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 **

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

DOMESTIC WASTEWATER

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

BGICO, LLC (CN606281970) proposes to operate a new wastewater treatment plant (RN112005186) and activated sludge treatment process that will produce effluent suitable for meeting TCEQ's stringent wastewater standards for tributaries to the Colorado River. The facility will be located at 4400 Farm-to-Market Road 1327, in Buda, Travis County, Texas 78610.

The new plant is proposed to be built in three phases. The first phase is planned to have a treatment capacity of 0.150 million gallons per day (MGD), followed by an interim flow rate of 1.150 MGD, and a final capacity of 3.150 MGD.

Discharges from the facility are expected to contain up to 5 mg/l five-day carbonaceous biochemical oxygen demand ($CBOD_5$), 5 mg/l total suspended solids (TSS), 2 mg/l ammonia nitrogen (NH_3-N), 1 mg/l phosphorous (P), and disinfection to reduce *Escherichia coli*. Domestic wastewater processes will be: headworks screening, odor control for headworks and portable toilet waste receiving station, conventional activated sludge aeration basins, clarifiers, sludge holding tanks, dewatering bins, chlorine and ultraviolet light disinfection units, tertiary filters, effluent pump station, above ground effluent storage, effluent flow pump station metering and discharge, landfill sludge disposal, and beneficial use of effluent in various commercial activities, and/or discharge into Dry Creek. The same type treatment units will be used in all three (3) phases of expansion.

PLANTILLA ENESPAÑOLPARA SOLICITUDES NUEVAS/RENOVACIONES/ENMIENDAS TPDES o TLAP

AGUAS RESIDUALES DOMÉSTICAS

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

BGICO, LLC (es decir, CN606281970) propone operar una facilidad de aguas residuales (RN112005186) con un proceso de tratamiento de lodos activados que producirá efluentes adecuados para cumplir con los estándares de aguas residuales más estrictos de TCEQ para afluentes para el Rio Colorado. La instalación estará ubicada en 4400 Farm-to-Market Road 1327, en Buda, en el Condado de Travis, Texas 78610.

Se propone que la nueva facilidad se construya en tres fases. Se planifica que la primera fase tenga una capacidad de tratamiento de 0.150 millones de galones por día (MGD), seguido de una tasa de flujo intermedia de 1.150 MGD, y una capacidad final de 3.150 MGD.

Se espera que las descargas de la instalación contengan una demanda incluyendo 5 mg/l de bioquímica de oxígeno de cinco días ($CBOD_5$), 5 mg/l de solidos suspendidos totales (TSS),2 mg/nitrógeno amoniacal (NH_3-N), 1 mg/l fósforo (P) y desinfección el cual reduciran la *Escherichia coli*. Las aguas residuales domésticas serán tratadas por: un tamizado de cabecera, control de olores para cabeceras y estaciónes de recepción de desechos de baños portátiles, biorreactores de lodos activados convencionales, clarificadores, tanques de retención de lodos, contenedores de deshidratación, unidades de desinfección por cloro y luz ultravioleta, filtros terciarios, estación de bombeo de efluentes, almacenamiento de efluentes sobre el suelo, medición y descarga de la estación de bombeo de efluentes, disposición de lodos en vertederos, y uso beneficioso de efluentes en varias actividades comerciales y/o descarga en el Dry Creek. El mismo tipo de unidades de tratamiento se utilizará en las tres (3) fases de expansión.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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

PROPOSED PERMIT NO. WQ0016568001

APPLICATION. BGICO, LLC, P.O. Box 17126, Austin, Texas 78760, has applied to the Texas Commission on Environmental Quality (TCEQ) for proposed Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016568001 (EPA I.D. No. TX0146277) to authorize the discharge of treated wastewater at a volume not to exceed an annual average flow of 3,150,000 gallons per day. The domestic wastewater treatment facility will be located at 4400 Farm-to-Market Road 1327, in the city of Buda, in Travis County, Texas 78610. The discharge route will be from the plant site to Dry Creek; thence to Colorado River Below Ladybird Lake/Town Lake. TCEQ received this application on July 9, 2024. The permit application will be available for viewing and copying at Creedmoor City Hall, City Administrative Office, 5008 Hartung Lane, Creedmoor, Texas prior to the date this notice is published in the newspaper. The application, including any updates, and associated notices are available electronically at the following webpage: https://www.tceq.texas.gov/permitting/wastewater/pending-permits/tpdes-applications. This link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. For the exact location, refer to the application. https://gisweb.tceq.texas.gov/LocationMapper/?marker=-97.74213,30.097611&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 BGICO, LLC at the address stated above or by calling Mr. Gary Newton, J.D., General Counsel, at 512-421-1300.

Issuance Date: July 31, 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. WQ0016568001

SOLICITUD. BGICO, LLC, P.O. Box 17126, Austin, Texas 78760, ha solicitado a la Comisión de Calidad Ambiental del Estado de Texas (TCEQ) para el propuesto Permiso No. WQ0016568001 (EPA I.D. No. TX0146277) del Sistema de Eliminación de Descargas de Contaminantes de Texas (TPDES) para autorizarla descarga de aguas residuales tratadas en un volumen que no sobrepasa un flujo promedio diario de 3,150,000 galones por día. La planta está ubicada 4400 Farm-to-Market Road 1327, Buda en el Condado de Travis, Texas 78610. La ruta de descarga será desde el sitio de la planta hasta Dry Creek; de allí al río Colorado debajo del lago Ladybird / lago de la ciudad. La TCEQ recibió esta solicitud el 9 de julio de 2024. La solicitud para el permiso está disponible para leerla y copiarla en Creedmoor City Hall, City Administrative Office, 5008 Hartung Lane, Creedmoor, Texas. La solicitud (cualquier actualización y aviso inclusive) está disponible electrónicamente en la siguiente página web: https://www.tceq.texas.gov/permitting/wastewater/pending-permits/tpdes-applications.Este enlace a un mapa electrónico de la ubicación general del sitio o de la instalación es proporcionado como una cortesía y no es parte de la solicitud o del aviso. Para la ubicación exacta, consulte la solicitud. https//gisweb.tceq.texas.gov/LocationMapper/?marker=-97.74213,30.097611&level=18

AVISO ADICIONAL. El Director Ejecutivo de la TCEQ ha determinado que la solicitud esadministrativamente 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.Ustedpuedepresentarcomentariospúblicoso pedirunareuniónpública sobre estasolicitud. El propósito de unareuniónpública es dar la oportunidad de presentarcomentarios o hacerpreguntasacerca de la solicitud.

La TCEQ realizaunareuniónpública si el DirectorEjecutivodetermina que hay un grado de interéspúblicosuficiente en la solicitud o siun legislador local lo pide. Una reuniónpública no es una audiencia administrativa de lo contencioso.

OPORTUNIDAD DE UNA AUDIENCIA ADMINISTRATIVA DE LO CONTENCIOSO. Despuésdelplazo para presentarcomentariospúblicos, el DirectorEjecutivoconsiderarátodos los comentariosapropiados y prepararáunarespuesta a todo los comentariospúblicosesenciales, pertinentes, o significativos.**A menos que la solicitud haya sidoreferidadirectamente a una audiencia administrativa de lo contencioso, la respuesta a los comentarios y la decisióndelDirectorEjecutivo sobre la solicitudseránenviadosporcorreo a todos los que presentaron un comentariopúblico y a laspersonas que están en la lista para recibir avisos sobre estasolicitud.Si se recibencomentarios, el aviso tambiénproveeráinstrucciones para pedirunareconsideración de la decisióndelDirectorEjecutivo y para pediruna audiencia administrativa de lo contencioso.**Una audiencia administrativa de lo contencioso es un procedimientolegalsimilar a un procedimientolegal civil en un tribunal de distritodelestado.

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 sometecomentariospúblicos, un pedido para una audiencia administrativa de lo contencioso o unareconsideración de la decisióndelDirectorEjecutivo, la OficinadelSecretario Principal enviaráporcorreo los avisos públicos en relación con la solicitud.Ademas, puedepedir que la TCEQ ponga su nombre en una or mas de laslistas correossiguientes (1) la lista de correo permanente para recibir los avisos de elsolicitanteindicadopor nombre y númerodelpermisoespecífico y/o (2) la lista de correo de todas las solicitudes en un condadoespecifico.Si desea que se agrega su nombre en una de las listas designecual lista(s) y envia porcorreo su pedido a la OficinadelSecretario Principal de la TCEQ.

CONTACTOS E INFORMACIÓN DE LA TCEQ.Todos los comentariosescritosdelpúblico y los para pedidosunareunión deben serpresentados a la OficinadelSecretario Principal, MC 105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087 o por el internet at www.tceq.texas.gov/about/comments.html. Tenga en cuenta que cualquier información personal que usted proporcione, incluyendo su nombre, número de teléfono, dirección de correo electrónico y dirección física pasarán a formar parte del registro público de la Agencia.Si necesitamásinformaciónen Español sobre estasolicitud para un permiso o el procesodelpermiso, porfavorllame a El Programa de EducaciónPública de la TCEQ, sin cobro, al 1-800-687-4040.La informacióngeneral sobre la TCEQ puedeserencontrada en nuestrositio de la red:www.tceq.texas.gov.

También se puede obtener información adicional de BGICO, LLC a la dirección indicada arriba o llamando a Gary Newton, J.D. al 512-421-1300.

Fecha de emisión 31 de julio de 2024

Texas Commission on Environmental Quality

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

NEW

PERMIT NO. WQ0016568001

APPLICATION AND PRELIMINARY DECISION. BGICO, LLC, P.O. Box 17126, Austin, Texas 78760, has applied to the Texas Commission on Environmental Quality (TCEQ) for new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016568001, to authorize the discharge of treated domestic wastewater at an annual average flow not to exceed 3,150,000 gallons per day. TCEQ received this application on July 9, 2024.

The facility will be located at 4400 Farm-to-Market Road 1327, Buda, in Travis County, Texas 78610. The treated effluent will be discharged to an unnamed tributary, thence to Dry Creek, thence to Colorado River Below Lady Bird Lake/Town Lake in Segment No. 1428 of the Colorado River Basin. The unclassified receiving water uses are limited aquatic life use for the unnamed tributary and Dry Creek. The designated uses for Segment No. 1428 are primary contact recreation, public water supply, and exceptional aquatic life use. In accordance with 30 Texas Administrative Code Section 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. Numerical and narrative criteria to protect existing uses will be maintained. This review has preliminarily determined that no water bodies with exceptional, high, or intermediate aquatic life uses are present within the stream reach assessed; therefore, no Tier 2 degradation determination is required. No significant degradation of water quality is expected in water bodies with exceptional, high, or intermediate aquatic life uses downstream, and 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=-97.74213,30.097611&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 Creedmoor City Hall, City Administrative Office, 5008 Hartung Lane, Creedmoor, Texas. The application, including any updates, and associated notices are available electronically at the following webpage: https://www.tceq.texas.gov/permitting/wastewater/pending-permits/tpdes-applications.

ALTERNATIVE LANGUAGE NOTICE. Alternative language notice in Spanish is available at https://www.tceq.texas.gov/permitting/wastewater/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 BGICO, LLC at the address stated above or by calling Mr. Gary Newton, J.D., General Counsel, at 512-421-1300.

Issuance Date: May 27, 2025

Comisión de Calidad Ambiental del Estado de Texas

AVISO DE LA SOLICITUD Y DECISIÓN PRELIMINARPARA EL PERMISO DEL SISTEMA DE ELIMINACION DE DESCARGAS DE CONTAMINANTES DE TEXAS (TPDES)PARA EL SISTEMA MUNICIPAL DE DRENAJE PLUVIAL

NUEVO

PERMISO NO. WQ0016568001

SOLICITUDY DECISIÓN PRELIMINAR.BGICO, LLC, P.O. Box 17126, Austin, Texas 78760, ha solicitado a la Comisión de Calidad Ambiental del Estado de Texas (TCEQ) para un nuevo permiso del sistema de eliminación de descargas de contaminantes de Texas (TPDES) Permiso No. WQ0016568001para autorizarla descarga de aguas residuales tratadas en un volumen que no sobrepasa un flujo promedio diario de 3,150,000 galones por día. La Comisión de Calidad Ambiental del Estado de Texas (TCEQ) recibió esta solicitud julio 9, 2024.

La planta está ubicada 4400 Farm-to-Market Road 1327, Buda en el Condado de Travis, Texas 78610. La ruta de descarga será desde el sitio de la planta a un tributario sin nombre, hasta Dry Creek; de allí al río Colorado debajo del lago Ladybird / Town Lake en el segmento numero 1428 de la cuenca del río Colorado. Se presume que las aguas no clasificadas recibidas tienen un uso limitado en la vida acuática para las corrientes en el tributario sin nombre y Dry Creek. Los usos designados para el Segmento No. 1428 son primario recreación con contacto, abastecimiento de agua al público, y excepcional para la vida acuática.

De acuerdo con la 30 TAC §307.5 y los procedimientos de implementación de la TCEQ (Enero 2010) para las Normas de Calidad de Aguas Superficiales en Texas, fue realizada una revisión de la antidegradación de las aguas recibidas. Una revisión de antidegradación del Nivel 1 ha determinado preliminarmente que los usos de la calidad del agua existente no serán perjudicados por la acción de este permiso. Se mantendrá un criterio narrativo y numérico para proteger los usos existentes. Esta revisión ha determinado preliminarmente que ninguno de los cuerpos de agua con usos intermedio, alto o excepcional de vida acuática están presentes dentro del acceso para llegar a la corriente; por lo tanto, no se requiere ninguna determinación de degradación del Nivel 2. No se espera ninguna degradación significativa de la calidad del agua en los cuerpos de agua con usos intermedios, elevados o excepcionales de la vida acuática río abajo y que los usos existentes serán mantenidos y protegidos.La determinación preliminar puede ser reexaminada y puede ser modificada, si se recibe alguna información nueva.Este enlace a un mapa electrónico de la ubicación general del sitio o de la instalación es proporcionado como una cortesía y no es parte de la solicitud o del aviso. Para la ubicación exacta, consulte la solicitud.
https//gisweb.tceq.texas.gov/LocationMapper/?marker=-97.74213,30.097611&level=18

El Director Ejecutivo dela TCEQ ha concluido el examen técnico de la solicitud y ha preparado un bosquejo de permiso. El bosquejo de permiso, despues aprobado, establecería las condiciones bajo las cuales la instalación debe operar.El Director Ejecutivo ha tomado la decisión preliminar de que este permiso, si se emite, cumple con todos los requisitos legales y reglamentarios. La solicitud de permiso, la decisión preliminar del Director Ejecutivo y el bosquejo del permiso están disponibles para su visualización y copia enCreedmoor City Hall, City Administrative Office, 5008 Hartung Lane, Creedmoor, Texas. La solicitud (cualquier actualización y aviso inclusive) está disponible electrónicamente en la siguiente página web: https://www.tceq.texas.gov/permitting/wastewater/pending-permits/tpdes-applications.

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

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

OPORTUNIDAD PARA UNA AUDIENCIA DE CASO IMPUGNADO. Después de la fecha límite para presentar comentarios públicos, el Director Ejecutivo considerará los comentarios y preparará una respuesta a todos los comentarios públicos relevantes y materiales, o significativos. **A menos que la solicitud sea remitida directamente para una audiencia de caso impugnado, la respuesta a los comentarios se enviará por correo a todos los que enviaron comentarios públicos y a aquellas personas que estén en la lista de correo para esta solicitud. Si se reciben comentarios, el correo también proporcionará instrucciones para solicitar una audiencia de caso impugnado o reconsiderar la decisión del Director Ejecutivo.** Una audiencia de caso impugnado es un procedimiento legal similar a un juicio civil en un tribunal de distrito estatal.

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

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.**

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

LISTA DE CORREO. Si 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; (2) la lista de correo para un condado específico. Si desea ser colocado en la lista de correo permanente 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 oftheChief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, TX78711-3087 o electrónicamente a www.tceq.texas.gov/goto/comment**dentro de los 30 días a partir de la fecha de publicación de este aviso en el periódico.**

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

CONTACTOS E INFORMACIÓN DE LA AGENCIA. Los comentarios y solicitudes públicas deben enviarse electrónicamente awww.tceq.texas.gov/goto/comment, o por escrito a Texas CommissiononEnvironmentalQuality, Office oftheChief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Cualquier información personal que envíe a la TCEQ pasará a formar parte del registro de la agencia; esto incluye las direcciones de correo electrónico. Para obtener más información sobre esta solicitud de permiso o el proceso de permisos, llame al Programa de Educación Pública de TCEQ, línea gratuita, al 1-800-687-4040 o visite su sitio web en www.tceq.texas.gov/goto/pep. Si desea información en español, puede llamar al 1-800-687-4040.

También se puede obtener información adicional deBGICO, LLCa la dirección indicada arriba o llamando a Gary Newton, J.D., General Counsel, at 512-421-1300.

Fecha de Emisión: 27 de mayo de 2025

TPDES PERMIT NO.
WQ0016568001
[For TCEQ office use only - EPA I.D. No. TX0146277]

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

BGICO, LLC

whose mailing address is

P.O. Box 17126
Austin, Texas 78760

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

located at 4400 Farm-to-Market Road 1327, Buda, in Travis County, Texas 78610

to an unnamed tributary, thence to Dry Creek, thence to Colorado River Below Lady Bird Lake/Town Lake in Segment No. 1428 of the Colorado 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 1.15 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 0.15 MGD, nor shall the average discharge during any two-hour period (2-hour peak) exceed 417 gallons per minute.

Effluent Characteristic	Discharge Limitations				Min. Self-Monitoring Requirements	
	Daily Avg	7-day Avg	Daily Max	Single Grab	Report Daily Avg. & Max. Single Grab	
	mg/l (lbs/day)	mg/l	mg/l	mg/l	Measurement Frequency	Sample Type
Flow, MGD	Report	N/A	Report	N/A	Continuous	Totalizing Meter
Carbonaceous Biochemical Oxygen Demand (5-day)	5 (6.3)	10	20	30	One/week	Grab
Total Suspended Solids	5 (6.3)	10	20	30	One/week	Grab
Ammonia Nitrogen	2 (2.5)	5	10	15	One/week	Grab
Total Phosphorus	0.5 (0.63)	1	2	3	One/week	Grab
E. coli, colony-forming units or most probable number per 100 ml	126	N/A	N/A	399	Five/week	Grab

2. The permittee shall utilize an Ultraviolet Light (UV) system for disinfection purposes. 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 5.0 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 1.15 million gallons per day (MGD) facility and lasting through the completion of expansion to the 3.15 MGD facility, the permittee is authorized to discharge subject to the following effluent limitations:

   The annual average flow of effluent shall not exceed 1.15 MGD, nor shall the average discharge during any two-hour period (2-hour peak) exceed 3,194 gallons per minute.

Effluent Characteristic	Discharge Limitations				Min. Self-Monitoring Requirements	
	Daily Avg mg/l (lbs/day)	7-day Avg mg/l	Daily Max mg/l	Single Grab mg/l	Report Daily Avg. & Daily Max. Measurement Frequency	Sample Type
Flow, MGD	Report	N/A	Report	N/A	Continuous	Totalizing Meter
Carbonaceous Biochemical Oxygen Demand (5-day)	5 (48)	10	20	30	Two/week	Composite
Total Suspended Solids	5 (48)	10	20	30	Two/week	Composite
Ammonia Nitrogen	2 (19)	5	10	15	Two/week	Composite
Total Phosphorus	0.5 (4.8)	1	2	3	Two/week	Composite
E. coli, colony-forming units or most probable number per 100 ml	126	N/A	399	N/A	Daily	Grab

2. The permittee shall utilize an Ultraviolet Light (UV) system for disinfection purposes. An equivalent method of disinfection may be substituted only with prior approval of the Executive Director.
3. The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored once per week by grab sample.
4. There shall be no discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.
5. Effluent monitoring samples shall be taken at the following location(s): Following the final treatment unit.
6. The effluent shall contain a minimum dissolved oxygen of 5.0 mg/l and shall be monitored twice per week by grab sample.
7. The annual average flow and maximum 2-hour peak flow shall be reported monthly.

FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS Outfall Number 001

1. During the period beginning upon the completion of expansion to the 3.15 million gallons per day (MGD) facility and lasting through the date of expiration, the permittee is authorized to discharge subject to the following effluent limitations:

   The annual average flow of effluent shall not exceed 3.15 MGD, nor shall the average discharge during any two-hour period (2-hour peak) exceed 8,750 gallons per minute.

Effluent Characteristic	Discharge Limitations				Min. Self-Monitoring Requirements	
	Daily Avg mg/l (lbs/day)	7-day Avg mg/l	Daily Max mg/l	Single Grab mg/l	Report Daily Avg. & Daily Max. Measurement Frequency	Sample Type
Flow, MGD	Report	N/A	Report	N/A	Continuous	Totalizing Meter
Carbonaceous Biochemical Oxygen Demand (5-day)	5 (131)	10	20	30	Two/week	Composite
Total Suspended Solids	5 (131)	10	20	30	Two/week	Composite
Ammonia Nitrogen	2 (53)	5	10	15	Two/week	Composite
Total Phosphorus	0.5 (13)	1	2	3	Two/week	Composite
E. coli, colony-forming units or most probable number per 100 ml	126	N/A	399	N/A	Daily	Grab

2. The permittee shall utilize an Ultraviolet Light (UV) system for disinfection purposes. An equivalent method of disinfection may be substituted only with prior approval of the Executive Director.
3. The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored once per week by grab sample.
4. There shall be no discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.
5. Effluent monitoring samples shall be taken at the following location(s): Following the final treatment unit.
6. The effluent shall contain a minimum dissolved oxygen of 5.0 mg/l and shall be monitored twice per week by grab sample.
7. The annual average flow and maximum 2-hour peak flow shall be reported monthly.

DEFINITIONS AND STANDARD PERMIT CONDITIONS

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

1. Flow Measurements

    a. Annual average flow - the arithmetic average of all daily flow determinations taken within the preceding 12 consecutive calendar months. The annual average flow determination shall consist of daily flow volume determinations made by a totalizing meter, charted on a chart recorder and limited to major domestic wastewater discharge facilities with one million gallons per day or greater permitted flow.

    b. Daily average flow - the arithmetic average of all determinations of the daily flow within a period of one calendar month. The daily average flow determination shall consist of determinations made on at least four separate days. If instantaneous measurements are used to determine the daily flow, the determination shall be the arithmetic average of all instantaneous measurements taken during that month. Daily average flow determination for intermittent discharges shall consist of a minimum of three flow determinations on days of discharge.

    c. Daily maximum flow - the highest total flow for any 24-hour period in a calendar month.

    d. Instantaneous flow - the measured flow during the minimum time required to interpret the flow measuring device.

    e. 2-hour peak flow (domestic wastewater treatment plants) - the maximum flow sustained for a two-hour period during the period of daily discharge. The average of multiple measurements of instantaneous maximum flow within a two-hour period may be used to calculate the 2-hour peak flow.

    f. Maximum 2-hour peak flow (domestic wastewater treatment plants) - the highest 2-hour peak flow for any 24-hour period in a calendar month.

2. Concentration Measurements

    a. Daily average concentration - the arithmetic average of all effluent samples, composite or grab as required by this permit, within a period of one calendar month, consisting of at least four separate representative measurements.

        i. For domestic wastewater treatment plants - When four samples are not available in a calendar month, the arithmetic average (weighted by flow) of all values in the previous four consecutive month period consisting of at least four measurements shall be utilized as the daily average concentration.

ii. For all other wastewater treatment plants - When four samples are not available in a calendar month, the arithmetic average (weighted by flow) of all values taken during the month shall be utilized as the daily average concentration.

b. 7-day average concentration - the arithmetic average of all effluent samples, composite or grab as required by this permit, within a period of one calendar week, Sunday through Saturday.

c. Daily maximum concentration - the maximum concentration measured on a single day, by the sample type specified in the permit, within a period of one calendar month.

d. Daily discharge - the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in terms of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the sampling day. For pollutants with limitations expressed in other units of measurement, the daily discharge is calculated as the average measurement of the pollutant over the sampling day.

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

e. Bacteria concentration (*E. coli* or Enterococci) - Colony Forming Units (CFU) or Most Probable Number (MPN) of bacteria per 100 milliliters effluent. The daily average bacteria concentration is a geometric mean of the values for the effluent samples collected in a calendar month. The geometric mean shall be determined by calculating the 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 or biosolids use and disposal activities, which shall be retained for a period of at least five years (or longer as required by 40 CFR Part 503), monitoring and reporting records, including strip charts and records of calibration and maintenance, copies of all records required by this permit, records of all data used to complete the application for this permit, and the certification required by 40 CFR § 264.73(b)(9) shall be retained at the facility site, or shall be readily available for review by a TCEQ representative for a period of three years from the date of the record or sample, measurement, report, application or certification. This period shall be extended at the request of the Executive Director.

c. Records of monitoring activities shall include the following:

i. date, time and place of sample or measurement;

ii. identity of individual who collected the sample or made the measurement.

iii. date and time of analysis;

iv. identity of the individual and laboratory who performed the analysis;

v. the technique or method of analysis; and

vi. the results of the analysis or measurement and quality assurance/quality control records.

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

4. Additional Monitoring by Permittee

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

5. Calibration of Instruments

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

6. Compliance Schedule Reports

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of the permit shall be submitted no later than 14 days following each schedule date to the Regional Office and the 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 Municipal Permits Team, Wastewater Permitting Section (MC 148) of the Water Quality Division, in writing, of any facility expansion at least 90 days prior to conducting such activity.

   b. The permittee shall submit a closure plan for review and approval to the Municipal Permits Team, Wastewater Permitting Section (MC 148) of the Water Quality Division, for any closure activity at least 90 days prior to conducting such activity. Closure is the act of permanently taking a waste management unit or treatment facility out of service and includes the permanent removal from service of any pit, tank, pond, lagoon, surface impoundment and/or other treatment unit regulated by this permit.

4. The permittee is responsible for installing prior to plant start-up, and subsequently maintaining, adequate safeguards to prevent the discharge of untreated or inadequately treated wastes during electrical power failures by means of alternate power sources, standby generators, and/or retention of inadequately treated wastewater.

5. Unless otherwise specified, the permittee shall provide a readily accessible sampling point and, where applicable, an effluent flow measuring device or other acceptable means by which effluent flow may be determined.

6. The permittee shall remit an annual water quality fee to the Commission as required by 30 TAC Chapter 21. Failure to pay the fee may result in revocation of this permit under TWC §

7.302(b)(6).

7. Documentation

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

8. Facilities that generate domestic wastewater shall comply with the following provisions; domestic wastewater treatment facilities at permitted industrial sites are excluded.

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

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

   b. The plans and specifications for domestic sewage collection and treatment works associated with any domestic permit must be approved by the Commission and failure to secure approval before commencing construction of such works or making a discharge is a violation of this permit and each day is an additional violation until approval has been secured.

   c. Permits for domestic wastewater treatment plants are granted subject to the policy of the

Commission to encourage the development of area-wide waste collection, treatment, and disposal systems. The Commission reserves the right to amend any domestic wastewater permit in accordance with applicable procedural requirements to require the system covered by this permit to be integrated into an area-wide system, should such be developed; to require the delivery of the wastes authorized to be collected in, treated by or discharged from said system, to such area-wide system; or to amend this permit in any other particular to effectuate the Commission's policy. Such amendments may be made when the changes required are advisable for water quality control purposes and are feasible on the basis of waste treatment technology, engineering, financial, and related considerations existing at the time the changes are required, exclusive of the loss of investment in or revenues from any then existing or proposed waste collection, treatment or disposal system.

9. Domestic wastewater treatment plants shall be operated and maintained by sewage plant operators holding a valid certificate of competency at the required level as defined in 30 TAC Chapter 30.

10. For Publicly Owned Treatment Works (POTWs), the 30-day average (or monthly average) percent removal for BOD and TSS shall not be less than 85%, unless otherwise authorized by this permit.

11. Facilities that generate industrial solid waste as defined in 30 TAC § 335.1 shall comply with these provisions:

    a. Any solid waste, as defined in 30 TAC § 335.1 (including but not limited to such wastes as garbage, refuse, sludge from a waste treatment, water supply treatment plant or air pollution control facility, discarded materials, discarded materials to be recycled, whether the waste is solid, liquid, or semisolid), generated by the permittee during the management and treatment of wastewater, must be managed in accordance with all applicable provisions of 30 TAC Chapter 335, relating to Industrial Solid Waste Management.

    b. Industrial wastewater that is being collected, accumulated, stored, or processed before discharge through any final discharge outfall, specified by this permit, is considered to be industrial solid waste until the wastewater passes through the actual point source discharge and must be managed in accordance with all applicable provisions of 30 TAC Chapter 335.

    c. The permittee shall provide written notification, pursuant to the requirements of 30 TAC § 335.8(b)(1), to the Corrective Action Section (MC 127) of the Remediation Division informing the Commission of any closure activity involving an Industrial Solid Waste Management Unit, at least 90 days prior to conducting such an activity.

    d. Construction of any industrial solid waste management unit requires the prior written notification of the proposed activity to the Registration and Reporting Section (MC 129) of the Permitting and Registration Support Division. No person shall dispose of industrial solid waste, including sludge or other solids from wastewater treatment processes, prior to fulfilling the deed recordation requirements of 30 TAC § 335.5.

    e. The term "industrial solid waste management unit" means a landfill, surface impoundment, waste-pile, industrial furnace, incinerator, cement kiln, injection well, container, drum, salt dome waste containment cavern, or any other structure vessel,

appurtenance, or other improvement on land used to manage industrial solid waste.

f. The permittee shall keep management records for all sludge (or other waste) removed from any wastewater treatment process. These records shall fulfill all applicable requirements of 30 TAC § 335 and must include the following, as it pertains to wastewater treatment and discharge:

   i. Volume of waste and date(s) generated from treatment process;
   ii. Volume of waste disposed of on-site or shipped off-site;
   iii. Date(s) of disposal;
   iv. Identity of hauler or transporter;
   v. Location of disposal site; and
   vi. Method of final disposal.

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

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

TCEQ Revision 06/2020

SLUDGE PROVISIONS

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

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

A. General Requirements

1. The permittee shall handle and dispose of sewage sludge or biosolids in accordance with 30 TAC § 312 and all other applicable state and federal regulations in a manner that protects public health and the environment from any reasonably anticipated adverse effects due to any toxic pollutants that may be present in the sludge or biosolids.

2. In all cases, if the person (permit holder) who prepares the sewage sludge supplies the sewage sludge to another person for land application use or to the owner or lease holder of the land, the permit holder shall provide necessary information to the parties who receive the sludge to assure compliance with these regulations.

3. The land application of processed or unprocessed chemical toilet waste, grease trap waste, grit trap waste, milk solids, or similar non-hazardous municipal or industrial solid wastes, or any of the wastes listed in this provision combined with biosolids, WTP residuals or domestic septage is prohibited unless the grease trap waste is added at a fats, oil and grease (FOG) receiving facility as part of an anaerobic digestion process.

B. Testing Requirements

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

Region 11) within seven (7) days after failing the TCLP Test. The report shall contain test results, certification that unauthorized waste management has stopped, and a summary of alternative disposal plans that comply with RCRA standards for the management of hazardous waste. The report shall be addressed to: Director, Permitting and Registration Support Division (MC 129), Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087. In addition, the permittee shall prepare an annual report on the results of all sludge toxicity testing. 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 permitee requests and obtains an electronic reporting waiver, the annual report can be submitted in hard copy to the TCEQ Regional Office (MC Region 11) 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)(2)(A) for specific information;

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

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

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

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

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

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

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

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

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

d. Three alternatives are available to demonstrate compliance with Class B biosolids

criteria.

Alternative 1

i. A minimum of seven random samples of the sewage sludge shall be collected within 48 hours of the time the sewage sludge is used or disposed of during each monitoring episode for the sewage sludge.

ii. The geometric mean of the density of fecal coliform in the samples collected shall be less than either 2,000,000 MPN per gram of total solids (dry weight basis) or 2,000,000 Colony Forming Units per gram of total solids (dry weight basis).

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

i. Prior to use or disposal, all the sewage sludge must have been generated from a single location, except as provided in paragraph v. below;

ii. An independent Texas Licensed Professional Engineer must make a certification to the generator of a sewage sludge that the wastewater treatment facility generating the sewage sludge is designed to achieve one of the PSRP at the permitted design loading of the facility. The certification need only be repeated if the design loading of the facility is increased. The certification shall include a statement indicating the design meets all the applicable standards specified in Appendix B of 40 CFR Part 503;

iii. Prior to any off-site transportation or on-site use or disposal of any sewage sludge generated at a wastewater treatment facility, the chief certified operator of the wastewater treatment facility or other responsible official who manages the processes to significantly reduce pathogens at the wastewater treatment facility for the permittee, shall certify that the sewage sludge underwent at least the minimum operational requirements necessary in order to meet one of the PSRP. The acceptable processes and the minimum operational and record keeping requirements shall be in accordance with established U.S. Environmental Protection Agency final guidance;

iv. All certification records and operational records describing how the requirements of this paragraph were met shall be kept by the generator for a minimum of three years and be available for inspection by commission staff for review; and

v. If the sewage sludge is generated from a mixture of sources, resulting from a person who prepares sewage sludge from more than one wastewater treatment facility, the resulting derived product shall meet one of the PSRP, and shall meet the certification, operation, and record keeping requirements of this paragraph.

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

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

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

ii. Prior to any off-site transportation or on-site use or disposal of any sewage sludge generated at a wastewater treatment facility, the chief certified operator of the wastewater treatment facility or other responsible official who manages the processes to significantly reduce pathogens at the wastewater treatment facility for the permittee, shall certify that the sewage sludge underwent at least the minimum operational requirements necessary in order to meet one of the PSRP. The acceptable processes and the minimum operational and record keeping requirements shall be in accordance with established U.S. Environmental Protection Agency final guidance;

iii. All certification records and operational records describing how the requirements of this paragraph were met shall be kept by the generator for a minimum of three years and be available for inspection by commission staff for review;

iv. The Executive Director will accept from the U.S. Environmental Protection Agency a finding of equivalency to the defined PSRP; and

v. If the sewage sludge is generated from a mixture of sources resulting from a person who prepares sewage sludge from more than one wastewater treatment facility, the resulting derived product shall meet one of the Processes to Significantly Reduce Pathogens, and shall meet the certification, operation, and record keeping requirements of this paragraph.

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

i. Food crops with harvested parts that touch the biosolids/soil mixture and are totally above the land surface shall not be harvested for 14 months after application of biosolids.

ii. Food crops with harvested parts below the surface of the land shall not be harvested for 20 months after application of biosolids when the biosolids remain on the land surface for 4 months or longer prior to incorporation into the soil.

iii. Food crops with harvested parts below the surface of the land shall not be harvested for 38 months after application of biosolids when the biosolids remain on the land surface for less than 4 months prior to incorporation into the soil.

iv. Food crops, feed crops, and fiber crops shall not be harvested for 30 days after application of biosolids.

v. Domestic livestock shall not be allowed to graze on the land for 30 days after application of biosolids.

vi. Turf grown on land where biosolids are applied shall not be harvested for 1 year after application of the biosolids when the harvested turf is placed on either land with a high potential for public exposure or a lawn.

vii. Public access to land with a high potential for public exposure shall be restricted for 1 year after application of biosolids.

viii. Public access to land with a low potential for public exposure shall be restricted for 30 days after application of biosolids.

ix. Land application of biosolids shall be in accordance with the buffer zone requirements found in 30 TAC § 312.44.

4. Vector Attraction Reduction Requirements

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

Alternative 1 - The mass of volatile solids in the sewage sludge shall be reduced by a minimum of 38%.

Alternative 2 - If Alternative 1 cannot be met for an anaerobically digested sludge, demonstration can be made by digesting a portion of the previously digested sludge anaerobically in the laboratory in a bench-scale unit for 40 additional days at a temperature between 30° and 37° Celsius. Volatile solids must be reduced by less than 17% to demonstrate compliance.

Alternative 3 - If Alternative 1 cannot be met for an aerobically digested sludge, demonstration can be made by digesting a portion of the previously digested sludge with percent solids of two percent or less aerobically in the laboratory in a bench-scale unit for 30 additional days at 20° Celsius. Volatile solids must be reduced by less than 15% to demonstrate compliance.

Alternative 4 - The specific oxygen uptake rate (SOUR) for sewage sludge treated in an aerobic process shall be equal to or less than 1.5 milligrams of oxygen per hour per gram of total solids (dry weight basis) at a temperature of 20° Celsius.

Alternative 5 - Sewage sludge shall be treated in an aerobic process for 14 days or longer. During that time, the temperature of the sewage sludge shall be higher than 40° Celsius and the average temperature of the sewage sludge shall be higher than 45° Celsius.

Alternative 6 - The pH of sewage sludge shall be raised to 12 or higher by alkali addition and, without the addition of more alkali shall remain at 12 or higher for two hours and then remain at a pH of 11.5 or higher for an additional 22 hours at the time the sewage sludge is prepared for sale or given away in a bag or other container.

Alternative 7 - The percent solids of sewage sludge that does not contain unstabilized solids generated in a primary wastewater treatment process shall be equal to or greater than 75% based on the moisture content and total solids prior to mixing with other materials. Unstabilized solids are defined as organic materials in sewage sludge that have not been treated in either an aerobic or anaerobic treatment process.

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

Alternative 9 -

i. Biosolids shall be injected below the surface of the land.

ii. No significant amount of the biosolids shall be present on the land surface within one hour after the biosolids are injected.

iii. When sewage sludge that is injected below the surface of the land is Class A or Class AB with respect to pathogens, the biosolids shall be injected below the land surface within eight hours after being discharged from the pathogen treatment process.

Alternative 10-

i. Biosolids applied to the land surface or placed on a surface disposal site shall be incorporated into the soil within six hours after application to or placement on the land.

ii. When biosolids that are incorporated into the soil is Class A or Class AB with respect to pathogens, the biosolids shall be applied to or placed on the land within eight hours after being discharged from the pathogen treatment process.

