

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

These provisions apply to sludge that is transported to another wastewater treatment facility or facility that further processes sludge. These provisions are intended to allow transport of sludge to facilities that have been authorized to accept sludge. These provisions do not limit the ability of the receiving facility to determine whether to accept the sludge, 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 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 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 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.
2. For sludge transported by a registered transporter, the permittee must maintain records of the completed trip tickets in accordance with 30 TAC § 312.145(a)(1)-(7) and amount of sludge transported.
3. The above records shall be maintained on-site on a monthly basis and shall be made available to the TCEQ upon request. These records shall be retained for at least five years.

C. Reporting Requirements

The permittee shall report the following information annually to the TCEQ Regional Office (MC Region 12) and Water Quality Compliance Monitoring Team (MC 224) of the Enforcement Division, by September 30th of each year:

1. the annual sludge production;
2. the amount of sludge transported;
3. the owner of each receiving facility;
4. the location of each receiving facility; and
5. the date(s) of disposal at each receiving facility.

TCEQ Revision 2/2015

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

2. The facility is not located in the Coastal Management Program boundary.
3. The permittee is hereby placed on notice that this permit may be reviewed by the TCEQ after the completion of any new intensive water quality survey on Segment No. 1109 of the San Jacinto-Brazos Coastal Basin and any subsequent updating of the water quality model for Segment No. 1109 to determine if the limitations and conditions contained herein are consistent with any such revised model. The permit may be amended, pursuant to 30 TAC § 305.62, as a result of such review. The permittee is also hereby placed on notice that effluent limits may be made more stringent at renewal based on, for example, any change to modeling protocol approved in the TCEQ Continuing Planning Process.
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. A certified operator shall inspect the facility daily and maintain at the plant site a record of these inspections. These records shall be available at the plant site for inspection by authorized representatives of the commission for at least three years.
6. Prior to upgrade of the treatment facility, the permittee shall submit to the TCEQ Wastewater Permitting Section (MC 148) a summary submittal letter in accordance with the requirements in 30 TAC Section 217.6(c). If requested by the Wastewater Permitting Section, the permittee shall submit plans and 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 final permitted effluent limitations required on Page 2 of this permit.
7. 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, 1/quarter may be reduced to 1/6 months. **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

Orbit Systems, Inc.

TPDES Permit No. WQ0012420001

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.

January 4, 2017

Executive Director
Texas Commission on Environmental Quality
Attn: Water Quality Division
Applications Review and Processing Team (MC 148)
P.O. Box 13087
Austin, Texas 78711-3087

To Whom It May Concern:

Please find enclosed one original application for a Wastewater Discharge Permit Transfer according to the following:

Type of Application: **Domestic Wastewater Discharge Permit Transfer**

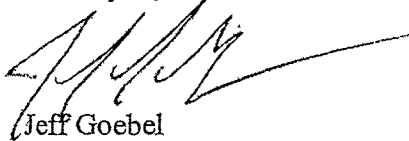
Applicant: **Undine Texas, LLC**

Permit Number: **WQ00 12113-001**

Name of the Facility: **Beachwood WWTP**

Please note that the transfer will not occur until the Public Utility Commission of Texas has approved a pending Sale, Transfer Merger Application.

Thank you,



Jeff Goebel
Manager of Business Development

Enclosure





Application and Instructions to Transfer a Wastewater Permit or CAFO Permit

Submission Checklist - Submit This with the Application

Indicate If The Following Are Included In The Application. Additional Blank Spaces Provided for Referencing Applicant's Attachments to the application.

Attachments	Y	N
Required Signature Pages	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Copy Of The Check or Payment Voucher Submitted For Transfer Application Processing Fee	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Core Data Form - Required To Complete Transfer Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lease Agreements – if applicable	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Proof of Ownership – Required for CAFO Permits	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>

For Commission Use Only

Permit Number WQ00_____ EPA I.D. No. _____

Expiration Date _____ County _____ Region _____

1. Applicant General Information

What is the Legal Name of the entity (applicant) applying for this permit? *(The legal name must be spelled exactly as filed with the Texas Secretary of State, County, or in the legal document forming the entity.)*

a. **Facility Owner:** Undine Texas, LLC.

What is the applicant's mailing address (for use on the permit and permit correspondence) as recognized by the US Postal Service? You may verify the address at:

<http://zip4.usps.com/zip4/welcome.jsp>

Street Number/Name 10913 Metronome Street type Dr. **OR**

P.O. Box _____ City Houston State TX Zip code 77043

Telephone number (713) 574-5953 Fax number (713) 647-0277

Email address: info@undinellc.com

Tax Identification Number issued by the State Comptroller 32058916225

Charter Number issued by the Texas Secretary of State 802339329

If the applicant is currently a customer with TCEQ, what is the Customer Number (CN)? Search for your CN at:

<http://www12.tceq.texas.gov/crpub/index.cfm?fuseaction=cust.CustSearch>

CN _____

If the owner has not yet received a Customer Reference Number a complete Core Data Form(TCEQ-10400) listing the owner as the customer and this facility as the regulated entity must be attached to this application.

b. **Co-Permittee Information** - (Complete only if the operator is required to apply as a co-permittee)

Co-Permittee Name: _____

What is the mailing address (for use on the permit and permit correspondence) as recognized by the US Postal Service? You may verify the address at:

<http://zip4.usps.com/zip4/welcome.jsp>

Street Number/Name _____ Street type _____ **OR**

P.O. Box _____ City _____ State _____ Zip code _____

Telephone number _____ Fax number _____

Email address: _____

Tax Identification Number issued by the State Comptroller _____

Charter Number issued by the Texas Secretary of State _____

If the applicant is currently a customer with TCEQ, what is the Customer Number (CN)? Search for your CN at:

<http://www12.tceq.texas.gov/crpub/index.cfm?fuseaction=cust.CustSearch>

CN _____

If the owner has not yet received a Customer Reference Number a complete Core Data Form (TCEQ-10400) listing the owner as the customer and this facility as the regulated entity must be attached to this application.

- c. **Individual information** - Pursuant to the Texas Water Code 26.027(b), supply the following information when the applicant is an individual.

☐ Male ☐ Female

Full Legal Name:

First _____ Middle _____ Last _____

State ID Number: _____ Date of Birth _____

Street Number/Name _____ Street type _____

Telephone number _____ Fax number _____

Email address: _____

If the applicant is currently a customer with TCEQ, what is the Customer Number (CN)? Search for your CN at:

<http://www12.tceq.texas.gov/crpub/index.cfm?fuseaction=cust.CustSearch>

CN _____

If the owner has not yet received a Customer Reference Number a complete Core Data Form (TCEQ-10400) listing the owner as the customer and this facility as the regulated entity must be attached to this application.

2. **Contact Information**

a. **Application Contact**

Identify the person, including a complete mailing address, telephone number, and fax number, authorized to act for the applicant during the processing of the transfer application. The person identified will be contacted if additional information is needed during the transfer process.

First/Last Name: Jeff Goebel

Street Number/Name 10913 Metronome Street type Dr. **OR**

P.O. Box _____ City Houston State TX Zip code 77043

Telephone number (713) 574-5953 Fax number (713) 647-0277

Email address: jgoebel@undinellc.com

b. **Permit Contact:**

Identify the person, including a complete mailing address, telephone number, and fax number, that can be contacted by the agency as needed throughout the term of the permit/registration.

First/Last Name: Andy Thomas

Street Number/Name 10913 Metronome Street type Dr. OR

P.O. Box _____ City Houston State TX Zip code 77043

Telephone number (713) 574-5953 Fax number (713) 647-0277

Email address: athomas@undinellc.com

3. **Permit/Registration Information**

a. What is the TCEQ Water Quality Permit No.? WQ0012113001

b. What is the EPA ID No.? TX 0079260

c. What is the permit expiration date? 9/1/18

d. Check if applicable (for POTWs only) ☒ NA

☐ The permit to be transferred requires implementation of an approved pretreatment program by a POTW. (Note: The transferee must contact the Stormwater and Pretreatment Team staff before this application may be processed.)

e. Check if applicable (for domestic reclaimed water authorizations)

☐ There is a domestic reclaimed water authorization associated with this permit. (Note: The domestic reclaimed water authorization associated with this permit will be transferred. If you do not want the domestic reclaimed water authorization transferred, please state this and the authorization will be cancelled on the same date the transfer took place.)

4. **Site Information**

a. TCEQ issued RE Reference Number (RN): Search TCEQ's Central Registry to see if the larger site may already be registered as a regulated site at:

<http://www12.tceq.texas.gov/crpub/index.cfm?fuseaction=regent.RNSearch>

RN 101702470

b. Site Name: Beechwood WWTP

c. County in which the facility is located Brazoria

d. Owner of the land where the facility is/will be: (if not the same as the facility owner, please see instructions) same

Street Number: _____ Street Name: _____

City: _____ State: TX ZIP Code: _____

e. Owner of the effluent disposal site (if not the same as the facility owner, please see instructions) NA

Street Number: _____ Street Name: _____

City: _____ State: TX ZIP Code: _____

f. For CAFOs – please provide one of the following: ☒ NA

☐ Warranty Deed

☐ Property Tax Records

☐ Lease – includes authorization to use the land for the duration of the permit. The owner of the land must be the co-permittee

___ Facility Size - indicated in proof of ownership: ___ acres (should be the same as what is authorized in the current permit)

5. The Date Transfer of Ownership/Operator Will Occur

Date: ___ Upon PUC Approval

Please note that the transfer will be processed once the change in ownership occurs. If the anticipated date of transfer of ownership changes, the transferee or the transferor must notify the Applications Review and Processing Team in writing, prior to the above given date. The transferee assumes complete responsibility of the permit/registration once the permit/registration transfer is issued, unless an executed agreement by the transferor and transferee is provided with the transfer application including payment of any outstanding annual fees.

6. Reporting and Billing Information

a. Please provide the mailing address for receiving self-reporting/DMR Forms.

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

First/Last Name: Carey A. Thomas ___ Suffix: ___

Title: Sr. Vice President ___ Credential: ___

Organization Name: Undine Texas, LLC. ___

Billing Mailing Address: 10913 Metronome Dr. ___

Internal Routing (Mail Code, Etc.): ___

City: Houston ___ State: TX ___ ZIP Code: 77043 ___

Mailing Information if outside USA:

Territory: ___ Country Code: ___ Postal Code: ___

Phone No.: (713) 574-5953 ___ Extension: ___

Fax No.: (713) 647-0277 ___ E-mail Address: cthomas@undinellc.com ___



Did you know you can submit DMR data on line? Go to Sign up now
at: <https://www6.tceq.texas.gov/steers/>

- b. The permittee is responsible for paying the annual fee. The annual fee will be assessed to permits active on September 1 of each year. 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.

Is the billing address the same as the permittee or co-permittee?

☒ Permittee ☐ Co-permittee ☐ No, fill out this section

Prefix (Mr. Ms, Miss): _____

First/Last Name: _____ Suffix: _____

Title: _____ Credential: _____

Organization Name: _____

Billing Mailing Address: _____

Internal Routing (Mail Code, Etc.): _____

City: _____ State: TX ZIP Code: _____

Mailing Information if outside USA.

Territory: _____ Country Code: _____ Postal Code: _____

Phone No.: _____ Extension: _____

Fax No.: _____ E-mail Address: _____

- c. Delinquent fees owed.

Do you owe fees to the TCEQ? ☐ Yes ☒ No

If yes, please provide the amount past due, the type of fee, and an identifying number.

- d. Delinquent penalties owed.

Do you owe penalties to the TCEQ? ☐ Yes ☒ No

If yes, please provide the amount past due, the type of penalty, and an identifying number.

7. **Transferor (Current Permittee)**

Owner of Permitted Facility

I, Peggy Paul Title President
(Executive Principal Officer / Ranking Elected Official)

consent to the transfer of the permit and 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 this document and can provide documentation in proof of such authorization upon request.

Signature: Peggy Paul Date: 1/3/2017

NOTE: ALL APPLICATIONS MUST BEAR THE SIGNATURE AND SEAL OF NOTARY PUBLIC.

SUBSCRIBED AND SWORN to before me by the said Peggy Paul

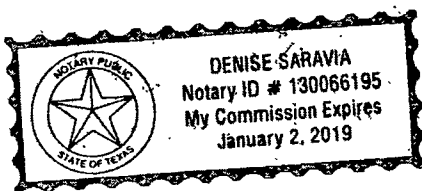
on this 3rd day of January, 2017

My commission expires on the 2nd day of January, 2019

(Seal)

Denise Saravia
Notary Public

Brazoria
County, Texas



8: Transferor (Operator of Permitted Facility)

(Operator's signature is required only if the operator is co-permittee on the current permit).

I, _____ Title: _____
(Executive Principal Officer / Ranking Elected Official)

consent to the transfer of the permit and 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 this document and can provide documentation in proof of such authorization upon request.

Signature: _____ Date: _____

NOTE: ALL APPLICATIONS MUST BEAR THE SIGNATURE AND SEAL OF NOTARY PUBLIC.

SUBSCRIBED AND SWORN to before me by the said _____

on this _____ day of _____, _____.

My commission expires on the _____ day of _____, _____.

(Seal)

Notary Public

County, Texas

9. Transferee (New Site Owner and/or Operator)

Please refer to page 3 of this application for signature requirements

I, Carey A. Thomas Title Sr. Vice President
(Printed name and title of executive officer of at least the level of V.P. or equivalent)

Name of company: Undine Texas, LLC

being duly sworn, depose and say: that a change of ownership of the facility for the subject permit has been issued will occur as indicated in the application. As a condition of the transfer, I do hereby declare that:

The transferee will be the owner of the existing treatment facility from which wastewater is discharged, deposited or disposed or the facilities required to comply with the permit will be constructed as described in the application considered by the TCEQ prior to the issuance of the permit.

The transferee possesses a copy of the permit, understands the terms and conditions therein, and does accept and assume all obligations of the permit.

The transferee assumes financial responsibility for the proper maintenance and operation of all waste treatment and disposal facilities required by the permit or which may be required to comply with the permit terms and conditions. The transferee certifies that the transfer is not made for the purpose of avoiding liability for improper actions carried out prior to the date of transfer. Neither is the transfer made for the purpose of transferring responsibility for improper operations to an insolvent entity.

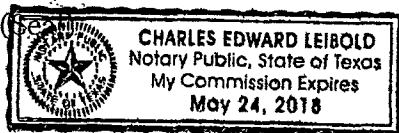
The transferee certifies under penalty of law that this document is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for known violations and revocation of this permit.

Signature: Carey A. Thomas Date: 1/4/2017

SUBSCRIBED AND SWORN to before me by the said CAREY A. THOMAS on

this 4th day of JANUARY, 2017

My commission expires on the 24th day of MAY, 2018.



Charles E. Leibold
Notary Public

HARRIS
County, Texas

** Operator is required to sign only if operator is required to be a co-permittee.

10 THIS PAGE IS APPLICABLE TO PERMITS THAT INCLUDE COMPOSTING FACILITIES, LAND APPLICATION AND/OR DISPOSAL OF SEWAGE SLUDGE AND THE TRANSFEREE DOES NOT OWN THE LAND WHERE THE DISPOSAL ACTIVITY IS CONDUCTED.

Site Operator

I, _____ Title _____
(Typed or Printed Name)

understand that I am responsible for operating the site described in the legal description in accordance with the Texas Commission on Environmental Quality requirements in 30 TAC, Chapter 332 and/or 312, the conditions set forth in the permit, and any additional conditions as required by the Texas Commission on Environmental Quality. I also certify under penalty of law that all information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine, imprisonment for violations, and revocation of this permit.

Signature: _____ Date: _____

NOTE: ALL APPLICATIONS MUST BEAR THE SIGNATURE AND SEAL OF NOTARY PUBLIC.

Signature: _____ Date: _____

SUBSCRIBED AND SWORN to before me by the said _____ on

this _____ day of _____, _____

My commission expires on the _____ day of _____, _____.

(Seal)

Notary Public

County, Texas

Complete Only If Landowner Is Not the Site Operator

I, _____ Title _____
(Typed or Printed Name)

owner of the land described in the attached legal description, have all rights and covenants to authorize, the applicant for this Permit, to use this site for the composting, disposal and /or land application Facility. I understand that 30 TAC, Chapter 332 and/or 312 requires me to make a reasonable effort to see that the applicant complies to the required operating conditions stated in the above paragraph. I also certify under penalty of law that all information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine, imprisonment for violations, and revocation of this permit.

Signature: _____ Date: _____

NOTE: ALL APPLICATIONS MUST BEAR THE SIGNATURE AND SEAL OF NOTARY PUBLIC.

