment G

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)
See Attachment F		

C. Process Flow Diagram

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

Attachment: See Attachment G

Section 3. Site Information and Drawing (Instructions Page 44)

Provide the TPDES discharge outfall latitude and longitude. Enter N/A if not applicable.

- Latitude: 30°07'17.9"N
- Longitude: 96°03'33.4"W

Provide the TLAP disposal site latitude and longitude. Enter N/A if not applicable.

- Latitude: N/A
- Longitude: N/A

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: See Attachment D

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

Hempstead 209 Acres

Collection System Information **for wastewater TPDES permits only**: Provide information for each **uniquely owned** collection system, existing and new, served by this facility, including satellite collection systems. **Please see the instructions for a detailed explanation and examples.**

Collection System Information

Collection System Name	Owner Name	Owner Type	Population Served
Hempstead 209 Acres Phase I Collection System	Blumberg 209, LLC	**Privately Owned**	822
Hempstead 209 Acres Phase II Collection System	Blumberg 209, LLC	**Privately Owned**	822
Hempstead 209 Acres Phase III Collection System	Blumberg 209, LLC	**Privately Owned**	822
		Choose an item.	

Section 4. Unbuilt Phases (Instructions Page 45)

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**.

N/A

Section 5. Closure Plans (Instructions Page 45)

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.

N/A

Section 6. Permit Specific Requirements (Instructions Page 45)

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: Click to enter text.

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**.

N/A

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.

Buffer zone is provided to all sides of the plant and is plet;y within the owner's property.

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*.

N/A

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.

N/A

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 512-239-2335. 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.

N/A

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 512-239-2335.

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

N/A

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 **N/A** or TXRNE **N/A**

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:

N/A

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.

N/A

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.

N/A

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.

N/A

Note: Direct stormwater discharges to waters in the state authorized through this individual permit will require the development and implementation of a stormwater pollution prevention plan (SWPPP) and will be subject to additional monitoring and reporting requirements. Indirect discharges of stormwater via headworks recycling will require compliance with all individual permit requirements including 2-hour peak flow limitations. All stormwater discharge authorization requests will require additional information during the technical review of your application.

F. Discharges to the Lake Houston Watershed

Does the facility discharge in the Lake Houston watershed?

☐ Yes ☒ No

If yes, attach a Sewage Sludge Solids Management Plan. See Example 5 in the instructions.
Click to enter text.

G. Other wastes received including sludge from other WWTPs and septic waste

1. Acceptance of sludge from other WWTPs

Does or will the facility accept sludge from other treatment plants at the facility site?

☐ Yes ☒ No

If yes, attach sewage sludge solids management plan. See Example 5 of instructions.

In addition, provide the date the plant started or is anticipated to start accepting sludge, an estimate of monthly sludge acceptance (gallons or millions of gallons), an estimate of the BOD_5 concentration of the sludge, and the design BOD_5 concentration of the influent from the collection system. Also note if this information has or has not changed since the last permit action.

N/A

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

2. Acceptance of septic waste

Is the facility accepting or will it accept septic waste?

☐ Yes ☒ No

If yes, does the facility have a Type V processing unit?

☐ Yes ☒ No

If yes, does the unit have a Municipal Solid Waste permit?

☐ Yes ☒ No

If yes to any of the above, provide the date the plant started or is anticipated to start accepting septic waste, an estimate of monthly septic waste acceptance (gallons or millions of gallons), an estimate of the BOD_5 concentration of the septic waste, and the design BOD_5 concentration of the influent from the collection system. Also note if this information has or has not changed since the last permit action.

N/A

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 or will the facility 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.

N/A

Section 7. Pollutant Analysis of Treated Effluent (Instructions Page 50)

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). W***ater treatment facilities*** discharging filter backwash water, complete Table 1.0(3). Provide copies of the laboratory results sheets. **These tables are not applicable for a minor amendment without renewal.** See the instructions for guidance.

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

Table1.0(2) – Pollutant Analysis for Wastewater Treatment Facilities

Pollutant	Average Conc.	Max Conc.	No. of Samples	Sample Type	Sample Date/Time
$CBOD_5$, mg/l					
Total Suspended Solids, mg/l					
Ammonia Nitrogen, mg/l					
Nitrate Nitrogen, mg/l					
Total Kjeldahl Nitrogen, mg/l					
Sulfate, mg/l					
Chloride, mg/l					
Total Phosphorus, mg/l					
pH, standard units					
Dissolved Oxygen*, mg/l					
Chlorine Residual, mg/l					
E.coli (CFU/100ml) freshwater					
Entercocci (CFU/100ml) saltwater					
Total Dissolved Solids, mg/l					
Electrical Conductivity, µmohs/cm, †					
Oil & Grease, mg/l					
Alkalinity ($CaCO_3$)*, mg/l					

*TPDES permits only
†TLAP permits only

Table1.0(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					
Fluoride, mg/l					
Aluminum, mg/l					
Alkalinity ($CaCO_3$), mg/l					

Section 8. Facility Operator (Instructions Page 50)

Facility Operator Name: TBD

Facility Operator's License Classification and Level: TBD

Facility Operator's License Number: TBD

Section 9. Sludge and Biosolids Management and Disposal (Instructions Page 51)

A. WWTP's Biosolids Management Facility Type

Check all that apply. See instructions for guidance

- ☐ Design flow>= 1 MGD
- ☐ Serves >= 10,000 people
- ☐ Class I Sludge Management Facility (per 40 CFR § 503.9)
- ☐ Biosolids generator
- ☐ Biosolids end user – land application (onsite)
- ☐ Biosolids end user – surface disposal (onsite)
- ☐ Biosolids end user – incinerator (onsite)

B. WWTP's Biosolids Treatment Process

Check all that apply. See instructions for guidance.

- ☒ Aerobic Digestion
- ☐ Air Drying (or sludge drying beds)
- ☐ Lower Temperature Composting
- ☐ Lime Stabilization
- ☐ Higher Temperature Composting
- ☐ Heat Drying
- ☐ Thermophilic Aerobic Digestion
- ☐ Beta Ray Irradiation
- ☐ Gamma Ray Irradiation
- ☐ Pasteurization
- ☐ Preliminary Operation (e.g. grinding, de-gritting, blending)
- ☐ Thickening (e.g. gravity thickening, centrifugation, filter press, vacuum filter)
- ☐ Sludge Lagoon
- ☐ Temporary Storage (< 2 years)
- ☐ Long Term Storage (>= 2 years)
- ☐ Methane or Biogas Recovery

☐ Other Treatment Process: Click to enter text.

C. Biosolids Management

Provide information on the *intended* biosolids management practice. Do not enter every management practice that you want authorized in the permit, as the permit will authorize all biosolids management practices listed in the instructions. Rather indicate the management practice the facility plans to use.

Biosolids Management

Management Practice	Handler or Preparer Type	Bulk or Bag Container	Amount (dry metric tons)	Pathogen Reduction Options	Vector Attraction Reduction Option
Disposal in Landfill	Off-site Third-Party Handler or Preparer	Bulk	3		Option 1: Volatile solids reduced by 38%
Choose an item.	Choose an item.	Choose an item.		Choose an item.	Choose an item.
Choose an item.	Choose an item.	Choose an item.		Choose an item.	Choose an item.

If "Other" is selected for Management Practice, please explain (e.g. monofill or transport to another WWTP): Click to enter text.

D. Disposal site

Disposal site name: TBD

TCEQ permit or registration number: TBD

County where disposal site is located: TBD

E. Transportation method

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

Name of the hauler: TBD

Hauler registration number: TBD

Sludge is transported as a:

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

Section 10. Permit Authorization for Sewage Sludge Disposal (Instructions Page 53)

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 53)

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: Click to enter text.
- USDA Natural Resources Conservation Service Soil Map:

  Attachment: Click to enter text.
- Federal Emergency Management Map:

  Attachment: Click to enter text.
- Site map:

  Attachment: Click to enter text.

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: N/A

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:

N/A

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: Click to enter text.

Total Kjeldahl Nitrogen, mg/kg: Click to enter text.

Total Nitrogen (=nitrate nitrogen + TKN), mg/kg: Click to enter text.

Phosphorus, mg/kg: Click to enter text.

Potassium, mg/kg: Click to enter text.

pH, standard units: Click to enter text.

Ammonia Nitrogen mg/kg: Click to enter text.

Arsenic: Click to enter text.

Cadmium: Click to enter text.

Chromium: Click to enter text.

Copper: Click to enter text.

Lead: Click to enter text.

Mercury: Click to enter text.

Molybdenum: Click to enter text.

Nickel: Click to enter text.

Selenium: Click to enter text.

Zinc: Click to enter text.

Total PCBs: Click to enter text.

Provide the following information:

Volume and frequency of sludge to the lagoon(s): Click to enter text.

Total dry tons stored in the lagoons(s) per 365-day period: Click to enter text.

Total dry tons stored in the lagoons(s) over the life of the unit: Click to enter text.

C. Liner information

Does the active/proposed sludge lagoon(s) have a liner with a maximum hydraulic conductivity of $1x10^{-7}$ cm/sec?

☐ Yes ☐ No

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

N/A

D. Site development plan

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

N/A

Attach the following documents to the application.

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

  Attachment: Click to enter text.
- Copy of the closure plan

  Attachment: Click to enter text.
- Copy of deed recordation for the site

  Attachment: Click to enter text.
- Size of the sludge lagoon(s) in surface acres and capacity in cubic feet and gallons

  Attachment: Click to enter text.
- Description of the method of controlling infiltration of groundwater and surface water from entering the site

  Attachment: Click to enter text.
- Procedures to prevent the occurrence of nuisance conditions

  Attachment: Click to enter text.

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: Click to enter text.

Section 12. Authorizations/Compliance/Enforcement (Instructions Page 55)

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:

N/A

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:

N/A

Section 13. RCRA/CERCLA Wastes (Instructions Page 55)

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: N/A

Section 14. Laboratory Accreditation (Instructions Page 56)

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: N/A

Title: N/A

Signature: _____

Date: _____

DOMESTIC WASTEWATER PERMIT APPLICATION TECHNICAL REPORT 1.1

The following information is required for new and amendment major applications.

Section 1. Justification for Permit (Instructions Page 57)

A. Justification of permit need

Provide a detailed discussion regarding the need for any phase(s) not currently permitted. Failure to provide sufficient justification may result in the Executive Director recommending denial of the proposed phase(s) or permit.

Due to the overall phasing and growth planned, all phases will need to be completed according to Attachment L. The completion dates for each phase can be found on page 1 of Domestic Technical Report 1.0.

B. Regionalization of facilities

For additional guidance, please review TCEQ's Regionalization Policy for Wastewater Treatment[1].

Provide the following information concerning the potential for regionalization of domestic wastewater treatment facilities:

1. Municipally incorporated areas

If the applicant is a city, then Item 1 is not applicable. Proceed to Item 2 Utility CCN areas.

Is any portion of the proposed service area located in an incorporated city?

☐ Yes ☒ No ☐ Not Applicable

If yes, within the city limits of: Click to enter text.

If yes, attach correspondence from the city.

Attachment: Click to enter text.

If consent to provide service is available from the city, attach a justification for the proposed facility and a cost analysis of expenditures that includes the cost of connecting to the city versus the cost of the proposed facility or expansion attached.

Attachment: Click to enter text.

2. Utility CCN areas

Is any portion of the proposed service area located inside another utility's CCN area?

☐ Yes ☒ No

[1] https://www.tceq.texas.gov/permitting/wastewater/tceq-regionalization-for-wastewater

If yes, attach a justification for the proposed facility and a cost analysis of expenditures that includes the cost of connecting to the CCN facilities versus the cost of the proposed facility or expansion.

Attachment: Click to enter text.

3. Nearby WWTPs or collection systems

Are there any domestic permitted wastewater treatment facilities or collection systems located within a three-mile radius of the proposed facility?

☒ Yes ☐ No

If yes, attach a list of these facilities and collection systems that includes each permittee's name and permit number, and an area map showing the location of these facilities and collection systems.

Attachment: Attachment P

If yes, attach proof of mailing a request for service to each facility and collection system, the letters requesting service, and correspondence from each facility and collection system.

Attachment: **Attachment P**

If the facility or collection system agrees to provide service, attach a justification for the proposed facility and a cost analysis of expenditures that includes the cost of connecting to the facility or collection system versus the cost of the proposed facility or expansion.

Attachment: N/A

Section 2. Proposed Organic Loading (Instructions Page 59)

Is this facility in operation?

☐ Yes ☒ No

If no, proceed to Item B, Proposed Organic Loading.

If yes, provide organic loading information in Item A, Current Organic Loading

A. Current organic loading

Facility Design Flow (flow being requested in application): Click to enter text.

Average Influent Organic Strength or BOD_5 Concentration in mg/l: Click to enter text.

Average Influent Loading (lbs/day = total average flow X average BOD_5 conc. X 8.34): Click to enter text.

Provide the source of the average organic strength or BOD_5 concentration.

Click to enter text.

B. Proposed organic loading

This table must be completed if this application is for a facility that is not in operation or if this application is to request an increased flow that will impact organic loading.

Table 1.1(1) – Design Organic Loading

Source	Total Average Flow (MGD)	Influent BOD5 Concentration (mg/l)
Municipality		
Subdivision	0.25	300
Trailer park – transient		
Mobile home park		
School with cafeteria and showers		
School with cafeteria, no showers		
Recreational park, overnight use		
Recreational park, day use		
Office building or factory		
Motel		
Restaurant		
Hospital		
Nursing home		
Other		
TOTAL FLOW from all sources		
AVERAGE BOD_5 from all sources		

Section 3. Proposed Effluent Quality and Disinfection (Instructions Page 59)

A. Existing/Interim I Phase Design Effluent Quality

Biochemical Oxygen Demand (5-day), mg/l: 10

Total Suspended Solids, mg/l: 15

Ammonia Nitrogen, mg/l: 3

Total Phosphorus, mg/l: N/A

Dissolved Oxygen, mg/l: 2

Other: N/A

B. Interim II Phase Design Effluent Quality

Biochemical Oxygen Demand (5-day), mg/l: 10

Total Suspended Solids, mg/l: 15

Ammonia Nitrogen, mg/l: 3

Total Phosphorus, mg/l: N/A

Dissolved Oxygen, mg/l: 2

Other: N/A

C. Final Phase Design Effluent Quality

Biochemical Oxygen Demand (5-day), mg/l: 10

Total Suspended Solids, mg/l: 15

Ammonia Nitrogen, mg/l: 3

Total Phosphorus, mg/l: N/A

Dissolved Oxygen, mg/l: 2

Other: N/A

D. Disinfection Method

Identify the proposed method of disinfection.

☒ Chlorine: 2 mg/l after 20 minutes detention time at peak flow

Dechlorination process: Click to enter text.

☐ Ultraviolet Light: Click to enter text. seconds contact time at peak flow

☐ Other: Click to enter text.

Section 4. Design Calculations (Instructions Page 59)

Attach design calculations and plant features for each proposed phase. Example 4 of the instructions includes sample design calculations and plant features.

Attachment: See attachment H

Section 5. Facility Site (Instructions Page 60)

A. 100-year floodplain

Will the proposed facilities be located above the 100-year frequency flood level?

☒ Yes ☐ No

If no, describe measures used to protect the facility during a flood event. Include a site map showing the location of the treatment plant within the 100-year frequency flood level. If applicable, provide the size and types of protective structures.

N/A

Provide the source(s) used to determine 100-year frequency flood plain.

FEMA Firm Panel 0135C, Map Number 48473C0135F, Effective Date 5/15/2019

For a new or expansion of a facility, will a wetland or part of a wetland be filled?

☐ Yes ☒ No

If yes, has the applicant applied for a US Corps of Engineers 404 Dredge and Fill Permit?

☐ Yes ☐ No

If yes, provide the permit number: Click to enter text.

If no, provide the approximate date you anticipate submitting your application to the Corps: Click to enter text.

B. Wind rose

Attach a wind rose: Attachment J

Section 6. Permit Authorization for Sewage Sludge Disposal (Instructions Page 60)

A. Beneficial use authorization

Are you requesting to include authorization to land apply sewage sludge for beneficial use on property located adjacent to the wastewater treatment facility under the wastewater permit?

☐ Yes ☒ No

If yes, attach the completed **Application for Permit for Beneficial Land Use of Sewage Sludge (TCEQ Form No. 10451)**: Click to enter text.

B. Sludge processing authorization

Identify the sludge processing, storage or disposal options that will be conducted at the wastewater treatment facility:

☐ Sludge Composting

☐ Marketing and Distribution of sludge

☐ Sludge Surface Disposal or Sludge Monofill

If any of the above, sludge options are selected, attach the completed **Domestic Wastewater Permit Application: Sewage Sludge Technical Report (TCEQ Form No. 10056)**: Click to enter text.

Section 7. Sewage Sludge Solids Management Plan (Instructions Page 61)

Attach a solids management plan to the application.

Attachment: Attachment I

The sewage sludge solids management plan must contain the following information:

- Treatment units and processes dimensions and capacities
- Solids generated at 100, 75, 50, and 25 percent of design flow
- Mixed liquor suspended solids operating range at design and projected actual flow

- Quantity of solids to be removed and a schedule for solids removal
- Identification and ownership of the ultimate sludge disposal site
- For facultative lagoons, design life calculations, monitoring well locations and depths, and the ultimate disposal method for the sludge from the facultative lagoon

An example of a sewage sludge solids management plan has been included as Example 5 of the instructions.

DOMESTIC WASTEWATER PERMIT APPLICATION WORKSHEET 2.0: RECEIVING WATERS

The following information is required for all TPDES permit applications.

Section 1. Domestic Drinking Water Supply (Instructions Page 64)

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 **no**, proceed it Section 2. **If yes**, provide the following:

Owner of the drinking water supply: Click to enter text.

Distance and direction to the intake: Click to enter text.

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

Attachment: Click to enter text.

Section 2. Discharge into Tidally Affected Waters (Instructions Page 64)

Does the facility discharge into tidally affected waters?

☐ Yes ☒ No

If **no**, proceed to Section 3. **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: Click to enter text.

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).

N/A

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).

N/A

Section 3. Classified Segments (Instructions Page 64)

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 65)

Name of the immediate receiving waters: Unnamed tributary Clear Creek

A. Receiving water type

Identify the appropriate description of the receiving waters.

☐ Stream

☐ Freshwater Swamp or Marsh

☐ Lake or Pond

Surface area, in acres: Click to enter text.

Average depth of the entire water body, in feet: Click to enter text.

Average depth of water body within a 500-foot radius of discharge point, in feet: Click to enter text.

☒ Man-made Channel or Ditch

☐ Open Bay

☐ Tidal Stream, Bayou, or Marsh

☐ Other, specify: Click to enter text.

B. Flow characteristics

If a stream, man-made channel or ditch was checked above, provide the following. For existing discharges, check one of the following that best characterizes the area *upstream* of the discharge. For new discharges, characterize the area *downstream* of the discharge (check one).

☒ Intermittent - dry for at least one week during most years

☐ Intermittent with Perennial Pools - enduring pools with sufficient habitat to maintain significant aquatic life uses

☐ Perennial - normally flowing

Check the method used to characterize the area upstream (or downstream for new dischargers).

☐ USGS flow records

☐ Historical observation by adjacent landowners

☒ Personal observation

☐ Other, specify: Click to enter text.

C. Downstream perennial confluences

List the names of all perennial streams that join the receiving water within three miles downstream of the discharge point.

Clear Creek

D. Downstream characteristics

Do the receiving water characteristics change within three miles downstream of the discharge (e.g., natural or man-made dams, ponds, reservoirs, etc.)?

☒ Yes ☐ No

If yes, discuss how.

The 3 miles downstream goes from a man-made drainage way to a detention pond (future) and then to Clear Creek.

E. Normal dry weather characteristics

Provide general observations of the water body during normal dry weather conditions.

The immediate downstream waterbody (man-made drainage way) is dry during dry weather.

Date and time of observation: May 15,2024

Was the water body influenced by stormwater runoff during observations?

☒ Yes ☐ No

Section 5. General Characteristics of the Waterbody (Instructions Page 66)

A. Upstream influences

Is the immediate receiving water upstream of the discharge or proposed discharge site influenced by any of the following? Check all that apply.

☐ Oil field activities
☐ Urban runoff
☐ Upstream discharges
☒ Agricultural runoff
☐ Septic tanks
☐ Other(s), specify: Click to enter text.

B. Waterbody uses

Observed or evidences of the following uses. Check all that apply.

- ☒ Livestock watering
- ☐ Irrigation withdrawal
- ☐ Fishing
- ☐ Domestic water supply
- ☐ Park activities
- ☐ Contact recreation
- ☒ Non-contact recreation
- ☐ Navigation
- ☐ Industrial water supply
- ☐ Other(s), specify: Click to enter text.

C. Waterbody aesthetics

Check one of the following that best describes the aesthetics of the receiving water and the surrounding area.

- ☐ Wilderness: outstanding natural beauty; usually wooded or unpastured area; water clarity exceptional
- ☒ Natural Area: trees and/or native vegetation; some development evident (from fields, pastures, dwellings); water clarity discolored
- ☐ Common Setting: not offensive; developed but uncluttered; water may be colored or turbid
- ☐ Offensive: stream does not enhance aesthetics; cluttered; highly developed; dumping areas; water discolored

Attachment A – Core Data Form

TCEQ Use Only

TCEQ Core Data Form

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

SECTION I: General Information

1. Reason for Submission (*If other is checked please describe in space provided.*)

☒ New Permit, Registration or Authorization (*Core Data Form should be submitted with the program application.*)

☐ Renewal *(Core Data Form should be submitted with the renewal form)* ☐ Other

2. Customer Reference Number *(if issued)*	Follow this link to search for CN or RN numbers in Central Registry**	**3. Regulated Entity Reference Number** *(if issued)*
CN		**RN**

SECTION II: Customer Information

4. General Customer Information | **5. Effective Date for Customer Information Updates** (mm/dd/yyyy)

☒ New Customer ☐ Update to Customer Information ☐ Change in Regulated Entity Ownership
☐ Change in Legal Name (Verifiable with the Texas Secretary of State or Texas Comptroller of Public Accounts)

The Customer Name submitted here may be updated automatically based on what is current and active with the Texas Secretary of State (SOS) or Texas Comptroller of Public Accounts (CPA).

6. Customer Legal Name *(If an individual, print last name first: eg: Doe, John)* — *If new Customer, enter previous Customer below:*

Blumberg 209, LLC

7. TX SOS/CPA Filing Number	**8. TX State Tax ID** (11 digits)	**9. Federal Tax ID** (9 digits)	**10. DUNS Number** *(if applicable)*
805480304	32094382333	99-2190428	

11. Type of Customer: ☐ Corporation ☐ Individual Partnership: ☐ General ☐ Limited
Government: ☐ City ☐ County ☐ Federal ☐ Local ☐ State ☐ Other ☐ Sole Proprietorship ☒ Other: Texas LLC

12. Number of Employees
☒ 0-20 ☐ 21-100 ☐ 101-250 ☐ 251-500 ☐ 501 and higher

13. Independently Owned and Operated?
☒ **Yes** ☐ **No**

14. Customer Role (Proposed or Actual) – *as it relates to the Regulated Entity listed on this form. Please check one of the following*

☐ Owner ☐ Operator ☒ Owner & Operator
☐ Occupational Licensee ☐ Responsible Party ☐ VCP/BSA Applicant ☐ Other:

15. Mailing Address:

	3103 Amber Ln						
City	Rosenberg	**State**	TX	**ZIP**	77471	**ZIP + 4**	

16. Country Mailing Information *(if outside USA)*	**17. E-Mail Address** *(if applicable)*
	js@val-west.com

18. Telephone Number	19. Extension or Code	20. Fax Number *(if applicable)*
(281) 814-4465		( ) -

SECTION III: Regulated Entity Information

21. General Regulated Entity Information *(If 'New Regulated Entity" is selected, a new permit application is also required.)*

☒ New Regulated Entity ☐ Update to Regulated Entity Name ☐ Update to Regulated Entity Information

The Regulated Entity Name submitted may be updated, in order to meet TCEQ Core Data Standards (removal of organizational endings such as Inc, LP, or LLC).

22. Regulated Entity Name *(Enter name of the site where the regulated action is taking place.)*

Hemptstead 209 Wastewaater Treatment Plant

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

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

25. Description to Physical Location:	From US 290 W, exit onto HWY 6 N/TX-6 N toward College Station/ Bryan in 0.9 miles turn right onto Blumberg road and continue North on Blumberg for 1 mile.

26. Nearest City	State	Nearest ZIP Code
Hempstead	TX	77445

Latitude/Longitude are required and may be added/updated to meet TCEQ Core Data Standards. (Geocoding of the Physical Address may be used to supply coordinates where none have been provided or to gain accuracy).

