

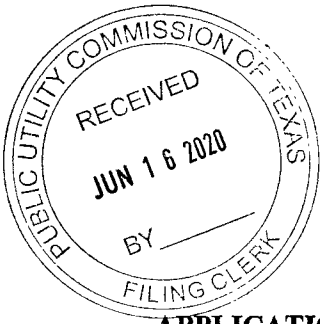


Control Number: 50943



Item Number: 1

Addendum StartPage: 0



NEW DOCKET

50943

**APPLICATION OF QUADVEST, L.P. TO
AMEND A CERTIFICATE OF
CONVENIENCE IN HARRIS COUNTY**

§
§
§

**PUBLIC UTILITY COMMISSION
OF TEXAS**

Enclosed is a new CCN Amendment. We have sent out request for service and received one response to decline service. We have a Discharge Permit that is in the process of being transferred into the name of Quadvest. TCEQ submittals are being prepared and will be submitted within 60 days.

Yvette McNellie

Yvette McNellie
Quadvest, L.P.
26926 FM 2978
Magnolia, TX 77354
Telephone: 281-305-1124
Fax: 281-356-5382
yvette@quadvest.com



Application to Obtain or Amend a Water or Sewer Certificate of Convenience and Necessity (CCN)

*Pursuant to 16 Texas Administrative Code (TAC) Chapter 24, Substantive Rules Applicable to Water and Sewer
Service Providers, Subchapter G: Certificates of Convenience and Necessity*

CCN Application Instructions

- I. **COMPLETE:** In order for the Commission to find the application sufficient for filing, you should adhere to the following:
 - i. Answer every question and submit all required attachments.
 - ii. Use attachments or additional pages if needed to answer any question. If you use attachments or additional pages, reference their inclusion in the form.
 - iii. Provide all mapping information as detailed in Part F: Mapping & Affidavits.
 - iv. Provide any other necessary approvals from the Texas Commission on Environmental Quality (TCEQ), or evidence that a request for approval is being sought at the time of filing with the Commission.
- II. **FILE:** Seven (7) copies of the completed application with numbered attachments. One copy should be filed with no permanent binding, staples, tabs, or separators; and 7 copies of the portable electronic storage medium containing the digital mapping data.
SEND TO: Public Utility Commission of Texas, Attention: Filing Clerk, 1701 N. Congress Avenue, P.O. Box 13326, Austin, Texas 78711-3326 (**NOTE: Electronic documents may be sent in advance of the paper copy; however, they will not be processed and added to the Commission's on-line Interchange until the paper copy is received and file-stamped in Central Records.**)
- III. The application will be assigned a docket number, and an administrative law judge (ALJ) will issue an order requiring Commission Staff to file a recommendation on whether the application is sufficient. The ALJ will issue an order after Staff's recommendation has been filed:
 - i. **DEFICIENT (Administratively Incomplete):** Applicant will be ordered to provide information to cure the deficiencies by a certain date (usually 30 days from ALJ's order). ***Application is not accepted for filing.***
 - ii. **SUFFICIENT (Administratively Complete):** Applicant will be ordered by the ALJ to give appropriate notice of the application using the notice prepared by Commission Staff. ***Application is accepted for filing.***
- IV. Once the Applicant issues notice, a copy of the actual notice sent (including any map) and an affidavit attesting to notice should be filed in the docket assigned to the application. Recipients of notice may choose to take one of the following actions:
 - i. **HEARING ON THE MERITS:** an affected party may request a hearing on the application. The request must be made within 30 days of notice. If this occurs, the application may be referred to the State Office of Administrative Hearings (SOAH) to complete this request.
 - ii. **LANDOWNER OPT-OUT:** A landowner owning a qualifying tract of land (25+ acres) may request to have their land removed from the requested area. The Applicant will be requested to amend its application and file new mapping information to remove the landowner's tract of land, in conformity with this request.
- V. **PROCEDURAL SCHEDULE:** Following the issuance of notice and the filing of proof of notice in step 4, the application will be granted a procedural schedule for final processing. During this time the Applicant must respond to hearing requests, landowner opt-out requests, and requests for information (RFI). The Applicant will be requested to provide written consent to the proposed maps, certificates, and tariff (if applicable) once all other requests have been resolved.
- VI. **FINAL RECOMMENDATION:** After receiving all required documents from the Applicant, Staff will file a recommendation on the CCN request. The ALJ will issue a final order after Staff's recommendation is filed.

FAQ:

Who can use this form?

Any retail public utility that provides or intends to provide retail water or wastewater utility service in Texas.

Who is required to use this form?

A retail public utility that is an investor owned utility (IOU) or a water supply corporation (WSC) must use this form to obtain or amend a CCN prior to providing retail water or sewer utility service in the requested area.

What is the purpose of the application?

A CCN Applicant is required to demonstrate financial, managerial, and technical (FMT) capability to provide continuous and adequate service to any requested area. The questions in the application are structured to support an Applicant's FMT capabilities, consistent with the regulatory requirements.

Application Summary

Applicant: Quadvest, L.P.

CCN No. to be amended: 11612 and 20952

or ☐ Obtain NEW CCN ☐ Water ☐ Sewer

County(ies) affected by this application: Harris

Dual CCN requested with: _____

CCN No.: _____ (name of retail public utility) ☐ Portion or ☐ All of requested area

Decertification of CCN for: _____

CCN No.: _____ (name of retail public utility) ☐ Portion or ☐ All of requested area

Table of Contents

| | |
|--|----|
| CCN Application Instructions | 1 |
| Part A: Applicant Information | 3 |
| Part B: Requested Area Information | 4 |
| Part C: CCN Obtain or Amend Criteria Considerations | 6 |
| Part D: TCEQ Public Water System or Sewer (Wastewater) Information | 7 |
| Part E: Financial Information | 9 |
| Part F: Mapping & Affidavits | 10 |
| Part G: Notice Information | 11 |
| Appendix A: Historical Financial Information (Balance Sheet and Income Schedule) | 13 |
| Appendix B: Projected Information | 16 |

Please mark the items included in this filing

| | |
|--|-----------------------|
| <input checked="" type="checkbox"/> Partnership Agreement | Part A: Question 4 |
| <input checked="" type="checkbox"/> Articles of Incorporation and By-Laws (WSC) | Part A: Question 4 |
| <input checked="" type="checkbox"/> Certificate of Account Status | Part A: Question 4 |
| <input type="checkbox"/> Franchise, Permit, or Consent letter | Part B: Question 7 |
| <input type="checkbox"/> Existing Infrastructure Map | Part B: Question 8 |
| <input type="checkbox"/> Customer Requests For Service in requested area | Part B: Question 9 |
| <input type="checkbox"/> Population Growth Report or Market Study | Part B: Question 10 |
| <input checked="" type="checkbox"/> TCEQ Engineering Approvals | Part B: Question 11 |
| <input checked="" type="checkbox"/> Requests & Responses For Service to ½ mile utility providers | Part B: Question 12.B |
| <input type="checkbox"/> Economic Feasibility (alternative provider) Statement | Part B: Question 12.C |
| <input type="checkbox"/> Alternative Provider Analysis | Part B: Question 12.D |
| <input type="checkbox"/> Enforcement Action Correspondence | Part C: Question 16 |
| <input type="checkbox"/> TCEQ Compliance Correspondence | Part D: Question 20 |
| <input type="checkbox"/> Purchased Water Supply or Treatment Agreement | Part D: Question 23 |
| <input type="checkbox"/> Rate Study (new market entrant) | Part E: Question 28 |
| <input checked="" type="checkbox"/> Tariff/Rate Schedule | Part E: Question 29 |
| <input checked="" type="checkbox"/> Financial Audit | Part E: Question 30 |
| <input type="checkbox"/> Application Attachment A & B | Part E: Question 30 |
| <input type="checkbox"/> Capital Improvement Plan | Part E: Question 30 |
| <input type="checkbox"/> Disclosure of Affiliated Interests | Part E: Question 31 |
| <input checked="" type="checkbox"/> Detailed (large scale) Map | Part F: Question 32 |
| <input checked="" type="checkbox"/> General Location (small scale) Map | Part F: Question 32 |
| <input checked="" type="checkbox"/> Digital Mapping Data | Part F: Question 32 |
| <input checked="" type="checkbox"/> Signed & Notarized Affidavit | Page 12 |

Part A: Applicant Information

1. A. Name: Quadvest, L.P.

(individual, corporation, or other legal entity)

☐

Individual

☒

Corporation

☐

WSC

☐

Other: _____

B. Mailing Address: 26926 FM 2978, Magnolia, Texas 77354

Phone No.: (281) 356-5347

Email: support@quadvest.com

C. Contact Person. Please provide information about the person to be contacted regarding this application. Indicate if this person is the owner, operator, engineer, attorney, accountant, or other title.

Name: Yvette McNellie

Title: _____

Mailing Address: 26926 FM 2978, Magnolia, Texas 77354

Phone No.: (281) 305-1124

Email: yvette@quadvest.com

2. If the Applicant is someone other than a municipality, is the Applicant currently paid in full on the Regulatory Assessment Fees (RAF) remitted to the TCEQ?

☒ Yes

☐ No

☐ N/A

3. If the Applicant is an Investor Owned Utility (IOU), is the Applicant current on Annual Report filings with the Commission?

☒ Yes

☐ No

If no, please state the last date an Annual Report was filed: _____

4. The legal status of the Applicant is:

☐

Individual or sole proprietorship

☐

Partnership or limited partnership (*attach* Partnership agreement)

☒

Corporation:

Charter number (recorded with the Texas Secretary of State): 742124371

☐

Non-profit, member-owned, member controlled Cooperative Corporation [Article 1434(a) Water Supply or Sewer Service Corporation, incorporated under TWC Chapter 67]

Charter number (as recorded with the Texas Secretary of State): _____

☐

Articles of Incorporation and By-Laws established (*attach*)

☐

Municipally-owned utility

☐

District (MUD, SUD, WCID, FWSD, PUD, etc.)

☐

County

☐

Affected County (a county to which Subchapter B, Chapter 232, Local Government Code, applies)

☐

Other (please explain): _____

5. If the Applicant operates under an assumed name (i.e., any d/b/a), provide the name below:

Name: NO other or assumed names

Part B: Requested Area Information

6. Provide details on the existing or expected land use in the requested area, including details on requested actions such as dual certification or decertification of service area.

residential use

7. The requested area (check all applicable):

☐ Currently receives service from the Applicant ☒ Is being developed with no current customers

☐ Overlaps or is within municipal boundaries ☐ Overlaps or is within district boundaries

Municipality: _____ District: MUD 454

Provide a copy of any franchise, permit, or consent granted by the city or district. If not available please explain:

MUD 454 is inactive/dormant and is currently in the process of being dissolved.

8. Describe the circumstances (economic, environmental, etc.) driving the need for service in the requested area:

The Developer has requested water and wastewater service for his development

9. Has the Applicant received any requests for service within the requested area?

☐ Yes* ☒ No *Attach copies of all applicable requests for service and show locations on a map

10. Is there existing or anticipated growth in the requested area?

☒ Yes* ☐ No *Attach copies of any reports and market studies supporting growth

11. A. Will construction of any facilities be necessary to provide service to the requested area?

☒ Yes* ☐ No *Attach copies of TCEQ approval letters

B. Date Plans & Specifications or Discharge Permit App. submitted to TCEQ: _____

C. Summarize an estimated timeline for construction for any required facilities to serve the requested area:

Construction will start upon government approvals, tentatively first quarter of 2021

D. Describe the source and availability of funds for any required facilities to serve the requested area:

Financial information will be submitted confidentially

Note: Failure to provide applicable TCEQ construction or permit approvals, or evidence showing that the construction or permit approval has been filed with the TCEQ may result in the delay or possible dismissal of the application.