Signature: _____ Date: _____

SUBSCRIBED AND SWORN to before me by the said _____ on

this _____ day of _____ , _____

My commission expires on the _____ day of _____ , _____.

(Seal)

Notary Public

County, Texas

Instructions

This application applies to:

Industrial and Municipal Permits authorized under Chapter 305
Agriculture Permits authorized under Chapter 321
Domestic Reclaimed Authorization authorized under Chapter 210

A permit must be transferred when a change in ownership or operator* occurs. (*Only if the operator is a co-permittee or is required to hold the permit.)

The mailing address for submitting an application is:

Executive Director
Texas Commission on Environmental Quality
Attn: Water Quality Division
Applications Review and Processing Team (MC 148)
P.O. Box 13087
Austin, Texas 78711-3087

For Express Mail or Hand Delivery, the physical address is:

Executive Director
Texas Commission on Environmental Quality
Attn: Water Quality Division
Customer Information and Processing Section
Applications Review and Processing Team (MC 148)
Building F, Room 2101
12100 Park 35 Circle
Austin, Texas 78753

Telephone Inquiries:

(512) 239-4671	General Permit Information and Application Forms
(512) 239-4671	Domestic Permit Team, Technical Information
(512) 239-4671	Industrial Permit Team, Technical Information
(512) 239-3410	Land Application Team, Technical Information
(512) 239-4671	Stormwater/Pretreatment Team, Pretreatment Information
(512) 239-0600	Environmental Law Division
(512) 239-4427	Stream Survey and Receiving Water Assessment
(512) 239-4427	Toxicity Testing Requirements

Copies of records and/or permits on file with the TCEQ, Records Management Office may be obtained for a minimal fee, by calling (512) 239-2900.

Individuals are entitled to request and review their personal information that the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, please contact us at (512) 239-3282.

Application Fees

An application fee of \$100.00 must be paid by check or money order made payable to the Texas Commission on Environmental Quality.

\$ Mailed Payments

Payment must be mailed in a separate envelope to one of the addresses below. Include the attached Application Fee submittal form.

BY REGULAR U.S. MAIL

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

BY OVERNIGHT/EXPRESS MAIL

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

\$ ePAY Electronic Payment

Go to: <https://www6.tceq.texas.gov/epay/>

When making the payment you must select Water Quality, and then select the fee category "CAFO PERMIT- TRANSFER APPLICATION." You must include a copy of the payment voucher with your application, which will not be considered complete without the payment voucher.

To verify receipt of payment or any other questions you may have regarding payment of fees to the TCEQ, you may call the Revenues Section, Cashiers Office at (512) 239-0357.

Water Quality Fees

This fee is assessed under the Texas Water Code, Chapter 26, to permittees with an active permit on September 1 of each year. The permittee will receive an invoice for payment of the annual fee in November. The payment will be due 30 days from the invoice date, November 30th. A 5% penalty will be assessed if the payment is not received by TCEQ by the due date. Annual fee assessments cannot be waived as long as the permit is active on September 1.

Pursuant to 30 TAC, Section 305.66, failure to pay fees is good cause for permit denial or revocation. If an applicant has outstanding fees, a proposed permit application will not be considered for approval by the Commission or Executive Director. For account balance information, contact the Financial Administration Division, Revenue Section, at (512) 239-0344.

1. Applicant General Information

The permittee/registrant shall submit to the Executive Director an application for transfer at least 30 days before the proposed transfer date.

One original and one copy of the application, including attachments is to be provided. Please read the application and instructions carefully. It has been designed to obtain specific information and anything that is missing or unclear will cause delays in the process.

The entity/individual to which a permit is issued is held responsible and liable for complying with the terms and conditions of the permit. This permit may be transferred upon approval by the Texas Commission on Environmental Quality. An attempted transfer is not effective for any purpose until actually approved by the Commission.

If no agreement regarding transfer of permit responsibility and liability is provided, responsibility for compliance with the terms and conditions of the permit and liability for any violation associated therewith is assumed by the transferee, effective on the date of the approved transfer. This section is not intended to relieve a transferor of any liability.

If the transferor has an approved pretreatment program, then the transferee is required to contact the Stormwater and Pretreatment Team staff before this transfer application may be processed.

If a person attempting to acquire a permit causes or allows operation of the facility before approval is given, such person shall be considered to be operating without a permit or other authorization.

The Commission may refuse to approve a transfer where conditions of a judicial decree, compliance agreement or other enforcement order have not been entirely met. The Commission shall also consider the prior compliance record of the transferee, if any.

Who Applies for a Permit?

For all Texas Pollutant Discharge Elimination System (TPDES) permits: it is the duty of the facility operator to submit an application for a permit as co-permittee with the facility owner when the operator is contracted by the owner. The operator is not required to apply as co-permittee when the operator is an employee of the facility owner. **If the owner of the facility is not the same as the owner of the land, please see Lease and Easement Requirements.**

For Texas Land Application Permits: it is the duty of the owner of the facility to submit an application for a permit. **If the owner of the facility is not the same as the owner of the land, please see Lease and Easement Requirements below.** In special circumstances, it is the duty of the owner and the operator of the treatment facility to submit an application for a permit, as co-permittees.

For all CAFOs: the owner of the land must be either the applicant or co-applicant. If the owner of the facility is a separate entity or individual, then the owner of the facility must be included as the applicant or co-applicant. For all CAFO TPDES permits, the operator must be listed as a co-applicant. A signature page must be completed for each applicant. A copy of a recorded deed or tax records showing ownership, or a copy of a contract or lease agreement between the applicant and the owner/operator of any lands to be utilized under the CAFO must be provided. This requirement does not apply to any lands not owned, operated, or controlled by the applicant for the purpose of off-site land application of manure if the manure is given or sold to others for beneficial use, provided the owner/operator of the CAFO is not involved in the application of the manure.

Lease and Easement Requirements

If the owner of the land on which the treatment facility is located is different from the owner of the treatment facility and the treatment facility is not a fixture of the land, the applicant must provide a copy of a lease agreement or recorded easement giving the applicant authorization to use the land, on which the treatment plant is located, for at least the term of the permit.

If the owner of the land on which the treatment facility is located is different from the owner of the treatment facility and the treatment facility **is a fixture of the land**, (Example: pond system, evaporation pond, units halfway in ground, holding ponds, etc.) the owner of the land will need to provide a copy of a deed recorded easement giving the applicant sufficient rights to use the land for the life of the facility, or apply as a co-permittee with the owner of the treatment facility.

If the applicant does not own the land where the effluent disposal site is located, the applicant must provide a copy of a lease agreement which includes a term of at least 5 years, and is current or if the lease term has passed it includes an option to renew the term, and is between the current applicant and the landowner.

For CAFOs: A copy of a recorded deed or tax records showing ownership, or a copy of a contract or lease agreement between the applicant and the owner/operator of any lands to be utilized under the CAFO must be provided. This requirement does not apply to any lands not owned, operated, or controlled by the applicant for the purpose of off-site land application of manure if the manure is given or sold to others for beneficial use, provided the owner/operator of the CAFO is not involved in the application of the manure.

2. Contact Information

Application Contact

Identify the person, including a complete mailing address, telephone number, and fax number, authorized to act for the applicant during the processing of the transfer application. The person identified will be contacted if additional information is needed during the transfer process.

Permit Contact:

Identify the person, including a complete mailing address, telephone number, and fax number, that can be contacted by the agency as needed throughout the term of the permit/registration.

3. Permit/Registration Information

Enter the TCEQ Water Quality Permit or Registration No. and the EPA ID Number if the permit is a TPDES (discharge) permit.

4. Site Information

Enter the TCEQ issued RE Reference Number (RN). To search TCEQ's Central Registry to see if the larger site may already be registered as a regulated site go to:

<http://www12.tceq.texas.gov/crpub/index.cfm?fuseaction=regent.RNSearch>

Please provide the site name. If a new site name is requested, enter it in the space provided as well as the Core Data Form.

Enter the physical address for the site. Verify the address with USPS. If the address is not recognized as a delivery address, provide the address as identified for overnight mail delivery, 911 emergencies, or other online map tool to confirm an address.

5. The Date Transfer of Ownership/Operator Will Occur

Please enter the date the transfer of ownership will/ has occurred. We cannot process the transfer of ownership until a date is provided. If the date is in the future, please be aware that the transfer application will be reviewed, but not processed until a final date is provided by the applicant.

6. Reporting and Billing Information

Please provide the mailing address for receiving annual summary sheet. Provide the name of the person and their complete mailing address delegated to receive and submit Discharge Monitoring Report Forms.

An annual fee is assessed to each permittee on September 1 of each year. Provide the complete mailing address where the annual fee invoice should be mailed. Verify the address with the USPS. It must be an address for delivery of regular mail, not overnight express mail. Also, provide a phone number of the permittee's representative responsible for payment of the invoice.

Delinquent Fees and Penalties

Please note that effective September 1, 2006, the TCEQ will no longer issue, amend, or

renew permits, registrations, certifications, or licenses to an entity or person who is delinquent on a penalty or fee owed to the TCEQ. The TCEQ will not declare any application administratively complete that is submitted by a person or entity who is delinquent on a fee or penalty until the fee or penalty is paid, or if on an approved installment plan, that payments under the plan are current. The TCEQ will withhold final action on an application until the fee or penalty is paid and the account is current, if after the application is considered administratively complete, we discover that the owner or entity who submitted the application is delinquent on a fee or penalty.

Please identify whether you owe any fees or penalties to the TCEQ. If fees or penalties are owed, please identify the type of fee or penalty owed, the amount past due, and the TCEQ identifying number. For penalties, please provide the TCEQ docket number. For further information on the Delinquent Fee & Penalty Protocol, see the TCEQ web site at: <http://www.tceq.texas.gov/agency/delin/index.html>.

Signature Requirements

Pursuant to 30 Texas Administrative Code (TAC) Section 312.10(i): If the transfer form is not signed by both the site operator and the landowner, the application shall be considered a request to cancel the permit.

Signatures on Application: The transferee and transferor are **both** required to sign the transfer application form.

An application submitted by a: The application must be signed by:

- Corporation a principal executive officer of at least the level of vice president
- Partnership If partnership is registered with the Texas Secretary of State, a general partner as identified in the partnership agreement may sign

If partnership is not registered with the Texas Secretary of State, each partner must sign

- Individual the individual
- Trust or Estates Each trustee, the executrix or executor, and all parties listed in the trust or estate must sign
- City or county government a ranking elected official
- Independent school district at least the level of Assistant Superintendent
- State or Federal the application must be signed by a principal executive officer

When another person signs on behalf of the applicant(s), his title or relationship to the applicant must be shown. In all cases, the person signing the form must be authorized to do so by the applicant. A person signing an application on behalf of an applicant(s) must provide proof of authorization. A copy of the authorization letter from the executive officer must be included with the application.

The signature page must bear the seal of a notary public. The date signed by the applicant must be the same as the date notarized. The signature page will not be acceptable if the dates are different.



TCEQ Core Data Form



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

SECTION I: General Information

1. Reason for Submission (If other is checked please describe in space provided.)		
<input checked="" type="checkbox"/> New Permit, Registration or Authorization (Core Data Form should be submitted with the program application.)		
<input type="checkbox"/> Renewal (Core Data Form should be submitted with the renewal form)	<input checked="" type="checkbox"/> Other <u>WW Permit Transfer</u>	
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 Pending		RN 101702470

SECTION II: Customer Information

4. General Customer Information		5. Effective Date for Customer Information Updates (mm/dd/yyyy)	
<input checked="" type="checkbox"/> New Customer		<input type="checkbox"/> Update to Customer Information	
<input checked="" type="checkbox"/> Change in Legal Name (Verifiable with the Texas Secretary of State or Texas Comptroller of Public Accounts)		<input checked="" type="checkbox"/> Change in Regulated Entity Ownership	
The Customer Name submitted here may be updated automatically based on what is current and active with the Texas Secretary of State (SOS) or Texas Comptroller of Public Accounts (CPA).			
6. Customer Legal Name (If an individual, print last name first: e.g.: Doe, John)		If new Customer, enter previous Customer below:	
Undine Texas, LLC		Orbit Systems, Inc.	
7. TX SOS/CPA Filing Number	8. TX State Tax ID (11 digits)	9. Federal Tax ID (9 digits)	10. DUNS Number (if applicable)
802339329	32058916225	371877184	
11. Type of Customer:		Partnership: <input type="checkbox"/> General <input checked="" type="checkbox"/> Limited	
<input checked="" type="checkbox"/> Corporation		<input checked="" type="checkbox"/> Individual	
Government: <input type="checkbox"/> City <input type="checkbox"/> County <input type="checkbox"/> Federal <input checked="" type="checkbox"/> State <input type="checkbox"/> Other		<input type="checkbox"/> Sole Proprietorship	
12. Number of Employees		13. Independently Owned and Operated?	
<input checked="" type="checkbox"/> 0-20 <input checked="" type="checkbox"/> 21-100 <input type="checkbox"/> 101-250 <input type="checkbox"/> 251-500 <input type="checkbox"/> 501 and higher		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
14. Customer Role (Proposed or Actual) - as it relates to the Regulated Entity listed on this form. Please check one of the following:			
<input checked="" type="checkbox"/> Owner <input type="checkbox"/> Operator <input checked="" type="checkbox"/> Owner & Operator			
<input checked="" type="checkbox"/> Occupational Licensee <input type="checkbox"/> Responsible Party <input type="checkbox"/> Voluntary Cleanup Applicant <input type="checkbox"/> Other:			
15. Mailing Address:			
10913 Metronome Dr.			
City: Houston State: TX ZIP: 77043 ZIP + 4:			
16. Country Mailing Information (if outside USA)		17. E-Mail Address (if applicable)	
		info@undinellc.com	
18. Telephone Number		19. Extension or Code	
(713) 574-5953			
		20. Fax Number (if applicable)	
		(713) 547-0277	

SECTION III: Regulated Entity Information

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

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

Enter Physical Location Description if no street address is provided.

25. Description to Physical Location:	7132 Green Tree Drive, approximately 3.5 miles north of the City of Angleton, approximately 0.5 miles west of State Highway 288 in Brazoria Co, TX							
26. Nearest City	Angleton			State	TX		Nearest ZIP Code	77515
27. Latitude (N) In Decimal:			28. Longitude (W) In Decimal:					
Degrees	Minutes	Seconds	Degrees	Minutes	Seconds			
29	12	55	95	26	47			
29. Primary SIC Code (4 digits)	4952		30. Secondary SIC Code (4 digits)			31. Primary NAICS Code (5 or 6 digits)	32. Secondary NAICS Code (5 or 6 digits)	
33. What is the Primary Business of this entity? (Do not repeat the SIC or NAICS description.)								
WWTP								
34. Mailing Address:	10913 Metronome Dr							
	City	Houston	State	TX	ZIP	77043	ZIP + 4	
35. E-Mail Address:								
36. Telephone Number			37. Extension or Code		38. Fax Number (if applicable)			
(713) 574-7760					(713) 647-0277			

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

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

SECTION IV: Preparer Information

40. Name:	Jeff Goebel		41. Title:	Manager of Business Development
42. Telephone Number	43. Ext./Code	44. Fax Number	45. E-Mail Address	
(713) 724-9321		(713) 647-0277	jgoebel@undinellc.com	

SECTION V: Authorized Signature

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

Company:	Undine Texas, LLC	Job Title:	Sr. Vice President
Name (In Print):	Carey A. Thomas	Phone:	(713) 574-7760
Signature:	Carey A. Thomas	Date:	1/4/2017

January 4, 2017

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

To Whom It May Concern:

Please find enclosed the application fee for a Wastewater Discharge Permit Transfer according to the following:

Type of Application: **Domestic Wastewater Discharge Permit Transfer**

Applicant: **Undine Texas, LLC**

Permit Number: **WQ00 12113-001**

Name of the Facility: **Beachwood WWTP**

Please note that the transfer will not occur until the Public Utility Commission of Texas has approved a pending Sale, Transfer Merger Application.

Thank you,



Jeff Goebel
Manager of Business Development

Enclosure



**WATER QUALITY PERMIT
PAYMENT SUBMITTAL FORM**

Use this form to submit you APPLICATION FEE, if you are mailing your payment.