C. Monitoring Requirements

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

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 OR BIOSOLIDS FOR APPLICATION TO THE LAND MEETING CLASS A, CLASS AB or B PATHOGEN REDUCTION AND THE CUMULATIVE LOADING RATES IN TABLE 2, OR CLASS B PATHOGEN REDUCTION AND THE POLLUTANT CONCENTRATIONS IN TABLE 3

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

A. Pollutant Limits

Table 2

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 sewage sludge enters a wetland or other waters in the State.

2. Bulk biosolids not meeting Class A requirements shall be land applied in a manner which complies with Applicability in accordance with 30 TAC §312.41 and the Management Requirements in accordance with 30 TAC § 312.44.

3. Bulk biosolids shall be applied at or below the agronomic rate of the cover crop.

4. An information sheet shall be provided to the person who receives bulk Class A or AB biosolids sold or given away. The information sheet shall contain the following information:

   a. The name and address of the person who prepared the Class A or AB biosolids that are sold or given away in a bag or other container for application to the land.

   b. A statement that application of the biosolids to the land is prohibited except in accordance with the instruction on the label or information sheet.

   c. The annual whole sludge application rate for the biosolids application rate for the biosolids that does not cause any of the cumulative pollutant loading rates in Table 2 above to be exceeded, unless the pollutant concentrations in Table 3 found in Section II above are met.

D. Notification Requirements

1. If bulk biosolids are applied to land in a State other than Texas, written notice shall be provided prior to the initial land application to the permitting authority for the State in which the bulk biosolids are proposed to be applied. The notice shall include:

   a. The location, by street address, and specific latitude and longitude, of each land application site.

   b. The approximate time period bulk biosolids will be applied to the site.

   c. The name, address, telephone number, and National Pollutant Discharge Elimination System permit number (if appropriate) for the person who will apply the bulk biosolids.

2. The permittee shall give 180 days prior notice to the Executive Director in care of the Wastewater Permitting Section (MC 148) of the Water Quality Division of any change planned in the biosolids disposal practice.

E. Record Keeping Requirements

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

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

1. The concentration (mg/kg) in the sludge of each pollutant listed in Table 3 above and the applicable pollutant concentration criteria (mg/kg), or the applicable cumulative pollutant loading rate and the applicable cumulative pollutant loading rate limit (lbs/ac) listed in Table 2 above.

2. A description of how the pathogen reduction requirements are met (including site restrictions for Class AB and Class B biosolids, if applicable).

3. A description of how the vector attraction reduction requirements are met.

4. A description of how the management practices listed above in Section II.C are being met.

5. The following certification statement:

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

6. The recommended agronomic loading rate from the references listed in Section II.C.3. above, as well as the actual agronomic loading rate shall be retained. The person who applies bulk biosolids shall develop the following information and shall retain the information at the facility site and/or shall be readily available for review by a TCEQ representative indefinitely. If the permittee supplies the sludge to another person who land applies the sludge, the permittee shall notify the land applier of the requirements for record keeping found in 30 TAC § 312.47 for persons who land apply:

   a. A certification statement that all applicable requirements (specifically listed) have been met, and that the permittee understands that there are significant penalties for false certification including fine and imprisonment. See 30 TAC § 312.47(a)(4)(A)(ii) or 30 TAC § 312.47(a)(5)(A)(ii), as applicable, and to the permittee's specific sludge treatment activities.

   b. The location, by street address, and specific latitude and longitude, of each site on which biosolids are applied.

   c. The number of acres in each site on which bulk biosolids are applied.

   d. The date and time biosolids are applied to each site.

   e. The cumulative amount of each pollutant in pounds/acre listed in Table 2 applied to each site.

   f. The total amount of biosolids applied to each site in dry tons.

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

F. Reporting Requirements

The permittee shall 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 permitee requests and obtains an electronic reporting waiver, the annual report can be submitted in hard copy to the TCEQ Regional Office (MC Region 11) 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 reporting form.

18. When the amount of any pollutant applied to the land exceeds 90% of the cumulative pollutant loading rate for that pollutant, as described in Table 2, the permittee shall report the following information as an attachment to the annual reporting form.

    a. The location, by street address, and specific latitude and longitude.

    b. The number of acres in each site on which bulk biosolids are applied.

    c. The date and time bulk biosolids are applied to each site.

    d. The cumulative amount of each pollutant (i.e., pounds/acre) listed in Table 2 in the bulk biosolids applied to each site.

    e. The amount of biosolids (i.e., dry tons) applied to each site.

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

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

A. The permittee shall handle and dispose of sewage sludge or biosolids in accordance with 30 TAC § 330 and all other applicable state and federal regulations to protect public health and the environment from any reasonably anticipated adverse effects due to any toxic pollutants that may be present. The permittee shall ensure that the sewage sludge meets the requirements in 30 TAC § 330 concerning the quality of the sludge or biosolids disposed in a municipal solid waste landfill.

B. If the permittee generates sewage sludge and supplies that sewage sludge or biosolids to the owner or operator of a municipal solid waste landfill (MSWLF) for disposal, the permittee shall provide to the owner or operator of the MSWLF appropriate information needed to be in compliance with the provisions of this permit.

C. The permittee shall give 180 days prior notice to the Executive Director in care of the Wastewater Permitting Section (MC 148) of the Water Quality Division of any change planned in the sewage sludge or biosolids disposal practice.

D. Sewage sludge or biosolids shall be tested once during the term of this permit for the Interim I phase and annually for the Interim II and Final phases. in accordance with the method specified in both 40 CFR Part 261, Appendix II and 40 CFR Part 268, Appendix I (Toxicity Characteristic Leaching Procedure) or other method, which receives the prior approval of the TCEQ for contaminants listed in Table 1 of 40 CFR § 261.24. Sewage sludge or biosolids failing this test shall be managed according to RCRA standards for generators of hazardous waste, and the waste's disposition must be in accordance with all applicable requirements for hazardous waste processing, storage, or disposal.

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

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

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

F. Record Keeping Requirements

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

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

2. The description (including procedures followed and results) of all TCLP tests performed.

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

G. Reporting Requirements

The permittee shall 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 permitee requests and obtains an electronic reporting waiver, the annual report can be submitted in hard copy to the TCEQ Regional Office (MC Region 11) 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 transported by an approved pipeline, the permittee must maintain records of the following:

   a. the amount of sludge or biosolids transported;

   b. the date of transport;

   c. the name and TCEQ permit number of the receiving facility or facilities;

   d. the location of the receiving facility or facilities;

   e. the name and TCEQ permit number of the facility that generated the waste; and

   f. copy of the written agreement between the permittee and the receiving facility to accept sludge or biosolids.

2. For sludge or biosolids transported by a registered transporter, the permittee must maintain records of the completed trip tickets in accordance with 30 TAC § 312.145(a)(1)-(7) and amount of sludge or biosolids transported.

3. The above records shall be maintained on-site on a monthly basis and shall be made available to the TCEQ upon request. These records shall be retained for at least five years.

C. Reporting Requirements

The permittee shall 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 permitee requests and obtains an electronic reporting waiver, the annual report can be submitted in hard copy to the TCEQ Regional Office (MC Region 11) 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 in the Interim I phase must be operated by a chief operator or an operator holding a Class C license or higher. This Category B facility in the Interim II and Final phases must be operated by a chief operator or an operator holding a Class B 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. There is no mixing zone established for this discharge to an intermittent stream with perennial pools. Chronic toxic criteria apply at the point of discharge.

4. The permittee 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).

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

6. In accordance with 30 TAC § 319.9, a permittee that has at least twelve months of uninterrupted compliance with its bacteria limit may notify the commission in writing of its compliance and request a less frequent measurement schedule. To request a less frequent schedule, the permittee shall submit a written request to the TCEQ Wastewater Permitting Section (MC 148) for each phase that includes a different monitoring frequency. The request must contain all of the reported bacteria values (Daily Avg. and Daily Max/Single Grab) for the twelve consecutive months immediately prior to the request. If the Executive Director finds that a less frequent measurement schedule is protective of human health and the environment, the permittee may be given a less frequent measurement schedule. For this permit, five/week may be reduced to three/week in the Interim I phase and daily may be reduced to five/week 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 Wastewater Permitting Section (MC 148).** The permittee may not apply for another reduction in measurement frequency for at least 24 months from the date of the last violation. The Executive Director may establish a more frequent measurement schedule if necessary to protect human health or the environment.

7. Prior to construction of the Interim I, Interim II, and Final phase treatment facilities, the permittee shall submit to the TCEQ Wastewater Permitting Section (MC 148) a summary

transmittal letter in accordance with the requirements in 30 TAC § 217.6(d). If requested by the Wastewater Permitting Section, the permittee shall submit plans, specifications, and a final engineering design report which comply with 30 TAC Chapter 217, Design Criteria for Domestic Wastewater Systems. The permittee shall clearly show how the treatment system will meet the effluent limitations required on Page 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.

8. Within 120 days from the start-up of the facility, the permittee shall complete Attachment A with the analytical results for Outfall 001. The completed tables with the results of these analysis and laboratory reports shall be submitted to the Municipal Permits Team, Wastewater Permitting Section MC 148, TCEQ Water Quality Division. Based on a technical review of the submitted analytical results, an amendment may be initiated by TCEQ staff to include additional effluent limitations and/or monitoring requirements. Test methods utilized to complete the tables shall be according to the test procedures specified in the Definitions and Standard Permit Conditions section of this permit and sensitive enough to detect the parameters listed in Attachment A at the minimum analytical level (MAL).

9. 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 11) 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.

BIOMONITORING REQUIREMENTS

CHRONIC BIOMONITORING REQUIREMENTS: FRESHWATER

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

1. Scope, Frequency, and Methodology

   a. The permittee shall test the effluent for toxicity in accordance with the provisions below. Such testing will determine if an appropriately dilute effluent sample adversely affects the survival, reproduction, or growth of the test organisms.

   b. Within 90 days of initial discharge of the 1.15 MGD facility, the permittee shall conduct the following toxicity tests using the test organisms, procedures, and quality assurance requirements specified in this part of this permit and in accordance with "Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms," fourth edition (EPA-821-R-02-013) or its most recent update:

      1) Chronic static renewal survival and reproduction test using the water flea (*Ceriodaphnia dubia*) (Method 1002.0). This test should be terminated when 60% of the surviving adults in the control produce three broods or at the end of eight days, whichever occurs first. This test shall be conducted once per quarter.

      2) Chronic static renewal 7-day larval survival and growth test using the fathead minnow (*Pimephales promelas*) (Method 1000.0). A minimum of five replicates with eight organisms per replicate shall be used in the control and in each dilution. This test shall be conducted once per quarter.

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

   c. The permittee shall use five effluent dilution concentrations and a control in each toxicity test. These effluent dilution concentrations are 32%, 42%, 56%, 75%, and 100% effluent. The critical dilution, defined as 100% effluent, is the effluent concentration representative of the proportion of effluent in the receiving water during critical low flow or critical mixing conditions.

   d. This permit may be amended to require a WET limit, a chemical-specific effluent limit, a best management practice, or other appropriate actions to address toxicity. The permittee may be required to conduct a toxicity reduction evaluation (TRE) after multiple toxic events.

   e. Testing Frequency Reduction

      1) If none of the first four consecutive quarterly tests demonstrates

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

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

2. Required Toxicity Testing Conditions

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

1) a control mean survival of 80% or greater;

2) a control mean number of water flea neonates per surviving adult of 15 or greater;

3) a control mean dry weight of surviving fathead minnow larvae of 0.25 mg or greater;

4) a control coefficient of variation percent (CV%) of 40 or less in between replicates for the young of surviving females in the water flea test; and the growth and survival endpoints in the fathead minnow test;

5) a critical dilution CV% of 40 or less for the young of surviving females in the water flea test; and the growth and survival endpoints for the fathead minnow test. However, if statistically significant lethal or nonlethal effects are exhibited at the critical dilution, a CV% greater than 40 shall not invalidate the test;

6) a percent minimum significant difference of 47 or less for water flea reproduction; and

7) a percent minimum significant difference of 30 or less for fathead minnow growth.

b. Statistical Interpretation

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

2) For the water flea reproduction test and the fathead minnow larval survival and growth tests, the statistical analyses used to determine if there is a significant difference between the control and an effluent

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

3) The permittee is responsible for reviewing test concentration-response relationships to ensure that calculated test-results are interpreted and reported correctly. The document entitled "Method Guidance and Recommendation for Whole Effluent Toxicity (WET) Testing (40 CFR Part 136)" (EPA 821-B-00-004) provides guidance on determining the validity of test results.

4) If significant lethality is demonstrated (that is, there is a statistically significant difference in survival at the critical dilution when compared to the survival in the control), the conditions of test acceptability are met, and the survival of the test organisms are equal to or greater than 80% in the critical dilution and all dilutions below that, then the permittee shall report a survival No Observed Effect Concentration (NOEC) of not less than the critical dilution for the reporting requirements.

5) The NOEC is defined as the greatest effluent dilution at which no significant effect is demonstrated. The Lowest Observed Effect Concentration (LOEC) is defined as the lowest effluent dilution at which a significant effect is demonstrated. A significant effect is defined as a statistically significant difference between the survival, reproduction, or growth of the test organism in a specified effluent dilution when compared to the survival, reproduction, or growth of the test organism in the control (0% effluent).

6) The use of NOECs and LOECs assumes either a monotonic (continuous) concentration-response relationship or a threshold model of the concentration-response relationship. For any test result that demonstrates a non-monotonic (non-continuous) response, the NOEC should be determined based on the guidance manual referenced in Item 3.

7) Pursuant to the responsibility assigned to the permittee in Part 2.b.3), test results that demonstrate a non-monotonic (non-continuous) concentration-response relationship may be submitted, prior to the due date, for technical review. The guidance manual referenced in Item 3 will be used when making a determination of test acceptability.

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

c. Dilution Water

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

a) substitute a synthetic dilution water that has a pH, hardness, and alkalinity similar to that of the closest downstream perennial water unaffected by the discharge; or

b) use the closest downstream perennial water unaffected by the discharge.

2) Where the receiving water proves unsatisfactory as a result of pre-existing instream toxicity (i.e. fails to fulfill the test acceptance criteria of Part 2.a.), the permittee may substitute synthetic dilution water for the receiving water in all subsequent tests provided the unacceptable receiving water test met the following stipulations:

a) a synthetic lab water control was performed (in addition to the receiving water control) which fulfilled the test acceptance requirements of Part 2.a;

b) the test indicating receiving water toxicity was carried out to completion (i.e., 7 days); and

c) the permittee submitted all test results indicating receiving water toxicity with the reports and information required in Part 3.

3) The synthetic dilution water shall consist of standard, moderately hard, reconstituted water. Upon approval, the permittee may substitute other appropriate dilution water with chemical and physical characteristics similar to that of the receiving water.

d. Samples and Composites

1) The permittee shall collect a minimum of three composite samples from Outfall 001. The second and third composite samples will be used for the renewal of the dilution concentrations for each toxicity test.

2) The permittee shall collect the composite samples such that the samples are representative of any periodic episode of chlorination, biocide usage, or other potentially toxic substance being discharged on an intermittent basis.

3) The permittee shall initiate the toxicity tests within 36 hours after collection of the last portion of the first composite sample. The holding time for any subsequent composite sample shall not exceed 72 hours. Samples shall be maintained at a temperature of 0-6 degrees Centigrade during collection, shipping, and storage.

4) If Outfall 001 ceases discharging during the collection of effluent samples, the requirements for the minimum number of effluent samples, the minimum number of effluent portions, and the sample holding time are waived during that sampling period. However, the permittee must have collected an effluent composite sample volume sufficient to complete the required toxicity tests with renewal of the effluent. When possible, the

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

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

3. Reporting

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

a. The permittee shall prepare a full report of the results of all tests conducted in accordance with the manual referenced in Part 1.b. for every valid and invalid toxicity test initiated whether carried to completion or not.

b. The permittee shall routinely report the results of each biomonitoring test on the Table 1 forms provided with this permit.

1) Annual biomonitoring test results are due on or before January 20th for biomonitoring conducted during the previous 12-month period.

2) Semiannual biomonitoring test results are due on or before July 20th and January 20th for biomonitoring conducted during the previous 6-month period.

3) Quarterly biomonitoring test results are due on or before April 20th, July 20th, October 20th, and January 20th for biomonitoring conducted during the previous calendar quarter.

4) Monthly biomonitoring test results are due on or before the 20th day of the month following sampling.

c. Enter the following codes for the appropriate parameters for valid tests only:

1) For the water flea, Parameter TLP3B, enter a “1” if the NOEC for survival is less than the critical dilution; otherwise, enter a “0.”

2) For the water flea, Parameter TOP3B, report the NOEC for survival.

3) For the water flea, Parameter TXP3B, report the LOEC for survival.

4) For the water flea, Parameter TWP3B, enter a “1” if the NOEC for reproduction is less than the critical dilution; otherwise, enter a “0.”

5) For the water flea, Parameter TPP3B, report the NOEC for reproduction.

6) For the water flea, Parameter TYP3B, report the LOEC for reproduction.

7) For the fathead minnow, Parameter TLP6C, enter a “1” if the NOEC for

survival is less than the critical dilution; otherwise, enter a "0."

8) For the fathead minnow, Parameter TOP6C, report the NOEC for survival.

9) For the fathead minnow, Parameter TXP6C, report the LOEC for survival.

10) For the fathead minnow, Parameter TWP6C, enter a "1" if the NOEC for growth is less than the critical dilution; otherwise, enter a "0."

11) For the fathead minnow, Parameter TPP6C, report the NOEC for growth.

12) For the fathead minnow, Parameter TYP6C, report the LOEC for growth.

d. Enter the following codes for retests only:

1) For retest number 1, Parameter 22415, enter a "1" if the NOEC for survival is less than the critical dilution; otherwise, enter a "0."

2) For retest number 2, Parameter 22416, enter a "1" if the NOEC for survival is less than the critical dilution; otherwise, enter a "0."

4. Persistent Toxicity

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

a. The permittee shall conduct a total of 2 additional tests (retests) for any species that demonstrates a significant effect (lethal or sublethal) at the critical dilution. The two retests shall be conducted monthly during the next two consecutive months. The permittee shall not substitute either of the two retests in lieu of routine toxicity testing. All reports shall be submitted within 20 days of test completion. Test completion is defined as the last day of the test.

b. If the retests are performed due to a demonstration of significant lethality, and one or both of the two retests specified in Part 4.a. demonstrates significant lethality, the permittee shall initiate the TRE requirements as specified in Part 5. The provisions of Part 4.a. are suspended upon completion of the two retests and submittal of the TRE action plan and schedule defined in Part 5.

If neither test demonstrates significant lethality and the permittee is testing under the reduced testing frequency provision of Part 1.e., the permittee shall return to a quarterly testing frequency for that species.

c. If the two retests are performed due to a demonstration of significant sublethality, and one or both of the two retests specified in Part 4.a. demonstrates significant lethality, the permittee shall again perform two retests as stipulated in Part 4.a.

d. If the two retests are performed due to a demonstration of significant sublethality, and neither test demonstrates significant lethality, the permittee shall continue testing at the quarterly frequency.

e. Regardless of whether retesting for lethal or sublethal effects, or a combination of the two, no more than one retest per month is required for a species.

5. Toxicity Reduction Evaluation

a. Within 45 days of the retest that demonstrates significant lethality, or within 45 days of being so instructed due to multiple toxic events, the permittee shall submit a general outline for initiating a TRE. The outline shall include, but not be limited to, a description of project personnel, a schedule for obtaining consultants (if needed), a discussion of influent and effluent data available for review, a sampling and analytical schedule, and a proposed TRE initiation date.

b. Within 90 days of the retest that demonstrates significant lethality, or within 90 days of being so instructed due to multiple toxic events, the permittee shall submit a TRE action plan and schedule for conducting a TRE. The plan shall specify the approach and methodology to be used in performing the TRE. A TRE is a step-wise investigation combining toxicity testing with physical and chemical analyses to determine actions necessary to eliminate or reduce effluent toxicity to a level not effecting significant lethality at the critical dilution. The TRE action plan shall describe an approach for the reduction or elimination of lethality for both test species defined in Part 1.b. At a minimum, the TRE action plan shall include the following:

1) Specific Activities - The TRE action plan shall specify the approach the permittee intends to utilize in conducting the TRE, including toxicity characterizations, identifications, confirmations, source evaluations, treatability studies, and alternative approaches. When conducting characterization analyses, the permittee shall perform multiple characterizations and follow the procedures specified in the document entitled “Toxicity Identification Evaluation: Characterization of Chronically Toxic Effluents, Phase I” (EPA/600/6-91/005F) or alternate procedures. The permittee shall perform multiple identifications and follow the methods specified in the documents entitled “Methods for Aquatic Toxicity Identification Evaluations, Phase II Toxicity Identification Procedures for Samples Exhibiting Acute and Chronic Toxicity” (EPA/600/R-92/080) and “Methods for Aquatic Toxicity Identification Evaluations: Phase III Toxicity Confirmation Procedures for Samples Exhibiting Acute and Chronic Toxicity” (EPA/600/R-92/081). All characterization, identification, and confirmation tests shall be conducted in an orderly and logical progression;

2) Sampling Plan - The TRE action plan should describe sampling locations, methods, holding times, chain of custody, and preservation techniques. The effluent sample volume collected for all tests shall be adequate to perform the toxicity characterization/identification/confirmation procedures, and chemical-specific analyses when the toxicity tests show significant lethality. Where the permittee has identified or suspects a

specific pollutant and source of effluent toxicity, the permittee shall conduct, concurrent with toxicity testing, chemical-specific analyses for the identified and suspected pollutant and source of effluent toxicity;

3) Quality Assurance Plan - The TRE action plan should address record keeping and data evaluation, calibration and standardization, baseline tests, system blanks, controls, duplicates, spikes, toxicity persistence in the samples, randomization, reference toxicant control charts, and mechanisms to detect artifactual toxicity; and

4) Project Organization - The TRE action plan should describe the project staff, project manager, consulting engineering services (where applicable), consulting analytical and toxicological services, etc.

c. Within 30 days of submittal of the TRE action plan and schedule, the permittee shall implement the TRE.

d. The permittee shall submit quarterly TRE activities reports concerning the progress of the TRE. The quarterly reports are due on or before April 20th, July 20th, October 20th, and January 20th. The report shall detail information regarding the TRE activities including:

1) results and interpretation of any chemical-specific analyses for the identified and suspected pollutant performed during the quarter;

2) results and interpretation of any characterization, identification, and confirmation tests performed during the quarter;

3) any data and substantiating documentation which identifies the pollutant(s) and source of effluent toxicity;

4) results of any studies/evaluations concerning the treatability of the facility's effluent toxicity;

5) any data that identifies effluent toxicity control mechanisms that will reduce effluent toxicity to the level necessary to meet no significant lethality at the critical dilution; and

6) any changes to the initial TRE plan and schedule that are believed necessary as a result of the TRE findings.

e. During the TRE, the permittee shall perform, at a minimum, quarterly testing using the more sensitive species. Testing for the less sensitive species shall continue at the frequency specified in Part 1.b.

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

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

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

g. The permittee shall complete the TRE and submit a final report on the TRE activities no later than 28 months from the last test day of the retest that confirmed significant lethal effects at the critical dilution. The permittee may petition the Executive Director (in writing) for an extension of the 28-month limit. However, to warrant an extension the permittee must have demonstrated due diligence in its pursuit of the toxicity identification evaluation/TRE and must prove that circumstances beyond its control stalled the toxicity identification evaluation/TRE. The report shall provide information pertaining to the specific control mechanism selected that will, when implemented, result in the reduction of effluent toxicity to no significant lethality at the critical dilution. The report shall also provide a specific corrective action schedule for implementing the selected control mechanism.

h. Based on the results of the TRE and proposed corrective actions, this permit may be amended to modify the biomonitoring requirements, where necessary, require a compliance schedule for implementation of corrective actions, specify a WET limit, specify a best management practice, and specify a chemical-specific limit.

i. Copies of any and all required TRE plans and reports shall also be submitted to the U.S. EPA Region 6 office, 6WQ-PO.

TABLE 1 (SHEET 1 OF 4)

BIOMONITORING REPORTING

CERIODAPHNIA DUBIA SURVIVAL AND REPRODUCTION

Dates and Times Composites Collected

Date Time Date Time

No. 1 FROM: _____ TO: _____

No. 2 FROM: _____ TO: _____

No. 3 FROM:_____ TO: _____

Test initiated: _____am/pm _____date

Dilution water used: _____ Receiving water _____ Synthetic Dilution water

NUMBER OF YOUNG PRODUCED PER ADULT AT END OF TEST

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

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

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

TABLE 1 (SHEET 2 OF 4)

CERIODAPHNIA DUBIA SURVIVAL AND REPRODUCTION TEST

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

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

   CRITICAL DILUTION (100%): _____ YES _____ NO

PERCENT SURVIVAL

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

2. Fisher's Exact Test:

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

   CRITICAL DILUTION (100%): _____ YES _____ NO

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

   a.) NOEC survival = _____% effluent

   b.) LOEC survival = _____% effluent

   c.) NOEC reproduction = _____% effluent

   d.) LOEC reproduction = _____% effluent

TABLE 1 (SHEET 3 OF 4)

BIOMONITORING REPORTING

FATHEAD MINNOW LARVAE GROWTH AND SURVIVAL

Dates and Times Composites Collected

Date Time Date Time

No. 1 FROM: _____ TO: _____

No. 2 FROM: _____ TO: _____

No. 3 FROM: _____ TO: _____

Test initiated: _____am/pm _____date

Dilution water used: _____ Receiving water _____ Synthetic dilution water

FATHEAD MINNOW GROWTH DATA

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

* Coefficient of Variation = standard deviation x 100/mean

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

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

   CRITICAL DILUTION (100%): _____ YES _____ NO

TABLE 1 (SHEET 4 OF 4)

BIOMONITORING REPORTING

FATHEAD MINNOW GROWTH AND SURVIVAL TEST

FATHEAD MINNOW SURVIVAL DATA

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

* Coefficient of Variation = standard deviation x 100/mean

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

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

   CRITICAL DILUTION (100%): _____ YES _____ NO

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

   a.) NOEC survival = _____% effluent

   b.) LOEC survival = _____% effluent

   c.) NOEC growth = _____% effluent

   d.) LOEC growth = _____% effluent

24-HOUR ACUTE BIOMONITORING REQUIREMENTS: FRESHWATER

The provisions of this section apply to Outfall 001 for WET testing.

1. Scope, Frequency, and Methodology

a. The permittee shall test the effluent for lethality in accordance with the provisions in this section. Such testing will determine compliance with Texas Surface Water Quality Standard 30 TAC § 307.6(e)(2)(B), which requires greater than 50% survival of the appropriate test organisms in 100% effluent for a 24-hour period.

b. Within 90 days of initial discharge of the 1.15 MGD facility, the toxicity tests specified shall be conducted once per six months. The permittee shall conduct the following toxicity tests using the test organisms, procedures, and quality assurance requirements specified in this section of the permit and in accordance with "Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms," fifth edition (EPA-821-R-02-012) or its most recent update:

1) Acute 24-hour static toxicity test using the water flea (*Daphnia pulex* or *Ceriodaphnia dubia*). A minimum of five replicates with eight organisms per replicate shall be used in the control and each dilution.

2) Acute 24-hour static toxicity test using the fathead minnow (*Pimephales promelas*). A minimum of five replicates with eight organisms per replicate shall be used in the control and each dilution.

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

c. In addition to an appropriate control, a 100% effluent concentration shall be used in the toxicity tests. Except as discussed in item 2.b., the control and dilution water shall consist of standard, synthetic, moderately hard, reconstituted water.

d. This permit may be amended to require a WET limit, a Best Management Practice (BMP), Chemical-Specific (CS) limits, or other appropriate actions to address toxicity. The permittee may be required to conduct a Toxicity Reduction Evaluation after multiple toxic events.

e. As the dilution series specified in the Chronic Biomonitoring Requirements includes a 100% effluent concentration, the results from those tests may fulfill the requirements of this Section; any tests performed in the proper time interval may be substituted. Compliance will be evaluated as specified in item a. The 50% survival in 100% effluent for a 24-hour period standard applies to all tests utilizing a 100% effluent dilution, regardless of whether the results are submitted

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

2. Required Toxicity Testing Conditions

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

b. Dilution Water - In accordance with item 1.c., the control and dilution water shall normally consist of standard, synthetic, moderately hard, reconstituted water. If the permittee utilizes the results of a chronic test to satisfy the requirements in item 1.e., the permittee may use the receiving water or dilution water that meets the requirements of item 2.a as the control and dilution water.

c. Samples and Composites

1) The permittee shall collect one composite sample from Outfall 001.

2) The permittee shall collect the composite sample such that the sample is representative of any periodic episode of chlorination, biocide usage, or other potentially toxic substance being discharged.

3) The permittee shall initiate the toxicity tests within 36 hours after collection of the last portion of the composite sample. The sample shall be maintained at a temperature of 0-6 degrees Centigrade during collection, shipping, and storage.

4) If Outfall 001 ceases discharging during the collection of the effluent composite sample, the requirements for the minimum number of effluent portions are waived. However, the permittee must have collected a composite sample volume sufficient for completion of the required test. The abbreviated sample collection, duration, and methodology must be documented in the full report.

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

3. Reporting

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

a. The permittee shall prepare a full report of the results of all tests conducted in accordance with the manual referenced in Part 1.b. for every valid and invalid toxicity test initiated.

b. The permittee shall routinely report the results of each biomonitoring test on the Table 2 forms provided with this permit.

1) Semiannual biomonitoring test results are due on or before July 20th and January 20th for biomonitoring conducted during the previous 6-month period.

2) Quarterly biomonitoring test results are due on or before April 20th, July 20th, and October 20th, and January 20th for biomonitoring conducted during the previous calendar quarter.

c. Enter the following codes for the appropriate parameters for valid tests only:

1) For the water flea, Parameter TIE3D, enter a "0" if the mean survival at 24 hours is greater than 50% in the 100% effluent dilution; if the mean survival is less than or equal to 50%, enter a "1."

2) For the fathead minnow, Parameter TIE6C, enter a "0" if the mean survival at 24 hours is greater than 50% in the 100% effluent dilution; if the mean survival is less than or equal to 50%, enter a "1."

d. Enter the following codes for retests only:

1) For retest number 1, Parameter 22415, enter a "0" if the mean survival at 24 hours is greater than 50% in the 100% effluent dilution; if the mean survival is less than or equal to 50%, enter a "1."

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

4. Persistent Mortality

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

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

b. If one or both of the two retests specified in Part 4.a. demonstrates significant lethality, the permittee shall initiate the TRE requirements as specified in Part 5.

5. Toxicity Reduction Evaluation

a. Within 45 days of the retest that demonstrates significant lethality, the permittee shall submit a general outline for initiating a TRE. The outline shall include, but not be limited to, a description of project personnel, a schedule for obtaining consultants (if needed), a discussion of influent and effluent data available for review, a sampling and analytical schedule, and a proposed TRE initiation date.

b. Within 90 days of the retest that demonstrates significant lethality, the permittee shall submit a TRE action plan and schedule for conducting a TRE. The plan shall specify the approach and methodology to be used in performing the TRE. A TRE is a step-wise investigation combining toxicity testing with physical and chemical analyses to determine actions necessary to eliminate or reduce effluent toxicity to a level not effecting significant lethality at the critical dilution. The TRE action plan shall lead to the successful elimination of significant lethality for both test species defined in Part 1.b. At a minimum, the TRE action plan shall include the following:

1) Specific Activities - The TRE action plan shall specify the approach the permittee intends to utilize in conducting the TRE, including toxicity characterizations, identifications, confirmations, source evaluations, treatability studies, and alternative approaches. When conducting characterization analyses, the permittee shall perform multiple characterizations and follow the procedures specified in the document entitled "Methods for Aquatic Toxicity Identification Evaluations: Phase I Toxicity Characterization Procedures" (EPA/600/6-91/003) or alternate procedures. The permittee shall perform multiple identifications and follow the methods specified in the documents entitled "Methods for Aquatic Toxicity Identification Evaluations: Phase II Toxicity Identification Procedures for Samples Exhibiting Acute and Chronic Toxicity" (EPA/600/R-92/080) and "Methods for Aquatic Toxicity Identification Evaluations: Phase III Toxicity Confirmation Procedures for Samples Exhibiting Acute and Chronic Toxicity" (EPA/600/R-92/081). All characterization, identification, and confirmation tests shall be conducted in an orderly and logical progression;

2) Sampling Plan - The TRE action plan should describe sampling locations, methods, holding times, chain of custody, and preservation techniques. The effluent sample volume collected for all tests shall be adequate to perform the toxicity characterization/identification/confirmation procedures and chemical-specific analyses when the toxicity tests show significant lethality. Where the permittee has identified or suspects specific pollutant and source of effluent toxicity, the permittee shall conduct, concurrent with toxicity testing, chemical-specific analyses for the identified and suspected pollutant and source of effluent toxicity;

3) Quality Assurance Plan - The TRE action plan should address record keeping and data evaluation, calibration and standardization, baseline tests, system blanks, controls, duplicates, spikes, toxicity persistence in the samples, randomization, reference toxicant control charts, and mechanisms to detect artifactual toxicity; and

4) Project Organization - The TRE Action Plan should describe the project staff, project manager, consulting engineering services (where applicable), consulting analytical and toxicological services, etc.

c. Within 30 days of submittal of the TRE action plan and schedule, the permittee shall implement the TRE.

d. The permittee shall submit quarterly TRE activities reports concerning the progress of the TRE. The quarterly TRE activities reports are due on or before April 20th, July 20th, October 20th, and January 20th. The report shall detail information regarding the TRE activities including:

1) results and interpretation of any chemical-specific analyses for the identified and suspected pollutant performed during the quarter;

2) results and interpretation of any characterization, identification, and confirmation tests performed during the quarter;

3) any data and substantiating documentation that identifies the pollutant and source of effluent toxicity;

4) results of any studies/evaluations concerning the treatability of the facility's effluent toxicity;

5) any data that identifies effluent toxicity control mechanisms that will reduce effluent toxicity to the level necessary to eliminate significant lethality; and

6) any changes to the initial TRE plan and schedule that are believed necessary as a result of the TRE findings.

e. During the TRE, the permittee shall perform, at a minimum, quarterly testing using the more sensitive species. Testing for the less sensitive species shall continue at the frequency specified in Part 1.b.

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

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

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

g. The permittee shall complete the TRE and submit a final report on the TRE activities no later than 18 months from the last test day of the retest that demonstrates significant lethality. The permittee may petition the Executive Director (in writing) for an extension of the 18-month limit. However, to warrant an extension the permittee must have demonstrated due diligence in its pursuit of the toxicity identification evaluation/TRE and must prove that circumstances beyond its control stalled the toxicity identification evaluation/TRE. The report shall specify the control mechanism that will, when implemented, reduce effluent toxicity as specified in Part 5.h. The report shall also specify a corrective action schedule for implementing the selected control mechanism. A copy of the TRE final report shall also be submitted to the U.S. EPA Region 6 office.

h. Within 3 years of the last day of the test confirming toxicity, the permittee shall comply with 30 TAC § 307.6(e)(2)(B), which requires greater than 50% survival of the test organism in 100% effluent at the end of 24-hours. The permittee may petition the Executive Director (in writing) for an extension of the 3-year limit. However, to warrant an extension the permittee must have demonstrated due diligence in its pursuit of the toxicity identification evaluation/TRE and must prove that circumstances beyond its control stalled the toxicity identification evaluation/TRE.

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

i. Based upon the results of the TRE and proposed corrective actions, this permit may be amended to modify the biomonitoring requirements where necessary, require a compliance schedule for implementation of corrective actions, specify a WET limit, specify a best management practice, and specify a chemical-specific limit.

j. Copies of any and all required TRE plans and reports shall also be submitted to the U.S. EPA Region 6 office, 6WQ-PO.