12. A. If construction of a physically separate water or sewer system is necessary, provide a list of all retail public water and/or sewer utilities within one half mile from the outer boundary of the requested area below:

Attached

B. Did the Applicant request service from each of the above water or sewer utilities?

☒ Yes*

☐ No

*Attach copies of written requests and copies of the written response

C. Attach a statement or provide documentation explaining why it is not economically feasible to obtain retail service from the water or sewer retail public utilities listed above.

D. If a neighboring retail public utility agreed to provide service to the requested area, attach documentation addressing the following information:

- (A) A description of the type of service that the neighboring retail public utility is willing to provide and comparison with service the applicant is proposing;
- (B) An analysis of all necessary costs for constructing, operating, and maintaining the new facilities for at least the first five years of operations, including such items as taxes and insurance; and
- (C) An analysis of all necessary costs for acquiring and continuing to receive service from the neighboring retail public utility for at least the first five years of operations.

13. Explain the effect of granting the CCN request on the Applicant, any retail public utility of the same kind serving in the proximate area, and any landowners in the requested area. The statement should address, but is not limited to, regionalization, compliance, and economic effects.

No known effect

Part C: CCN Obtain or Amend Criteria Considerations

14. Describe the anticipated impact and changes in the quality of retail utility service for the requested area:

no impact on the quality of service

15. Describe the experience and qualifications of the Applicant in providing continuous and adequate retail service:

The applicant has a 40+ year history of providing water and wastewater to thousands across Texas

16. Has the Applicant been under an enforcement action by the Commission, TCEQ, Texas Department of Health (TDH), the Office of the Attorney General (OAG), or the Environmental Protection Agency (EPA) in the past five (5) years for non-compliance with rules, orders, or state statutes?

☐ Yes* ☐ No

*Attach copies of any correspondence with the applicable regulatory agency concerning any enforcement actions, and attach a description of any actions or efforts the Applicant has taken to comply with these requirements.

17. Explain how the environmental integrity of the land will or will not be impacted or disrupted as a result of granting the CCN as requested:

The Developer performed extensive due diligence before purchasing the property

18. Has the Applicant made efforts to extend retail water or sewer utility service to any economically distressed area located within the requested area?

No

19. List all neighboring water or sewer retail public utilities, cities, districts (including ground water conservation districts), counties, or other political subdivisions (including river authorities) providing the same service located within two (2) miles from the outer boundary of the requested area:

List attached

Part D: TCEQ Public Water System or Sewer (Wastewater) Information

20. A. Complete the following for all Public Water Systems (PWS) associated with the Applicant's CCN:

| TCEQ PWS ID: | Name of PWS: | Date of TCEQ inspection*: | Subdivisions served: |
|--------------|--------------|---------------------------|----------------------|
| | Attached | | |
| | | | |
| | | | |
| | | | |
| | | | |

*Attach evidence of compliance with TCEQ for each PWS

- B. Complete the following for all TCEQ Water Quality (WQ) discharge permits associated with the Applicant's CCN:

| TCEQ Discharge Permit No: | Date Permit expires: | Date of TCEQ inspection*: | Subdivisions served: |
|---------------------------|----------------------|---------------------------|----------------------|
| WQ- Attached | | | |
| WQ- | | | |
| WQ- | | | |
| WQ- | | | |

*Attach evidence of compliance with TCEQ for each Discharge Permit

- C. The requested CCN service area will be served via: PWS ID:
WQ -

21. List the number of existing connections for the PWS & Discharge Permit indicated above (Question 20. C.):

| Water | | | | Sewer | |
|--------------------------|--------------|--|-------|--------------------------|-------------|
| | Non-metered | | 2" | | Residential |
| | 5/8" or 3/4" | | 3" | | Commercial |
| | 1" | | 4" | | Industrial |
| | 1 1/2" | | Other | | Other |
| Total Water Connections: | | | | Total Sewer Connections: | |

22. List the number of additional connections projected for the requested CCN area:

| Water | | | | Sewer | |
|--------------------------|--------------|--|-------|-------|--------------------------------|
| | Non-metered | | 2" | 430 | Residential |
| 430 | 5/8" or 3/4" | | 3" | | Commercial |
| | 1" | | 4" | | Industrial |
| | 1 1/2" | | Other | | Other |
| Total Water Connections: | | | | 430 | Total Sewer Connections: £ 430 |

23. A. Will the system serving the requested area purchase water or sewer treatment capacity from another source?

☐ Yes* ☒ No

*Attach a copy of purchase agreement or contract.

Capacity is purchased from:

Water: _____

Sewer: _____

- B. Are any of the Applicants PWS's required to purchase water to meet the TCEQ's minimum capacity requirements or TCEQ's drinking water standards?

☐ Yes ☒ No

- C. What is the amount of supply or treatment purchased, per the agreement or contract? What is the percent of overall demand supplied by purchased water or sewer treatment (if any)?

| | Amount in Gallons | Percent of demand |
|--------|-------------------|-------------------|
| Water: | | 0% |
| Sewer: | | 0% |

24. Does the PWS or sewer treatment plant have adequate capacity to meet the current and projected demands in the requested area?

☒ Yes ☐ No

25. List the name, class, and TCEQ license number of the operators that will be responsible for the operations of the water or sewer utility service provided to the requested area:

| Name (as it appears on license) | Class | License No. | Water/Sewer |
|---------------------------------|-------|-------------|-------------|
| Attached | | | |
| | | | |
| | | | |
| | | | |

26. A. Are any improvements required for the existing PWS or sewer treatment plant to meet TCEQ or Commission standards?

☐ Yes ☐ No

- B. Provide details on each required major capital improvement necessary to correct deficiencies to meet the TCEQ or Commission standards (attach any engineering reports or TCEQ approval letters):

| Description of the Capital Improvement: | Estimated Completion Date: | Estimated Cost: |
|---|----------------------------|-----------------|
| Attached | | |
| | | |
| | | |
| | | |

27. Provide a map (or maps) showing all facilities for production, transmission, and distribution, and the location of existing or proposed customer connections, in the requested area. Facilities should be identified on subdivision plats, engineering planning maps, or other large scale maps. Color coding can be used, and is encouraged, to distinguish types of facilities.

Part E: Financial Information

28. If the Applicant seeking to obtain a CCN for the first time is an Investor Owned Utility (IOU) and under the original rate jurisdiction of the Commission, a proposed tariff must be attached to the application. The proposed rates must be supported by a rate study, which provides all calculations and assumptions made. Once a CCN is granted, the Applicant must submit a rate filing package with the Commission within 18 months from the date service begins. The purpose of this rate filing package is to revise a utility's tariff to adjust the rates to a historic test year and to true up the new tariff rates to the historic test year. It is the Applicant's responsibility in any future rate proceeding to provide written evidence and support for the original cost and installation date of all facilities used and useful for providing utility service. Any dollar amount collected under the rates charged during the test year in excess of the revenue requirement established by the Commission during the rate change proceeding shall be reflected as customer contributed capital going forward as an offset to rate base for ratemaking purposes.

29. If the Applicant is an existing IOU, please attach a copy of the current tariff and indicate:

- A. Effective date for most recent rates: 4/14/2020
- B. Was notice of this increase provided to the Commission or a predecessor regulatory authority?
☐ No ☐ Yes Application or Docket Number: 49216
- C. If notice was not provided to the Commission, please explain why (ex: rates are under the jurisdiction of a municipality)

If the Applicant is a Water Supply or Sewer Service Corporation (WSC/SSC) and seeking to obtain a CCN, attach a copy of the current tariff.

30. **Financial Information**

Applicants must provide accounting information typically included within a balance sheet, income statement, and statement of cash flows. If the Applicant is an existing retail public utility, this must include historical financial information and projected financial information. However, projected financial information is only required if the Applicant proposes new service connections and new investment in plant, or if requested by Commission Staff. If the Applicant is a new market entrant and does not have its own historical balance sheet, income statement, and statement of cash flows information, then the Applicant should establish a five-year projection.

Historical Financial Information may be shown by providing any combination of the following that includes necessary information found in a balance sheet, income statement, and statement of cash flows:

1. Completed Appendix A;
2. Documentation that includes all of the information required in Appendix A in a concise format; or
3. Audited financial statements issued within 18 months of the application filing date. This may be provided electronically by providing a uniform resource locator (URL) or a link to a website portal.

Projected Financial Information may be shown by providing any of the following:

1. Completed Appendix B;
2. Documentation that includes all of the information required in Appendix B in a concise format;
3. A detailed budget or capital improvement plan, which indicates sources and uses of funds required, including improvements to the system being transferred; or
4. A recent budget and capital improvements plan that includes information needed for analysis of the operations test for the system being transferred and any operations combined with the system. This may be provided electronically by providing a uniform resource locator (URL) or a link to a website portal.

31. Attach a disclosure of any affiliated interest or affiliate. Include a description of the business relationship between all affiliated interests and the Applicant.

DO NOT INCLUDE ATTACHMENTS A OR B IF LEFT BLANK

Part F: Mapping & Affidavits

32. Provide the following mapping information with each of the seven (7) copies of the application:

1. A general location (small scale) map identifying the requested area in reference to the nearest county boundary, city, or town. The Applicant should adhere to the following guidance:
 - i. If the application includes an amendment for both water and sewer certificated service areas, separate maps must be provided for each.
 - ii. A hand drawn map, graphic, or diagram of the requested area is not considered an acceptable mapping document.
 - iii. To maintain the integrity of the scale and quality of the map, copies must be exact duplicates of the original map. Therefore, copies of maps cannot be reduced or enlarged from the original map, or in black and white if the original map is in color.
2. A detailed (large scale) map identifying the requested area in reference to verifiable man-made or natural landmarks such as roads, rivers, and railroads. The Applicant should adhere to the following guidance:
 - i. The map should be clearly labeled and the outer boundary of the requested area should be marked in reference to the verifiable man-made or natural landmarks. These verifiable man-made and/or natural landmarks must be labeled and marked on the map as well.
 - ii. If the application includes an amendment for both water and sewer certificated service area, separate maps need to be provided for each.
 - iii. To maintain the integrity of the scale and quality of the map, copies must be exact duplicates of the original map. Therefore, copies of maps cannot be reduced or enlarged from the original map, or in black and white if the original map is in color.
3. One of the following identifying the requested area:
 - i. A metes and bounds survey sealed or embossed by either a licensed state land surveyor or a registered professional land surveyor. Please refer to the mapping guidance in part 2 (above);

- ii. A recorded plat. If the plat does not provide sufficient detail, Staff may request additional mapping information. Please refer to the mapping guidance in part 2 (above); or
- iii. Digital mapping data in a shapefile (SHP) format georeferenced in either NAD 83 Texas State Plane Coordinate System (US Feet) or in NAD 83 Texas Statewide Mapping System (Meters). The digital mapping data shall include a single, continuous polygon record. The following guidance should be adhered to:
 - a. The digital mapping data must correspond to the same requested area as shown on the general location and detailed maps. The requested area must be clearly labeled as either the water or sewer requested area.
 - b. A shapefile should include six files (.dbf, .shp, .shx, .sbx, .sbn, and the projection (.prj) file).
 - c. The digital mapping data shall be filed on a data disk (CD or USB drives), clearly labeled, and filed with Central Records. Seven (7) copies of the digital mapping data is also required.