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

Mail this form and your check to:

BY REGULAR U.S. MAIL

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

BY OVERNIGHT/EXPRESS MAIL

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

Fee Code: WQP Wastewater Permit No: WQ00 12113001

1. Check / Money Order No: 5239
2. Amount of Check/Money Order: \$100.00
3. Date of Check or Money Order: 1/4/2017
4. Name on Check or Money Order: Undine Utility, LLC

5. APPLICATION INFORMATION

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

Project/Site (RE) Name: 101702470

Project/Site (RE) Physical Address: 101702470

Staple Check in This Space

Undine Utility, LLC
10913 Melrose Dr.
Houston, TX 77043

Plains Capital Bank
88-2299/1113

5239

1/4/2017

PAY TO THE ORDER OF Texas Commission on Environmental Quality

\$ 100.00

One Hundred and 00/100 ***** DOLLARS

PROTECTED AGAINST FRAUD

Texas Commission on Environmental Quality
Financial Administration Division
Cashier's Office, MC-214
P.O. Box 13088
Austin, TX 78711-3088
Water Quality Permit WQ0012113001

MEMO

005239 111322994 21000 11846

Undine Utility, LLC

5239

Texas Commission on Environmental Quality

1/4/2017

Date	Type	Reference	Original Amt.	Balance Due	Discount	Payment
1/4/2017	Bill	Permit WQ0012113001	100.00	100.00		100.00
					Check Amount	100.00

Plains Capital Bank - Water Quality Permit WQ0012113001

100.00

Undine Utility, LLC

5239

Texas Commission on Environmental Quality

1/4/2017

Date	Type	Reference	Original Amt.	Balance Due	Discount	Payment
1/4/2017	Bill	Permit WQ0012113001	100.00	100.00		100.00
					Check Amount	100.00

PAYMENT
RECORD

Plains Capital Bank - Water Quality Permit WQ0012113001

100.00



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

TPDES PERMIT NO. WQ0012113001
[For TCEQ office use only - EPA I.D.
No. TX0079260]

This is a renewal that replaces TPDES
Permit No. WQ0012113001 issued
September 28, 2008.

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

Orbit Systems, Inc.

whose mailing address is

1302 Airline North
Rosharon, Texas 77583

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

located at 7132 Green Tree Drive, approximately 0.5 mile west of State Highway 288B, approximately
2,800 feet southwest of the intersection of State Highway 288B and Beachwood Drive, and
approximately 3.5 miles north of the City of Angleton in Brazoria County, Texas 77515

to an unnamed drainage ditch; thence to Oyster Creek Above Tidal in Segment No. 1110 of the San
Jacinto-Brazos Coastal Basin

only according with 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, **September 1, 2018.**

ISSUED DATE: September 11, 2013


For the Commission

FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTSOutfall Number 001

1. During the period beginning upon the date of issuance and lasting through the date of expiration, the permittee is authorized to discharge subject to the following effluent limitations:

The daily average flow of effluent shall not exceed 0.10 million gallons per day (MGD); nor shall the average discharge during any two-hour period (2-hour peak) exceed 200 gallons per minute (gpm).

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>			<u>Min. Self-Monitoring Requirements</u>		
	Daily Avg mg/l (lbs/day)	7-day Avg mg/l	Daily Max mg/l	Single Grab mg/l	Report Daily Avg. & Max. Single Grab Measurement Frequency	Sample Type
Flow, MGD	Report	N/A	Report	N/A	Five/week	Instantaneous
Biochemical Oxygen Demand (5-day)	20 (17)	30	45	65	One/week	Grab
Total Suspended Solids	20 (17)	30	45	65	One/week	Grab
Ammonia Nitrogen*	Report (Report)	N/A	N/A	Report	One/week	Grab
E. coli, CFU or MPN/100 ml	126	N/A	N/A	399	One/month	Grab

* See Other Requirement No. 5 on Page 31

2. The effluent shall contain a chlorine residual of at least 1.0 mg/l and shall not exceed a chlorine residual of 4.0 mg/l after a detention time of at least 20 minutes (based on peak flow), and shall be monitored five times per week by grab sample. An equivalent method of disinfection may be substituted only with prior approval of the Executive Director.
3. The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored once per month by grab sample.
4. There shall be no discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.
5. Effluent monitoring samples shall be taken at the following location(s): Following the final treatment unit.
6. The effluent shall contain minimum dissolved oxygen of 2.0 mg/l and shall be monitored once per week by grab sample.

Page 2

DEFINITIONS AND STANDARD PERMIT CONDITIONS

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

1. Flow Measurements

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

2. Concentration Measurements

- a. Daily average concentration - the arithmetic average of all effluent samples, composite or grab as required by this permit, within a period of one calendar month, consisting of at least four separate representative measurements.
 - i. For domestic wastewater treatment plants - When four samples are not available in a calendar month, the arithmetic average (weighted by flow) of all values in the previous four consecutive month period consisting of at least four measurements shall be utilized as the daily average concentration.

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

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

- e. Bacteria concentration (*E. coli* or Enterococci) - Colony Forming Units (CFU) or Most Probable Number (MPN) of bacteria per 100 milliliters effluent. The daily average bacteria concentration is a geometric mean of the values for the effluent samples collected in a calendar month. The geometric mean shall be determined by calculating the n th root of the product of all measurements made in a calendar month, where n equals the number of measurements made; or, computed as the antilogarithm of the arithmetic mean of the logarithms of all measurements made in a calendar month. For any measurement of bacteria equaling zero, a substituted value of one shall be made for input into either computation method. If specified, the 7-day average for bacteria is the geometric mean of the values for all effluent samples collected during a calendar week.
 - f. Daily average loading (lbs/day) - the arithmetic average of all daily discharge loading calculations during a period of one calendar month. These calculations must be made for each day of the month that a parameter is analyzed. The daily discharge, in terms of mass (lbs/day), is calculated as (Flow, MGD x Concentration, mg/l x 8.34).
 - g. Daily maximum loading (lbs/day) - the highest daily discharge, in terms of mass (lbs/day), within a period of one calendar month.
3. Sample Type
- a. Composite sample - For domestic wastewater, a composite sample is a sample made up of a minimum of three effluent portions collected in a continuous 24-hour period or during the period of daily discharge if less than 24 hours, and combined in volumes proportional to flow, and collected at the intervals required by 30 TAC § 319.9 (a). For industrial wastewater, a composite sample is a sample made up of a minimum of three effluent portions collected in a continuous 24-hour period or during the period of daily discharge if less than 24 hours, and combined in volumes proportional to flow, and collected at the intervals required by 30 TAC § 319.9 (b).

- b. Grab sample - an individual sample collected in less than 15 minutes.
- 4. Treatment Facility (facility) - wastewater facilities used in the conveyance, storage, treatment, recycling, reclamation and/or disposal of domestic sewage, industrial wastes, agricultural wastes, recreational wastes, or other wastes including sludge handling or disposal facilities under the jurisdiction of the Commission.
- 5. The term "sewage sludge" is defined as solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in 30 TAC Chapter 312. This includes the solids that have not been classified as hazardous waste separated from wastewater by unit processes.
- 6. 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, a monthly effluent report 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 reported on an approved self-report form that is signed and certified as required by Monitoring and Reporting Requirements No. 10.

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

2. Test Procedures

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

3. Records of Results

- a. Monitoring samples and measurements shall be taken at times and in a manner so as to be representative of the monitored activity.

- b. Except for records of monitoring information required by this permit related to the permittee's sewage sludge use 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. 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. 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 Publicly Owned Treatment Works (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;
 - 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

- a. 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 and the permit number(s);
 - ii. the bankruptcy court in which the petition for bankruptcy was filed; and
 - iii. the date of filing of the petition.

OPERATIONAL REQUIREMENTS

1. The permittee shall at all times ensure that the facility and all of its systems of collection, treatment, and disposal are properly operated and maintained. This includes, but is not limited to, the regular, periodic examination of wastewater solids within the treatment plant by the operator in order to maintain an appropriate quantity and quality of solids inventory as described in the various operator training manuals and according to accepted industry standards for process control. Process control, maintenance, and operations records shall be retained at the facility site, or shall be readily available for review by a TCEQ representative, for a period of three years.
2. Upon request by the Executive Director, the permittee shall take appropriate samples and provide proper analysis in order to demonstrate compliance with Commission rules. Unless otherwise specified in this permit or otherwise ordered by the Commission, the permittee shall comply with all applicable provisions of 30 TAC Chapter 312 concerning sewage sludge use and disposal and 30 TAC §§ 319.21 - 319.29 concerning the discharge of certain hazardous metals.
3. Domestic wastewater treatment facilities shall comply with the following provisions:
 - a. The permittee shall notify the Municipal Permits Team, Wastewater Permitting Section (MC 148) of the Water Quality Division, in writing, of any facility expansion at least 90 days prior to conducting such activity.
 - b. The permittee shall submit a closure plan for review and approval to the Municipal Permits Team, Wastewater Permitting Section (MC 148) of the Water Quality Division, for any closure activity at least 90 days prior to conducting such activity. Closure is the act of permanently taking a waste management unit or treatment facility out of service and includes the permanent removal from service of any pit, tank, pond, lagoon, surface impoundment 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 149) 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 Environmental Cleanup 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 Registration, Review, and Reporting Division. No person shall dispose of industrial solid waste, including sludge or other solids from wastewater treatment processes, prior to fulfilling the deed recordation requirements of 30 TAC § 335.5.
- e. The term "industrial solid waste management unit" means a landfill, surface impoundment, waste-pile, industrial furnace, incinerator, cement kiln, injection well, container, drum, salt dome waste containment cavern, or any other structure vessel, appurtenance, or other improvement on land used to manage industrial solid waste.
- f. The permittee shall keep management records for all sludge (or other waste) removed from any wastewater treatment process. These records shall fulfill all applicable requirements of 30 TAC § 335 and must include the following, as it pertains to wastewater treatment and discharge:
 - i. Volume of waste and date(s) generated from treatment process;
 - ii. Volume of waste disposed of on-site or shipped off-site;
 - iii. Date(s) of disposal;
 - iv. Identity of hauler or transporter;
 - v. Location of disposal site; and
 - vi. Method of final disposal.

The above records shall be maintained on a monthly basis. The records shall be retained at the facility site, or shall be readily available for review by authorized representatives of the TCEQ for at least five years.
- 12. For industrial facilities to which the requirements of 30 TAC § 335 do not apply, sludge and solid wastes, including tank cleaning and contaminated solids for disposal, shall be disposed of in accordance with THSC § 361.

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SLUDGE PROVISIONS

The permittee is authorized to dispose of sludge only at a Texas Commission on Environmental Quality (TCEQ) authorized land application site or co-disposal landfill. **The disposal of sludge 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 sludge. This provision does not authorize land application of Class A Sludge. This provision does not authorize the permittee to land apply sludge on property owned, leased or under the direct control of the permittee.**

SECTION I. REQUIREMENTS APPLYING TO ALL SEWAGE SLUDGE LAND APPLICATION**A. General Requirements**

1. The permittee shall handle and dispose of sewage sludge 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.
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 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 disposal practice.

B. Testing Requirements

1. Sewage sludge shall be tested once during the term of this permit in accordance with the method specified in both 40 CFR Part 261, Appendix II and 40 CFR Part 268, Appendix I [Toxicity Characteristic Leaching Procedure (TCLP)] or other method that receives the prior approval of the TCEQ for the contaminants listed in 40 CFR Part 261.24, Table 1. Sewage sludge 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 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 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 Remediation Support Division and the Regional Director (MC Region 12) within seven (7) days after failing the TCLP Test.

The report shall contain test results, certification that unauthorized waste management has stopped and a summary of alternative disposal plans that comply with RCRA standards for the management of hazardous waste. The report shall be addressed to: Director, Registration, Review, and Reporting Division (MC 129), Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087. In addition, the permittee shall prepare an annual report on the results of all sludge toxicity testing. This annual report shall be submitted to the TCEQ Regional Office (MC Region 12) and the Water Quality Compliance Monitoring Team (MC 224) of the Enforcement Division by September 30 of each year.

2. Sewage sludge 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.

TABLE 1

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

* Dry weight basis

3. Pathogen Control

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

- a. Six alternatives are available to demonstrate compliance with Class A sewage sludge. The first 4 options require either the density of fecal coliform in the sewage sludge be less than 1000 Most Probable Number (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. Below are the additional requirements necessary to meet the definition of a Class A sludge.

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 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%.

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.

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.

Alternative 5 (PFRP) - Sewage sludge that is used or disposed of shall 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.

Alternative 6 (PFRP Equivalent) - Sewage sludge that is used or disposed of shall 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. Three alternatives are available to demonstrate compliance with Class B criteria for sewage sludge.

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, the following site restrictions must be met if Class B sludge is land applied:

- i. Food crops with harvested parts that touch the sewage sludge/soil mixture and are totally above the land surface shall not be harvested for 14 months after application of sewage sludge.
- ii. Food crops with harvested parts below the surface of the land shall not be harvested for 20 months after application of sewage sludge when the sewage sludge remains 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 sewage sludge when the sewage sludge remains 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 sewage sludge.
- v. Animals shall not be allowed to graze on the land for 30 days after application of sewage sludge.
- vi. Turf grown on land where sewage sludge is applied shall not be harvested for 1 year after application of the sewage sludge 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 sewage sludge.
- viii. Public access to land with a low potential for public exposure shall be restricted for 30 days after application of sewage sludge.
- ix. Land application of sludge 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. Sewage sludge shall be injected below the surface of the land.
 - ii. No significant amount of the sewage sludge shall be present on

the land surface within one hour after the sewage sludge is injected.

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

Alternative 10-

- i. Sewage sludge 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 sewage sludge that is incorporated into the soil is Class A with respect to pathogens, the sewage sludge shall be applied to or placed on the land within eight hours after being discharged from the pathogen treatment process.

C. Monitoring Requirements

Toxicity Characteristic Leaching Procedure (TCLP) Test - once during the term of this permit
PCBs - once during the term of this permit

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

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

(*) *The amount of bulk sewage sludge 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

SECTION II. REQUIREMENTS SPECIFIC TO BULK SEWAGE SLUDGE FOR APPLICATION TO THE LAND MEETING CLASS A 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 or B pathogen reduction requirements and that meet the cumulative loading rates in Table 2 below, or the Class B pathogen reduction requirements and contain concentrations of pollutants below listed in Table 3, the following conditions apply:

A. Pollutant Limits

Table 2

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

Table 3

<u>Pollutant</u>	<u>Monthly Average Concentration (milligrams per kilogram)*</u>
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 or Class B pathogen reduction requirements as defined above in Section I.B.3.

C. Management Practices

1. Bulk sewage sludge 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 sewage sludge not meeting Class A requirements shall be land applied in a manner which complies with the Management Requirements in accordance with 30 TAC § 312.44.
3. Bulk sewage sludge 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 sewage sludge sold or given away. The information sheet shall contain the following information:
 - a. The name and address of the person who prepared the sewage sludge that is sold or given away in a bag or other container for application to the land.
 - b. A statement that application of the sewage sludge 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 sewage sludge application rate for the sewage sludge 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 sewage sludge is 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 sewage sludge is 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 sewage sludge 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 sewage sludge.
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 sewage sludge disposal practice.

E. Record keeping Requirements

The sludge 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 sewage sludge 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 B sludge, 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 sewage sludge is 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 sewage sludge or a sewage sludge material shall develop the following information and shall retain the information at the facility site and/or shall be readily ⁴ 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 sludge is applied.
 - c. The number of acres in each site on which bulk sludge is applied.
 - d. The date and time sludge is 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 sludge applied to each site in dry tons.

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

F. Reporting Requirements

The permittee shall report annually to the TCEQ Regional Office (MC Region 12) and Water Quality Compliance Monitoring Team (MC 224) of the Enforcement Division, by September 30 of each year the following information:

1. Results of tests performed for pollutants found in either Table 2 or 3 as appropriate for the permittee's land application practices.
2. The frequency of monitoring listed in Section I.C. that applies to the permittee.
3. Toxicity Characteristic Leaching Procedure (TCLP) results.
4. Identity of hauler(s) and TCEQ transporter number.
5. PCB concentration in sludge in mg/kg.
6. Date(s) of disposal.
7. Owner of disposal site(s).
8. Texas Commission on Environmental Quality registration number, if applicable.
9. Amount of sludge disposal dry weight (lbs/acre) at each disposal site.
10. 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.
11. Level of pathogen reduction achieved (Class A or Class B).
12. Alternative used as listed in Section I.B.3.(a. or b.). Alternatives describe how the pathogen reduction requirements are met. If Class B sludge, include information on how site restrictions were met.
13. Vector attraction reduction alternative used as listed in Section I.B.4.
14. Annual sludge production in dry tons/year.
15. Amount of sludge land applied in dry tons/year.
16. 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 treatment activities, shall be attached to the annual reporting form.