TABLE 2 (SHEET 1 OF 2)

WATER FLEA SURVIVAL

GENERAL INFORMATION

	Time	Date
Composite Sample Collected		
Test Initiated		

PERCENT SURVIVAL

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

Enter percent effluent corresponding to the LC50 below:

24 hour LC50 = _____% effluent

TABLE 2 (SHEET 2 OF 2)

FATHEAD MINNOW SURVIVAL

GENERAL INFORMATION

	Time	Date
Composite Sample Collected		
Test Initiated		

PERCENT SURVIVAL

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

Enter percent effluent corresponding to the LC50 below:

24 hour LC50 = _____% effluent

Attachment A
WQ0016568001
BGICO, LLC

1. DOMESTIC WORKSHEET 4.0

POLLUTANT ANALYSES REQUIREMENTS*

Section 1. Toxic Pollutants

For pollutants identified in Table 4.0(1), indicate type of sample.
Grab ☐ Composite ☐

Date and time sample(s) collected:

Table 4.0(1) – Toxics Analysis

Pollutant	AVG Effluent Conc. (µg/l)	MAX Effluent Conc. (µg/l)	Number of Samples	MAL (µg/l)
Acrylonitrile				50
Aldrin				0.01
Aluminum				2.5
Anthracene				10
Antimony				5
Arsenic				0.5
Barium				3
Benzene				10
Benzidine				50
Benzo(a)anthracene				5
Benzo(a)pyrene				5
Bis(2-chloroethyl)ether				10
Bis(2-ethylhexyl)phthalate				10
Bromodichloromethane				10
Bromoform				10
Cadmium				1
Carbon Tetrachloride				2
Carbaryl				5
Chlordane*				0.2

Attachment A
WQ0016568001
BGICO, LLC

Pollutant	AVG Effluent Conc. (µg/l)	MAX Effluent Conc. (µg/l)	Number of Samples	MAL (µg/l)
Chlorobenzene				10
Chlorodibromomethane				10
Chloroform				10
Chlorpyrifos				0.05
Chromium (Total)				3
Chromium (Tri) **(*1)**				N/A
Chromium (Hex)				3
Copper				2
Chrysene				5
p-Chloro-m-Cresol				10
4,6-Dinitro-o-Cresol				50
p-Cresol				10
Cyanide **(*2)**				10
4,4'- DDD				0.1
4,4'- DDE				0.1
4,4'- DDT				0.02
2,4-D				0.7
Demeton (O and S)				0.20
Diazinon				0.5/0.1
1,2-Dibromoethane				10
m-Dichlorobenzene				10
o-Dichlorobenzene				10
p-Dichlorobenzene				10
3,3'-Dichlorobenzidine				5
1,2-Dichloroethane				10
1,1-Dichloroethylene				10

Attachment A
WQ0016568001
BGICO, LLC

Pollutant	AVG Effluent Conc. (µg/l)	MAX Effluent Conc. (µg/l)	Number of Samples	MAL (µg/l)
Dichloromethane				20
1,2-Dichloropropane				10
1,3-Dichloropropene				10
Dicofol				1
Dieldrin				0.02
2,4-Dimethylphenol				10
Di-n-Butyl Phthalate				10
Diuron				0.09
Endosulfan I (alpha)				0.01
Endosulfan II (beta)				0.02
Endosulfan Sulfate				0.1
Endrin				0.02
Ethylbenzene				10
Fluoride				500
Guthion				0.1
Heptachlor				0.01
Heptachlor Epoxide				0.01
Hexachlorobenzene				5
Hexachlorobutadiene				10
Hexachlorocyclohexane (alpha)				0.05
Hexachlorocyclohexane (beta)				0.05
gamma-Hexachlorocyclohexane (Lindane)				0.05
Hexachlorocyclopentadiene				10
Hexachloroethane				20
Hexachlorophene				10

Attachment A
WQ0016568001
BGICO, LLC

Pollutant	AVG Effluent Conc. (µg/l)	MAX Effluent Conc. (µg/l)	Number of Samples	MAL (µg/l)
Lead				0.5
Malathion				0.1
Mercury				0.005
Methoxychlor				2
Methyl Ethyl Ketone				50
Mirex				0.02
Nickel				2
Nitrate-Nitrogen				100
Nitrobenzene				10
N-Nitrosodiethylamine				20
N-Nitroso-di-n-Butylamine				20
Nonylphenol				333
Parathion (ethyl)				0.1
Pentachlorobenzene				20
Pentachlorophenol				5
Phenanthrene				10
Polychlorinated Biphenyls (PCB's) **(*3)**				0.2
Pyridine				20
Selenium				5
Silver				0.5
1,2,4,5-Tetrachlorobenzene				20
1,1,2,2-Tetrachloroethane				10
Tetrachloroethylene				10
Thallium				0.5
Toluene				10
Toxaphene				0.3

Attachment A
WQ0016568001
BGICO, LLC

Pollutant	AVG Effluent Conc. (µg/l)	MAX Effluent Conc. (µg/l)	Number of Samples	MAL (µg/l)
2,4,5-TP (Silvex)				0.3
Tributyltin (see instructions for explanation)				0.01
1,1,1-Trichloroethane				10
1,1,2-Trichloroethane				10
Trichloroethylene				10
2,4,5-Trichlorophenol				50
TTHM (Total Trihalomethanes)				10
Vinyl Chloride				10
Zinc				5

(*1) Determined by subtracting hexavalent Cr from total Cr.

(*2) Cyanide, amenable to chlorination or weak-acid dissociable.

(*3) The sum of seven PCB congeners 1242, 1254, 1221, 1232, 1248, 1260, and 1016.

Section 2. Priority Pollutants

For pollutants identified in Tables 4.0(2)A-E, indicate type of sample.
Grab ☐ Composite ☐
Date and time sample(s) collected:

Table 4.0(2)A – Metals, Cyanide, Phenols

Pollutant	AVG Effluent Conc. (µg/l)	MAX Effluent Conc. (µg/l)	Number of Samples	MAL (µg/l)
Antimony				5
Arsenic				0.5
Beryllium				0.5
Cadmium				1
Chromium (Total)				3
Chromium (Hex)				3
Chromium (Tri) (*1)				N/A
Copper				2
Lead				0.5
Mercury				0.005
Nickel				2
Selenium				5
Silver				0.5
Thallium				0.5
Zinc				5
Cyanide (*2)				10
Phenols, Total				10

(*1) Determined by subtracting hexavalent Cr from total Cr.

(*2) Cyanide, amenable to chlorination or weak-acid dissociable

Attachment A
WQ0016568001
BGICO, LLC

Table 4.0(2)B – Volatile Compounds

Pollutant	AVG Effluent Conc. (µg/l)	MAX Effluent Conc. (µg/l)	Number of Samples	MAL (µg/l)
Acrolein				50
Acrylonitrile				50
Benzene				10
Bromoform				10
Carbon Tetrachloride				2
Chlorobenzene				10
Chlorodibromomethane				10
Chloroethane				50
2-Chloroethylvinyl Ether				10
Chloroform				10
Dichlorobromomethane [Bromodichloromethane]				10
1,1-Dichloroethane				10
1,2-Dichloroethane				10
1,1-Dichloroethylene				10
1,2-Dichloropropane				10
1,3-Dichloropropylene [1,3-Dichloropropene]				10
1,2-Trans-Dichloroethylene				10
Ethylbenzene				10
Methyl Bromide				50
Methyl Chloride				50
Methylene Chloride				20
1,1,2,2-Tetrachloroethane				10
Tetrachloroethylene				10
Toluene				10
1,1,1-Trichloroethane				10
1,1,2-Trichloroethane				10
Trichloroethylene				10
Vinyl Chloride				10

Attachment A
WQ0016568001
BGICO, LLC

Table 4.0(2)C – Acid Compounds

Pollutant	AVG Effluent Conc. (µg/l)	MAX Effluent Conc. (µg/l)	Number of Samples	MAL (µg/l)
2-Chlorophenol				10
2,4-Dichlorophenol				10
2,4-Dimethylphenol				10
4,6-Dinitro-o-Cresol				50
2,4-Dinitrophenol				50
2-Nitrophenol				20
4-Nitrophenol				50
P-Chloro-m-Cresol				10
Pentalchlorophenol				5
Phenol				10
2,4,6-Trichlorophenol				10

Attachment A
WQ0016568001
BGICO, LLC

Table 4.0(2)D – Base/Neutral Compounds

Pollutant	AVG Effluent Conc. (µg/l)	MAX Effluent Conc. (µg/l)	Number of Samples	MAL (µg/l)
Acenaphthene				10
Acenaphthylene				10
Anthracene				10
Benzidine				50
Benzo(a)Anthracene				5
Benzo(a)Pyrene				5
3,4-Benzofluoranthene				10
Benzo(ghi)Perylene				20
Benzo(k)Fluoranthene				5
Bis(2-Chloroethoxy)Methane				10
Bis(2-Chloroethyl)Ether				10
Bis(2-Chloroisopropyl)Ether				10
Bis(2-Ethylhexyl)Phthalate				10
4-Bromophenyl Phenyl Ether				10
Butyl benzyl Phthalate				10
2-Chloronaphthalene				10
4-Chlorophenyl phenyl ether				10
Chrysene				5
Dibenzo(a,h)Anthracene				5
1,2-(o)Dichlorobenzene				10
1,3-(m)Dichlorobenzene				10
1,4-(p)Dichlorobenzene				10
3,3-Dichlorobenzidine				5
Diethyl Phthalate				10
Dimethyl Phthalate				10
Di-n-Butyl Phthalate				10
2,4-Dinitrotoluene				10
2,6-Dinitrotoluene				10
Di-n-Octyl Phthalate				10
1,2-Diphenylhydrazine (as Azo-benzene)				20
Fluoranthene				10
Fluorene				10
Hexachlorobenzene				5
Hexachlorobutadiene				10
Hexachlorocyclo-pentadiene				10

Attachment A
WQ0016568001
BGICO, LLC

Pollutant	AVG Effluent Conc. (µg/l)	MAX Effluent Conc. (µg/l)	Number of Samples	MAL (µg/l)
Hexachloroethane				20
Indeno(1,2,3-cd)pyrene				5
Isophorone				10
Naphthalene				10
Nitrobenzene				10
N-Nitrosodimethylamine				50
N-Nitrosodi-n-Propylamine				20
N-Nitrosodiphenylamine				20
Phenanthrene				10
Pyrene				10
1,2,4-Trichlorobenzene				10

Attachment A
WQ0016568001
BGICO, LLC

Table 4.0(2)E - Pesticides

Pollutant	AVG Effluent Conc. (µg/l)	MAX Effluent Conc. (µg/l)	Number of Samples	MAL (µg/l)
Aldrin				0.01
alpha-BHC (Hexachlorocyclohexane)				0.05
beta-BHC (Hexachlorocyclohexane)				0.05
gamma-BHC (Hexachlorocyclohexane)				0.05
delta-BHC (Hexachlorocyclohexane)				0.05
Chlordane				0.2
4,4-DDT				0.02
4,4-DDE				0.1
4,4,-DDD				0.1
Dieldrin				0.02
Endosulfan I (alpha)				0.01
Endosulfan II (beta)				0.02
Endosulfan Sulfate				0.1
Endrin				0.02
Endrin Aldehyde				0.1
Heptachlor				0.01
Heptachlor Epoxide				0.01
PCB-1242				0.2
PCB-1254				0.2
PCB-1221				0.2
PCB-1232				0.2
PCB-1248				0.2
PCB-1260				0.2
PCB-1016				0.2
Toxaphene				0.3

Section 3. Dioxin/Furan Compounds

A. Are any of the following compounds used by a contributing industrial user or significant industrial user that is part of the collection system for the facility that you have reason to believe are present in the influent to the WWTP?

Yes ☐ No ☐

If **yes**, identify which compound(s) are potentially sent to the facility.

☐ 2,4,5-trichlorophenoxy acetic acid
Common Name 2,4,5-T, CASRN 93-76-5

☐ 2-(2,4,5-trichlorophenoxy) propanoic acid
Common Name Silvex or 2,4,5-TP, CASRN 93-72-1

☐ 2-(2,4,5-trichlorophenoxy) ethyl 2,2-dichloropropionate
Common Name Erbon, CASRN 136-25-4

☐ 0,0-dimethyl 0-(2,4,5-trichlorophenyl) phosphorothioate
Common Name Ronnel, CASRN 299-84-3

☐ 2,4,5-trichlorophenol
Common Name TCP, CASRN 95-95-4

☐ hexachlorophene
Common Name HCP, CASRN 70-30-4

For each compound identified, provide a brief description of the conditions of its/their presence at the facility.

B. Do you know or have any reason to believe that 2,3,7,8 Tetrachlorodibenzo-P-Dioxin (TCDD) or any congeners of TCDD may be present in your effluent?

Yes ☐ No ☐

If **yes**, provide a brief description of the conditions for its presence.

If you responded **yes** to either Subsection A **or** B, complete Table 4.0(2)F.

For pollutants identified in Table 4.0(2)F, indicate type of sample.

Grab ☐ Composite ☐

Date and time sample(s) collected:

Attachment A
WQ0016568001
BGICO, LLC

TABLE 4.0(2)F - DIOXIN/FURAN COMPOUNDS

Compound	Toxic Equivalency Factors	Wastewater Concentration (ppq)	Wastewater Equivalents (ppq)	Sludge Concentration (ppt)	Sludge Equivalents (ppt)	MAL (ppq)
2,3,7,8 TCDD	1					10
1,2,3,7,8 PeCDD	0.5					50
2,3,7,8 HxCDDs	0.1					50
1,2,3,4,6,7,8 HpCDD	0.01					50
2,3,7,8 TCDF	0.1					10
1,2,3,7,8 PeCDF	0.05					50
2,3,4,7,8 PeCDF	0.5					50
2,3,7,8 HxCDFs	0.1					50
2,3,4,7,8 HpCDFs	0.01					50
OCDD	0.0003					100
OCDF	0.0003					100
PCB 77	0.0001					0.5
PCB 81	0.0003					0.5
PCB 126	0.1					0.5
PCB 169	0.03					0.5
Total						

FACT SHEET AND EXECUTIVE DIRECTOR'S PRELIMINARY DECISION

For draft Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016568001, EPA I.D. No. TX0146277, to discharge to water in the state.

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

Applicant: BGICO, LLC
P.O. Box 17126
Austin, Texas 78760

Prepared By: Abdur Rahim
Municipal Permits Team
Wastewater Permitting Section (MC 148)
Water Quality Division
(512) 239-0504

Date: March 19, 2025

Permit Action: New Permit

1. EXECUTIVE DIRECTOR RECOMMENDATION

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

2. APPLICANT ACTIVITY

The applicant has applied to the Texas Commission on Environmental Quality (TCEQ) for a new permit to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 0.15 million gallons per day (MGD) in the Interim I phase, an annual average flow not to exceed 1.15 MGD in the Interim II phase, and an annual average flow not to exceed 3.15 MGD in the Final phase. The proposed wastewater treatment facility will serve Southeastern Travis County, including the City of Creedmoor and surrounding subdivisions.

3. FACILITY AND DISCHARGE LOCATION

The plant site is located at 4400 Farm-to-Market Road 1327, Buda, in Travis County, Texas 78610.

Outfall Location:

Outfall Number	Latitude	Longitude
001	30.100382 N	97.741027 W

The treated effluent is discharged to an unnamed tributary, thence to Dry Creek, thence to Colorado River Below Lady Bird Lake/Town Lake in Segment No. 1428 of the

Colorado River Basin. The unclassified receiving water uses are limited aquatic life use for the unnamed tributary and Dry Creek. The designated uses for Segment No. 1428 are primary contact recreation, public water supply, and exceptional aquatic life use.

4. TREATMENT PROCESS DESCRIPTION AND SEWAGE SLUDGE DISPOSAL

The BGICO LLC Wastewater Treatment Facility will be an activated sludge process plant operated in the conventional mode. Treatment units in the Interim I phase will include a bar screen, a RAS mixing basin, two aeration basins, a final clarifier, two sludge holding basins, and an ultraviolet (UV) disinfection system. Treatment units in the Interim II phase will include a bar screen, a RAS mixing basin, two aeration basins, two final clarifiers, two sludge holding basins, and an ultraviolet (UV) disinfection system. Treatment units in the Final phase will include a bar screen, two RAS mixing basins, four aeration basins, four final clarifiers, four sludge holding basins, and an ultraviolet (UV) disinfection system. The facility has not been constructed.

Sludge generated from the treatment facility is hauled by a registered transporter and disposed of at a TCEQ-permitted landfill, Municipal Solid Waste Disposal, Permit No. 2123, in Travis County. The draft permit also authorizes the disposal of sludge at a TCEQ-authorized land application site, co-disposal landfill, wastewater treatment facility, or facility that further processes sludge.

5. SUMMARY OF SELF-REPORTED EFFLUENT ANALYSES

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

6. DRAFT PERMIT CONDITIONS AND MONITORING REQUIREMENTS

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

A. INTERIM I PHASE EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

The daily average flow of effluent shall not exceed 0.15 MGD, nor shall the average discharge during any two-hour period (2-hour peak) exceed 417 gallons per minute (gpm).

Parameter	30-Day Average		7-Day Average	Daily Maximum
	mg/l	lbs/day	mg/l	mg/l
$CBOD_5$	5	6.3	10	20
TSS	5	6.3	10	20
NH_3-N	2	2.5	5	10
Total Phosphorus	0.5	0.63	1	2
DO (minimum)	5.0	N/A	N/A	N/A
E. coli, CFU or MPN per 100 ml	126	N/A	N/A	N/A

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

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

The permittee shall utilize an Ultraviolet Light (UV) system for disinfection purposes. An equivalent method of disinfection may be substituted only with prior approval of the Executive Director.

Parameter	Monitoring Requirement
Flow, MGD	Continuous
$CBOD_5$	One/week
TSS	One/week
NH_3-N	One/week
Total P	One/week
DO	One/week
E. coli	Five/week

B. INTERIM II PHASE EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

The annual average flow of effluent shall not exceed 1.15 MGD, nor shall the average discharge during any two-hour period (2-hour peak) exceed 3,194 gpm.

Parameter	30-Day Average		7-Day Average	Daily Maximum
	mg/l	lbs/day	mg/l	mg/l
$CBOD_5$	5	48	10	20
TSS	5	48	10	20
NH_3-N	2	19	5	10
Total Phosphorus	0.5	4.8	1	2
DO (minimum)	5.0	N/A	N/A	N/A
E. coli, CFU or MPN/100 ml	126	N/A	N/A	399

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

The permittee shall utilize an Ultraviolet Light (UV) system for disinfection purposes. An equivalent method of disinfection may be substituted only with prior approval of the Executive Director.

Parameter	Monitoring Requirement
Flow, MGD	Continuous
$CBOD_5$	Two/week
TSS	Two/week
NH_3-N	Two/week
Total P	Two/week
DO	Two/week
E. coli	Daily

C. FINAL PHASE EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

The annual average flow of effluent shall not exceed 3.15 MGD, nor shall the average discharge during any two-hour period (2-hour peak) exceed 8,750 gpm.

Parameter	30-Day Average		7-Day Average	Daily Maximum
	mg/l	lbs/day	mg/l	mg/l
$CBOD_5$	5	131	10	20
TSS	5	131	10	20
NH_3-N	2	53	5	10
Total Phosphorus	0.5	13	1	2
DO (minimum)	5.0	N/A	N/A	N/A
E. coli, CFU or MPN/100 ml	126	N/A	N/A	399

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

The permittee shall utilize an Ultraviolet Light (UV) system for disinfection purposes. An equivalent method of disinfection may be substituted only with prior approval of the Executive Director.

Parameter	Monitoring Requirement
Flow, MGD	Continuous
$CBOD_5$	Two/week
TSS	Two/week
NH_3-N	Two/week
Total P	Two/week
DO	Two/week
E. coli	Daily

D. SEWAGE SLUDGE REQUIREMENTS

The draft permit includes Sludge Provisions according to the requirements of 30 TAC Chapter 312, Sludge Use, Disposal, and Transportation. Sludge generated from the treatment facility is hauled by a registered transporter and disposed of at a TCEQ-permitted landfill, Municipal Solid Waste Disposal, Permit No. 2123, in Travis County. The draft permit also authorizes the disposal of sludge at a TCEQ-authorized land application site, co-disposal landfill, wastewater treatment facility, or facility that further processes sludge.

E. WHOLE EFFLUENT TOXICITY (BIOMONITORING) REQUIREMENTS

(1) The draft permit includes chronic freshwater biomonitoring requirements as follows. The permit requires five dilutions in addition to the control

(0% effluent) to be used in the toxicity tests. These additional effluent concentrations shall be 32%, 42%, 56%, 75%, and 100%. The low-flow effluent concentration (critical dilution) is defined as 100% effluent. The critical dilution is in accordance with the "Aquatic Life Criteria" section of the "Water Quality Based Effluent Limitations/Conditions" section.

(a) Chronic static renewal survival and reproduction test using the water flea (*Ceriodaphnia dubia*). The frequency of the testing is once per quarter for at least the first year of testing, after which the permittee may apply for a testing frequency reduction.

(b) Chronic static renewal 7-day larval survival and growth test using the fathead minnow (*Pimephales promelas*). The frequency of the testing is once per quarter for at least the first year of testing, after which the permittee may apply for a testing frequency reduction.

(2) The draft permit includes the following minimum 24-hour acute freshwater biomonitoring requirements at a frequency of once per six months:

(a) Acute 24-hour static toxicity test using the water flea (*Daphnia pulex* or *Ceriodaphnia dubia*).

(b) Acute 24-hour static toxicity test using the fathead minnow (*Pimephales promelas*).

F. BUFFER ZONE REQUIREMENTS

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).

G. SUMMARY OF CHANGES FROM APPLICATION

The applicant requested effluent limitations, based on a 30-day average, of 5 mg/l $CBOD_5$, 5 mg/l TSS, 2.0 mg/l NH_3-N, 1.0 mg/l total phosphorus, and 5.0 mg/l minimum DO for all phases. However, effluent limitations in all phases of the draft permit, based on a 30-day average, are 5 mg/l $CBOD_5$, 5 mg/l TSS, 2.0 mg/l NH_3-N, **0.5 mg/l total phosphorus,** and 5.0 mg/l minimum DO.

8. DRAFT PERMIT RATIONALE

A. TECHNOLOGY-BASED EFFLUENT LIMITATIONS/CONDITIONS

Regulations promulgated in Title 40 of the CFR require that technology-based limitations be placed in wastewater discharge permits based on effluent limitations guidelines, where applicable, or on best professional judgment (BPJ) in the absence of guidelines.

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

B. WATER QUALITY SUMMARY AND COASTAL MANAGEMENT PLAN

(1) WATER QUALITY SUMMARY

The treated effluent is discharged to an unnamed tributary, thence to Dry Creek, thence to Colorado River Below Lady Bird Lake/Town Lake in Segment No. 1428 of the Colorado River Basin. The unclassified receiving water uses are limited aquatic life use for the unnamed tributary and Dry Creek. The designated uses for Segment No. 1428 are primary contact recreation, public water supply, and exceptional 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 Section 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. Numerical and narrative criteria to protect existing uses will be maintained. This review has preliminarily determined that no water bodies with exceptional, high, or intermediate aquatic life uses are present within the stream reach assessed; therefore, no Tier 2 degradation determination is required. No significant degradation of water quality is expected in water bodies with exceptional, high, or intermediate aquatic life uses downstream, and existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received.

No priority watershed of critical concern has been identified in Segment No. 1428. However, the Barton Springs salamander (*Eurycea sosorum*), an endangered species, is known to occur only in Barton and adjacent springs and their outflows in Zilker Park, near downtown Austin, Travis County. 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 Barton Springs salamander is provided by the USFWS and documents the salamander's presence in Barton and adjacent springs and their outflows in Zilker Park, near downtown Austin, Travis County which is a different watershed than 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 Barton Springs salamander. The permit does not require EPA review with respect to the presence of endangered or threatened species.

Segment No. 1428 is not currently listed on the State's inventory of

impaired and threatened waters (the 2022 CWA § 303(d) list).

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

(2) CONVENTIONAL PARAMETERS

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

The effluent limitations in the draft permit have been reviewed for consistency with the WQMP. The proposed effluent limitations are not contained in the approved WQMP. However, these limits will be included in the next WQMP update.

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

(3) COASTAL MANAGEMENT PLAN

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

C. WATER QUALITY-BASED EFFLUENT LIMITATIONS/CONDITIONS

(1) GENERAL COMMENTS

The Texas Surface Water Quality Standards (30 TAC Chapter 307) state that surface waters will not be toxic to man, or to terrestrial or aquatic life. The methodology outlined in the "*Procedures to Implement the Texas Surface Water Quality Standards,* June 2010" is designed to ensure compliance with 30 TAC Chapter 307. Specifically, the methodology is designed to ensure that no source will be allowed to discharge any wastewater that: (1) results in instream aquatic toxicity; (2) causes a violation of an applicable narrative or numerical state water quality standard; (3) results in the endangerment of a drinking water supply; or (4) results in aquatic bioaccumulation that threatens human health.

(2) AQUATIC LIFE CRITERIA

(a) SCREENING

Water quality-based effluent limitations are calculated from freshwater aquatic life criteria found in Table 1 of the Texas Surface Water Quality

Standards (30 TAC Chapter 307).

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

Acute Effluent %: 100% Chronic Effluent %: 100%

Waste load allocations (WLAs) are calculated using the above estimated effluent percentages, criteria outlined in the Texas Surface Water Quality Standards, and partitioning coefficients for metals (when appropriate and designated in the implementation procedures). The WLA is the end-of-pipe effluent concentration that can be discharged when, after mixing in the receiving stream, instream numerical criteria will not be exceeded. From the WLA, a long-term average (LTA) is calculated using a log normal probability distribution, a given coefficient of variation (0.6), and a 90th percentile confidence level. The LTA is the long-term average effluent concentration for which the WLA will never be exceeded using a selected percentile confidence level. The LTA is used to calculate a daily average and daily maximum effluent limitation for the protection of aquatic life using the same statistical considerations with the 99th percentile confidence level and a standard number of monthly effluent samples collected (12). Assumptions used in deriving the effluent limitations include segment values for hardness, chlorides, pH, and total suspended solids (TSS) according to the segment-specific values contained in the TCEQ guidance document *"Procedures to Implement the Texas Surface Water Quality Standards*, June 2010." The segment values are 190 mg/l for hardness (as calcium carbonate), 100 mg/l chlorides, 7.4 standard units for pH, and 3.0 mg/l for TSS. For additional details on the calculation of water quality-based effluent limitations, refer to the TCEQ guidance document.

TCEQ practice for determining significant potential is to compare the reported analytical data against percentages of the calculated daily average water quality-based effluent limitation. Permit limitations are required when analytical data reported in the application exceeds 85% of the calculated daily average water quality-based effluent limitation. Monitoring and reporting are required when analytical data reported in the application exceeds 70% of the calculated daily average water quality-based effluent limitation. See Attachment C of this Fact Sheet.

(b) PERMIT ACTION

No analytical data is available for screening against water quality-based effluent limitations because the facility is not in operation.

(3) AQUATIC ORGANISM BIOACCUMULATION CRITERIA

(a) SCREENING

Water quality-based effluent limitations for the protection of human health are calculated using criteria for the consumption of freshwater fish tissue found in Table 2 of the Texas Surface Water Quality Standards (30 TAC Chapter 307). The discharge point is to an intermittent stream with perennial pools or to an intermittent stream within 3 miles upstream of an intermittent stream with perennial pools. Human health screening using incidental freshwater fish tissue criteria (= 10 X freshwater fish tissue criteria) is applicable due to the perennial pools that support incidental freshwater fisheries. TCEQ uses the mass balance equation to estimate dilution in the intermittent stream with perennial pools during average flow conditions. The estimated dilution for human health protection is calculated using the permitted flow of 3.15 MGD and the harmonic mean flow of 0.10 cfs for Colorado River below Lady Bird Lake. The following effluent percentage is being used:

Human Health Effluent % 97.989%

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

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

(b) PERMIT ACTION

No analytical data is available for screening against water quality-based effluent limitations because the facility is not in operation.

(4) DRINKING WATER SUPPLY PROTECTION

(a) SCREENING

Water Quality Segment No. 1428, which receives the discharge from this facility, is designated as a public water supply. The discharge point is located at a distance greater than three miles from the classified segment. Screening reported analytical data of the effluent against water quality-based effluent limitations calculated for the protection of a drinking water supply is not applicable due to the distance between the discharge point and the classified segment.

(b) PERMIT ACTION

No analytical data is available for screening against water quality-based effluent limitations because the facility is not in operation.

(5) WHOLE EFFLUENT TOXICITY (BIOMONITORING) CRITERIA

(a) SCREENING

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

This is a new facility not yet constructed. Therefore, there is no WET testing history to review. WET testing will commence within 90 days of initial discharge of the 1.15 MGD phase facility.

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

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

(b) PERMIT ACTION

The test species are appropriate to measure the toxicity of the effluent consistent with the requirements of the State water quality standards. The biomonitoring frequency has been established to reflect the likelihood of ambient toxicity and to provide data representative of the toxic potential of the facility's discharge. This permit may be reopened to require effluent limits, additional testing, and/or other appropriate actions to address toxicity if biomonitoring data show actual or potential ambient toxicity to be the result of the permittee's discharge to the receiving stream or water body.

No analytical data is available because the facility is not in operation.

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

(a) SCREENING

This is a new facility not yet constructed. Therefore, there is no WET

testing history to review. WET testing will commence within 90 days of initial discharge of the 1.15 MGD phase facility.

(b) PERMIT ACTION

The draft permit includes 24-hour 100% acute biomonitoring tests for the life of the permit. The applicant is not currently monitoring whole effluent toxicity because the requirements do not take effect until the 1.15 MGD phase.

9. WATER QUALITY VARIANCE REQUESTS

No variance requests have been received.

10. PROCEDURES FOR FINAL DECISION

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

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

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

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

The Executive Director will issue the permit unless a written hearing request or request for reconsideration is filed within 30 days after the Executive Director's response to comments and final decision is mailed. If a hearing request or request for reconsideration is filed, the Executive Director will not issue the permit and will forward

the application and request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. If a contested case hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

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

For additional information about this application, contact Abdur Rahim at (512) 239-0504.

11. ADMINISTRATIVE RECORD

The following items were considered in developing the draft permit:

A. APPLICATION

Application received on July 9, 2024, and additional information received on March 18, 2025.

B. MEMORANDA

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

C. MISCELLANEOUS

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

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

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

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

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

Attachment A: Calculated Water Quality Based Effluent Limitations

TEXTOX MENU #7 - INTERMITTENT STREAM WITH PERENNIAL POOLS

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

Table 1, 2014 Texas Surface Water Quality Standards (30 TAC 307) for Freshwater Aquatic Life
Table 2, 2018 Texas Surface Water Quality Standards for Human Health, Incidental Fishery
"Procedures to Implement the Texas Surface Water Quality Standards," TCEQ, June 2010

PERMIT INFORMATION

Permittee Name:	BGICO, LLC
TPDES Permit No.:	WQ0016568001
Outfall No.:	001
Prepared by:	Abdur Rahim
Date:	March 11, 2025

DISCHARGE INFORMATION

Intermittent Receiving Waterbody:	Colorado River below Lady Bird Lake
Segment No.:	1428
TSS (mg/L):	3
pH (Standard Units):	7.4
Hardness (mg/L as $CaCO_3$):	190
Chloride (mg/L):	100
Effluent Flow for Aquatic Life (MGD):	3.15
Critical Low Flow [7Q2] (cfs):	0
% Effluent for Chronic Aquatic Life:	100
% Effluent for Acute Aquatic Life:	100
Effluent Flow for Human Health (MGD):	3.15
Harmonic Mean Flow (cfs):	0.1
% Effluent for Human Health:	97.989

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

Stream/River Metal	*Intercept (b)*	*Slope (m)*	*Partition Coefficient (Kp)*	*Dissolved Fraction (Cd/Ct)*	*Source*	*Water Effect Ratio (WER)*	*Source*
Aluminum	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Arsenic	5.68	-0.73	214635.47	0.608		1.00	Assumed
Cadmium	6.60	-1.13	1150410.88	0.225		1.00	Assumed
Chromium (total)	6.52	-0.93	1192002.68	0.219		1.00	Assumed
Chromium (trivalent)	6.52	-0.93	1192002.68	0.219		1.00	Assumed
Chromium (hexavalent)	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Copper	6.02	-0.74	464440.70	0.418		1.00	Assumed
Lead	6.45	-0.80	1170315.61	0.222		1.00	Assumed
Mercury	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Nickel	5.69	-0.57	261842.95	0.560		1.00	Assumed
Selenium	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Silver	6.38	-1.03	773686.66	0.301		1.00	Assumed

Zinc	6.10	-0.70	583465.42	0.364		1.00	Assumed

AQUATIC LIFE

CALCULATE DAILY AVERAGE AND DAILY MAXIMUM EFFLUENT LIMITATIONS:

Parameter	*FW Acute Criterion (µg/L)*	*FW Chronic Criterion (µg/L)*	*WLAa (µg/L)*	*WLAc (µg/L)*	*LTAa (µg/L)*	*LTAc (µg/L)*	*Daily Avg. (µg/L)*	*Daily Max. (µg/L)*
Aldrin	3.0	N/A	3.00	N/A	1.72	N/A	2.52	5.34
Aluminum	991	N/A	991	N/A	568	N/A	834	1765
Arsenic	340	150	559	247	320	190	279	590
Cadmium	16.0	0.384	71.3	1.71	40.8	1.32	1.93	4.09
Carbaryl	2.0	N/A	2.00	N/A	1.15	N/A	1.68	3.56
Chlordane	2.4	0.004	2.40	0.00400	1.38	0.00308	0.00452	0.00957
Chlorpyrifos	0.083	0.041	0.0830	0.0410	0.0476	0.0316	0.0464	0.0981
Chromium (+3)	964	125	4410	574	2527	442	649	1373
Chromium (+6)	15.7	10.6	15.7	10.6	9.00	8.16	11.9	25.3
Copper	26.0	16.4	62.2	39.2	35.7	30.2	44.3	93.9
Cyanide (free)	45.8	10.7	45.8	10.7	26.2	8.24	12.1	25.6
4,4'-DDT	1.1	0.001	1.10	0.00100	0.630	0.000770	0.00113	0.00239
Demeton	N/A	0.1	N/A	0.100	N/A	0.0770	0.113	0.239
Diazinon	0.17	0.17	0.170	0.170	0.0974	0.131	0.143	0.302
Dicofol	59.3	19.8	59.3	19.8	34.0	15.2	22.4	47.4
Dieldrin	0.24	0.002	0.240	0.00200	0.138	0.00154	0.00226	0.00478
Diuron	210	70	210	70.0	120	53.9	79.2	167
Endosulfan I (alpha)	0.22	0.056	0.220	0.0560	0.126	0.0431	0.0633	0.134
Endosulfan II (beta)	0.22	0.056	0.220	0.0560	0.126	0.0431	0.0633	0.134
Endosulfan sulfate	0.22	0.056	0.220	0.0560	0.126	0.0431	0.0633	0.134
Endrin	0.086	0.002	0.0860	0.00200	0.0493	0.00154	0.00226	0.00478
Guthion	N/A	0.01	N/A	0.0100	N/A	0.00770	0.0113	0.0239
Heptachlor	0.52	0.004	0.520	0.00400	0.298	0.00308	0.00452	0.00957
Hexachlorocyclohexane (Lindane)	1.126	0.08	1.13	0.0800	0.645	0.0616	0.0905	0.191
Lead	129	5.02	582	22.7	333	17.4	25.6	54.2
Malathion	N/A	0.01	N/A	0.0100	N/A	0.00770	0.0113	0.0239
Mercury	2.4	1.3	2.40	1.30	1.38	1.00	1.47	3.11
Methoxychlor	N/A	0.03	N/A	0.0300	N/A	0.0231	0.0339	0.0718
Mirex	N/A	0.001	N/A	0.00100	N/A	0.000770	0.00113	0.00239
Nickel	806	89.5	1439	160	825	123	180	382
Nonylphenol	28	6.6	28.0	6.60	16.0	5.08	7.47	15.8
Parathion (ethyl)	0.065	0.013	0.0650	0.0130	0.0372	0.0100	0.0147	0.0311
Pentachlorophenol	13.0	10.0	13.0	10.0	7.47	7.70	10.9	23.2
Phenanthrene	30	30	30.0	30.0	17.2	23.1	25.2	53.4
Polychlorinated Biphenyls (PCBs)	2.0	0.014	2.00	0.0140	1.15	0.0108	0.0158	0.0335
Selenium	20	5	20.0	5.00	11.5	3.85	5.65	11.9
Silver	0.8	N/A	22.0	N/A	12.6	N/A	18.5	39.2
Toxaphene	0.78	0.0002	0.780	0.000200	0.447	0.000154	0.000226	0.000478
Tributyltin (TBT)	0.13	0.024	0.130	0.0240	0.0745	0.0185	0.0271	0.0574
2,4,5 Trichlorophenol	136	64	136	64.0	77.9	49.3	72.4	153
Zinc	202	204	555	560	318	431	467	989

HUMAN HEALTH (APPLIES FOR INCIDENTAL FRESHWATER FISH TISSUE)

CALCULATE DAILY AVERAGE AND DAILY MAXIMUM EFFLUENT LIMITATIONS:

Parameter	*Incidental Fish Criterion (µg/L)*	*WLAh (µg/L)*	*LTAh (µg/L)*	*Daily Avg. (µg/L)*	*Daily Max. (µg/L)*
Acrylonitrile	1150	1174	1091	1604	3394
Aldrin	1.147E-04	0.000117	0.000109	0.000160	0.000338

Anthracene	13170	13440	12499	18374	38873
Antimony	10710	10930	10165	14942	31612
Arsenic	N/A	N/A	N/A	N/A	N/A
Barium	N/A	N/A	N/A	N/A	N/A
Benzene	5810	5929	5514	8105	17149
Benzidine	1.07	1.09	1.02	1.49	3.15
Benzo(*a*)anthracene	0.25	0.255	0.237	0.348	0.737
Benzo(*a*)pyrene	0.025	0.0255	0.0237	0.0348	0.0737
Bis(chloromethyl)ether	2.745	2.80	2.61	3.82	8.10
Bis(2-chloroethyl)ether	428.3	437	406	597	1264
Bis(2-ethylhexyl) phthalate [Di(2-ethylhexyl) phthalate]	75.5	77.0	71.7	105	222
Bromodichloromethane [Dichlorobromomethane]	2750	2806	2610	3836	8117
Bromoform [Tribromomethane]	10600	10817	10060	14788	31287
Cadmium	N/A	N/A	N/A	N/A	N/A
Carbon Tetrachloride	460	469	437	641	1357
Chlordane	0.025	0.0255	0.0237	0.0348	0.0737
Chlorobenzene	27370	27932	25976	38185	80786
Chlorodibromomethane [Dibromochloromethane]	1830	1868	1737	2553	5401
Chloroform [Trichloromethane]	76970	78549	73051	107384	227188
Chromium (hexavalent)	5020	5123	4764	7003	14817
Chrysene	25.2	25.7	23.9	35.1	74.3
Cresols [Methylphenols]	93010	94918	88274	129762	274532
Cyanide (free)	N/A	N/A	N/A	N/A	N/A
4,4'-DDD	0.02	0.0204	0.0190	0.0279	0.0590
4,4'-DDE	0.0013	0.00133	0.00123	0.00181	0.00383
4,4'-DDT	0.004	0.00408	0.00380	0.00558	0.0118
2,4'-D	N/A	N/A	N/A	N/A	N/A
Danitol [Fenpropathrin]	4730	4827	4489	6599	13961
1,2-Dibromoethane [Ethylene Dibromide]	42.4	43.3	40.2	59.1	125
m-Dichlorobenzene [1,3-Dichlorobenzene]	5950	6072	5647	8301	17562
o-Dichlorobenzene [1,2-Dichlorobenzene]	32990	33667	31310	46026	97374
p-Dichlorobenzene [1,4-Dichlorobenzene]	N/A	N/A	N/A	N/A	N/A
3,3'-Dichlorobenzidine	22.4	22.9	21.3	31.2	66.1
1,2-Dichloroethane	3640	3715	3455	5078	10743
1,1-Dichloroethylene [1,1-Dichloroethene]	551140	562448	523077	768923	1626769
Dichloromethane [Methylene Chloride]	133330	136066	126541	186015	393542
1,2-Dichloropropane	2590	2643	2458	3613	7644
1,3-Dichloropropene [1,3-Dichloropropylene]	1190	1214	1129	1660	3512
Dicofol [Kelthane]	3	3.06	2.85	4.18	8.85
Dieldrin	2.0E-04	0.000204	0.000190	0.000279	0.000590
2,4-Dimethylphenol	84360	86091	80065	117694	249000
Di-*n*-Butyl Phthalate	924	943	877	1289	2727
Dioxins/Furans [TCDD Equivalents]	7.97E-07	8.13E-07	7.56E-07	0.0000011	0.0000024
Endrin	0.2	0.204	0.190	0.279	0.590
Epichlorohydrin	20130	20543	19105	28084	59416
Ethylbenzene	18670	19053	17719	26047	55107
Ethylene Glycol	1.68E+08	171447040	159445747	234385248	495876273
Fluoride	N/A	N/A	N/A	N/A	N/A
Heptachlor	0.001	0.00102	0.000949	0.00139	0.00295
Heptachlor Epoxide	0.0029	0.00296	0.00275	0.00404	0.00855
Hexachlorobenzene	0.0068	0.00694	0.00645	0.00948	0.0200
Hexachlorobutadiene	2.2	2.25	2.09	3.06	6.49
Hexachlorocyclohexane (*alpha*)	0.084	0.0857	0.0797	0.117	0.247
Hexachlorocyclohexane (*beta*)	2.6	2.65	2.47	3.62	7.67
Hexachlorocyclohexane (*gamma*) [Lindane]	3.41	3.48	3.24	4.75	10.0
Hexachlorocyclopentadiene	116	118	110	161	342
Hexachloroethane	23.3	23.8	22.1	32.5	68.7
Hexachlorophene	29	29.6	27.5	40.4	85.5
4,4'-Isopropylidenediphenol [Bisphenol A]	159820	163099	151682	222972	471731