Part G: Notice Information

The following information will be used to generate the proposed notice for the application.
DO NOT provide notice until the application is deemed sufficient for filing and the Applicant is ordered to provide notice.

33. Complete the following using verifiable man-made and/or natural landmarks such as roads, rivers, or railroads to describe the requested area (to be stated in the notice documents). Measurements should be approximated from the outermost boundary of the requested area:

The total acreage of the requested area is approximately: 98

Number of customer connections in the requested area: 0

The closest city or town: Humble

Approximate mileage to closest city or town center: 5

Direction to closest city or town: Southeast

The requested area is generally bounded on the North by: Cypress Creek

on the East by: Cypresswood Drive

on the South by: FM 1960

on the West by: Broze Road

34. A copy of the proposed map will be available at 26926 FM 2978, Magnolia, Texas 77354

Applicant's Oath

STATE OF Texas

COUNTY OF Montgomery

I, Yvette McNellis being duly sworn, file this application to
obtain or amend a water or sewer CCN, as Partner

(owner, member of partnership, title as officer of corporation, or authorized representative)

I attest that, in such capacity, I am qualified and authorized to file and verify such application, am personally familiar with the documents filed with this application, and have complied with all the requirements contained in the application; and, that all such statements made and matters set forth therein with respect to Applicant are true and correct. Statements about other parties are made on information and belief. I further state that the application is made in good faith and that this application does not duplicate any filing presently before the Commission.

I further represent that the application form has not been changed, altered, or amended from its original form.

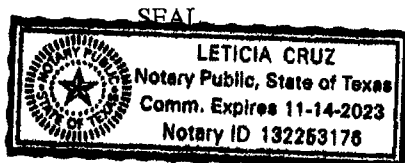
I further represent that the Applicant will provide continuous and adequate service to all customers and qualified applicants within its certificated service area should its request to obtain or amend its CCN be granted.

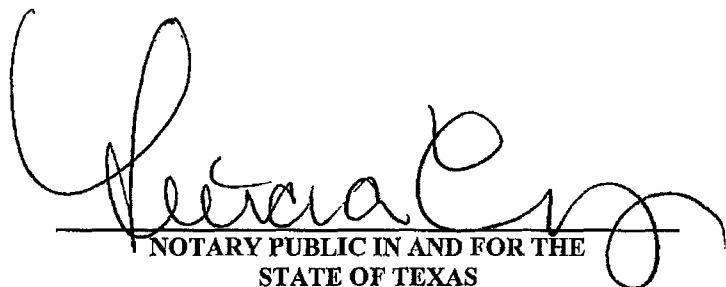

AFFIANT
(Utility's Authorized Representative)

If the Affiant to this form is any person other than the sole owner, partner, officer of the Applicant, or its attorney, a properly verified Power of Attorney must be enclosed.

SUBSCRIBED AND SWORN BEFORE ME, a Notary Public in and for the State of Texas

this day the 29 of May, 2020




NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS

Leticia Cruz

PRINT OR TYPE NAME OF NOTARY

My commission expires: 11-14-2023

Appendix A: Historical Financial Information (Balance Sheet and Income Schedule)

(Audited financial statements may be substituted for this schedule – see item 29 of the instructions)

| HISTORICAL BALANCE SHEETS (ENTER DATE OF YEAR END) | CURRENT(A) (- -) | A-1 YEAR (- -) | A-2 YEAR (- -) | A-3 YEAR (- -) | A-4 YEAR (- -) | A-5 YEAR (- -) |
|---|-------------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|
| CURRENT ASSETS | | | | | | |
| Cash | | | | | | |
| Accounts Receivable | | | | | | |
| Inventories | | | | | | |
| Other | | | | | | |
| A. Total Current Assets | | | | | | |
| FIXED ASSETS | | | | | | |
| Land | | | | | | |
| Collection/Distribution System | | | | | | |
| Buildings | | | | | | |
| Equipment | | | | | | |
| Other | | | | | | |
| Less: Accum. Depreciation or Reserves | | | | | | |
| B. Total Fixed Assets | | | | | | |
| C. TOTAL Assets (A + B) | | | | | | |
| CURRENT LIABILITIES | | | | | | |
| Accounts Payable | | | | | | |
| Notes Payable, Current | | | | | | |
| Accrued Expenses | | | | | | |
| Other | | | | | | |
| D. Total Current Liabilities | | | | | | |
| LONG TERM LIABILITIES | | | | | | |
| Notes Payable, Long-term | | | | | | |
| Other | | | | | | |
| E. Total Long Term Liabilities | | | | | | |
| F. TOTAL LIABILITIES (D + E) | | | | | | |
| OWNER'S EQUITY | | | | | | |
| Paid in Capital | | | | | | |
| Retained Equity | | | | | | |
| Other | | | | | | |
| Current Period Profit or Loss | | | | | | |
| G. TOTAL OWNER'S EQUITY | | | | | | |
| TOTAL LIABILITIES+EQUITY (F + G) = C | | | | | | |
| WORKING CAPITAL (A – D) | | | | | | |
| CURRENT RATIO (A / D) | | | | | | |
| DEBT TO EQUITY RATIO (E / G) | | | | | | |

DO NOT INCLUDE ATTACHMENTS A OR B IF LEFT BLANK

| HISTORICAL NET INCOME INFORMATION | | | | | | |
|---|-----------------------|---------------------|---------------------|---------------------|---------------------|---------------------|
| (ENTER DATE OF YEAR END) | CURRENT(A) (- -) | A-1 YEAR (- -) | A-2 YEAR (- -) | A-3 YEAR (- -) | A-4 YEAR (- -) | A-5 YEAR (- -) |
| METER NUMBER | | | | | | |
| Existing Number of Taps | | | | | | |
| New Taps Per Year | | | | | | |
| Total Meters at Year End | | | | | | |
| METER REVENUE | | | | | | |
| Revenue per Meter (use for projections) | | | | | | |
| Expense per Meter (use for projections) | | | | | | |
| Operating Revenue Per Meter | | | | | | |
| GROSS WATER REVENUE | | | | | | |
| Revenues- Base Rate & Gallonage Fees | | | | | | |
| Other (Tap, reconnect, transfer fees, etc.) | | | | | | |
| Gross Income | | | | | | |
| EXPENSES | | | | | | |
| General & Administrative (see schedule) | | | | | | |
| Operating (see schedule) | | | | | | |
| Interest | | | | | | |
| Other (list) | | | | | | |
| NET INCOME | | | | | | |

[illegible]

Appendix B: Projected Information

| HISTORICAL BALANCE SHEETS (ENTER DATE OF YEAR END) | CURRENT(A) (- -) | A-1 YEAR (- -) | A-2 YEAR (- -) | A-3 YEAR (- -) | A-4 YEAR (- -) | A-5 YEAR (- -) |
|---|-------------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|
| CURRENT ASSETS | | | | | | |
| Cash | | | | | | |
| Accounts Receivable | | | | | | |
| Inventories | | | | | | |
| Income Tax Receivable | | | | | | |
| Other | | | | | | |
| A. Total Current Assets | | | | | | |
| FIXED ASSETS | | | | | | |
| Land | | | | | | |
| Collection/Distribution System | | | | | | |
| Buildings | | | | | | |
| Equipment | | | | | | |
| Other | | | | | | |
| Less: Accum. Depreciation or Reserves | | | | | | |
| B. Total Fixed Assets | | | | | | |
| C. TOTAL Assets (A + B) | | | | | | |
| CURRENT LIABILITIES | | | | | | |
| Accounts Payable | | | | | | |
| Notes Payable, Current | | | | | | |
| Accrued Expenses | | | | | | |
| Other | | | | | | |
| D. Total Current Liabilities | | | | | | |
| LONG TERM LIABILITIES | | | | | | |
| Notes Payable, Long-term | | | | | | |
| Other | | | | | | |
| E. Total Long Term Liabilities | | | | | | |
| F. TOTAL LIABILITIES (D + E) | | | | | | |
| OWNER'S EQUITY | | | | | | |
| Paid in Capital | | | | | | |
| Retained Equity | | | | | | |
| Other | | | | | | |
| Current Period Profit or Loss | | | | | | |
| G. TOTAL OWNER'S EQUITY | | | | | | |
| TOTAL LIABILITIES+EQUITY (F + G) = C | | | | | | |
| WORKING CAPITAL (A - D) | | | | | | |
| CURRENT RATIO (A / D) | | | | | | |
| DEBT TO EQUITY RATIO (F / G) | | | | | | |

| PROJECTED NET INCOME INFORMATION | | | | | | |
|---|-----------------------|---------------------|---------------------|---------------------|---------------------|---------------------|
| (ENTER DATE OF YEAR END) | CURRENT(A) (- -) | A-1 YEAR (- -) | A-2 YEAR (- -) | A-3 YEAR (- -) | A-4 YEAR (- -) | A-5 YEAR (- -) |
| METER NUMBER | | | | | | |
| Existing Number of Taps | | | | | | |
| New Taps Per Year | | | | | | |
| Total Meters at Year End | | | | | | |
| METER REVENUE | | | | | | |
| Revenue per Meter (use for projections) | | | | | | |
| Expense per Meter (use for projections) | | | | | | |
| Operating Revenue Per Meter | | | | | | |
| GROSS WATER REVENUE | | | | | | |
| Revenues- Base Rate & Gallonage Fees | | | | | | |
| Other (Tap, reconnect, transfer fees, etc.) | | | | | | |
| Gross Income | | | | | | |
| EXPENSES | | | | | | |
| General & Administrative (see schedule) | | | | | | |
| Operating (see schedule) | | | | | | |
| Interest | | | | | | |
| Other (list) | | | | | | |
| NET INCOME | | | | | | |

| PROJECTED EXPENSE DETAIL | YEAR 1 | YEAR 2 | YEAR 3 | YEAR 4 | YEAR 5 | TOTALS |
|--|--------|--------|--------|--------|--------|--------|
| GENERAL/ADMINISTRATIVE EXPENSES | | | | | | |
| Salaries | | | | | | |
| Office | | | | | | |
| Computer | | | | | | |
| Auto | | | | | | |
| Insurance | | | | | | |
| Telephone | | | | | | |
| Utilities | | | | | | |
| Depreciation | | | | | | |
| Property Taxes | | | | | | |
| Professional Fees | | | | | | |
| Other | | | | | | |
| Total | | | | | | |
| % Increase Per projected Year | 0% | 0% | 0% | 0% | 0% | 0% |
| OPERATIONAL EXPENSES | | | | | | |
| Salaries | | | | | | |
| Auto | | | | | | |
| Utilities | | | | | | |
| Depreciation | | | | | | |
| Repair & Maintenance | | | | | | |
| Supplies | | | | | | |
| Other | | | | | | |
| Total | | | | | | |

| PROJECTED SOURCES AND USES OF CASH STATEMENTS | YEAR 1 | YEAR 2 | YEAR 3 | YEAR 4 | YEAR 5 | TOTALS |
|--|--------|--------|--------|--------|--------|--------|
| SOURCES OF CASH | | | | | | |
| Net Income | | | | | | |
| Depreciation (If funded by revenues of system) | | | | | | |
| Loan Proceeds | | | | | | |
| Other | | | | | | |
| Total Sources | | | | | | |
| USES OF CASH | | | | | | |
| Net Loss | | | | | | |
| Principle Portion of Pmts. | | | | | | |
| Fixed Asset Purchase | | | | | | |
| Reserve | | | | | | |
| Other | | | | | | |
| Total Uses | | | | | | |
| NET CASH FLOW | | | | | | |
| DEBT SERVICE COVERAGE | | | | | | |
| Cash Available for Debt (CADS) | | | | | | |
| A: Net Income (Loss) | | | | | | |
| B: Depreciation, or Reserve Interest | | | | | | |
| C: Total CADS (A + B = C) | | | | | | |
| D: DEBT SERVICE | | | | | | |
| Annual Principle Plus Interest | | | | | | |
| E: DEBT SERVICE COVERAGE RATIO | | | | | | |
| CADS Divided by DS (E = C / D) | | | | | | |

Corporations Section
P.O.Box 13697
Austin, Texas 78711-3697



David Whitley
Secretary of State

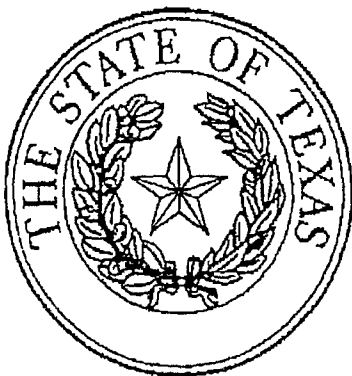
Office of the Secretary of State

Certificate of Fact

The undersigned, as Secretary of State of Texas, does hereby certify that the document, Articles of Conversion for Quadvest, L.P. (file number 800539284), a Domestic Limited Partnership (LP), was filed in this office on August 31, 2005.