17. 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 sewage sludge is applied.
 - c. The date and time bulk sewage sludge is applied to each site.
 - d. The cumulative amount of each pollutant (i.e., pounds/acre) listed in Table 2 in the bulk sewage sludge applied to each site.
 - e. The amount of sewage sludge (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
DISPOSED IN A MUNICIPAL SOLID WASTE LANDFILL**

- A. The permittee shall handle and dispose of sewage sludge 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 disposed in a municipal solid waste landfill.
- B. If the permittee generates sewage sludge and supplies that sewage sludge 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 disposal practice.
- D. Sewage sludge shall be tested once during the term of this permit in accordance with the method specified in both 40 CFR Part 261, Appendix II and 40 CFR Part 268, Appendix I (Toxicity Characteristic Leaching Procedure) or other method, which receives the prior approval of the TCEQ for contaminants listed in Table 1 of 40 CFR § 261.24. Sewage sludge 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 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 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 Remediation Support Division and the Regional Director (MC Region 12) of the appropriate TCEQ field office within 7 days after failing the TCLP Test.

The report shall contain test results, certification that unauthorized waste management has stopped and a summary of alternative disposal plans that comply with RCRA standards for the management of hazardous waste. The report shall be addressed to: Director, Registration, Review, and Reporting Division (MC 129), Texas Commission on Environmental Quality, P. O. Box 13087, Austin, Texas 78711-3087. In addition, the permittee shall prepare an annual report on the results of all sludge toxicity testing. This annual report shall be submitted to the TCEQ Regional Office (MC Region 12) and the Water Quality Compliance Monitoring Team (MC 224) of the Enforcement Division by September 30 of each year.

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

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

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

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

G. Reporting Requirements

The permittee shall report annually to the TCEQ Regional Office (MC Region 12) and Water Quality Compliance Monitoring Team (MC 224) of the Enforcement Division by September 30 of each year the following information:

1. Toxicity Characteristic Leaching Procedure (TCLP) results.
2. Annual sludge production in dry tons/year.
3. Amount of sludge disposed in a municipal solid waste landfill in dry tons/year.
4. Amount of sludge transported interstate in dry tons/year.
5. A certification that the sewage sludge meets the requirements of 30 TAC § 330 concerning the quality of the sludge disposed in a municipal solid waste landfill.
6. Identity of hauler(s) and transporter registration number.
7. Owner of disposal site(s).
8. Location of disposal site(s).
9. 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.

OTHER REQUIREMENTS

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

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

2. The facility is not located in the Coastal Management Program boundary.
3. The permittee is hereby placed on notice that this permit may be reviewed by the TCEQ after the completion of any new intensive water quality survey on Segment No. 1110 of the San Jacinto-Brazos Coastal Basin and any subsequent updating of the water quality model for Segment No. 1110, in order to determine if the limitations and conditions contained herein are consistent with any such revised model. The permit may be amended, pursuant to 30 TAC § 305.62, as a result of such review. The permittee is also hereby placed on notice that effluent limits may be made more stringent at renewal based on, for example, any change to modeling protocol approved in the TCEQ Continuing Planning Process.
4. The permittee is authorized to haul sludge from the wastewater treatment facility, by a licensed hauler, to the Richey Road Municipal Utility District (MUD) Sludge Processing Facility, Permit No. WQ0004810000 or any other facility authorized by the TCEQ to accept sludge, for final processing and disposal.

The permittee shall keep records of all sludge removed from the wastewater treatment plant site and these records shall include the following information:

- a. The volume of sludge hauled;
- b. The date(s) that sludge was hauled;
- c. The identity of haulers; and
- d. The permittee, TCEQ permit number, and location of the facility to which the sludge is hauled.

These records shall be maintained on a monthly basis and shall be reported to the TCEQ Regional Office (MC Region 12) and the TCEQ Water Quality Compliance Monitoring Team (MC 224) of the Enforcement Division by September 30 of each year.

5. The Ammonia-Nitrogen reporting requirement on Page 2 shall expire at the end of the permit term.
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, 1/month may be reduced to 1/quarter. **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 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.

Attachment 'G'

Confidential

Financial Information

Attachment 'H'

Utilities within 2-Miles

Orbit Systems Inc. PWSID System Name	Utility Name Within 2-miles	CCN#	Street	City	State	Zip
723 Utility						
	Royal Valley Utilities Inc.	12922	19855 SOUTHWEST FWY STE 300	SUGAR LAND	TX	77479
	Brazos River Authority		PO BOX 7555	WACO	TX	76714
	Fort Bend County MUD 176		3200 SOUTHWEST FWY STE 2800	HOUSTON	TX	77027
	Fort Bend County MUD 211		INACTIVE PER TCEQ			
	Fort Bend County MUD 212		INACTIVE PER TCEQ	HOUSTON	TX	77027
	Fort Bend County MUD 200		3200 SOUTHWEST FWY STE 2600			
	Fort Bend County MUD 209		INACTIVE PER TCEQ			
	Fort Bend County MUD 210		INACTIVE PER TCEQ	HOUSTON	TX	77027
	Fort Bend County LID 20		3200 SOUTHWEST FWY STE 2600			
	Fort Bend County FWSD 2		PO BOX 858	Rosharon	TX	77583
	Fort Bend County		401 Jackson Street	Richmond	TX	77469
	City of Richmond	10714	402 MORTON STREET	HOUSTON	TX	77027
Angle Acres Mobile Home Park	North Port Bend Water Authority		3200 SOUTHWEST FWY STE 2600			
	Brazoria County		111 E. Locust St	Angleton	TX	77515
	City of Angleton		121 S. Velasco	Angleton	TX	77515
Angle Acres Water System						
	Brazoria County		111 E. Locust St	Angleton	TX	77515
	City of Angleton		121 S. Velasco	Angleton	TX	77515
Bayou Colony						
	GULF COAST UTILITY CO INC	12094	PO BOX 2067	ALVIN	TX	77512
	Brazoria County MUD 55		3200 SOUTHWEST FWY STE 2800	HOUSTON	TX	77027
	Brazoria County MUD 56		3200 SOUTHWEST FWY STE 2800	HOUSTON	TX	77027
	Brazoria County MUD 57		3200 SOUTHWEST FWY STE 2800	HOUSTON	TX	77027
	Brazoria County MUD 32		3200 SOUTHWEST FWY STE 2600	HOUSTON	TX	77027
	Brazoria County		111 E. Locust St	Angleton	TX	77515
	Brazoria County MUD 31		3200 SOUTHWEST FWY STE 2600	HOUSTON	TX	77027
	City of Alvin		216 WEST SEALY ST	ALVIN	TX	77511
	City of Iowa Colony		12003 County Rd 65	Rosharon	TX	77583
	City of Manvel		20023 Highway 6	Manvel	TX	77578
Beechwood WWTP						
	Brazoria County MUD 12		1300 POST OAK BLVD STE 1400	HOUSTON	TX	77056
	Brazoria County MUD 13		1300 POST OAK BLVD STE 1400	HOUSTON	TX	77056
	Brazoria County MUD 14		1300 POST OAK BLVD STE 1400	HOUSTON	TX	77056
	Brazoria County MUD 15		INACTIVE PER TCEQ			
	Rancho Isabella MUD		1001 FANNIN ST STE 2300	HOUSTON	TX	77002
	Brazoria County		111 E. Locust St	Angleton	TX	77515
	City Of Angleton		121 S. Velasco	Angleton	TX	77515
Beechwood Subdivision						
	TRENT WATER WORKS	11050	PO BOX 2647	FREERPORT	TX	77542
	Brazoria County MUD 12		1300 POST OAK BLVD STE 1400	HOUSTON	TX	77056
	Brazoria County MUD 13		1300 POST OAK BLVD STE 1400	HOUSTON	TX	77056
	Brazoria County MUD 14		1300 POST OAK BLVD STE 1400	HOUSTON	TX	77056
	Brazoria County MUD 15		INACTIVE PER TCEQ			
	Rancho Isabella MUD		1001 FANNIN ST STE 2300	HOUSTON	TX	77002
	Brazoria County		111 E. Locust St	Angleton	TX	77515
	City Of Angleton		121 S. Velasco	Angleton	TX	77515
Bernard Oaks Subdivision						
	CITY OF SWEENEY	10717	209 W. Second Street	Sweeny	TX	77480

TRENT WATER WORKS Brazoria County	11050 PO BOX 2647 111 E. Locust St	FREPORT Angleton	TX TX	77542 77515
Blue Sage Gardens Subdivision				
AQUA TEXAS INC	11157 1108 CLAYTON LN STE 400W	AUSTIN	TX	78723
Brazoria County	111 E. Locust St	Angleton	TX	77515
Brazoria County MUD 16	3 GREENWAY PLZ STE 2000	HOUSTON	TX	77046
Brazoria County MUD 17	3200 SOUTHWEST FWY STE 2600	HOUSTON	TX	77027
Brazoria County MUD 18	6363 WOODWAY DR STE 800	HOUSTON	TX	77057
Brazoria County MUD 19	3200 SOUTHWEST FWY STE 2600	HOUSTON	TX	77027
Brazoria County MUD 2	12012 WICKCHESTER STE 120	HOUSTON	TX	77079
Brazoria County MUD 28	3200 SOUTHWEST FWY STE 2600	HOUSTON	TX	77027
Brazoria County MUD 3	6363 WOODWAY DR STE 725	HOUSTON	TX	77057
City of Pearland	11008 3519 Liberty Dr.	Pearland	TX	77581
Frontier Water Company	12509 6513 GRACE	Pearland	TX	77584
Manvel Terrace Utilities Inc.	12080 2460 COUNTRY CLUB DR	PEARLAND	TX	77581
LHL Industries	11271 2935 Entex Building	Kinwood	TX	77002
Roger Lewis Water System	12255 6101 Josephine	Pearland	TX	77584
Brazoria County MUD 23	3200 SOUTHWEST FWY STE 2600	HOUSTON	TX	77027
Brazoria County MUD 6	1300 POST OAK BLVD STE 1400	HOUSTON	TX	77056
Brazoria County MUD 7	3 GREENWAY PLZ STE 2000	HOUSTON	TX	77046
City of Manvel	20025 Highway 6	Manvel	TX	77578
City of Pearland ETJ (amend portion w/in)	3519 Liberty Dr.	Pearland	TX	77581
Brazoria County GCD(amend portion w/in)	111 E LOCUST ST BLDG A-28 STE 140	ANGLETON	TX	77515
Brandi Estates				
CITY OF MANVEL	12653 20025 Highway 6	Manvel	TX	77578
City of Alvin	216 WEST SEALY ST	ALVIN	TX	77511
Brazoria County MUD 56	3200 SOUTHWEST FWY STE 2600	HOUSTON	TX	77027
Brazoria County MUD 57	3200 SOUTHWEST FWY STE 2600	HOUSTON	TX	77027
Brazoria County MUD 61	3200 SOUTHWEST FWY STE 2600	HOUSTON	TX	77027
Brazoria County	111 E. Locust St	Angleton	TX	77515
Brazos Oaks Subdivision				
S P UTILITY COMPANY INC	12978 8323 SOUTHWEST FWY STE 440	HOUSTON	TX	77074
BAYOU SHADOWS	12869 PO BOX 130179	HOUSTON	TX	77219
Brazoria County	111 E. Locust St	Angleton	TX	77515
AQUA TEXAS INC	11157 1108 CLAYTON LN STE 400W	AUSTIN	TX	78723
Oak Manor MUD	1621 MILAM ST FL 3	HOUSTON	TX	77002
Brazoria County MUD 50	INACTIVE PER TCEQ			
City of Alvin	216 WEST SEALY ST	ALVIN	TX	77511
City of Liverpool	8901 COUNTY RD 171	LIVERPOOL	TX	77577
Briar Meadows				
S P UTILITY COMPANY INC	12978 8323 SOUTHWEST FWY STE 440	HOUSTON	TX	77074
JMP UTILITIES INC	12838 PO BOX 266	Manvel	TX	77578
Brazoria County	111 E. Locust St	Angleton	TX	77515
Brazoria County MUD 48	INACTIVE PER TCEQ			
Brazoria County MUD 49	INACTIVE PER TCEQ			
Brazoria County MUD 50	INACTIVE PER TCEQ			
City of Alvin	216 WEST SEALY ST	ALVIN	TX	77511
Colony Cove Subdivision Water System				
GULF COAST UTILITY CO INC	12094 PO BOX 2067	Alvin	TX	77512
City of Pearland	11008 3519 Liberty Dr.	Pearland	TX	77581
BRAZORIA COUNTY MUD 21	13042 1621 MILAM ST FL 3	HOUSTON	TX	77002
Brazoria County MUD 22	13231 3200 SOUTHWEST FWY STE 2600	HOUSTON	TX	77027
Brazoria County MUD 29	1300 POST OAK BLVD STE 1600	HOUSTON	TX	77056

Brazoria County MUD 42	3200 SOUTHWEST FWY STE 2600	HOUSTON	TX	77027
Brazoria County MUD 40	3200 SOUTHWEST FWY STE 2600	HOUSTON	TX	77027
Brazoria County MUD 31	12012 WICKCHESTER LN STE 120	HOUSTON	TX	77079
Brazoria County MUD 30	1300 POST OAK BLVD STE 1400	HOUSTON	TX	77056
Brazoria County	111 E Locust St	Angelton	TX	77515
Brazoria County MUD 39	3200 SOUTHWEST FWY STE 2600	HOUSTON	TX	77027
Brazoria County MUD 43	3200 SOUTHWEST FWY STE 2600	HOUSTON	TX	77027
City of Iowa Colony ETJ(amend portn w/in)	12003 COUNTY RD 65	ROSHARON	TX	77583
Brazoria County GCD(amend portn w/in)	111 E LOCUST ST BLDG A-29 STE 140	ANGLETON	TX	77515
GULF COAST UTILITY CO INC	12094 PO BOX 2087	Alvin	TX	77512
City Of Pearland	11008 3519 Liberty Dr.	Pearland	TX	77581
BRAZORIA COUNTY MUD 21	13042 1621 MILAM ST FL 3	HOUSTON	TX	77002
Brazoria County MUD 22	13231 3200 SOUTHWEST FWY STE 2600	HOUSTON	TX	77027
Brazoria County MUD 29	1300 POST OAK BLVD STE 1600	HOUSTON	TX	77056
Brazoria County MUD 42	3200 SOUTHWEST FWY STE 2600	HOUSTON	TX	77027
Brazoria County MUD 40	3200 SOUTHWEST FWY STE 2600	HOUSTON	TX	77027
Brazoria County MUD 31	12012 WICKCHESTER LN STE 120	HOUSTON	TX	77079
Brazoria County MUD 30	1300 POST OAK BLVD STE 1400	HOUSTON	TX	77056
Brazoria County	111 E Locust St	Angelton	TX	77515
Bateman Waterworks	13051 8911 BATEMAN BLVD	ROSHARON	TX	77583
Fort Bend County MUD 141	3200 SOUTHWEST FWY STE 2600	HOUSTON	TX	77027
City of Alvin	216 WEST SEALY ST	ALVIN	TX	77511
City of Iowa Colony	12003 COUNTY RD 65	ROSHARON	TX	77583
City of Manvel	20025 HIGHWAY 6	MANVEL	TX	77578

Brazoria County	111 E Locust St	Angleton	TX	77515
City of Alvin (amend portn w/in ETJ)	10716 216 West Sealy	ALVIN	TX	77511
CITY OF MANVEL	20025 HIGHWAY 6	MANVEL	TX	77578
Brazoria County GCD (amend portn w/in)	111 E LOCUST ST BLDG A-29 STE 140	ANGLETON	TX	77515

Brazoria County	111 E Locust St	Angleton	TX	77515
City of Alvin	10716 216 West Sealy	ALVIN	TX	77511
CITY OF MANVEL	20025 HIGHWAY 6	MANVEL	TX	77578

Royal Valley Utilities Inc.	12922 18855 SOUTHWEST FWY STE 300	SUGAR LAND	TX	77479
Brazos River Authority	P0026 PO BOX 7555	WACO	TX	76714
Fort Bend County MUD 176	3200 SOUTHWEST FWY STE 2600	HOUSTON	TX	77027
Fort Bend County MUD 211	INACTIVE PER TCEQ			
Fort Bend County MUD 212	INACTIVE PER TCEQ			
Fort Bend County MUD 200	3200 SOUTHWEST FWY STE 2600	HOUSTON	TX	77027
Fort Bend County MUD 209	INACTIVE PER TCEQ			
Fort Bend County MUD 210	INACTIVE PER TCEQ			
Fort Bend County LID 20	3200 SOUTHWEST FWY STE 2600	HOUSTON	TX	77027
NORTH FORT BEND WATER AUTHORITY	3200 SOUTHWEST FWY STE 2600	HOUSTON	TX	77027
FORT BEND COUNTY WCID 10	1980 POST OAK BLVD STE 1380	HOUSTON	TX	77056
AQUA TEXAS INC	13203 1108 CLAYTON LN STE 400W	AUSTIN	TX	78723
CITY OF RICHMOND	402 MORTON ST	RICHMOND	TX	77469
Fort Bend County	401 Jackson Street	Richmond	TX	77469
Brazoria County	111 E Locust St	Angleton	TX	77515
BRAZORIA COUNTY FWSD 2	4505 COUNTY RD 459A	FREEPORT	TX	77541