Lead	38.3	176	164	241	509
Mercury	0.122	0.125	0.116	0.170	0.360
Methoxychlor	30	30.6	28.5	41.8	88.5
Methyl Ethyl Ketone	9.92E+06	10123540	9414892	13839890	29280313
Methyl *tert*-butyl ether [MTBE]	104820	106971	99483	146239	309391
Nickel	11400	20773	19319	28398	60080
Nitrate-Nitrogen (as Total Nitrogen)	N/A	N/A	N/A	N/A	N/A
Nitrobenzene	18730	19114	17776	26131	55284
N-Nitrosodiethylamine	21	21.4	19.9	29.2	61.9
N-Nitroso-di-*n*-Butylamine	42	42.9	39.9	58.5	123
Pentachlorobenzene	3.55	3.62	3.37	4.95	10.4
Pentachlorophenol	2.9	2.96	2.75	4.04	8.55
Polychlorinated Biphenyls [PCBs]	6.40E-03	0.00653	0.00607	0.00892	0.0188
Pyridine	9470	9664	8988	13212	27952
Selenium	N/A	N/A	N/A	N/A	N/A
1,2,4,5-Tetrachlorobenzene	2.4	2.45	2.28	3.34	7.08
1,1,2,2-Tetrachloroethane	263.5	269	250	367	777
Tetrachloroethylene [Tetrachloroethylene]	2800	2857	2657	3906	8264
Thallium	2.3	2.35	2.18	3.20	6.78
Toluene	N/A	N/A	N/A	N/A	N/A
Toxaphene	0.11	0.112	0.104	0.153	0.324
2,4,5-TP [Silvex]	3690	3766	3502	5148	10891
1,1,1-Trichloroethane	7843540	8004475	7444161	10942917	23151341
1,1,2-Trichloroethane	1660	1694	1575	2315	4899
Trichloroethylene [Trichloroethene]	719	734	682	1003	2122
2,4,5-Trichlorophenol	18670	19053	17719	26047	55107
TTHM [Sum of Total Trihalomethanes]	N/A	N/A	N/A	N/A	N/A
Vinyl Chloride	165	168	157	230	487

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

Aquatic Life	***70% of Daily Avg.***	***85% of Daily Avg.***
Parameter	***(µg/L)***	***(µg/L)***
Aldrin	1.76	2.14
Aluminum	584	709
Arsenic	195	237
Cadmium	1.35	1.64
Carbaryl	1.17	1.43
Chlordane	0.00316	0.00384
Chlorpyrifos	0.0324	0.0394
Chromium (+3)	454	551
Chromium (+6)	8.39	10.1
Copper	31.0	37.7
Cyanide (free)	8.47	10.2
4,4'-DDT	0.000792	0.000962
Demeton	0.0792	0.0962
Diazinon	0.100	0.121
Dicofol	15.6	19.0
Dieldrin	0.00158	0.00192
Diuron	55.4	67.3
Endosulfan (alpha)	0.0443	0.0538
Endosulfan (beta)	0.0443	0.0538
Endosulfan sulfate	0.0443	0.0538
Endrin	0.00158	0.00192
Guthion	0.00792	0.00962
Heptachlor	0.00316	0.00384
Hexachlorocyclohexane (Lindane)	0.0633	0.0769
Lead	17.9	21.8
Malathion	0.00792	0.00962
Mercury	1.03	1.25

Methoxychlor	0.0237	0.0288
Mirex	0.000792	0.000962
Nickel	126	153
Nonylphenol	5.22	6.34
Parathion (ethyl)	0.0103	0.0125
Pentachlorophenol	7.68	9.33
Phenanthrene	17.6	21.4
Polychlorinated Biphenyls (PCBs)	0.0110	0.0134
Selenium	3.96	4.81
Silver	12.9	15.7
Toxaphene	0.000158	0.000192
Tributyltin (TBT)	0.0190	0.0230
2,4,5 Trichlorophenol	50.7	61.5
Zinc	327	397

Human Health	***70% of Daily Avg.***	***85% of Daily Avg.***
Parameter	***(µg/L)***	***(µg/L)***
Acrylonitrile	1123	1363
Aldrin	0.000112	0.000136
Anthracene	12861	15618
Antimony	10459	12700
Arsenic	N/A	N/A
Barium	N/A	N/A
Benzene	5674	6889
Benzidine	1.04	1.26
Benzo(*a*)anthracene	0.244	0.296
Benzo(*a*)pyrene	0.0244	0.0296
Bis(chloromethyl)ether	2.68	3.25
Bis(2-chloroethyl)ether	418	507
Bis(2-ethylhexyl) phthalate [Di(2-ethylhexyl) phthalate]	73.7	89.5
Bromodichloromethane [Dichlorobromomethane]	2685	3261
Bromoform [Tribromomethane]	10352	12570
Cadmium	N/A	N/A
Carbon Tetrachloride	449	545
Chlordane	0.0244	0.0296
Chlorobenzene	26729	32457
Chlorodibromomethane [Dibromochloromethane]	1787	2170
Chloroform [Trichloromethane]	75169	91277
Chromium (hexavalent)	4902	5953
Chrysene	24.6	29.8
Cresols [Methylphenols]	90834	110298
Cyanide (free)	N/A	N/A
4,4'-DDD	0.0195	0.0237
4,4'-DDE	0.00126	0.00154
4,4'-DDT	0.00390	0.00474
2,4'-D	N/A	N/A
Danitol [Fenpropathrin]	4619	5609
1,2-Dibromoethane [Ethylene Dibromide]	41.4	50.2
m-Dichlorobenzene [1,3-Dichlorobenzene]	5810	7055
o-Dichlorobenzene [1,2-Dichlorobenzene]	32218	39122
p-Dichlorobenzene [1,4-Dichlorobenzene]	N/A	N/A
3,3'-Dichlorobenzidine	21.8	26.5
1,2-Dichloroethane	3554	4316
1,1-Dichloroethylene [1,1-Dichloroethene]	538246	653584
Dichloromethane [Methylene Chloride]	130210	158113
1,2-Dichloropropane	2529	3071
1,3-Dichloropropene [1,3-Dichloropropylene]	1162	1411
Dicofol [Kelthane]	2.92	3.55
Dieldrin	0.000195	0.000237

2,4-Dimethylphenol	82386	100040
Di-*n*-Butyl Phthalate	902	1095
Dioxins/Furans [TCDD Equivalents]	7.78E-07	9.45E-07
Endrin	0.195	0.237
Epichlorohydrin	19659	23871
Ethylbenzene	18233	22140
Ethylene Glycol	164069673	199227461
Fluoride	N/A	N/A
Heptachlor	0.000976	0.00118
Heptachlor Epoxide	0.00283	0.00343
Hexachlorobenzene	0.00664	0.00806
Hexachlorobutadiene	2.14	2.60
Hexachlorocyclohexane (*alpha*)	0.0820	0.0996
Hexachlorocyclohexane (*beta*)	2.53	3.08
Hexachlorocyclohexane (*gamma*) [Lindane]	3.33	4.04
Hexachlorocyclopentadiene	113	137
Hexachloroethane	22.7	27.6
Hexachlorophene	28.3	34.3
4,4'-Isopropylidenediphenol [Bisphenol A]	156081	189526
Lead	168	204
Mercury	0.119	0.144
Methoxychlor	29.2	35.5
Methyl Ethyl Ketone	9687923	11763907
Methyl *tert*-butyl ether [MTBE]	102367	124303
Nickel	19878	24138
Nitrate-Nitrogen (as Total Nitrogen)	N/A	N/A
Nitrobenzene	18291	22211
N-Nitrosodiethylamine	20.5	24.9
N-Nitroso-di-*n*-Butylamine	41.0	49.8
Pentachlorobenzene	3.46	4.20
Pentachlorophenol	2.83	3.43
Polychlorinated Biphenyls [PCBs]	0.00625	0.00758
Pyridine	9248	11230
Selenium	N/A	N/A
1,2,4,5-Tetrachlorobenzene	2.34	2.84
1,1,2,2-Tetrachloroethane	257	312
Tetrachloroethylene [Tetrachloroethylene]	2734	3320
Thallium	2.24	2.72
Toluene	N/A	N/A
Toxaphene	0.107	0.130
2,4,5-TP [Silvex]	3603	4375
1,1,1-Trichloroethane	7660041	9301479
1,1,2-Trichloroethane	1621	1968
Trichloroethylene [Trichloroethene]	702	852
2,4,5-Trichlorophenol	18233	22140
TTHM [Sum of Total Trihalomethanes]	N/A	N/A
Vinyl Chloride	161	195

July 8, 2024

Water Quality Applications Team
Texas Commission on Environmental Quality
Applications Review and Processing Team (MC148)
Building F, Room 2101
12100 Park 35 Circle
Austin, Texas 78753

RE: BGICO, LLC Wastewater Treatment Plant TPDES Permit Application

Dear Sir/Madam:

Please find attached the completed permit application for the proposed BGICO, LLC (BGICO) Wastewater Treatment Plant to be constructed in southeast Travis County, Texas. One (1) original and three (3) copies of the complete application are included, and this complete package is being hand-delivered to your office. The application fee check is also being hand-delivered to the TCEQ Revenues Section, and a copy of the original check is included along with this application. Please note that we have also included a reuse authorization form with this application to be considered concurrently, and it is included as Exhibit 'Q' in this document.

We would also like to take this opportunity to discuss the need for the projected permitted flow rates requested in the application, which include the following: 0.15 million gallons per day (MGD) for Phase I; 1.150 MGD for Phase II; and 3.150 MGD for Phase III. Although the initial anticipated flow rate from Texas Disposal Systems Landfill and affiliated operations is expected in Phase I, BGICO is negotiating with others in the area to receive their wastewater flows to become the regional wastewater collection and treatment system in the Creedmoor wastewater service area. To this end, the Creedmoor City Council recently voted to provide BGICO with an exclusivity to provide wastewater service in its service area. Therefore, we are confident that the flows will increase significantly and the requested flows in all phases will be necessary, as described in the permit application.

Please feel free to contact me directly at (512) 421-1300, or via electronic mail at clintharp@bgicoinvestments.com should you have any questions regarding this application.

Sincerely,

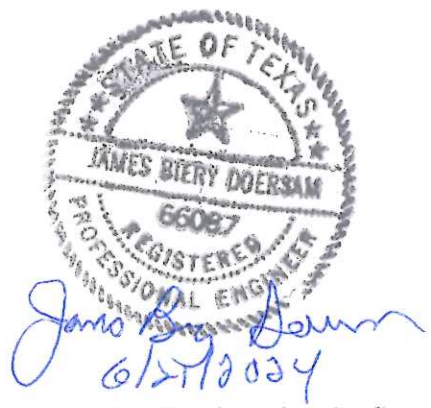
Clint Harp, Executive Vice President
BGICO, LLC

cc: Bob Gregory
Gary Newton
Jim Doersam, P.E.
Dennis Hill, P.E.
Tom Brown, MRB Group
Susan Jablonski, P.E.

BGICO, LLC
P.O. Box 17126
Austin, Texas 78760-7126

TPDES Permit Application

BGICO, LLC
Wastewater Treatment Facility



James Doersam, P.E., (Engineering Seal)
June 21, 2024

TABLE OF CONTENTS

BGICO, LLC WWTP PERMIT APPLICATION

LIST OF EXHIBITS TO APPLICATION

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

DOMESTIC WASTEWATER PERMIT APPLICATION CHECKLIST

Complete and submit this checklist with the application.

APPLICANT NAME:BGICO, LLC

PERMIT NUMBER (If new, leave blank):WQ00N/A, new application

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

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

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	$2,050.00X	$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:Click to enter text.

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

X Privately-Owned Domestic Wastewater

☐ Conventional Wastewater Treatment

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

☐ Active X Inactive

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

X TPDES Permit

☐ TLAP

☐ TPDES Permit with TLAP component

☐ Subsurface Area Drip Dispersal System (SADDS)

d. Check the box next to the appropriate application type

X 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:WQ00Click to enter text.

EPA I.D. (TPDES only): TXClick 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?

BGICO, 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:Harp, Clint

Title:Executive Vice President, BGICO, LLC 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.)

TCEQ Core Data Form

TCEQ Use Only

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

SECTION I:General Information

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

☒ 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 606281970		RN 112005186

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:*
BGICO, LLC	Not applicable

7. TX SOS/CPA Filing Number	8. TX State Tax ID (11 digits)	9. Federal Tax ID (9 digits)	10. DUNS Number *(if applicable)*
800701554	32020532787	20-5657052	N/A

11. Type of Customer: ☒ Corporation ☐ Individual Partnership:☐ General ☐ Limited

Government:☐ City ☐ County ☐ Federal ☐ State ☒ Other ☐ Sole Proprietorship ☐ Other:Municipal Utility District

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 ☐ Voluntary Cleanup Applicant ☐Other:

15. Mailing Address:								
	BGICO, LLC							
	P.O. Box 17126							
	City	Austin	**State**	TX	**ZIP**	78760	**ZIP + 4**	7126

16. Country Mailing Information(*if outside USA*)	17. E-Mail Address(*if applicable*)
	gnewton@texasdisposal.com

18. Telephone Number	19. Extension or Code	20. Fax Number *(if applicable)*
(512)421-1300		( ) -

SECTION III:Regulated Entity Information

21. General Regulated Entity Information(*If 'New Regulated Entity" is selected below this form should be accompanied by a permitapplication*)

☒ 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 Agency Data Standards (removal of organizational endings such as Inc, LP, or LLC).

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

BGICO, LLC

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: 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, Core Data Form

Section 4. Application Contact Information (Instructions Page 27)

This is the person(s)TCEQ will contact if additionalinformation is needed aboutthisapplication. Provide a contact for administrative questions and technical questions.

A. Prefix:Mr. Last Name, First Name:Doersam, James

Title:Engineer Credential:P.E.

Organization Name:BGICO, LLC

Mailing Address:P.O. Box 17126 City, State, Zip Code:Austin, TX 78760-7126

Phone No.:512-421-1300 E-mail Address:jdoersam@texasdisposal.com

Check one or both: ☐ Administrative Contact X Technical Contact

B. Prefix:Mr. Last Name, First Name:Newton, Gary

Title: General Counsel Credential:J.D.

Organization Name:BGICO, LLC

Mailing Address:P.O. Box 17126 City, State, Zip Code:Austin, TX 78760-7126

Phone No.:512-421-1300 E-mail Address:gnewton@texasdisposal.com

Check one or both: X 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:Doersam, James

Title: Engineer Credential:P.E.

Organization Name:BGICO, LLC

Mailing Address:P.O. Box 17126 City, State, Zip Code:Austin, TX 78760-7126

Phone No.:512-421-1300 E-mail Address:jdoersam@texasdisposal.com

B. Prefix:Mr. Last Name, First Name:Newton, Gary

Title:General Counsel Credential:J.D.

Organization Name:BGICO, LLC

Mailing Address:P.O. Box 17126 City, State, Zip Code:Austin, TX 78760-7126

Phone No.:512-421-1300 E-mail Address:gnewton@texasdisposal.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:Harp, Clint

Title:Executive Vice President Credential:Click to enter text.

Organization Name:BGICO, LLC

Mailing Address:P.O. Box 17126 City, State, Zip Code:Austin, TX 78760-7126

Phone No.:512-421-1300 E-mail Address:clintharp@bgicoinvestments.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:Harp, Clint

Title:Executive Vice President Credential:Click to enter text.

Organization Name:BGICO, LLC

Mailing Address:P.O. Box 17126 City, State, Zip Code:Austin, TX 78760-7126

Phone No.:512-421-1300 E-mail Address:clintharp@bgicoinvestments.com

Section 8. Public Notice Information (Instructions Page 27)

A. Individual Publishing the Notices

Prefix:Mr. Last Name, First Name:Newton, Gary

Title:General Counsel Credential:J.D.

Organization Name:BGICO, LLC

Mailing Address:P.O. Box 17126 City, State, Zip Code:Austin, TX 78760-7126

Phone No.:512-421-1300 E-mail Address:gnewton@texasdisposal.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:

X E-mail Address

☐ Fax

☐ Regular Mail

C. Contact permit to be listed in the Notices

Prefix:Mr. Last Name, First Name:Newton, Gary

Title:General Counsel Credential:J.D.

Organization Name:BGICO, LLC

Mailing Address:P.O. Box 17126 City, State, Zip Code:Austin, TX 78760-7126

Phone No.:512-421-1300 E-mail Address:gnewton@texasdisposal.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:Creedmoor City Hall

Location within the building:City Administrator Office

Physical Address of Building:5008 Hartung Ln., Buda Texas 78610

City:Creedmoor County:Travis

Contact (Last Name, First Name):Pogue, Mariah

Phone No.:512-243-6700Ext.:Click to enter text.

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?

   X 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?

   X Yes ☐ No

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

☐ Yes X 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 X 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: See Exhibit 'L', Plain Language Form

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: See Public Involvement Plan Form

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**N/A, New Permit Application

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):

BGICO, LLC

C. Owner of treatment facility:BGICO, LLC

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

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

Prefix:Texas Disposal Systems Landfill, Inc. Last Name, First Name:attn: Newton, Gary

Title:General Counsel Credential:J.D.

Organization Name: Texas Disposal Systems Landfill, Inc.

Mailing Address:P.O. Box 17126 City, State, Zip Code:Austin, TX 78760-7126

Phone No.:512-421-1300 E-mail Address:gnewton@texasdisposal.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: See attached lease agreement, Exhibit 'M'

E. Owner of effluent disposal site:

Prefix:N/A, TPDES Discharge Permit Last Name, First Name:Click to enter text.

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

Organization Name:Click to enter text.

Mailing Address:Click to enter text. City, State, Zip Code:Click to enter text.

Phone No.:Click to enter text. E-mail Address:Click to enter text.

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: Click to enter text.

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

Prefix:N/A, Sludge to be disposed offsite at a permitted TCEQ Facility Last Name, First Name:Click to enter text.

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

Organization Name:Click to enter text.

Mailing Address:Click to enter text. City, State, Zip Code:Click to enter text.

Phone No.:Click to enter text. E-mail Address:Click to enter text.

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: Click to enter text.

Section 10. TPDES Discharge Information (Instructions Page 31)

A. Is the wastewater treatment facilitylocation in the existing permit accurate?

☐ Yes ☐ No

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

This is a new facility that will discharge into Dry Creek, located near 4400 FM 1327, Buda, TX 78610

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:

The discharge location will be at the following coordinates: Latitude: 30 deg 06' 00", Longitude: -97 deg 44' 26", or Latitude: 30.097611 N, Longitude: -97.742139 W (decimal system)

City nearest the outfall(s):City of Creedmoor

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

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 X 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: Click to enter text.

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, application is for a flow less than 5.0 MGD

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:

Click to enter text.

B. City nearest the disposal site:Click to enter text.

C. County in which the disposal site is located:Click to enter text.

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

Click to enter text.

E. For **TLAPs**, please identify the nearest watercourse to the disposal site to which rainfall runoff might flow if not contained:Click to enter text.

Section 12. Miscellaneous Information (Instructions Page 32)

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

☐ Yes X 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 X 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.

Click to enter text.

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

X Yes ☐ No

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

D. Do you owe any fees to the TCEQ?

☐ Yes X 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 X 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:

X 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.

X 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:Click to enter text.

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:BGICO, 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):Clint Harp

Signatory title:Executive Vice President, BGICO, LLC

Signature:_____ Date: JUNE 19, 2024

(Use blue ink)

Subscribed and Sworn to before me by the said Clint Harp

on this 19th day of June, 20 24.

My commission expires on the 26th day of June, 20 27.

Maria Sindy Estrada

Notary Public

MARIA SINDY ESTRADA
Notary Public, State of Texas
Comm. Expires 06-26-2027
Notary ID 129790154

[SEAL]

Travis

County, Texas

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:

X The applicant's property boundaries

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

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

X 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).)

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

X 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/AThe 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/AThe property boundaries of all landowners surrounding the effluent disposal site

N/AThe 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/AThe 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. X 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 X Four sets of labels

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

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

☐ Yes X 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.

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

X 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.

X At least one photograph of the existing/proposed effluent disposal site

X 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 requirementswill be met. Check all that apply.

X 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)?

X Yes ☐ No

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:BGICO WWTP

   Physical Address of Project or Site:4400 F.M. 1327, Buda, TX 78610

   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 DOMESTICOR 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:BGICO, LLC

   Permit No. WQ00Click here to enter text. EPA ID No. TXClick here to enter text.

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

   4400 FM 1327, Buda, TX 78610

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:Clint Harp

Credential (P.E, P.G., Ph.D., etc.):Click here to enter text.

Title:Executive Vice President

Mailing Address:P.O. Box 17126

City, State, Zip Code:Austin, TX 78760-7126

Phone No.:512-421-1300Ext.:Click here to enter text. Fax No.:Click here to enter text.

E-mail Address:clintharp@bgicoinvestments.com

2. List the county in which the facility is located:Travis County
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, property is not publicly owned.

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.

Please see Attachment 'F' showing the discharge route on the 7.5 minute USGS quadrangle map as required in Section 5 below.

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.

- X 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
- X 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):

Up to 15 feet of excavation for new treatment plant spread over 12 acres.

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

The land is currently undeveloped pastureland with no significant disturbances or vegetation.

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:

N/A: The property is undeveloped and has no existing buildings or structures.

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

The proposed site is undeveloped property, formerly pasture land, with no existing buildings or structures.

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.

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.

BGICO, LLC is planning a new wastewater treatment plant located in Travis County, Texas at 4400 FM 1327, Buda, Texas 78610. The first phase is planned to have a treatment capacity of 0.150 million gallons per day (MGD), followed by an interim flow rate of 1.150 MGD, and a final capacity of 3.150 MGD. The plant will operate on the activated sludge treatment process, and will produce effluent suitable for meeting TCEQ's most stringent wastewater reuse standards described in 30 TAC Chapter 210. Effluent will be beneficially reused onto adjacent properties owned and operated by BGICO, LLC, Texas Disposal Systems, Inc., Texas Disposal Systems Landfill, Inc., Texas Landfill Management, LLC for irrigation, wash down water, dust control, truck washing, concrete manufacturing, etc. Effluent not reused will be discharged to Dry Creek, located adjacent to the proposed treatment plant. Wastewater sludge (biosolids) will either be disposed at the Texas Disposal Systems Landfill, Inc. (TDSL) Landfill located nearby, or transported to a permitted biosolids compost facility, again, operated by TLM.

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.

Buda

(City)

Hays

(County)

State: 48 - TEXAS, County: 453 - TRAVIS COUNTY, Census Tract Code: 0024.3

(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

70%

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

$29,691

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

White: 16%, Black 3%, American Indian 0%, Asian 0%, Hawaiian/Pacific Islander 0%, Other Race 0%, Two or more races: 1%, Hispanic 80%

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

Limited English households is 16%

(e) Languages commonly spoken in area by percentage

Limited English Speaking Breakdown is 100% Spanish

(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) City of Creedmoor

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)

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):0.150 MGD

2-Hr Peak Flow (MGD):0.60 MGD

Estimated construction start date:September 1, 2024

Estimated waste disposal start date:April 1, 2025

B. Interim II Phase

Design Flow (MGD):1.15 MGD

2-Hr Peak Flow (MGD):4.6 MGD

Estimated construction start date:September 1, 2025

Estimated waste disposal start date:March 1, 2026

C. Final Phase

Design Flow (MGD):3.15 MGD

2-Hr Peak Flow (MGD):12.60 MGD

Estimated construction start date:September 1, 2026

Estimated waste disposal start date:March 1, 2027

D. Current Operating Phase

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.**

The plant will consist of the following: influent lift station, headworks screening, odor control for headworks and portable toilet waste receiving station, conventional activated sludge aeration basins, clarifiers, sludge holding tanks, dewatering bins, chlorine and ultraviolet light disinfection units, tertiary filters, effluent pump station, above ground effluent storage, effluent flow pump station metering and discharge, landfill sludge disposal, and beneficial use of effluent in various commercial activities in the TDS, TDSL, TLM, and BGICO operations, and/or discharge into Dry Creek. The same type treatment units will be used in all three (3) phases of expansion.

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)
01 Pumping Raw Wastewater	1	50' x 50' x 25'
02 Preliminary Treatment - Bar Screen	1	30' x 40' x 5'
07 Flow Equalization Basins	2	TBD
14 Activated Sludge-Conventional	2	TBD
22 Secondary Clarification	1	25' x 15'
31 Other Filtrations	1	TBD
D3 Ultra Violet Light	2	TBD
51 Chlorination for Disinfection	1	TBD
62 Effluent Outfall	1	TBD

C. Process Flow Diagram

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

Attachment: See Exhibit 'O'

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° 06' 00" N, 30.097611 N (decimal)
- Longitude:97° 44' 26" W, -97.742139 W (decimal)

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 Exhibit 'G'

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

The treatment facility will serve southeastern Travis County, including the City of Creedmoor and surrounding subdivisions. Commercial flows from a nearby landfill, industrial park, and recycling operations will be part of the waste stream, along with portable toilets.

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
4,999 gal/day OSSF	TDS	Privately Owned	50
Future Developments	Various	Privately Owned	To be Determined
		Choose an item.	
		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:N/A

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.

The 12 acre site is large enough to achieve the 150 feet buffer zone for aerobic wastewater treatment operations. The property was obtained on June 28, 2018 through Travis County instrument 2018104451.

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.

Grit removal is not planned for the initial phase, but will likely be included in the interim and final phases. Grit will be disposed at the Texas Disposal Systems Landfill, Inc. Type I TCEQ permitted landfill.

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:

TXR05U151or TXRNEN/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.N/A

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 the 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_5concentration 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). ***Water 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	N/A	N/A	N/A	N/A	N/A
Total Suspended Solids, mg/l	N/A	N/A	N/A	N/A	N/A
Ammonia Nitrogen, mg/l	N/A	N/A	N/A	N/A	N/A
Nitrate Nitrogen, mg/l	N/A	N/A	N/A	N/A	N/A
Total Kjeldahl Nitrogen, mg/l	N/A	N/A	N/A	N/A	N/A
Sulfate, mg/l	N/A	N/A	N/A	N/A	N/A
Chloride, mg/l	N/A	N/A	N/A	N/A	N/A
Total Phosphorus, mg/l	N/A	N/A	N/A	N/A	N/A
pH, standard units	N/A	N/A	N/A	N/A	N/A
Dissolved Oxygen*, mg/l	N/A	N/A	N/A	N/A	N/A
Chlorine Residual, mg/l	N/A	N/A	N/A	N/A	N/A
E.coli (CFU/100ml) freshwater	N/A	N/A	N/A	N/A	N/A
Entercocci (CFU/100ml) saltwater	N/A	N/A	N/A	N/A	N/A
Total Dissolved Solids, mg/l	N/A	N/A	N/A	N/A	N/A
Electrical Conductivity, µmohs/cm, †	N/A	N/A	N/A	N/A	N/A
Oil & Grease, mg/l	N/A	N/A	N/A	N/A	N/A
Alkalinity ($CaCO_3$)*, mg/l	N/A	N/A	N/A	N/A	N/A

*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	N/A	N/A	N/A	N/A	N/A
Total Dissolved Solids, mg/l	N/A	N/A	N/A	N/A	N/A
pH, standard units	N/A	N/A	N/A	N/A	N/A
Fluoride, mg/l	N/A	N/A	N/A	N/A	N/A
Aluminum, mg/l	N/A	N/A	N/A	N/A	N/A

Pollutant	Average Conc.	Max Conc.	No. of Samples	Sample Type	Sample Date/Time
Alkalinity ($CaCO_3$), mg/l	N/A	N/A	N/A	N/A	N/A

Section 8. Facility Operator (Instructions Page 50)

Facility Operator Name:To be determined.

Facility Operator's License Classification and Level:To be determined.

Facility Operator's License Number:To be determined.

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:N/A

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	Phase 1, 0.23 dry metric tons per day or	Class B: PSRP Aerobic Digestion	Option 11: Biosolids covered at end of each day
Distribution & Marketing-Composting	Off-site Third-Party Handler or Preparer	Bulk	Phase 1, 0.23 dry metric tons per day	Class A: PFRP Composting	Option 5: Aerobic process for 14 days at >40C

If "Other" is selected for Management Practice, please explain (e.g. monofill or transport to another WWTP):N/A

D. Disposal site

Disposal site name:Texas Disposal Systems Landfill, Inc. Type I Sanitary Landfill for landfill disposal and San Antonio River Authority Martinez II WWTP for composting and beneficial reuse

TCEQ permit or registration number:TCEQ MSW Permit No. 2123 (landfill) and Martinez II Composting and Recycling Facility TCEQ Permit No. RN107783532 (composting)

County where disposal site is located:Travis (landfill) and Bexar (composting)

E. Transportation method

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

Name of the hauler:Texas Disposal Systems (TDS), Inc.

Hauler registration number:RN108484742

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: N/A
- USDA Natural Resources Conservation Service Soil Map:

  Attachment: N/A
- Federal Emergency Management Map:

Attachment:N/A

- Site map:

  Attachment:N/A

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:N/A

Total Kjeldahl Nitrogen, mg/kg:N/A

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

Phosphorus, mg/kg:N/A

Potassium, mg/kg:N/A

pH, standard units:N/A

Ammonia Nitrogen mg/kg:N/A

Arsenic:N/A

Cadmium:N/A

Chromium:N/A

Copper:N/A

Lead:N/A

Mercury:N/A

Molybdenum:N/A

Nickel:N/A

Selenium:N/A

Zinc:N/A

Total PCBs:N/A

Provide the following information:

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

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

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

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:N/A
- Copy of the closure plan

  Attachment:N/A
- Copy of deed recordation for the site

  Attachment:N/A
- Size of the sludge lagoon(s) in surface acres and capacity in cubic feet and gallons

  Attachment:N/A
- Description of the method of controlling infiltration of groundwater and surface water from entering the site

  Attachment:N/A

- Procedures to prevent the occurrence of nuisance conditions

  Attachment:N/A

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:N/A

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?

X Yes ☐ No

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

Although there are no existing authorizations, BGICO is also requesting a new reuse authorization, which is included as Exhibit 'Q'.

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.

BGICO, Texas Disposal Systems Landfill, Inc. (TDSL), Texas Disposal Systems, Inc. (TDS), and its surrounding area are growing significantly, and the existing on-site wastewater system is approaching capacity. Therefore, there is a need for additional wastewater capacity in order to continue to grow the TDS operations and provide an environmentally-friendly wastewater treatment option for third party developers in the area.

B. Regionalization of facilities

For additional guidance, please review TCEQ's Regionalization Policyfor 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:N/A

If yes, attach correspondence from the city.

Attachment:N/A

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:N/A

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: N/A

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: See Exhibit I,

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: Click to enter text.

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: Click to enter text.

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): N/A

Average Influent Organic Strength or BOD_5 Concentration in mg/l: N/A

Average Influent Loading (lbs/day = total average flow X average BOD_5 conc. X 8.34): N/A

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

N/A

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	N/A	N/A
Subdivision	0.109 MGD	500 mg/l
Trailer park - transient	N/A	N/A
Mobile home park	N/A	N/A
School with cafeteria and showers	N/A	N/A
School with cafeteria, no showers	N/A	N/A
Recreational park, overnight use	N/A	N/A
Recreational park, day use	N/A	N/A
Office building or factory	0.005 MGD	500 mg/l
Motel	N/A	N/A
Restaurant	N/A	N/A
Hospital	N/A	N/A
Nursing home	N/A	N/A
Other	0.036 MGD	200 to 5,000 mg/l
TOTAL FLOW from all sources	0.150 MGD	N/A
AVERAGE BOD_5 from all sources	N/A	724 mg/l

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:5

Total Suspended Solids, mg/l:5

Ammonia Nitrogen, mg/l:2

Total Phosphorus, mg/l:1

Dissolved Oxygen, mg/l:5

Other:N/A

B. Interim II Phase Design Effluent Quality

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

Total Suspended Solids, mg/l:5

Ammonia Nitrogen, mg/l:2

Total Phosphorus, mg/l:1

Dissolved Oxygen, mg/l:5

Other:N/A

C. Final Phase Design Effluent Quality

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

Total Suspended Solids, mg/l:5

Ammonia Nitrogen, mg/l:2

Total Phosphorus, mg/l:1

Dissolved Oxygen, mg/l:5

Other:N/A

D. Disinfection Method

Identify the proposed method of disinfection.

☐ Chlorine:Click to enter text.mg/l afterClick to enter text.minutes detention time at peak flow

Dechlorination process:Click to enter text.

☒ Ultraviolet Light:8.3 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: Please see Exhibit 'P'

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 Flood Insurance Rate Map Number 48453C0705K, Travis County, Texas Panel 705 of 730, Revised January 22, 2020

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:N/A

If no, provide the approximate date you anticipate submitting your application to the Corps:N/A

B. Wind rose

Attach a wind rose:Wind rose from Austin Bergstrom International Airport, approximately 8 miles northeast from the proposed facility, please see 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)**:N/A

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)**:N/A

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

Attach a solids management plan to the application.

Attachment: Please see Attachment 'K'

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:N/A

Distance and direction to the intake:N/A

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

Attachment:N/A

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:N/A

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:Dry 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:N/A

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:N/A

C. Downstream perennial confluences

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

No named streams within three miles downstream.

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.

Man-made livestock watering ponds.

E. Normal dry weather characteristics

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

Dry or near dry.

Date and time of observation:March 1, 2024,3:48 – 3:58 PM

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
☐ Upstream discharges
☒ Septic tanks
☒ Urban runoff
☒ Agricultural runoff
☐ 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

DOMESTIC WASTEWATER PERMIT APPLICATION WORKSHEET 2.1: STREAM PHYSICAL CHARACTERISTICS

Required for new applications, major facilities, and applications adding an outfall.

Worksheet 2.1 is not required for discharges to intermittent streams or discharges directly to (or within 300 feet of) a classified segment.

Section 1. General Information (Instructions Page 66)

Date of study:Click to enter text.Time of study:Click to enter text.

Stream name:Click to enter text.

Location:Click to enter text.

Type of stream upstream of existing discharge or downstream of proposed discharge (check one).

☐ Perennial ☐ Intermittent with perennial pools

Section 2. Data Collection (Instructions Page 66)

Number of stream bends that are well defined:Click to enter text.

Number of stream bends that are moderately defined:Click to enter text.

Number of stream bends that are poorly defined:Click to enter text.

Number of riffles:Click to enter text.

Evidence of flow fluctuations (check one):

☐ Minor ☐ moderate ☐ severe

Indicate the observed stream uses and if there is evidence of flow fluctuations or channel obstruction/modification.

Click to enter text.

Stream transects

In the table below, provide the following information for each transect downstream of the existing or proposed discharges. Use a separate row for each transect.

Table 2.1(1) - Stream Transect Records

Stream type at transect Select riffle, run, glide, or pool. See Instructions, Definitions section.	**Transect location**	**Water surface width (ft)**	**Stream depths (ft)** at 4 to 10 points along each transect from the channel bed to the water surface. Separate the measurements with commas.
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.			
Choose an item.			

Section 3. Summarize Measurements (Instructions Page 66)

Streambed slope of entire reach, from USGS map in feet/feet:Click to enter text.

Approximate drainage area above the most downstream transect (from USGS map or county highway map, in square miles):Click to enter text.

Length of stream evaluated, in feet:Click to enter text.

Number of lateral transects made:Click to enter text.

Average stream width, in feet:Click to enter text.

Average stream depth, in feet:Click to enter text.

Average stream velocity, in feet/second:Click to enter text.

Instantaneous stream flow, in cubic feet/second:Click to enter text.

Indicate flow measurement method (type of meter, floating chip timed over a fixed distance, etc.):Click to enter text.

Size of pools (large, small, moderate, none):Click to enter text.

Maximum pool depth, in feet:Click to enter text.

DOMESTIC WASTEWATER PERMIT APPLICATION WORKSHEET 3.0: LAND DISPOSAL OF EFFLUENT

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

Section 1. Type of Disposal System (Instructions Page 68)

Identify the method of land disposal:

- ☐ Surface application
- ☐ Irrigation
- ☐ Drip irrigation system
- ☐ Evaporation
- ☐ Subsurface application
- ☐ Subsurface soils absorption
- ☐ Subsurface area drip dispersal system
- ☐ Evapotranspiration beds
- ☐ Other (describe in detail):Click to enter text.

NOTE: All applicants without authorization or proposing new/amended subsurface disposal MUST complete and submit Worksheet 7.0.

For existing authorizations, provide Registration Number: Click to enter text.