It is further certified that the entity status in Texas is in existence.

In testimony whereof, I have hereunto signed my name officially and caused to be impressed hereon the Seal of State at my office in Austin, Texas on March 04, 2019.

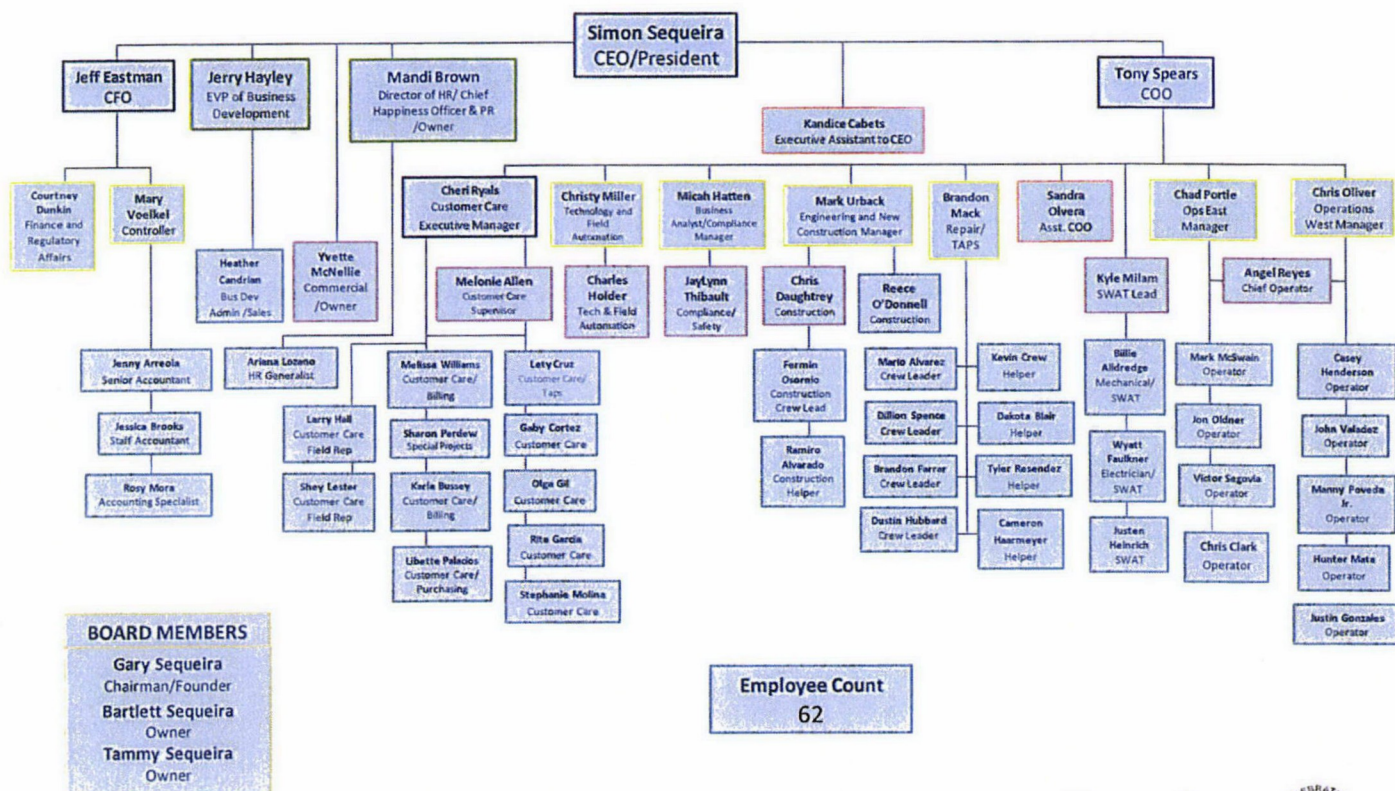


A handwritten signature in black ink, appearing to read "David Whitley".

David Whitley
Secretary of State

QUADVEST OWNERSHIP

| | |
|-----------------------------|-------|
| Yvette McNellie and Trust | 19.9% |
| Bartlett Sequeira and Trust | 19.9% |
| Simon Sequeira and Trust | 19.9% |
| Tamara Sequeira and Trust | 19.9% |
| Mandi Brown and Trust | 19.9% |



February 2020



HUMBLE JOINT VENTURE 1, LLC

131 Benjis Place, The Woodlands, Tx, 77380

Quadvest, L.P.

P.O. Box 409,

Tomball, Tx, 77377

22nd April 2020

Dear Sir / Madam,

Re: "Flagstone" community, 98 acres, Cypresswood Dve, Humble

Proposed single family housing community, 430 lots.

Humble Joint Venture 1 LLC is the recorded owner of the above property.

We confirm our request that subject to formal agreements, Quadvest prepare all associated documentation to provide water and sewer service to the community.

Yours Sincerely

Darren Ward

Pelagic Property Group

Manager / Humble Joint Venture 1, LLC

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER

SPECIAL WARRANTY DEED WITH VENDOR'S LIEN

THE STATE OF TEXAS §
 § KNOW ALL BY THESE PRESENTS:
COUNTY OF HARRIS §

That Camcorp Interests, Ltd. , Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other valuable consideration to the undersigned paid by the Grantee herein named, the receipt of which is hereby acknowledged, and the further execution and delivery by Grantee of that one certain Promissory Note of even date herewith in the original principal sum of Three Million Ten and No/100 Dollars (\$3,000,010.00), payable to the order of II C.B., L.P. (herein referred to as "Lender"), and being secured by Vendor's Lien and Superior Title retained herein in favor of said Grantor and assigned to Lender and also being secured by a Deed of Trust of even date herewith from Grantee to Michael G. Tapp, Trustee, subject to the exceptions, liens, encumbrances, terms and provisions hereinafter set forth and described, has GRANTED, SOLD AND CONVEYED, and by these presents does hereby GRANT, SELL AND CONVEY unto Humble Joint Venture 1, LLC whose address is 340 N. Sam Houston Parkway E. Ste 100, Houston, Texas 77060, all of the following described real property and improvements thereon in Harris County, Texas, to-wit:

Four (4) tracts, more or less, out of the John Taylor Survey, Abstract No. 777, and the Amos Barber Survey, Abstract no. 125, Harris County, Texas, and being more particularly described by metes and bounds in Exhibit "A" attached hereto and incorporated herein for all purposes ("Property")

This conveyance is made subject to the Permitted Encumbrances listed in Exhibit "B" attached hereto and incorporated herein for all purposes.

TO HAVE AND TO HOLD the above described Property, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Grantee, its successors and assigns forever; and Grantor does hereby bind itself in the capacity stated, its successors and assigns to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through or under the Grantor, but not otherwise.

But it is expressly agreed that the Vendor's Lien, as well as the Superior Title in and to the Property, is retained against the above described property, premises and improvements until the above described note and all interest thereon are fully paid according to the face, tenor, effect and reading thereof, when this Deed shall become absolute.

GRANTEE ACKNOWLEDGES AND AGREES THAT GRANTOR HAS NOT MADE, DOES NOT MAKE AND SPECIFICALLY NEGATES AND DISCLAIMS ANY REPRESENTATIONS, WARRANTIES, PROMISES, COVENANTS, AGREEMENTS OR GUARANTEES OF ANY KIND OR CHARACTER WHATSOEVER, WHETHER EXPRESS OR IMPLIED, ORAL OR WRITTEN, PAST, PRESENT OR FUTURE, OF, INCLUDING, WITHOUT LIMITATION, AS TO, CONCERNING OR WITH RESPECT TO (A) THE VALUE, NATURE, QUALITY OR CONDITION OF THE PROPERTY,