Demt John J's Water System

Demi John Place Water System	Brazoria County	111 E. Locust St	TX	77515
	BRAZORIA COUNTY FWSD 2(amend w/in)	4505 COUNTY RD 459A	TX	77541
	FREEPORT		TX	77541
	TRIENT WATER WORKS	11050 PO BOX 2647	TX	77542
	CITY OF LAKE JACKSON	11291 25 Oak Drive	TX	77556
	CITY OF RICHMOND	11289 402 Morton Street	TX	77469
	Brazoria County	111 E. Locust St	TX	77515
	CITY OF FREEPORT	200 W 2ND ST	TX	77541
	Lee Ridge Subdivision	235 Ridge Rd	TX	77578
	CITY OF MANVEL (amend prtn w/in ETJ)	12653 20025 Highway 6	TX	77578
Mark V Estates	Brazoria County	111 E. Locust St	TX	77515
	Brazoria County GCD (amend prtn w/in)	111 E LOCUST BLDG A-29 STE 140	TX	77515
	S P UTILITY COMPANY INC	12978 8323 SOUTHWEST FWY STE 440	TX	77074
	BAYOU SHADOWS	12869 PO BOX 130179	TX	77219
	Brazoria County	111 E. Locust St	TX	77515
	AQUA TEXAS INC	11157 1106 CLAYTON LN STE 400W	TX	78723
	Oak Manor MUD	P0409 1621 MILAM ST FL 3	TX	77002
	Brazoria County MUD 50	INACTIVE PER TCEQ	TX	77511
	CITY OF ALVIN	216 WEST SEALY ST	TX	77577
	CITY OF LIVERPOOL	8901 COUNTY RD 171	TX	77577
Mooreland Subdivision Water System	AQUA TEXAS INC	11157 1106 CLAYTON LN STE 400W	TX	78723
	KC UTILITIES INC	12108 PO BOX 2088	TX	77512
	MEADOWLAND UTILITY CORP	20828 PO BOX 2088	TX	77512
	GULF COAST WASTE DISPOSAL AUTHI	20465 910 BAY AREA BLVD	TX	77058
	CITY OF PEARLAND	11008 3519 Liberty Dr	TX	77581
	CITY OF ALVIN	10716 216 West Sealy	TX	77511
	Brazoria County MUD 36	3200 SOUTHWEST FWY STE 2600	TX	77027
	Brazoria County MUD 24	3200 SOUTHWEST FWY STE 2600	TX	77027
	Gulf Coast Water Authority	P0164 PO BOX 1851	TX	77592
	Brazoria County	111 E. Locust St	TX	77515
Quail Valley Ranches Section IV	CITY OF MANVEL	20025 Highway 6	TX	77578
	CITY OF MANVEL (amend prtn w/in ETJ)	12653 20025 Highway 6	TX	77578
	Brazoria County	111 E. Locust St	TX	77515
	Brazoria County GCD(amend prtn w/in)	111 E. Locust St Bldg A-29 Ste 140	TX	77515
Riverside Estates	City of Alvin (amend prtn w/in ETJ)	216 W SEALY ST	TX	77511
	Brazoria County	111 E. Locust St	TX	77515
	Fort Bend County MUD 166	INACTIVE PER TCEQ	TX	77515
	Brazoria County GCD (amend prtn w/in)	111 E. Locust St Bldg A-29 Ste 140	TX	77515
	S P UTILITY COMPANY INC	12978 8323 SOUTHWEST FWY STE 440	TX	77074
	City of Alvin	216 W SEALY ST	TX	77511
	Brazoria County MUD 49	INACTIVE PER TCEQ	TX	77515
	Brazoria County	111 E. Locust St	TX	77515
	CITY OF PEARLAND	11008 3519 Liberty Dr	TX	77581
	AQUA TEXAS INC	11157 1106 CLAYTON LN STE 400W	TX	78723
Ryan Long Subdivision 2 Water System	KC UTILITIES INC	12108 PO BOX 2088	TX	77512

Brazoria County	111 E Locust St	Angelton	TX	77515
Brazoria County MUD 24	3200 SOUTHWEST FWY STE 2600	HOUSTON	TX	77027
Brazoria County MUD 36	3200 SOUTHWEST FWY STE 2600	HOUSTON	TX	77027
Frontier Water Company	12509 6513 Grace	Pearland	TX	77584
Cedar Grove Mobile Home Park	13088 18810 Tree Top Ln	Pearland	TX	77584
City of Alvin	216 W Sealy St	Alvin	TX	77511
City of Manvel	20025 Highway 6	Manvel	TX	77578
San Bernard River Estates				
BERNARD WSC	N0002 1069 RIVERVIEW RANCH	BRAZORIA	TX	77422
MONARCH UTILITIES LLP	12983 12535 REED RD	SUGAR LAND	TX	77478
TRENT WATER WORKS	11050 PO BOX 2647	FREEPORT	TX	77542
Brazoria County	111 E Locust St	Angelton	TX	77515
Sandy Meadows Estates Subdivision				
Brazoria County	111 E Locust St	Angelton	TX	77515
Brazoria County MUD 62	9 GREENWAY PLZ STE 1100	HOUSTON	TX	77046
Aqua Texas Inc.	13203 1106 Clayton Ln Ste 400W	Austin	TX	78723
City of Alvin	216 W Sealy St	Alvin	TX	77511
Snug Harbor Subdivision				
AQUA TEXAS INC	11157 1108 CLAYTON LN STE 400W	AUSTIN	TX	78723
Brazoria County	111 E Locust St	Angleton	TX	77515
Brazoria County GCD (amend portion w/jm)	111 E Locust St Bldg A-29 Ste 140	Angleton	TX	77515
Spanish Blt Plantation Sub				
OAK HOLLOW MOBILE HOME PARK	11606 PO BOX 800	Van Vleck	TX	77482
Matagorda County	1700 7th Street	Bay City	TX	77414
Matagorda County WCID 6	BOX 316	Van Vleck	TX	77482
Lower Colorado River Authority	PO BOX 220	Austin	TX	78767
City of Bay City	1901 5th St	Bay City	TX	77414
Tejas Lakes Subdivision				
Aqua Texas Inc	13203 1106 CLAYTON LN STE 400W	AUSTIN	TX	78723
City of Needville	P.O. Box 527	Needville	TX	77461
Fort Bend County	401 Jackson Street	Richmond	TX	77469
Brazos River Authority	PO BOX 7585	WACO	TX	76714
Village Lakes Subdivision				
CITY OF PEARLAND				
AQUA TEXAS INC	11008 3519 Liberty Dr.	Pearland	TX	77581
KC UTILITIES INC	11157 1106 CLAYTON LN STE 400W	AUSTIN	TX	78723
Brazoria County	12108 PO BOX 2088	ALVIN	TX	77512
Brazoria County MUD 24	111 E Locust St	Angelton	TX	77515
Brazoria County MUD 36	3200 SOUTHWEST FWY STE 2600	HOUSTON	TX	77027
Frontier Water Company	12509 6513 Grace	HOUSTON	TX	77027
Cedar Grove Mobile Home Park	13088 18810 Tree Top Ln	Pearland	TX	77584
City of Alvin	216 W Sealy St	Pearland	TX	77584
City of Manvel	20025 Highway 6	Alvin	TX	77511
Wilco Water		Manvel	TX	77578
Brazoria County	12602 Sandpiper Rd	Angleton	TX	77515
City of Freeport	111 E Locust St	Angleton	TX	77515
Wolf Glen Water System	200 W 2nd st	Freeport	TX	77541
Brazoria County	234 Wolf Glen St	Danbury	TX	77515
City of Danbury	111 E Locust St	Angelton	TX	77515
	121 S. Velasco	Angelton	TX	77515

Attachment 'I'

Individual Page 16 & 17 for Each System, Inspection Reports

17. A. For Water Systems. TCEQ Public Water System Identification Number:

0	7	9	0	4	2	5
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Date of last inspection: 10/05/15

-TCEQ Discharge Permit Number: W Q

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-Name of Permittee: _____

-Date of application to transfer Discharge Permit submitted:	11/1/2011
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-Date of application to transfer Discharge Permit approved by TCEQ: _____

18. A. Are any improvements required to meet TCEQ or PUC standards? ☐ Yes ☒ No. If yes, please explain:

B. Is there a moratorium on new connections? ☐ Yes ☒ No. If yes, please explain:

C. Provide details of each required major capital improvement to correct the deficiencies and meet the TCEQ or PUC standards (attach additional sheets if necessary):

Description of the Required Improvement	Schedule to Complete	Estimated Cost

19. Does the system being transferred operate within the city limits of a municipality or within district boundaries? ☐ Yes ☒ No

If yes, indicate the number of customers within the city limits or district boundaries:

Water	Sewer

PUCT Sale Merger Transfer (Previous TCEQ Form 10516)
Page 16 of 23 9/1/2014

20. Do you currently purchase water or sewer treatment capacity from another source? ☐ Yes ☒ No
☐ Water ☐ Sewer Purchased on a ☐ Regular ☐ Seasonal ☐ Emergency Basis

• Source: % of total supply: 0.00%

21. List the number of existing connections to be effected by this transaction.

Water		Sewer	
<input type="text"/> -Non Metered	<input type="text"/> -2" meter	<input type="text"/> -Residential Connection	<input type="text"/>
<input type="text"/> -5/8" or 3/4" meter	<input type="text"/> -3" meter	<input type="text"/> -Commercial Connection	<input type="text"/>
<input type="text"/> -1" meter	<input type="text"/> -4" meter	<input type="text"/> -Industrial Connection	<input type="text"/>
<input type="text"/> -1 1/2" meter	<input type="text"/> -Other	<input type="text"/> -Other	<input type="text"/>
Total Water Connections: <input type="text"/> 72		Total Sewer Connections <input type="text"/>	

20. Has the system reached 85% of its capacity based on TCEQ's minimum requirements? ☐ Yes ☒ No
 If yes, please explain what steps are being taken to address the capacity issues:

23. List the name, class, and license number of the operator(s) that will be responsible for the system:

Name	Class	License#
See Attachment 'J'		

24. Attach the following maps with each copy of the application: **See Attachment 'K'**

- One small scale map clearly showing affected service area with enough detail to accurately locate the area if the application is for the transfer of all or a portion of a CCN.
- One large scale map showing the proposed service area boundaries being sold, transferred, or merged and, if available, the existing and proposed facilities. Color coding should be used to differentiate existing from proposed facilities. Facilities and service area boundaries should be shown with such exactness that they can be located on the ground. If transferring area not currently in a CCN or a portion of an existing CCN area please attach the following hard copy maps with each copy of the application:
 - A general location map delineating the proposed service area with enough detail to accurately locate the proposed area within the county.
 - A map showing only the proposed area by:
 - metes and bounds survey certified by a licensed state or registered professional land surveyor; or
 - projectable digital data with metadata (proposed areas should be in a single record and clearly labeled, data disk should be included); or
 - following verifiable natural and man-made landmarks, or
 - a copy of recorded plat map with metes and bounds.
 - A written description of the proposed service area.

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Jon Niermahn, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution.

November 16, 2015

Ms. Peggy Paul, President
Orbit Systems, Inc.
1302 Airline N
Rosharon, Texas 77583-7718

Re: Additional Compliance Documentation Needed for:
723 Utility, 3525 River Ranch North Dr., Fort Bend County, Texas
Regulated Entity No.: 104311618, TCEQ ID No.: 0790425, Investigation No.: 1282580

Dear Ms. Paul:

By letter dated April 2, 2015, the Texas Commission on Environmental Quality (TCEQ) Houston Region Office requested that you submit information to us by July 7, 2015, verifying that the outstanding alleged violation referenced in the letter has been corrected. The alleged violation was noted during the investigation of the above-referenced facility conducted on February 5, 2015. Violation Track No. 565271 has been withdrawn. Please see the Attached Additional Issue for lack of well completion data submission and approval. Please be advised that you are responsible for correcting this remaining problem. It will be placed in your file to be evaluated during any subsequent investigation.

The Texas Commission on Environmental Quality appreciates your assistance in this matter and your compliance efforts to protect the State's environment. We look forward to receiving your response for the remaining alleged violation. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements. If you or members of your staff have any questions, please feel free to contact Ms. Christina Bernal, in the Houston Region Office at (713) 767-3650.

Sincerely,

A handwritten signature in cursive script, appearing to read "Julia Thorp".

Julia Thorp, Team Leader
Public Water Supply
Houston Region Office

JT/CB/ra

Enclosure: Summary of Investigation Findings

cc: Fort Bend County Department of Health and Human Services

Summary of Investigation Findings

723 UTILITY

Investigation #

1282580

Investigation Date: 10/05/2015

, FORT BEND COUNTY,

Additional ID(s): 0790425

WITHDRAWN VIOLATION(S)

Track No: 565271 Compliance Due Date: 07/07/2015

30 TAC Chapter 290.41(c)(3)(A)

Alleged Violation:

Investigation: 1223445

Comment Date: 03/24/2015

Ground Water Sources and Development

Failure to submit the well completion data on Well Number 1 for our review and approval before placing the well into service. This data must include copies of:

1. an executed sanitary control easement or other documentation demonstrating compliance with 30 TAC, §290.41(c)(1)(F) for all property located within 150 feet of the well head,
2. the well Driller's Log (geological log and material setting report)
3. the cementing certificate,
4. the results of a 36-hour pump test which shows the steady state capacity of the well,
5. the results of chemical analysis performed by an accredited laboratory,
6. three consecutive daily coliform-free raw water bacteriological analyses conducted by a TCEQ accredited laboratory, and
7. an original or legible copy of a U.S. Geological Survey 7.5 minute topographical quadrangle map showing the accurate well location.

Please be aware you may apply for an exception to this regulation or if you have the well completion data please submit all requests to:
Texas Commission on Environmental Quality, Utilities Review and Oversight Team (MC-159),
P.O. Box 13087, Austin, Texas 78711-3087; phone (512)239-4691.

G0790425A, Well 1, and the water plant were approved for construction on October 7, 2002. However, there was no documentation available showing that Well 1 had been approved for use via submission of the well completion data.

Investigation: 1282580

Comment Date: 10/29/2015

This violation is being administratively resolved.

Recommended Corrective Action: Submit a copy of the letter providing the system with an exception from TCEQ's Utilities Review and Oversight Team (UROT) or a copy of the letter from the TCEQ's UROT indicating that your well has been approved for use to verify compliance.

Withdrawal Comments: Documents regarding the alleged violation citing a failure to submit and acquire approval of well completion data were viewed during the 10/05/2015 file record review. As a result, this violation has been withdrawn.

ADDITIONAL ISSUES

Description

Additional Comments

Item 2

30 TAC §290.46(n)(3) Plans and Specifications

Copies of well completion data such as well material setting data, geological log, sealing information (pressure cementing and surface protection), disinfection information, microbiological sample results, and a chemical analysis report of a representative sample of water from the well shall be kept on file for as long as the well remains in service.

At the time of the compliance investigation which was conducted on February 5, 2015, there was no documentation available to show that well completion data required by 30 TAC, §290.41(c)(3) (A) had been submitted for G0790425A, Well 1, to the TCEQ for review and approval before the well was placed into service.

This data must include copies of:

1. an executed sanitary control easement or other documentation demonstrating compliance with 30 TAC, §290.41(c)(1)(F) for all property located within 150 feet of the well head,
2. the well Driller's Log (geological log and material setting report)
3. the cementing certificate,
4. the results of a 36-hour pump test which shows the steady state capacity of the well,
5. the results of chemical analysis performed by an accredited laboratory,
6. three consecutive daily coliform-free raw water bacteriological analyses conducted by a TCEQ accredited laboratory, and
7. an original or legible copy of a U.S. Geological Survey 7.5 minute topographical quadrangle map showing the accurate well location.

Item 3

30 TAC §290.46(n)(3) Plans and Specifications (CONTINUED)

Please be aware you may apply for an exception to this regulation or if you have the well completion data please submit all requests to:

Texas Commission on Environmental Quality,
Utilities Review and Oversight Team (MC-159),
P.O. Box 13087, Austin, Texas 78711-3087; phone (512)239-4691.