Section 2. Land Application Site(s) (Instructions Page 68)

In table 3.0(1), provide the requested information for the land application sites. Include the agricultural or cover crop type (wheat, cotton, alfalfa, bermuda grass, native grasses, etc.), land use (golf course, hayland, pastureland, park, row crop, etc.), irrigation area, amount of effluent applied, and whether or not the public has access to the area. Specify the amount of land area and the amount of effluent that will be allotted to each agricultural or cover crop, if more than one crop will be used.

Table 3.0(1) – Land Application Site Crops

Crop Type & Land Use	Irrigation Area (acres)	Effluent Application (GPD)	Public Access? Y/N

Section 3. Storage and Evaporation Lagoons/Ponds (Instructions Page 68)

Table 3.0(2) – Storage and Evaporation Ponds

Pond Number	Surface Area (acres)	Storage Volume (acre- feet)	Dimensions	Liner Type

Attach a copy of a liner certification that was prepared, signed, and sealed by a Texas licensed professional engineer for each pond.

Attachment: Click to enter text.

Section 4. Flood and Runoff Protection (Instructions Page 68)

Is the land application site within the 100-year frequency flood level?

☐ Yes ☐ No

If yes, describe how the site will be protected from inundation.

Click to enter text.

Provide the source used to determine the 100-year frequency flood level:

Click to enter text.

Provide a description of tailwater controls and rainfall run-on controls used for the land application site.

Click to enter text.

Section 5. Annual Cropping Plan (Instructions Page 68)

Attach an Annual Cropping Plan which includes a discussion of each of the following items. If not applicable, provide a detailed explanation indicating why.**Attachment:**Click to enter text.

- Soils map with crops
- Cool and warm season plant species
- Crop yield goals
- Crop growing season
- Crop nutrient requirements
- Additional fertilizer requirements
- Minimum/maximum harvest height (for grass crops)
- Supplemental watering requirements
- Crop salt tolerances
- Harvesting method/number of harvests
- Justification for not removing existing vegetation to be irrigated

Section 6. Well and Map Information (Instructions Page 69)

Attach a USGS map with the following information shown and labeled. If not applicable, provide a detailed explanation indicating why.**Attachment:** Click to enter text.

- The boundaries of the land application site(s)
- Waste disposal or treatment facility site(s)
- On-site buildings
- Buffer zones
- Effluent storage and tailwater control facilities
- All water wells within 1-mile radius of the disposal site or property boundaries
- All springs and seeps onsite and within 500 feet of the property boundaries
- All surface waters in the state onsite and within 500 feet of the property boundaries
- All faults and sinkholes onsite and within 500 feet of the property

List and cross reference all water wells located within a half-mile radius of the disposal site or property boundaries shown on the USGS map in the following table. Attach additional pages as necessary to include all of the wells.

Table 3.0(3) – Water Well Data

Well ID	Well Use	Producing? Y/N	Open, cased, capped, or plugged?	Proposed Best Management Practice
			Choose an item.	
			Choose an item.	
			Choose an item.	
			Choose an item.	
			Choose an item.	

If water quality data or well log information is available please include the information in an attachment listed by Well ID.

Attachment: Click to enter text.

Section 7. Groundwater Quality (Instructions Page 69)

Attach a Groundwater Quality Technical Report which assesses the impact of the wastewater disposal system on groundwater. This report shall include an evaluation of the water wells (including the information in the well table provided in Item 6. above), the wastewater application rate, and pond liners. Indicate by a check mark that this report is provided.

Attachment: Click to enter text.

Are groundwater monitoring wells available onsite? ☐ Yes ☐ No

Do you plan to install ground water monitoring wells or lysimeters around the land application site? ☐ Yes ☐ No

If yes, provide the proposed location of the monitoring wells or lysimeters on a site map.

Attachment: Click to enter text.

Section 8. Soil Map and Soil Analyses (Instructions Page 70)

A. Soil map

Attach a USDA Soil Survey map that shows the area to be used for effluent disposal.

Attachment: Click to enter text.

B. Soil analyses

Attach the laboratory results sheets from the soil analyses. **Note:** for renewal applications, the current annual soil analyses required by the permit are acceptable as long as the test date is less than one year prior to the submission of the application.

Attachment: Click to enter text.

List all USDA designated soil series on the proposed land application site. Attach additional pages as necessary.

Table 3.0(4) – Soil Data

Soil Series	Depth from Surface	Permeability	Available Water Capacity	Curve Number

Section 9. Effluent Monitoring Data (Instructions Page 71)

Is the facility in operation?

☐ Yes ☐ No

If no, this section is not applicable and the worksheet is complete.

If yes, provide the effluent monitoring data for the parameters regulated in the existing permit. If a parameter is not regulated in the existing permit, enter N/A.

Table 3.0(5) – Effluent Monitoring Data

Date	30 Day Avg Flow MGD	BOD5 mg/l	TSS mg/l	pH	Chlorine Residual mg/l	Acres irrigated

Provide a discussion of all persistent excursions above the permitted limits and any corrective actions taken.

Click to enter text.

DOMESTIC WASTEWATER PERMIT APPLICATION WORKSHEET 3.1: SURFACE LAND DISPOSAL OF EFFLUENT

The following is required for new and majoramendment permit applications.Renewal and minor amendment permit applications may be asked for this worksheet on a case by case basis.

Section 1. Surface Disposal (Instructions Page 72)

Complete the item that applies for the method of disposal being used.

A. Irrigation

Area under irrigation, in acres:Click to enter text.

Design application frequency:

hours/dayClick to enter text.**And** days/weekClick to enter text.

Land grade (slope):

average percent (%):Click to enter text.

maximum percent (%):Click to enter text.

Design application rate in acre-feet/acre/year:Click to enter text.

Design total nitrogen loading rate, in lbs N/acre/year:Click to enter text.

Soil conductivity (mmhos/cm):Click to enter text.

Method of application:Click to enter text.

Attach a separate engineering report with the water balance and storage volume calculations, method of application, irrigation efficiency, and nitrogen balance.

Attachment: Click to enter text.

B. Evaporation ponds

Daily average effluent flow into ponds, in gallons per day:Click to enter text.

Attach a separate engineering report with the water balance and storage volume calculations.

Attachment: Click to enter text.

C. Evapotranspiration beds

Number of beds:Click to enter text.

Area of bed(s), in acres:Click to enter text.

Depth of bed(s), in feet:Click to enter text.

Void ratio of soil in the beds:Click to enter text.

Storage volume within the beds, in acre-feet:Click to enter text.

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

Attachment: Click to enter text.

D. Overland flow

Area used for application, in acres:Click to enter text.

Slopes for application area, percent (%):Click to enter text.

Design application rate, in gpm/foot of slope width:Click to enter text.

Slope length, in feet:Click to enter text.

Design BOD_5 loading rate, in lbs BOD_5/acre/day:Click to enter text.

Design application frequency:

hours/day:Click to enter text.**And** days/week:Click to enter text.

Attach a separate engineering report with the method of application and design requirements according to *30 TAC Chapter 217.*

Attachment: Click to enter text.

Section 2. Edwards Aquifer (Instructions Page 73)

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

☐ Yes ☐ No

If **yes**, is the facility located on the Edwards Aquifer Recharge Zone?

☐ Yes ☐ No

If yes, attach a geological report addressing potential recharge features.

Attachment: Click to enter text.

DOMESTIC WASTEWATER PERMIT APPLICATION WORKSHEET 3.2: SURFACE LAND DISPOSAL OF EFFLUENT

The following **is required** for **new and major amendment** permit applications.Renewal and minor amendments applicants may be asked for the worksheet on a case by case basis.

NOTE: All applicants proposing new/amended subsurface disposal MUST complete and submit Worksheet 7.0. This worksheet applies to any subsurface disposal system that **does not meet** the definition of a subsurface area drip dispersal system as defined in *30 TAC Chapter 222, Subsurface Area Drip Dispersal System.*

Section 1. Subsurface Application (Instructions Page 74)

Identify the type of system:

- ☐ Conventional Gravity Drainfield, Beds, or Trenches (new systems must be less than 5,000 GPD)
- ☐ Low Pressure Dosing
- ☐ Other, specify:Click to enter text.

Application area, in acres:Click to enter text.

Area of drainfield, in square feet:Click to enter text.

Application rate, in gal/square foot/day:Click to enter text.

Depth to groundwater, in feet:Click to enter text.

Area of trench, in square feet:Click to enter text.

Dosing duration per area, in hours:Click to enter text.

Number of beds:Click to enter text.

Dosing amount per area, in inches/day:Click to enter text.

Infiltration rate, in inches/hour:Click to enter text.

Storage volume, in gallons:Click to enter text.

Area of bed(s), in square feet:Click to enter text.

Soil Classification:Click to enter text.

Attach a separate engineering report with the information required in *30 TAC § 309.20,* excluding the requirements of § 309.20 b(3)(A) and (B) design analysis which may be asked for on a case by case basis. Include a description of the schedule of dosing basin rotation.

Attachment: Click to enter text.

Section 2. Edwards Aquifer (Instructions Page 74)

Is the subsurface system over the Edwards Aquifer Recharge Zone as mapped by TCEQ?

☐ Yes ☐ No

Is the subsurface system over the Edwards Aquifer Transition Zone as mapped by TCEQ?

☐ Yes ☐ No

If yes to either question, the subsurface system may be prohibited by *30 TAC §213.8.* Please call the Municipal Permits Team, at 512-239-4671, to schedule a pre-application meeting.

DOMESTIC WASTEWATER PERMIT APPLICATION WORKSHEET 3.3: SUBSURFACE AREA DRIP DISPERSAL (SADDS) LAND DISPOSAL OF EFFLUENT

The following **is required** for **new and major amendment**subsurface area drip dispersal system permit applications.Renewal and minor amendments applicants may be asked for the worksheet on a case by case basis.

NOTE: All applicants proposing new/amended subsurface disposal MUST complete and submit Worksheet 7.0. This worksheet applies to any subsurface disposal system that **meets** the definition of a subsurface area drip dispersal system as defined in *30 TAC Chapter 222, Subsurface Area Drip Dispersal System.*

Section 1. Administrative Information (Instructions Page 75)

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

B. Click to enter text.Is the owner of the land where the treatment facility is located the same as the owner of the treatment facility?

☐ Yes ☐ No

If **no**, provide the legal name of all corporations or other business entities managed, owned, or otherwise closely related to the owner of the land where the treatment facility is located.

Click to enter text.

C. Owner of the subsurface area drip dispersal system:Click to enter text.

D. Is the owner of the subsurface area drip dispersal system the same as the owner of the wastewater treatment facility or the site where the wastewater treatment facility is located?

☐ Yes ☐ No

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

Click to enter text.

E. Owner of the land where the subsurface area drip dispersal system is located:Click to enter text.

F. Is the owner of the land where the subsurface area drip dispersal system is located the same as owner of the wastewater treatment facility, the site where the wastewater treatment facility is located, or the owner of the subsurface area drip dispersal system?

☐ Yes ☐ No

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

Click to enter text.

Section 2. Subsurface Area Drip Dispersal System (Instructions Page 75)

A. Type of system

☐ Subsurface Drip Irrigation

☐ Surface Drip Irrigation

☐ Other, specify:Click to enter text.

B. Irrigation operations

Application area, in acres:Click to enter text.

Infiltration Rate, in inches/hour:Click to enter text.

Average slope of the application area, percent (%):Click to enter text.

Maximum slope of the application area, percent (%):Click to enter text.

Storage volume, in gallons:Click to enter text.

Major soil series:Click to enter text.

Depth to groundwater, in feet:Click to enter text.

C. Application rate

Is the facility located **west** of the boundary shown in *30 TAC § 222.83***and** also using a vegetative cover of non-native grasses over seeded with cool season grasses during the winter months (October-March)?

☐ Yes ☐ No

If yes, then the facility may propose a hydraulic application rate not to exceed 0.1 gal/square foot/day.

Is the facility located **east** of the boundary shown in *30 TAC § 222.83***or** in any part of the state when the vegetative cover is any crop other than non-native grasses?

☐ Yes ☐ No

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

Do you plan to submit an alternative method to calculate the hydraulic application rate for approval by the executive director?

☐ Yes ☐ No

Hydraulic application rate, in gal/square foot/day:Click to enter text.

Nitrogen application rate, in lbs/gal/day:Click to enter text.

D. Dosing information

Number of doses per day:Click to enter text.

Dosing duration per area, in hours:Click to enter text.

Rest period between doses, in hours:Click to enter text.

Dosing amount per area, in inches/day:Click to enter text.

Number of zones:Click to enter text.

Does the proposed subsurface drip irrigation system use tree vegetative cover as a crop?

☐ Yes ☐ No

If **yes**, provide a vegetation survey by a certified arborist. Please call the Water Quality Assessment Team at (512) 239-4671 to schedule a pre-application meeting.

Attachment: Click to enter text.

Section 3. Required Plans (Instructions Page 75)

A. Recharge feature plan

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

Attachment: Click to enter text.

B. Soil evaluation

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

Attachment: Click to enter text.

C. Site preparation plan

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

Attachment: Click to enter text.

D. Soil sampling/testing

Attach soil sampling and testing that includes all information required in *30 TAC §222.157.*

Attachment: Click to enter text.

Section 4. Floodway Designation (Instructions Page 76)

A. Site location

Is the existing/proposed land application site within a designated floodway?

☐ Yes ☐ No

B. Flood map

Attach either the FEMA flood map or alternate information used to determine the floodway.

Attachment: Click to enter text.

Section 5. Surface Waters in the State (Instructions Page 76)

A. Buffer Map

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

Attachment: Click to enter text.

B. Buffer variance request

Do you plan to request a buffer variance from water wells or waters in the state?

☐ Yes ☐ No

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

Attachment: Click to enter text.

Section 6. Edwards Aquifer (Instructions Page 76)

A. Is the SADDS located over the Edwards Aquifer Recharge Zone as mapped by TCEQ?

☐ Yes ☐ No

B. Is the SADDS located over the Edwards Aquifer Transition Zone as mapped by TCEQ?

☐ Yes ☐ No

If yes to either question, then the SADDS may be prohibited by *30 TAC §213.8.* Please call the Municipal Permits Team at 512-239-4671 to schedule a pre-application meeting.

DOMESTIC WASTEWATER PERMIT APPLICATION WORKSHEET 4.0: POLLUTANT ANALYSIS REQUIREMENTS

The following **is required** for facilities with a permitted or proposed flow of **1.0 MGD or greater**, facilities with an approved **pretreatment** program, or facilities classified as a **major** facility. See instructions for further details.

This worksheet is not required minor amendments without renewal.

Section 1. Toxic Pollutants (Instructions Page 78)

For pollutants identified in Table 4.0(1), indicate the type of sample.

Grab☐ Composite☐

Date and time sample(s) collected: Click to enter text.

Table 4.0(1) – Toxics Analysis

Pollutant	AVG Effluent Conc. (µg/l)	MAX Effluent Conc. (µg/l)	Number of Samples	MAL (µg/l)
Acrylonitrile				50
Aldrin				0.01
Aluminum				2.5
Anthracene				10
Antimony				5
Arsenic				0.5
Barium				3
Benzene				10
Benzidine				50
Benzo(a)anthracene				5
Benzo(a)pyrene				5
Bis(2-chloroethyl)ether				10
Bis(2-ethylhexyl)phthalate				10
Bromodichloromethane				10
Bromoform				10
Cadmium				1
Carbon Tetrachloride				2
Carbaryl				5
Chlordane*				0.2
Chlorobenzene				10
Chlorodibromomethane				10

Pollutant	AVG Effluent Conc. (µg/l)	MAX Effluent Conc. (µg/l)	Number of Samples	MAL (µg/l)
Chloroform				10
Chlorpyrifos				0.05
Chromium (Total)				3
Chromium (Tri) **(*1)**				N/A
Chromium (Hex)				3
Copper				2
Chrysene				5
p-Chloro-m-Cresol				10
4,6-Dinitro-o-Cresol				50
p-Cresol				10
Cyanide **(*2)**				10
4,4'- DDD				0.1
4,4'- DDE				0.1
4,4'- DDT				0.02
2,4-D				0.7
Demeton (O and S)				0.20
Diazinon				0.5/0.1
1,2-Dibromoethane				10
m-Dichlorobenzene				10
o-Dichlorobenzene				10
p-Dichlorobenzene				10
3,3'-Dichlorobenzidine				5
1,2-Dichloroethane				10
1,1-Dichloroethylene				10
Dichloromethane				20
1,2-Dichloropropane				10
1,3-Dichloropropene				10
Dicofol				1
Dieldrin				0.02
2,4-Dimethylphenol				10
Di-n-Butyl Phthalate				10
Diuron				0.09
Endosulfan I (alpha)				0.01

Pollutant	AVG Effluent Conc. (µg/l)	MAX Effluent Conc. (µg/l)	Number of Samples	MAL (µg/l)
Endosulfan II (beta)				0.02
Endosulfan Sulfate				0.1
Endrin				0.02
Ethylbenzene				10
Fluoride				500
Guthion				0.1
Heptachlor				0.01
Heptachlor Epoxide				0.01
Hexachlorobenzene				5
Hexachlorobutadiene				10
Hexachlorocyclohexane (alpha)				0.05
Hexachlorocyclohexane (beta)				0.05
gamma-Hexachlorocyclohexane (Lindane)				0.05
Hexachlorocyclopentadiene				10
Hexachloroethane				20
Hexachlorophene				10
Lead				0.5
Malathion				0.1
Mercury				0.005
Methoxychlor				2
Methyl Ethyl Ketone				50
Mirex				0.02
Nickel				2
Nitrate-Nitrogen				100
Nitrobenzene				10
N-Nitrosodiethylamine				20
N-Nitroso-di-n-Butylamine				20
Nonylphenol				333
Parathion (ethyl)				0.1
Pentachlorobenzene				20
Pentachlorophenol				5
Phenanthrene				10

Pollutant	AVG Effluent Conc. (µg/l)	MAX Effluent Conc. (µg/l)	Number of Samples	MAL (µg/l)
Polychlorinated Biphenyls (PCB's) (*3)				0.2
Pyridine				20
Selenium				5
Silver				0.5
1,2,4,5-Tetrachlorobenzene				20
1,1,2,2-Tetrachloroethane				10
Tetrachloroethylene				10
Thallium				0.5
Toluene				10
Toxaphene				0.3
2,4,5-TP (Silvex)				0.3
Tributyltin (see instructions for explanation)				0.01
1,1,1-Trichloroethane				10
1,1,2-Trichloroethane				10
Trichloroethylene				10
2,4,5-Trichlorophenol				50
TTHM (Total Trihalomethanes)				10
Vinyl Chloride				10
Zinc				5

(*1) Determined by subtracting hexavalent Cr from total Cr.

(*2) Cyanide, amenable to chlorination or weak- acid dissociable.

(*3) The sum of seven PCB congeners 1242, 1254, 1221, 1232, 1248, 1260, and 1016.

Section 2. Priority Pollutants

For pollutants identified in Tables 4.0(2)A-E, indicate type of sample.

Grab☐ Composite☐

Date and time sample(s) collected: Click to enter text.

Table 4.0(2)A – Metals, Cyanide, and Phenols

Pollutant	AVG Effluent Conc. (µg/l)	MAX Effluent Conc. (µg/l)	Number of Samples	MAL (µg/l)
Antimony				5
Arsenic				0.5
Beryllium				0.5
Cadmium				1
Chromium (Total)				3
Chromium (Hex)				3
Chromium (Tri) (*1)				N/A
Copper				2
Lead				0.5
Mercury				0.005
Nickel				2
Selenium				5
Silver				0.5
Thallium				0.5
Zinc				5
Cyanide (*2)				10
Phenols, Total				10

(*1) Determined by subtracting hexavalent Cr from total Cr.

(*2) Cyanide, amenable to chlorination or weak- acid dissociable

Table 4.0(2)B – Volatile Compounds

Pollutant	AVG Effluent Conc. (µg/l)	MAX Effluent Conc. (µg/l)	Number of Samples	MAL (µg/l)
Acrolein				50
Acrylonitrile				50
Benzene				10
Bromoform				10
Carbon Tetrachloride				2
Chlorobenzene				10
Chlorodibromomethane				10
Chloroethane				50
2-Chloroethylvinyl Ether				10
Chloroform				10
Dichlorobromomethane[Bromodichloromethane]				10
1,1-Dichloroethane				10
1,2-Dichloroethane				10
1,1-Dichloroethylene				10
1,2-Dichloropropane				10
1,3-Dichloropropylene [1,3-Dichloropropene]				10
1,2-Trans-Dichloroethylene				10
Ethylbenzene				10
Methyl Bromide				50
Methyl Chloride				50
Methylene Chloride				20
1,1,2,2-Tetrachloroethane				10
Tetrachloroethylene				10
Toluene				10
1,1,1-Trichloroethane				10
1,1,2-Trichloroethane				10
Trichloroethylene				10
Vinyl Chloride				10

Table 4.0(2)C – Acid Compounds

Pollutant	AVG Effluent Conc. (µg/l)	MAX Effluent Conc. (µg/l)	Number of Samples	MAL (µg/l)
2-Chlorophenol				10
2,4-Dichlorophenol				10
2,4-Dimethylphenol				10
4,6-Dinitro-o-Cresol				50
2,4-Dinitrophenol				50
2-Nitrophenol				20
4-Nitrophenol				50
P-Chloro-m-Cresol				10
Pentalchlorophenol				5
Phenol				10
2,4,6-Trichlorophenol				10

Table 4.0(2)D – Base/Neutral Compounds

Pollutant	AVG Effluent Conc. (µg/l)	MAX Effluent Conc. (µg/l)	Number of Samples	MAL (µg/l)
Acenaphthene				10
Acenaphthylene				10
Anthracene				10
Benzidine				50
Benzo(a)Anthracene				5
Benzo(a)Pyrene				5
3,4-Benzofluoranthene				10
Benzo(ghi)Perylene				20
Benzo(k)Fluoranthene				5
Bis(2-Chloroethoxy)Methane				10
Bis(2-Chloroethyl)Ether				10
Bis(2-Chloroisopropyl)Ether				10
Bis(2-Ethylhexyl)Phthalate				10
4-Bromophenyl Phenyl Ether				10
Butyl benzyl Phthalate				10
2-Chloronaphthalene				10
4-Chlorophenyl phenyl ether				10
Chrysene				5
Dibenzo(a,h)Anthracene				5
1,2-(o)Dichlorobenzene				10
1,3-(m)Dichlorobenzene				10
1,4-(p)Dichlorobenzene				10
3,3-Dichlorobenzidine				5
Diethyl Phthalate				10
Dimethyl Phthalate				10
Di-n-Butyl Phthalate				10
2,4-Dinitrotoluene				10
2,6-Dinitrotoluene				10
Di-n-Octyl Phthalate				10
1,2-Diphenylhydrazine (as Azo-benzene)				20
Fluoranthene				10

Pollutant	AVG Effluent Conc. (µg/l)	MAX Effluent Conc. (µg/l)	Number of Samples	MAL (µg/l)
Fluorene				10
Hexachlorobenzene				5
Hexachlorobutadiene				10
Hexachlorocyclo-pentadiene				10
Hexachloroethane				20
Indeno(1,2,3-cd)pyrene				5
Isophorone				10
Naphthalene				10
Nitrobenzene				10
N-Nitrosodimethylamine				50
N-Nitrosodi-n-Propylamine				20
N-Nitrosodiphenylamine				20
Phenanthrene				10
Pyrene				10
1,2,4-Trichlorobenzene				10

Table 4.0(2)E - Pesticides

Pollutant	AVG Effluent Conc. (µg/l)	MAX Effluent Conc. (µg/l)	Number of Samples	MAL (µg/l)
Aldrin				0.01
alpha-BHC (Hexachlorocyclohexane)				0.05
beta-BHC (Hexachlorocyclohexane)				0.05
gamma-BHC (Hexachlorocyclohexane)				0.05
delta-BHC (Hexachlorocyclohexane)				0.05
Chlordane				0.2
4,4-DDT				0.02
4,4-DDE				0.1
4,4,-DDD				0.1
Dieldrin				0.02
Endosulfan I (alpha)				0.01
Endosulfan II (beta)				0.02
Endosulfan Sulfate				0.1
Endrin				0.02
Endrin Aldehyde				0.1
Heptachlor				0.01
Heptachlor Epoxide				0.01
PCB-1242				0.2
PCB-1254				0.2
PCB-1221				0.2
PCB-1232				0.2
PCB-1248				0.2
PCB-1260				0.2
PCB-1016				0.2
Toxaphene				0.3

* For PCBS, if all are non-detects, enter the highest non-detect preceded by a "<".

Section 3. Dioxin/Furan Compounds

A. Indicate which of the following compounds from may be present in the influent from a contributing industrial user or significant industrial user. Check all that apply.

- ☐ 2,4,5-trichlorophenoxy acetic acid
  Common Name 2,4,5-T, CASRN 93-76-5
- ☐ 2-(2,4,5-trichlorophenoxy) propanoic acid
  Common Name Silvex or 2,4,5-TP, CASRN 93-72-1
- ☐ 2-(2,4,5-trichlorophenoxy) ethyl 2,2-dichloropropionate
  Common Name Erbon, CASRN 136-25-4
- ☐ 0,0-dimethyl 0-(2,4,5-trichlorophenyl) phosphorothioate
  Common Name Ronnel, CASRN 299-84-3
- ☐ 2,4,5-trichlorophenol
  Common Name TCP, CASRN 95-95-4
- ☐ hexachlorophene
  Common Name HCP, CASRN 70-30-4

For each compound identified, provide a brief description of the conditions of its/their presence at the facility.

Click to enter text.

B. Do you know or have any reason to believe that 2,3,7,8 Tetrachlorodibenzo-P-Dioxin (TCDD) or any congeners of TCDD may be present in your effluent?

☐ Yes ☐ No

If **yes**, provide a brief description of the conditions for its presence.

Click to enter text.

C. If any of the compounds in Subsection A **or** B are present, complete Table 4.0(2)F.

For pollutants identified in Table 4.0(2)F, indicate the type of sample.

Grab☐ Composite☐

Date and time sample(s) collected:Click to enter text.

Table 4.0(2)F – Dioxin/Furan Compounds

Compound	Toxic Equivalency Factors	Wastewater Concentration (ppq)	Wastewater Equivalents (ppq)	Sludge Concentration (ppt)	Sludge Equivalents (ppt)	MAL (ppq)
2,3,7,8 TCDD	1					10
1,2,3,7,8 PeCDD	0.5					50
2,3,7,8 HxCDDs	0.1					50
1,2,3,4,6,7,8 HpCDD	0.01					50
2,3,7,8 TCDF	0.1					10
1,2,3,7,8 PeCDF	0.05					50
2,3,4,7,8 PeCDF	0.5					50
2,3,7,8 HxCDFs	0.1					50
2,3,4,7,8 HpCDFs	0.01					50
OCDD	0.0003					100
OCDF	0.0003					100
PCB 77	0.0001					0.5
PCB 81	0.0003					0.5
PCB 126	0.1					0.5
PCB 169	0.03					0.5
Total						

DOMESTIC WASTEWATER PERMIT APPLICATION WORKSHEET 5.0: TOXICITY TESTING REQUIREMENTS

The following **is required** for facilities with a current operating design flow of**1.0 MGD or greater**, with an EPA-approved **pretreatment** program (or those required to have one under 40 CFR Part 403), or are required to perform Whole Effluent Toxicity testing. See instructions for further details.

This worksheet is not required minor amendments without renewal.

Section 1. Required Tests (Instructions Page 88)

Indicate the number of 7-day chronic or 48-hour acute Whole Effluent Toxicity (WET) tests performed in the four and one-half years prior to submission of the application.

7-day Chronic:Click to enter text.

48-hour Acute:Click to enter text.

Section 2. Toxicity Reduction Evaluations (TREs)

Has this facility completed a TRE in the past four and a half years? Or is the facility currently performing a TRE?

☐ Yes ☐ No

If yes, describe the progress to date, if applicable, in identifying and confirming the toxicant.

Click to enter text.

Section 3. Summary of WET Tests

If the required biomonitoring test information has not been previously submitted via both the Discharge Monitoring Reports (DMRs) and the Table 1 (as found in the permit), provide a summary of the testing results for all valid and invalid tests performed over the past four and one-half years. Make additional copies of this table as needed.

Table 5.0(1) Summary of WET Tests

Test Date	Test Species	NOEC Survival	NOEC Sub- lethal

DOMESTIC WASTEWATER PERMIT APPLICATION WORKSHEET 6.0: INDUSTRIAL WASTE CONTRIBUTION

The following **is required** for**all publicly owned treatment works**.

Section 1. All POTWs (Instructions Page 89)

A. Industrial users (IUs)

Provide the number of each of the following types of industrial users (IUs) that discharge to your POTW and the daily flows from each user. See the Instructions for definitions of Categorical IUs, Significant IUs - non-categorical, and Other IUs.

If there are no users, enter 0 (zero).

Categorical IUs:

Number of IUs:Click to enter text.

Average Daily Flows, in MGD:Click to enter text.

Significant IUs - non-categorical:

Number of IUs:Click to enter text.

Average Daily Flows, in MGD:Click to enter text.

Other IUs:

Number of IUs:Click to enter text.

Average Daily Flows, in MGD:Click to enter text.

B. Treatment plant interference

In the past three years, has your POTW experienced treatment plant interference (see instructions)?

☐ Yes ☐ No

If yes, identify the dates, duration, description of interference, and probable cause(s) and possible source(s) of each interference event. Include the names of the IUs that may have caused the interference.

Click to enter text.

C. Treatment plant pass through

In the past three years, has your POTW experienced pass through (see instructions)?

☐ Yes ☐ No

If yes, identify the dates, duration, a description of the pollutants passing through the treatment plant, and probable cause(s) and possible source(s) of each pass through event. Include the names of the IUs that may have caused pass through.

Click to enter text.

D. Pretreatment program

Does your POTW have an approved pretreatment program?

☐ Yes ☐ No

If yes, complete Section 2 only of this Worksheet.

Is your POTW required to develop an approved pretreatment program?

☐ Yes ☐ No

If yes, complete Section 2.c. and 2.d. only, and skip Section 3.

If no to either question above, skip Section 2 and complete Section 3 for each significant industrial user and categorical industrial user.

E. Service Area Map

Attach a map indicating the service area of the POTW. The map should include the applicant's service area boundaries and the location of any known industrial users discharging to the POTW. Please see the instructions for guidance.

Attachment: Click to enter text.

Section 2. POTWs with Approved Programs or Those Required to Develop a Program (Instructions Page 90)

A. Substantial modifications

Have there been any **substantial modifications** to the approved pretreatment program that have not been submitted to the TCEQ for approvalaccording to *40 CFR §403.18*?

☐ Yes ☐ No

If yes, identify the modifications that have not been submitted to TCEQ, including the purpose of the modification.

Click to enter text.

B. Non- substantial modifications

Have there been any **non- substantial modifications** to the approved pretreatment program that have not been submitted to TCEQ for review and acceptance?

☐ Yes ☐ No

If yes, identify all non-substantial modifications that have not been submitted to TCEQ, including the purpose of the modification.

Click to enter text.

C. Effluent parameters above the MAL

In Table 6.0(1), list all parameters measured above the MAL in the POTW's effluent monitoring during the last three years. Submit an attachment if necessary.

Table 6.0(1) – Parameters Above the MAL

Pollutant	Concentration	MAL	Units	Date

D. Industrial user interruptions

Has any SIU, CIU, or other IU caused or contributed to any problems (excluding interferences or pass throughs) at your POTW in the past three years?

☐ Yes ☐ No

If yes, identify the industry, describe each episode, including dates, duration, description of the problems, and probable pollutants.

Click to enter text.

Section 3. Significant Industrial User (SIU) Information and Categorical Industrial User (CIU) (Instructions Page 90)

A. General information

Company Name:Click to enter text.

SIC Code:Click to enter text.

Contact name:Click to enter text.

Address:Click to enter text.

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

Telephone number:Click to enter text.

Email address:Click to enter text.

B. Process information

Describe the industrial processes or other activities that affect or contribute to the SIU(s) or CIU(s) discharge (i.e., process and non-process wastewater).

Click to enter text.

C. Product and service information

Provide a description of the principal product(s) or services performed.

Click to enter text.

D. Flow rate information

See the Instructions for definitions of "process" and "non-process wastewater."

Process Wastewater:

Discharge, in gallons/day:Click to enter text.

Discharge Type:☐ Continuous ☐ Batch ☐ Intermittent

Non-Process Wastewater:

Discharge, in gallons/day:Click to enter text.

Discharge Type:☐ Continuous ☐ Batch ☐ Intermittent

E. Pretreatment standards

Is the SIU or CIU subject to technically based local limits as defined in the instructions?

☐ Yes ☐ No

Is the SIU or CIU subject to categorical pretreatment standards found in *40 CFR Parts 405–471*?

☐ Yes ☐ No

If subject to categorical pretreatment standards, indicate the applicable category and subcategory for each categorical process.

Category:Subcategories:Click to enter text.

Click or tap here to enter text.Click to enter text.

Category:Click to enter text.

Subcategories:Click to enter text.

Category:Click to enter text.

Subcategories:Click to enter text.

Category:Click to enter text.

Subcategories:Click to enter text.

Category:Click to enter text.

Subcategories:Click to enter text.

F. Industrial user interruptions

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

☐ Yes ☐ No

If yes, identify the SIU, describe each episode, including dates, duration, description of problems, and probable pollutants.

Click to enter text.

WORKSHEET 7.0

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

CLASS V INJECTION WELL INVENTORY/AUTHORIZATION FORM

Submit the completed form to:

TCEQ
IUC Permits Team
Radioactive Materials Division
MC-233
PO Box 13087
Austin, Texas 78711-3087
512-239-6466

For TCEQ Use Only
Reg. No._____
Date Received_____
Date Authorized_____

Section 1. General Information (Instructions Page 92)

1. **TCEQ Program Area**

Program Area (PST, VCP, IHW, etc.):Click to enter text.

Program ID:Click to enter text.

Contact Name:Click to enter text.

Phone Number:Click to enter text.

2. **Agent/Consultant Contact Information**

Contact Name:Click to enter text.

Address:Click to enter text.

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

Phone Number:Click to enter text.

3. **Owner/Operator Contact Information**

☐ Owner ☐ Operator

Owner/Operator Name:Click to enter text.

Contact Name:Click to enter text.

Address:Click to enter text.

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

Phone Number:Click to enter text.

4. **Facility Contact Information**

Facility Name:Click to enter text.

Address:Click to enter text.

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

Location description (if no address is available):Click to enter text.

Facility Contact Person:Click to enter text.

Phone Number:Click to enter text.

5. **Latitude and Longitude, in degrees- minutes- seconds**

Latitude:Click to enter text.

Longitude:Click to enter text.

Method of determination (GPS, TOPO, etc.):Click to enter text.

Attach topographic quadrangle map as attachment A.

6. **Well Information**

Type of Well Construction, select one:

- ☐ Vertical Injection
- ☐ Subsurface Fluid Distribution System
- ☐ Infiltration Gallery
- ☐ Temporary Injection Points
- ☐ Other, Specify:Click to enter text.

Number of Injection Wells:Click to enter text.

7. **Purpose**

Detailed Description regarding purpose of Injection System:

Click to enter text.

Attach a Site Map as Attachment B (Attach the Approved Remediation Plan, if appropriate.)

8. **Water Well Driller/Installer**

Water Well Driller/Installer Name: Click to enter text.

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

Phone Number:Click to enter text.

License Number:Click to enter text.

Section 2. Proposed Down Hole Design

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

Table 7.0(1) – Down Hole Design Table

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

Section 3. Proposed Trench System, Subsurface Fluid Distribution System, or Infiltration Gallery

Attach a diagram signed and sealed by a licensed engineer as Attachment D.

System(s) Dimensions:Click to enter text.

System(s) Construction:Click to enter text.

Section 4. Site Hydrogeological and Injection Zone Data

1. Name of Contaminated Aquifer:Click to enter text.
2. Receiving Formation Name of Injection Zone:Click to enter text.
3. Well/Trench Total Depth:Click to enter text.
4. Surface Elevation:Click to enter text.
5. Depth to Ground Water:Click to enter text.
6. Injection Zone Depth:Click to enter text.
7. Injection Zone vertically isolated geologically? ☐ Yes ☐ No

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

   Name:Click to enter text.

   Thickness:Click to enter text.
8. Provide a list of contaminants and the levels (ppm) in contaminated aquifer

   Attach as Attachment E.
9. Horizontal and Vertical extent of contamination and injection plume

   Attach as Attachment F.
10. Formation (Injection Zone) Water Chemistry (Background levels) TDS, etc.

    Attach as Attachment G.
11. Injection Fluid Chemistry in PPM at point of injection

    Attach as Attachment H.
12. Lowest Known Depth of Ground Water with < 10,000 PPM TDS:Click to enter text.
13. Maximum injection Rate/Volume/Pressure:Click to enter text.
14. Water wells within 1/4 mile radius (attach map as Attachment I):Click to enter text.
15. Injection wells within 1/4 mile radius (attach map as Attachment J):Click to enter text.
16. Monitor wells within 1/4 mile radius (attach drillers logs and map as Attachment K):Click to enter text.
17. Sampling frequency:Click to enter text.
18. Known hazardous components in injection fluid:Click to enter text.

Section 5. Site History

1. Type of Facility:Click to enter text.
2. Contamination Dates:Click to enter text.
3. Original Contamination (VOCs, TPH, BTEX, etc.) and Concentrations (attach as Attachment L):Click to enter text.
4. Previous Remediation (attach results of any previous remediation as attachment M):Click to enter text.

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

Class V Injection Well Designations

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

23. Street Address of the Regulated Entity: *(No PO Boxes)*	4400 FM 1327							
	City	Buda	**State**	TX	**ZIP**	78610	**ZIP + 4**	2184
24. County	Travis							

Enter Physical Location Description if no street address is provided.