RP-2017-532017

RP-2017-532017

INCLUDING, WITHOUT LIMITATION, THE WATER, SOIL AND GEOLOGY, (B) THE INCOME TO BE DERIVED FROM THE PROPERTY, (C) THE SUITABILITY OF THE PROPERTY FOR ANY AND ALL ACTIVITIES AND USES WHICH GRANTEE OR ANY TENANT MAY CONDUCT THEREON, (D) THE COMPLIANCE OF OR BY THE PROPERTY OR THEIR OPERATION WITH ANY LAWS, RULES, ORDINANCES OR REGULATIONS OF ANY APPLICABLE GOVERNMENTAL AUTHORITY OR BODY, (E) THE HABITABILITY, MERCHANTABILITY, MARKETABILITY, PROFITABILITY OR FITNESS FOR A PARTICULAR PURPOSE OF THE PROPERTY, (F) THE MANNER OR QUALITY OF THE CONSTRUCTION OR MATERIALS, IF ANY, INCORPORATED INTO THE PROPERTY, (G) THE MANNER, QUALITY, STATE OF REPAIR OR LACK OF REPAIR OF THE PROPERTY, OR (H) COMPLIANCE WITH ANY ENVIRONMENTAL PROTECTION, POLLUTION OR LAND USE LAWS, RULES, REGULATIONS, ORDERS OR REQUIREMENTS, INCLUDING THE EXISTENCE IN OR ON THE PROPERTY OF HAZARDOUS MATERIALS (AS HEREINAFTER DEFINED) OR (I) ANY OTHER MATTER WITH RESPECT TO THE PROPERTY. ADDITIONALLY, NO PERSON ACTING ON BEHALF OF GRANTOR IS AUTHORIZED TO MAKE, AND BY EXECUTION HEREOF OF GRANTEE ACKNOWLEDGES THAT NO PERSON HAS MADE, ANY REPRESENTATION, AGREEMENT, STATEMENT, WARRANTY, GUARANTY OR PROMISE REGARDING THE PROPERTY OR THE TRANSACTION CONTEMPLATED HEREIN; AND NO SUCH REPRESENTATION, WARRANTY, AGREEMENT, GUARANTY, STATEMENT OR PROMISE IF ANY, MADE BY ANY PERSON ACTING ON BEHALF OF GRANTOR SHALL BE VALID OR BINDING UPON GRANTOR UNLESS EXPRESSLY SET FORTH HEREIN. GRANTEE FURTHER ACKNOWLEDGES AND AGREES THAT HAVING BEEN GIVEN THE OPPORTUNITY TO INSPECT THE PROPERTY, GRANTEE IS RELYING SOLELY ON ITS OWN INVESTIGATION OF THE PROPERTY AND NOT ON ANY INFORMATION PROVIDED OR TO BE PROVIDED BY GRANTOR AND AGREES TO ACCEPT THE PROPERTY AT THE CLOSING AND WAIVE ALL OBJECTIONS OR CLAIMS AGAINST GRANTOR (INCLUDING, BUT NOT LIMITED TO, ANY RIGHT OR CLAIM OF CONTRIBUTION) ARISING FROM OR RELATED TO THE PROPERTY OR TO ANY HAZARDOUS MATERIALS ON THE PROPERTY. GRANTEE FURTHER ACKNOWLEDGES AND AGREES THAT ANY INFORMATION PROVIDED OR TO BE PROVIDED WITH RESPECT TO THE PROPERTY WAS OBTAINED FROM A VARIETY OF SOURCES AND THAT GRANTOR HAS NOT MADE ANY INDEPENDENT INVESTIGATION OR VERIFICATION OF SUCH INFORMATION AND MAKE NO REPRESENTATIONS AS TO THE ACCURACY, TRUTHFULNESS OR COMPLETENESS OF SUCH INFORMATION. GRANTOR ARE NOT LIABLE OR BOUND IN ANY MANNER BY ANY VERBAL OR WRITTEN STATEMENT, REPRESENTATION OR INFORMATION PERTAINING TO THE PROPERTY, OR THE OPERATION THEREOF, FURNISHED BY ANY REAL ESTATE BROKER, CONTRACTOR, AGENT, EMPLOYEE, SERVANT OR OTHER PERSON. GRANTEE FURTHER ACKNOWLEDGES AND AGREES THAT TO THE MAXIMUM EXTENT PERMITTED BY LAW, THE SALE OF THE PROPERTY AS PROVIDED FOR HEREIN IS MADE ON AN "AS IS" CONDITION AND BASIS WITH ALL FAULTS. IT IS UNDERSTOOD AND AGREED THAT THE TOTAL PURCHASE PRICE HAS BEEN ADJUSTED BY PRIOR NEGOTIATION TO REFLECT THAT ALL OF THE PROPERTY ARE SOLD BY GRANTOR AND PURCHASED BY GRANTEE SUBJECT TO THE FOREGOING. GRANTEE HEREBY AGREES TO INDEMNIFY, PROTECT, DEFEND, SAVE AND HOLD HARMLESS GRANTOR FROM AND AGAINST ANY AND ALL CLAIMS IN ANY WAY RELATING TO, OR IN CONNECTION WITH OR ARISING OUT OF GRANTEE'S ACQUISITION, OWNERSHIP, CONSTRUCTION, LEASING, USE, OPERATION, MAINTENANCE OR MANAGEMENT OF ANY PART OF THE PROPERTY, OR ANYONE CLAIMING BY, THROUGH AND UNDER GRANTEE.

As used herein, the term "Hazardous Materials" means all hazardous or toxic substances, materials, wastes, pollutants, and contaminants which are listed, defined, or regulated under applicable governmental laws, rules, regulations, codes, ordinances, orders, and directives pertaining or related to the health, safety or the environment, including, but not limited to, the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C.A. §§ 9601 to 9675), the Hazardous Materials Transportation Authorization Act of

1994 (42 U.S.C.A. § 5101 et seq.), the Resource Conservation and Recovery Act (42 U.S.C.A. §§6921 to 6939e), the Federal Water Pollution Control Act (33 U.S.C.A. §§ 1251 to 1387), the Clean Air Act (42 U.S.C.A. §§ 7401 to 7671q), the Emergency Planning and Community Right to Know Act (42 U.S.C.A. §§ 11001 to 11050), the Toxic Substances Control Act (15 U.S.C.A. §§ 2601 to 2692), the Solid Waste Disposal Act (42 U.S.C.A. §§ 6901 to 6992k), the Oil Pollution Act (33 U.S.C.A. §§ 2701 to 2761), and all rules and regulations promulgated pursuant thereto. Without limiting the generality of the foregoing, "Hazardous Materials" shall specifically include polychlorinated biphenyl, asbestos (friable and non-friable), radon, urea formaldehyde, gasoline, diesel, oil, hydrocarbons, petroleum derived constituents or hazardous or toxic residue.

Taxes for the current year and prior years are assumed by the Grantee.

[THE REMAINDER OF THIS PAGE LEFT INTENTIONALLY BLANK]

RP-2017-532017

Signed as of the date below but to be effective Nov. 30, 2017.

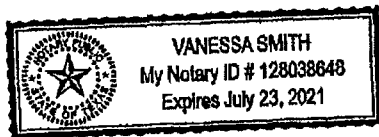
Camcorp Interests, Ltd.
A Texas limited partnership

By: Camcorp Management, Inc.
Its: Sole General Partner

By: Blake Roberts
Blake Roberts, President

THE STATE OF TEXAS §
§
COUNTY OF HARRIS §

This instrument was acknowledged before me on November 30, 2017, by Blake Roberts, President of Camcorp Management, Inc. a Texas corporation on behalf of said corporation; and said corporation acknowledged this instrument as the general partner of Camcorp Interests, Ltd., a Texas limited partnership, on behalf of said limited partnership.



Vanessa Smith
Notary Public - State of Texas

After recording return to

EXHIBIT "A"

LEGAL DESCRIPTION OF PROPERTY

TRACT ONE: A 48.69667 acre tract of land located in the Amos Barber Survey, Abstract No. 125, Harris County, Texas, also being all of Share 3 in a Partition of the Estate of Jerry Field, Jr. recorded in Volume 357 on Page 476 of the Deed Records of Harris County, Texas, also being all of that tract of land conveyed by Ernest Coker, Jr. Administrator with the Will Annexed, to Sherridan Peel Briggs, et al, per instrument dated April 21, 1981 and filed for record in the Office of Real Property under Harris County Clerk's File No. G955322 (Film Code No. 183-95-2381), said 48.69667 acre tract of land being more particularly described by metes and bounds as follows, to-wit:

COMMENCING at a 1-inch pinch top iron pipe found at an offset corner in the west line of the E. R. Sitton Estate 49.2298 acre tract for the northeast corner of a 110.4219 acre tract of land belonging to Cornelius Nurseries, Inc.

THENCE South 28 deg. 21 min. 09 sec. East, along and with the occupied west line of the said Sitton 49.2298 acre tract to a 1 1/2 inch iron pipe found for the southwest corner of the said Sitton 49.2298 acre tract, the northwest corner and PLACE OF BEGINNING of the herein described tract of land, said 1 1/2 inch iron pipe is also the common west corner of Share 3 and Share 4 of said Fields Partition;

THENCE North 59 deg. 49 min. 03 sec. East, along and with a new fence and the south line of the said Sitton 49.2298 acre tract, a total distance of 1288.50 feet to a 1/2 inch iron rod set for the southwest corner of the Kattar Subdivision, a map or plat of which is recorded in Volume 655 on Page 226 of the Deed Records of Harris County, Texas, and the southeast corner of the said Sitton 49.2298 acre tract of land, from said 1/2 inch iron rod an 8 inch fence corner post bears North 68 deg. 07 min. 02 sec. West 0.50 feet;

THENCE North 59 deg. 38 min. 17 sec. East, along and with an old fence line and the south line of the said Kattar Subdivision, a total distance of 824.70 feet to a 3/4 inch iron rod found for the common south corner of Lots 8 and 9 in the Kattar Subdivision, the northwest corner of the Berry Grant Company tract of land called to be 48.425 acres in Share 6 of the said Fields Partition and the northeast corner of the herein described tract of land, said 3/4 inch iron rod is also in the occupied dividing line between the said Amos Barber Survey and the John Taylor Survey, Abstract No. 777;

THENCE South 30 deg. 12 min. 14 sec. East, along and with an old fence, the west line of the said Berry Grant Company 48.425 acre tract and the west right-of-way line of a Houston Lighting & Power Company 65-foot wide easement, a total distance of 901.67 feet to a 4 inch iron pipe 5 feet high set in concrete at a fence corner in the north line of Share 2 of the Fields Partition now or formerly owned by Charles F. Stramblad, et ux for the southwest corner of the Berry Grant Company 49.425 acre tract and the most easterly southeast corner of the herein described tract of land, said 4 inch iron pipe is also in the south line of a Houston Lighting & Power Company 65-foot easement;

THENCE South 59 deg. 51 min. 12 sec. West, along and with an old fence, the north line of said Share 2 and the south line of the said Houston Lighting & Power Company 65-foot wide easement, a total distance of 1050.37 feet to a 1/2 inch iron rod found for the northwest corner of Share 2 and an interior corner of the herein described tract of land;

THENCE South 30 deg. 28 min. 29 sec. East, along and with an old fence, the west line of Share 2 and the east line of the said Houston Lighting & Power Company 65-foot wide easement, a total distance of 237.08 feet to a 1/2 inch iron rod set for the northeast corner of the Marvin Noble, Trustee, 41.5609 acre tract out of Share 1 of the said Fields Partition and the most southerly southeast corner of the herein described tract of land;

THENCE South 60 deg. 15 min. 21 sec. West, generally along and with an old fence and the north line of the said Noble 41.5609 acre tract, a total distance of 1061.29 feet to a 1/2 inch iron rod set in the east line of the abovementioned 110.4219 acre tract for the northwest corner of the said Noble 41.5609 acre tract and the southwest corner of the herein described tract of land from which a 3/8 inch iron rod found bears North 60 deg. 15 min. 21 sec. East 10.05 feet and a 1/2 inch iron rod found for the southeast corner of the said 110.4219 acre tract bears South 30 deg. 20 min. 26 sec. East 369.74 feet;

THENCE North 30 deg. 20 min. 26 sec. West, along and with a fence and the east line of the said 110.4219 acre tract, a total distance of 1127.39 feet to the PLACE OF BEGINNING and containing 49.27060 acres of land SAVE AND EXCEPT THE FOLLOWING DESCRIBED FIVE DIRECTORS' LOTS:

SAVE AND EXCEPT DIRECTOR'S LOT NUMBER 1 HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NUMBER 454 AMOS BARBER SURVEY, ABSTRACT NUMBER 125 HARRIS COUNTY, TEXAS

Being a tract or parcel containing 5,000 square feet of land situated in the Amos Barber Survey, Abstract Number 125, Harris County, Texas, being out of and a part of a called 161.21277 acre tract (Tract 2) conveyed to Skinner Lands Turkey Creek, LLC, by deed recorded under Harris County Clerks File (H.C.C.F.) Number W476145. Said 5,000 square foot tract being more particularly described as follows (bearings are oriented to the Texas State Plane Coordinate System of 1983, South Central Zone):

COMMENCING at the intersection of the northerly right-of-way (R.O.W.) line of FM 1960 (180 feet wide) with the northeasterly R.O.W. line of Broze Road (80 feet wide), for the most westerly southwest corner of said 161.21277 acre tract;

THENCE, N 42°15'34" E, departing said R.O.W. intersection, a distance of 2,718.16 feet to a point for corner on the northerly line of said 161.21277 acre tract and for the POINT OF BEGINNING and westerly corner of the herein described tract;

THENCE, N 59°49'03" E, along a northerly line of said 161.21277 acre tract, a distance of 100.00 feet to a point for the northerly corner of the herein described tract;

THENCE, S 30°10'57" E, a distance of 50.00 feet to a point for the easterly corner of the herein described tract;

THENCE, S 59°49'03" W, a distance of 100.00 feet to a point for the southerly corner of the herein described tract;

THENCE, N 30°10'57" W, a distance of 50.00 feet to the POINT OF BEGINNING and containing 5,000 square feet of land.