Compliance Documentation: Submit a copy of the letter providing the system with an exception from TCEQ's Utilities Review and Oversight Team (UROT) or a copy of the letter from the TCEQ's UROT indicating that your well has been approved for use to verify compliance.

It is noted that the regulated entity submitted well completion data and a request for approval to the TCEQ's Utilities Technical Review Team on June 26, 2015, which was disapproved on September 4, 2015. Please continue to work with the TCEQ in order to obtain approval or a granted exception in order to remain in compliance with applicable state regulations.

Bryana W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Zak Covar, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

89
April 2, 2015

CERTIFIED MAIL #7013 3020 0000 9763 5442
RETURN RECEIPT REQUESTED

Ms. Peggy Paul, President
Orbit Systems, Inc.
1302 Airline N
Rosharon, Texas 77583-7718

Re: Notice of Violation for the Comprehensive Compliance Investigation at:
723 Utility, 3525 River Ranch North Dr., Fort Bend County, Texas
Regulated Entity No.: 104311618, TCEQ ID No.: 0790425, Investigation No.: 1223445

Dear Ms. Paul:

On February 5, 2015, Ms. Christina Bernal, of the Texas Commission on Environmental Quality (TCEQ) Houston Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for Public Water Supply. Enclosed is a summary which lists the investigation findings. During the investigation, the investigator resolved an apparent instance of noncompliance noted during the previous investigation dated October 31, 2011. Information has been provided which appears to indicate that this outstanding problem has been corrected. In addition, a certain outstanding alleged violation was identified for which compliance documentation is required. Please submit to this office by July 7, 2015, a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for the outstanding alleged violation.

In the listing of the alleged violation, we have cited applicable requirements, including TCEQ rules. Please note that both the rules themselves and the agency brochure entitled *Obtaining TCEQ Rules* (GI 032) are located on our agency website at <http://www.tceq.texas.gov> for your reference. If you would like a hard copy of this brochure mailed to you, you may call and request one from either the Houston Region Office at (713) 767-3650 or the Central Office Publications Ordering Team at (512) 239-0028.

The TCEQ appreciates your assistance in this matter. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements. We anticipate that you will resolve the alleged violation as required in order to protect the State's environment. If you have additional information that we are unaware of, you have the opportunity to contest the violation documented in this notice. Should you choose to do so, you must notify the Houston Region Office within 10 days from the date of this letter. At that time, PWS Team Leader Ms. Leticia De Leon will schedule a violation review meeting to be conducted within 21 days from the date of this letter.

TCEQ Region 12 • 5425 Polk St., Ste. H • Houston, Texas 77023-1452 • 713-767-3500 • Fax 713-767-3520

Austin Headquarters: 512-239-1000 • tceq.texas.gov • How is our customer service? tceq.texas.gov/customersurvey

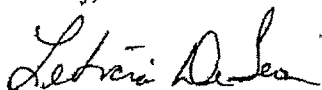
Ms. Peggy Paul, President

Page 2

April 2, 2015

If you or members of your staff have any questions, please feel free to contact Ms. Christina Bernal, in the Houston Region Office at (713) 767-3650.

Sincerely,



Leticia De Leon, Team Leader
Public Water Supply
Houston Region Office

LD/CB/mar

Enclosure: Summary of Investigation Findings

cc: Mr. James Beauchamp, TCEQ Water Supply Division, PWSINV@tceq.texas.gov
Brazoria County Health Department

723 UTILITY

Investigation #

1223445
Investigation Date: 02/05/2015

, FORT BEND COUNTY,

Additional ID(s): 0790425

**OUTSTANDING ALLEGED VIOLATION(S)
ASSOCIATED TO A NOTICE OF VIOLATION**

Track No: 565271 Compliance Due Date: 07/07/2015

30 TAC Chapter 290.41(c)(3)(A)

Alleged Violation:

Investigation: 1223445

Comment Date: 03/24/2015

Ground Water Sources and Development

Failure to submit the well completion data on Well Number 1 for our review and approval before placing the well into service. This data must include copies of:

1. an executed sanitary control easement or other documentation demonstrating compliance with 30 TAC, §290.41(c)(1)(F) for all property located within 150 feet of the well head,
2. the well Driller's Log (geological log and material setting report)
3. the cementing certificate,
4. the results of a 36-hour pump test which shows the steady state capacity of the well,
5. the results of chemical analysis performed by an accredited laboratory,
6. three consecutive daily coliform-free raw water bacteriological analyses conducted by a TCEQ accredited laboratory, and
7. an original or legible copy of a U.S. Geological Survey 7.5 minute topographical quadrangle map showing the accurate well location.

Please be aware you may apply for an exception to this regulation or if you have the well completion data please submit all requests to:

Texas Commission on Environmental Quality, Utilities Review and Oversight Team (MC-159), P.O. Box 13087, Austin, Texas 78711-3087; phone (512)239-4691.

G0790425A, Well 1, and the water plant were approved for construction on October 7, 2002. However, there was no documentation available showing that Well 1 had been approved for use via submission of the well completion data.

Recommended Corrective Action: Submit a copy of the letter providing the system with an exception from TCEQ's Utilities Review and Oversight Team (UROT) or a copy of the letter from the TCEQ's UROT indicating that your well has been approved for use to verify compliance.

**ALLEGED VIOLATION(S) NOTED AND RESOLVED
ASSOCIATED TO A NOTICE OF VIOLATION**

Track No: 454314

30 TAC Chapter 290.41(c)(3)(N)

Alleged Violation:

Investigation: 976070

Comment Date: 12/21/2011

Ground Water Sources and Development

Failure to have a working flow meter on the well pump discharge line to provide water usage records and to assist in more efficient system operation. This meter, in conjunction with tests of water levels in the well, can provide valuable information on the condition of the well and well pump.

At the time of the inspection, conducted on 10/31/2011, the well meter on well #2 was not functioning.

Investigation: 1223445

Comment Date: 03/24/2015

Ground Water Sources and Development

Failure to install a flow meter on each well pump discharge line to provide water usage records and to assist in more efficient system operation. This meter, in conjunction with tests of water levels in the well, can provide valuable information on the condition of the well and well pump.

Recommended Corrective Action: Submit a work order or purchase order showing the well meter was repaired or replaced at well #2.

Resolution: On February 5, 2015, the owner informed the investigator that Well 2 had been disconnected from the system and capped. It had begun producing sand, and there was no intention of using it as a potable water supply in the future.

ORBIT SYSTEMS, INC.

Orbit Systems, Inc.
1302 Airline North
Rosharon TX 77583

June 26, 2015

Ms. Leticia De Leon
TCEQ
Region 12
5425 Polk Avenue, Suite H
Houston, Texas 77023-1486

Dear Ms. De Leon:

**Subject: Public Water Supply; 723 Utility, 3525 River Ranch North Dr.; ID #0790425;
Fort Bend County, Texas**

On February 5, 2015, a sanitary survey was conducted at the subject water system. The following actions were taken as a result of the items of noncompliance:

1. **Failure to submit the well completion data on Well Number 1 for review and approval before placing the well into service.** A request for approval for use as a public water supply for this system was sent to the Utilities Technical Review Team June 26, 2015. I will forward letter verifying approval once received. Attached is cover letter and "Public Well Completion Data Checklist for Interim Approval" as proof of submittal.

If you have any questions or require further information regarding these actions, please contact me at the above address or telephone 281-369-2041.

Sincerely,



Peggy Paul
Orbit Systems, Inc.

TCEQ EXIT INTERVIEW FORM: Potential Violations and/or Records Requested					
Regulated Entity/Site Name	723 Utility		TCEQ Addl. ID No. RN No. (optional)	0790425	
Investigation Type	CCI	Contact Made In-House (Y/N)	Purpose of Investigation	routine compliance	
Regulated Entity Contact			Telephone No.	Date Contacted	
Title			Fax No.	Date Faxed	

NOTICE: The information provided in this form is intended to provide clarity to issues that have arisen during the investigation process between the TCEQ and the regulated entity named above and does not represent final TCEQ findings related to violations. Any potential or alleged violations discovered after the date on this form will be communicated by telephone to the regulated entity representative prior to the issuance of a notice of violation or enforcement. Conclusions drawn from this investigation, including additional violations or potential violations discovered (if any) during the course of this investigation, will be documented in a final investigation report.

Issue	No.	Type	Rule Citation (if known)	Description of Issue
	1	RR		well approval letter / well completion data submitted, including sanitary control easement

Issue Type Can Be One or More of: AV (Alleged Violation), PV (Potential Violation), O (Other), or RR (Records Request)

Did the TCEQ document the regulated entity named above operating without proper authorization?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Did the investigator advise the regulated entity representative that continued operation is not authorized?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Document Acknowledgment. Signature on this document establishes only that the regulated entity (company) representative received a copy of this document and associated continuation pages on the date noted. If contact was made by telephone, document will be faxed to regulated entity; therefore, signature not required.

Investigator Name (Signed & Printed)	Date	Regulated Entity Representative Name (Signed & Printed)	Date
Christina E. Bernal	02/05/2015	Peggy Paul	2/5/15

If you have questions about any information on this form, please contact your local TCEQ Regional Office.

Individuals are entitled to request and review their personal information that the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, call 512-239-3282.

White Copy: Regulated Entity Representative Yellow Copy: TCEQ
TCEQ-20082 (Rev. 6/07)

(Note: Use additional pages as necessary) Page _____ of _____

Charles B. Walker, P.E.
Orbit Services, Inc.
TBPE Firm Registration No. 15975
1302 Airline North
Rosharon, Texas 77583
281.369-2041

June 19, 2015

Texas Commission on Environmental Quality
Water Supply Division
Utilities Technical Review Team MC-159
P. O. Box 13087
Austin TX 78711-3087

RE: 723 Utility - Public Water System I.D. #0790425
Request for Approval for Use as a Public Water Supply
Existing Water Well No. 1
Regulated Entity No.: 104311618
Fort Bend County, Texas

Dear Sir:

This letter is to request interim approval for the above referenced well in use as a public water supply. The well has been in use for several years as a public water supply. However, during the most recent inspection, it was determined that the interim approval letter was missing from the files. Orbit Systems, Inc., current owner and operator for the public water supply, took over operation of the water utility in September 2013, and did not have the approval letter in the transferred files either. Therefore, the "Public Well Completion Data Checklist for Interim Approval" is attached in addition to the following available information as requested in the checklist:

1. A copy of the sanitary control easement as filed at the Fort Bend County Courthouse covering all areas within 150 feet of Well #1 is attached. See Attachment #1, 723 Utility Water Well #1 Sanitary Control Easement Recorded Document. Also see Attachment #2, Warranty Deed for Water Well Reserve.
2. Construction data as shown in the official State of Texas Well Report for existing well #1 is shown in Attachment #3, State of Texas Water Well Report, 723 Utility, River Ranch Subdivision. This information includes casing size, bore hole diameter, total well depth, casing material, casing length, and cementing depth and method, and the driller's geologic log.
3. A waiver is requested for the cementing certificate as this is not available.
4. A waiver is requested for the 36-hour pump test as the well has been in service as a public water supply for several years. Orbit Systems, Inc. began operating 723 Utility in September 2013.

PUBLIC WELL COMPLETION DATA CHECKLIST FOR INTERIM APPROVAL

Texas Commission on Environmental Quality Public Water System I.D. No.: 0790425
 Water Supply Division TCEQ Log. No.: not yet assigned
 Util. Technical Review Team MC-159 Owner's Well Id No. or Name.: 723 Utility Company
 P.O. Box 13087, Austin, Texas 78711-3087

Any well proposed as a source of water for a public water supply must have plans approved for construction by the TCEQ. Plans are reviewed for compliance with Rules and Regulations for Public Water Systems Title 30 TAC Chapter 290.38-290.49. After the well is drilled, the well completion data listed below must be submitted for TCEQ evaluation. Based on this submitted data, interim approval may be given for use of the well. Please include the TCEQ Log No. and owner's well name when submitting well completion information.

(Small print references in parentheses are Rules and Regulations for Public Water Systems Title 30 TAC Chapter 290.38-290.49)

1. ✓ Copies of ordinance or a recorded deed and map showing ownership and/or sanitary control easements as filed at the county courthouse (bearing the county clerk's stamp), covering all areas within 150 feet of the well owned by the system that will convey to others and neighboring tract not owned by the system (for a sample easement see 30 TAC 290.47(c), or contact the TCEQ Austin office or a Regional office.
(Section 290.41(c)(1)(F) of the rules.)
2. ✓ Construction data on the completed well, including:
 - ✓ Casing size, bore hole diameter (at least 3-in wider than casing OD), total well depth, casing material (e.g. steel, PVC-SDR17), casing length, and cementing depth and method (one of the methods in AWWA Standard A-100-(latest rev'n), Appendix. C, *excluding* the dump bailer and tremie methods);
 - ✓ Driller's geologic log of strata penetrated during drilling of the well;
 - ✓ Copy of the official State of Texas Well Report filled out by the water well driller (some of the preceding data is included on the Water Well Report form. (Section 290.41(c)(3)(A),(B),(C) & (G) of the rules.)
Cementing certificate (Railroad Commission or company format). (Section 290.41(c)(3)(A))-not available
3. ✓ A U.S. Geological Survey 7.5-minute topographic quadrangle map (include quadrangle name and number), or a legible copy, with "cross-hairs" showing the location of the completed well. (Section 290.41(c)(3)(A) of the rules.) ACCURACY: All locations collected shall maintain a minimum level of accuracy of at least 25 meters (82 feet). TCEQ OPP 8.11.02)
4. ✓ Record of a 36 hour pump test on the well showing stable production at the well's rated capacity (Section 290.41(c)(3)(A) & (G) of the rules). Include the final well pump capacity in gpm and feet, t.d.h. - not available
5. ✓ Three bacteriological analysis reports showing raw well water to be free of coliform bacterial contamination; reports must be for samples of raw (untreated) water from the disinfected well, collected on three successive days, and submitted to a laboratory certified or accredited by TCEQ. (Section 290.41(c)(3)(A) & (F) of the rules.)
6. ✓ Chemical analysis reports for well water samples showing the water to be of acceptable quality for at least, the most problematic contaminants listed below (Section 290.41(c)(3)(A) & (G) of the rules, and Section 290.104 and 290.105 of Drinking Water Standards). Reports must come from a certified or accredited laboratory for interim use of the well. Maximum contaminant level (MCL) and secondary contaminant level (SCL) units are in mg/l (except arsenic).

MCL	PRIMARY	SCL SECONDARY	SCL SECONDARY	SCL SECONDARY
10 (as N)	Nitrate	0.2 Aluminum	5.0 Zinc	300 Sulfate
1 (as N)	Nitrite	1.0 Copper	1,000 Total Dissolved Solids	300 Chloride
10 µg/l	Arsenic	0.3 Iron	2.0 Fluoride	7.0 pH
4.0	Fluoride	0.05 Manganese		
15	Gross alpha (pCi/liter)*			
5	Radium-226/228 (pCi/liter)*			
50	Beta particle (pCi/liter)*			
30	Uranium (µg/liter)* (WHERE: pCi/liter=pico curies per liter, µg/liter=micrograms per liter)			

Handwritten signature and date: 6-19-15

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Jon Niermann, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



PWS_0790425_CO_20160318_Plan Ltr

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 18, 2016

Mr. Charles B. Walker, P.E.
Orbit Services, Inc.
1302 Airline North
Rosharon, TX 77583

Re: 723 Utility - Public Water System ID No 0790425
Completion Data for Well No 1 Completion
Engineer Contact Telephone: (281) 369-2041
Plan Review Log No P-01202016-088
Fort Bend County, Texas

CN600625198; RN104311618

RECEIVED
MAR 23 2016
REGION 12

Dear Mr. Walker:

On January 20, 2016, the Texas Commission on Environmental Quality (TCEQ) received well completion material with your letter dated January 13, 2016 for Well No 1 (G0790425A) Completion Data. Based on our review of the information submitted, the project generally meets the minimum requirements of Title 30 Texas Administrative Code (TAC) Chapter 290 - Rules and Regulations for Public Water Systems and the constructed well is **conditionally approved for use** based on the conditions noted below and may now be temporarily placed into service. The wells continued use is contingent upon the following conditions:

1. According to our calculations using four corrosive indices (Modified Larson's Ratio Langelier Saturation Index, Ryznar Stability Index and the Aggressive Index), this water appears to be slightly corrosive. Corrosive or aggressive water could result in aesthetic problems, increased levels of toxic metals, and deterioration of household plumbing and fixtures. Therefore, this system is required to conduct a study and submit an engineering report that addresses these issues particular to this water system. The report must address recommendations for treatment if necessary.