25. Description to Physical Location:					
26. Nearest City			**State**	**Nearest ZIP Code**	
Creedmoor			TX	78610	
27. Latitude (N)In Decimal:	30.097611		**28. Longitude (W)In Decimal:**	-97.742139	
Degrees	Minutes	Seconds	Degrees	Minutes	Seconds
30	05	51.4	-97	44	31.7

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)
4939	6531	22132	23721

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

34. Mailing Address:	**BGICO, LLC**							
	P.O. Box 17126							
	City	**Austin**	**State**	**TX**	**ZIP**	**78760**	**ZIP + 4**	**7126**
35. E-Mail Address:	**gnewton@texasdisposal.com**							

36. Telephone Number	**37. Extension or Code**	**38. Fax Number** *(if applicable)*
(512) 421-1300		( ) -

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	☒ Waste Water	☐ Wastewater Agriculture	☐ Water Rights	☐ Other:
	N/A, New Permit Application			

SECTION IV: Preparer Information

40. Name:	James Doersam, P.E.	**41. Title:**	Engineer

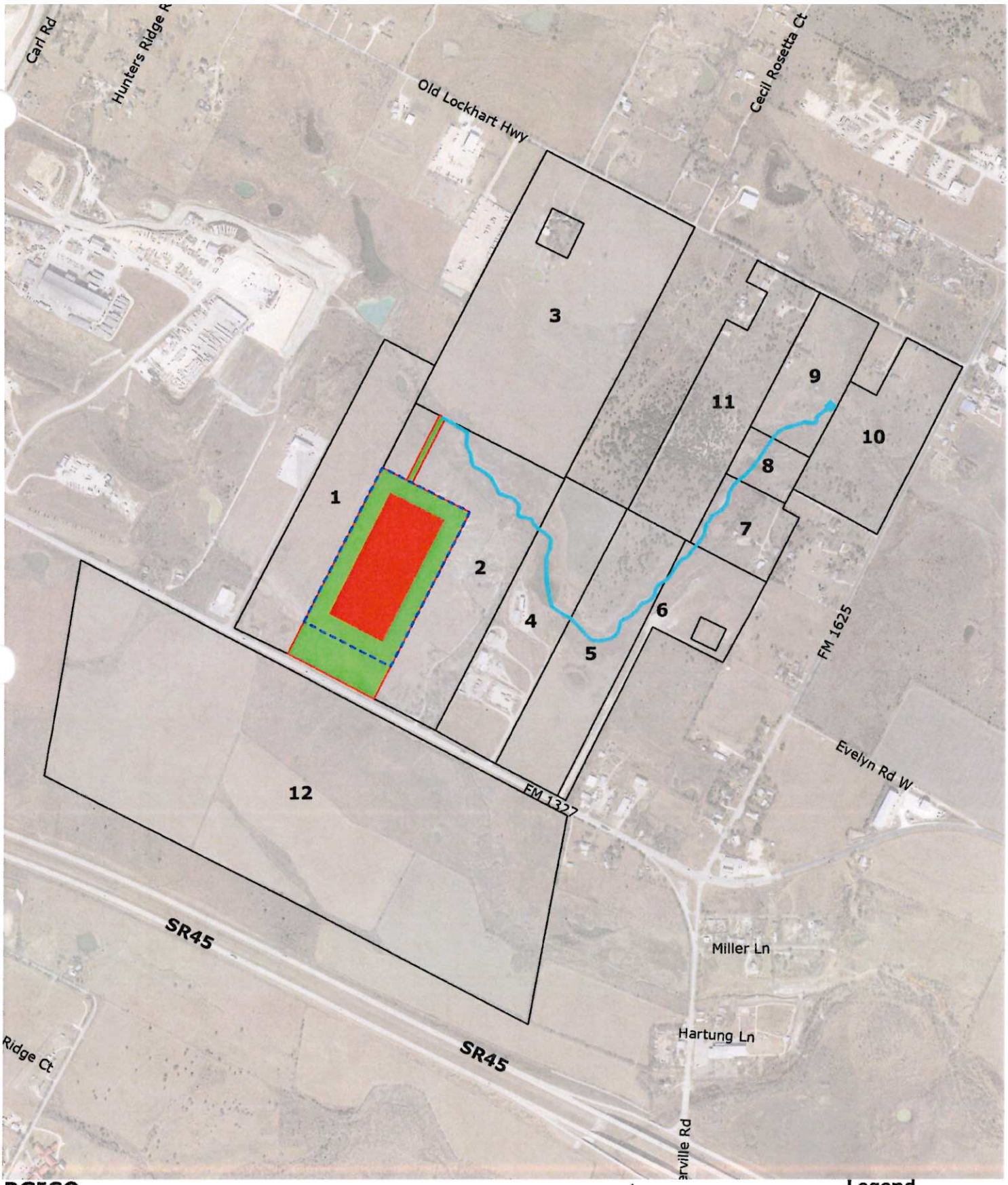
42. Telephone Number	**43. Ext./Code**	**44. Fax Number**	**45. E-Mail Address**
(512) 421-1300		( ) -	jdoersam@texasdisposal.com

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, Field6 and/or as required for the updates to the ID numbers identified in field 39.

Company:	BGICO, LLC	**Job Title:**	Executive Vice President
Name *(In Print):*	Clint Harp	**Phone:**	(512)421-**1300**

Signature:		Date:	6/19/24



BGICO
.024 WWTP Permit
Adjacent Landowner Map

MRB | group

2024 BGICO WWTP Permit
Adjacent Landowners

Map Key	Property ID	Owner	Acres	Mailing Address
1	300567	HARRIS CRAIGAN R	27.561	11600 OLD LOCKHART RD CREEDMOOR TX 78610-2075
2	300566	TEXAS DISPOSAL SYSTEMS LANDFILL INC	68.72	PO BOX 17126 AUSTIN TX 78760-7126
3	300561	HARRIS CRAIGAN R	68.022	11600 OLD LOCKHART RD CREEDMOOR TX 78610-2075
4	301058	HEMPHILL CAROLYN DITTMAR	29.37	1313 W DITTMAR RD AUSTIN TX 78745-6204
5	301057	HOLDEN ARNOLD & LUCILLE	28.735	1805 MANADA TRAIL LEANDER TX 78641-2626
6	301060	HEMPHILL SCOTT	14.06	PO BOX 1621 DRIPPING SPRINGS TX 78620-1621
7	300585	ZIN LIN AND DOANH LUONG	9.786	610 GREEN APPLE DR GARLAND TX 75044-2562
8	300584	SOUTHPORT A AND G GROUP INC	4.894	2404 APPLE VALLEY CIR AUSTIN TX 78747-1637
9	300581	SOUTHPORT A AND G GROUP INC	14.681	2404 APPLE VALLEY CIR AUSTIN TX 78747-1637
10	300580	HUNTER RICHARD AND LAURA DITTMAR	23.323	11716 OLD LOCKHART RD CREEDMOOR TX 78610-2087
11	300562	RIOS JOSE F	27.87	P.O. BOX 19493 AUSTIN TX 78760-9493
12	301039	LINDSAY LUCY MONTGOMERY	165.72	PO BOX 2690 SAN ANGELO TX 76902-2690


2024/03/01 15:49
316m 0994hPa
N 30°05′55″N 097°44′32″W
03 01 2024


2024/03/01 15:58
311m 0994hPa
S 30°05′59″N 097°44′25″W
03.01.2024


SSE
2024/03/01 15:48
319m 0993hPa
30°05′55″N 097°44′32″W
03.01.2024


2024/03/01 15:56
312m 0994hPa
NW 30°06′00″N 097°44′26″W
03.01.2024


ENE
2024/03/01 15:57
313m 0994hPa
30°05′59″N 097°44′25″W
03 01 2024


2024/03/01 15:56
313m 0994hPa
NW 30°06′00″N 097°44′26″W
03 01 2024


2024/03/01 15:48
320m 0993hPa
WSW 30° 05′ 55″N 097° 44′ 32″W
03.01.2024


N
2024/03/01 15:57
312m 0994hPa
30° 05′ 59″N 097° 44′ 25″W
03 01 2024


NW
2024/03/01 15:48
317m 0994hPa
30°05′55″N 097°44′32″W
03.01.2024


NW
2024/03/01 15:55
313m 0994hPa
30°06′00″N 097°44′26″W
03 01 2024


2024/03/01 15:55
314m 0994hPa
ENE
30°06′00″N 097°44′26″W
03.01.2024


2024/03/01 15:55
312m 0994hPa
SE 30°06′00″N 097°44′26″W
03 01 2024


2024/03/01 15:56
313m 0994hPa
NW 30°06′00″N 097°44′26″W
03.01.2024


2024/03/01 15:57
310m 0994hPa
NW 30°06′00″N 097°44′26″W
03.01.2024

NORTH

GRAPHIC SCALE
0 100 200 400
SCALE IN FEET
1" = 200'

LEGEND:

- EXISTING PROPERTY BOUNDARY (PARCEL DATA)
- PROPOSED WWTP PROPERTY BOUNDARY
- WWTP 150' BUFFER ZONE
- EXISTING EASEMENT

EXHIBIT E

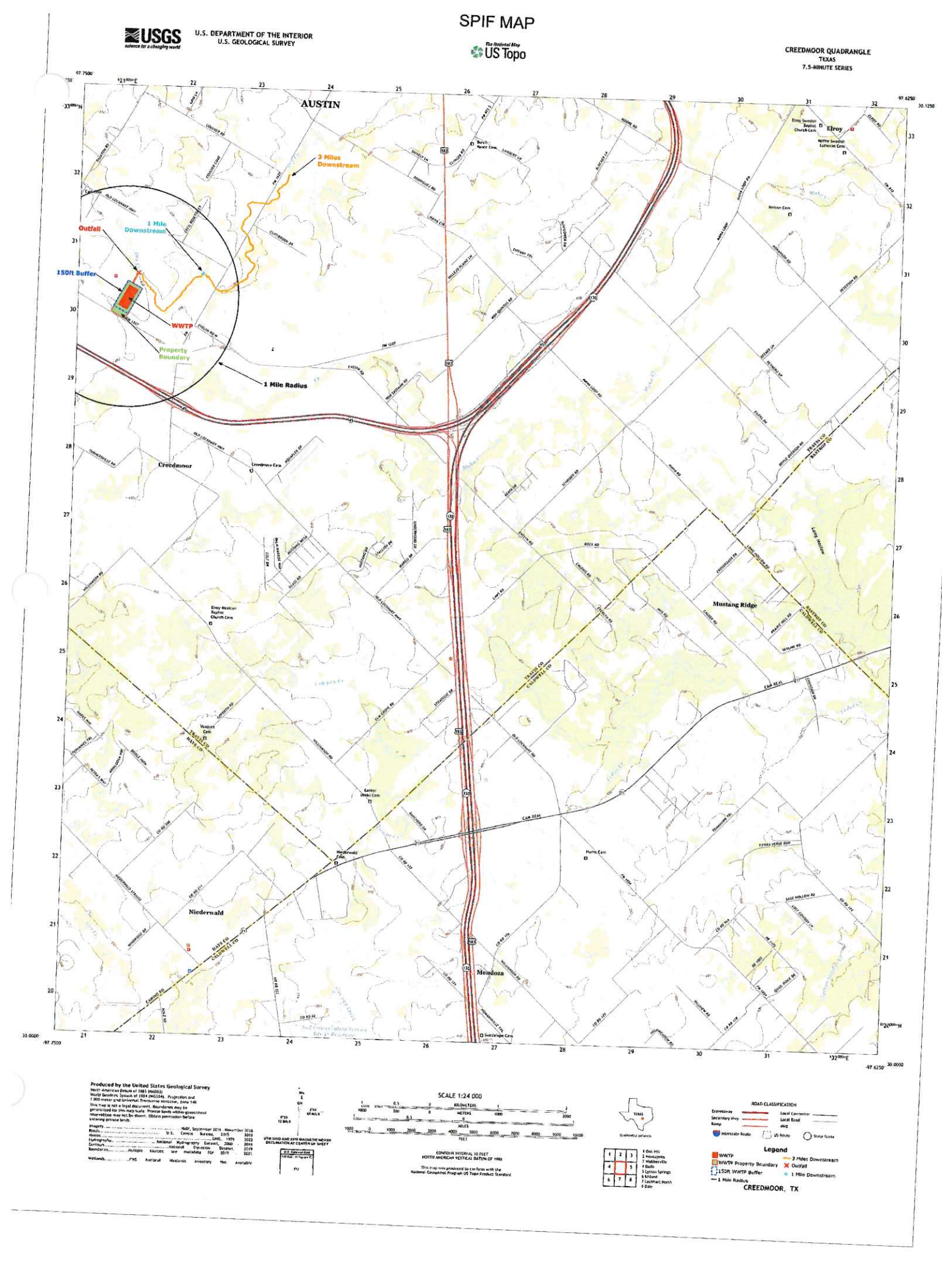
150 FT WWTP BUFFER ZONE

MRB group
MRB Group, P.C.
8834 N. Capital of Texas Highway, Suite 220, Austin, Texas 78759
Phone: (512) 436-8571
303 W. Calhoun Avenue, Temple, Texas 76501 Phone: (254) 771-2054
TBPELS Firm Number: F-10615
www.mrbgroup.com

Date 06/06/2024 | Drawn By:MMB | Project No.: 0219.23001

N:\0219.23001.000\dwg\Final Design\Travis Creedmoor MUD Service Area - Exhibits\TC MUD Proposed WWTP Site Plan - Buffer Zone Map.dwg 6/25/2024 9:21 AM

SPIF MAP


U.S. DEPARTMENT OF THE INTERIOR
U.S. GEOLOGICAL SURVEY
The National Map US Topo
CREEDMOOR QUADRANGLE
TEXAS
7.5-MINUTE SERIES
AUSTIN
3 Miles Downstream
1 Mile Downstream
Outfall
150ft Buffer
WWTP
Property Boundary
1 Mile Radius
Creedmoor
Elroy
Mustang Ridge
Niederwald
Mendoza
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 14S
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.
SCALE 1:24 000
CONTOUR INTERVAL 10 FEET
NORTH AMERICAN VERTICAL DATUM OF 1988
ROAD CLASSIFICATION
Legend
WWTP
WWTP Property Boundary
150ft WWTP Buffer
1 Mile Radius
3 Miles Downstream
Outfall
1 Mile Downstream
CREEDMOOR, TX

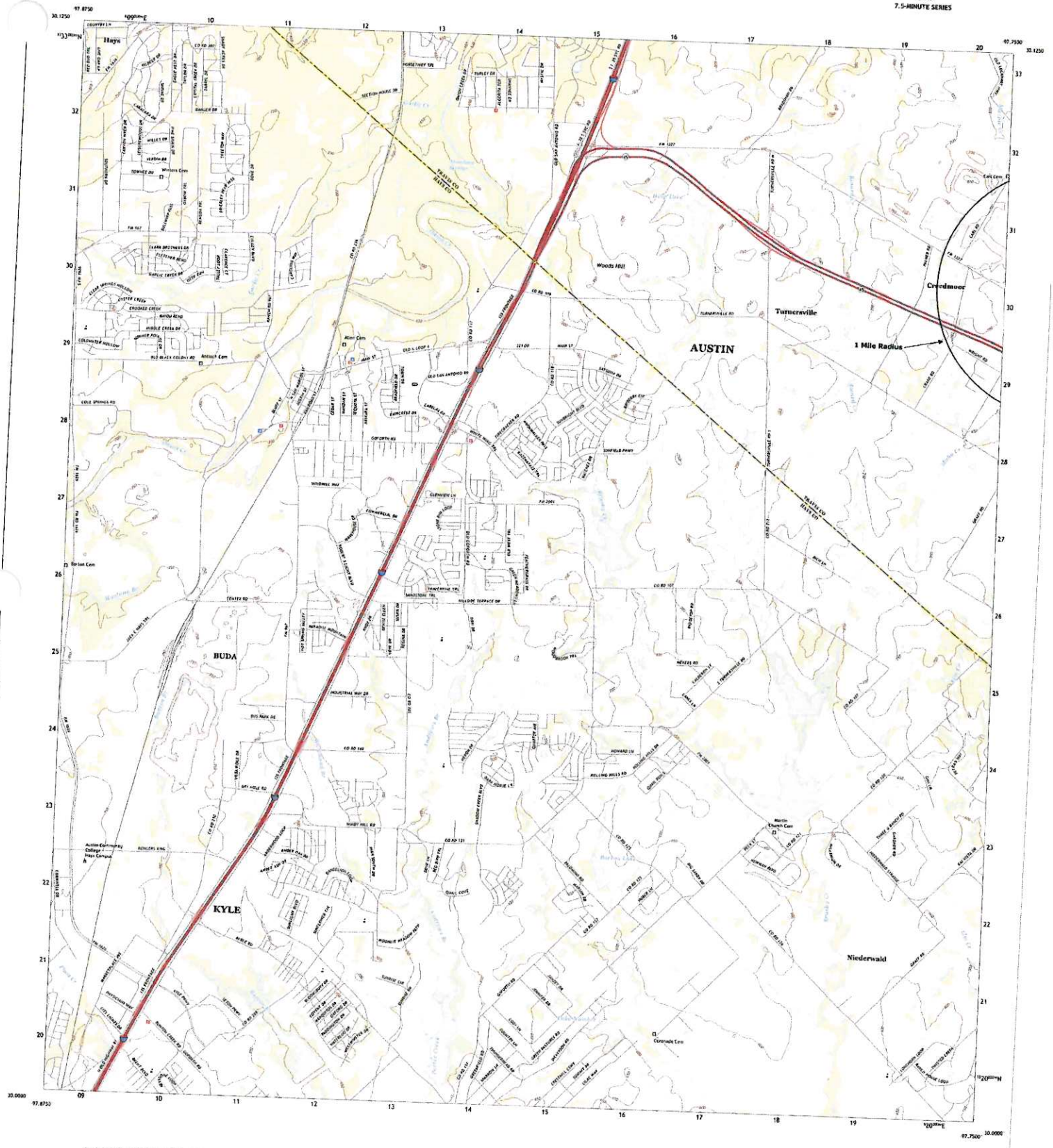
SPIF MAP

USGS science for a changing world

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

The National Map US Topo

BUDA QUADRANGLE
TEXAS
7.5-MINUTE SERIES



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 and for this map scale. Private lands with no public reservations may not be shown. Obtain permission before entering private lands.

Imagery ..... NAIP, September 2015 - November 2016
Roads ..... U.S. Census Bureau, 2015
Names ..... GNIS, 1979 - 2022
Hydrography ..... National Hydrography Dataset, 2020 - 2022
Contours ..... National Elevation Dataset, 2018
Boundaries ..... Multiple sources; see publication info for publication info, 2019 - 2021
Wetlands ..... Fish and Wildlife Service National Wetlands Inventory, 2019

SCALE 1:24 000

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.

ROAD CLASSIFICATION

BUDA, TX

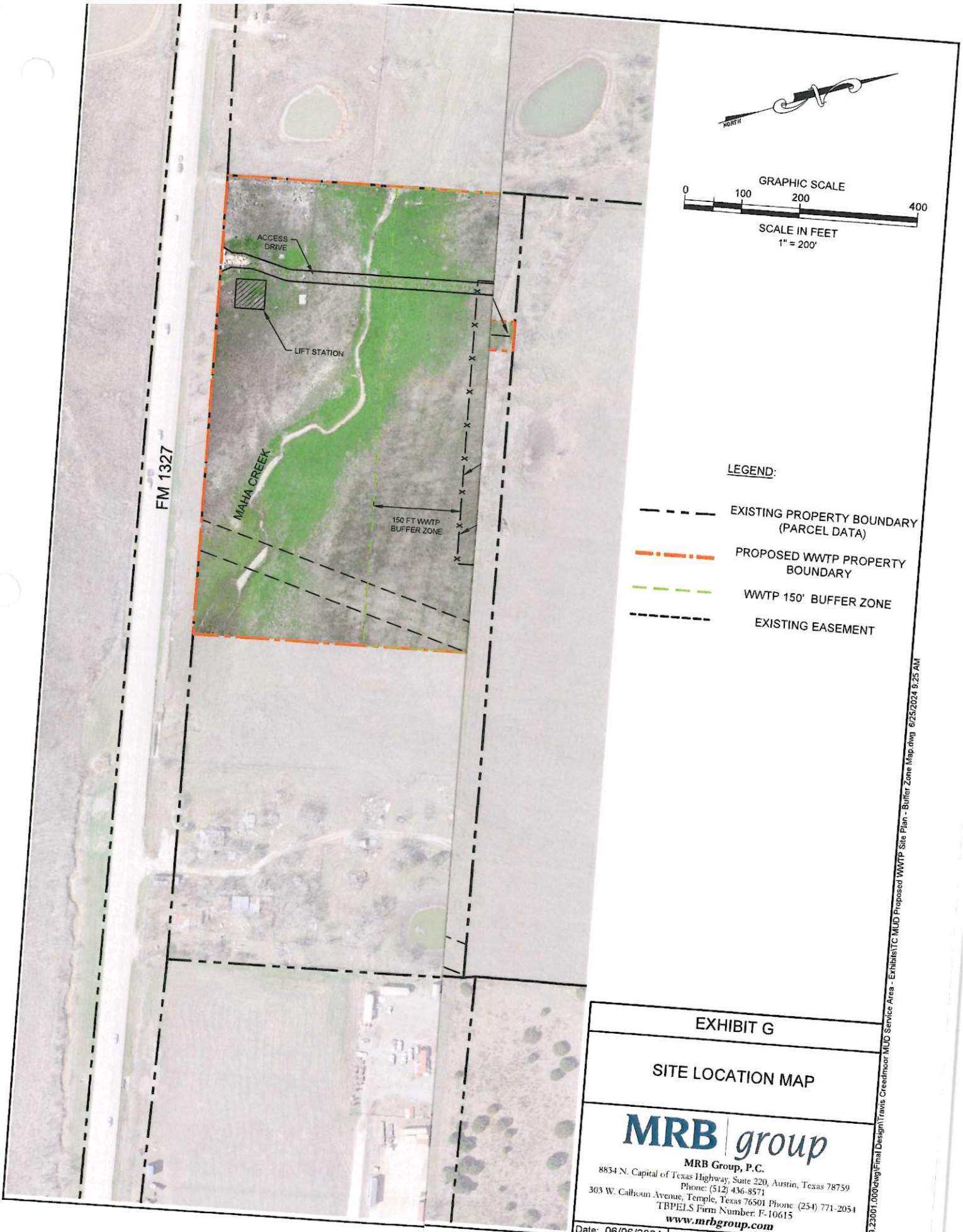


EXHIBIT G

SITE LOCATION MAP

MRB group
MRB Group, P.C.
8834 N. Capital of Texas Highway, Suite 220, Austin, Texas 78759
Phone: (512) 436-8571
303 W. Calhoun Avenue, Temple, Texas 76501 Phone (254) 771-2054
TBPELS Firm Number: F-10615
www.mrbgroup.com

Date: 06/06/2024 | Drawn By:MMB | Project No.: 0219.23001

N:\0219.23001.000\dwg\Final Design\Travis Creedmoor MUD Service Area - Exhibits\TC MUD Proposed WWTP Site Plan - Buffer Zone Map.dwg 6/25/2024 9:25 AM

May 16, 2024

Austin Water
625 E. 10th Street
Austin, Texas 78701

To Whom it May Concern,

BGICO, L.L.C. is submitting a permit application to the TCEQ for the construction of a new wastewater treatment plant and collection system. Your wastewater collection system is within 3.0 miles of the proposed treatment plant, so we are requesting whether you have the capacity in your system to provide the same. The new plant will be located at:

4400 FM 1327
Buda, Texas 78610-2184

The proposed permit is for up to 3.150 million gallons per day, and will serve the Creedmoor and surrounding area located in southeast Travis County.

Do you have the capacity to potentially serve this development?

Yes _____
No_____

Please submit your response to us at the address below on the letterhead. We appreciate your response, and please feel free to contact me at 512-421-1300 should you have any questions regarding this issue.

Sincerely,

Clint Harp, Executive Vice President
BGICO, L.L.C.

UNITED STATES POSTAL SERVICE.

BUDA
1320 CABELAS DR
BUDA, TX 78610-9998
(800)275-8777

05/16/2024 04:46 PM

Product	Qty	Unit Price	Price
First-Class Mail® Letter	1		$0.68
Austin, TX 78701			
Weight: 0 lb 0.50 oz			
Estimated Delivery Date			
Sat 05/18/2024			
Certified Mail®			
Tracking #:			$4.40
9589 0710 5270 1760 5933 65			
Return Receipt			
Tracking #:			$3.65
9590 9402 8636 3244 3232 04			
Total			$8.73
Grand Total:			$8.73
Credit Card Remit			
Card Name: VISA			$8.73
Account #: XXXXXXXXXXXX7140			
Approval #: 081500			
Transaction #: 358			
AID: A0000000031010			
AL: VISA CREDIT		Chip	
PIN: Not Required		CHASE VISA	

Text your tracking number to 28777 (USPS)
to get the latest status. Standard Message
and Data rates may apply. You may also
visit www.usps.com/USPSTrack or call
1-800-222-1811

9589 0710 5270 1760 5933 65

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee
$

Extra Services & Fees (check box, add fee as appropriate)
- ☐ Return Receipt (hardcopy) $
- ☐ Return Receipt (electronic) $
- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

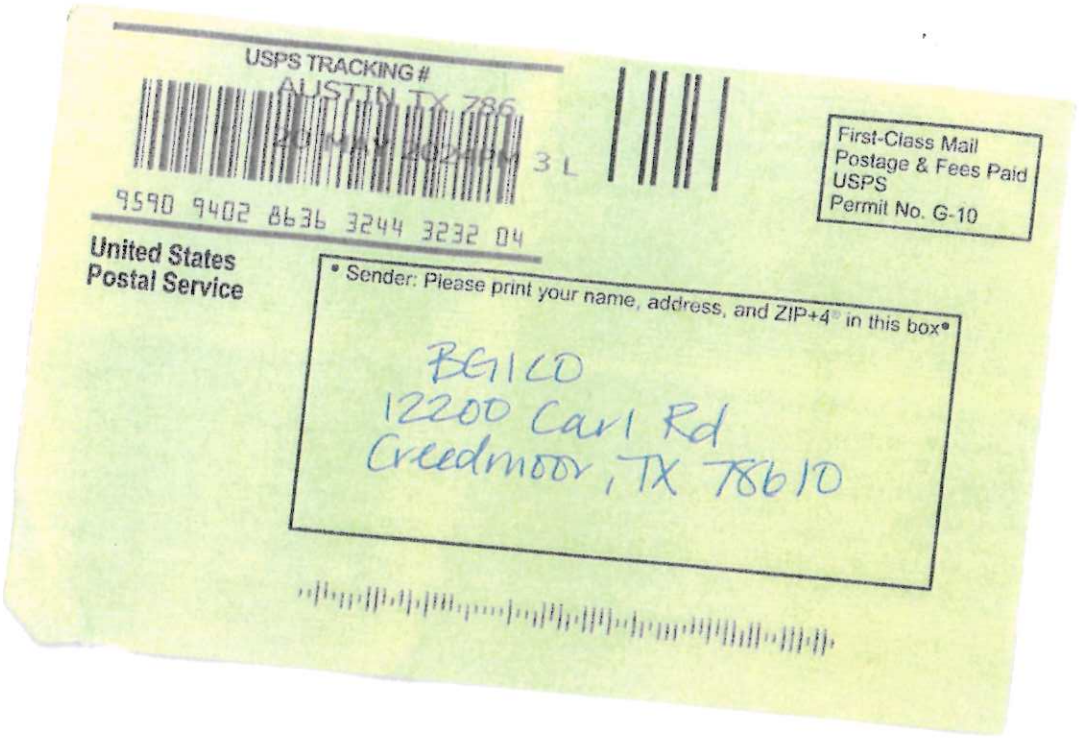
Postage
$

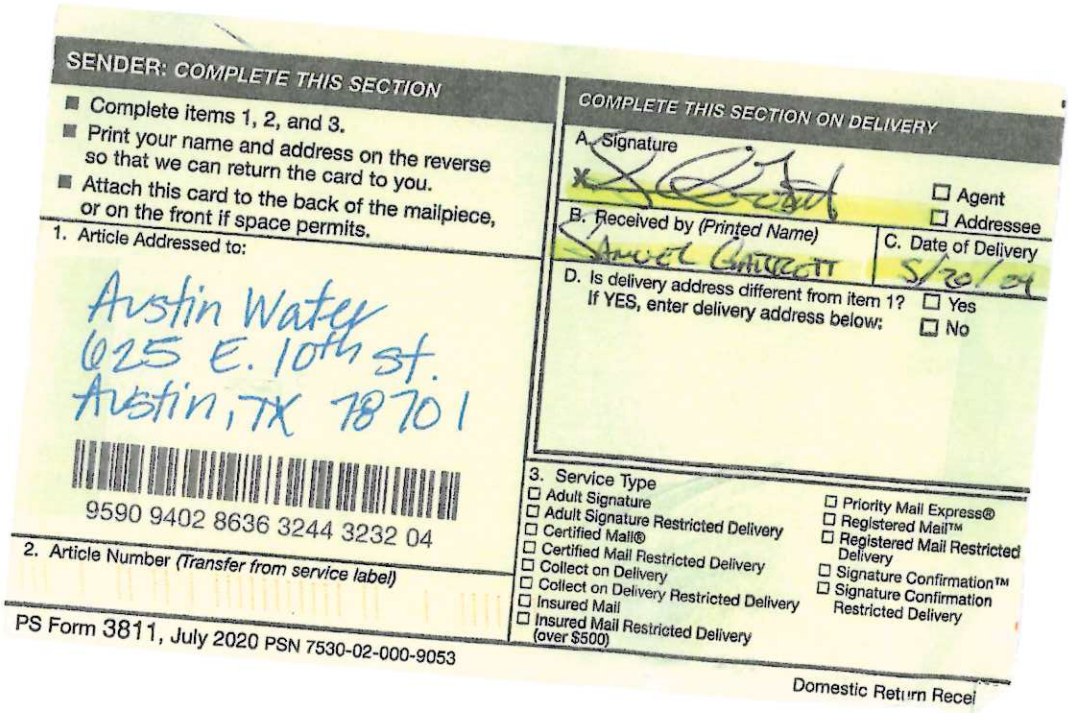
Total Postage and Fees
$

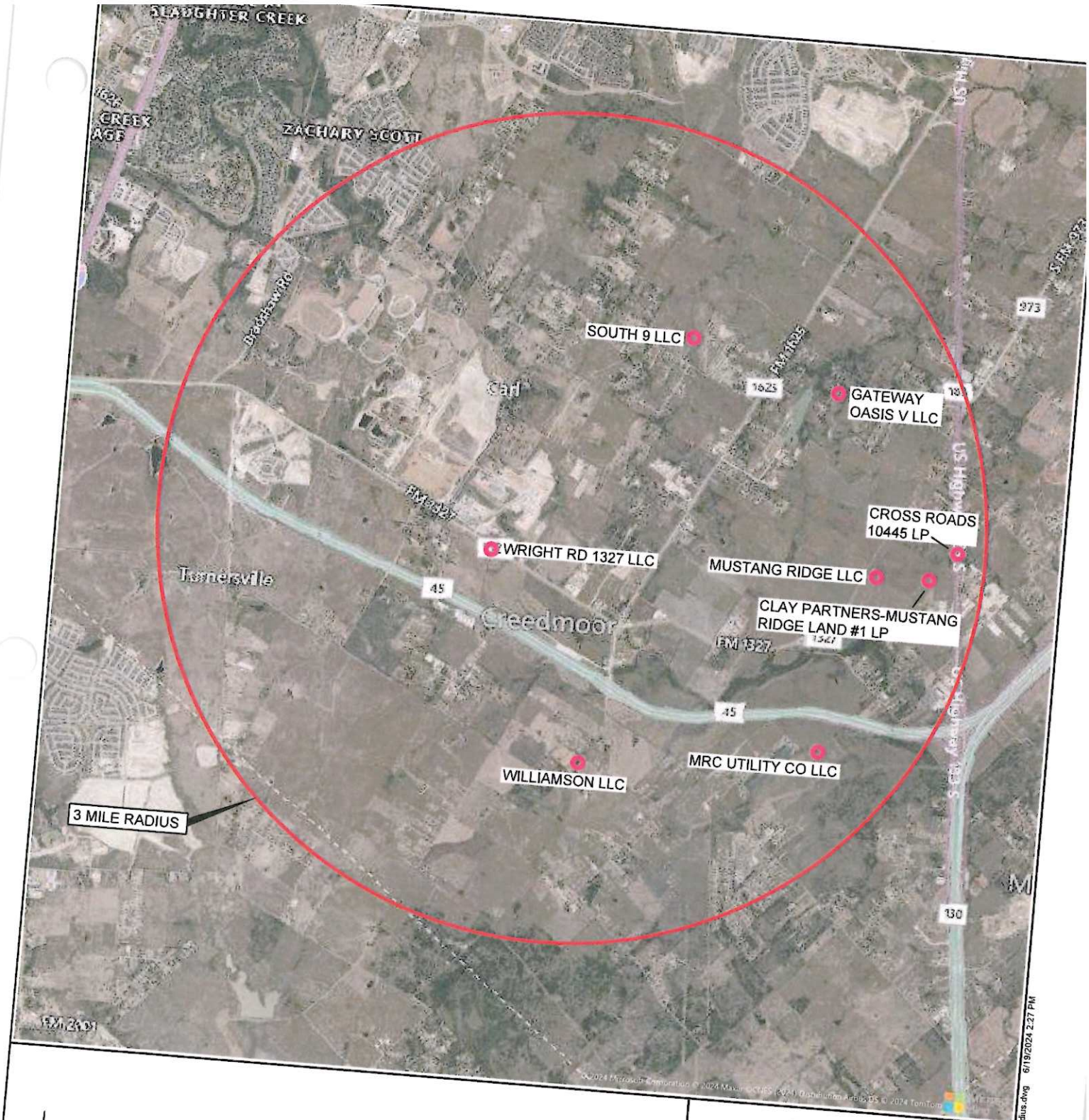
Postmark Here
MAY 16 2024

Sent To Austin Water
Street and Apt. No., or PO Box No. 625 E. 10th Street
City, State, ZIP+4® Austin, TX 78701

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions


USPS TRACKING #
AUSTIN TX 786
9590 9402 8636 3244 3232 04
First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10
United States
Postal Service
• Sender: Please print your name, address, and ZIP+4® in this box•
BGICD
12200 Carl Rd
Creedmoor, TX 78610


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:
Austin Water
625 E. 10th st.
Austin, TX 78701
9590 9402 8636 3244 3232 04
2. Article Number (Transfer from service label)
COMPLETE THIS SECTION ON DELIVERY
A. Signature
Agent
Addressee
B. Received by (Printed Name)
C. Date of Delivery
5/20/24
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
Insured Mail
Insured Mail Restricted Delivery (over $500)
Priority Mail Express®
Registered Mail™
Registered Mail Restricted Delivery
Signature Confirmation™
Signature Confirmation Restricted Delivery
PS Form 3811, July 2020 PSN 7530-02-000-9053
Domestic Return Recei



GRAPHIC SCALE
0 5000
SCALE IN FEET
1" = 5000' (8 1/2 x 11)

LEGEND:
OUTFALL LOCAITON

BGICO WWTP

WWTPs WITHIN 3 MILE RADIUS OF REYES TRACT CREEDMOOR, TEXAS

MRB group
MRB Group, P.C.
8834 N. Capital of Texas Highway, Suite 220, Austin, Texas 78759
Phone: (512) 436-8571
303 W. Calhoun Avenue, Temple, Texas 76501 Phone: (254) 771-2054
TBPELS Firm Number: F-10615
www.mrbgroup.com

Date: 06/19/2024 | Drawn By: RPS | Project No.: 0219.23001

N:\0219.23001.000\dwg\Final Design\Outfall Locations within 3 Mile Radius.dwg 6/19/2024 2:27 PM

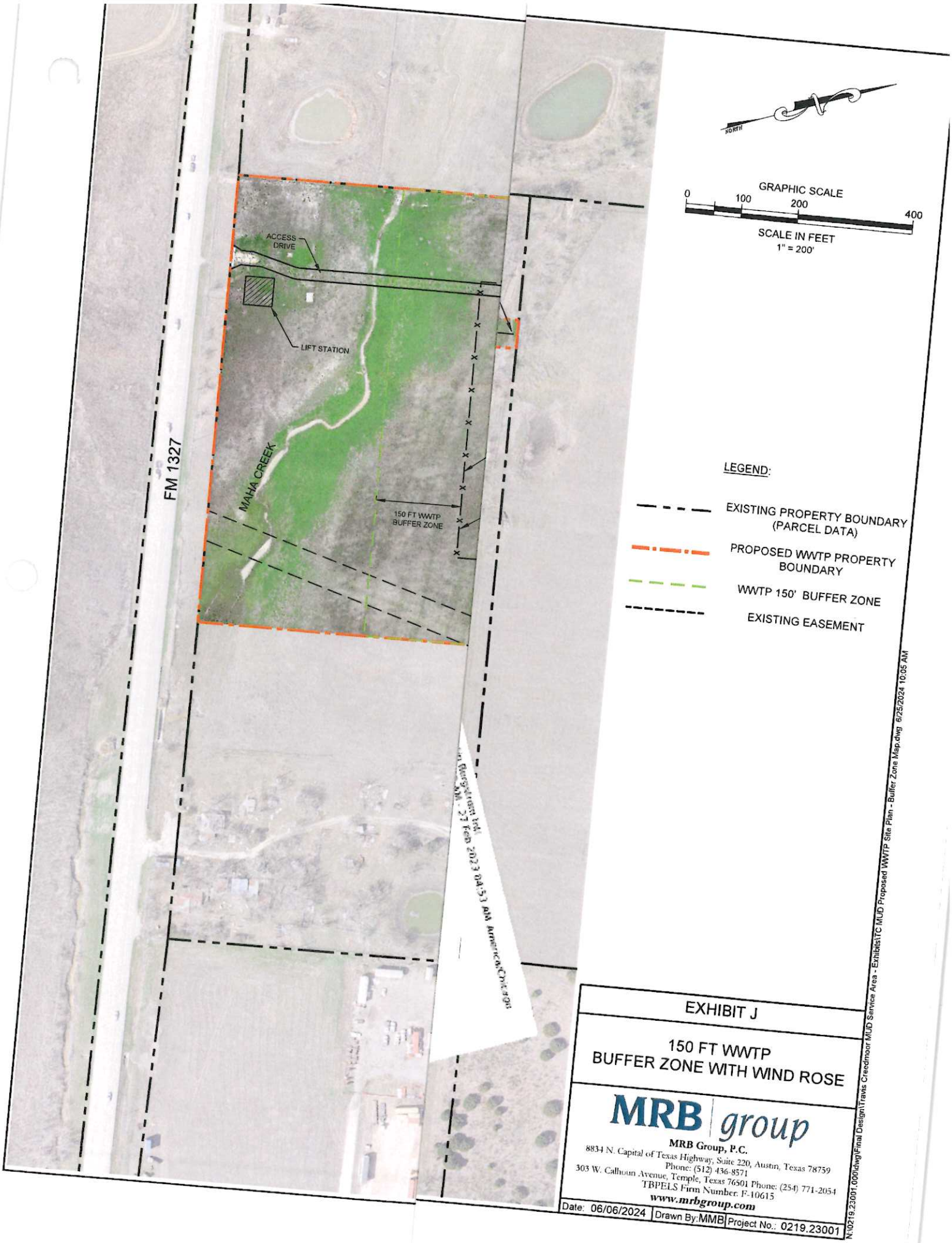


EXHIBIT J

150 FT WWTP BUFFER ZONE WITH WIND ROSE

MRB group
MRB Group, P.C.
8834 N. Capital of Texas Highway, Suite 220, Austin, Texas 78759
Phone: (512) 436-8571
303 W. Calhoun Avenue, Temple, Texas 76501 Phone: (254) 771-2054
TBPELS Firm Number: F-10615
www.mrbgroup.com

Date: 06/06/2024 | Drawn By: MMB | Project No.: 0219.23001

N:\0219.23001.000\dwg\Final Design\Travis Creedmoor MUD Service Area - Exhibits\TC MUD Proposed WWTP Site Plan - Buffer Zone Map.dwg 6/25/2024 10:05 AM

EXHIBIT K – Sludge Management Plan

Influent Design Flow = 0.150 MGD

Influent BOD Concentration = 724 mg/L

Aerobic Digester Volume: 166,000 gallons

Aeration Basin MLSS: 2,000 to 4,000 mg/L

Waste activated sludge from the biological process in the aeration basins and scum from the clarifiers will be sent to two aerobic digester basins. Preliminary sizing of each basin is 37' L x 24' W x 12.5' D with total holding capacity of approximately 166,000 gallons. Quantities will be very limited initially, and it is estimated that only 0.2 dry tons or about 417 pounds of solids will be generated in Phase I, 0.150 MGD flows. Projected sludge production on an average daily basis for a range of flow percentages as shown in Table 1.