SAVE AND EXCEPT DIRECTOR'S LOT NUMBER 2 HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NUMBER 454 AMOS BARBER SURVEY, ABSTRACT NUMBER 125 HARRIS COUNTY, TEXAS

Being a tract or parcel containing 5,000 square feet of land situated in the Amos Barber Survey, Abstract Number 125, Harris County, Texas, being out of and a part of a called 161.21277 acre tract (Tract 2) conveyed to Skinner Lands Turkey Creek, LLC, by deed recorded under Harris County Clerks File (H.C.C.F.) Number W476145. Said 5,000 square foot tract being more particularly described as follows (bearings are oriented to the Texas State Plane Coordinate System of 1983, South Central Zone):

COMMENCING at the intersection of the northerly right-of-way (R.O.W.) line of FM 1960 (180 feet wide) with the northeasterly R.O.W. line of Broze Road (80 feet wide), for the most westerly southwest corner of said 161.21277 acre tract;

THENCE, N 42°15'34" E, departing said R.O.W. intersection, a distance of 2,718.16 feet to a point for corner on the northerly line of said 161.21277 acre tract;

THENCE, S 30°10'57" E, a distance of 50.00 feet to a the POINT OF BEGINNING and westerly corner of the herein described tract;

THENCE, N 59°49'03" E, a distance of 100.00 feet to a point for the northerly corner of the herein described tract;

THENCE, S 30°10'57" E, a distance of 50.00 feet to a point for the easterly corner of the herein described tract;

THENCE, S 59°49'03" W, a distance of 100.00 feet to a point for the southerly corner of the herein described tract;

RP-2017-532017

THENCE, N 30°10'57" W, a distance of 50.00 feet to the POINT OF BEGINNING and containing 5,000 square feet of land.

SAVE AND EXCEPT DIRECTOR'S LOT NUMBER 3 HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NUMBER 454 AMOS BARBER SURVEY, ABSTRACT NUMBER 125 HARRIS COUNTY, TEXAS

Being a tract or parcel containing 5,000 square feet of land situated in the Amos Barber Survey, Abstract Number 125, Harris County, Texas, being out of and a part of a called 161.21277 acre tract (Tract 2) conveyed to Skinner Lands Turkey Creek, LLC, by deed recorded under Harris County Clerks File (H.C.C.F.) Number W476145. Said 5,000 square foot tract being more particularly described as follows (bearings are oriented to the Texas State Plane Coordinate System of 1983, South Central Zone):

COMMENCING at the intersection of the northerly right-of-way (R.O.W.) line of FM 1960 (180 feet wide) with the northeasterly R.O.W. line of Broze Road (80 feet wide), for the most westerly southwest corner of said 161.21277 acre tract;

THENCE, N 42°15'34" E, departing said R.O.W. intersection, a distance of 2,718.16 feet to a point for corner on the northerly line of said 161.21277 acre tract;

THENCE, S 30°10'57" E, a distance of 100.00 feet to a the POINT OF BEGINNING and westerly corner of the herein described tract;

THENCE, N 59°49'03" E, a distance of 100.00 feet to a point for the northerly corner of the herein described tract;

THENCE, S 30°10'57" E, a distance of 50.00 feet to a point for the easterly corner of the herein described tract;

THENCE, S 59°49'03" W, a distance of 100.00 feet to a point for the southerly corner of the herein described tract;

THENCE, N 30°10'57" W, a distance of 50.00 feet to the POINT OF BEGINNING and containing 5,000 square feet of land.

SAVE AND EXCEPT DIRECTOR'S LOT NUMBER 4 HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NUMBER 454 AMOS BARBER SURVEY, ABSTRACT NUMBER 125 HARRIS COUNTY, TEXAS

Being a tract or parcel containing 5,000 square feet of land situated in the Amos Barber Survey, Abstract Number 125, Harris County, Texas, being out of and a part of a called 161.21277 acre tract (Tract 2) conveyed to Skinner Lands Turkey Creek, LLC, by deed recorded under Harris County Clerk's File (H.C.C.F.) Number W476145. Said 5,000 square foot tract being more particularly described as follows (bearings are oriented to the Texas State Plane Coordinate System of 1983, South Central Zone):

COMMENCING at the intersection of the northerly right-of-way (R.O.W.) line of FM 1960 (180 feet wide) with the northeasterly R.O.W. line of Broze Road (80 feet wide), for the most westerly southwest corner of said 161.21277 acre tract;

THENCE, N 42°15'34" E, departing said R.O.W. intersection, a distance of 2,718.16 feet to a point for corner on the northerly line of said 161.21277 acre tract;

THENCE, S 30°10'57" E, a distance of 150.00 feet to the POINT OF BEGINNING and westerly corner of the herein described tract;

THENCE, N 59°49'03" E, a distance of 100.00 feet to a point for the northerly corner of the herein described tract;

THENCE, S 30°10'57" E, a distance of 50.00 feet to a point for the easterly corner of the herein described tract;

THENCE, S 59°49'03" W, a distance of 100.00 feet to a point for the southerly corner of the herein described tract;

THENCE, N 30°10'57" W, a distance of 50.00 feet to the POINT OF BEGINNING and containing 5,000 square feet of land.

SAVE AND EXCEPT DIRECTOR'S LOT NUMBER 5 HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NUMBER 454 AMOS BARBER SURVEY, ABSTRACT NUMBER 125 HARRIS COUNTY, TEXAS

Being a tract or parcel containing 5,000 square feet of land situated in the Amos Barber Survey, Abstract Number 125, Harris County, Texas, being out of and a part of a called 161.21277 acre tract (Tract 2) conveyed to Skinner Lands Turkey Creek, LLC, by deed recorded under Harris County Clerk's File (H.C.C.F.) Number W476145. Said 5,000 square foot tract being more particularly described as follows (bearings are oriented to the Texas State Plane Coordinate System of 1983, South Central Zone):

COMMENCING at the intersection of the northerly right-of-way (R.O.W.) line of FM 1960 (180 feet wide) with the northeasterly R.O.W. line of Broze Road (80 feet wide), for the most westerly southwest corner of said 161.21277 acre tract;

THENCE, N 42°15'34" E, departing said R.O.W. intersection, a distance of 2,718.16 feet to a point for corner on the northerly line of said 161.21277 acre tract;

THENCE, S 30°10'57" E, a distance of 200.00 feet to the POINT OF BEGINNING and westerly corner of the herein described tract;

THENCE, N 59°49'03" E, a distance of 100.00 feet to a point for the northerly corner of the herein described tract;

THENCE, S 30°10'57" E, a distance of 50.00 feet to a point for the easterly corner of the herein described tract;

THENCE, S 59°49'03" W, a distance of 100.00 feet to a point for the southerly corner of the herein described tract;

THENCE, N 30°10'57" W, a distance of 50.00 feet to the POINT OF BEGINNING and containing 5,000 square feet of land.

AND LEAVING IN TRACT ONE, 48.69667 ACRES OF LAND, MORE OR LESS.

TRACT TWO: Fieldnotes for 19.4002 acres of land out of the John Taylor Survey, Abstract No. 777, and the Amos Barber Survey, Abstract No. 125, in Harris County, Texas, being out of and a part of Share No. 5 of the J. A. Fields Estate Partition as described in partition deed and map recorded in Volume 337, Page 476 of the Deed Records of Harris County, and being All of Lots 3, 7 and 8, and Part of Lots 4 and 9, of Kaffar Subdivision, according to the map or plat thereof recorded in Volume 655, Page 226 of the being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch steel rod set in the West line of the said John Taylor Survey and the East line of the said Amos Barber Survey, at its intersection with the North line of said Share No. 5 and said Lot 4, said point being the most Westerly Southwest corner of Share No. 7 of the said Fields Estate Partition and that certain 53.6308 acre tract of land conveyed to the Harris County Flood Control District as described in deed recorded under County Clerk's File No. U971496 of the Real Property Records of Harris County, and the Southeast corner of that certain 85.1442 acre tract of land conveyed to the County of Harris as described in deed recorded under County Clerk's File No. F471196 of the said Real Property Records;

Thence, North 89°43'42" East (called North 88°13'05" East in 53.6308 acre deed and East in Vol. 655, Pg. 226 D.R.H.C.), 95.54 feet with a South line of said Share No. 7 and the said 53.6308 acre tract and the North line of said Share No. 5 and said Lot 4 to a 5/8 inch steel rod set for the Northeast corner of the herein described tract and that certain 65 foot wide easement granted to Houston Lighting and Power Company (H.L.&P. Co.) as described in instrument recorded under County Clerk's File No. D841368 of the said Real Property Records;

Thence, South 28°28'17" East, 128.99 feet with the Easterly line of the said H.L.&P. Co. easement to a 5/8 inch steel rod set at an angle point for the herein described tract;

Thence, South 31°41'19" East, 1537.09 feet with the Easterly line of said H.L.&P. Co. easement to a 5/8 inch steel rod set in the South line of said Share No. 5 and said Lot 9 for the Southeast corner of the herein described tract, said point being in the North line of Share No. 6 of said Fields Estate Partition and that certain 17.8631 acre tract of land conveyed to Mayfield Equiland Partnership, LTD., as described in deed recorded under County Clerk's File No. X756857 of the said Real Property Records, said point also being the Southeast corner of that certain 65 foot wide easement granted to Houston Lighting and Power Company (H.L.&P. Co.) as described in instrument recorded under County Clerk's File No. D841367 of the said Real Property Records;

Thence, North 89°51'26" West (called North 89°14'14" West in 17.8631 acre deed and West in Vol. 655, Pg. 226 D.R.H.C.), 76.74 feet with a Northerly line of the said Share No. 6 and the said 17.8631 acre tract and the South line of said Share No. 5 and said Lot 9 to a 3/4 inch steel pipe found marking an angle point of said Lot 9 and the herein described tract, said point being the most Westerly Northwest corner of said Share No. 6 and the said 17.8631 acre tract and the most Easterly Northeast corner of Share No. 3 of the said Fields Estate Partition and that certain 161.21277 acre tract of land conveyed to Skinner Lands Turkey Creek, L.L.C., as described in deed recorded under County Clerk's File No. W476145 of the said Real Property Records, from which point, a found 4 inch steel pipe marking the Southwest corner of said Share No. 6 and the Southeast corner of said Share No. 3 bears South 32°00'00" East (basis bearing), 900.00 feet;

Thence, South 57°52'14" West (called South 59°38'17" West in 161.21277 acre deed and South 58°00' West in Vol. 655, Pg. 226 D.R.H.C.) with the Northerly line of said Share No. 3 and the said 161.21277 acre tract and the Southerly line of said Share No. 5 and said Lot 9, at 44.68 feet passing the most Southerly or Southwest corner of said Lot 9 and the most Easterly or Southeast corner of said Lot 8, and continuing with the Southerly line of said Lot 8, at 304.52 feet passing the most Southerly or Southwest corner of said Lot 8 and the most Easterly or Southeast corner of said Lot 7, and continuing with the Southerly line of said Lot 7 in all, a total distance of 564.36 feet to a 5/8 inch steel rod set for the most Southerly or Southwest corner of said Lot 7 and the herein described tract, said point also being the most Easterly or Southeast corner of adjacent Lot 6 of said Kattar Subdivision;

Thence, North 32°00'00" West, 838.59 feet (called 838.2 feet in Vol. 655, Pg. 226 D.R.H.C.) with the Easterly line of said Lot 6 and the Westerly line of said Lot 7 to a 5/8 inch steel rod set for an exterior ell corner of the herein described tract, said point being the most Northerly or Northeast corner of said Lot 6 and the most Westerly or Northwest corner of said Lot 7, said point also being the most Easterly or Southeast corner of adjacent Lot 1 and the most Southerly or Southwest corner of adjacent Lot 2, both of said Kattar Subdivision;