27. Latitude (N) In Decimal:	30.122233		28. Longitude (W) In Decimal:	-96.060607	
Degrees	Minutes	Seconds	Degrees	Minutes	Seconds
30	7	18.7	96	3	33.7

29. Primary SIC Code (4 digits)	30. Secondary SIC Code (4 digits)	31. Primary NAICS Code (5 or 6 digits)	32. Secondary NAICS Code (5 or 6 digits)
6532	6552	531390	237210

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

Real Estate

34. Mailing Address:	**3103 Amber Ln**							
	City	**Rosenburg**	**State**	**TX**	**ZIP**	**77471**	**ZIP + 4**	

35. E-Mail Address:	JS@val-west.com

36. Telephone Number	37. Extension or Code	38. Fax Number *(if applicable)*
(281) 814-4465		**( ) -**

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.

☐ Dam Safety	☐ Districts	☐ Edwards Aquifer	☐ Emissions Inventory Air	☐ Industrial Hazardous Waste
☐ Municipal Solid Waste	☐ New Source Review Air	☐ OSSF	☐ Petroleum Storage Tank	☐ PWS
☐ Sludge	☐ Storm Water	☐ Title V Air	☐ Tires	☐ Used Oil
☐ Voluntary Cleanup	☒ Wastewater	☐ Wastewater Agriculture	☐ Water Rights	☐ Other:

SECTION IV: Preparer Information

40. Name:	E. Levi Love Jr.	**41. Title:**	Professional Engineer

42. Telephone Number	**43. Ext./Code**	**44. Fax Number**	**45. E-Mail Address**
(936 **)** 647-0420		**( )** -	Levi@L2Engineering.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:	Blumberg 209, LLC	**Job Title:**	Owner/Operator	
Name *(In Print):*	Jonathan Schumann		**Phone:**	**(** 281 **)** 814- **4465**
Signature:			**Date:**	6/10/24

Attachment B – Public Involvement Plan

Texas Commission on Environmental Quality

Public Involvement Plan Form for Permit and Registration Applications

The Public Involvement Plan is intended to provide applicants and the agency with information about how public outreach will be accomplished for certain types of applications in certain geographical areas of the state. It is intended to apply to new activities; major changes at existing plants, facilities, and processes; and to activities which are likely to have significant interest from the public. This preliminary screening is designed to identify applications that will benefit from an initial assessment of the need for enhanced public outreach.

All applicable sections of this form should be completed and submitted with the permit or registration application. For instructions on how to complete this form, see TCEQ-20960-inst.

Section 1. Preliminary Screening

☒ New Permit or Registration Application

☐ New Activity – modification, registration, amendment, facility, etc. (see instructions)

If neither of the above boxes are checked, completion of the form is not required and does not need to be submitted.

Section 2. Secondary Screening

☒ Requires public notice,

☐ Considered to have significant public interest, **and**

☒ Located within any of the following geographical locations:

- Austin
- Dallas
- Fort Worth
- Houston
- San Antonio
- West Texas
- Texas Panhandle
- Along the Texas/Mexico Border
- Other geographical locations should be decided on a case-by-case basis

If all the above boxes are not checked, a Public Involvement Plan is not necessary. Stop after Section 2 and submit the form.

☒ Public Involvement Plan not applicable to this application. Provide **brief** explanation.

Not considered to have significant public interest.

Section 3. Application Information

Type of Application (check all that apply):

Air ☐ Initial ☐ Federal ☐ Amendment ☐ Standard Permit ☐ Title V

Waste ☐ Municipal Solid Waste ☐ Industrial and Hazardous Waste ☐ Scrap Tire
☐ Radioactive Material Licensing ☐ Underground Injection Control

Water Quality

☐ Texas Pollutant Discharge Elimination System (TPDES)

- ☐ Texas Land Application Permit (TLAP)
- ☐ State Only Concentrated Animal Feeding Operation (CAFO)
- ☐ Water Treatment Plant Residuals Disposal Permit

☐ Class B Biosolids Land Application Permit

☐ Domestic Septage Land Application Registration

Water Rights New Permit

☐ New Appropriation of Water

☐ New or existing reservoir

Amendment to an Existing Water Right

☐ Add a New Appropriation of Water

☐ Add a New or Existing Reservoir

☐ Major Amendment that could affect other water rights or the environment

Section 4. Plain Language Summary

Provide a brief description of planned activities.

Section 5. Community and Demographic Information

Community information can be found using EPA's EJ Screen, U.S. Census Bureau information, or generally available demographic tools.

Information gathered in this section can assist with the determination of whether alternative language notice is necessary. Please provide the following information.

(City)

(County)

(Census Tract)
Please indicate which of these three is the level used for gathering the following information.

☐ City ☐ County ☐ Census Tract

(a) Percent of people over 25 years of age who at least graduated from high school

(b) Per capita income for population near the specified location

(c) Percent of minority population and percent of population by race within the specified location

(d) Percent of Linguistically Isolated Households by language within the specified location

(e) Languages commonly spoken in area by percentage

(f) Community and/or Stakeholder Groups

(g) Historic public interest or involvement

Section 6. Planned Public Outreach Activities

(a) Is this application subject to the public participation requirements of Title 30 Texas Administrative Code (30 TAC) Chapter 39?

☐ Yes ☐ No

(b) If yes, do you intend at this time to provide public outreach other than what is required by rule?

☐ Yes ☐ No

If Yes, please describe.

If you answered "yes" that this application is subject to 30 TAC Chapter 39, answering the remaining questions in Section 6 is not required.

(c) Will you provide notice of this application in alternative languages?

☐ Yes ☐ No

Please refer to Section 5. If more than 5% of the population potentially affected by your application is Limited English Proficient, then you are required to provide notice in the alternative language.

If yes, how will you provide notice in alternative languages?

☐ Publish in alternative language newspaper

☐ Posted on Commissioner's Integrated Database Website

☐ Mailed by TCEQ's Office of the Chief Clerk

☐ Other (specify)

(d) Is there an opportunity for some type of public meeting, including after notice?

☐ Yes ☐ No

(e) If a public meeting is held, will a translator be provided if requested?

☐ Yes ☐ No

(f) Hard copies of the application will be available at the following (check all that apply):

☐ TCEQ Regional Office ☐ TCEQ Central Office

☐ Public Place (specify)

Section 7. Voluntary Submittal

For applicants voluntarily providing this Public Involvement Plan, who are not subject to formal public participation requirements.

Will you provide notice of this application, including notice in alternative languages?

☐ Yes ☐ No

What types of notice will be provided?

☐ Publish in alternative language newspaper

☐ Posted on Commissioner's Integrated Database Website

☐ Mailed by TCEQ's Office of the Chief Clerk

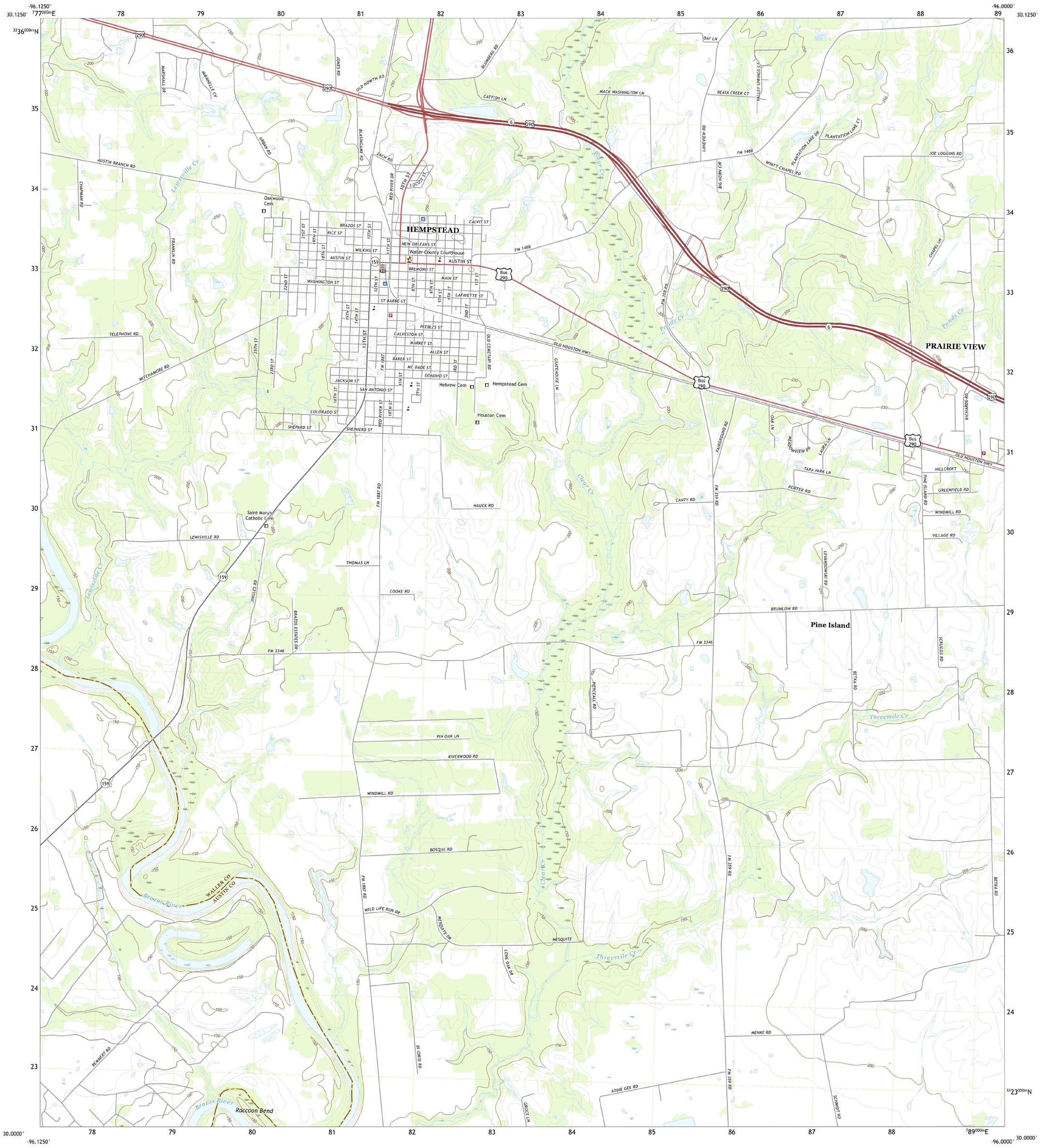
☐ Other (specify)

Attachment C – USGS Maps

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

The National Map US Topo

HEMPSTEAD QUADRANGLE
TEXAS
7.5-MINUTE SERIES



L SQUARED ENGINEERING

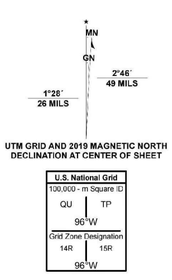
Produced by the United States Geological Survey

North American Datum of 1983 (NAD83)
World Geodetic System of 1984 (WGS84). Projection and
1 000-meter grid:Universal Transverse Mercator, Zone 14R

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

Imagery.....NAIP, September 2016 - November 2016
Roads.....U.S. Census Bureau, 2015
Names.....GNIS, 1979 - 2021
Hydrography.....National Hydrography Dataset, 2002 - 2018
Contours.....National Elevation Dataset, 2004
Boundaries.....Multiple sources; see metadata file 2019 - 2021

Wetlands.....FWS National Wetlands Inventory Not Available



UTM GRID AND 2019 MAGNETIC NORTH DECLINATION AT CENTER OF SHEET

U.S. National Grid
100,000 - m Square ID
QU | TP
96°W
Grid Zone Designation
14R | 15R
96°W

SCALE 1:24 000

1 0.5 0 KILOMETERS 1 2
1000 500 0 METERS 1000 2000
1 0.5 0 1
MILES
1000 0 1000 2000 3000 4000 5000 6000 7000 8000 9000 10000
FEET

CONTOUR INTERVAL 10 FEET
NORTH AMERICAN VERTICAL DATUM OF 1988

This map was produced to conform with the National Geospatial Program US Topo Product Standard.

QUADRANGLE LOCATION

1	2	3
4		5
6	7	8

1 Daniels
2 Howth
3 Waller NW
4 Buckhorn
5 Waller
6 Burleigh
7 Sunny Side
8 Hockley Mound

ADJOINING QUADRANGLES

ROAD CLASSIFICATION

Expressway
Secondary Hwy
Ramp
Local Connector
Local Road
4WD
Interstate Route
US Route
State Route

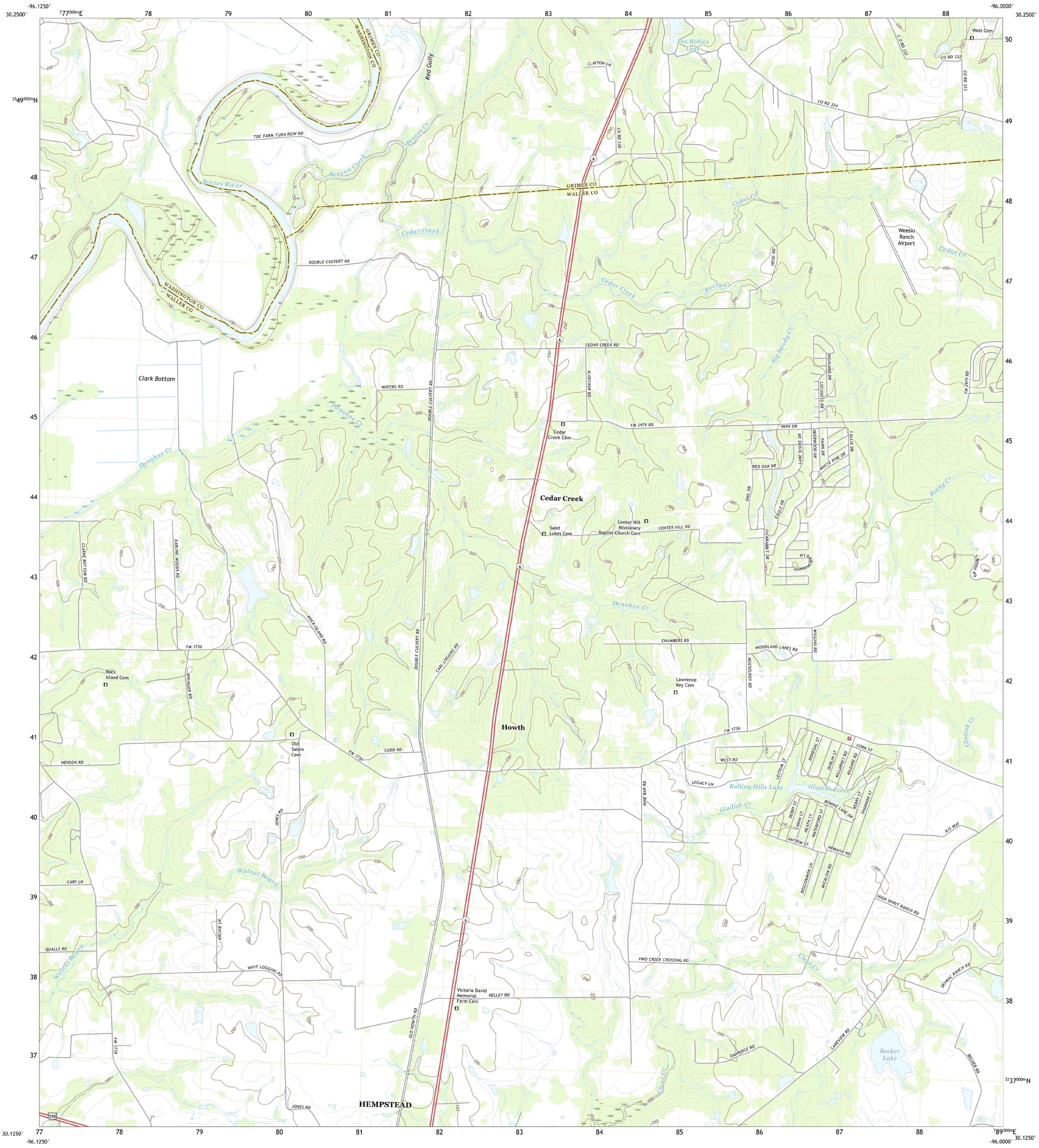
HEMPSTEAD, TX
2022

NSN 7643016396511
NGA REF NO. USGSX24K20068

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

The National Map US Topo

HOWTH QUADRANGLE
TEXAS
7.5-MINUTE SERIES



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Hydrography.....National Hydrography Dataset, 2002 - 2018
Contours.....National Elevation Dataset, 2004
Boundaries.....Multiple sources; see metadata file 2019 - 2021

Wetlands.....FWS National Wetlands Inventory Not Available

MN
GN
2°46'
49 MILS
1°29'
26 MILS
UTM GRID AND 2019 MAGNETIC NORTH DECLINATION AT CENTER OF SHEET

U.S. National Grid
100,000 - m Square ID
QU | TP
96°W
Grid Zone Designation
14R | 15R
96°W

SCALE 1:24 000
1 0.5 0 KILOMETERS 1 2
1000 500 0 METERS 1000 2000
1 0.5 0 1
MILES
1000 0 1000 2000 3000 4000 5000 6000 7000 8000 9000 10000
FEET

CONTOUR INTERVAL 10 FEET
NORTH AMERICAN VERTICAL DATUM OF 1988

This map was produced to conform with the National Geospatial Program US Topo Product Standard.

TEXAS
QUADRANGLE LOCATION

1	2	3
4		5
6	7	8

1 Washington
2 Courtney
3 Stoneham
4 Daniels
5 Waller NW
6 Buckhorn
7 Hempstead
8 Waller

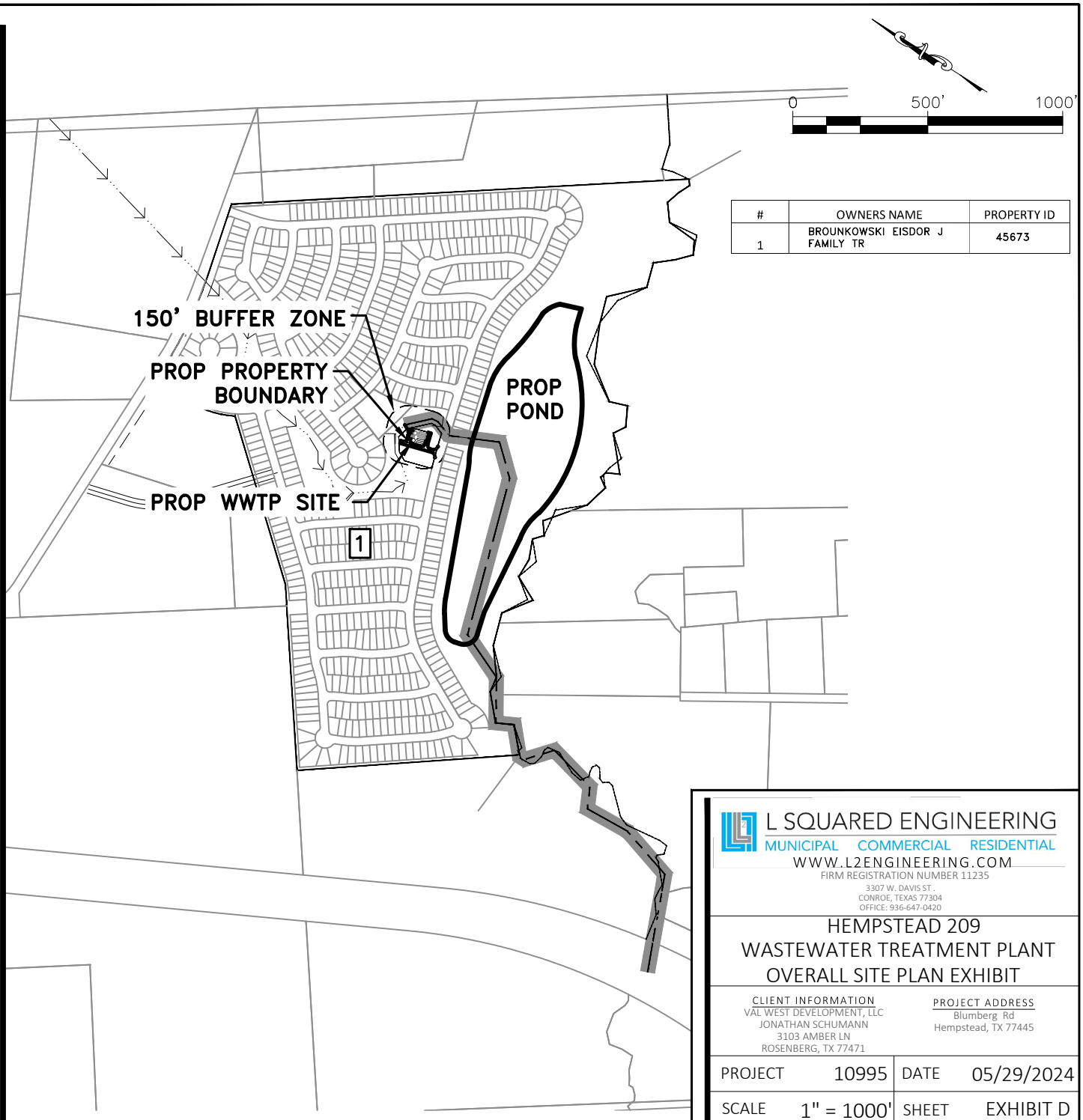
ADJOINING QUADRANGLES

ROAD CLASSIFICATION
Expressway
Secondary Hwy
Ramp
Local Connector
Local Road
4WD
Interstate Route
US Route
State Route

HOWTH, TX
2022

NSN 7643016396604
NGA REF NO. USGSX24K21300

Attachment D – Site Drawings



#	OWNERS NAME	PROPERTY ID
1	BROUNKOWSKI EISDOR J FAMILY TR	45673

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OFFICE: 936-647-0420

HEMPSTEAD 209 WASTEWATER TREATMENT PLANT OVERALL SITE PLAN EXHIBIT

CLIENT INFORMATION
VAL WEST DEVELOPMENT, LLC
JONATHAN SCHUMANN
3103 AMBER LN
ROSENBERG, TX 77471

PROJECT ADDRESS
Blumberg Rd
Hempstead, TX 77445

PROJECT	10995	DATE	05/29/2024
SCALE	1" = 1000'	SHEET	EXHIBIT D

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JONATHAN WHITE, PE #127058

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05/29/2024

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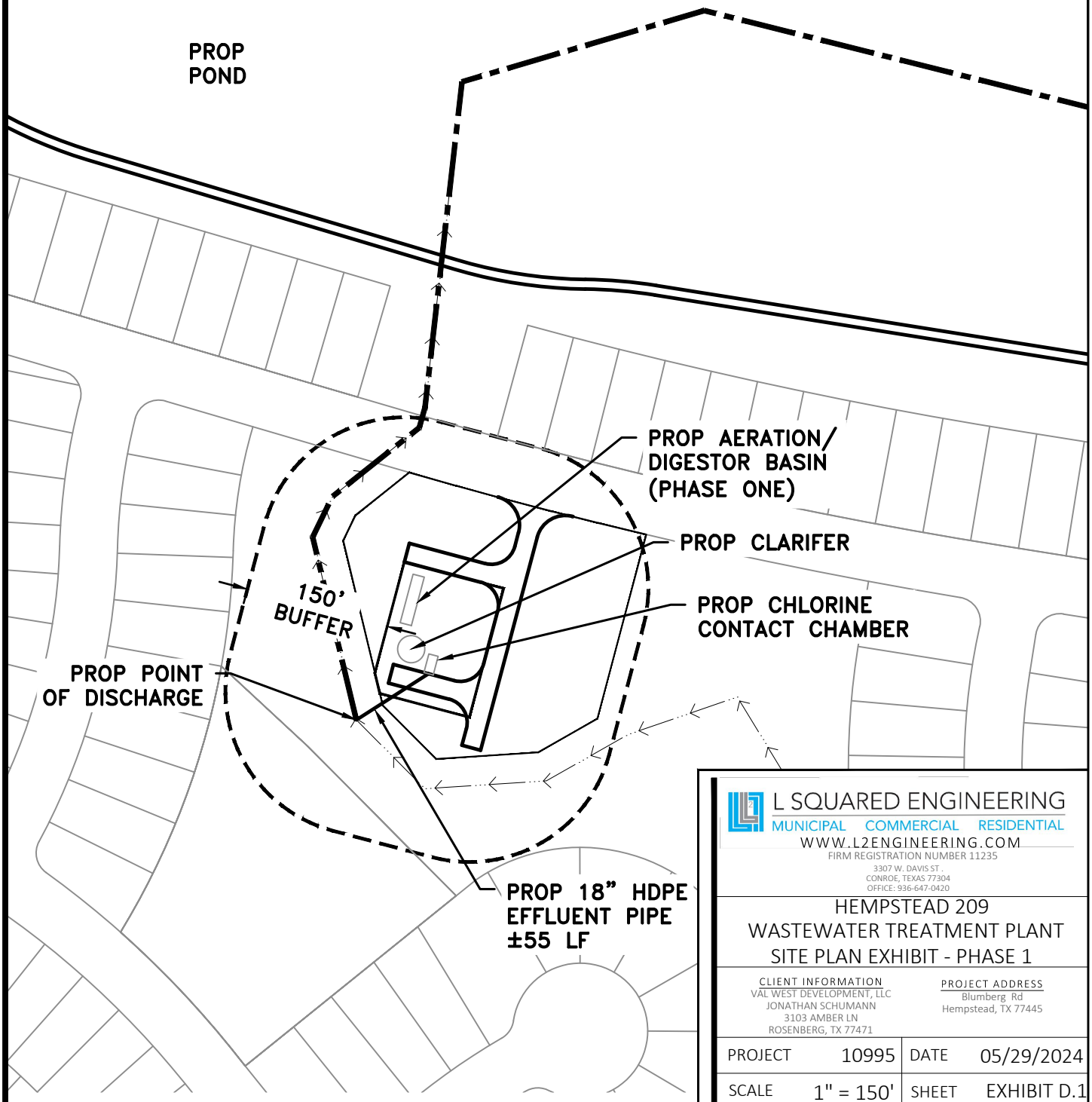