The engineering report shall be submitted by a licensed Texas Professional Engineer, within six (6) months from the date of this letter to:

Vera Poe, P.E.
Plan Review Team, MC-159
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Mr. Charles B. Walker, P.E.
Page 3
March 18, 2016

Secondary Contaminants		
Contaminant	SCL (mg/L)	Results
Aluminum	0.2	Non-Detect
Chloride	300	54
Copper	1.0	0.124
Fluoride	2.0	0.25
Iron	0.3	Non-Detect
Manganese	0.05	Non-Detect
pH	≥7.0 (Standard Unit)	7.2
Sulfate	300	18
Total Dissolved Solids	1,000	329
Zinc	5.0	0.139

Corrosive Water Parameters	
Parameter	Units
Alkalinity as CaCO ₃	212 mg/l
Calcium as CaCO ₃	664.7 mg/l
Sodium	40.9 mg/l

Radionuclide Contaminants		
Contaminant	MCL (pCi/l)	Results
Gross Alpha	15	3.00
Gross Beta	50	4.00
Radium 226	5	Non-Detect
Radium 228	5	Non-Detect
Uranium	30	

The well completion data describes construction of the following:

- One (1) public water supply well with 8.5-inch borehole drilled to 320 feet, and with 320 linear feet (lf) of 5.563-inch outside diameter (od) PVC ASTM F480 SDR 17 casing, and 4.5-inch borehole drilled from 320 lf to 340 lf;
- 20 lf of 3-inch od Rod Base Stainless Slotted screen;
- The well is rated for 75 gallons per minute (gpm) yield with a 5-horsepower at 140 feet of dynamic head, 3.75-inch diameter, 9-stage Goulds Model 80LS50 submersible pump set at 210 feet deep; and,
- Disinfection using a Stenner Chemical Feeder Model 85MHP5, capacity 0-5 gallons per day @ 40 pounds per square inch (psi), adjusted to maintain 0.5 parts per million (ppm) chlorine concentrations.

This approval is for the above listed items only. Any wastewater components contained in this design were not considered.

Mr. Charles B. Walker, P.E.

Page 5

March 18, 2016

You can download the latest revision of 30 TAC Chapter 290 – Rules and Regulations for Public Water Systems from this site.

If you have any questions concerning this letter, please contact Robert W. Sims at (512) 239-4664 or by email at Robert.Sims@Tceq.Texas.Gov or by correspondence at the following address:

Plan Review Team, MC-159
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Sincerely,



Robert W. Sims, P.E.
Plan Review Team
Plan and Technical Review Section
Water Supply Division
Texas Commission on Environmental Quality



Vera Poe, P.E., Team Leader
Plan Review Team
Plan and Technical Review Section
Water Supply Division
Texas Commission on Environmental Quality

VP/RWS/av

cc: 723 Utility, Attn: Ms. Peggy Paul, 1302 Airline North, Rosharon, TX 77583-7718

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Jon Niemann, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



PWS_0790425_CO_20160805_PlanLtr

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 5, 2016

Mr. Charles B. Walker, P.E.
Orbit Services, Inc.
1302 Airline North
Rosharon, TX 77583

Re: 723 Utility - Public Water System ID № 0790425
Completion Data for As-Built Well № 2 Completion (G0790425B)
Engineer Contact Telephone: (281) 369-2041
Plan Review Log № P-06072016-036
Fort Bend County, Texas

CN600625198; RN104311618

Dear Mr. Walker:

On June 7, 2016, the Texas Commission on Environmental Quality (TCEQ) received well completion material with your letter dated May 27, 2016 for As-Built Well № 2 Completion. Based on our review of the information submitted, the project generally meets the minimum requirements of Title 30 Texas Administrative Code (TAC) Chapter 290 - Rules and Regulations for Public Water Systems and the constructed well is approved for use based on the conditions noted below and may now be temporarily placed into service. The wells continued use is contingent upon the following conditions:

1. A representative of TCEQ's Drinking Water Quality Team will contact the public water system to arrange for the collection of the official chemical samples. It is the water systems responsibility to contact the Drinking Water Quality Team at (512) 239-4691 if they have not had the official sample collection within 180 days of the date of this letter.
2. If official chemical analysis testing confirms that a regulated constituent does not meet primary or secondary standards, additional treatment, blending, or public notice may be required. The Drinking Water Quality Team will notify the water system of any additional special requirements for this public water supply source. Plans for any proposed water treatment and blending must be reviewed and approved by the Plan Review Team.

The well completion data consisted of the following:

- State of Texas Well Report (Tracking № 137283);
- Well Latitude and Longitude: Lat. 29° 36' 59" N; Long. 095° 48' 38" W
- Driller's log (geologic log and material setting report);

Mr. Charles B. Walker, P.E.
Page 2
August 5, 2016

- Cementing certificate;
- 36-hour pumping test results;
- Executed and recorded sanitary control easement;
- U. S. Geological Survey 7.5 minute map showing the well location;
- Three bacteriological sampling results showing no coliform contamination on April 20, 2016, April 21, 2016, and April 22, 2016; and,

Chemical Analysis of well water

- Preliminary chemical analysis results for sample taken on April 20, 2016 from Well No 2 (G0790425B) from Environmental Laboratories Services (enclosed):

Primary Contaminants		
Contaminant	MCL (mg/L)	Results
Arsenic	0.010	<0.002
Fluoride	4.0	0.428
Nitrate	10 (as N)	0.153
Nitrite	1 (as N)	<0.0500

Secondary Contaminants		
Contaminant	SCL (mg/L)	Results
Aluminum	0.2	<0.010
Chloride	300	45.7
Copper	1.0	<0.001
Fluoride	2.0	0.428
Iron	0.3	0.143
Manganese	0.05	0.0219
pH	≥7.0 (Standard Unit)	7.82
Sulfate	300	12.8
Total Dissolved Solids	1,000	313
Zinc	5.0	0.0174
Lead		<0.001

Corrosive Water Parameters	
Parameter	Units (mg/l)
Alkalinity as CaCO ₃	197
Calcium as CaCO ₃	150
Sodium	36.3

Radionuclide Contaminants		
Contaminant	MCL (pCi/l)	Results
Gross Alpha	15	ND
Gross Beta	50	ND
Radium 226	5	ND
Radium 228	5	ND
Uranium	30	0.00128

Mr. Charles B. Walker, P.E.
Page 3
August 5, 2016

The well completion data describes construction of the following:

- One (1) public water supply well drilled with an 8.5-inch diameter borehole to 320 feet with 320 linear feet (lf) of 5-inch outside diameter (od) PVC SDR 17 casing and pressure-cemented 320 lf;
- 4.5-inch diameter borehole from 320 feet to 340 feet;
- 20 lf of 3-inch od Stainless 0.008 slot screen, 5 lf of 3-inch od blank PVC Sch. 80 liner;
- The well is rated for 75 gallons per minute (gpm) yield with a 5 horsepower Goulds Model 80LS50, 4-inch, submersible pump set at 210 feet deep. The design capacity of the pump is 75 gpm at 140 feet total dynamic head;
- Chlorinator - Stenner Chemical Feeder Model 85MHPS; and,
- All necessary valves, fitting and appurtenances.

This approval is for the above listed items only. Any wastewater components contained in this design were not considered.

The 723 Utility public water system provides water treatment.

This facility is located at 3525 N. River Ranch Road, north of the intersection with Riverside Boulevard, east of the intersection of Riverside Boulevard and Farm to Mark Road 723, in Fort Bend County, Texas.

Texas Water Code Section 36.0015 allows for the creation of groundwater conservation districts (GCDs) as the preferred method of groundwater management. GCDs manage groundwater in many counties and are authorized to regulate production and spacing of water wells. Public water systems drilling wells within an existing GCD are responsible for meeting the GCD's requirements. The authorization provided in this letter does not affect GCD authority to manage groundwater or issue permits.

The well was approved for construction in our July 10, 2007 letter (Plan Review Log № 200705-068).

Please refer to the Plan Review Team's Log № P-06072016-036 in all correspondence for this project.

Please Note: In order to determine if a new source of water or a new treatment process results in corrosive or aggressive finished water that may endanger human health, we are requesting additional sampling and analysis of lead, alkalinity (as calcium carbonate), calcium (as calcium carbonate) and sodium in addition to the required chemical test results for public water system new sources. We are requiring these additional sampling results as listed in our currently revised checklists (Public Well Completion Data Checklist for Interim Use - Step 2 and Membrane Use Checklist - Step 2) which can be found on TCEQ's website at the following address:

<https://www.tceq.texas.gov/drinkingwater/udpubs.html>

Please include these additional sampling results in well completion submittals, membrane use submittals, and other treatment process submittals.

Mr. Charles B. Walker, P.E.
Page 4
August 5, 2016

New surface water sources will need to also include lead, total dissolved solids, pH, alkalinity (as calcium carbonate), chloride, sulfate, calcium (as calcium carbonate) and sodium with the analysis required in 30 TAC Section 290.41(e)(1)(F).

Please complete a copy of the most current Public Water System Plan Review Submittal form for any future submittals to TCEQ. Every blank on the form must be completed to minimize any delays in the review of your project. The document is available on TCEQ's website at the address shown below. You can also download the most current plan submittal checklists and forms from the same address.

<https://www.tceq.texas.gov/drinkingwater/udpubs.html>

For future reference, you can review part of the Plan Review Team's database to see if we have received your project. This is available on TCEQ's website at the following address:

<https://www.tceq.texas.gov/drinkingwater/planrev.html/#status>

You can download the latest revision of 30 TAC Chapter 290 - Rules and Regulations for Public Water Systems from this site.

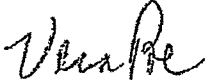
If you have any questions concerning this letter or need further assistance, please contact Robert W. Sims, P.E. at (512) 239-4664 or by email at Robert.Sims@Tceq.Texas.Gov or by correspondence at the following address:

Plan Review Team, MC-159
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Sincerely,



Robert W. Sims, P.E.
Plan Review Team
Plan and Technical Review Section
Water Supply Division
Texas Commission on Environmental Quality



Vera Poe, P.E., Team Leader
Plan Review Team
Plan and Technical Review Section
Water Supply Division
Texas Commission on Environmental Quality

VP/RWS/AN

Enclosure: Sample Results

cc: 723 Utility, Attn: Ms. Peggy Paul, 1302 Airline North, Rosharon, TX 77583-7718



LCRA Environmental Laboratory Services
3505 Montopolis Drive
Austin, TX 78744
Phone: (512)358-6022
Fax: (512)358-6021

ANALYTICAL RESULTS

Workorder: Q1615736

Lab ID: Q1615736001	Date Received: 4/21/2016 11:00	Matrix: Drinking Water
Sample ID: 723 UTILITY WELL 2	Date Collected: 4/20/2016 14:00	Sample Type: SAMPLE
Project ID: NEW WELL+ BACTERIA		

Parameters	Results	Units	LOD	LOQ	ML	DF	Prepared	By	Analyzed	By	Qual
INORGANICS											
Analysis Desc: E2340B, Hardness			Preparation Method: E2340B, Hardness								
			Analytical Method: E2340B, Hardness								
Hardness, Calcium	150	mg/L				1	05/02/16	PJO	05/02/16	PJO	N
Analysis Desc: E200.7 Metals, Trace Elements			Preparation Method: E200.7 Prep								
			Analytical Method: E200.7 Metals, Trace Elements								
Calcium Total	59.9	mg/L	0.0700	0.200		1	04/25/16 12:31	FM	04/27/16 14:23	MV	N
Iron Total	0.143	mg/L	0.0200	0.0500		1	04/25/16 12:31	FM	04/27/16 14:23	MV	
Sodium Total	36.3	mg/L	0.200	0.500		1	04/25/16 12:31	FM	04/27/16 14:23	MV	
Analysis Desc: E200.8, ICP-MS			Preparation Method: E200.8, ICP-MS Prep								
			Analytical Method: E200.8, ICP-MS								
Aluminum Total	<0.0100	mg/L	0.00400	0.0100		1	04/25/16 12:30	FM	04/26/16 11:17	SLW	
Arsenic Total	<0.00200	mg/L	0.000700	0.00200	0.01	1	04/25/16 12:30	FM	04/26/16 11:17	SLW	
Copper Total	<0.00100	mg/L	0.000400	0.00100	1.3	1	04/25/16 12:30	FM	04/26/16 11:17	SLW	
Lead Total	<0.00100	mg/L	0.000400	0.00100	0.015	1	04/25/16 12:30	FM	04/26/16 11:17	SLW	
Manganese Total	0.0219	mg/L	0.000400	0.00100		1	04/25/16 12:30	FM	04/26/16 11:17	SLW	
Zinc Total	0.0174	mg/L	0.00200	0.00400		1	04/25/16 12:30	FM	04/26/16 11:17	SLW	
Analysis Desc: E300.0, Anions			Preparation Method: E300.0, Anions								
			Analytical Method: E300.0, Anions								
Chloride	45.7	mg/L	5.00	5.00		5	04/21/16 18:44	WR	04/21/16 18:44	WR	
Fluoride	0.428	mg/L	0.0500	0.0500	4	5	04/21/16 18:44	WR	04/21/16 18:44	WR	
Nitrate (as N)	0.153	mg/L	0.0100	0.0500	10	5	04/21/16 18:44	WR	04/21/16 18:44	WR	
Nitrite (as N)	<0.0500	mg/L	0.00400	0.0500	1	5	04/21/16 18:44	WR	04/21/16 18:44	WR	
Sulfate	12.8	mg/L	5.00	5.00		5	04/21/16 18:44	WR	04/21/16 18:44	WR	
TOTAL DISSOLVED SOLIDS											
Analysis Desc: SM2540C, TDS			Preparation Method: SM2540C, TDS								
			Analytical Method: SM2540C, TDS								
Total Dissolved Solids(TDS)	313	mg/L	10.0	25.0		10	04/25/16 11:58	ADG	04/25/16 11:58	ADG	
ALKALINITY											

Report ID: 203174 - 2358688

Page 3 of 13

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LCRA Environmental Laboratory Services
3505 Montopolis Drive
Austin, TX 78744
Phone: (512)358-6022
Fax: (512)358-6021

ANALYTICAL RESULTS

Workorder: Q1615736

Lab ID: Q1615736001
Sample ID: 723 UTILITY WELL 2
Project ID: NEW WELL+ BACTERIA

Date Received: 4/21/2016 11:00 Matrix: Drinking Water
Date Collected: 4/20/2016 14:00 Sample Type: SAMPLE

Parameters	Results Units	LOD	LOQ	ML	DF	Prepared	By	Analyzed	By	Qual
Analysis Desc: SM2320B, Alkalinity		Preparation Method: SM2320B, Alkalinity								
		Analytical Method: SM2320B, Alkalinity								
Total Alkalinity	197 mg/L	20.0	20.0	1		04/27/16		ADG 04/27/16	ADG	N
pH										
Analysis Desc: SM4500-H+B, pH		Preparation Method: SM4500-H+B, pH								
		Analytical Method: SM4500-H+B, pH								
pH	7.82 pH	0.00	0.00	1		04/21/16		ADG 04/21/16	ADG	N
Temperature	21.3 C			1		04/21/16		ADG 04/21/16	ADG	N



SUMMIT
ENVIRONMENTAL TECHNOLOGIES, INC.
Analytical Laboratories

Summit Environmental Technologies, Inc.
3310 Win St.
Cuyahoga Falls, Ohio 44223
TEL: (330) 253-8211 FAX: (330) 253-4489
Website: <http://www.seitek.com>

Analytical Report

(consolidated)

WO#: 16041684

Date Reported: 5/25/2016

CLIENT: LCRA Environmental Laboratory Services Collection Date: 4/20/2016 2:00:00 PM
Project: Q1615737
Lab ID: 16041684-001 Matrix: DRINKING WATER
Client Sample ID Q1615737001

Analyses	Result	RL	Qual	Units	Uncertainty	DF	Date Analyzed
GROSS ALPHA / GROSS BETA RADIOACTIVITY (EPA 900.0)				E900.0	E900	Analyst: BRD	
ALPHA, Gross	ND	3.00		pCi/L	± 1.86	1	5/4/2016 4:47:00 PM
BETA, Gross	ND	4.00		pCi/L	± 1.86	1	5/4/2016 4:47:00 PM
RADIUM-226 (903.0)				E903.0	E903-904	Analyst: BRD	
Radium-226	ND	1.00	QL+	pCi/L	± 0.07	1	5/17/2016 12:23:00 PM
Yield	1.00					1	5/17/2016 12:23:00 PM
RADIUM-228 (904.0)				E904.0	E903-904	Analyst: BRD	
Radium-228	ND	1.00		pCi/L	± 0.35	1	5/16/2016 12:44:00 PM
Yield	1.00					1	5/16/2016 12:44:00 PM