Thence, North 58°14'07" East, 259.84 feet with the Southerly line of said Lot 2 and the Northerly line of said Lot 7 to a 5/8 inch steel rod set for an interior ell corner of the herein described tract, said point being the most Easterly or Southeast corner of said Lot 2 and the most Northerly or Northeast corner of said Lot 7, said point also being the most Westerly or Northwest corner of said Lot 8 and the most Southerly or Southwest corner of said Lot 3;

Thence, North 32°00'00" West, 840.24 feet (called 838.2 feet in Vol. 655, Pg. 226 D.R.H.C.) with the Easterly line of said Lot 2 and the Westerly line of said Lot 3 to a 5/8 inch steel rod set in the Southerly line of the aforesaid 85.1442 acre tract and the Northerly line of said Share No. 5 for the most Westerly or Northwest corner of said Lot 3 and the herein described tract, said point also being the most Northerly or Northeast corner of said Lot 2;

Thence, North 58°14'07" East (called North 60°34'36" East in 85.1442 acre deed and North 58°00' East in Vol. 655, Pg. 226 D.R.H.C.) with the Southerly line of the said 85.1442 acre tract and the Northerly line of said Share No. 5 and said Lot 3, at 259.84 feet passing the most Northerly or Northeast corner of said Lot 3 and the most Westerly or Northwest corner of said Lot 4 and continuing with the Northerly line of said Lot 4 in all, a total distance of 304.52 feet to the PLACE OF BEGINNING and containing 19.4002 acres or 845,071 square feet of land, more or less.

TRACT THREE: Fieldnotes for 15.0234 acres of land out of the John Taylor Survey, Abstract No. 777, and the Amos Barber Survey, Abstract No. 125, in Harris County, Texas, being out of and a part of Share No. 2 of the J. A. Fields Estate Partition as described in partition deed and map recorded in Volume 357, Page 476 of the Deed Records of Harris County, and being further out of and a part of the residue of that certain 49.1 acre tract of land conveyed to Charles F. Stramblad and wife Dorothy J. Stramblad as described in deed recorded in Volume 1730, Page 223 of the said Deed Records, and being that same tract of land conveyed to Norman J. Roberts and wife Johnnie M. Roberts as described in

deed recorded under County Clerk's File No. W418131 of the Real Property Records of Harris County, said 15.0234 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch steel rod set in the West line of Cypresswood Drive, right-of-way varies, at its intersection with the North line of said Share No. 2 and the said Stramblad 49.1 acre tract, from which a found 3/4 inch steel rod bears South 04°32' East, 8.78 feet, and a found 5/8 inch steel rod bears North 00°02'16" West, 117.87 feet, said point also being in the South line of Share No. 4 of said partition and the South line of that certain 17.8632 acre tract of land conveyed to Jerry D. Hyatt, et ux, as described in deed recorded under County Clerk's File No. T501524 of the said Real Property Records, said point also being the Northwest corner of that certain 0.6552 acre tract of land conveyed to Harris County as described in deed recorded under County Clerk's File No. H057592 of the said Real Property Records;

Thence, South 00°02'16" East, 585.68 feet (called South 01°00'45" East in 0.6552 acre deed) with the West line of said Cypresswood Drive and the said 0.6552 acre tract to a 5/8 inch steel rod set for the Southeast corner of the herein described tract;

Thence, South 73°57'56" West, 1069.16 feet to a 5/8 inch steel rod set at an angle point;

Thence, South 58°33'03" West, 1102.40 feet to a 5/8 inch steel rod set in the West line of the said 49.1 acre Share No. 2 for the Southwest corner of the herein described tract, said point also being in an Easterly line of Share No. 3 of the aforesaid partition and an Easterly line of that certain 49.27060 acre tract of land conveyed to Cornelius Nurseries, Inc. as described in deed recorded under County Clerk's File No. S310018 of the said Real Property Records;

Thence, North 32°10'25" West, 192.21 feet (called North 30°28'29" West in 49.27060 acre deed) with the West line of said Share No. 2 and an Easterly line of said Share No. 3 to a 5/8 inch steel rod set for the Northwest corner of the herein described tract and an inside ell corner of said Share No. 3, from which a found 4 inch steel pipe bears South 58°00' West, 1.0 feet;

Thence, North 58°00'00" East (called North 59°51'12" East in 49.27060 acre deed) with the South line of said Share No. 3 and the said 49.27060 acre tract and the North line of said Share No. 2 and generally along a barbed wire fence line, at 1050.37 feet passing a 4 inch steel pipe found marking the Southeast corner of the said 49.27060 acre tract and said Share No. 3 and the Southwest corner of the aforesaid 17.8632 acre tract and Share No. 4, and continuing with the South line of the said 17.8632 acre tract and said Share No. 4 in all, a total distance of 2440.89 feet to the PLACE OF BEGINNING and containing 15.0234 acres or 654,420 square feet of land, more or less

TRACT FOUR: Fieldnotes for 15.0234 acres of land out of the John Taylor Survey, Abstract No. 777, and the Amos Barber Survey, Abstract No. 125, in Harris County, Texas, being out of and a part of Share No. 2 of the J. A. Fields Estate Partition as described in partition deed and map recorded in Volume 357, Page 476 of the Deed Records of Harris County, and being further out of and a part of the residue of that certain 49.1 acre tract of land conveyed to Charles F. Stramblad and wife Dorothy J. Stramblad as described in deed recorded in Volume 1730, Page 223 of the said Deed Records, and being that same tract of land conveyed to Clyde A. Moody J. as described in deed recorded under County Clerk's File No. W418130 of the Real Property Records of Harris County, said 15.0234 acre tract of land being more particularly described by metes and bounds as follows:

Commencing at a 5/8 inch steel rod set in the West line of Cypresswood Drive, right-of-way varies, at its intersection with the North line of said Share No. 2 and the said Stramblad 49.1 acre tract, from which a found 3/4 inch steel rod bears South 04°32' East, 8.78 feet, and a found 5/8 inch steel rod bears North 00°02'16" West, 117.87 feet, said point also being in the South line of Share No. 4 of said partition and the South line of that certain 17.8632 acre tract of land conveyed to Jerry D. Hyatt, et ux, as described in deed recorded under County Clerk's File No. T501524 of the said Real Property Records, said point also being the Northwest corner of that certain 0.6552 acre tract of land conveyed to Harris County as described in deed recorded under County Clerk's File No. H057592 of the said Real Property Records;

Thence, South 00°02'16" East, 585.68 feet with the West line of said Cypresswood Drive and the said 0.6552 acre tract to a 5/8 inch steel rod set for the Northeast corner and PLACE OF BEGINNING for the herein described tract of land;

Thence, continuing with the West line of said Cypresswood Drive and the said 0.6552 acre tract South 00°02'16" East, 585.69 feet to a 5/8 inch steel rod set for the Southeast corner of the herein described tract, from which a found 5/8 inch

RP-2017-532017

steel rod bears North 89°58' East, 0.98 feet, said point also being the Northeast corner of that certain 21.323 acre tract of land conveyed to Charles Henke, Trustee, as described in that certain Trustee's Deed recorded under County Clerk's File No. L375554 of the said Real Property Records;

Thence, South 89°57'56" West, 1135.50 feet (called South 89°52'08" West, 1137.06 feet in 21.323 acre deed) with the North line of the said 21.323 acre tract to a 5/8 inch steel rod found at an angle point;

Thence, continuing with the North line of the said 21.323 acre tract, South 58°33'03" West, 856.37 feet (called South 58°25'46" West, 851.82 feet in 21.323 acre deed) to a 5/8 inch steel rod set for the Southwest corner of the herein described tract, from which a found 1/2 inch steel rod bears North 48°33' East, 4.47 feet, said point also being the Northwest corner of the said 21.323 acre tract, said point also being in the East line of Share No. 1 and the East line of that certain 49.5609 acre tract of land described as Tract A in deed to Bryan P. Noble recorded under County Clerk's File No. U908063 of the said Real Property Records;

Thence, North 32°10'25" West (called North 31°55'05" West in 49.5609 acre deed) with the East line of said Share No. 1 and the said 49.5609 acre tract, at 147.34 feet passing a 5/8 inch steel rod found marking the Northeast corner of said Share No. 1 and the said 49.5609 acre tract and the most Southerly Southeast corner of Share No. 3 and that certain 49.27060 acre tract of land conveyed to Cornelius Nurseries, Inc. as described in deed recorded under County Clerk's File No. S310018 of the said Real Property Records, and continuing with the East line of said Share No. 3 and the said 49.27060 acre tract (called North 30°28'29" West in 49.27060 acre deed) and generally along a barbed wire fence line in all, a total distance of 192.21 feet to a 5/8 inch steel rod set for the Northwest corner of the herein described tract;

Thence, North 58°33'03" East, 1102.40 feet to a 5/8 inch steel rod set at an angle point;

Thence, North 73°57'56" East, 1069.16 feet to the PLACE OF BEGINNING and containing 15.0234 acres or 654,429 square feet of land, more or less.

EXHIBIT "B"

PERMITTED ENCUMBRANCES

- a. Houston Lighting and Power Company easement as set forth in instrument recorded under Clerks File No. D841367 of the Real Property Records of Harris County, Texas.
- b. Houston Lighting and Power Company easement traversing a portion of the subject property as set forth in instrument recorded under Clerks File No. D841368 of the Real Property Records of Harris County, Texas.
- c. Houston Lighting & Power Company easement 65 feet wide as reflected by instrument recorded under Clerk's File No. D885377 of the Real Property Records of Harris County, Texas.
- d. An easement 10 feet wide, and an aerial easement 11 feet and 6 inches wide from a plane 16 feet above the ground upward, located adjacent thereto for the use of public utilities as reflected by instrument recorded under Clerk's File No. P256319 of the Real Property Records of Harris County, Texas.
- e. Access Easement Agreement dated November 28, 2005 executed by and between Skinner Lands Turkey Creek, LLC., a Florida Limited Liability company and Resscomm Trust #1, filed for record under Clerk's File No. Z071614 of the Real Property Records of Harris County, Texas.
- f. Drainage easement reserved in Deed recorded under Clerk's File No. 20070023012 of the Real Property Records of Harris County, Texas.
- g. Access and utility easements 60 feet wide across subject property as reflected by instrument recorded under Clerk's File No. 20070023020 of the Real Property Records of Harris County, Texas.
- h. Sanitary sewer easements 60 feet wide across subject property as reflected by instrument recorded under Clerk's File No. 20070023021 of the Real Property Records of Harris County, Texas.
- i. Access easements 60 feet wide across subject property as reflected by instrument recorded under Clerk's File No. 20070023023 of the Real Property Records of Harris County, Texas.
- j. Hunter's Glen Municipal Utility District drainage easement 130 feet wide as recorded under Clerk's File No. 20070429900 of the Real Property Records of Harris County, Texas.
- k. Subject to any easements, rights-of-way, roadways, encroachments, etc., which a survey or physical inspection of the property might disclose.
- l. A 1/16th non-participating royalty interest in and to all oil, gas and other minerals on, in, under or that may be produced from the subject property is excepted herefrom as the same is set forth in instrument recorded in Volume 1236, Page 206 of the Deed Records as corrected in Volume 2563, Page 222 of the Deed Records of Harris County, Texas.
- m. 1/2 of all the oil, gas and other minerals, the royalties, bonuses, rentals and all other rights in connection with same are excepted herefrom as the same are set forth in instrument recorded in Volume 1112 Page 469 of the Deed Records of Harris County, Texas, and being further affected by that certain Extension of Mineral Interest in Volume 1276, Page 332 of the Deed Records of Harris County, Texas.
- n. A 1/4th royalty interest in and to all oil, gas and other minerals on, in, under or that may be produced from the subject property is excepted herefrom as the same is set forth in instrument recorded in Volume 1125 Page 239 of the Deed Records of Harris County, Texas.
- o. Subject property lies within the vicinity of George Bush Intercontinental Airport and is subject to Airport Land Use Regulations as set forth in Article VI added to Chapter 9 of the Code of Ordinances of the City

of Houston, Texas, by Ordinance No. 2008-1052, a certified copy of which is recorded under Clerk's File No. 20080598601 of the Real Property Records of Harris County, Texas, amended by Ordinance No. 2011-221, a certified copy of which is recorded under Clerk's File No. 20110166335 of the Real Property Records of Harris County, Texas.