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HEMPSTEAD 209
WASTEWATER TREATMENT PLANT
SITE PLAN EXHIBIT - PHASE 1

CLIENT INFORMATION
VAL WEST DEVELOPMENT, LLC
JONATHAN SCHUMANN
3103 AMBER LN
ROSENBERG, TX 77471

PROJECT ADDRESS
Blumberg Rd
Hempstead, TX 77445

PROJECT	10995	DATE	05/29/2024
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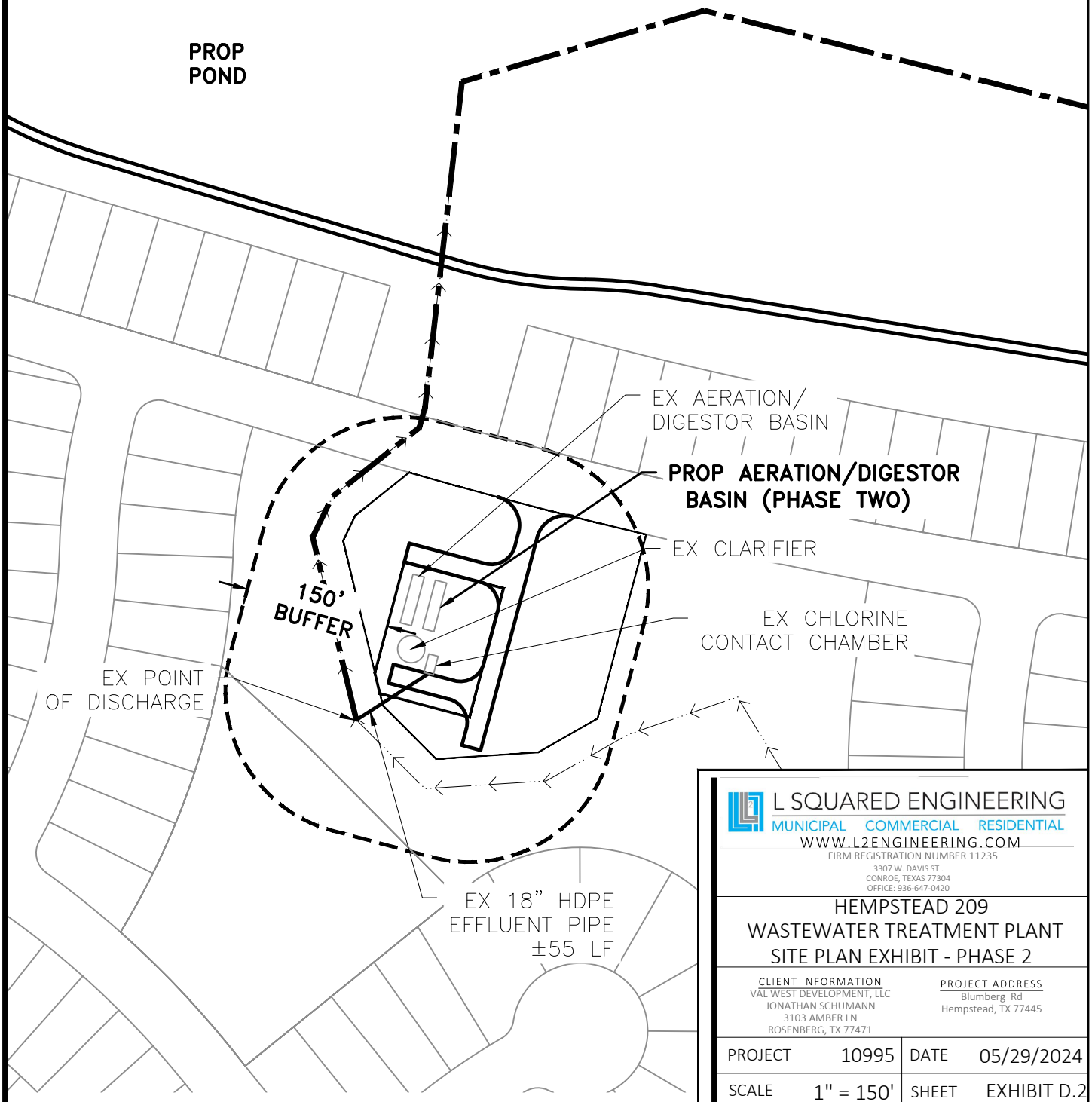

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HEMPSTEAD 209
WASTEWATER TREATMENT PLANT
SITE PLAN EXHIBIT - PHASE 2

CLIENT INFORMATION
VAL WEST DEVELOPMENT, LLC
JONATHAN SCHUMANN
3103 AMBER LN
ROSENBERG, TX 77471

PROJECT ADDRESS
Blumberg Rd
Hempstead, TX 77445

PROJECT	10995	DATE	05/29/2024
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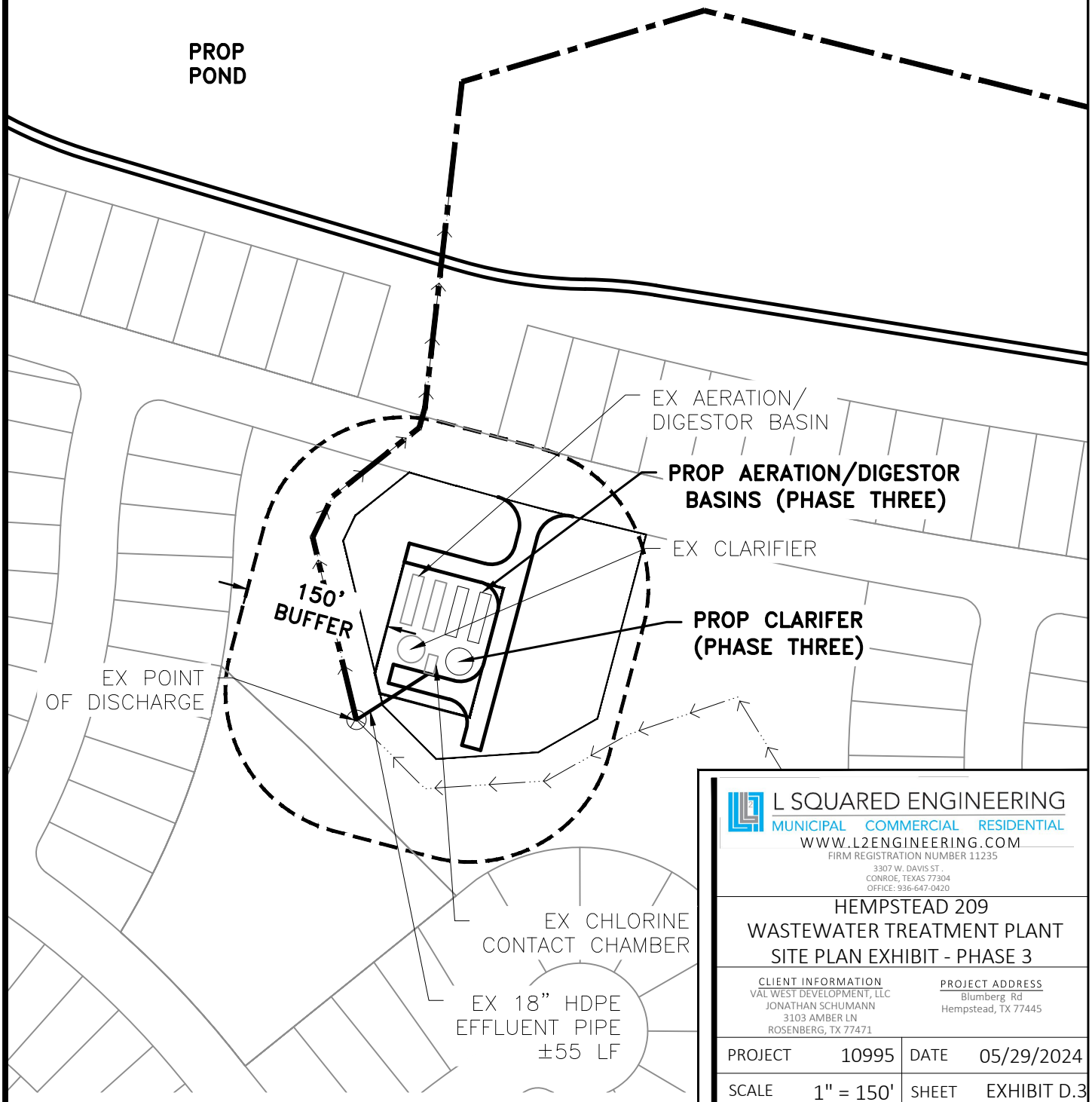

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HEMPSTEAD 209
WASTEWATER TREATMENT PLANT
SITE PLAN EXHIBIT - PHASE 3

CLIENT INFORMATION
VAL WEST DEVELOPMENT, LLC
JONATHAN SCHUMANN
3103 AMBER LN
ROSENBERG, TX 77471

PROJECT ADDRESS
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Hempstead, TX 77445

PROJECT	10995	DATE	05/29/2024
SCALE	1" = 150'	SHEET	EXHIBIT D.3

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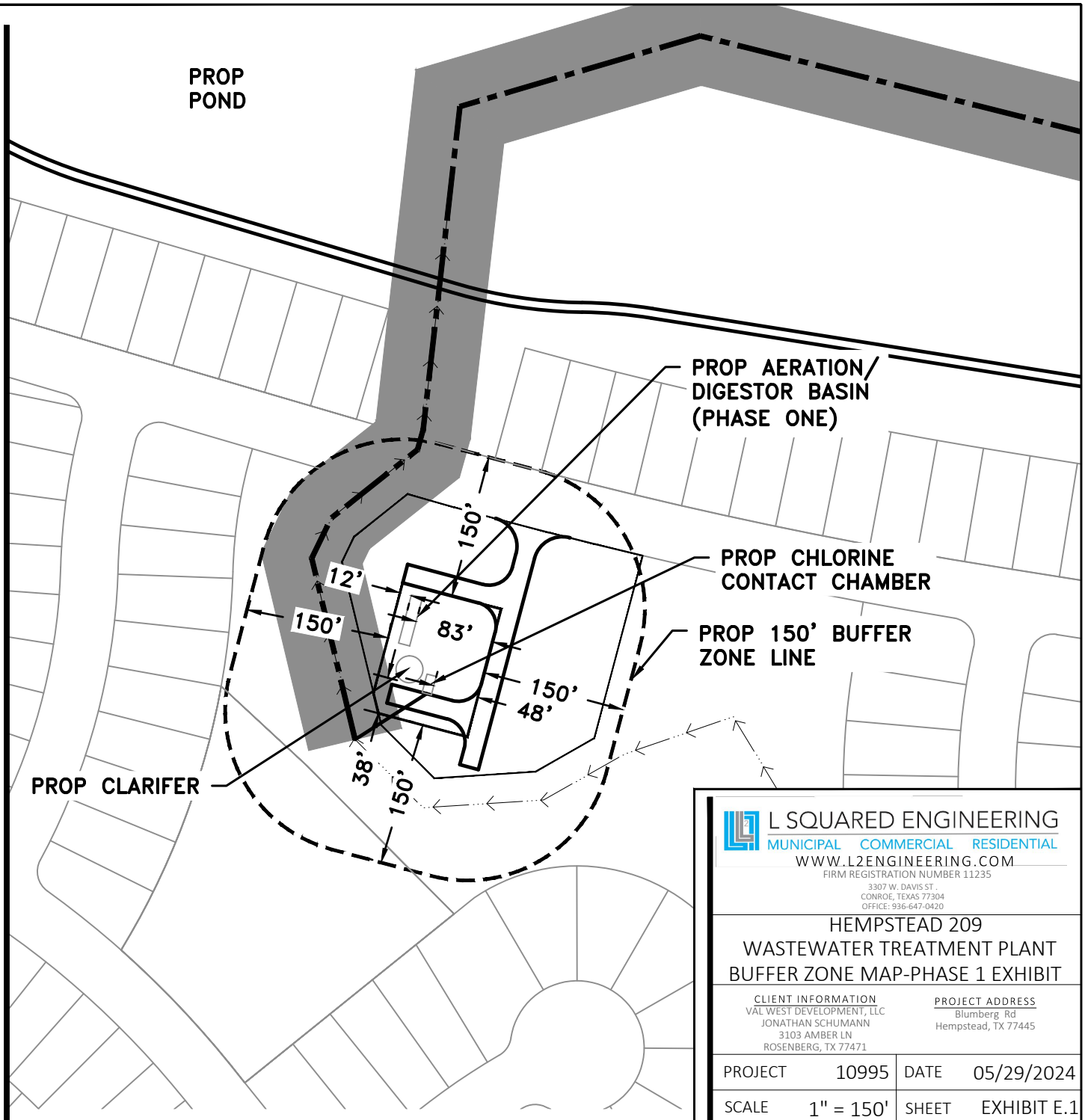
Attachment E – Buffer Zone Maps



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HEMPSTEAD 209
WASTEWATER TREATMENT PLANT
BUFFER ZONE MAP-PHASE 1 EXHIBIT

CLIENT INFORMATION
VAL WEST DEVELOPMENT, LLC
JONATHAN SCHUMANN
3103 AMBER LN
ROSENBERG, TX 77471

PROJECT ADDRESS
Blumberg Rd
Hempstead, TX 77445

PROJECT	10995	DATE	05/29/2024
SCALE	1" = 150'	SHEET	EXHIBIT E.1

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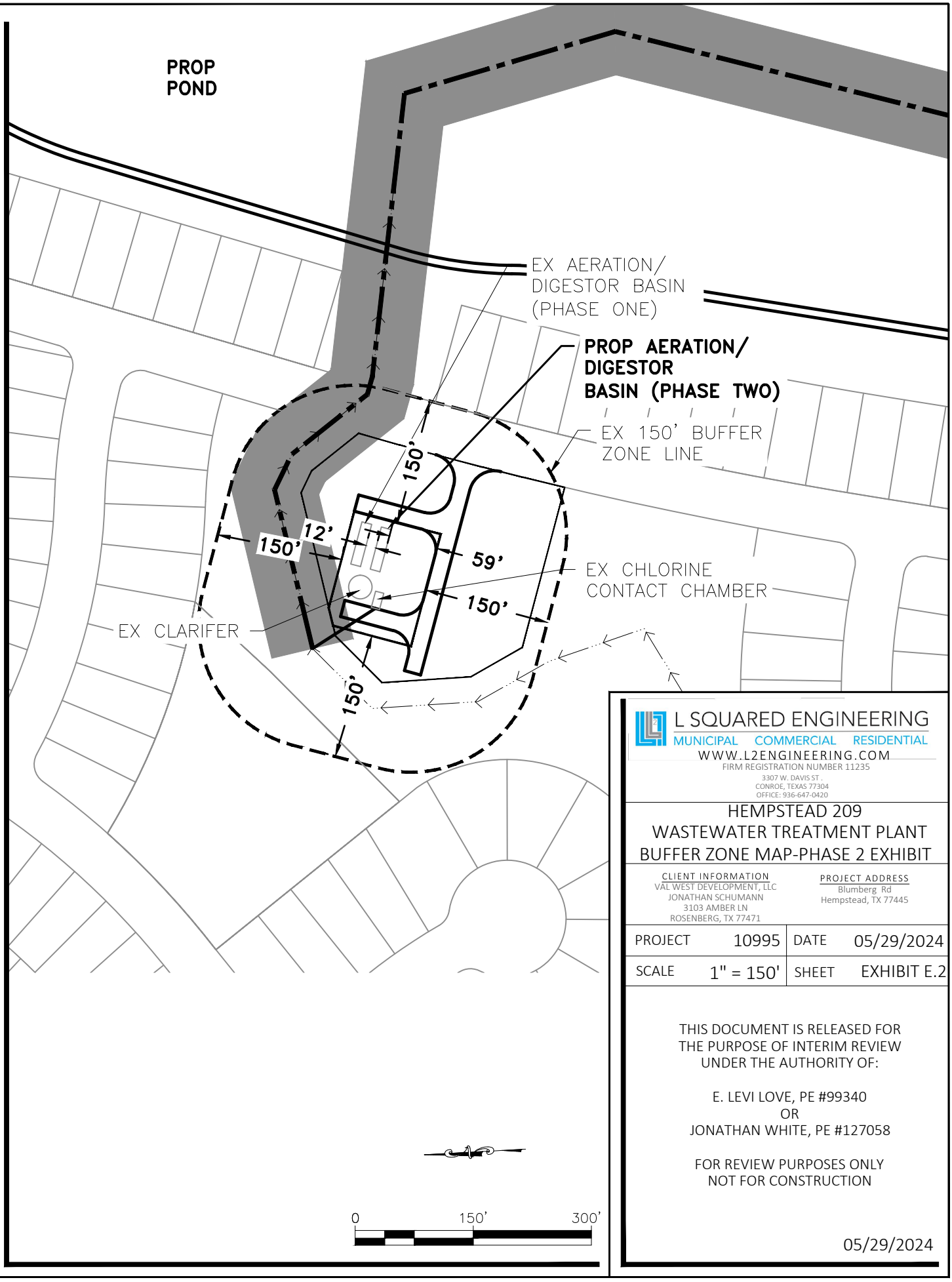

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OFFICE: 936-647-0420

HEMPSTEAD 209
WASTEWATER TREATMENT PLANT
BUFFER ZONE MAP-PHASE 2 EXHIBIT

CLIENT INFORMATION
VAL WEST DEVELOPMENT, LLC
JONATHAN SCHUMANN
3103 AMBER LN
ROSENBERG, TX 77471

PROJECT ADDRESS
Blumberg Rd
Hempstead, TX 77445

PROJECT	10995	DATE	05/29/2024
SCALE	1" = 150'	SHEET	EXHIBIT E.2

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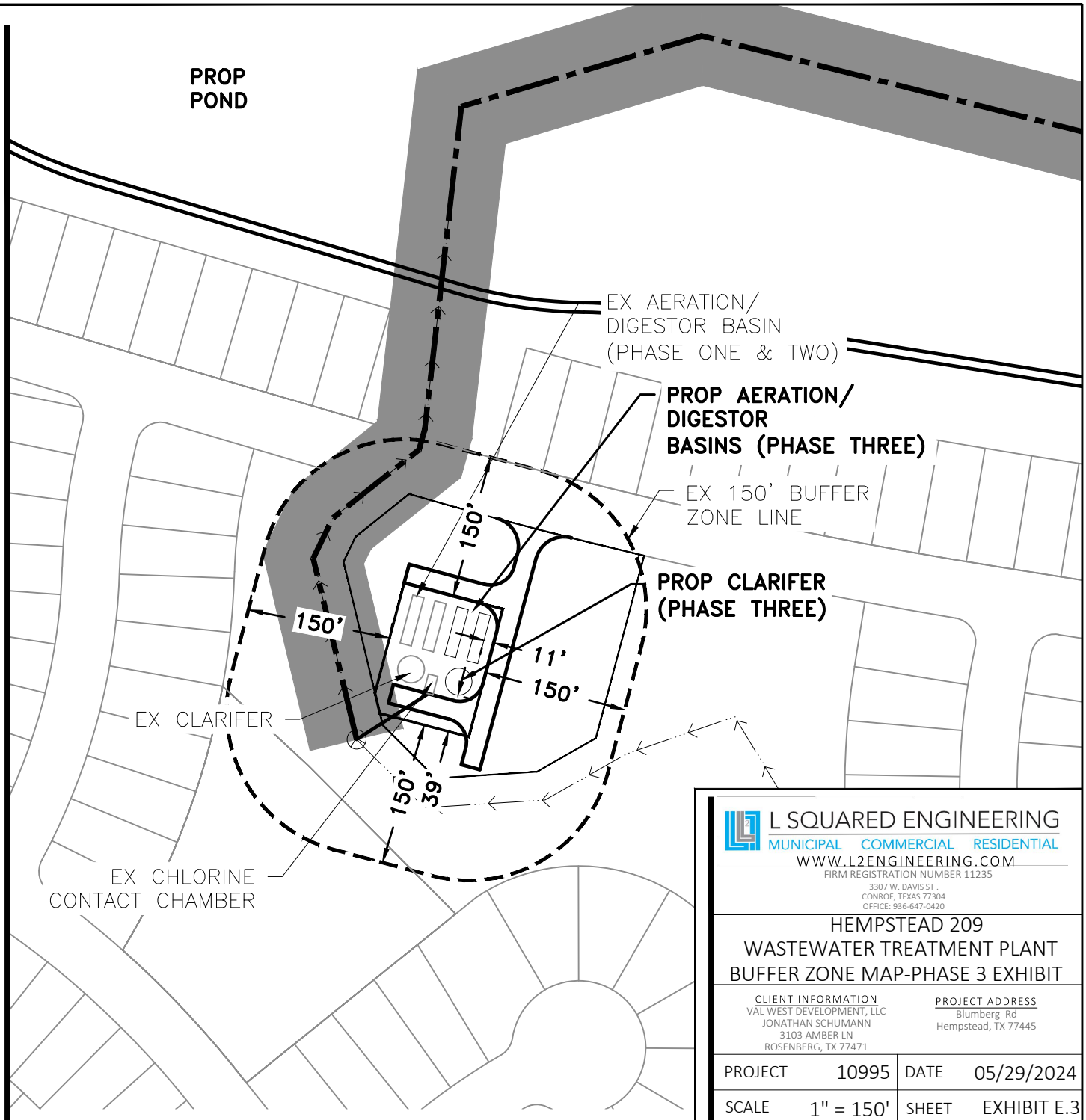

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CONROE, TEXAS 77304
OFFICE: 936-647-0420

HEMPSTEAD 209
WASTEWATER TREATMENT PLANT
BUFFER ZONE MAP-PHASE 3 EXHIBIT

CLIENT INFORMATION
VAL WEST DEVELOPMENT, LLC
JONATHAN SCHUMANN
3103 AMBER LN
ROSENBERG, TX 77471

PROJECT ADDRESS
Blumberg Rd
Hempstead, TX 77445

PROJECT	10995	DATE	05/29/2024
SCALE	1" = 150'	SHEET	EXHIBIT E.3

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NOT FOR CONSTRUCTION

05/29/2024

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Attachment F – Facility Dimensions & Facility Features

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 – 0.0625MGD

Unit	Length	Width	Height
Clarifier		28' Dia.	10'
Chlorine Contact	1,857 CUFT		
Aeration	32'	12'	12'
Digester	20'	12'	12'

Phase II – 0.0625MGD

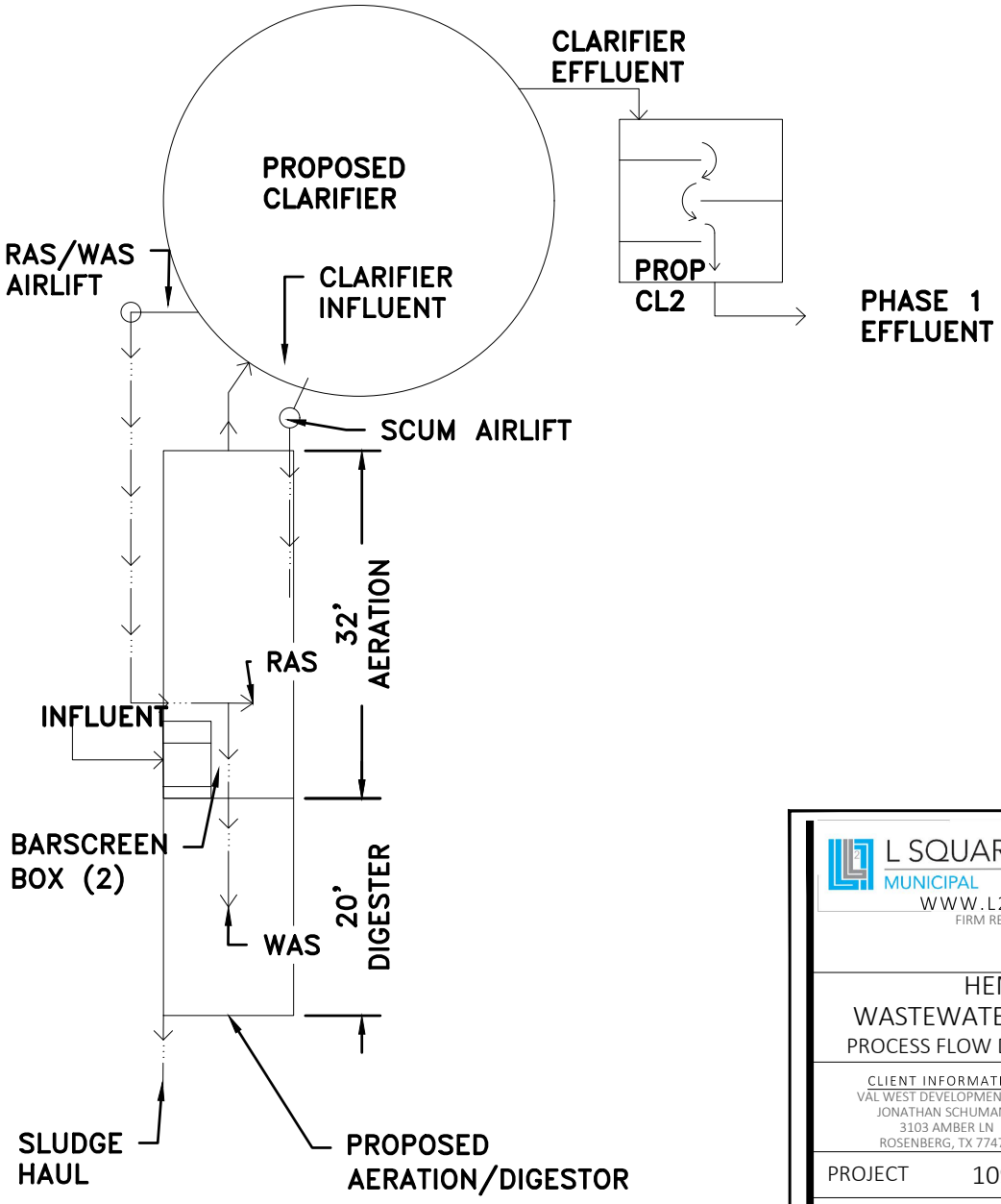
Unit	Length	Width	Height
Aeration	32'	12'	12'
Digester	20'	12'	12'

Phase III – 0.125MGD

Unit	Length	Width	Height
Clarifier		28' Dia.	10'
Aeration 2@	32'	12'	12'
Digester 2@	20'	12'	12'

- For short power outages the sewage will be contained in the collection system. The plant features digesters, chlorinator, and stand-by blowers. 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.