Qualifiers: * Value exceeds Maximum Contaminant Level.
H Holding times for preparation or analysis exceeded
MC Value is below Minimum Compound Limit.
ND Not Detected at the Reporting Limit
P Second column confirmation exceeds

E Value above quantitation range
M Manual Integration used to determine area response
N Tentatively identified compounds
O RSD is greater than RSDlimit
PL Permit Limit

Page 5 of 14

Summit Environmental Technologies, Inc.
 3310 Wm St.
 Cuyahoga Falls, Ohio 44223
 TEL: (330) 253-8211 FAX: (330) 253-4489
 Website: <http://www.setek.com>

WO#: 16041684

Date Reported: 5/25/2016

Company: LCRA Environmental Laboratory Service

Address: P.O. Box 220 78767-02203505 Montopol

Austin TX 78744

Received: 4/26/2016

Project#: Q1615737

Client ID#	Lab#	Collected	Analyte	Result	Units	Qual	Matrix	Method	DF	LOD	LOQ	Run	Analyst
Q1615737001	001	4/20/2016	Uranium(U)	0.00128	mg/L		Drinking Water	EPA 200.8	1	0.0000306	0.00100	4/28/2016	MEW

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Jon Niermann, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



PWS_0790425_CO_20160318_Plan Ltr

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 18, 2016

Mr. Charles B. Walker, P.E.
Orbit Services, Inc.
1302 Airline North
Rosharon, TX 77583

Re: 723 Utility - Public Water System ID № 0790425
Completion Data for Well № 1 Completion
Engineer Contact Telephone: (281) 369-2041
Plan Review Log № P-01202016-088
Fort Bend County, Texas

CN600625198; RN104311618

Dear Mr. Walker:

On January 20, 2016, the Texas Commission on Environmental Quality (TCEQ) received well completion material with your letter dated January 13, 2016 for Well № 1 (G0790425A) Completion Data. Based on our review of the information submitted, the project generally meets the minimum requirements of Title 30 Texas Administrative Code (TAC) Chapter 290 - Rules and Regulations for Public Water Systems and the constructed well is **conditionally approved for use** based on the conditions noted below and may now be **temporarily** placed into service. The wells continued use is contingent upon the following conditions:

1. According to our calculations using four corrosive indices (Modified Larson's Ratio Langelier Saturation Index, Ryznar Stability Index and the Aggressive Index), this water appears to be slightly corrosive. Corrosive or aggressive water could result in aesthetic problems, increased levels of toxic metals, and deterioration of household plumbing and fixtures. Therefore, this system is required to conduct a study and submit an engineering report that addresses these issues particular to this water system. The report must address recommendations for treatment if necessary.

The engineering report shall be submitted by a licensed Texas Professional Engineer, within six (6) months from the date of this letter to:

Vera Poe, P.E.
Plan Review Team, MC-159
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Mr. Charles B. Walker, P.E.

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2. A representative of TCEQ's Drinking Water Quality Team will contact the public water system to arrange for the collection of the official chemical samples. It is the water systems responsibility to contact the **Drinking Water Quality Team at (512) 239-4691** if they have not had the official sample collection within **180 days** of the date of this letter.
3. If official chemical analysis testing confirms that a regulated constituent does not meet primary or secondary standards, additional treatment, blending, or public notice may be required. The Drinking Water Quality Team will notify the water system of any additional special requirements for this public water supply source. Plans for any proposed water treatment and blending must be reviewed and approved by the Plan Review Team.

The well completion data consisted of the following:

- State of Texas Well Report (Tracking No 137283);
- Well Latitude and Longitude: Lat. 29° 36' 59" N; Long. 095° 48" 38" W
- Driller's log (geologic log and material setting report);
- Cementing certificate;
- 36-hour pumping test results;
- Executed and recorded sanitary control easement and the Warranty Deed;
- U. S. Geological Survey 7.5 minute map showing the well location;
- Three bacteriological sampling results showing no coliform contamination on April 26, 2015, April 27, 2015, and April 28, 2015 (City of Houston Health Department Water & Dairy Laboratory); and,
- Preliminary chemical analysis results for sample taken on varies from Well No 1 (G0790425A) as follows (TCEQ Drinking Water Watch):

Primary Contaminants		
Contaminant	MCL (mg/L)	Results
Arsenic	0.010	Non-Detect
Fluoride	4.0	0.25
Nitrate	10 (as N)	0.17
Nitrite	1 (as N)	Non-Detect

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Secondary Contaminants		
Contaminant	SCL (mg/L)	Results
Aluminum	0.2	Non-Detect
Chloride	300	54
Copper	1.0	0.124
Fluoride	2.0	0.25
Iron	0.3	Non-Detect
Manganese	0.05	Non-Detect
pH	≥7.0 (Standard Unit)	7.2
Sulfate	300	18
Total Dissolved Solids	1,000	329
Zinc	5.0	0.139

Corrosive Water Parameters	
Parameter	Units
Alkalinity as CaCO ₃	212 mg/l
Calcium as CaCO ₃	664.7 mg/l
Sodium	40.9 mg/l

Radionuclide Contaminants		
Contaminant	MCL (pCi/l)	Results
Gross Alpha	15	3.00
Gross Beta	50	4.00
Radium 226	5	Non-Detect
Radium 228	5	Non-Detect
Uranium	30	

The well completion data describes construction of the following:

- One (1) public water supply well with 8.5-inch borehole drilled to 320 feet, and with 320 linear feet (lf) of 5.563-inch outside diameter (od) PVC ASTM F480 SDR 17 casing, and 4.5-inch borehole drilled from 320 lf to 340 lf;
- 20 lf of 3-inch od Rod Base Stainless Slotted screen;
- The well is rated for 75 gallons per minute (gpm) yield with a 5-horsepower at 140 feet of dynamic head, 3.75-inch diameter, 9-stage Goulds Model 80LS50 submersible pump set at 210 feet deep; and,
- Disinfection using a Stenner Chemical Feeder Model 85MHP5, capacity 0-5 gallons per day @ 40 pounds per square inch (psi), adjusted to maintain 0.5 parts per million (ppm) chlorine concentrations.

This approval is for the above listed items only. Any wastewater components contained in this design were not considered.

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The 723 Utility public water system provides water treatment.

This facility is located at 3525 N. River Ranch Road, north of the intersection with Riverside Boulevard, east of the intersection of Riverside Boulevard and Farm to Mark Road 723, In fort Bend County, Texas.

Texas Water Code Section 36.0015 allows for the creation of groundwater conservation districts (GCDs) as the preferred method of groundwater management. GCDs manage groundwater in many counties and are authorized to regulate production and spacing of water wells. **Public water systems drilling wells within an existing GCD are responsible for meeting the GCD's requirements.** The authorization provided in this letter does not affect GCD authority to manage groundwater or issue permits.

The well was approved for construction in our October 7, 2002 letter (Plan Review Log No P-205-053).

Please refer to the Plan Review Team's Log No **P-01202016-088** in all correspondence for this project.

Please Note: In order to determine if a new source of water or a new treatment process results in corrosive or aggressive finished water that may endanger human health, we are requesting additional sampling and analysis of alkalinity (as calcium carbonate), calcium (as calcium carbonate) and sodium in addition to the required chemical test results for public water system new sources. We are requiring these additional sampling results as listed in our currently revised checklists (Public Well Completion Data Checklist for Interim Use – Step 2 and Membrane Use Checklist – Step 2) which can be found on TCEQ's website at the following address:

<https://www.tceq.texas.gov/drinkingwater/udpubs.html>

Please include these additional sampling results in well completion submittals, membrane use submittals, and other treatment process submittals.

New surface water sources will need to also include Total Dissolved Solids, pH, Alkalinity (as calcium carbonate), Chloride, Sulfate, Calcium (as calcium carbonate) and Sodium with the analysis required in 30 TAC Section 290.41(e)(1)(F).

Please complete a copy of the most current Public Water System Plan Review Submittal form for any future submittals to TCEQ. Every blank on the form must be completed to minimize any delays in the review of your project. The document is available on TCEQ's website at the address shown below. You can also download the most current plan submittal checklists and forms from the same address.

<https://www.tceq.texas.gov/drinkingwater/udpubs.html>

For future reference, you can review part of the Plan Review Team's database to see if we have received your project. This is available on the TCEQ's website at the following address:

<https://www.tceq.texas.gov/drinkingwater/planrev.html/#status>

Mr. Charles B. Walker, P.E.

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March 18, 2016

You can download the latest revision of 30 TAC Chapter 290 – Rules and Regulations for Public Water Systems from this site.

If you have any questions concerning this letter, please contact Robert W. Sims at (512) 239-4664 or by email at Robert.Sims@Tceq.Texas.Gov or by correspondence at the following address:

Plan Review Team, MC-159
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Sincerely,



Robert W. Sims, P.E.
Plan Review Team
Plan and Technical Review Section
Water Supply Division
Texas Commission on Environmental Quality



Vera Poe, P.E., Team Leader
Plan Review Team
Plan and Technical Review Section
Water Supply Division
Texas Commission on Environmental Quality

VP/RWS/av

cc: 723 Utility, Attn: Ms. Peggy Paul, 1302 Airline North, Rosharon, TX 77583-7718

Part F – TCEQ Public Water or Sewer System Information

- Please answer questions 17 through 22 on a different sheet for each physically Distinct system being transferred or acquired.

17. A. For Water Systems. TCEQ Public Water System Identification Number:

--	--	--	--	--	--	--	--	--	--

Date of last inspection: 5/15/2015

B. For Wastewater Systems:

-TCEQ Discharge Permit Number: W Q 1 2 4 2 0 - 0 0 1

-Name of Permittee: Orbit Systems, Inc

-Date of application to transfer Discharge Permit submitted:

-Date of application to transfer Discharge Permit approved by TCEQ: Upon Approval of STM

18. A. Are any improvements required to meet TCEQ or PUC standards? ☐ Yes ☒ No. If yes, please explain:

A new wastewater treatment plant was placed in service in December of 2015 due to extensive rust over the plant as noted on the attached Exit Interview Form.

B. Is there a moratorium on new connections? ☐ Yes ☒ No. If yes, please explain:

--

C. Provide details of each required major capital improvement to correct the deficiencies and meet the TCEQ or PUC standards (attach additional sheets if necessary):

Description of the Required Improvement	Schedule to Complete	Estimated Cost

19. Does the system being transferred operate within the city limits of a municipality or within district boundaries? ☐ Yes ☒ No

If yes, indicate the number of customers within the city limits or district boundaries:

Water Sewer

- Attach copy of franchise agreement or consent letter from the city or district.

20. Do you currently purchase water or sewer treatment capacity from another source? ☐ Yes ☒ No
☐ Water ☐ Sewer Purchased on a ☐ Regular ☐ Seasonal ☐ Emergency Basis

• Source: % of total supply: 0.00%

21. List the number of existing connections to be effected by this transaction.

Water		Sewer	
-Non Metered	-2" meter	-Residential Connection	44
-5/8" or 3/4" meter	-3" meter	-Commercial Connection	
-1" meter	-4" meter	-Industrial Connection	
-1 1/2" meter	-Other	-Other	
Total Water Connections:		Total Sewer Connections	44

20. Has the system reached 85% of its capacity based on TCEQ's minimum requirements? ☐ Yes ☒ No
 If yes, please explain what steps are being taken to address the capacity issues:

23. List the name, class, and license number of the operator(s) that will be responsible for the system:

Name	Class	License#
See Attachment J		

24. Attach the following maps with each copy of the application: **See Attachment 'K'**

- a. One small scale map clearly showing affected service area with enough detail to accurately locate the area if the application is for the transfer of all or a portion of a CCN.
- b. One large scale map showing the proposed service area boundaries being sold, transferred, or merged and, if available, the existing and proposed facilities. Color coding should be used to differentiate existing from proposed facilities. Facilities and service area boundaries should be shown with such exactness that they can be located on the ground. If transferring area not currently in a CCN or a portion of an existing CCN area please attach the following hard copy maps with each copy of the application:
 1. A general location map delineating the proposed service area with enough detail to accurately locate the proposed area within the county.
 2. A map showing only the proposed area by:
 - i. metes and bounds survey certified by a licensed state or registered professional land surveyor; or
 - ii. projectable digital data with metadata (proposed areas should be in a single record and clearly labeled, data disk should be included); or
 - iii. following verifiable natural and man-made landmarks, or
 - iv. a copy of recorded plat map with metes and bounds.
 3. A written description of the proposed service area.

TCEQ EXIT INTERVIEW FORM: Potential Violations and/or Records Requested					
Regulated Entity/Store Name	ORBIT SYSTEMS, ANGLIE ACRES WWTP		TCEQ Add. ID No. RN No. (optional)	W00012420-001	
Investigation Type	CC2	Contact Made In-House (Y/N)	Y	Purpose of Investigation	COMPLIANCE
Regulated Entity Contact	PEGGY PAUL		Telephone No.	(979) 292-5165	Date Contacted
Title	PRESIDENT/OPERATOR		Fax No.		Date Faxed
					MAY 15, 2015

NOTICE: The information provided in this form is intended to provide clarity to issues that have arisen during the investigation process between the TCEQ and the regulated entity named above and does not represent final TCEQ findings related to violations. Any potential or alleged violations discovered after the date on this form will be communicated by telephone to the regulated entity representative prior to the issuance of a notice of violation or enforcement. Conclusions drawn from this investigation, including additional violations or potential violations discovered (if any) during the course of this investigation, will be documented in a final investigation report.

Issue		For Records Request: Identify the necessary records, the company contact and date due to the agency. For Alleged and Potential Violation Issues: include the rule in question with the clearly described potential problem. Other type of issues: fully describe.	
No.	Type	Rule Citation (if known)	Description of Issue
1	O		Extensive rust all over the plant - plan underway to replace plant

Issue Type Can Be One or More of: AV (Alleged Violation), PV (Potential Violation), O (Other), or RR (Records Request)

Did the TCEQ document the regulated entity named above operating without proper authorization?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Did the investigator advise the regulated entity representative that continued operation is not authorized?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

Document Acknowledgment. Signature on this document establishes only that the regulated entity (company) representative received a copy of this document and associated continuation pages on the date noted. If contact was made by telephone, document will be faxed to regulated entity; therefore, signature not required.

Investigator Name (Signed & Printed)	N. Sam Okonkwo	Date	MAY 20, 2015
Regulated Entity Representative Name (Signed & Printed)	Peggy Paul	Date	5/20/15

If you have questions about any information on this form, please contact your local TCEQ Regional Office.

Individuals are entitled to request and review their personal information that the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, call 512-239-3282.

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Jon Niermann, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 26, 2015

Carl L. Brassow, P.E.
Active Water Solutions, LLC
100 Waugh Drive, Suite 400
Houston, Texas 77007

Re: Orbit Systems, Inc.
Angle Acres WWTP
Permit No. WQ0012420-001
WWPR Log No. 1015/071
CN 600625198, RN 101609832
Brazoria County

Dear Mr. Brassow:

We have received the project summary transmittal letter dated October 23, 2015.

The rules which regulate the design, installation and testing of domestic wastewater projects are found in 30 TAC, Chapter 217, of the Texas Commission on Environmental Quality (TCEQ) rules titled, Design Criteria for Wastewater Systems.

Section 217.6(d), relating to case-by-case reviews, states in part that upon submittal of a summary transmittal letter, the executive director may approve of the project without reviewing a complete set of plans and specifications.

Under the authority of §217.6(e) a technical review of complete plans and specifications is not required. However, the project proposed in the summary transmittal letter is approved for construction. Please note, that this conditional approval does not relieve the applicant of any responsibilities to obtain all other necessary permits or authorizations, such as wastewater treatment permit or other authorization as required by Chapter 26 of the Texas Water Code. Below are provisions of the Chapter 217 regulations, which must be met as a condition of approval. These items are provided as a reminder. If you have already met these requirements, please disregard this additional notice.

1. You must keep certain materials on file for the life of the project and provide them to TCEQ upon request. These materials include an engineering report, test results, a summary transmittal letter, and the final version of the project plans and specifications. These materials shall be prepared and sealed by a Professional Engineer licensed in the State of Texas and must show substantial compliance with Chapter 217. All plans and specifications must conform to any waste discharge requirements authorized in a permit by the TCEQ. Certain specific items which shall be addressed in the engineering report are discussed in §217.6(c). Additionally, the engineering report must include all constants, graphs,