Table 1 - Sludge Production

Solids Generated	100% flow	75% flow	50% flow	25% flow
Pounds Influent BOD_5	751	563	376	188
Pounds of digested dry sludge produced*	417	313	209	104
Pounds of wet sludge produced	582	437	291	146
Gallons of wet sludge produced	3,488	2,616	1,744	872

The Activated Sludge process at the WWTP will be designed to operate with a target average of 3000 mg/L MLSS in the aeration basins, with process variability expected to be from between 2000-4000 mg/L MLSS.

The digester basins will be sized for 40 days of sludge retention time and will allow the operator to decant the sludge, sending supernatant back to the primary biological process and thickening the sludge to a maximum of 2.00% MLSS. An aeration system providing 30 scfm / 1000 cf of volume will be provided to re-suspend the solids after decanting and to keep aerobic conditions throughout the sludge.

The digested sludge will be mixed with a polymer, and pumped to sealed sludge dewatering bin(s). The dewatered sludge will be trucked to a TCEQ permitted landfill. An estimated schedule for solids removal is shown in Table 2. Once a full load of dewatered sludge is generated, then the roll-off container will be transported to either landfill disposal or composting in a timely manner in order to prevent odor and/or vector issues.

Table 2 - Sludge Removal Schedule

Removal Schedule (days)	**100% flow**	**75% flow**	**50% flow**	**25% flow**
Days between Sludge Removal	40	57	80	171

The digested sludge will be transported by registered hauler, Texas Disposal Systems, Inc. with sludge hauler registration #22419 to the Texas Disposal Systems Landfill, Inc. (TDSL) landfill permit No. 2123 in Travis County.

As described above, the sludge will either be disposed at the TDSL, Inc. landfill or by composting at the Texas Landfill Management, LLC (TLM)
operated facility located in San Antonio, Texas. The TDSL,
Inc. landfill and TLM, LLC operated compost facilities have sufficient capacity to dispose or compost the sludge.

Exhibit 'L'

Plain Language Summary for Wastewater Treatment Plant Permit Application

Introduction

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

Facility Name: BGICO Wastewater Treatment Plant

Customer Number: N/A – New permit application

Regulated Entity Number: N/A – New permit application

Location: 4400 FM 1327, Buda, TX 78610 – Travis County

Summary and Process

This application seeks approval for the operation of a 0.150 MGD (Phase I capacity) wastewater treatment plant designed to serve adjacent communities and businesses. The plant's primary goal is to treat domestic wastewater to meet or exceed all environmental safety standards set forth by the TCEQ and federal regulations before beneficially reusing for planned applications, such as irrigation. The wastewater treatment process includes several stages designed to remove contaminants effectively: including biological, mechanical, and chemical treatments.

Protection Measures

The proposed wastewater treatment plant uses proven industry technology and processes designed to protect public health and the environment and get beneficial reuse from the water. This includes monitoring and control systems to ensure treatment effectiveness and compliance with all regulations, emergency response plans to handle potential incidents swiftly and minimize environmental impact, measures to control odor and noise, ensuring minimal impact on the surrounding community.

Public Participation and Comments

In accordance with TCEQ regulations, public participation is a crucial component of the permitting process. We encourage the community to engage in this process by:

- Attending public meetings. If scheduled, dates and locations will be provided.

- Submitting comments or concerns regarding the proposed project to the TCEQ and BGICO.

- Reviewing project documents available at the TCEQ Central Office and City of Creedmoor.

Contact Information

For further information about the application or to express concerns and comments, please contact:

- BGICO Contact: Clint Harp, Executive Vice President, BGICO, LLC
  Phone: (512) 421-1300
  Email: clintharp@bgicoinvestments.com

GROUND LEASE AGREEMENT

THE STATE OF TEXAS §
§
COUNTY OF TRAVIS §
§

THIS AGREEMENT is made and entered into by and between Texas Disposal Systems Landfill, Inc. referred to as LESSOR, and BGICO, LLC, hereinafter referred to as LESSEE, on the terms and conditions hereinafter set out.

1. LEASED PREMISES.

LESSOR leases to LESSEE and LESSEE leases from LESSOR approximately 13.054 acres of land out of a 69.72 acre tract owned by LESSOR, located off FM 1327, Creedmoor, Texas, as shown in Attachment A, hereinafter referred to as the "Leased Premises".

2. TERM.

This Lease shall be for a term ("Primary Term") of thirty (30) years commencing on June 25, 2024. The Lease may be renewed at the option of LESSEE for up to two (2) additional ten (10) year periods, on the same terms and conditions herein, plus any agreed-upon changes. LESSEE shall notify LESSOR in writing at least 30 days prior to the expiration of the then-current term that it is exercising a renewal option.

3. USE.

The Leased Premises are to be continuously used and occupied by LESSEE for the purpose of development, construction, and operation of a wastewater treatment plant, and any and all other lawful commercial uses (the "Purpose"), subject to and in accordance with the terms and conditions of a Permit to be issued by the TCEQ (the "Permit"), which upon issuance, is fully incorporated into this Agreement. LESSOR represents that this use is allowed under all local, state, and other regulations. LESSOR grants LESSEE reasonable access and/or easements to the Leased Premises across any property owned by LESSOR adjacent to or near the Leased Premises.

4. RENTAL.

In consideration of this Lease, LESSEE shall pay to LESSOR the Rental Rate, determined as follows:

1. Agricultural Rate. Seventy-Six and 15/100 Dollars ($76.15) per month while the Leased Premises are maintained for agricultural purposes.
2. Construction Rate. Four Thousand Eight Hundred Fifty-Six and 20/100 Dollars ($4,856.20) per month when construction of the wastewater treatment plant begins (ground is broken).
3. Operating Rate. Nine Thousand Seven Hundred Twelve and 39/100 Dollars

($9,712.39) per month while the wastewater treatment plant is operating.

4. Shut-In Rate. Four Thousand Eight Hundred Fifty-Six and 20/100 Dollars ($4,856.20) if operation of the wastewater treatment plant is or will be suspended for a period of more than fifteen (15) days due to maintenance, repairs, or other failure of the wastewater treatment plant. When operations resume, the Operating Rate will apply.

Payment of the Rental Rate is due on or before the first day of each month without a grace period ("Base Rental Payment"). Rental paid after the 10th of the month shall be deemed as late and delinquent LESSEE agrees to pay a flat late charge of $50.00. LESSEE agrees to pay a $100.00 charge for each returned check, plus late payment charges. On each July 1 during the term hereof, the Base Rental Payment shall be increased or decreased by the same percentage as the percentage increase or decrease, if any, between the CPI as published for June of the then current calendar year and the CPI as published for the month of June in the year before for the Series CWUR0300SA0-Urban Wage Earners and Clerical Workers-South urban area for the City of Austin and SA rate increases. Notwithstanding the above, the total annual increase or decrease in the Base Rental Payment during the first five years shall not be greater than five percent, and the total annual increase or decrease in the Base Rental Payment for the remainder of the life of the Lease Agreement shall not be limited. As soon as practicable after the Base Rental Payment adjustment date each year, LESSOR shall notify LESSEE of any CPI-based adjustment to the Base Rental Payment.

5. DEFAULT AND TERMINATION.

Either Party may notify the other of any default of a material provision of this Agreement, and if the default remains un-remediated for 90 days after written notice, the non-defaulting party has the right to terminate this Agreement.

LESSEE has the option to terminate the Lease prior to the end of the Primary Term (or any subsequent renewal term) and without penalty in the event the wastewater treatment plant is not permitted or constructed, or is no longer operational.

6. ASSIGNMENT AND SUBLETTING

Neither Party may assign or sublet this Lease without the prior written consent of the other.

7. ALTERATIONS

The LESSEE, by taking possession of the premises as herein set forth, shall be deemed to have agreed that such premises are then in a tenantable and good condition, and LESSEE agrees that LESSEE shall take good care of the premises for what is reasonable and necessary for the Purpose, without the written consent of LESSOR, which consent will not be unreasonably withheld.

LESSEE may install, maintain, alter, and remove, from time to time, any facilities, infrastructure, buildings, roads, parking lots, trade fixtures, and anything else incidental to or consistent with the Purpose. LESSEE shall retain ownership of all improvements made in connection with this Lease. Infrastructure may be abandoned in-place at the end of the Lease.

8. LAW AND GOVERNMENTAL REGULATIONS

LESSEE will maintain the Leased Premises in a good condition and will maintain compliance with all current laws, ordinances, orders, rules and regulations of any governmental authority having jurisdiction over the use, condition or occupancy of the Leased Premises.

9. INDEMNITY AND LIABILITY

LESSOR and LESSEE mutually agree to release, indemnify, and hold harmless the other party for their respective actions and those of their representatives, contractors, tenants, or other persons or entities as may occupy or be present on the Leased Premises.

LESSEE hereby releases and agrees to indemnify and hold harmless LESSOR and all its trustees, officers, employees, directors, agents, and consultants (hereinafter collectively referred to as the "**Indemnitees**") of and from any and all claims, demands, liabilities, losses, costs, or expenses for any loss including but not limited to bodily injury (including death), personal injury, property damage, expenses, and attorneys' fees, caused by, growing out of, or otherwise occurring in connection with this Lease, due to any negligent or intentional act or omission on the part of LESSEE, its agents, employees, or others working at the direction of LESSEE, on its behalf, or due to the application or violation of any pertinent federal, State, or local law except for the negligence or intentional misconduct of the Indemnitees. In case any action or proceeding is brought against LESSOR by reason of any claim mentioned in this paragraph, LESSEE, upon notice from LESSOR, shall, at LESSEE'S expense, resist or defend such action or proceeding in LESSOR's name, if necessary, by counsel for the insurance company, if such claim is covered by insurance, or otherwise by counsel approved by Landlord. Landlord agrees to give Tenant prompt notice of any such claim or proceeding. This indemnification is binding on the successors and assigns of Tenant, and this indemnification survives the expiration or earlier termination of this Lease, or the dissolution or, to the extent allowed by Law, the bankruptcy of Tenant. This indemnification does not extend beyond the scope of this Lease and the Contract Documents and the work undertaken thereunder and does not extend to claims exclusively between the undersigned parties arising from the terms, or regarding the interpretation of, this Lease.

10. INSPECTION

LESSOR has the right to enter the premises for reasonable inspections during normal business hours with 24 hour written notice.

11. SERVICE, MAINTENANCE, PROPERTY TAXES AND UTILITIES.

The LESSEE shall furnish and/or reimburse LESSOR at LESSEE's sole cost and

expense all service, maintenance, property taxes and utilities as required.

13. NO WAIVER OF BREACH.

No delay or omission to exercise any right, power or remedy accruing or available to either Party under this Agreement shall impair any such right, power or remedy of that Party, nor shall it be construed to be a waiver of any such breach or default, or an acquiescence therein, or of any similar breach or default thereafter occurring.

14. INSURANCE

LESSEE shall procure and maintain throughout the term of this Lease a policy or policies of insurance, at its sole cost and expense, insuring LESSEE and LESSOR against any and all liability for property damage, or injury to or death of persons occasioned by or arising out of or in connection with its use or occupancy of the Leased Premises, the limits of such policy or policies to be in an amount not less than $1,000,000.00 with respect to injuries to or death of any one person, in an amount not less than $1,000,000.00 with respect to any one accident or disaster, and in an amount not less than $1,000,000.00 with respect to property damaged or destroyed. LESSEE shall maintain environmental liability coverage in an amount not less than $2,000,000.00.

15. BANKRUPTCY.

In the event that LESSEE shall become bankrupt, voluntarily or involuntarily, or shall make a voluntary assignment for the benefit of creditors, or in the event that a receiver for the LESSEE shall be appointed, or should the Leased Premises be closed by order of any court, or should the LESSEE be prevented from occupying said premises by any court order or federal, state or municipal regulation, then at the option of the LESSOR, such event may be treated as an event of default.

16. MODIFICATION.

No provision of this Agreement shall be waived, altered or amended, except by writing endorsed hereon or attached hereto, and signed by the parties to be bound thereby.

17. BINDING UPON PARTIES.

This Agreement shall be binding upon and inure to the benefit of LESSOR, its successors and assigns, and shall be binding upon and inure to the benefit of LESSEE, its successors and, to the extent assignment may be approved by the LESSOR hereunder, LESSEE'S assigns.

18. RIGHTS CUMULATIVE.

All rights and remedies of LESSOR under this Agreement shall be cumulative and none shall exclude any other rights or remedies allowed by law. This Agreement is a Texas contract enforceable in Travis County, Texas, and all of the terms hereof shall be construed according

to the laws of the State of Texas.

19. FORCE MAJEURE.

In the event LESSOR shall be delayed, hindered or prevented from the performance of any act required under this Agreement by reason of acts of God; act of common enemies; fire, storm, flood, rising flood waters, explosion, or other casualty; strikes; lockouts; labor disputes; labor troubles; inability to procure materials; failure of power; restrictive governmental laws or regulations; riots; insurrection; war; settlement of losses with insurance carriers; injunction; order of any court or governmental authority; or other cause not within the reasonable control of LESSOR, then the performance of such act shall be excused for the period of the delay and the period for the performance of any such act shall be extended for a period equivalent to the period of such delay.

20. ENTIRE AGREEMENT.

This Agreement contains the entire and only agreement between the parties regarding the subject matter herein, and no oral statements or representations or prior written matter not contained or referred to in this instrument shall have any force or effect.

EXECUTED this to be effective 8TH day of June, 2024.

LESSOR:

Texas Disposal Systems Landfill, Inc.

By: _____
Bob Gregory President & CEO

LESSEE:

BGICO, LLC

By: _____
Clint Harp, Executive Vice President

ATTACHMENT A – DESCRIPTION OF LEASED PREMISES

Manhard CONSULTING

13.054 ACRES
SANTIAGO DEL VALLE GRANT
TRAVIS COUNTY, TX

FILE NO. 2024.076
PROJECT: 617.041013
DATE: 05/30/2024

DESCRIPTION

13.054 ACRES SITUATED IN THE SANTIAGO DEL VALLE GRANT, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 69.72 ACRE TRACT CONVEYED TO TEXAS DISPOSAL SYSTEMS LANDFILL, INC., BY DEED OF RECORD IN DOCUMENT NO. 2018104451, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 13.054 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING, for reference, at a 1/2-inch iron rod found in the north right-of-way line of FM 1327 (80' r.o.w.), being the southeast corner of said 69.72 acre tract, also being the southwest corner of that certain 29.37 acre tract conveyed to Carolyn Dittmar Hemphill, by Deed of record in Volume 7678, Page 436, of the Real Property Records of Travis County, Texas;

THENCE, N62°21'38"W, along said north right-of-way line, being the south line of said 69.72 acre tract, a distance of 954.79 feet to a calculated point, for the most southerly corner and **POINT OF BEGINNING** hereof;

THENCE, N62°21'38"W, continuing along said north right-of-way line of FM 1327, being the southwest line of said 69.72 acre tract, a distance of 100.00 feet to a calculated point, for the most westerly corner hereof;

THENCE, leaving said north right-of-way line, over and across said 69.72 acre tract, the following five (5) courses and distances:

1. N27°18'19"E, a distance of 440.32 feet to a calculated point, for an angle point;
2. N62°21'33"W, a distance of 135.73 feet to a calculated point, for an angle point;
3. N27°21'55"E, a distance of 1087.19 feet to a calculated point, for an angle point;
4. S62°37'56"E, a distance of 83.46 feet to a calculated point, for an angle point;
5. N27°21'55"E, a distance of 735.31 feet to a calculated point in the north line of said 69.72 acre tract, being the south line of that certain 70.3238 acres conveyed to Carigan R. Harris and Donna P. Parker, by Deed of record in Volume 13181, Page 1119, of said Real Property Records, for the most northerly corner hereof;

THENCE, S62°38'42"E, along the south line of said 70.3238 acre tract, being the north line of said 69.72 acre tract, a distance of 20.00 feet to a calculated point, for an angle point;

Texas Board of Professional Engineers and Land Surveyors • Registration No. 10194754
Manhard Consulting • 6448 E. Hwy. 290, Suite B-105 • Austin, TX 78723 • 512.244.3395 • manhard.com
COLORADO | ILLINOIS | NEVADA | TEXAS | WISCONSIN

THENCE, leaving the south line of said 70.3238 acre tract, over and across said 69.72 acre tract, the following seven (7) courses and distances:

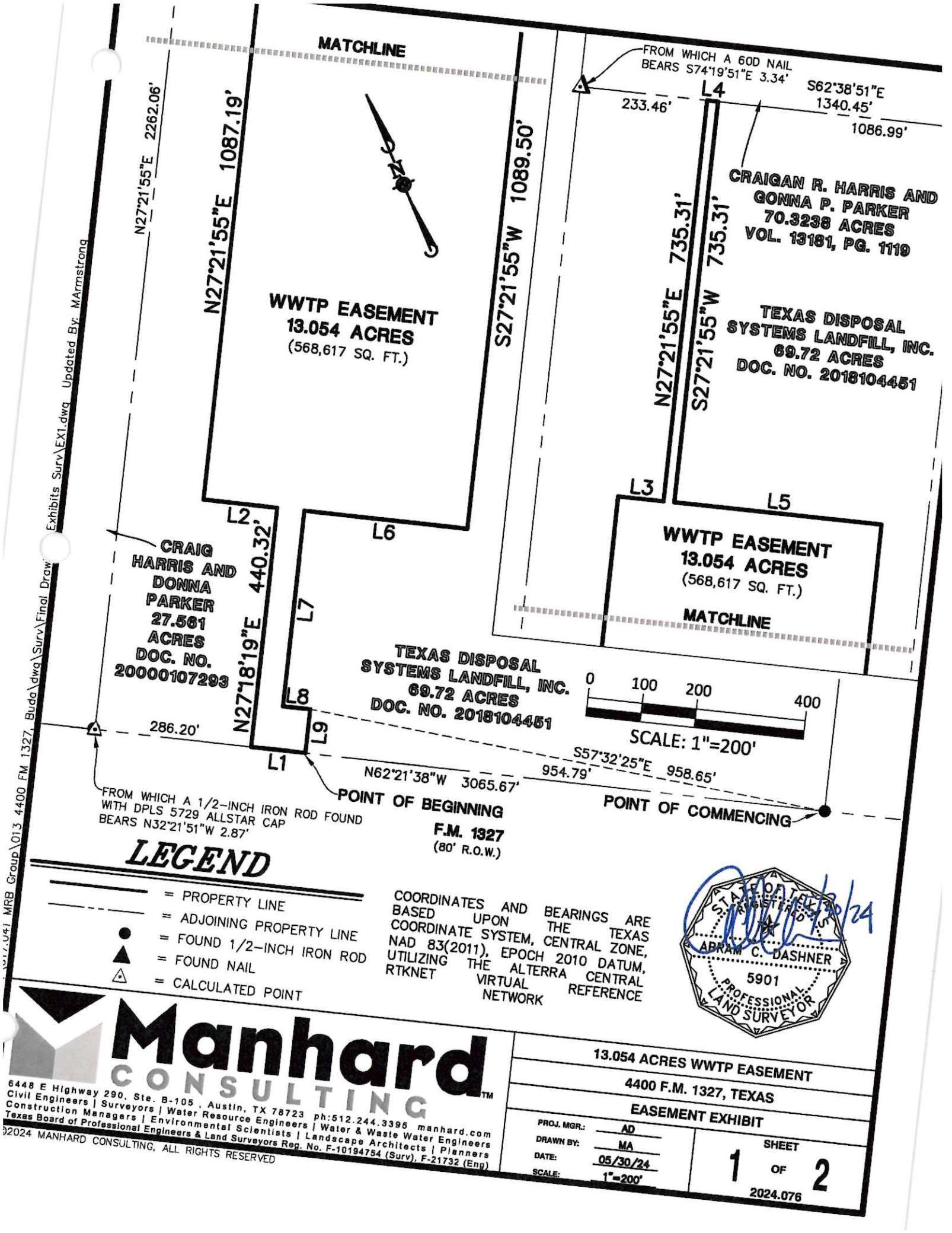
1. S27°21'55"W, a distance of 735.31 feet to a calculated point, for an angle point;
2. S62°37'56"E, a distance of 381.56 feet to a calculated point, for the most easterly corner hereof;
3. S27°21'55"W, a distance of 1089.50 feet to a calculated point, for an angle point;
4. N62°21'33"W, a distance of 299.29 feet to a calculated point, for an angle point;
5. S27°18'19"W, a distance of 360.05 feet to a calculated point, for an angle point;
6. S62°41'41"E, a distance of 50.00 feet to a calculated point, for an angle point;
7. S27°18'19"W, a distance of 80.56 feet to the **POINT OF BEGINNING,** and containing 13.054 acres (568,617 square feet) of land, more or less.

BEARING BASIS: TEXAS COORDINATE SYSTEM, NAD 83 (2011), CENTRAL ZONE, UTILIZING THE ALTERRA RTKNET VIRTUAL REFERENCE NETWORK

I HEREBY CERTIFY THAT THE ABOVE DESCRIPTION WAS PREPARED UPON A FIELD SURVEY PERFORMED UNDER MY SUPERVISION DURING THE MONTH OF MARCH, 2024, AND IS TRUE AND CORRECT TO THE BEST OF MY ABILITIES.

ABRAM C. DASHNER
TEXAS RPLS 5901
MANHARD CONSULTING
TBPLS FIRM NO. 10194754

STATE OF TEXAS
REGISTERED
ABRAM C. DASHNER
5901
PROFESSIONAL
LAND SURVEYOR



LEGEND

= PROPERTY LINE
= ADJOINING PROPERTY LINE
= FOUND 1/2-INCH IRON ROD
= FOUND NAIL
= CALCULATED POINT

COORDINATES AND BEARINGS ARE BASED UPON THE TEXAS COORDINATE SYSTEM, CENTRAL ZONE, NAD 83(2011), EPOCH 2010 DATUM, UTILIZING THE ALTERRA CENTRAL RTKNET VIRTUAL REFERENCE NETWORK

STATE OF TEXAS
REGISTERED
ABRAM C. DASHNER
5901
PROFESSIONAL
LAND SURVEYOR
5/30/24

Manhard CONSULTING™
6448 E Highway 290, Ste. B-105 , Austin, TX 78723 ph:512.244.3395 manhard.com
Civil Engineers | Surveyors | Water Resource Engineers | Water & Waste Water Engineers
Construction Managers | Environmental Scientists | Landscape Architects | Planners
Texas Board of Professional Engineers & Land Surveyors Reg. No. F-10194754 (Surv), F-21732 (Eng)

13.054 ACRES WWTP EASEMENT
4400 F.M. 1327, TEXAS
EASEMENT EXHIBIT

PROJ. MGR.:	AD
DRAWN BY:	MA
DATE:	05/30/24
SCALE:	1"=200'

SHEET 1 OF 2
2024.076

LINE TABLE		
LINE	BEARING	LENGTH
L1	N62°21'38"W	100.00'
L2	N62°21'33"W	135.73'
L3	S62°37'56"E	83.46'
L4	S62°38'51"E	20.00'
L5	S62°37'56"E	381.56'
L6	N62°21'33"W	299.29'
L7	S27°18'19"W	360.05'
L8	S62°41'41"E	50.00'
L9	S27°18'19"W	80.56'

STATE OF TEXAS
REGISTERED
ABRAM C. DASHNER
5901
PROFESSIONAL
LAND SURVEYOR
10/24

Manhard CONSULTING™
6448 E Highway 290, Ste. B-105 , Austin, TX 78723 ph:512.244.3395 manhard.com
Civil Engineers | Surveyors | Water Resource Engineers | Water & Waste Water Engineers
Construction Managers | Environmental Scientists | Landscape Architects | Planners
Texas Board of Professional Engineers & Land Surveyors Reg. No. F-10194754 (Surv), F-21732 (Eng)

13.054 ACRES WWTP EASEMENT
4400 F.M. 1327, TEXAS
EASEMENT EXHIBIT

PROJ. MGR.:	AD
DRAWN BY:	MA
DATE:	05/30/24
SCALE:	1"=200'

SHEET 2 OF 2
2024.076

Project: Wastewater Treatment Plant (0.150 mgd)
BGICO

Engineer: MRB Group

Prepared: May 26, 2024

Design Parameters

Permitted Flows:

Average Daily Flow =	0.15 mgd	=	104 gpm (Qavg)
Peak Factor =	4.00		
2-hour Peak Flow =	0.60 mgd	=	417 gpm (Qpk)

Waste Strength:

BOD5 =	600 mg/l =	751 ppd
TSS =	250 mg/l =	313 ppd
NH3-N =	100 mg/l =	125 ppd
Total P =	15 mg/l =	19 ppd

Effluent Limitations:

CBOD5 =	5 mg/l
TSS =	5 mg/l
NH3-N =	2 mg/l
Total P =	1 mg/l
D.O. =	5 mg/l

Process Description

The treatment process will include preliminary treatment (screening), Enhanced Secondary Treatment (Aeration and Clarification), Filtration, and Disinfection. Flow metering will be performed following the final treatment unit. Process sensors for aeration dissolved oxygen and mixed liquor suspended solids will be included.

RAS Mix

Target Detention, min	15
Q RAS, gpm	156
QRAS, gpm per basin	78
Q Plant, gpm	104
Qtotal	260
Q, ft3 / min	35
SWD	10
L	8
W	8
V given, ft3	640
V required, ft3	522
V given, gal	4,787

Process Aeration

Process Criteria

Organic Loading =	35 lbs BOD5/1,000 cf
Oxygen Requirement =	1.5 lbs/lb BOD5
	4.6 lbs/lb NH3 - N

Volume Required

Influent BOD5 =	751 ppd
Minimum Volume =	21,446 cf

Basin Dimensions

Number of Basins =	2
Sidewater Depth =	16.00 ft
Basin Length =	50.00 ft
Basin Width =	16.00 ft
Actual Basin Volume =	25,600 cf

Actual Loading

191,488 Gallons

Organic Loading =	29 lbs BOD5/1,000 cf

Oxygen Requirement

Carbonaceous Oxygen =	1,126 lbs/day
Nitrogenous Oxygen =	575 lbs/day
Total Actual Oxygen =	1,701 lbs/day
AOR/SOR =	0.65

Airflow Requirement

Clean Water Transfer =	10.68%
Required Airflow =	987 scfm

Aeration System

Minimum Number of Diffusers =	56
Airflow per Diffuser =	17.6 scfm/diffuser
Diffuser Submergence =	15.25 ft

Secondary Clarification

Process Criteria

Surface Loading =	600 gpd/sf @ average flow
	1,200 gpd/sf @ peak flow
Detention Time =	3.00 hrs @ average flow
	1.80 hrs @ peak flow
R.A.S. Rate =	150%

Basin Requirements

@ Average Flow =	250 sf
	2,507 cf
@ Peak Flow =	500 sf
	6,016 cf
Number of Basins =	1
Minimum Diameter =	25 ft

Basin Dimensions

Basin Diameter =	26 ft
Sidewater Depth =	16.00 ft
Actual Surface Area =	531 sf
Actual Volume =	8,495 cf

Actual Surface Loading

@ Average Flow =	283 gpd/sf
@ Peak Flow =	1,130 gpd/sf

Actual Detention Time

@ Average Flow =	10.17 hrs
@ Peak Flow =	2.54 hrs

Disinfection

Primary Disinfection to be provided by Trojan UV3000Plus system

Horizontal lamps, channel geometry:

Channel Width	8 inches
Channel Depth	46 inches
Velocity at Peak Flow	0.363 fps
Minimun Exposure Time	8.3 seconds

Post Disinfection Aeration

Oxygen Requirement

Carbonaceous Oxygen =	9 lbs/day
Nitrogenous Oxygen =	29 lbs/day
Total Actual Oxygen =	38 lbs/day
AOR/SOR =	0.65

Airflow Requirement

Clean Water Transfer =	10.50%
Required Airflow =	23 scfm

Aeration System

Minimum Number of Diffusers =	2
Airflow per Diffuser =	11.3 scfm/diffuser
Diffuser Submergence =	14.25 ft

Solids Handling

Process Criteria

Sludge Production =	0.65 lbs sludge/lb BOD5
	0.30 lbs sludge/lb TSS
W.A.S. Concentration =	0.80%
Digester Concentration =	2.00%
Sludge Retention Time =	40 days
Min. Digester Temperature =	20 °C
Oxygen Requirement =	2.0 lbs/lb VSR
Airflow =	30 scfm/1,000 cf
TCEQ Volume Required =	20 cf/lb BOD5

W.A.S. Calculations

Influent BOD5 =	751 lbs/day
Influent TSS =	313 lbs/day
Waste Sludge =	582 lbs/day
Waste Sludge =	3,488 gal/day
Volatile Fraction =	0.68 (estimated)
Temperature x S.R.T. =	800 °C x days
Volatile Solids Reduction =	42%
<or>	
Digested Sludge =	165 lbs/day
	417 lbs/day

Volume Required

Sludge Mass =	16,686 lbs @ 40 days
Minimum Volume =	13,370 cf @ 2.00%
TCEQ Minimum Volume =	15,012 cf

Basin Dimensions

Number of Basins =	2
Sidewater Depth =	12.50 ft
Basin Length =	37.00 ft
Basin Width =	24.00 ft
Actual Basin Volume =	22,200 cf

Aeration Calculations

Oxygen Required =	329 lbs/day
AOR/SOR =	0.65
Clean Water Transfer =	10.68%
Required Airflow =	191 scfm
Minimum Airflow =	666 scfm

Solids Handling - Continued

Aeration System

Number of Diffusers =	40
Airflow per Diffuser =	16.7 scfm/diffuser
Diffuser Submergence =	12.50 ft

Solids Dewatering

Digested Dry Solids (lbs/d)=	417
Digested Sludge to Press (lbs DS/hr)=	60
Press Hydraulic Loading (gpm max)=	33
Wet Solids, Pressed @ 16% (lbs/d)=	2,607
Wet Solids, Pressed @ 16% (tons/month)=	40
Wet Solids, Pressed @ 16% (yd^3/d)=	1.55
Wet Solids @ 16% ($yd^3/month$)=	48

TCEQ Office Use Only
Permit No:
CN:
RN:
Region:

Authorization for Re- Use of Domestic Reclaimed Water

This application is for the beneficial reuse of domestic reclaimed water in accordance with 30 Texas Administrative Code (TAC) Chapter 210, Subchapters A, B, C, and D.

REASON FOR APPLICATION:

Select the reason you are submitting this application:

- [X] New authorization
- [ ] Amendment of reuse authorization number: R Click here to enter text.

SOURCE OF THE RECLAIMED WATER:

What is the permit number for the wastewater treatment plant where the reclaimed water is produced: WQ00 N/A – New Permit

What is the expiration date of the wastewater permit? N/A – New Permit

Section 1. Producer(Applicant)

a) What is the Customer Number (CN) issued to this entity? CN N/A – New Permit

b) WhatistheLegalNameoftheentity (applicant) applying for this authorization? (The legal name must be spelled exactly as filed with the Texas Secretary of State, County, or in the legal document forming the entity.)

BGICO, LLC

Section 2. Provider

Is the Provider the same as the Producer?

- [X] Yes, go to Section 3)
- [ ] No, complete section below

a) What is the Customer Number (CN) issued to this entity? CN

b) WhatistheLegalNameoftheentity (applicant) applying for this authorization? (The legal name must be spelled exactly as filed with the Texas Secretary of State, County, or in the legal document forming the entity.)

Click here to enter text.

Section 3. Application Contact

This is the personTCEQ will contact if additionalinformation is needed aboutthisapplication.

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

First and Last Name:James Doersam

Suffix: Click here to enter text.

Title:Engineer

Credentials:P.E.

Phone Number:512-421-1300 Fax Number:N/A

Email:jdoersam@texasdisposal.com

Mailing Address:P.O. Box 17126

City, State, and Zip Code:Austin, TX 78760-7126

Section 4.Regulated Entity (RE) Information

For this section, provide the requested information for the wastewater treatment plant (WWTP) where the reclaimed water is produced.

a) What is the Regulated Entity Number (RN) issued to the WWTP? RN N/A – New Permit

b) What is the Site Name for the WWTP? BGICO, LLC Wastewater Treatment Facility

Section 5.General Characteristics

a) Type of reclaimed water being used:

- [X] Type I
- [ ] Type II
- [ ] Both

b) Identify additional treatment processes that may be needed to achieve the effluent quality.

Type I: Tertiary filtration and chlorine disinfection of activated sludge secondary wastewater treatment effluent after UV disinfection.

Type II: Click here to enter text.

c) Provide the following effluent limits in the WWTP discharge permit.

1. Flow, in million gallons per day:

   Current:N/A – New Permit

   Proposed, if applicable:0.150 MGD initial flow

2. Oxygen Demand. Select the appropriate limit and provide the limit value.

   - [ ] BOD_5
   - [X] $CBOD_5$

   Limit value, in milligrams per liter:5 mg/l (proposed)

3. Bacteria. Select the appropriate limit and provide the limit value.

   - [X] *Escherichia coli*
   - [ ] *Enterococci*

   Limit value, in colony forming units per 100 milliliters: 100 (proposed)

Section 6. Storage Requirements

a) Is the reclaimed water stored in a fabricated tank that is leak proof certified?

- [X] Yes, go to Section 7
- [ ] No, complete section below

b) Are any of the reclaimed water storage or usage sites located in the Edwards Aquifer Recharge Zone?

☐ Yes ☐ No

c) Are any of the reclaimed water usage sites located outside the Edwards Aquifer Recharge Zone, but within the DRASTIC Designated Areas having a pollution potential index figure of 110 or greater?

☐ Yes ☐ No

d) If you answered Yes to questions b) or c), complete the following questions.

1. Do pond construction materials meet 30 TAC §210.23(c)(1), (2), and (4)?

☐ Yes ☐ No ☐ NA

2. Do liners meet the requirements in 30 TAC §210.23(c)(3) or (5)?

☐ Yes ☐ No ☐ NA

3. Have the liners been certified according to 30 §TAC 210.23(c)(6)?

☐ Yes ☐ No ☐ NA

4. Do the soil embankment walls meet the requirements in 30 TAC §210.23(c)(7)?

☐ Yes ☐ No ☐ NA

5. If you answered No or NA to questions 1) - 4), provide an explanation.

Click here to enter text.

e) If you answered No to questions b) and c), complete the following questions.

1. Do pond construction materials meet 30 TAC §210.23(d)(1) and (2)?

☐ Yes ☐ No ☐ NA

2. Do liners meet the requirements in 30 TAC §210.23(d)(3) or (4)?

☐ Yes ☐ No ☐ NA

3. Have the liners been certified according to 30 §TAC 210.23(d)(5)?

☐ Yes ☐ No ☐ NA

4. Do the soil embankment walls meet the requirements in 30 TAC §210.23(d)(6)?

☐ Yes ☐ No ☐ NA

5. If you answered No or NA to questions 1) - 4), provide an explanation.

Click here to enter text.

Section 7. Reclaimed Water Uses

a) Describe all potential uses of the reclaimed water at the WWTP.

Irrigation area around WWTP, wash down water, dust control, etc.

b) Describe all potential uses of the reclaimed water at other sites.

Irrigation of common areas and pasture land on nearby BGICO, LLC and Texas Disposal Systems Landfill, Inc., as well as fire control, composting, concrete production, soil compaction, properties, vehicle washing, wash down water, dust control, etc. on these same companies' properties.

Section 8. Reclaimed Water Users

a) Is the producer, provider, and user the same entity?

☒ Yes, go to Section 9
☐ No, attach a copy of the contract template and complete this section.

b) Does the contract have an operation and maintenance plan as required by 30 TAC 210.4(a)(4)?

☐ Yes, attach a copy of the operation and maintenance plan.
☐ No. Do not submit this form until an operation and maintenance plan has been developed.

c) For each user, provide the following information. If there are more than two users, complete Attachment A.