Attachment G – Process Flow Diagram



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FIRM REGISTRATION NUMBER 11235
3307 W. DAVIS ST .
CONROE, TEXAS 77304
OFFICE: 936-647-0420

HEMPSTEAD 209
WASTEWATER TREATMENT PLANT
PROCESS FLOW DIAGRAM DETAIL PHASE -1

CLIENT INFORMATION
VAL WEST DEVELOPMENT, LLC
JONATHAN SCHUMANN
3103 AMBER LN
ROSENBERG, TX 77471

PROJECT ADDRESS
Blumberg Rd
Hempstead, TX 77445

PROJECT	10995	DATE	05/29/2024
SCALE	N.T.S	SHEET	EXHIBIT G.1

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THE PURPOSE OF INTERIM REVIEW
UNDER THE AUTHORITY OF:

E. LEVI LOVE, PE #99340
OR
JONATHAN WHITE, PE #127058

FOR REVIEW PURPOSES ONLY
NOT FOR CONSTRUCTION

05/29/2024

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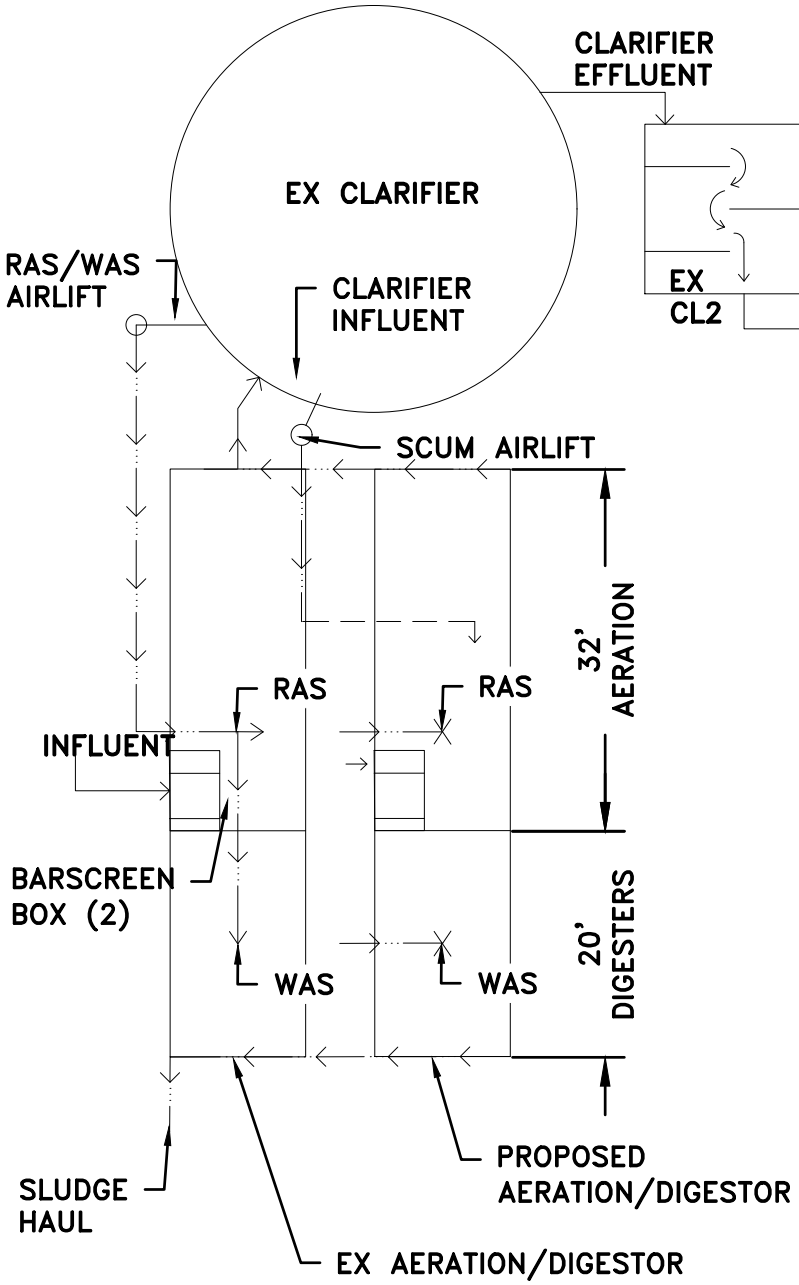

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CONROE, TEXAS 77304
OFFICE: 936-647-0420

HEMPSTEAD 209
WASTEWATER TREATMENT PLANT
PROCESS FLOW DIAGRAM DETAIL PHASE -2

CLIENT INFORMATION
VAL WEST DEVELOPMENT, LLC
JONATHAN SCHUMANN
3103 AMBER LN
ROSENBERG, TX 77471

PROJECT ADDRESS
Blumberg Rd
Hempstead, TX 77445

PROJECT	10995	DATE	05/29/2024
SCALE	N.T.S	SHEET	EXHIBIT G.2

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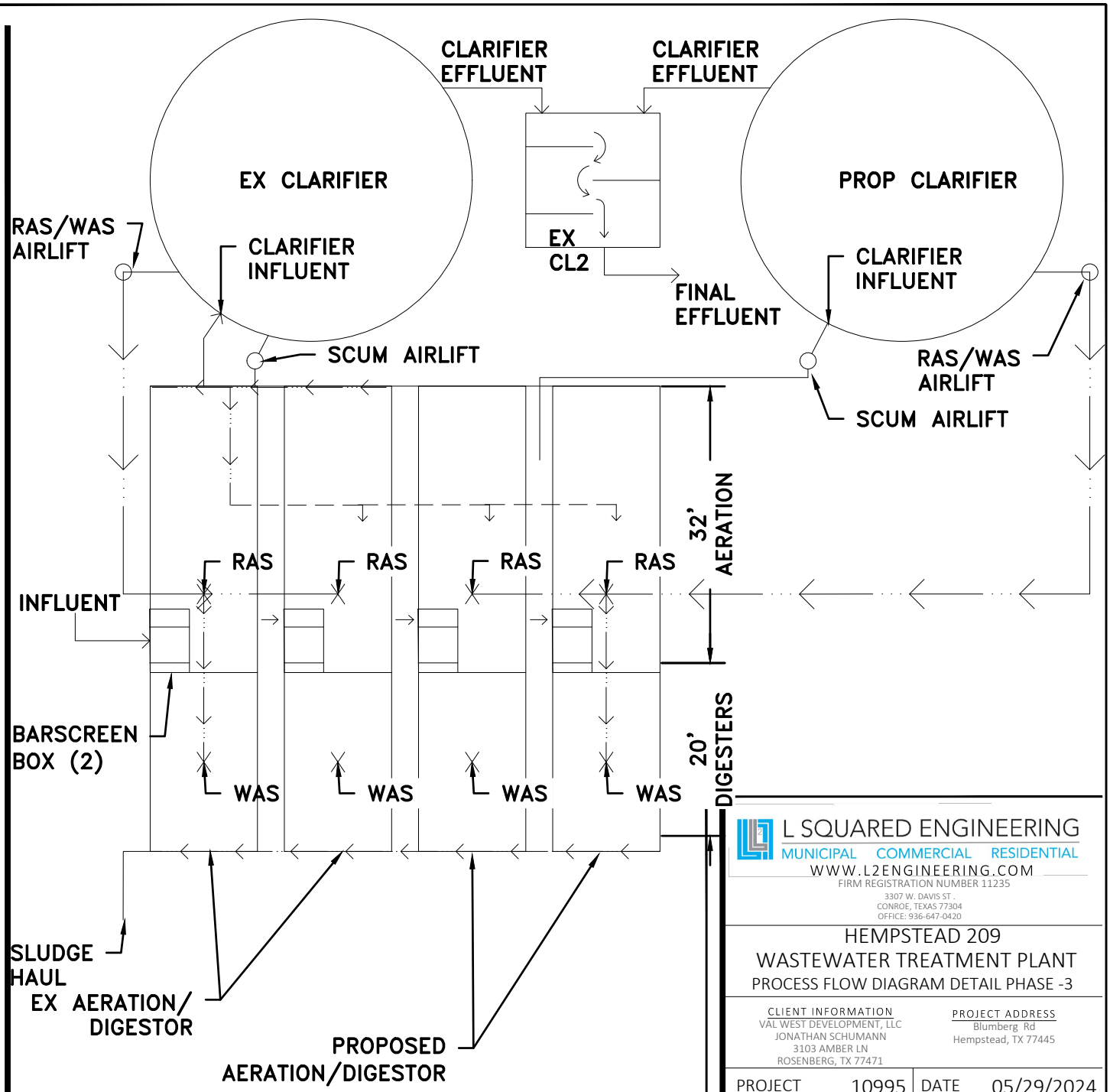

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CONROE, TEXAS 77304
OFFICE: 936-647-0420

HEMPSTEAD 209 WASTEWATER TREATMENT PLANT

PROCESS FLOW DIAGRAM DETAIL PHASE -3

CLIENT INFORMATION
VAL WEST DEVELOPMENT, LLC
JONATHAN SCHUMANN
3103 AMBER LN
ROSENBERG, TX 77471

PROJECT ADDRESS
Blumberg Rd
Hempstead, TX 77445

PROJECT	10995	DATE	05/29/2024
SCALE	N.T.S	SHEET	EXHIBIT G.3

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Attachment H – Design Calculations

TECHNICAL DESIGN REPORT

FOR

Hempstead 209 WWTP

1. **PURPOSE** The purpose of this report is to present the basis of design and summary of unit sizing and hydraulic calculations for the Sewage Treatment Plant.

2. **DESCRIPTION OF PROPERTY** The project under development is a residential community

3. **POPULATION SERVED** The location of the proposed facility is shown on Sheet One of the Plans. The population flow is based on 100 gallons per capita per day after completion of P

4. **INFLUENT QUALITY CHARACTERISTICS** The raw sewage quality characteristics used for design are estimates based on past experience and on State Design Criteria and are as follows:

PARAMETER	CONCENTRATION - MG/L	PER CAPITA CONTRIBUTION - LB/DA
BOD_5	300	626
TSS	300	626

5. **INFLUENT FLOW CHARACTERISTICS** The hydraulic design of the plant must be conservative to insure that the plant will operate under the most extreme conditions anticipa Future enlargement to the plant will be based on actual influent flow data. The plant process and hydraulic design for this phase are based on the following flows:

		First Phase		
Average Daily Flow (Qav)	62,500	GPD	44	GPM
Peak 2-Hr. Flow (Qpk) 4	250,000	GPD	174	GPM
		Second Phase		
Average Daily Flow (Qav)	62,500	GPD	43	GPM
Peak 2-Hr. Flow (Qpk) 4	250,000	GPD	174	GPM
		Final Phase		
Average Daily Flow (Qav)	125,000	GPD	87	GPM
Peak 2-Hr. Flow (Qpk) 4	500,000	GPD	347	GPM

Refer to Attachment "A" - Process Design Calculations, Hydraulic Profile Calculations, Process Flow Diagrams, and Plant Discharge relationship for the 100 year flood.

6. **PROCESS DESIGN** The Sewage Treatment Plant has been designed to produce an effluent in compliance with permitted perameters of: BOD_5 = 10 mg/l, TSS = 15 mg/l, and Chlorine Residual = 2mg/l after 20 minutes contact

Compressed air will be supplied to the process units by multiple blowers.

7. **FLOOD HAZARD ANALYSIS** **The 100 Year Flood Elevation is ____ feet and is confined to the flood control and drainage, which has a bank elevation of ____ feet. The plant is capable of discharging at peak flow against the 100 year flood elevation.**

8. **SLUDGE DISPOSAL**

Digester…… …….. Aerobic
Transportation…… …….. Contract Hauler
Final Disposition …….. To be Determined by Contract Hauler

Hempstead 209 WWTP Phase I Design Calculations

The design calculations are based on the following influent raw sewage characteristics"

Parameter	Concentration	
BOD_5	300	mg/L
TSS	300	mg/L

Flow	MGD	Gallons Per Day	Gallons Per Min
ADF (Q_{ave})	0.0625	62500	44
Peak 2-hr Flow (Q_{pk})	0.25	250000	174

Loading	Pounds Per Day (lb/day)
BOD_5	157
TSS	157
NH_3-N =	45

The facility will be designed to produce an effluent quality in compliance with the limits mentioned in the TPDES Permit:

$CBOD_5$ =	10	mg/L
TSS =	15	mg/L
NH_3-N =	3	mg/L
DO =	2	mg/L
CL_2 =	1	to 4 mg/L after 20 minutes detention time at peak flow

To meet the TPDES permit limits, the conventional activated sludge process with nitrification will be used. The lowest seven day mean reactor temperature as assumed to be between > than 15°C. Hence, a maximum organic loading rate of 35 lbs BOD/day/1000ft^3 was chosen for the activated sludge system design.

Aeration Basin

	TCEQ Requires	Actual Provided
Max. Organic Loading rate (lbs/day/1000ft^3)	35	34
Total Aeration Volume (ft^3)	4,486	4,608

Proposed 0.0625 MGD Train:

Aeration Basin Volume = 4608 ft^3

	TCEQ Requires	Actual Provided
Oxygen Required (lb O_2/lb BOD_5)	2.2	2.2
Oxygen Required (lb/day)	345	345
Air Provided (SCFM)	473	473

Per Chapter 217.155 "Aeration Equipment Sizing" Equation F.4

$$RAF = \frac{(PPD\ BOD_5) \times (O_2/lb\ BOD_5)}{WOTE \times 0.23 \times 0.075 \times 1440}$$

Where:

RAF =	Required Airflowrate (standard cubic feet per minute (SCFM))
PPD BOD_5 =	Influent Organic Load in Pounds per Day
0.23 =	lb 0_2/lb air @ 20° C
1440 =	minutes/day
0.075 =	lb air/cubic foot (cf)
WOTE =	Wastewater Oxygen Transfer Efficiency (decimal) If the design inlet temperature is above 24° C, the specific weight of air must be adjusted to the specific weight at the intake temperature.

Clean water oxygen transfer efficiency =	0.85	% per ft of submergence
Correction factor for coarse bubble diffusers =	0.65	
Diffuser submergence (ft) =	9.00	
Therefore, WOTE =	0.0497	
Required air flow rate (RAF) =	279.64	SCFM
RAF Correction Factor for 9 feet of submergence =	1.69	
Corrected Required Airflow Rate =	473	SCFM

Clarifier (To Service Phase I & II)	TCEQ Requires	Actual Provided
Max. Surface Loading Rate (Q_{pk}) (gallons/day/ft^2)	1200	812
Surface Area (ft^2)	417	615.8
Diameter (ft)	23.0	28

Proposed .0625 MGD Train:
Clarifier dia = 28

Detention Time (hr)	1.8	1.8
Volume (ft^3)	5013.4	6157.5
Min. Side Water Depth (ft)	10	10

Chlorine Contact Basin (To Service Phase I, II, & III)	TCEQ Requires	Actual Provided
Detention Time (Q_{pk}) (minutes)	20	35
Volume (ft^3)	928.4	812

Proposed .25 MGD Train
Chlorine Contact Basin Volume = 500 ft^3

Aerobic Digester	TCEQ Requires	Actual Provided
MCRT at 20°C (days)	40	41
WAS Solids Production (lb/day)	Not Specified	125.6
Digester Sludge Solids Production (lb/day)	Not Specified	69.08
Required Solids Digesters (lbs)	Not Specified	2832.28
Digester Influent VSS Loading Rate (lbs/CF*d)	Not Specified	0.025
Reduction in VSS (%)	Not Specified	50%
Digester Volume (ft^3)	Not Specified	3140
Aeration Requirements (SCFM/1,000CF)	30	30
Air Flow Rate (SCFM)	325.8	279.64

Hempstead 209 WWTP Phase II Design Calculations

The design calculations are based on the following influent raw sewage characteristics"

Parameter	Concentration	
BOD_5	300	mg/L
TSS	300	mg/L

Flow	MGD	Gallons Per Day	Gallons Per Min
ADF (Q_{ave})	0.0625	62500	44
Peak 2-hr Flow (Q_{pk})	0.25	250000	174

Loading	Pounds Per Day (lb/day)
BOD_5	157
TSS	157
NH_3-N =	45

The facility will be designed to produce an effluent quality in compliance with the limits mentioned in the TPDES Permit:

$CBOD_5$ =	10	mg/L
TSS =	15	mg/L
NH_3-N =	3	mg/L
DO =	2	mg/L
CL_2 =	1	to 4 mg/L after 20 minutes detention time at peak flow

To meet the TPDES permit limits, the conventional activated sludge process with nitrification will be used. The lowest seven day mean reactor temperature as assumed to be between > than 15°C. Hence, a maximum organic loading rate of 35 lbs BOD/day/1000ft^3 was chosen for the activated sludge system design.

Aeration Basin

	TCEQ Requires	Actual Provided
Max. Organic Loading rate (lbs/day/1000ft^3)	35	34
Total Aeration Volume (ft^3)	4,486	4,608

Proposed 0.0625 MGD Train:

Aeration Basin Volume = 4608 ft^3

	TCEQ Requires	Actual Provided
Oxygen Required (lb O_2/lb BOD_5)	2.2	2.2
Oxygen Required (lb/day)	345	345
Air Provided (SCFM)	473	473

Per Chapter 217.155 "Aeration Equipment Sizing" Equation F.4

$$RAF = \frac{(PPD\ BOD_5) \times (O_2/lb\ BOD_5)}{WOTE \times 0.23 \times 0.075 \times 1440}$$

Where:

RAF =	Required Airflowrate (standard cubic feet per minute (SCFM))
PPD BOD_5 =	Influent Organic Load in Pounds per Day
0.23 =	lb 0_2/lb air @ 20° C
1440 =	minutes/day
0.075 =	lb air/cubic foot (cf)
WOTE =	Wastewater Oxygen Transfer Efficiency (decimal)
	If the design inlet temperature is above 24° C, the specific weight of air must be adjusted to the specific weight at the intake temperature.

Clean water oxygen transfer efficiency =	0.85	% per ft of submergence
Correction factor for coarse bubble diffusers =	0.65	
Diffuser submergence (ft) =	9.00	
Therefore, WOTE =	0.0497	
Required air flow rate (RAF) =	279.64	SCFM
RAF Correction Factor for 9 feet of submergence =	1.69	
Corrected Required Airflow Rate =	473	SCFM

Aerobic Digester	TCEQ Requires	Actual Provided
MCRT at 20°C (days)	40	41
WAS Solids Production (lb/day)	Not Specified	250.4
Digester Sludge Solids Production (lb/day)	Not Specified	137.72
Required Solids Digesters (lbs)	Not Specified	5646.52
Digester Influent VSS Loading Rate (lbs/CF*d)	Not Specified	0.025
Reduction in VSS (%)	Not Specified	50%
Digester Volume (ft^3)	Not Specified	6260
Aeration Requirements (SCFM/1,000CF)	30	30
Air Flow Rate (SCFM)	325.8	279.64

Hempstead 209 WWTP Phase III Design Calculations

The design calculations are based on the following influent raw sewage characteristics"

Parameter	Concentration	
BOD_5	300	mg/L
TSS	300	mg/L

Flow	MGD	Gallons Per Day	Gallons Per Min
ADF (Q_{ave})	0.125	125000	87
Peak 2-hr Flow (Q_{pk})	0.5	500000	348

Loading	Pounds Per Day (lb/day)
BOD_5	313
TSS	313
NH_3-N =	45

The facility will be designed to produce an effluent quality in compliance with the limits mentioned in the TPDES Permit:

$CBOD_5$ =	10	mg/L
TSS =	15	mg/L
NH_3-N =	3	mg/L
DO =	2	mg/L
CL_2 =	1	to 4 mg/L after 20 minutes detention time at peak flow

To meet the TPDES permit limits, the conventional activated sludge process with nitrification will be used. The lowest seven day mean reactor temperature as assumed to be between > than 15°C. Hence, a maximum organic loading rate of 35 lbs BOD/day/1000ft^3 was chosen for the activated sludge system design.

Aeration Basin

	TCEQ Requires	Actual Provided
Max. Organic Loading rate (lbs/day/1000ft^3)	35	34
Total Aeration Volume (ft^3)	8,943	9,216

Proposed 0.0625 MGD Train:

Aeration Basin Volume = 9216 ft^3

	TCEQ Requires	Actual Provided
Oxygen Required (lb O_2/lb BOD_5)	2.2	2.2
Oxygen Required (lb/day)	689	689
Air Provided (SCFM)	942	942

Per Chapter 217.155 "Aeration Equipment Sizing" Equation F.4

$$RAF = \frac{(PPD\ BOD_5) \times (O_2/lb\ BOD_5)}{WOTE \times 0.23 \times 0.075 \times 1440}$$

Where:

RAF =	Required Airflowrate (standard cubic feet per minute (SCFM))
PPD BOD_5 =	Influent Organic Load in Pounds per Day
0.23 =	lb 0_2/lb air @ 20° C
1440 =	minutes/day
0.075 =	lb air/cubic foot (cf)
WOTE =	Wastewater Oxygen Transfer Efficiency (decimal)
	If the design inlet temperature is above 24° C, the specific weight of air must be adjusted to the specific weight at the intake temperature.

Clean water oxygen transfer efficiency =	0.85	% per ft of submergence
Correction factor for coarse bubble diffusers =	0.65	
Diffuser submergence (ft) =	9.00	
Therefore, WOTE =	0.0497	
Required air flow rate (RAF) =	557.49	SCFM
RAF Correction Factor for 9 feet of submergence =	1.69	
Corrected Required Airflow Rate =	942	SCFM

Clarifier	TCEQ Requires	Actual Provided
Max. Surface Loading Rate (Q_{pk}) (gallons/day/ft^2)	1200	812
Surface Area (ft^2)	417	615.8
Diameter (ft)	23.0	28

Proposed .125 MGD Train:
Clarifier dia = 28

Detention Time (hr)	1.8	1.8
Volume (ft^3)	5013.4	6157.5
Min. Side Water Depth (ft)	10	10

Aerobic Digester	TCEQ Requires	Actual Provided
MCRT at 20°C (days)	40	41
WAS Solids Production (lb/day)	Not Specified	500.8
Digester Sludge Solids Production (lb/day)	Not Specified	275.44
Required Solids Digesters (lbs)	Not Specified	11293.04
Digester Influent VSS Loading Rate (lbs/CF*d)	Not Specified	0.025
Reduction in VSS (%)	Not Specified	50%
Digester Volume (ft^3)	Not Specified	12520
Aeration Requirements (SCFM/1,000CF)	30	30
Air Flow Rate (SCFM)	325.8	557.49

Attachment I – Solids Management Plan

SLUDGE PRODUCTION RATES

Sludge Management Plan Calculations (Phase I)

Influent Design Flow =	0.0625	MGD	
Influent BOD Concentration =	300	mg/L	
Aerobic Digester Volume (proposed) =	3140	ft^3	23489 Gallons
Aeration Basin MLSS =	2000 to 3000	mg/L	
WAS Sludge Concentration =	8000	mg/L	

Sludge Production				
Solids Generated	**100% Flow**	**75% Flow**	**50% Flow**	**25% Flow**
Pounds of Influent BOD5 (lb/day)	157.0	118.0	78.5	39.0
Pounds of digested dry sludge (lb/day)*	69.1	52.0	34.5	17.0
Pounds of wet sludge produced**	3454.0	2591.0	1727.0	864.0
Gallons of wet sludge produced	414.1	311.0	207.1	104.0

* Assuming 0.8 lbs of dry sludge produced per pound of influent BOD consumed; and 45% reduction of VS.

** 2.0% solids concentration in the digester

Sludge Removal Schedule				
Solids Generated	**100% Flow**	**75% Flow**	**50% Flow**	**25% Flow**
Days between Sludge Removal	57	76	113	226

The digested sludge will be removed from the digester for disposal on a regular basis as required.

The calculated mean cell residence time for the provided digester volume at 100% capacity is = 41 days

The annual average sludge production at 100% capacity will be = 69.08 lb/day (dry)

Once the digester is full of thickened solids,the contents will be hauled by **the contracted sludge hauler** to one of the approved land application sites.

The sludge hauler will supply sludge hauling manifests showing volumes and concentration of sludge removed from the plant.

SLUDGE PRODUCTION RATES

Sludge Management Plan Calculations (Phase I & II)

Influent Design Flow =	0.125	MGD	
Influent BOD Concentration =	300	mg/L	
Aerobic Digester Volume (existing + proposed) =	9400	ft^3	70317 Gallons
Aeration Basin MLSS =	2000 to 3000	mg/L	
WAS Sludge Concentration =	8000	mg/L	

Sludge Production				
Solids Generated	**100% Flow**	**75% Flow**	**50% Flow**	**25% Flow**
Pounds of Influent BOD5 (lb/day)	313.0	235.0	156.5	78.0
Pounds of digested dry sludge (lb/day)*	137.7	103.0	68.9	34.0
Pounds of wet sludge produced**	6886.0	5165.0	3443.0	1722.0
Gallons of wet sludge produced	825.7	619.0	412.8	206.0

* Assuming 0.8 lbs of dry sludge produced per pound of influent BOD consumed; and 45% reduction of VS.

** 2.0% solids concentration in the digester

Sludge Removal Schedule				
Solids Generated	**100% Flow**	**75% Flow**	**50% Flow**	**25% Flow**
Days between Sludge Removal	85	114	170	341

The digested sludge will be removed from the digester for disposal on a regular basis as required.

The calculated mean cell residence time for the provided digester volume at 100% capacity is = 41 days

The annual average sludge production at 100% capacity will be = 137.72 lb/day (dry)

Once the digester is full of thickened solids,the contents will be hauled by **the contracted sludge hauler** to one of the approved land application sites.

The sludge hauler will supply sludge hauling manifests showing volumes and concentration of sludge removed from the plant.

SLUDGE PRODUCTION RATES

Sludge Management Plan Calculations (Phases I-III)

Influent Design Flow =	0.25	MGD	
Influent BOD Concentration =	300	mg/L	
Aerobic Digester Volume (existing + proposed) =	12520	ft^3	93656 Gallons
Aeration Basin MLSS =	2000 to 3000	mg/L	
WAS Sludge Concentration =	8000	mg/L	

Sludge Production				
Solids Generated	**100% Flow**	**75% Flow**	**50% Flow**	**25% Flow**
Pounds of Influent BOD5 (lb/day)	626.0	470.0	313.0	157.0
Pounds of digested dry sludge (lb/day)*	275.4	207.0	137.7	69.0
Pounds of wet sludge produced**	13772.0	10329.0	6886.0	3443.0
Gallons of wet sludge produced	1651.3	1238.0	825.7	413.0

* Assuming 0.8 lbs of dry sludge produced per pound of influent BOD consumed; and 45% reduction of VS.

** 2.0% solids concentration in the digester

Sludge Removal Schedule				
Solids Generated	**100% Flow**	**75% Flow**	**50% Flow**	**25% Flow**
Days between Sludge Removal	57	76	113	227

The digested sludge will be removed from the digester for disposal on a regular basis as required.

The calculated mean cell residence time for the provided digester volume at 100% capacity is = 41 days

The annual average sludge production at 100% capacity will be = 275.44 lb/day (dry)

Once the digester is full of thickened solids,the contents will be hauled by **the contracted sludge hauler** to one of the approved land application sites.

The sludge hauler will supply sludge hauling manifests showing volumes and concentration of sludge removed from the plant.

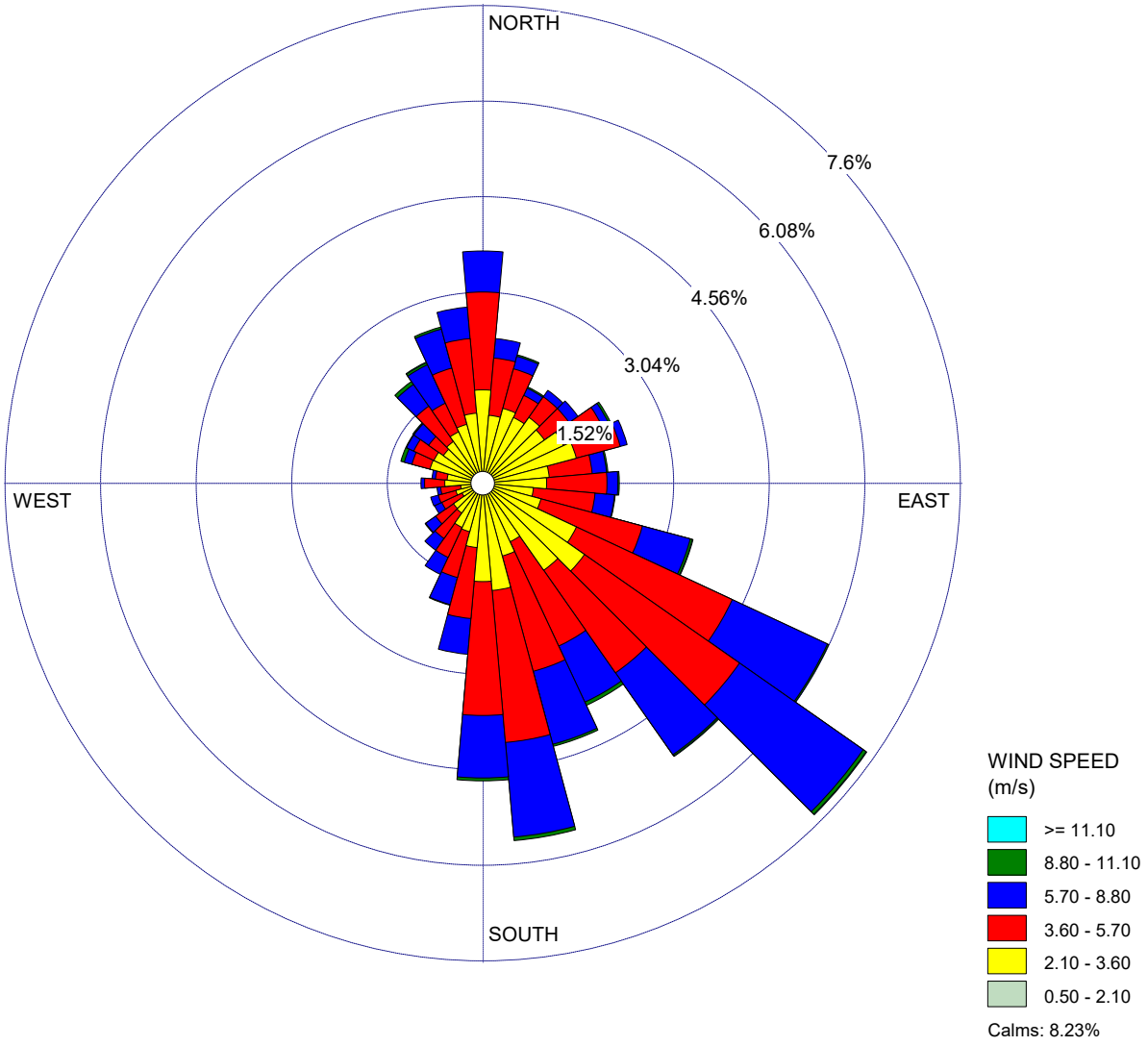
Attachment J – Wind Rose

WIND ROSE PLOT:

Station #12960 - HOUSTON/INTERCONTINENTAL ARPT, TX

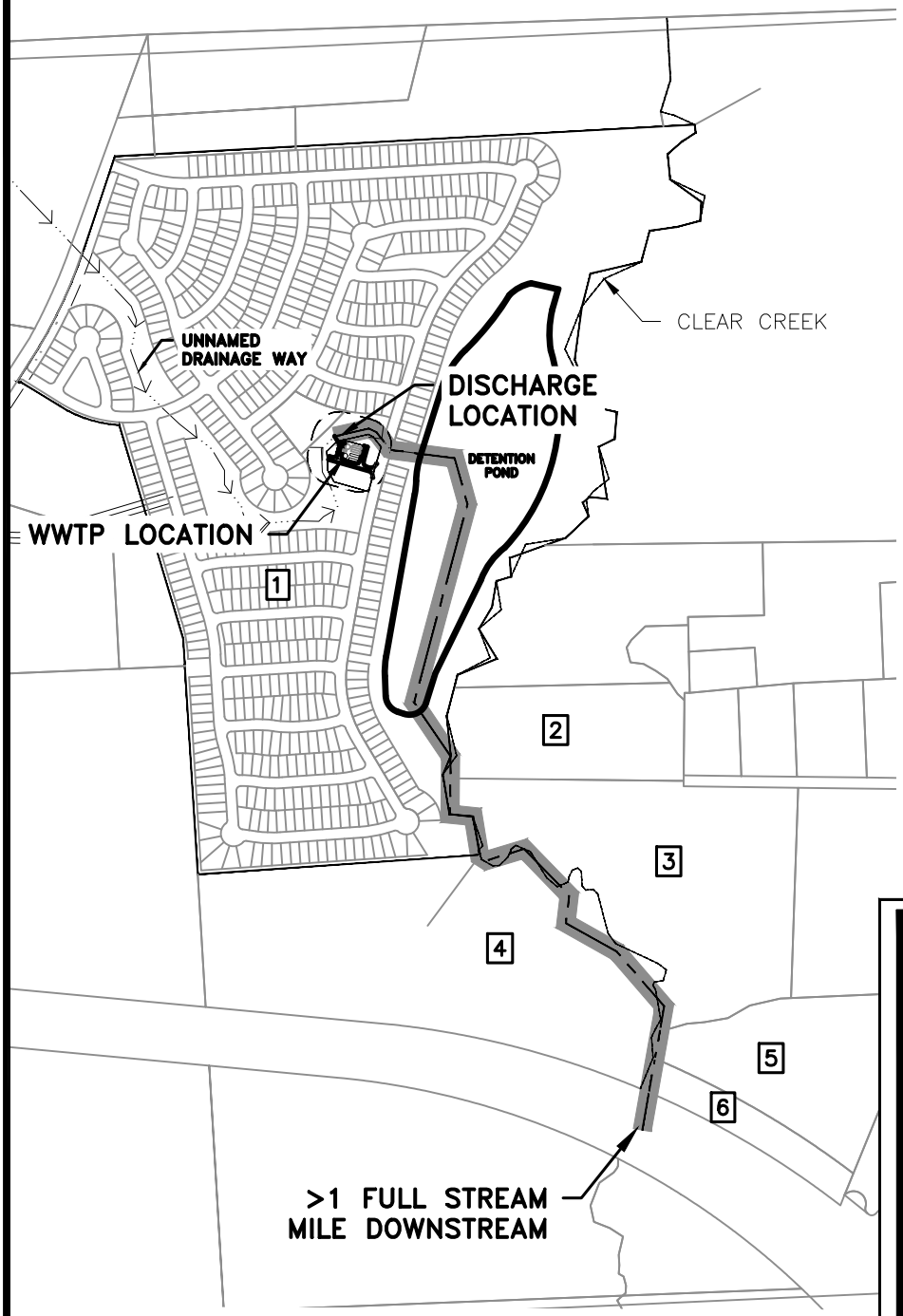
DISPLAY:

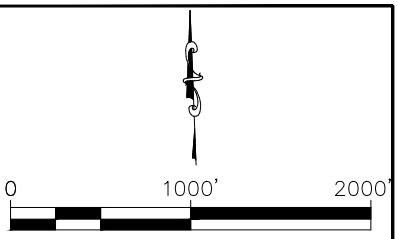
Wind Speed
Direction (blowing from)



COMMENTS:	DATA PERIOD: **Start Date: 1/1/1990 - 00:00** **End Date: 12/31/1990 - 23:00**	COMPANY NAME:	
		MODELER:	
	CALM WINDS: **8.23%**	TOTAL COUNT: **8759 hrs.**	
	AVG. WIND SPEED: **3.70 m/s**	DATE: **5/16/2024**	PROJECT NO.:

Attachment K – Adjacent Land Owner List and Map





Blumberg Development WWTP-OWNER LIST				
NUMBER	PROPERTY ID	OWNER NAME	OWNER MAILING ADDRESS	LEGAL DESCRIPTION
1	R45673	BROUNKOWSKI ESIDOR J FAMILY TR	41703 BLUMBERG ROAD Hempstead, Tx 77445	ABS A312100 A-121 ISAAC DONOHO TRACT 2 ACRES 189.595
2	R 266616	GOODRUM KIMBERLY ANN MATHIS	23308 MACK WASHINGTON LANE Hempstead, Tx 77445	ABS A312100 A-121 ISAAC DONOHO TRACT 20-5 ACRES 8.634
3	R253800	THUROW SCOTT & DONGFANG LIA	11306 WINDY DAWN DR Pearland, Tx 77584	ABS A312100 A-121 ISAAC DONOHO TRACT 26-1 ACRES 34.264
4	R 45690	MACHAC CAROLE ANNE	PO BOX 236 Waller, Tx	ABS A312100 A-121 ISAAC DONOHO TRACT 25 ACRES 50.535 P/O 148.446 ACRES
5	R170363	FORD RICHARD C	P O BOX 74 Cypress, Tx	ABS A312100 A-121 ISAAC DONOHO TRACT 28-4 ACRES 18.577 P/O 23.797 ACRES
6	R170364	FORD RICHARD C	P O BOX 74 Cypress, Tx	ABS A312100 A-121 ISAAC DONOHO TRACT 28-5 ACRES 5.22 P/O 23.797 ACRES

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HEMPSTEAD 209
WASTEWATER TREATMENT PLANT
LAND OWNERS EXHIBIT

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ROSENBERG, TX 77471

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PROJECT	10995	DATE	05/29/2024
SCALE	1" = 1000'	SHEET	EXHIBIT K

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Blumberg Development WWTP-OWNER LIST				
NUMBER	**PROPERTY ID**	**OWNER NAME**	**OWNER MAILING ADDRESS**	**LEGAL DESCRIPTION**
1	R45673	BROUNKOWSKI ESIDOR J FAMILY TR	41703 BLUMBERG ROAD Hempstead, Tx 77445	ABS A312100 A-121 ISAAC DONOHO TRACT 2 ACRES 189.595
2	R 266616	GOODRUM KIMBERLY ANN MATHIS	23308 MACK WASHINGTON LANE Hempstead, Tx 77445	ABS A312100 A-121 ISAAC DONOHO TRACT 20-5 ACRES 8.634
3	R253800	THUROW SCOTT & DONGFANG LIA	11306 WINDY DAWN DR Pearland, Tx 77584	ABS A312100 A-121 ISAAC DONOHO TRACT 26-1 ACRES 34.264
4	R 45690	MACHAC CAROLE ANNE	PO BOX 236 Waller, Tx	ABS A312100 A-121 ISAAC DONOHO TRACT 25 ACRES 50.535 P/O 148.446 ACRES
5	R170363	FORD RICHARD C	P O BOX 74 Cypress, Tx	ABS A312100 A-121 ISAAC DONOHO TRACT 28-4 ACRES 18.577 P/O 23.797 ACRES
6	R170364	FORD RICHARD C	P O BOX 74 Cypress, Tx	ABS A312100 A-121 ISAAC DONOHO TRACT 28-5 ACRES 5.22 P/O 23.797 ACRES

Brounkowski Esidor J Family Tr
41703 Blumberg Road
Hempstead, Tx 77445

Machac Carole Anne
Po Box 236 Waller, Tx

Goodrum Kimberly Ann Mathis
23308 Mack Washington Lane
Hempstead, Tx 77445

Ford Richard C
P O Box 74 Cypress, Tx

Thurow Scott & Dongfang Lia
11306 Windy Dawn Dr,
Pearland, Tx 77584

Attachment L – Buildout Schedule

Hempstead 209
Estimated Schedule of Buildout

Year	Phase	Number of months for buildout
2026	Phase 1 Construction	12
2028	Phase 2 Construction	12
2030	Phase 3 Construction	12

Monthly growth of LUE's=	20.83333333	20.83333	9.833333333
Gal. Per day per connection =	250	250	118
	(Phase 1)	(Phase 2)	(Phase 3)

Estimated time for implementation of all phases

Year	GPD	Sub Total GPD	Number of LUE's
2026	62,500	62,500	250
2028	62,500	125,000	500
2030	125,000	250,000	618

Total GPD 250,000

Requesting 250,000 to allow for the 75%/90% rule

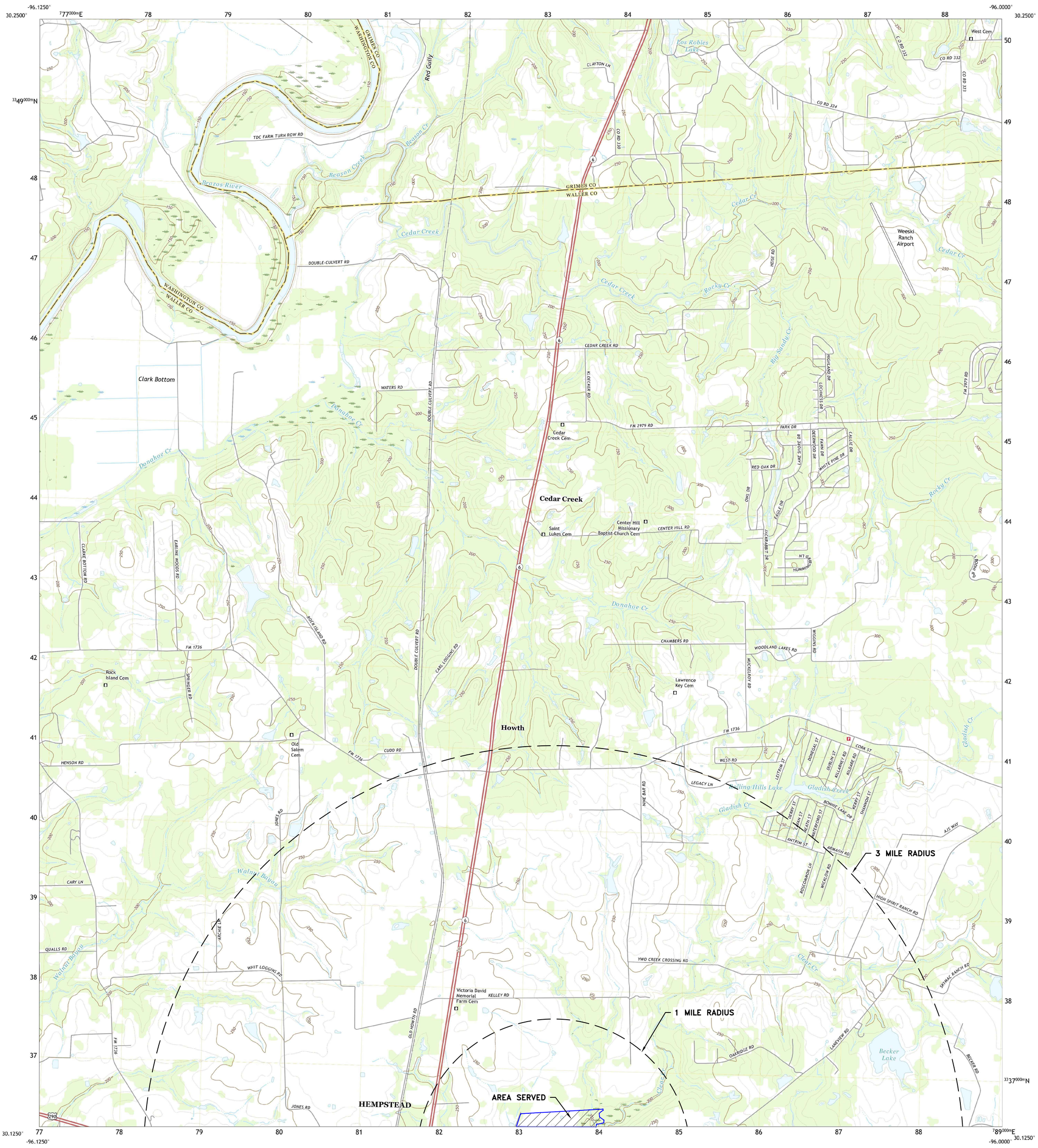
Year		Loading Percentages
2026	62,500	75.00%
2028	125,000	75.00%
2027	250,000	75.00%

Attachment M – USGS Map Showing Site Location

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

The National Map US Topo

HOWTH QUADRANGLE
TEXAS
7.5-MINUTE SERIES



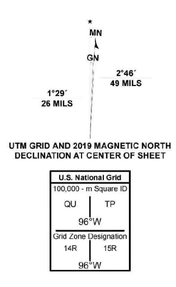
L SQUARED ENGINEERING

Produced by the United States Geological Survey
North American Datum of 1983 (NAD83)
World Geodetic System of 1984 (WGS84). Projection and
1 000-meter grid:Universal Transverse Mercator, Zone 14R

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

Imagery.....NAIP, September 2016 - November 2016
Roads.....U.S. Census Bureau, 2015 - 2019
Names.....GNIS, 1979 - 2022
Hydrography.....National Hydrography Dataset, 2002 - 2018
Contours.....National Elevation Dataset, 2004
Boundaries.....Multiple sources; see metadata file 2019 - 2021

Wetlands.....FWS National Wetlands Inventory Not Available



UTM GRID AND 2019 MAGNETIC NORTH DECLINATION AT CENTER OF SHEET

U.S. National Grid
100,000 - m Square ID
QU | TP
96°W
Grid Zone Designation
14R | 15R
96°W

SCALE 1:24 000

1 0.5 0 KILOMETERS 1 2
1000 500 0 METERS 1000 2000
1 0.5 0 1
MILES
1000 0 1000 2000 3000 4000 5000 6000 7000 8000 9000 10000
FEET

CONTOUR INTERVAL 10 FEET
NORTH AMERICAN VERTICAL DATUM OF 1988

This map was produced to conform with the National Geospatial Program US Topo Product Standard.