1. NameoftheUser:N/A – Information will be provided upon negotiating contracts with new users.
2. What is the contact information for this User?

   Prefix (Mr. Ms. or Miss): Click here to enter text.
   First and Last Name: Click here to enter text.
   Title: Click here to enter text. Suffix: Click here to enter text.
   Phone Number: Click here to enter text. Credentials: Click here to enter text.
   Email: Click here to enter text. Fax Number: Click here to enter text.
   Mailing Address: Click here to enter text.
   City, State, and Zip Code: Click here to enter text.
3. Types of Uses (irrigation, dust suppression, cooling water, etc): Click here to enter text.
4. Is there a contract, legal agreement, or ordinance between this user and the provider?

   ☐ Yes
   ☐ No

   If no, please explain: Click here to enter text.
5. Is the reclaimed water being supplied to the user on a "demand only" basis as required by 30 TAC §210.7?

   ☐ Yes
   ☐ No

   If no, please explain: Click here to enter text.

1. NameoftheUser: Click here to enter text.

2. What is the contact information for this User?

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

   First and Last Name: Click here to enter text. Suffix: Click here to enter text.

   Title: Click here to enter text. Credentials: Click here to enter text.

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

   Email: Click here to enter text.

   Mailing Address: Click here to enter text.

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

3. Types of Uses (irrigation, dust suppression, cooling water, etc): Click here to enter text.

4. Is there a contract, legal agreement, or ordinance between this user and the provider?

   ☐ Yes
   ☐ No

   If no, please explain: Click here to enter text.

5. Is the reclaimed water being supplied to the user on a "demand only" basis as required by 30 TAC §210.7?

   ☐ Yes
   ☐ No

   If no, please explain: Click here to enter text.

Section 9. Attachments

This application must include the following attachments:

a) A completedCore Data Form (TCEQ-10400);
b) A map of the service area for the reclaimed water;
c) A map showing the location of all reclaimed water storage ponds;
d) A copy of the user contracts, if the user is a different entity than the producer and provider; and
e) A copy of the operation and maintenance plan for each contract.

Section 10. Producer Certification

I understand that if there is a major change in the use of reclaimed water, the producer/provider must notify the TCEQ of the change at least 45 days before the planned implementation. Examples of major changes include:

- a change in the boundary of the approved service area;
- the addition of a new user;
- a change in the intended uses; and
- a change from Type I to Type II reclaimed water or vice versa.

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.

Producer Signatory Name: Clint Harp

Producer Signatory Title: Executive Vice President

Signature (use blue ink): _____ Date: 6/19/24

Section 11. Provider Certification

If the provider is a different entity than the producer, the provider must complete this section.

I understand that if there is a major change in the use of reclaimed water, the producer/provider must notify the TCEQ of the change at least 45 days before the planned implementation. Examples of major changes include:

- a change in the boundary of the approved service area;
- the addition of a new user;
- a change in the intended uses; and
- a change from Type I to Type II reclaimed water or vice versa.

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.

Provider Signatory Name: Click here to enter text.

Provider Signatory Title: Click here to enter text.

Signature (use blue ink): _____ Date: _____

Attachment A
Additional Users

Use this page if there are more than two users. Make additional copies as needed.

1. NameoftheUser:Texas Disposal Systems Landfill, Inc.
2. What is the contact information for this User?

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

   First and Last Name:Gary Newton Suffix:Click here to enter text.

   Title:General Counsel Credentials:J.D.

   Phone Number:512-421-1300 Fax Number: 512-243-4123

   Email:gnewton@texasdisposal.com

   Mailing Address:P.O. BOX 17126

   City, State, and Zip Code:Austin, TX 78760-7126

3. Types of Uses (irrigation, dust suppression, cooling water, etc):Irrigation, dust control, etc.
4. Is there a contract, legal agreement, or ordinance between this user and the provider?

   ☐ Yes

   X No

   If no, please explain:N/A new permit and reuse authorization
5. Is the reclaimed water being supplied to the user on a "demand only" basis as required by 30 TAC §210.7?

   X Yes

   ☐ No

   If no, please explain:Click here to enter text.

Attachment A
Additional Users

Use this page if there are more than two users. Make additional copies as needed.

1. NameoftheUser:Texas Disposal Systems, Inc.
2. What is the contact information for this User?

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

   First and Last Name:Gary Newton

   Suffix:Click here to enter text.

   Title:General Counsel

   Credentials:J.D.

   Phone Number:512-421-1300

   Fax Number: 512-243-4123

   Email:gnewton@texasdisposal.com

   Mailing Address:P.O. BOX 17126

   City, State, and Zip Code:Austin, TX 78760-7126

3. Types of Uses (irrigation, dust suppression, cooling water, etc):Irrigation, dust control, vehicle washing, etc.
4. Is there a contract, legal agreement, or ordinance between this user and the provider?

   ☐ Yes
   X No

   If no, please explain:N/A new permit and reuse authorization

5. Is the reclaimed water being supplied to the user on a "demand only" basis as required by 30 TAC §210.7?

   X Yes
   ☐ No

   If no, please explain:Click here to enter text.

Attachment A
Additional Users

Use this page if there are more than two users. Make additional copies as needed.

1. NameoftheUser: Texas Landfill Management, LLC
2. What is the contact information for this User?

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

   First and Last Name:Gary Newton

   Title: General Counsel Suffix: Click here to enter text.

   Phone Number:512-421-1300 Credentials:J.D.

   Email:gnewton@texasdisposal.com Fax Number:512-243-4123

   Mailing Address:P.O. BOX 17126

   City, State, and Zip Code: Austin, TX 78760-7126
3. Types of Uses (irrigation, dust suppression, cooling water, etc): Irrigation, dust control, compost make-up water, glass recycling wash water, wash down water, etc.
4. Is there a contract, legal agreement, or ordinance between this user and the provider?

   ☐ Yes

   X No

   If no, please explain:N/A new permit and reuse authorization
5. Is the reclaimed water being supplied to the user on a "demand only" basis as required by 30 TAC §210.7?

   X Yes

   ☐ No

   If no, please explain: Click here to enter text.

Instructions for Domestic Reclaimed Water Re-Use Authorization

GENERAL INFORMATION

Where to Send the Application Form

BY REGULAR U.S. MAIL:
Texas Commission on Environmental Quality
Water Quality Division (MC-148)
P.O. Box 13087
Austin, Texas 78711-3087

BY OVERNIGHT/EXPRESS MAIL:
Texas Commission on Environmental Quality
Water Quality Division (MC-148)
12100 Park 35 Circle
Austin, TX 78753

TCEQ Contact List

Application-status and form questions:	512-239-4671
Technical questions:	512-239-4671
Environmental Law Division:	512-239-0600
Records Management - obtain copies of forms:	512-239-0900
Reports from databases (as available):	512-239-DATA (3282)

Application Review Process

When your application is received by the program, the form will be processed as follows:

- **Administrative Review:** Each item on the form will be reviewed for a complete response. In addition, the producer and provider's legal name must be verified with Texas Secretary of State as valid and active (if applicable). The address(s) on the form must be verified with the US Postal service as receiving regular mail delivery. Do not give an overnight/express mailing address.
- **Technical Review:** The form and attachments will be reviewed to determine compliance with 30 TAC §210.
- **Notice of Deficiency:** If an item is incomplete or not verifiable as indicated above, a notice of deficiency (NOD) will be mailed to the application contact. The application contact will have 30 days to respond to the NOD. The response will be reviewed for completeness.
- **Acknowledgment of Coverage:** A reuse authorization will be mailed to the provider.

  OR

- **Denial of Coverage:** If the application contact fails to respond to the NOD or the response is inadequate, authorization may be denied. If authorization is denied, the application contact will be notified.

INSTRUCTIONS FOR FILLING OUT THE FORM

Indicate if you are requesting a new authorization or an amendment of an existing

reuse authorization. If this is an amendment, please provide the reuse authorization number. The reuse authorization number will begin with the letter "R".

Provide the permit number for the wastewater treatment plant. This number will begin with "WQ00". If the permit number provided is not active (ie. pending, cancelled, or expired), the reuse authorization will be denied.

Section 1. and 2.Producer and Provider(Applicant)

a) **CustomerNumber(CN)**

TCEQ'sCentralRegistryassignseachcustomeranumberthatbeginswithCN,followedby nine digits.This is not a permit number, registration number, or license number. The Customer Number is available at the following website: http://www15.tceq.texas.gov/crpub/.

b) **LegalNameofApplicant**

Provide the current legal name of the applicant. The name must be provided exactly as filed with the Texas Secretary of State, or on the legal documents forming the entity as filed with the county. If filed in the county, provide a copy of the legal documents showing the legal name.

Section 3. Application Contact

Providethename,titleandcontactinformationofthepersonthatTCEQcancontactfo r additionalinformationregardingthisapplication.

Section 4. Regulated Entity (RE) Information

a) **RegulatedEntityReferenceNumber(RN)**

The RN isissuedbyTCEQ'sCentralRegistrytositeswherean activity is regulated by TCEQ.Thisisnotapermitnumber,registrationnumber,orlicense number.Search TCEQ's Central Registry to find the wastewater treatment plant's assigned RN at http://www15.tceq.texas.gov/crpub/.

Provide the assigned RNfor the wastewater treatment plant where the reclaimed water is produced.

b) **Wastewater Treatment PlantSite Name**

Provide the site name for the Wastewater Treatment Plant that generates the wastewater.

Section 5. General Characteristics

a) Identify the type of reclaimed water that is used.

b) Identify the treatment processes that may be needed to achieve the effluent quality for each type of reclaimed water used.

c) Provide the requested information concerning the effluent limits in the wastewater discharge permit.

Section 6. Storage Requirements

a) Indicate if the reclaimed water is stored in fabricated tanks.

b) Indicate if the reclaimed water storage or usage sites are located in the Edwards Aquifer Recharge Zone.

c) Indicate if any of the reclaimed water usage sites are located outside the Edwards Aquifer Recharge Zone, but within the DRASTIC Designated Areas having a pollution potential index figure of 110 or greater.

d) Complete this set of questions if you answered YES to questions b or c in this section.

e) Complete this set of questions if you answered NO to questions b or c in this section.

Section 7. Reclaimed Water Uses

a) Describe all of the potential uses of the reclaimed water at the WWTP.

b) Describe all of the potential uses of the reclaimed water at other sites.

Uses include, but are not limited to, landscape irrigation, irrigation of sports complexes, golf course irrigation, dust control, fire prevention, etc.

Section 8. Reclaimed Water Users

a) Indicate if the producer, provider, and user are the same entity. If Yes, attach the contract template and complete the questions in this section. If No, skip to section 9.

b) Indicate if the contract includes an operation and maintenance plan.

c) Provide the requested information about each user. If there are more than 2 users, complete Attachment A.

Section 9. Attachments

Complete and attach the TCEQ Core Data Form (TCEQ-10400).

Attach a map of the service area for the reclaimed water.

Attach a map showing the location of all reclaimed water storage ponds.

Attach a copy of each user contract, if the user is a different entity than the producer and provider.

Attach a copy of the operation and maintenance plan for each contract.

Section 10 and 11. Certifications

Thecertificationmustbearanoriginalsignatureofapersonmeetingthesignatoryrequirements specifiedunder30TexasAdministrativeCode§305.44.

IF YOU ARE A CORPORATION:

Theregulationthatcontrolswhomaysignanapplicationformis30TexasAdministrativeCode §305.44(a), which is provided below.Accordingtothiscodeprovision,anycorporaterepresentativemaysignanNOIorsimilarformsolongastheauthoritytosignsuchadocumenthasbeendelegated tothatpersoninaccordancewithcorporateprocedures.BysigningtheNOIorsimilarform,you arecertifyingthatsuchauthorityhasbeendelegatedtoyou.TheTCEQmayrequest documentationevidencingsuchauthority.

IF YOU ARE A MUNICIPALITY OR OTHER GOVERNMENT ENTITY:

Theregulationthatcontrolswhomaysignan NOIorsimilarformis30TexasAdministrative Code§305.44(a), which is provided below.Accordingtothiscodeprovision,onlyarankingelectedofficialor principalexecutiveofficermaysignanNOIorsimilarform.PersonssuchastheCityMayoror CountyCommissionerwillbeconsideredrankingelectedofficials.Inordertoidentifythe principalexecutiveofficerofyourgovernmententity,it maybebeneficialtoconsultyourcity charter,countyorcityordinances,ortheTexasstatutesunderwhichyourgovernmententity wasformed.AnNOIorsimilardocumentthatissignedbya governmentofficialwhoisnota rankingelectedofficialorprincipalexecutiveofficerdoesnotconformto§305.44(a)(3).The signatoryrequirementmaynotbedelegatedtoagovernmentrepresentativeotherthanthos e identifiedintheregulation.BysigningtheNOI orsimilarform,youarecertifyingthatyouare eitherarankingelectedofficialorprincipalexecutiveofficerasrequiredbytheadministrativ e

code.Documentationdemonstratingyourpositionasarankingelectedofficialorprincipal executiveofficermayberequestedbytheTCEQ.

Ifyouhaveanyquestionsorneedadditionalinformationconcerningthesignatoryrequireme nts discussedabove,pleasecontacttheTexasCommissiononEnvironmentalQuality's EnvironmentalLawDivisionat512-239-0600.

30 TEXAS ADMINISTRATIVE CODE§305.44. SIGNATORIES TO APPLICATIONS

(a)Allapplicationsshallbesignedasfollows.

(1)Foracorporation,theapplicationshallbesignedbyaresponsiblecorporate officer.Forpurposesofthisparagraph,aresponsiblecorporateofficermeansapresident, secretary,treasurer,orvice-presidentofthecorporationinchargeofaprincipalbusiness function,oranyotherpersonwhoperformssimilarpolicyordecision-makingfunctionsforthe corporation;orthemanagerof oneormoremanufacturing,production,oroperatingfacilitiesemployingmorethan250p ersonsorhavinggrossannualsalesorexpendituresexceeding$25 million(insecond-quarter1980dollars),ifauthoritytosigndocumentshasbeenassignedor delegatedtothemanagerinaccordancewithcorporateprocedures.Corporateprocedure sgoverningauthoritytosignpermitorpost-closureorderapplicationsmayprovidefor assignmentordelegationtoapplicablecorporatepositionsratherthantospecificindivid uals.

(2)Forapartnershiporsoleproprietorship,theapplicationshallbesignedbya generalpartnerortheproprietor,respectively.

(3)Foramunicipality,state,federal,orotherpublicagency,theapplicationshall besignedbyeitheraprincipalexecutiveofficerorarankingelectedofficial.Forpurposesoft

his paragraph,a
principalexecutiveofficerofafederalagencyincludesthechiefexecutiveofficerof
theagency,oraseniorexecutiveofficerhavingresponsibilityfortheoveralloperationsofa
principalgeographicunitoftheagency(e.g.,regionaladministratoroftheEPA).

TCEQ Core Data Form

TCEQ Use Only

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

SECTION I:General Information

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

☒ 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)

CN

Follow this link to search for CN or RN numbers in Central Registry**

3. Regulated Entity Reference Number (if issued)

RN

SECTION II:Customer Information

4. General Customer Information

☒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).

5. Effective Date for Customer Information Updates (mm/dd/yyyy)

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

BGICO, LLC

If new Customer, enter previous Customer below:

Not applicable

7. TX SOS/CPA Filing Number

800701554

8. TX State Tax ID (11 digits)

32020532787

9. Federal Tax ID (9 digits)

20-5657052

10. DUNS Number (*if applicable*)

N/A

11. Type of Customer: ☒ Corporation ☐ Individual

Government:☐ City ☐ County ☐ Federal ☐ State ☒ Other ☐ Sole Proprietorship ☐ Other:Municipal Utility District

Partnership:☐ General ☐ Limited

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 ☐ Voluntary Cleanup Applicant ☐Other:

15. Mailing Address:

BGICO, LLC

P.O. Box 17126

City Austin **State** TX **ZIP** 78760 **ZIP + 4** 7126

16. Country Mailing Information(*if outside USA*)

17. E-Mail Address(*if applicable*)

gnewton@texasdisposal.com

18. Telephone Number

(512)421-1300

19. Extension or Code

20. Fax Number (*if applicable*)

( ) -

SECTION III:Regulated Entity Information

21. General Regulated Entity Information(*If 'New Regulated Entity" is selected below this form should be accompanied by a permitapplication*)

☒ 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 Agency Data Standards (removal of organizational endings such as Inc, LP, or LLC).

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

BGICO, LLC

23. Street Address of the Regulated Entity: *(No PO Boxes)*	4400 FM 1327							
	City	Buda	State	TX	ZIP	78610	ZIP + 4	2184
24. County	Travis							

25. Description to Physical Location:	Enter Physical Location Description if no street address is provided.
26. Nearest City	State / Nearest ZIP Code
Creedmoor	TX / 78610

27. Latitude (N)In Decimal:	30.097611		28. Longitude (W)In Decimal:	-97.742139	
Degrees	Minutes	Seconds	Degrees	Minutes	Seconds
30	05	51.4	-97	44	31.7

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)
4939	6531	22132	23721

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

34. Mailing Address:	BGICO, LLC P.O. Box 17126							
	City	Austin	State	TX	ZIP	78760	ZIP + 4	7126
35. E-Mail Address:	gnewton@texasdisposal.com							

36. Telephone Number	37. Extension or Code	38. Fax Number *(if applicable)*
(512) 421-1300		( ) -

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	☒ Waste Water	☐ Wastewater Agriculture	☐ Water Rights	☐ Other:
	N/A, New Permit Application			

SECTION IV: Preparer Information

40. Name:	James Doersam, P.E.	41. Title:	Engineer
42. Telephone Number	43. Ext./Code	44. Fax Number	45. E-Mail Address
(512) 421-1300		( ) -	jdoersam@texasdisposal.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, Field6 and/or as required for the updates to the ID numbers identified in field 39.

Company:	BGICO, LLC		
Name *(In Print)*:	Clint Harp	Job Title:	Executive Vice President
		Phone:	(512)421-1300

2024 BGICO WWTP Permit
Adjacent Landowners

Map Key	Property ID	Owner	Acres	Mailing Address
1	300567	HARRIS CRAIGAN R	27.561	11600 OLD LOCKHART RD CREEDMOOR TX 78610-2075
2	300566	TEXAS DISPOSAL SYSTEMS LANDFILL INC	68.72	PO BOX 17126 AUSTIN TX 78760-7126
3	300561	HARRIS CRAIGAN R	68.022	11600 OLD LOCKHART RD CREEDMOOR TX 78610-2075
4	301058	HEMPHILL CAROLYN DITTMAR	29.37	1313 W DITTMAR RD AUSTIN TX 78745-6204
5	301057	HOLDEN ARNOLD & LUCILLE	28.735	1805 MANADA TRAIL LEANDER TX 78641-2626
6	301060	HEMPHILL SCOTT	14.06	PO BOX 1621 DRIPPING SPRINGS TX 78620-1621
7	300585	ZIN LIN AND DOANH LUONG	9.786	610 GREEN APPLE DR GARLAND TX 75044-2562
8	300584	SOUTHPORT A AND G GROUP INC	4.894	2404 APPLE VALLEY CIR AUSTIN TX 78747-1637
9	300581	SOUTHPORT A AND G GROUP INC	14.681	2404 APPLE VALLEY CIR AUSTIN TX 78747-1637
10	300580	HUNTER RICHARD AND LAURA DITTMAR	23.323	11716 OLD LOCKHART RD CREEDMOOR TX 78610-2087
11	300562	RIOS JOSE F	27.87	P.O. BOX 19493 AUSTIN TX 78760-9493
12	301039	LINDSAY LUCY MONTGOMERY	165.72	PO BOX 2690 SAN ANGELO TX 76902-2690

Mailing Address:Click to enter text. City, State, Zip Code:Click to enter text.

Phone No.:Click to enter text. E-mail Address:Click to enter text.

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: Click to enter text.

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

Prefix:N/A, Sludge to be disposed offsite at a permitted TCEQ Facility Last Name, First Name:Click to enter text.

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

Organization Name:Click to enter text.

Mailing Address:Click to enter text. City, State, Zip Code:Click to enter text.

Phone No.:Click to enter text. E-mail Address:Click to enter text.

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: Click to enter text.

Section 10. TPDES Discharge Information (Instructions Page 31)

A. Is the wastewater treatment facilitylocation in the existing permit accurate?

☐ Yes ☐ No

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

This is a new facility that will discharge into Dry Creek, located near 4400 FM 1327, Buda, TX 78610

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:

The discharge location will be at the following coordinates: Latitude: 30 deg 06' 01.37494", Longitude: -97 deg 44' 27.26989".

City nearest the outfall(s):City of Creedmoor

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

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 X No

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

☐ Authorization granted ☐ Authorization pending

HARRIS CRAIGAN R 11600 OLD LOCKHART RD CREEDMOOR TX 78610-2075	TEXAS DISPOSAL SYSTEMS LANDFILL INC PO BOX 17126 AUSTIN TX 78760-7126	HARRIS CRAIGAN R 11600 OLD LOCKHART RD CREEDMOOR TX 78610-2075
HEMPHILL CAROLYN DITTMAR 1313 W DITTMAR RD AUSTIN TX 78745-6204	HOLDEN ARNOLD AND LUCILLE 1805 MANADA TRAIL LEANDER TX 78641-2626	HEMPHILL SCOTT PO BOX 1621 DRIPPING SPRINGS TX 78620-1621
ZIN LIN AND DOANH LUONG 610 GREEN APPLE DR GARLAND TX 75044-2562	SOUTHPORT A AND G GROUP INC 2404 APPLE VALLEY CIR AUSTIN TX 78747-1637	SOUTHPORT A AND G GROUP INC 2404 APPLE VALLEY CIR AUSTIN TX 78747-1637
HUNTER RICHARD AND LAURA DITTMAR 11716 OLD LOCKHART RD CREEDMOOR TX 78610-2087	RIOS JOSE F PO BOX 19493 AUSTIN TX 78760-9493	LINDSAY LUCY MONTGOMERY PO BOX 2690 SAN ANGELO TX 76902-2690

Rachel Ellis

From: Rachel Ellis
Sent: Tuesday, July 23, 2024 11:36 AM
To: Jim Doersam
Subject: RE: BGICO, LLC Response to July 16, 2024 NOD (WQ0016568001 and EPA I.D. No. TX0146277)

Thank you

Rachel Ellis
Texas Commission on Environmental Quality
Water Quality Division
Application Review & Processing Team
Rachel.Ellis@tceq.texas.gov

From: Jim Doersam <jdoersam@texasdisposal.com>
Sent: Monday, July 22, 2024 2:33 PM
To: Rachel Ellis <Rachel.Ellis@tceq.texas.gov>
Subject: Fw: BGICO, LLC Response to July 16, 2024 NOD (WQ0016568001 and EPA I.D. No. TX0146277)

Sorry, the first attempt had your email address misspelled. Sorry!

Jim D.

From: Jim Doersam
Sent: Monday, July 22, 2024 1:05 PM
To: rachel.ellis@tceq.texas
Cc: Gary Newton; Clint Harp; Sindy Estrada; Luke, Adam
Subject: BGICO, LLC Response to July 16, 2024 NOD (WQ0016568001 and EPA I.D. No. TX0146277)

Good Afternoon Ms. Ellis,

This email is in response to your July 16, 2024 letter to Mr. Gary Newton and me informing us of issues to be addressed to process our TPDES wastewater permit application for BGICO, LLC. Our responses are listed in the same order as in your letter, and are as follows:

1. Landowner Labels: Please see the revised landowner label file attached to this email;
2. The NORI described in your letter is accurate and does not require further editing;
3. NORI in Spanish: Please see the revised NORI that has been translated into Spanish;
4. Plain Language Summary (PLS) in English: Please see PLS attachment in English; and,
5. PLS in Spanish: Please see the PLS attachment in Spanish.

Please feel free to contact us at 512-421-1300 or by email should you have any additional questions regarding this information.

Sincerely,

Jim Doersam, P.E.

The TCEQ is committed to accessibility.
To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.

Compliance History Report

Compliance History Report for CN606281970, RN112005186, Rating Year 2023 which includes Compliance History (CH) components from September 1, 2018, through August 31, 2023.

Customer, Respondent, or Owner/Operator: CN606281970, BGICO, LLC **Classification:** NOT APPLICABLE **Rating:** N/A

Regulated Entity: RN112005186, BGICO LLC **Classification:** NOT APPLICABLE **Rating:** N/A

Complexity Points: N/A **Repeat Violator:** N/A

CH Group: 14 - Other

Location: 4400 FM 1327 BUDA, TX 78610-9635, TRAVIS COUNTY

TCEQ Region: REGION 11 - AUSTIN

ID Number(s):

WASTEWATER EPA ID TX0146277 **WASTEWATER** PERMIT WQ0016568001

Compliance History Period: September 01, 2018 to August 31, 2023 **Rating Year:** 2023 **Rating Date:** 09/01/2023

Date Compliance History Report Prepared: August 05, 2024

Agency Decision Requiring Compliance History: Permit - Issuance, renewal, amendment, modification, denial, suspension, or revocation of a permit.

Component Period Selected: July 09, 2019 to August 05, 2024

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: PT **Phone:** (512) 239-3581

Site and Owner/Operator History:

1) Has the site been in existence and/or operation for the full five year compliance period? NO
2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:
N/A

B. Criminal convictions:
N/A

C. Chronic excessive emissions events:
N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):
N/A

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):
A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

N/A

F. Environmental audits:
N/A

G. Type of environmental management systems (EMSs):

Customer was not affiliated to Regulated Entity at time of Compliance History Rating.

N/A

H. Voluntary on-site compliance assessment dates:
N/A

I. Participation in a voluntary pollution reduction program:
N/A

J. Early compliance:
N/A

Sites Outside of Texas:
N/A

Senate Bill 709 (84th Legislative Session, 2015) amended the Texas Water Code by adding new Section 5.5553, which requires the Texas Commission on Environmental Quality (TCEQ) to provide written notice to you at least thirty (30) days prior to the TCEQ's issuance of draft permits for applications that are located in your district.

BGICO, LLC, P.O. Box 17126, Austin, Texas 78760, has applied to the TCEQ for proposed Texas Pollutant Discharge Elimination System Permit No. WQ0016568001 (EPA I.D. No. TX0146277) to authorize the discharge of treated wastewater at a volume not to exceed an annual average flow of 3,150,000 gallons per day. The domestic wastewater treatment facility will be located at 4400 Farm-to-Market Road 1327, in the city of Buda, in Travis County, Texas 78610. The discharge route will be from the plant site to Dry Creek, thence to Colorado River Below Ladybird Lake/Town Lake in Segment No. 1428 of the Colorado River Basin. TCEQ received this application on July 9, 2024. The permit application will be available for viewing and copying at Creedmoor City Hall, City Administrative Office, 5008 Hartung Lane, Creedmoor, Texas. The application, including any updates, and associated notices are available electronically at the following webpage: https://www.tceq.texas.gov/permitting/wastewater/pending-permits/tpdes-applications.
This link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice. For the exact location, refer to the application. https://gisweb.tceq.texas.gov/LocationMapper/?marker=-97.74213,30.097611&level=18

TCEQ is preparing the initial draft permit. At the time the draft permit is issued, the applicant will be required to publish notice in a newspaper of general circulation, and the TCEQ will provide a copy of the notice of draft permit to persons who have requested to be on a mailing list.

Questions regarding this application may be directed to Mr. Deba Dutta by calling 512-239-4608.

Issuance Date: August 21, 2024

TCEQ Interoffice Memorandum

To: Municipal Permits Team
Wastewater Permitting Section

From: James E. Michalk, Water Quality Modeler
Water Quality Assessment Team
Water Quality Assessment Section

Date: November 22, 2024

Subject: BGICO, LLC; Wastewater Permit No. WQ0016568001 / TX0146277 (new)
Discharge to a tributary of the Colorado River Below Lady Bird Lake/Town Lake, Segment No. 1428 of the Colorado River Basin

An analysis of the referenced discharger was conducted using a combination of simplified pond models and default QUAL-TX models for interim effluent flows of 0.15 MGD and 1.15 MGD and a final effluent flow of 3.15 MGD. The discharger is located in Travis County.

Based on model results, the proposed effluent set of 5 mg/L $CBOD_5$, 2 mg/L NH_3-N, and 5.0 mg/L DO is predicted to be adequate for all three flow phases to ensure that dissolved oxygen levels will be maintained above the criteria established by the Standards Implementation Team for the unnamed tributary (3.0 mg/L) and Dry Creek (3.0 mg/L in this portion).

These effluent limits also comply with the requirements of the Colorado River Watershed Protection Rule (30 TAC 311, Subchapter E), which also requires a 5 mg/L TSS effluent limit and a minimum total phosphorus effluent limit (see Standards Implementation Team memo for total phosphorus effluent limit recommendations).

Coefficients and kinetics used in the models are a combination of estimated and standardized default values. The results of this evaluation can be reexamined upon receipt of information that conflicts with the assumptions employed in this analysis.

Segment No. 1428 is not currently listed on the State's inventory of impaired and threatened waters (the 2022 Clean Water Act Section 303(d) list).

The effluent limits recommended above have been reviewed for consistency with the State of Texas Water Quality Management Plan (WQMP). The proposed limits are not contained in the approved WQMP. However, these limits will be included in the next WQMP update.

TCEQ Interoffice Memorandum

To: Municipal Permits Team
Wastewater Permitting Section

From: Sarah Musgrove, Water Quality Assessment Team
Water Quality Assessment Section

Date: September 23, 2024

Subject: BGICO, LLC
Wastewater Permit No. WQ0016568001, New
Critical Conditions Recommendation Memo

The following information applies to **Outfall 001**.

The TexTox menu number is **7** for an intermittent water body with perennial pools.

This discharge is to Colorado River below Lady Bird Lake.

Segment No.	1428
Critical Low Flow [7Q2] (cfs)	0
% Effluent for Chronic Aquatic Life (Mixing Zone)	100
% Effluent for Acute Aquatic Life (ZID)	100
Effluent Flow for Human Health (MGD)	3.150 (Proposed)
Harmonic Mean Flow (cfs)	0.10

Human Health criteria apply for Incidental Fish Only.

There is no mixing zone established for this discharge to an intermittent stream with perennial pools. Chronic toxic criteria apply at the point of discharge.

OUTFALL LOCATION [1]

Outfall Number	Latitude	Longitude
001	30.100382 N	97.741027 W

[1] Latitude and Longitude values are approximations of the location for administrative purposes.

TCEQ Interoffice Memorandum

To: Municipal Permits Team
Wastewater Permitting Section

From: Michael B. Pfeil, Standards Implementation Team
Water Quality Assessment Section
Water Quality Division

Date: January 14, 2025

Subject: BGICO, LLC
Permit No. WQ00165680001

WHOLE EFFLUENT TOXICITY (WET) TESTING (BIOMONITORING)

The following information applies to Outfall 001. We recommend freshwater chronic and 24-hour acute testing. For chronic testing, we recommend the water flea (*Ceriodaphnia dubia*) and the fathead minnow (*Pimephales promelas*) as test species and a testing frequency of once per quarter for both test species. We recommend a dilution series of 32%, 42%, 56%, 75%, and 100% with a critical dilution of 100%. The critical dilution is in accordance with the "Aquatic Life Criteria" section of the "Water Quality Based Effluent Limitations/Conditions" section.

For 24-hour acute testing, we recommend a water flea (*Ceriodaphnia dubia* or *Daphnia pulex*) and the fathead minnow as test species and a testing frequency of once per six months for both test species.

This is a new facility not yet constructed. Therefore, there is no WET testing history to review. WET testing will commence within 90 days of initial discharge of the 1.15 MGD final phase facility.

REASONABLE POTENTIAL (RP) DETERMINATION

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

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

TCEQ Interoffice Memorandum

To: Municipal Permits Team
Wastewater Permitting Section

From: Jenna R. Lueg Standards Implementation Team
Water Quality Assessment Section
Water Quality Division

Thru: C. Brad Caston, Standards Implementation Team Peer Review
Water Quality Assessment Section
Water Quality Division

Date: 8/28/2024

Subject: BGICO, LLC; Permit no. WQ0016568001
New; Application received 7/9/2024

The discharge route for the above referenced permit is to an unnamed tributary, thence to Dry Creek, thence to Colorado River Below Ladybird Lake/Town Lake in Segment 1428 of the Colorado River Basin. The designated uses and dissolved oxygen criterion as stated in Appendix A of the Texas Surface Water Quality Standards (30 Texas Administrative Code §307.10) for Segment 1428 are primary contact recreation, public water supply, exceptional aquatic life use, and 6.0 mg/L dissolved oxygen.

The Colorado River Watershed Protection Rule (30 TAC 311, Subchapter E) requires 1.0 mg/L Total Phosphorus for discharges into tributaries of the Colorado River (Segment 1428). A nutrient screen was performed and scored high, so the Standards Implementation Team recommends a **0.5 mg/L Total Phosphorus limit** for all phases.

Since the discharge is directly to an unclassified water body, the permit action was reviewed in accordance with 30 Texas Administrative Code §307.4(h) and (l) of the 2022 Texas Surface Water Quality Standards and the TCEQ's *Procedures to Implement the Texas Surface Water Quality Standards* (June 2010), an antidegradation review of the receiving waters was performed. Based on available information, a preliminary determination of the aquatic life uses in the area of the discharge impact has been performed and the corresponding dissolved oxygen criterion assigned.

Unnamed tributary; limited aquatic life use; 3.0 mg/L dissolved oxygen.
Dry Creek; limited aquatic life use; 3.0 mg/L dissolved oxygen.

In accordance with 30 Texas Administrative Code §307.5 and 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. Numerical and narrative criteria to protect existing uses will be maintained. This review has preliminarily

determined that no water bodies with exceptional, high, or intermediate aquatic life uses are present within the stream reach assessed; therefore, no Tier 2 degradation determination is required. No significant degradation of water quality is expected in water bodies with exceptional, high, or intermediate aquatic life uses downstream, and existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received.

No priority watershed of critical concern has been identified in Segment 1428. However, the Barton Springs salamander (*Eurycea sosorum*), an endangered species, is known to occur only in Barton and adjacent springs and their outflows in Zilker Park, near downtown Austin, Travis County. This determination is based on the United States Fish and Wildlife Service's (USFWS) biological opinion on the State of Texas authorization of the Texas Pollutant Discharge Elimination System (TPDES; September 14, 1998, October 21, 1998 update). To make this determination for TPDES permits, TCEQ and EPA only 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 Barton Springs salamander is provided by the USFWS and documents the salamander's presence in Barton and adjacent springs and their outflows in Zilker Park, near downtown Austin, Travis County which is a different watershed than 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 Barton Springs salamander. The permit does not require EPA review with respect to the presence of endangered or threatened species.

Nutrient Screening for Streams and Rivers

Applicant Name BGICO, LLC
Permit number: 16568-0011428
Segment: 1434

STEP 1: Determine evaluation distance.

Permitted flow (MGD)	Evaluation distance (stream miles)
<0.25	<3
0.25 to <1.0	<7
≥ 1.0*	<15

*Very large discharges may be evaluated on case-by-case basis.

STEP 2: Assess concerns: enter point values in boxes to the right.

Level of concern	LOW (1 point)	MOD (3 points)	HIGH (5 points)		Specific notes on scores for this permit.
Discharge (MGD)	<0.25	0.25 to <1.0	≥1.0	**5**	***3.15 MGD, final***
Instream dilution (percent effluent)*	<10	10 to <25	≥25	**5**	***The unnamed tributary and Dry Creek are intermittent with pools, effluent dominated***
Bottom (Sensitivity to growth of attached algae)	Mud or sand	Rocky cobble, gravel, usually with riffle areas	Larger rocks and boulders, rock slabs	**1**	***mostly mud bottom in Dry Creek (via aerials)***
Depth (Sensitivity to growth of attached vegetation)	Relatively steep banks and deep channels across streams	Gently sloping sides with some shallow areas	Substantial shallow areas near banks and in stream channel	**5**	***Int. w/ pools portion, and per aerial images***
Water clarity (Sensitivity to nutrient enrichment)	Turbid from suspended particles or color (tannins), bottom may not be visible	Some visible turbidity, but w/o heavy murkiness, bottom sometimes visible	Relatively clear water, bottom usually visible	**3**	***bottom sometimes visible in The unnamed tributary and Dry Creek (via aerials)***
Observation* (Sensitivity to growth of aquatic vegetation)	Little attached, floating, or suspended aquatic vegetation	Limited patches of attached, floating, or suspended vegetation	Heavy patches of vegetation in areas with nutrient input		
Shading (Sensitivity to growth of aquatic vegetation)	Extensive canopy cover shades most of stream surface	Substantial canopy cover but only partial shading; not "deep woods"	Canopy cover diffuses light some, but substantial light reaches stream	**5**	***Based on aerials, substantial light reaches the stream. Sparse riparian in urban area***
Streamflow Sustainability	Intermittent	Intermittent with pools	Perennial	**3**	***The unnamed tributary and Dry Creek are intermittent with pools, effluent dominated***
Impoundments	No impoundments >300' long and no reach with extensive smaller pools	No impoundments >300', but substantial smaller pools over >20% of reach	At least one impoundment >300' in length	**5**	***There are three on-channel impoundments on the unnamed tributary immediately downstream of the outfall.***
Consistency	Similar permits do not have TP limits	Some similar permits have TP limits, but applicability is site-specific and not across the board	Discharges w/similar characteristics usually have a TP limit	**5**	***The Colorado River Watershed Protection Rule (30 TAC 311, Subchapter E) requires 1.0 mg/L Total Phosphorus for discharges into tributaries of the Colorado River (Segment 1428).***
Concern 305(b) and 303(d)	No concern for nutrients or aquatic veg in latest integrated report	Concern due to exceedance of 85th percentile	Concern due to documented problems	**5**	***Concern for Nitrate & TP in Seg. 1428***
			Sum:	**42**	
			Average:	**4.2**	

Average <2, probably no TP limit needed
Average >4, TP limit probably needed
Average 2-4, TP monitoring or a limit is possible, depending.
If a TP limit is needed, screening factors and levels of concern can be used to determine the TP limit.