QUADRANGLE LOCATION

1	2	3
4		5
6	7	8

1 Washington
2 Courtney
3 Stoneham
4 Daniels
5 Waller NW
6 Buckhorn
7 Hempstead
8 Waller

ADJOINING QUADRANGLES

ROAD CLASSIFICATION

Expressway
Secondary Hwy
Ramp
Local Connector
Local Road
4WD
Interstate Route
US Route
State Route

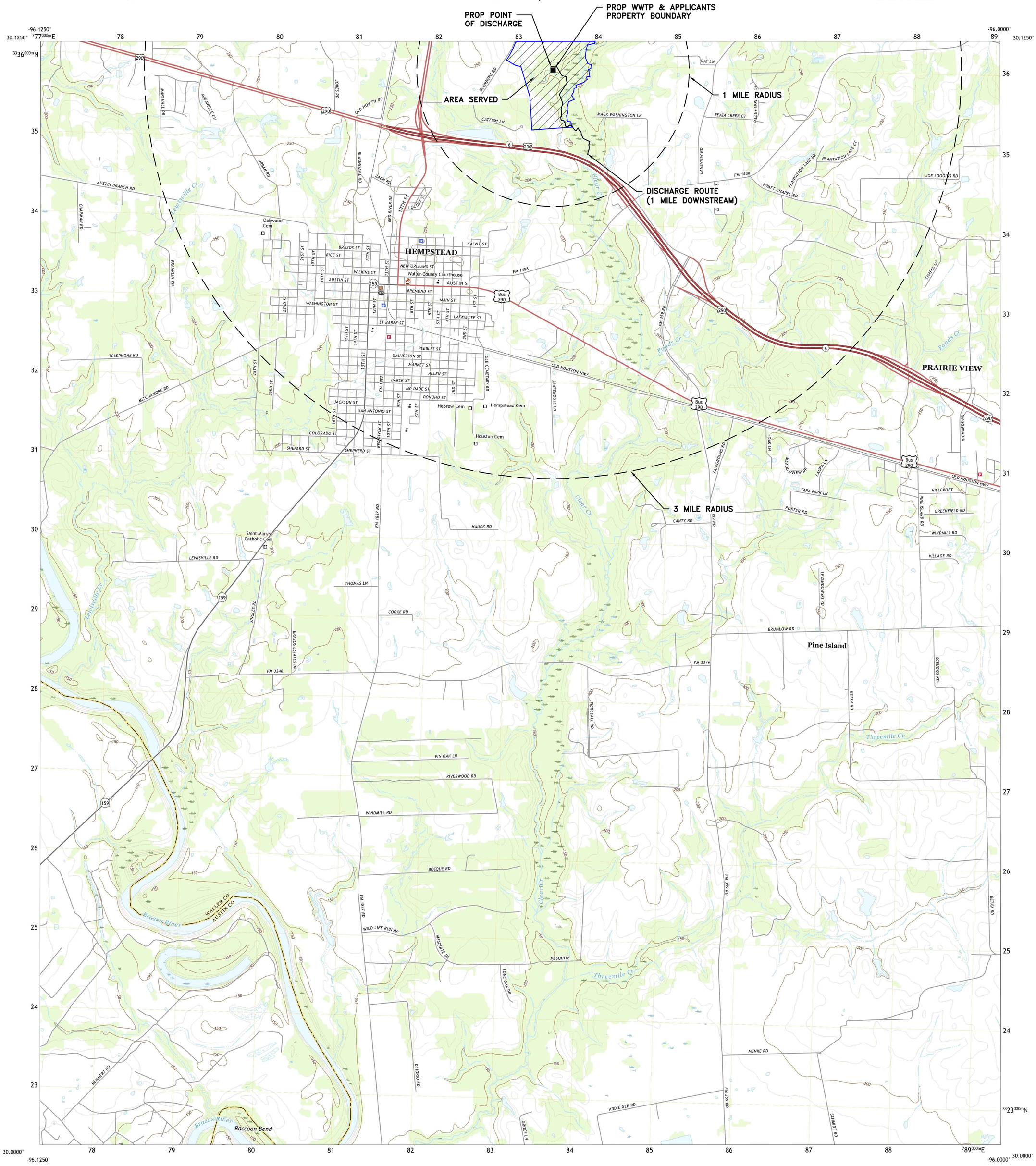
HOWTH, TX
2022

NSN 7643016396004
NGA REF NO. USGSX24K21300

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

The National Map US Topo

HEMPSTEAD QUADRANGLE
TEXAS
7.5-MINUTE SERIES



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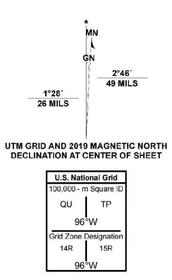


UTM GRID AND 2019 MAGNETIC NORTH DECLINATION AT CENTER OF SHEET

U.S. National Grid
100,000 - m Square ID
QU | TP
96°W
Grid Zone Designation
14R | 15R
96°W

SCALE 1:24 000

1 0.5 0 KILOMETERS 1 2
1000 500 0 METERS 1000 2000
1 0.5 0 1
MILES
1000 0 1000 2000 3000 4000 5000 6000 7000 8000 9000 10000
FEET

CONTOUR INTERVAL 10 FEET
NORTH AMERICAN VERTICAL DATUM OF 1988

This map was produced to conform with the National Geospatial Program US Topo Product Standard.

QUADRANGLE LOCATION

1	2	3
4		5
6	7	8

1 Daniels
2 Howth
3 Waller NW
4 Buckhorn
5 Waller
6 Burleigh
7 Sunny Side
8 Hockley Mound

ADJOINING QUADRANGLES

ROAD CLASSIFICATION

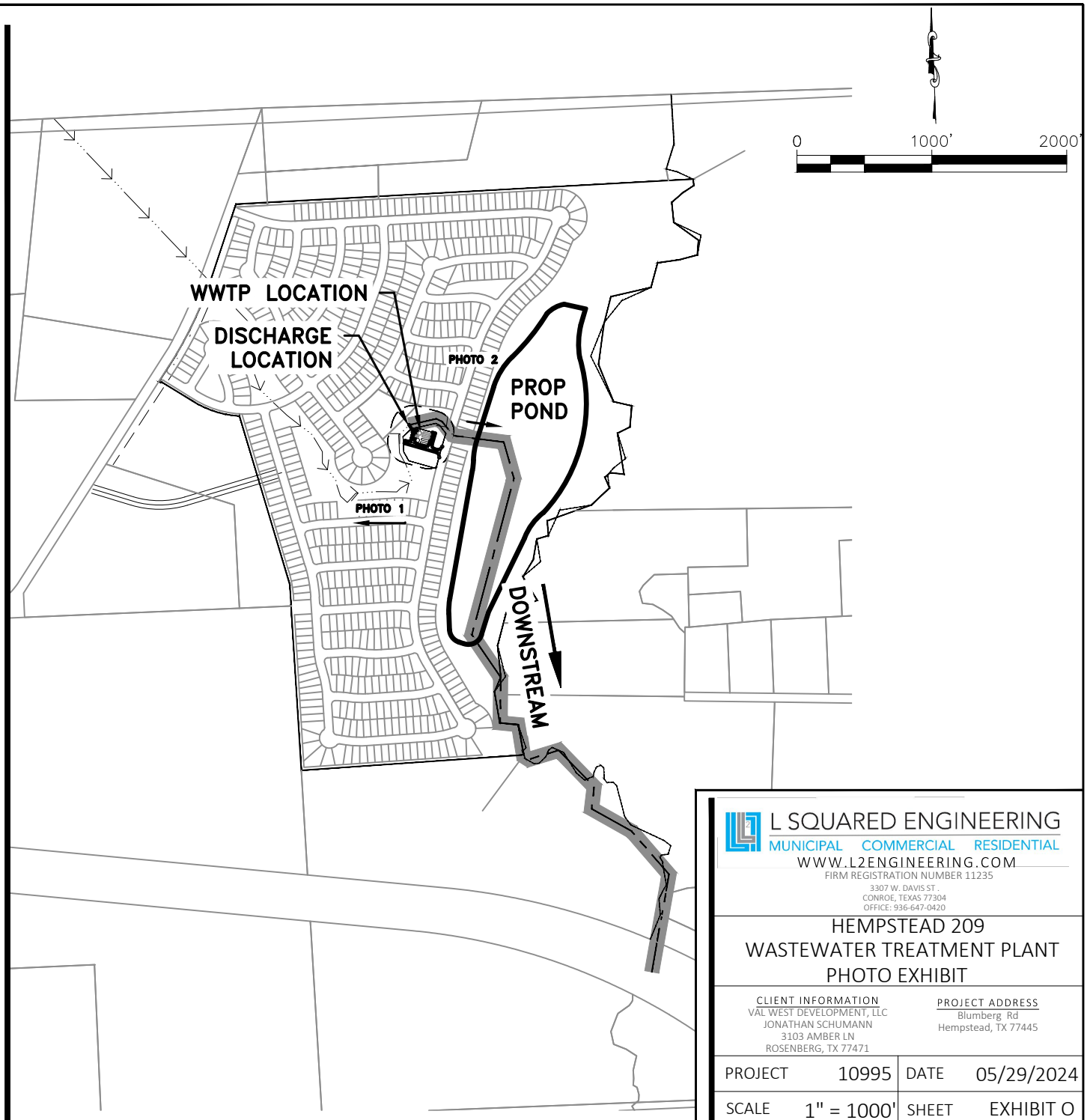
Expressway
Secondary Hwy
Ramp
Local Connector
Local Road
4WD
Interstate Route
US Route
State Route

HEMPSTEAD, TX
2022

NSN 7643016396511
NGA REF NO. USGSX24K20068

Attachment N – Operator Information

Attachment O – Original Photographs



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WWW.L2ENGINEERING.COM
FIRM REGISTRATION NUMBER 11235
3307 W. DAVIS ST.
CONROE, TEXAS 77304
OFFICE: 936-647-0420

HEMPSTEAD 209
WASTEWATER TREATMENT PLANT
PHOTO EXHIBIT

CLIENT INFORMATION
VAL WEST DEVELOPMENT, LLC
JONATHAN SCHUMANN
3103 AMBER LN
ROSENBERG, TX 77471

PROJECT ADDRESS
Blumberg Rd
Hempstead, TX 77445

PROJECT	10995	DATE	05/29/2024
SCALE	1" = 1000'	SHEET	EXHIBIT O

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW UNDER THE AUTHORITY OF:

E. LEVI LOVE, PE #99340
OR
JONATHAN WHITE, PE #127058

FOR REVIEW PURPOSES ONLY
NOT FOR CONSTRUCTION

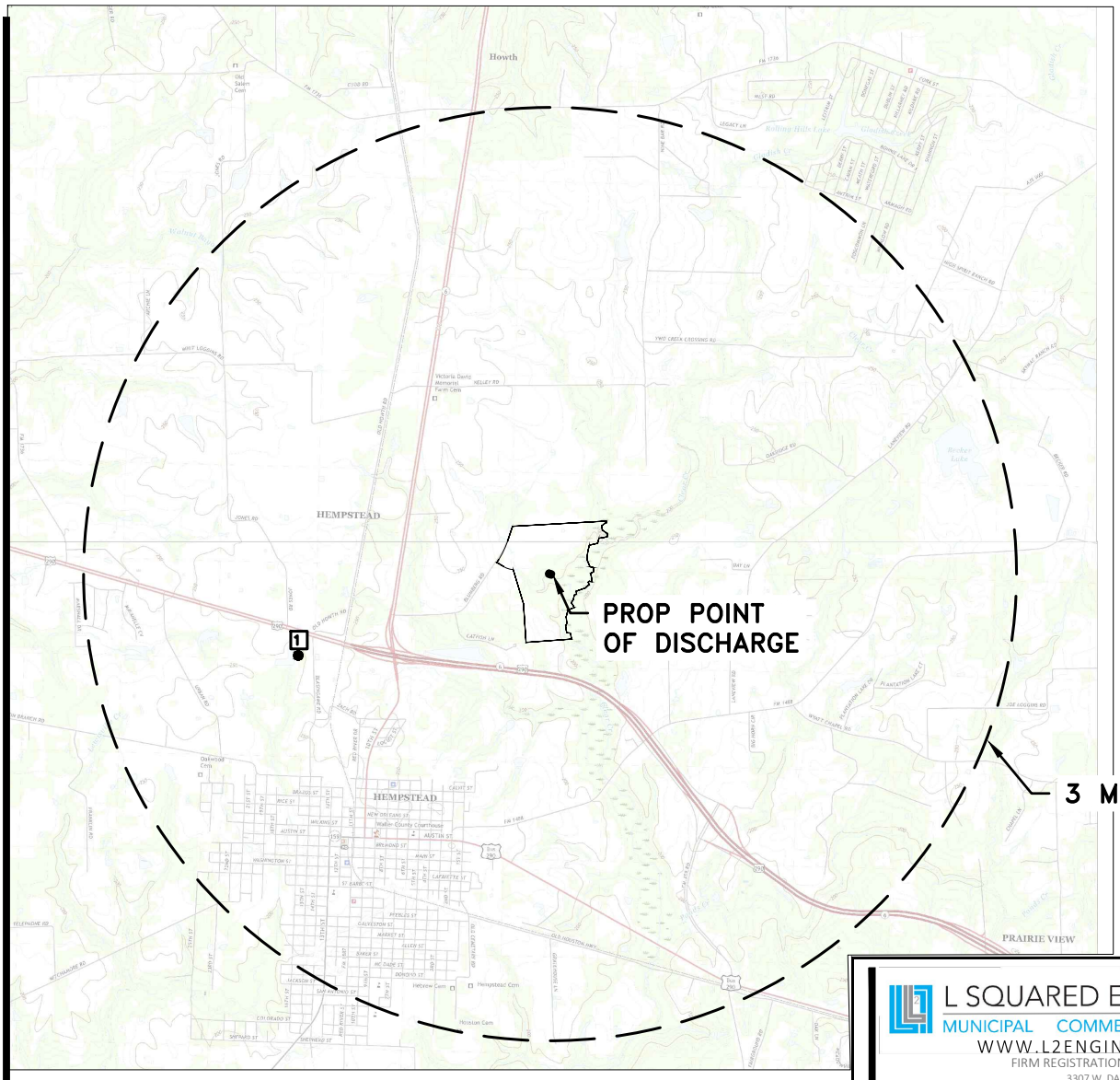
05/29/2024

L:\SHARED\L2 ENGINEERING PROJECTS\ENGINEERING PROJECTS\10995-HEMPSTEAD 208 ACRE TRACT\03 CAD\DESIGN SET\WWTP\WWTP EXHIBITS-10995-LL.DWG Jun. 3, 2024-2:16 PM


12111, -96.06104
ft
±10ft
212
°T
±13
SE
8 FOTT
5, United States


12085, -96.05915
ft
±11ft
208
°T
±21
NE
9 FOTT
5, United States

Attachment P – Adjacent WWTP Facilities



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3307 W. DAVIS ST.
CONROE, TEXAS 77304
OFFICE: 936-647-0420

HEMPSTEAD 209
WASTEWATER TREATMENT PLANT
PERMITEE MAP

CLIENT INFORMATION
VAL WEST DEVELOPMENT, LLC
JONATHAN SCHUMANN
3103 AMBER LN
ROSENBERG, TX 77471

PROJECT ADDRESS
Blumberg Rd
Hempstead, TX 77445

PROJECT	10995	DATE	05/29/2024
SCALE	1" = 6000'	SHEET	EXHIBIT P

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05/29/2024

L:\SHARED\L2 ENGINEERING PROJECTS\ENGINEERING PROJECTS\10995-HEMPSTEAD 208 ACRE TRACT\03 CAD\DESIGN SET\WWTP\WWTP EXHIBITS-10995-LL.DWG Jun. 3, 2024-2:16 PM

Blumberg Nearby Wastewater Facility List			
#	Owners Name	Permit Number	Address
1	NORTH HEMPSTEAD UTILITIES	WQ0016006001	12639 STATE HIGHWAY 6, HEMPSTEAD TX 77445

L SQUARED ENGINEERING
MUNICIPAL COMMERCIAL RESIDENTIAL

3307 W. Davis St. #100
Conroe, Texas 77304
P: 936-647-0420 F: 936-647-2366
www.L2Engineering.com

May 14, 2024

North Hempstead Utilities LLC
250 Highway 290 North,
Hempstead, Tx 77445

RE: TCEQ Waste Discharge Permit

Dear permittee:

We are writing to you on behalf of Blumberg 209, LLC regarding a proposed wastewater treatment facility project to serve a proposed development in Waller County, located approximately 1 mile Northeast of the intersection of HWY 6 and 290. Hempstead, Waller County, TX. We are in the process of applying for a new TCEQ Wastewater Discharge Permit for 250,000 gallons per day (GPD) to serve this development.

We are required to contact all existing TCEQ Wastewater Discharge Permittees within a 3-mile radius of the project to inquire if an existing permit holder is willing to provide the wastewater treatment capacity needed. According to TCEQ records, you are a permittee having an existing WWTP located within 3 miles of the project and have a TCEQ Waste Discharge Permit. If there is a WWTP within 3 miles that has the capacity available or will expand their facility to make it available, there will be a conducted feasibility study to determine if it is cost effective to obtain service from them.

We would appreciate receiving a response from you indicating if 250,000 GPD of wastewater treatment capacity in your facility is available, and if so, under what terms. A handwritten reply on a copy of this letter will be adequate. You may email your response to me at Levi@L2Engineering.com or fax it to (936) 647-2366. Please feel free to call me at (936) 647-0420 if you have any questions. Thank you for your assistance.

Thank you,
Levi Love, PE

Attachments: 1) 3-Mile Radius Map

Reply

Date of Reply: 05/20/24
Name Of Permittee: North Hempstead Utilities
Capacity Available (Yes/No)? No
Terms (if Available): _____

Signature: _____
Printed Name: Julie Ward
Title: Development Manager, RCR Rail Co.
Address: _____

Telephone: 713-822-1758
Email: Julie@RCRrailco.com

From: Julie Ward <julie@rcrrailco.com>
Subject: TCEQ Waste Discharge Permit
Date: May 20, 2024 at 3:03:58 PM CDT
To: "Levi@L2Engineering.com" <Levi@L2Engineering.com>
Cc: Marcia Vander Vegte <Marcia@mcalisterassets.com>

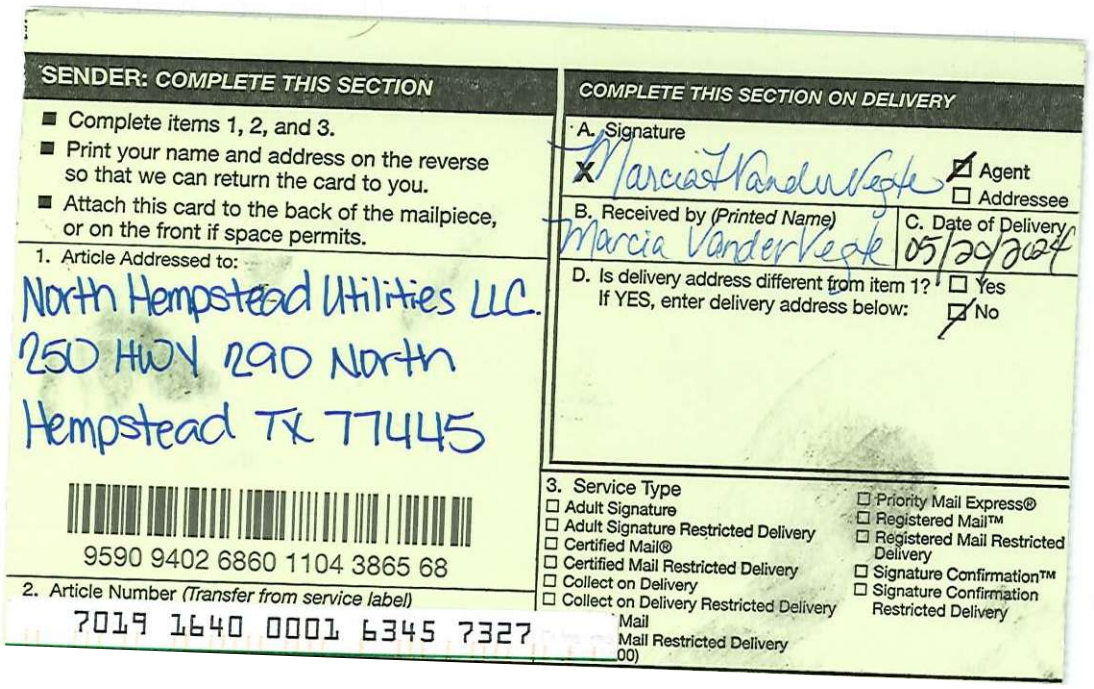
To whom it may concern:

The WWTP referenced in the attached document has not been constructed and does not currently have any capacity available. Feel free to reach out if you have any questions.

Thanks,

Julie Ward

RCR Rail Co.
713-822-1758



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

North Hempstead Utilities LLC.
250 HWY 290 North
Hempstead TX 77445

9590 9402 6860 1104 3865 68

2. Article Number (Transfer from service label)
7019 1640 0001 6345 7327

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Marcia Vander Vegte ☑ Agent ☐ Addressee

B. Received by (Printed Name) Marcia VanderVegte

C. Date of Delivery 05/20/2024

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☑ No

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
Mail
Mail Restricted Delivery
00)
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

Leah Whallon

From: Jerry Barnes <jbarnes@l2engineering.com>
Sent: Friday, August 2, 2024 9:40 AM
To: Leah Whallon
Cc: Levi Love, PE; Jonathan Schumann
Subject: Re: Application for Proposed Permit No. WQ0016563001; Blumberg 209, LLC; Hempstead 209 WWTP; Notice of Deficiency 30-Day Will Return Letter
Attachments: K - Land Owner Address Labels.docx; WWTP EXHIBITS-10995-LL-LAND OWNERS EXHIBIT.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning Leah,

See attached landowners exhibit and mail labels, if you have any questions or concerns please let me know.

Thank you,

On Fri, Jul 26, 2024 at 9:10 AM Leah Whallon <Leah.Whallon@tceq.texas.gov> wrote:

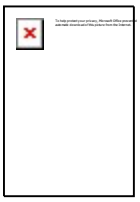
> Good Morning,
>
> Please see the attached Notice of Deficiency 30-Day Will Return Letter dated July 26, 2024 requesting the response needed to declare the application administratively complete. Please send the complete response by August 25, 2024.
>
> Thank you,
>
> **Leah Whallon**
>
> Texas Commission on Environmental Quality
>
> Water Quality Division
>
> 512-239-0084
> leah.whallon@tceq.texas.gov

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

--

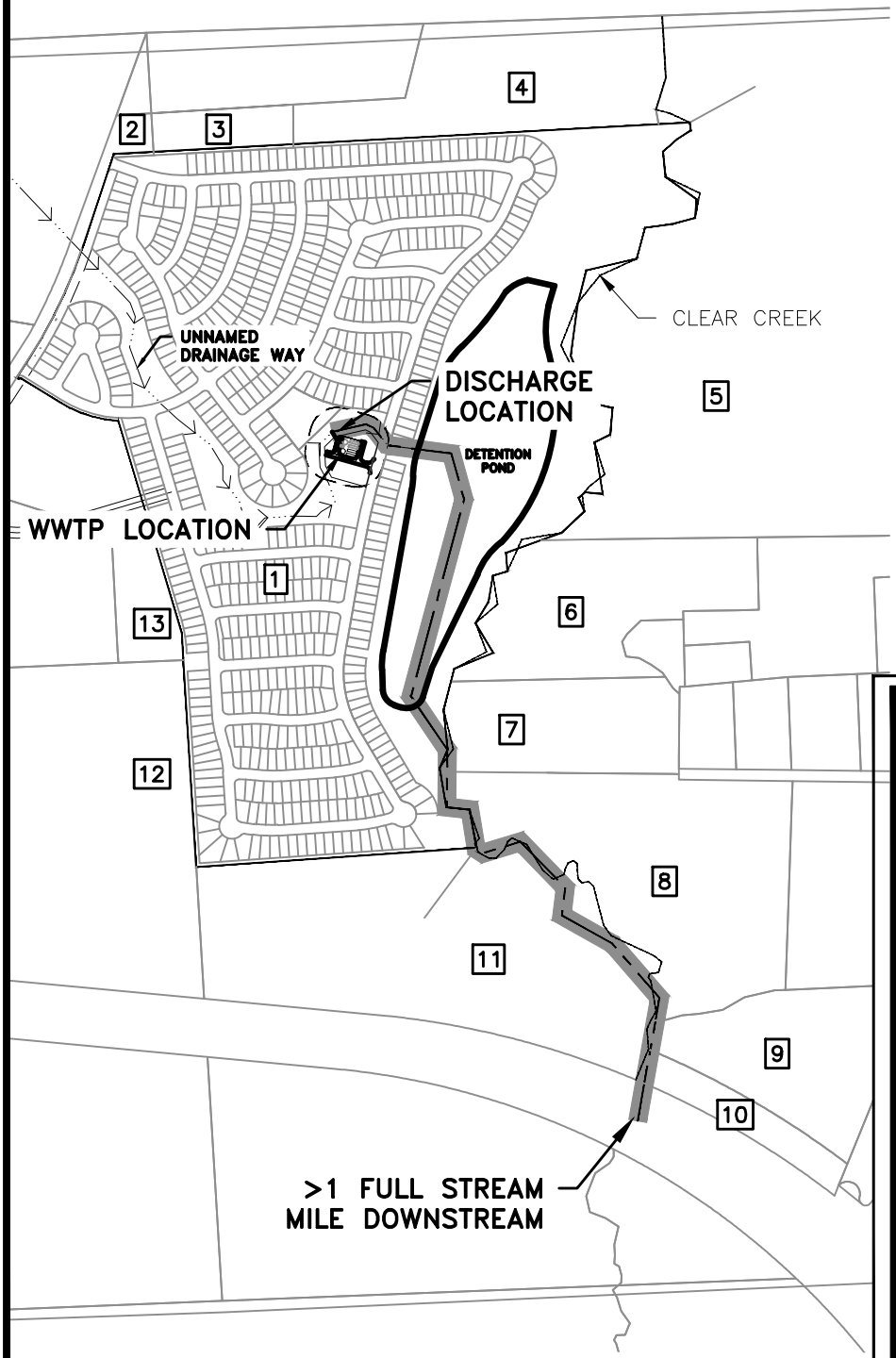
Jerry Barnes
jbarnes@l2engineering.com
O: 936.647.0420

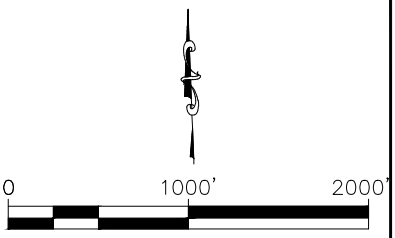
L Squared Engineering
3307 West Davis Street, Suite 100
Conroe, TX 77304



Blumberg Development WWTP-OWNER LIST

NUMBER	PROPERTY ID	OWNER NAME	OWNER MAILING ADDRESS	LEGAL DESCRIPTION
1	R45673	BLUMBERG 209 LLC	3103 AMBER LN ROSENBURG TXX 77471	ABS A312100 A-121 ISAAC DONOHO TRACT 2 ACRES 189.595
2	R170558	MAIER JARED & KELLYE	41341 BLUMBERG RD HEMPSTEAD TX 77445	ABS A301100 A-11 JOSEPH BAKER TRACT 10-1 ACRES 0.9 P/O 5.00 AC
3	R245536	MAIER JARED & KELLYE	41341 BLUMBERG RD HEMPSTEAD TX 77445	ABS A312100 A-121 ISAAC DONOHO TRACT 2-2 ACRES 4.1 P/O 5.00 AC
4	R170559	WEBB MARIE L	42047 BLUMBERG RD HEMPSTEAD TX 77445	ABS A312100 A-121 ISAAC DONOHO TRACT 2-1 ACRES 25. P/O 40.155 AC
5	R45674	SCHIEL DEBBY SUE	PO BOX 35 HEMPSTEAD TX 77445	ABS A312100 A-121 ISAAC DONOHO TRACT 3 ACRES 241.0 P/O 308.00 ACRES
6	R258196	CONFIDENTIAL		ABS A312100 A-121 ISAAC DONOHO TRACT 20-4 ACRES 21.096
7	R266616	GOODRUM KIMBERLY ANN MATHIS	23308 MACK WASHINGTON LN	ABS A312100 A-121 ISAAC DONOHO TRACT 20-5 ACRES 8.634
8	R253800	THUROW SCOTT & DONGFANG LIA	8314 LANGDON LN HOUSTON TX 77036	ABS A312100 A-121 ISAAC DONOHO TRACT 26-1 ACRES 34.264
9	R170363	FORD COLBY	13419 ROCKY CREEK ESTATES DR HOCKLEY TX 77447	ABS A312100 A-121 ISAAC DONOHO TRACT 28-4 ACRES 18.577 P/O 23.797 ACRES
10	R170364	FORD COLBY	13419 ROCKY CREEK ESTATES DR HOCKLEY TX 77447	ABS A312100 A-121 ISAAC DONOHO TRACT 28-5 ACRES 5.22 P/O 23.797 ACRES
11	R45690	MACHAC CAROLE ANNE	PO BOX 236 WALLER TX 77484	ABS A312100 A-121 ISAAC DONOHO TRACT 25 ACRES 50.535 P/O 148.446 ACRES
12	R44493	MACHAC CAROLE ANNE	PO BOX 236 WALLER TX 77485	ABS A301100 A-11 JOSEPH BAKER TRACT 15 HUD TEX125003; ACRES 97.911 P/O 148.446 ACRES
13	R260482	BROUNKOWSKI KARL KEITH	41703 BLUMBURG RD HEMPSTEAD TX 77445	ABS A301100 A-11 JOSEPH BAKER TRACT 10-2 ACRES 17.3716





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MUNICIPAL COMMERCIAL RESIDENTIAL
WWW.L2ENGINEERING.COM
FIRM REGISTRATION NUMBER 11235
3307 W. DAVIS ST.
CONROE, TEXAS 77304
OFFICE: 936-647-0420

HEMPSTEAD 209 WASTEWATER TREATMENT PLANT LAND OWNERS EXHIBIT

CLIENT INFORMATION
VAL WEST DEVELOPMENT, LLC
JONATHAN SCHUMANN
3103 AMBER LN
ROSENBERG, TX 77471

PROJECT ADDRESS
Blumberg Rd
Hempstead, TX 77445

PROJECT	10995	DATE	05/29/2024
SCALE	1" = 1000'	SHEET	EXHIBIT K

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW UNDER THE AUTHORITY OF:

E. LEVI LOVE, PE #99340
OR
JONATHAN WHITE, PE #127058

FOR REVIEW PURPOSES ONLY
NOT FOR CONSTRUCTION

05/29/2024

L:\SHARED\L2 ENGINEERING PROJECTS\ENGINEERING PROJECTS\10995-HEMPSTEAD 208 ACRE TRACT\03 CAD\DESIGN SET\WWTP\WWTP EXHIBITS-10995-LL.DWG Aug. 2, 2024-7:37 AM

Blumberg Development WWTP-OWNER LIST				
NUMBER	**PROPERTY ID**	**OWNER NAME**	**OWNER MAILING ADDRESS**	**LEGAL DESCRIPTION**
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3	R245536	MAIER JARED & KELLYE	41341 BLUMBERG RD HEMPSTEAD TX 77445	ABS A312100 A-121 ISAAC DONOHO TRACT 2-2 ACRES 4.1 P/O 5.00 AC
4	R170559	WEBB MARIE L	42047 BLUMBERG RD HEMPSTEAD TX 77445	ABS A312100 A-121 ISAAC DONOHO TRACT 2-1 ACRES 25. P/O 40.155 AC
5	R45674	SCHIEL DEBBY SUE	PO BOX 35 HEMPSTEAD TX 77445	ABS A312100 A-121 ISAAC DONOHO TRACT 3 ACRES 241.0 P/O 308.00 ACRES
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9	R170363	FORD COLBY	13419 ROCKY CREEK ESTATES DR HOCKLEY TX 77447	ABS A312100 A-121 ISAAC DONOHO TRACT 28-4 ACRES 18.577 P/O 23.797 ACRES
10	R170364	FORD COLBY	13419 ROCKY CREEK ESTATES DR HOCKLEY TX 77447	ABS A312100 A-121 ISAAC DONOHO TRACT 28-5 ACRES 5.22 P/O 23.797 ACRES
11	R45690	MACHAC CAROLE ANNE	PO BOX 236 WALLER TX 77484	ABS A312100 A-121 ISAAC DONOHO TRACT 25 ACRES 50.535 P/O 148.446 ACRES
12	R44493	MACHAC CAROLE ANNE	PO BOX 236 WALLER TX 77485	ABS A301100 A-11 JOSEPH BAKER TRACT 15 HUD TEX125003; ACRES 97.911 P/O 148.446 ACRES
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Blumberg 209, Llc
3103 Amber Ln
Rosenburg Tx 77471

Maier Jared & Kellye
41341 Blumberg Rd
Hempstead Tx 77445

Webb Marie L
42047 Blumberg Rd
Hempstead Tx 77445

Schiel Debby Sue
Po Box 35
Hempstead Tx 77445

Goodrum Kimberly Ann Mathis
23308 Mack Washington Ln
Hempstead Tx 77445

Thurow Scott & Dongfang Lia
8314 Langdon Ln
Houston Tx 77036

Ford Colby
13419 Rocky Creek Estates Dr Hockley Tx 77447

Machac Carole Anne
Po Box 236
Waller Tx 77484

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Hempstead Tx 77445

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13419 Rocky Creek Estates Dr Hockley Tx 77447

Machac Carole Anne
Po Box 236
Waller Tx 77484

Brounkowski Karl Keith
41703 Blumburg Rd
Hempstead Tx 77445

Leah Whallon

From: Leah Whallon
Sent: Thursday, July 25, 2024 2:05 PM
To: Levi Love, PE
Cc: Jerry Barnes; Jonathan Schumann
Subject: RE: Application for Proposed Permit No. WQ0016563001; Blumberg 209, LLC; Hempstead 209 WWTP

Hi Levi,

Landowner "1" is listed as the applicant, Blumberg 209, LLC. The applicant cannot be their own adjacent landowner. The map will need to show "1" as the applicant's property boundary, and everything adjacent to "1" as the affected landowner properties. Please let me know if you have any questions.

Thanks,

Leah Whallon
Texas Commission on Environmental Quality
Water Quality Division
512-239-0084
leah.whallon@tceq.texas.gov

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

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From: Levi Love, PE <levi@l2engineering.com>
Sent: Thursday, July 25, 2024 1:56 PM
To: Leah Whallon <Leah.Whallon@Tceq.Texas.Gov>
Cc: Jerry Barnes <jbarnes@l2engineering.com>; Jonathan Schumann <js@val-west.com>
Subject: Re: Application for Proposed Permit No. WQ0016563001; Blumberg 209, LLC; Hempstead 209 WWTP

Ms. Whallon,

Jumping in here. Our intention on the map exhibit is to show that landowner "1" completely surrounds the treatment plant site, which will be owned by the operating entity. This is how we have handled prior applications, but please let us know if we checked the wrong box somewhere in the application to indicate otherwise.

Thank you,
E. Levi Love Jr.
President
L Squared Engineering
O: 936.647.0420
C: 936.689.2006

On Jul 25, 2024, at 1:47 PM, Leah Whallon <Leah.Whallon@Tceq.Texas.Gov> wrote:

Hi Jerry,

I've reviewed the response and there is still one item that needs to be addressed for the application to be administratively complete.

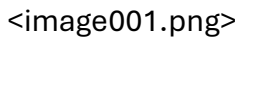
The revised affected landowners map does not include all properties adjacent to the applicant's property boundaries. A revised map, list, and mailing labels are needed and must include all adjacent landowners of the applicant.

Please reference the application instructions for more details on the requirements of the affected landowners information, starting on page 36 of the Completing the Domestic Wastewater Permit Application.

The other items have been completed. I can send a second letter to extend 30 days to complete the response.

Please let me know if you have any questions.

Thanks,



Leah Whallon
Texas Commission on Environmental Quality
Water Quality Division
512-239-0084
leah.whallon@tceq.texas.gov

How is our customer service? Fill out our online customer satisfaction survey atwww.tceq.texas.gov/customersurvey

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From: Leah Whallon
Sent: Tuesday, July 16, 2024 11:18 AM
To: Jerry Barnes <jbarnes@l2engineering.com>; Levi Love, PE <levi@l2engineering.com>
Cc: Jonathan Schumann <js@val-west.com>

Subject: RE: Application for Proposed Permit No. WQ0016563001; Blumberg 209, LLC; Hempstead 209 WWTP

Thank you, Jerry.

Your response has been received. I will review and follow up with you as soon as possible. Please let me know if you have any questions.

Thanks,

<image001.png>

Leah Whallon
Texas Commission on Environmental Quality
Water Quality Division
512-239-0084
leah.whallon@tceq.texas.gov

How is our customer service? Fill out our online customer satisfaction survey atwww.tceq.texas.gov/customersurvey

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From: Jerry Barnes <jbarnes@l2engineering.com>
Sent: Monday, July 15, 2024 5:48 PM
To: Levi Love, PE <levi@l2engineering.com>
Cc: Leah Whallon <Leah.Whallon@Tceq.Texas.Gov>; Jonathan Schumann <js@val-west.com>
Subject: Re: Application for Proposed Permit No. WQ0016563001; Blumberg 209, LLC; Hempstead 209 WWTP

Good evening Leah,

Please find the requested forms attached, a comment response is also provided for your reference.

If you have any questions or concerns, please do not hesitate to contact me.

Thank you,

On Wed, Jul 3, 2024 at 4:39 PM Levi Love, PE <levi@l2engineering.com> wrote:

> Ms. Whallon,
>
> Thank you for the comments. We will address and respond well within the deadline. Have a great Fourth of July!
>
> Thank you,
> E. Levi Love Jr.
> President
> **L Squared Engineering**
> O: 936.647.0420
> C: 936.689.2006

On Jul 3, 2024, at 12:30 PM, Leah Whallon <Leah.Whallon@Tceq.Texas.Gov> wrote:

Good Afternoon,

Please see the attached Notice of Deficiency letter dated July 3, 2024 requesting additional information needed to declare the application administratively complete. Please send the complete response by July 17, 2024.

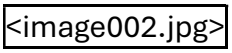
Please let me know if you have any questions.

Thank you,

Leah Whallon
Texas Commission on Environmental Quality
Water Quality Division
512-239-0084
leah.whallon@tceq.texas.gov

--
Jerry Barnes
jbarnes@l2engineering.com
O: 936.647.0420

L Squared Engineering
3307 West Davis Street, Suite 100
Conroe, TX 77304



L SQUARED ENGINEERING
MUNICIPAL COMMERCIAL RESIDENTIAL

3307 W. Davis Street #100
Conroe, Texas 77304
P: 936-647-0420
F: 936-647-2366

To: Texas Commission on Environmental Quality

From: Levi Love, PE

Date: July 15, 2024

Re: Application for Proposed Permit No.: WQ0016563001 (EPA I.D. No. TX0146234)

Please find your list of comments with our explanation or description of revision in **bold underline** below:

Plan Review:

1. Core Data Form, Section III, Items 24 and 25 Please provide an updated page to provide the County and revised location description to match the description used in the application in place of the driving directions, "located approximately one mile northeast of the intersection of State Highway 6 and U.S. Highway 290."

   Response: The location description and the county have been updated to the following " Located approximately one mile northeast of the intersection of State Highway 6 and U.S. Highway 290, near the city of Hempstead, in Waller County, Texas 77445."

2. Administrative Report 1.0, Section 13 – USGS Map (Attachment C) No information is shown on the map. Please provide a USGS map illustrating all required items, including applicant's property boundary, treatment facility boundary, buffer zone, point of discharge, highlighted discharge route for 3 miles downstream and one mile radius information.

   Response: Please refer to Attachment M for the USGS Map with all the above required items.

3. Administrative Report 1.1, Section 1 – Affected Landowner Information The affected landowner map does not show and label the applicant's property boundary or the properties adjacent to the applicant's property boundary. Please provide an updated landowner map that shows and labels the applicant's property boundary and all adjacent properties. The administrative report Section 9 indicates the applicant owns the land where the facility is located, but this is not consistent with the map provided.

   Please also provide an updated cross-reference landowner list and the landowner list formatted for mailing labels (Avery 5160) in a Microsoft Word document.

   Response: Attahment K has been updated to reflect the applicants property information and an microdsoft word file has been provided in this resubmittal.

4. Technical Report 1.0, Section 1 The proposed final phase flow is listed as 0.125 MGD, but the application fee and plain language summary indicate a final phase flow of 0.25 MGD. Please provide an updated page to correct the proposed final phase flow..

Response: This sheet has been revised to indicate a final phase flow of 0.25 MGD.

5. The following is a portion of the NORI which contains information relevant to your application. Please read it carefully and indicate if it contains any errors or omissions. The complete notice will be sent to you once the application is declared administratively complete. APPLICATION. Blumberg 209, LLC, 3103 Amber Lane, Rosenberg, Texas 77471, has applied to the Texas Commission on Environmental Quality (TCEQ) for proposed Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016563001 (EPA I.D. No. TX0146234) to authorize the discharge of treated wastewater at a volume not to exceed a daily average flow of 250,000 gallons per day. The domestic wastewater treatment facility will be located approximately one mile northeast of the intersection of State Highway 6 and U.S. Highway 290, near the city of Hempstead, in Waller County, Texas 77445. The discharge route will be from the plant site to a ditch, thence to a detention pond, thence to an unnamed tributary of Clear Creek; thence to Clear Creek; thence to Brazos River Below Navasota River. TCEQ received this application on June 24, 2024. The permit application will be available for viewing and copying at Waller County Public Library, 2331 11th Street, Hempstead, in Waller 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=-96.0606,30.122233&level=18

Further information may also be obtained from Blumberg 209, LLC at the address stated above or by calling Mr. E. Levi Love, Jr., P.E., L Squared Engineering, at 936-647-0420

Response: The provided portion of the Nori is correct.

6. The application indicates that public notices in Spanish are required. After confirming the portion of the NORI above does not contain any errors or omissions, please use the attached template to translate the NORI into Spanish. Only the first and last paragraphs are unique to this application and require translation. Please provide the translated Spanish NORI in a Microsoft Word Document.

Response: The Spanish NORI will be provided in resubmittal.

TCEQ Use Only

TCEQ Core Data Form

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

SECTION I: General Information

1. Reason for Submission (*If other is checked please describe in space provided.*)

☒ New Permit, Registration or Authorization (*Core Data Form should be submitted with the program application.*)

☐ Renewal *(Core Data Form should be submitted with the renewal form)* ☐ Other

2. Customer Reference Number *(if issued)*	Follow this link to search for CN or RN numbers in Central Registry**	**3. Regulated Entity Reference Number** *(if issued)*
CN		**RN**

SECTION II: Customer Information

4. General Customer Information | **5. Effective Date for Customer Information Updates** (mm/dd/yyyy)

☒ New Customer ☐ Update to Customer Information ☐ Change in Regulated Entity Ownership
☐ Change in Legal Name (Verifiable with the Texas Secretary of State or Texas Comptroller of Public Accounts)

The Customer Name submitted here may be updated automatically based on what is current and active with the Texas Secretary of State (SOS) or Texas Comptroller of Public Accounts (CPA).

6. Customer Legal Name *(If an individual, print last name first: eg: Doe, John)* — *If new Customer, enter previous Customer below:*

Blumberg 209, LLC

7. TX SOS/CPA Filing Number	**8. TX State Tax ID** (11 digits)	**9. Federal Tax ID** (9 digits)	**10. DUNS Number** *(if applicable)*
805480304	32094382333	99-2190428	

11. Type of Customer: ☐ Corporation ☐ Individual Partnership: ☐ General ☐ Limited
Government: ☐ City ☐ County ☐ Federal ☐ Local ☐ State ☐ Other ☐ Sole Proprietorship ☒ Other: Texas LLC

12. Number of Employees
☒ 0-20 ☐ 21-100 ☐ 101-250 ☐ 251-500 ☐ 501 and higher

13. Independently Owned and Operated?
☒ **Yes** ☐ **No**

14. Customer Role (Proposed or Actual) – *as it relates to the Regulated Entity listed on this form. Please check one of the following*

☐ Owner ☐ Operator ☒ Owner & Operator
☐ Occupational Licensee ☐ Responsible Party ☐ VCP/BSA Applicant ☐ Other:

15. Mailing Address:

	3103 Amber Ln						
City	Rosenberg	**State**	TX	**ZIP**	77471	**ZIP + 4**	

16. Country Mailing Information *(if outside USA)*	**17. E-Mail Address** *(if applicable)*
	js@val-west.com

18. Telephone Number	19. Extension or Code	20. Fax Number *(if applicable)*
(281) 814-4465		( ) -

SECTION III: Regulated Entity Information

21. General Regulated Entity Information *(If 'New Regulated Entity" is selected, a new permit application is also required.)*

☒ New Regulated Entity ☐ Update to Regulated Entity Name ☐ Update to Regulated Entity Information

The Regulated Entity Name submitted may be updated, in order to meet TCEQ Core Data Standards (removal of organizational endings such as Inc, LP, or LLC).

22. Regulated Entity Name *(Enter name of the site where the regulated action is taking place.)*

Hemptstead 209 Wastewater Treatment Plant

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

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

25. Description to Physical Location:	Located approximately one mile northeast of the intersection of State Highway 6 and U.S. Highway 290, near the city of Hempstead, in Waller County, Texas 77445.

26. Nearest City	State	Nearest ZIP Code
Hempstead	TX	77445

Latitude/Longitude are required and may be added/updated to meet TCEQ Core Data Standards. (Geocoding of the Physical Address may be used to supply coordinates where none have been provided or to gain accuracy).

27. Latitude (N) In Decimal:	30.122233		28. Longitude (W) In Decimal:	-96.060607	
Degrees	Minutes	Seconds	Degrees	Minutes	Seconds
30	7	18.7	96	3	33.7

29. Primary SIC Code (4 digits)	30. Secondary SIC Code (4 digits)	31. Primary NAICS Code (5 or 6 digits)	32. Secondary NAICS Code (5 or 6 digits)
6532	6552	531390	237210

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

Real Estate

34. Mailing Address:	**3103 Amber Ln**							
	City	**Rosenburg**	**State**	**TX**	**ZIP**	**77471**	**ZIP + 4**	
35. E-Mail Address:	**JS@val-west.com**							

36. Telephone Number	37. Extension or Code	38. Fax Number *(if applicable)*
(281) 814-4465		**( ) -**

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.

☐ Dam Safety	☐ Districts	☐ Edwards Aquifer	☐ Emissions Inventory Air	☐ Industrial Hazardous Waste
☐ Municipal Solid Waste	☐ New Source Review Air	☐ OSSF	☐ Petroleum Storage Tank	☐ PWS
☐ Sludge	☐ Storm Water	☐ Title V Air	☐ Tires	☐ Used Oil
☐ Voluntary Cleanup	☒ Wastewater	☐ Wastewater Agriculture	☐ Water Rights	☐ Other:

SECTION IV: Preparer Information

40. Name:	E. Levi Love Jr.	**41. Title:**	Professional Engineer

42. Telephone Number	**43. Ext./Code**	**44. Fax Number**	**45. E-Mail Address**
(936 **)** 647-0420		**( )** -	Levi@L2Engineering.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.

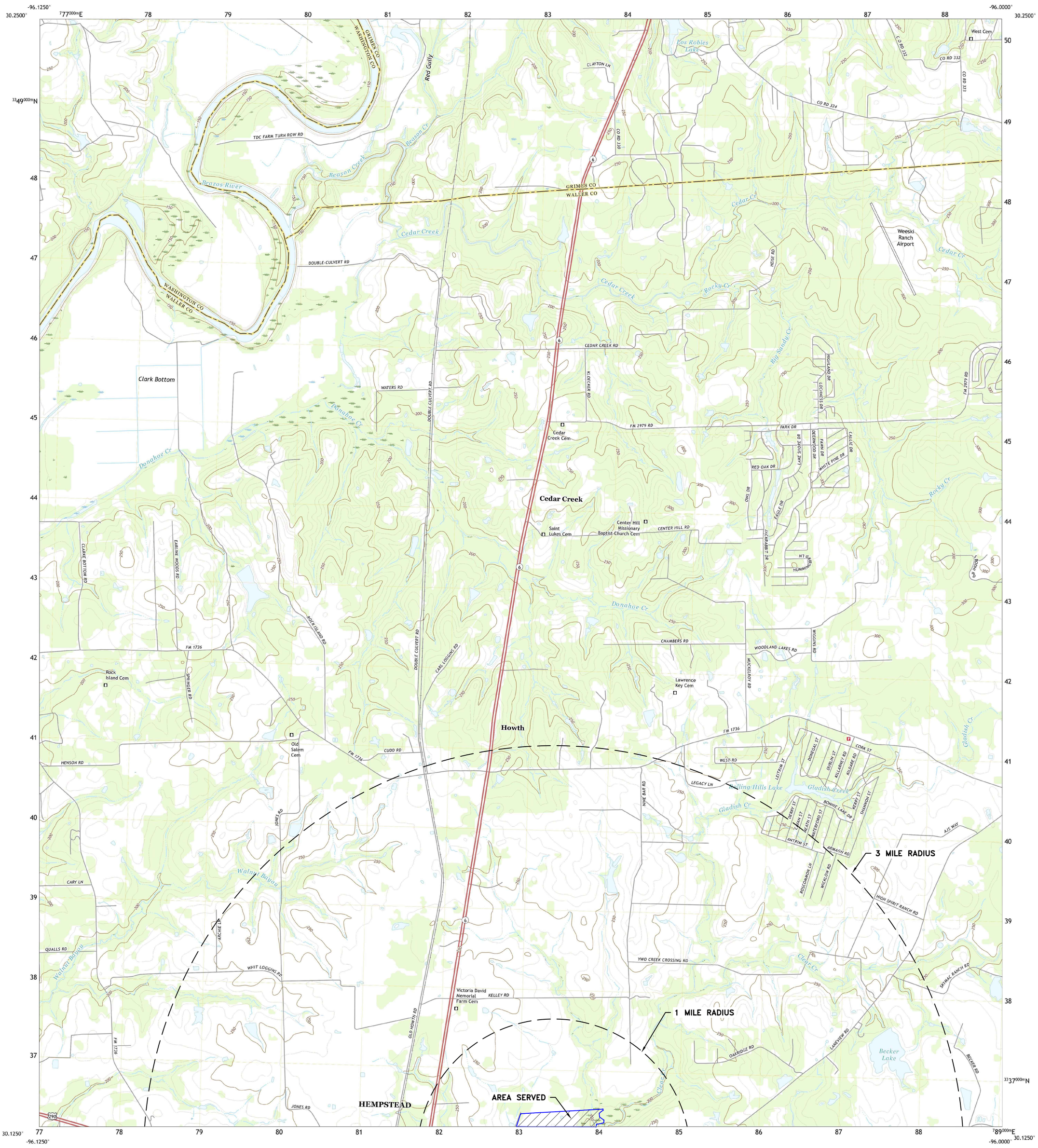
Company:	Blumberg 209, LLC	**Job Title:**	Owner/Operator
Name *(In Print):*	Jonathan Schumann	**Phone:**	**(** 281 **)** 814- **4465**
Signature:		**Date:**	

Attachment M – USGS Map Showing Site Location

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

The National Map US Topo

HOWTH QUADRANGLE
TEXAS
7.5-MINUTE SERIES



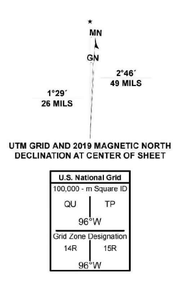
L SQUARED ENGINEERING

Produced by the United States Geological Survey
North American Datum of 1983 (NAD83)
World Geodetic System of 1984 (WGS84). Projection and
1 000-meter grid:Universal Transverse Mercator, Zone 14R

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

Imagery.....NAIP, September 2016 - November 2016
Roads.....U.S. Census Bureau, 2015 - 2019
Names.....GNIS, 1979 - 2022
Hydrography.....National Hydrography Dataset, 2002 - 2018
Contours.....National Elevation Dataset, 2004
Boundaries.....Multiple sources; see metadata file 2019 - 2021

Wetlands.....FWS National Wetlands Inventory Not Available



UTM GRID AND 2019 MAGNETIC NORTH DECLINATION AT CENTER OF SHEET

U.S. National Grid
100,000 - m Square ID
QU | TP
96°W
Grid Zone Designation
14R | 15R
96°W

SCALE 1:24 000

1 0.5 0 KILOMETERS 1 2
1000 500 0 METERS 1000 2000
1 0.5 0 1
MILES
1000 0 1000 2000 3000 4000 5000 6000 7000 8000 9000 10000
FEET

CONTOUR INTERVAL 10 FEET
NORTH AMERICAN VERTICAL DATUM OF 1988

This map was produced to conform with the National Geospatial Program US Topo Product Standard.

QUADRANGLE LOCATION

1	2	3
4		5
6	7	8

1 Washington
2 Courtney
3 Stoneham
4 Daniels
5 Waller NW
6 Buckhorn
7 Hempstead
8 Waller

ADJOINING QUADRANGLES

ROAD CLASSIFICATION

Expressway
Secondary Hwy
Ramp
Local Connector
Local Road
4WD
Interstate Route
US Route
State Route

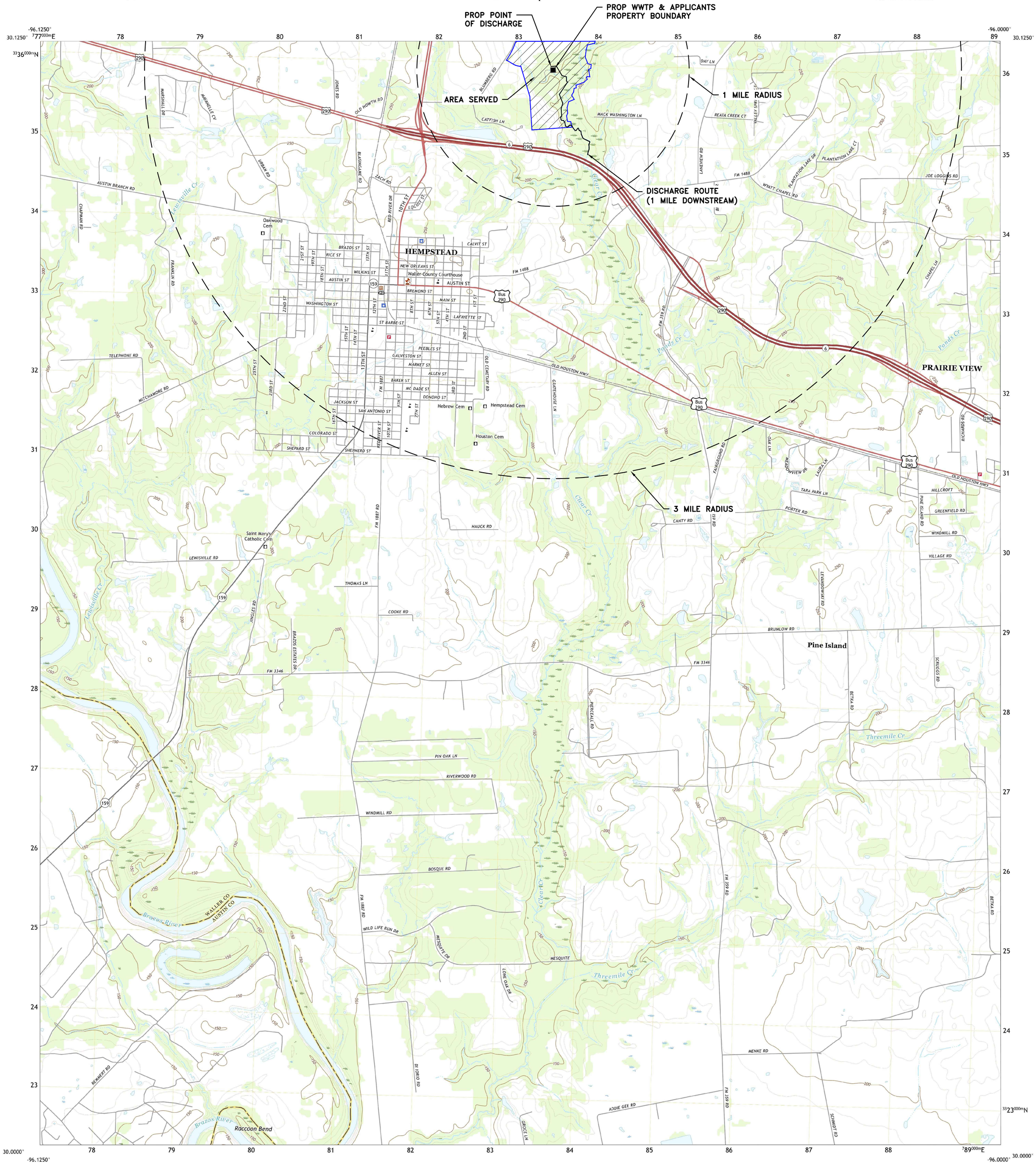
HOWTH, TX
2022

NSN 7643016396004
NGA REF NO. USGSX24K21300

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

The National Map US Topo

HEMPSTEAD QUADRANGLE
TEXAS
7.5-MINUTE SERIES



L SQUARED ENGINEERING

Produced by the United States Geological Survey

North American Datum of 1983 (NAD83)
World Geodetic System of 1984 (WGS84). Projection and
1 000-meter grid:Universal Transverse Mercator, Zone 14R

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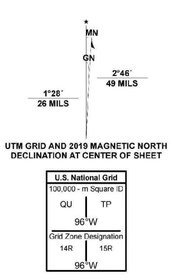
Imagery.....NAIP, September 2016 - November 2016
Roads.....U.S. Census Bureau, 2015
Names.....GNIS, 1979 - 2021
Hydrography.....National Hydrography Dataset, 2002 - 2018
Contours.....National Elevation Dataset, 2004
Boundaries.....Multiple sources; see metadata file 2019 - 2021

Wetlands.....FWS National Wetlands Inventory Not Available



UTM GRID AND 2019 MAGNETIC NORTH DECLINATION AT CENTER OF SHEET

U.S. National Grid
100,000 - m Square ID
QU | TP
96°W
Grid Zone Designation
14R | 15R
96°W

SCALE 1:24 000

1 0.5 0 KILOMETERS 1 2
1000 500 0 METERS 1000 2000
1 0.5 0 1
MILES
1000 0 1000 2000 3000 4000 5000 6000 7000 8000 9000 10000
FEET

CONTOUR INTERVAL 10 FEET
NORTH AMERICAN VERTICAL DATUM OF 1988

This map was produced to conform with the National Geospatial Program US Topo Product Standard.

QUADRANGLE LOCATION

1	2	3
4		5
6	7	8

1 Daniels
2 Howth
3 Waller NW
4 Buckhorn
5 Waller
6 Burleigh
7 Sunny Side
8 Hockley Mound

ADJOINING QUADRANGLES

ROAD CLASSIFICATION

Expressway
Secondary Hwy
Ramp
Local Connector
Local Road
4WD
Interstate Route
US Route
State Route

HEMPSTEAD, TX
2022

NSN 7643016396511
NGA REF NO. USGSX24K20068

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

DOMESTIC WASTEWATER PERMIT APPLICATION TECHNICAL REPORT 1.0

For any questions about this form, please contact the Domestic Wastewater Permitting Team at 512-239-4671.

The following information is required for all renewal, new, and amendment applications.

Section 1. Permitted or Proposed Flows (Instructions Page 43)

A. Existing/Interim I Phase

Design Flow (MGD): 0.0625

2-Hr Peak Flow (MGD): 0.25

Estimated construction start date: January 2026

Estimated waste disposal start date: December 2026

B. Interim II Phase

Design Flow (MGD): 0.125

2-Hr Peak Flow (MGD): 0.50

Estimated construction start date: January 2028

Estimated waste disposal start date: December 2028

C. Final Phase

Design Flow (MGD): 0.25

2-Hr Peak Flow (MGD): 1

Estimated construction start date: January 2030

Estimated waste disposal start date: December 2030

D. Current Operating Phase: N/A

Provide the startup date of the facility: N/A

Section 2. Treatment Process (Instructions Page 43)

A. Current Operating Phase

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

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

PERMISO PROPUESTO NO. WQ00_____

SOLICITUD. Blumberg 209, LLC, 3103 Amber Lane, Rosenberg, Texas 77471, ha solicitado a la Comisión de Calidad Ambiental del Estado de Texas (TCEQ) para el propuesto Permiso No. WQ0016563001 (EPA I.D. No. TX0146234) 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 diario de 250,000 galones por día. La planta está ubicada aproximadamente una milla al noreste de la intersección de la autopista estatal 6 y la autopista estadounidense 290, cerca de la ciudad de Hempstead en el Condado de Waller, Texas. La ruta de descarga es del sitio de la planta a desde el sitio de la planta hasta una zanja, de allí a un estanque de detención, de allí a un afluente sin nombre de Clear Creek; de allí a Clear Creek; de allí al río Brazos debajo del río Navasota. La TCEQ recibió esta solicitud el June 24, 2024. La solicitud para el permiso estará disponible para leerla y copiarla en Waller County Public Library, 2331 11th Street, Hempstead, in Waller County, Texas antes de la fecha de publicación de este aviso en el periódico. Este enlace a un mapa electrónico de la ubicación general del sitio o de la instalación es proporcionado como una cortesía y no es parte de la solicitud o del aviso. Para la ubicación exacta, consulte la solicitud.
https://gisweb.tceq.texas.gov/LocationMapper/?marker=-96.0606,30.122233&level=18

[Include the following non-italicized sentence if the facility is located in the Coastal Management Program boundary. The Coastal Management Program boundary is the area along the Texas Coast of the Gulf of México as depicted on the map in 31 TAC §503.1 and includes part or all of the following counties: Cameron, Willacy, Kenedy, Kleberg, Nueces, San Patricio, Aransas, Refugio, Calhoun, Victoria, Jackson, Matagorda, Brazoria, Galveston, Harris, Chambers, Jefferson y Orange.] El Director Ejecutivo de la TCEQ ha revisado esta medida para ver si está de acuerdo con los objetivos y las regulaciones del Programa de Administración Costero de Texas (CMP) de acuerdo con las regulaciones del Consejo Coordinador de la Costa (CCC) y ha determinado que la acción es conforme con las metas y regulaciones pertinentes del CMP.

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.

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. Ademas, puede pedir que la TCEQ ponga su nombre en una or mas de las listas correos siguientes (1) la lista de correo permanente para recibir los avisos de el solicitante indicado por nombre y número del permiso específico y/o (2) la lista de correo de todas las solicitudes en un condado especifico. Si desea que se agrega su nombre en una de las listas designe cual lista(s) y envia por correo su pedido a la Oficina del Secretario Principal de la TCEQ.

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

También se puede obtener información adicional del Blumberg 209, LLC a la dirección indicada arriba o llamando a Mr. E. Levi Love, Jr., P.E., L Squared Engineering, al 936-647-0420.

Fecha de emisión _____ *[Date notice issued]*

TPDES PERMIT NO. WQ0016563001
[For TCEQ office use only - EPA I.D. No. TX0146234]

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

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

Blumberg 209, LLC

whose mailing address is

3103 Amber Lane
Rosenberg, Texas 77471

is authorized to treat and discharge wastes from the Hempstead 209 Wastewater Treatment Facility, SIC Code 4952

located approximately one mile northeast of the intersection of State Highway 6 and U.S. Highway 290, in Waller County, Texas 77445

to an unnamed tributary, thence to a detention pond, thence to an unnamed tributary, thence to Clear Creek, thence to the Brazos River Below Navasota River in Segment No. 1202 of the Brazos River Basin

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

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

ISSUED DATE:

For the Commission

INTERIM I EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS Outfall Number 001

1. During the period beginning upon the date of issuance and lasting through the completion of expansion to the 0.125 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 0.0625 MGD, nor shall the average discharge during any two-hour period (2-hour peak) exceed 174 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)	10 (5.2)	15	25	35	One/week	Grab
Total Suspended Solids	15 (7.8)	25	40	60	One/week	Grab
Ammonia Nitrogen	3 (1.6)	6	10	15	One/week	Grab
E. coli, colony-forming units or most probable number per 100 ml	126	N/A	N/A	399	One/quarter	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 REQUIREMENTS Outfall Number 001

1. During the period beginning upon the completion of expansion to the 0.125 million gallons per day (MGD) facility and lasting through the completion of expansion to the 0.25 MGD facility, the permittee is authorized to discharge subject to the following effluent limitations:

   The daily average flow of effluent shall not exceed 0.125 MGD, nor shall the average discharge during any two-hour period (2-hour peak) exceed 348 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)	10 (11)	15	25	35	One/week	Grab
Total Suspended Solids	15 (16)	25	40	60	One/week	Grab
Ammonia Nitrogen	3 (3.1)	6	10	15	One/week	Grab
E. coli, 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.

FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS Outfall Number 001

1. During the period beginning upon the completion of expansion to the 0.25 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 daily average flow of effluent shall not exceed 0.25 MGD, nor shall the average discharge during any two-hour period (2-hour peak) exceed 695 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)	10 (21)	15	25	35	One/week	Grab
Total Suspended Solids	15 (32)	25	40	60	One/week	Grab
Ammonia Nitrogen	3 (6.3)	6	10	15	One/week	Grab
E. coli, 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.

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 nth 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 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 use or biosolids 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 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 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 Enforcement Division (MC 224) within 5 working days of becoming aware of the noncompliance.

   d. Any noncompliance other than that specified in this section, or any required information not submitted or submitted incorrectly, shall be reported to the Enforcement Division (MC 224) as promptly as possible. For effluent limitation violations, noncompliances shall be reported on the approved self-report form.

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

9. Changes in Discharges of Toxic Substances

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

a. That any activity has occurred or will occur 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 Domestic Permits Team, Domestic Wastewater 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 Domestic Permits Team, Domestic Wastewater 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 or biosolids 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 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 12) 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. The permittee must submit this annual report by September 30th of each year, using the online electronic reporting system available through TCEQ's website. If the permittee requests and obtains an electronic reporting waiver, the annual report can be submitted in hard copy to the TCEQ Regional Office (MC Region 12) and the Enforcement Division (MC 224).

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

Pollutant	Ceiling Concentration (Milligrams per kilogram)*
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)(3)(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 is 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
PCBs	- once during the term of this permit

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):

Amount of biosolids (*) metric tons per 365-day period	Monitoring Frequency
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 FOR APPLICATION TO THE LAND MEETING CLASS A, CLASS AB or B BIOSOLIDS 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

Pollutant	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

Pollutant	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 biosolids enters a wetland or other waters in the State.

2. Bulk biosolids not meeting Class A biosolids 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.

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 is 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 must submit this annual report by September 30th of each year, using the online electronic reporting system available through TCEQ's website. If the permittee requests and obtains an electronic reporting waiver, the annual report can be submitted in hard copy to the TCEQ Regional Office (MC Region 12) and the Enforcement Division ((MC 224).

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 report.

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 report.

    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 or biosolids meets the requirements in 30 TAC § 330 concerning the quality of the sludge disposed in a municipal solid waste landfill.

B. If the permittee generates sewage sludge or biosolids 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. Sewage sludge or biosolids shall be tested once during the term of this permit 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 12) 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 12) and the Enforcement Division (MC 224) of the by September 30th of each year.

D. Sewage sludge or biosolids shall be tested as needed, in accordance with the requirements of 30 TAC Chapter 330.

E. 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.

F. Reporting Requirements

The permittee shall submit the following information in an annual report to the TCEQ by September 30th of each year. The permittee must submit this annual report using the online electronic reporting system available through TCEQ's website. If the permittee requests and obtains an electronic reporting waiver, the annual report can be submitted in hard copy to the TCEQ Regional Office (MC Region 12) and the Enforcement Division (MC 224).

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 or biosolids 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 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 submit the following information in an annual report to the TCEQ by September 30th of each year. The permittee must submit this annual report using the online electronic reporting system available through TCEQ's website. If the permittee requests and obtains an electronic reporting waiver, the annual report can be submitted in hard copy to the TCEQ Regional Office (MC Region 12) and the Enforcement Division (MC 224).

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.

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 must be operated by a chief operator or an operator holding a Class C license or higher. 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. The permittee shall comply with the requirements of 30 TAC § 309.13(a) through (d). In addition, by ownership of the required buffer zone area, the permittee shall comply with the requirements of 30 TAC § 309.13(e).

4. The permittee shall provide facilities for the protection of its wastewater treatment facility from a 100-year flood.

5. 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 Domestic Wastewater 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/quarter may be reduced to one/six months in the Interim I phase and one/month may be reduced to one/quarter in the Interim II and Final phases. **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 Domestic Wastewater 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.

6. Prior to construction of the Interim I (0.0625 MGD), Interim II (0.125 MGD), and Final phase (0.25 MGD) treatment facilities, the permittee shall submit to the TCEQ Domestic Wastewater Section (MC 148) a summary transmittal letter in accordance with the requirements in 30 TAC § 217.6(d). If requested by the Domestic Wastewater Section, the permittee shall submit plans and specifications and a final engineering design report which complies with 30 TAC Chapter 217, Design Criteria for Domestic Wastewater Systems. The permittee shall clearly show how the treatment system will meet the permitted effluent limitations required on Pages 2, 2a, and 2b 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.

7. Reporting requirements according to 30 TAC §§ 319.1-319.11 and any additional effluent reporting requirements contained in this permit are suspended from the effective date of the permit until plant

startup or discharge from the facility described by this permit, whichever occurs first. The permittee shall provide written notice to the TCEQ Regional Office (MC Region 12) and the Applications Review and Processing Team (MC 148) of the Water Quality Division, in writing at least forty-five days prior to plant startup or anticipated discharge, whichever occurs first, and prior to completion of each additional phase, on Notification of Completion Form 20007.

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

DESCRIPTION OF APPLICATION

Applicant:	Blumberg 209, LLC; Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016563001, EPA I.D. No. TX0146234
Regulated Activity:	Domestic Wastewater Permit
Type of Application:	New Permit
Request:	New Permit
Authority:	Federal Clean Water Act (CWA) § 402; Texas Water Code § 26.027; 30 Texas Administrative Code (TAC) Chapters 30, 305, 307, 309, 312, and 319; Commission policies; and United States Environmental Protection Agency (EPA) guidelines.

EXECUTIVE DIRECTOR RECOMMENDATION

The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The draft permit includes an expiration date of **five years from the date of issuance**.

REASON FOR PROJECT PROPOSED

The applicant has applied to the Texas Commission on Environmental Quality (TCEQ) for a new permit to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 0.0625 million gallons per day (MGD) in the Interim I phase, a daily average flow not to exceed 0.125 MGD in the Interim II phase, and a daily average flow not to exceed 0.25 MGD in the Final phase. The proposed wastewater treatment facility will serve Hempstead 209 Acres.

PROJECT DESCRIPTION AND LOCATION

The Hempstead 209 Wastewater Treatment Facility will be an activated sludge process plant operated in complete mix mode with single staged nitrification. Treatment units in the Interim I phase will include a bar screen, an aeration basin, a final clarifier, an aerobic sludge digester, and a chlorine contact chamber. Treatment units in the Interim II phase will include a bar screen, two aeration basins, a final clarifier, two aerobic sludge digesters, and a chlorine contact chamber. Treatment units in the Final phase will include a bar screen, four aeration basins, two final clarifiers, four aerobic sludge digesters, and a chlorine contact chamber. The facility has not been constructed.

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

The plant site will be located approximately one mile northeast of the intersection of State Highway 6 and U.S. Highway 290, in Waller County, Texas 77445.

Outfall Location:

Outfall Number	Latitude	Longitude

001	30.121639 N	96.059278 W

The treated effluent will be discharged to an unnamed tributary, thence to a detention pond, thence to an unnamed tributary, thence to Clear Creek, thence to the Brazos River Below Navasota River in Segment No. 1202 of the Brazos River Basin. The unclassified receiving water uses are minimal aquatic life use for the unnamed tributary (upstream of the detention pond), detention pond and unnamed tributary (downstream of the detention pond); and high aquatic life use for Clear Creek. The designated uses for Segment No. 1202 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. In accordance with 30 Texas Administrative Code § 307.5 and the TCEQ's *Procedures to Implement the Texas Surface Water Quality Standards* (June 2010), an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Texas Commission on Environmental Quality numerical and narrative criteria to protect existing uses will be maintained. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected in Clear Creek or the Brazos River Below Navasota River, which have been identified as having high aquatic life uses. Existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received.

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 Texas Surface Water Quality Standards (TSWQS) and the State of Texas Water Quality Management Plan (WQMP).

In a case such as this, end-of-pipe compliance with pH limits between 6.0 and 9.0 standard units reasonably assures instream compliance with the TSWQS for pH when the discharge authorized is from a minor facility. This technology-based approach reasonably assures instream compliance with TSWQS criteria due to the relatively smaller discharge volumes authorized by these permits. This conservative assumption is based on TCEQ sampling conducted throughout the state which indicates that instream buffering quickly restores pH levels to ambient conditions. Similarly, this approach has been historically applied within EPA issued NPDES general permits where technology-based pH limits were established to be protective of water quality criteria.

The Houston toad (*Bufo houstonensis* Sanders), an endangered aquatic-dependent species of critical concern, occurs within the watershed of Segment No. 1202. This determination is based on the United States Fish and Wildlife Service's (USFWS's) biological opinion on the State of Texas authorization of the TPDES (September 14, 1998; October 21, 1998, update). To make this determination for TPDES permits, TCEQ and EPA only consider aquatic or aquatic dependent species occurring in watersheds of critical concern or high priority as listed in Appendix A of the USFWS biological opinion. The determination is subject to reevaluation due to subsequent updates or amendments to the biological opinion. Species distribution information for the Segment 1202 watershed is provided by the USFWS and documents the toad's presence solely in the vicinity of Deep Creek in Austin County, which is farther up the watershed from the facility associated with this permit action. Based upon this information, it is determined that the facility's discharge is not expected to impact the Houston toad. The permit does not require EPA review with respect to the presence of endangered or threatened species.

Segment No. 1202 is not currently listed on the State's inventory of impaired and threatened water (the 2022 CWA § 303(d) list).

SUMMARY OF EFFLUENT DATA

Self-reporting data is not available since the facility is not in operation.

DRAFT PERMIT CONDITIONS

The draft permit authorizes a discharge of treated domestic wastewater at an Interim I volume not to exceed a daily average flow of 0.0625 MGD, an Interim II volume not to exceed a daily average flow of 0.125 MGD, and a Final volume not to exceed a daily average flow of 0.25 MGD.

The effluent limitations in all phases of the draft permit, based on a 30-day average, are 10 mg/l five-day carbonaceous biochemical oxygen demand ($CBOD_5$), 15 mg/l total suspended solids (TSS), 3.0 mg/l ammonia-nitrogen (NH_3-N), 126 colony forming units (CFU) or most probable number (MPN) of *Escherichia coli* (*E. coli*) per 100 ml, and 4.0 mg/l minimum dissolved oxygen (DO). 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.

The permittee shall comply with the requirements of 30 TAC § 309.13(a) through (d). In addition, by ownership of the required buffer zone area, the permittee shall comply with the requirements of 30 TAC § 309.13(e).

The draft permit includes Sludge Provisions according to the requirements of 30 TAC Chapter 312, Sludge Use, Disposal, and Transportation. The draft permit authorizes the disposal of sludge at a TCEQ-authorized land application site, co-disposal landfill, wastewater treatment facility, or facility that further processes sludge.

SUMMARY OF CHANGES FROM APPLICATION

The applicant requested effluent limitations based on a 30-day average, of 10 mg/l BOD_5, 15 mg/l TSS, 3.0 mg/l NH_3-N, 126 CFU or MPN of *E. coli* per 100 ml and 2.0 mg/l minimum DO. However, effluent limitations in the draft permit based on a 30-day average, are 10 mg/l $CBOD_5$, 15 mg/l TSS, 3.0 mg/l NH_3-N, 126 CFU or MPN of *E. coli* per 100 ml and **4.0** mg/l minimum DO.

BASIS FOR DRAFT PERMIT

The following items were considered in developing the draft permit:

1. Application received on June 24, 2024, and additional information received on August 2, 2024 and October 31, 2025.

2. 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.

3. 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.

4. Interoffice Memoranda from the Water Quality Assessment Section of the TCEQ Water Quality Division.

5. Consistency with the Coastal Management Plan: The facility is not located in the Coastal

Management Program boundary.

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

7. 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.

8. 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.

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 Abdur Rahim at (512) 239-0504.

Abdur Rahim

Abdur Rahim
Domestic Permits Team
Domestic Wastewater Section (MC 148)

November 5, 2025

Date