- p. Subject property lies within the vicinity of George Bush Intercontinental Airport and is subject to Airport Hazard Area Regulations as set forth in Article VII added to Chapter 9 of the Code of Ordinances of the City of Houston, Texas, by Ordinance No. 2009-1301, a certified copy of which is recorded under Clerk's File No. 20100046770 of the Real Property Records of Harris County, Texas.
- q. All leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges, and immunities relating thereto, appearing in the Public Records whether or not listed herein.

RP-2017-532017

RP-2017-532017
Pages 14
12/04/2017 03:27 PM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
STAN STANART
COUNTY CLERK
Fees \$64.00

UNOFFICIAL

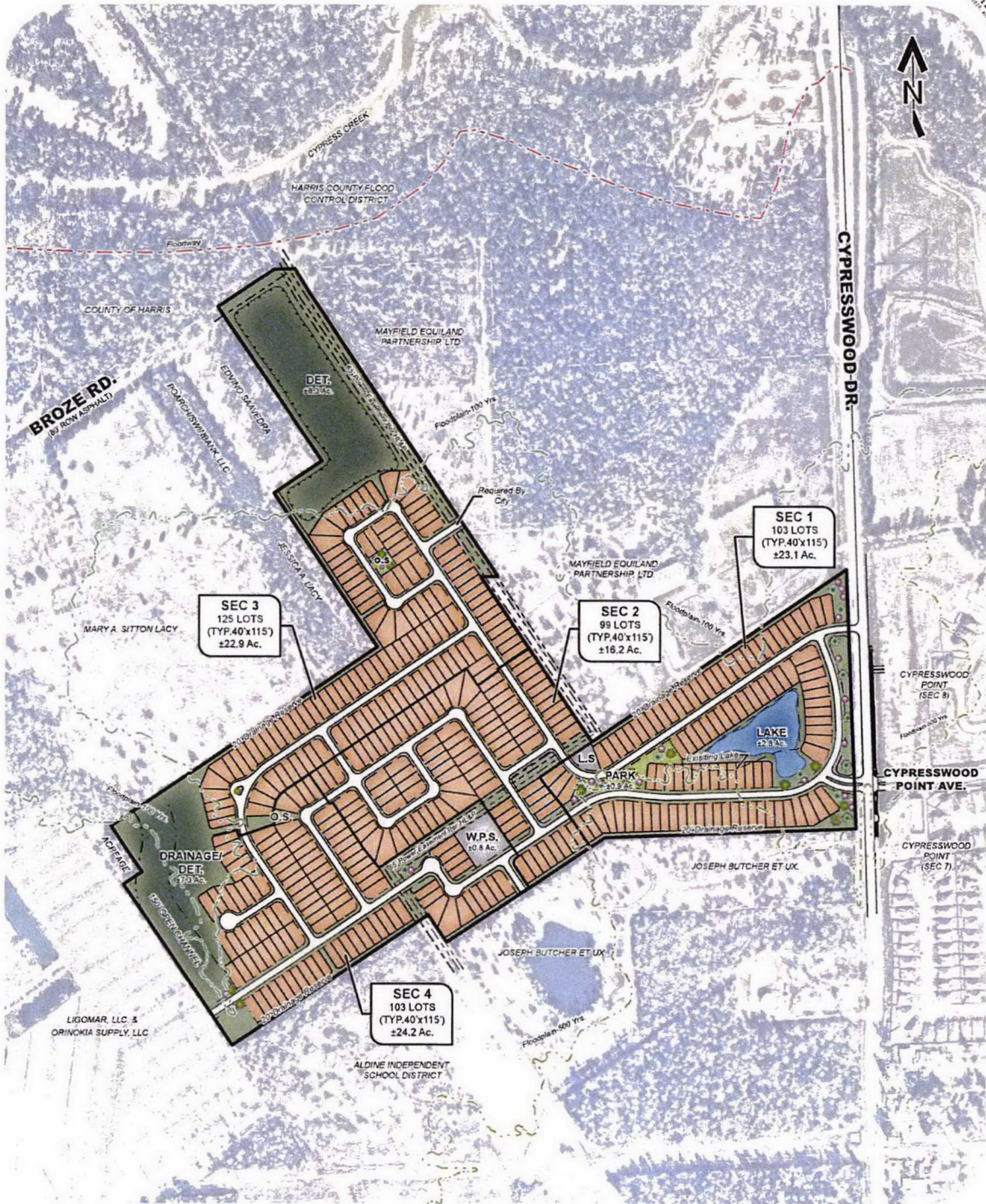
RECORDERS MEMORANDUM
This instrument was
and any blackout was
at the time the

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and real property under federal law, THE STATE OF TEXAS, COUNTY OF HARRIS, I hereby certify that this instrument was FILED in the Public Records of Real Property of Harris County, Texas hereon by me, and was on the date and at the time stamped hereon duly RECORDED in the Official Public Records of

Star Stewart
COUNTY CLERK
HARRIS COUNTY, TEXAS



Star Stuart
COUNTY CLERK
HARRIS COUNTY, TEXAS



THIS DRAWING IS A GRAPHIC REPRESENTATION FOR PRESENTATION PURPOSES ONLY AND IS NOT FOR CONSTRUCTION OR CONSTRUCTION PURPOSES. THIS DRAWING IS A SCANNED IMAGE ONLY AND IS SUBJECT TO CHANGE WITHOUT NOTICE. META PLANNING + DESIGN MAY BE NOT BE ABLE TO PROVIDE ADDITIONAL INFORMATION PROVIDED BY OTHER CONSULTANTS INCLUDING BUT NOT LIMITED TO THE TOPICS OF ENGINEERING AND DRAINAGE, FLOODPLAIN AND/OR ENVIRONMENTAL ISSUES AS THEY RELATE TO THIS DRAWING. NO WARRANTIES, EXPRESSED OR IMPLIED, CONCERNING THE PHYSICAL DESIGN, LOCATION, AND CHARACTER OF THE FACILITIES SHOWN ON THIS MAP ARE INTENDED. ADDITIONALLY, NO WARRANTY IS MADE TO THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.

© 2020 META PLANNING + DESIGN. ALL RIGHTS RESERVED.

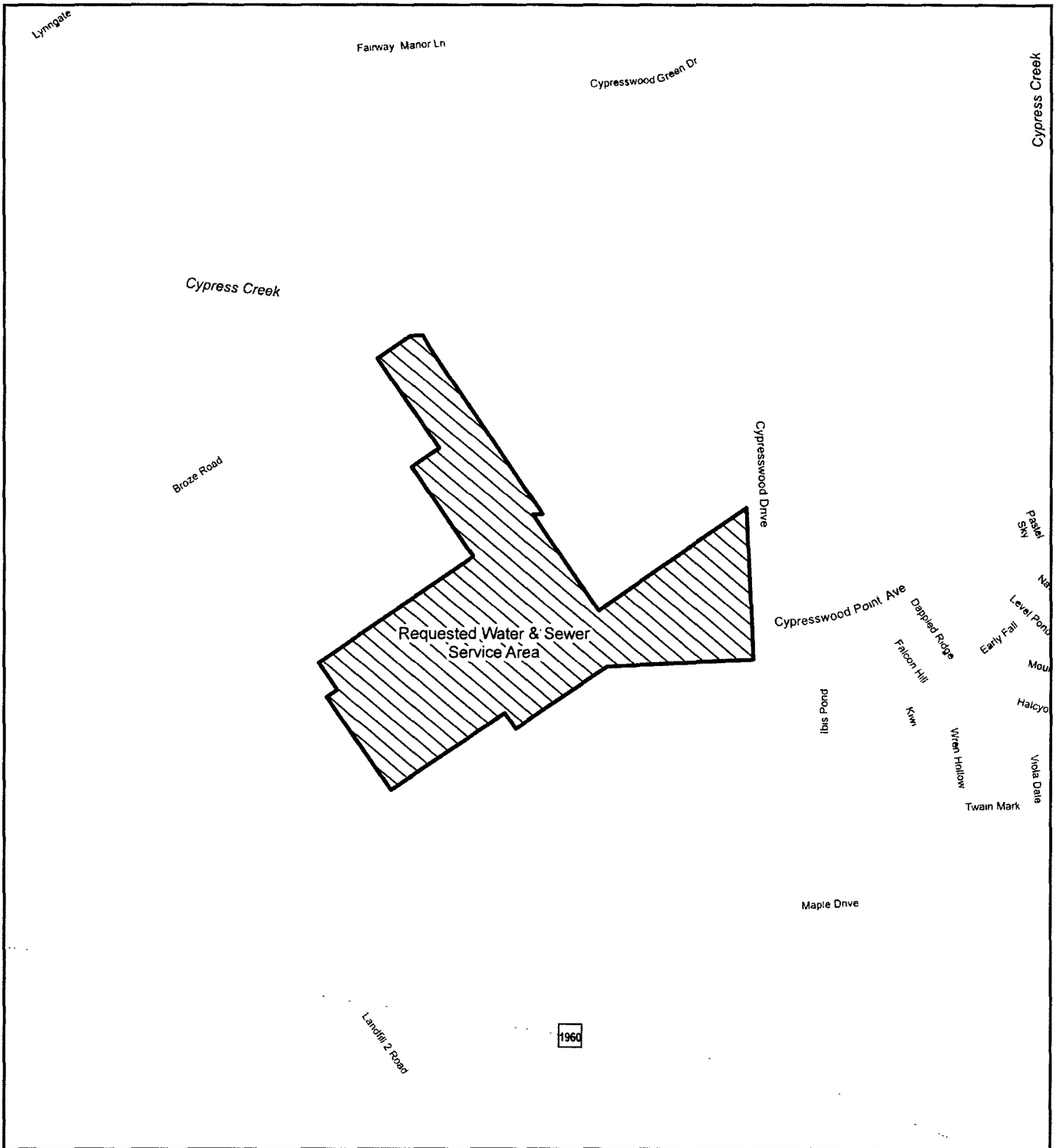
a schematic plan for
FLAGSTONE
 ±98.1 ACRES OF LAND
 prepared for
TEJAS ENGINEERING

META
 PLANNING + DESIGN

24275 Katy Freeway, Ste. 200
 Katy, Texas 77494
 Tel: 281-810-1422

SCALE
 1" = 100'

MTA-59004
 MAY 11, 2020

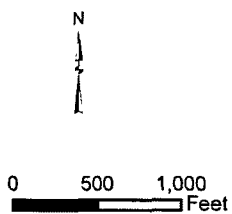


Detail Map

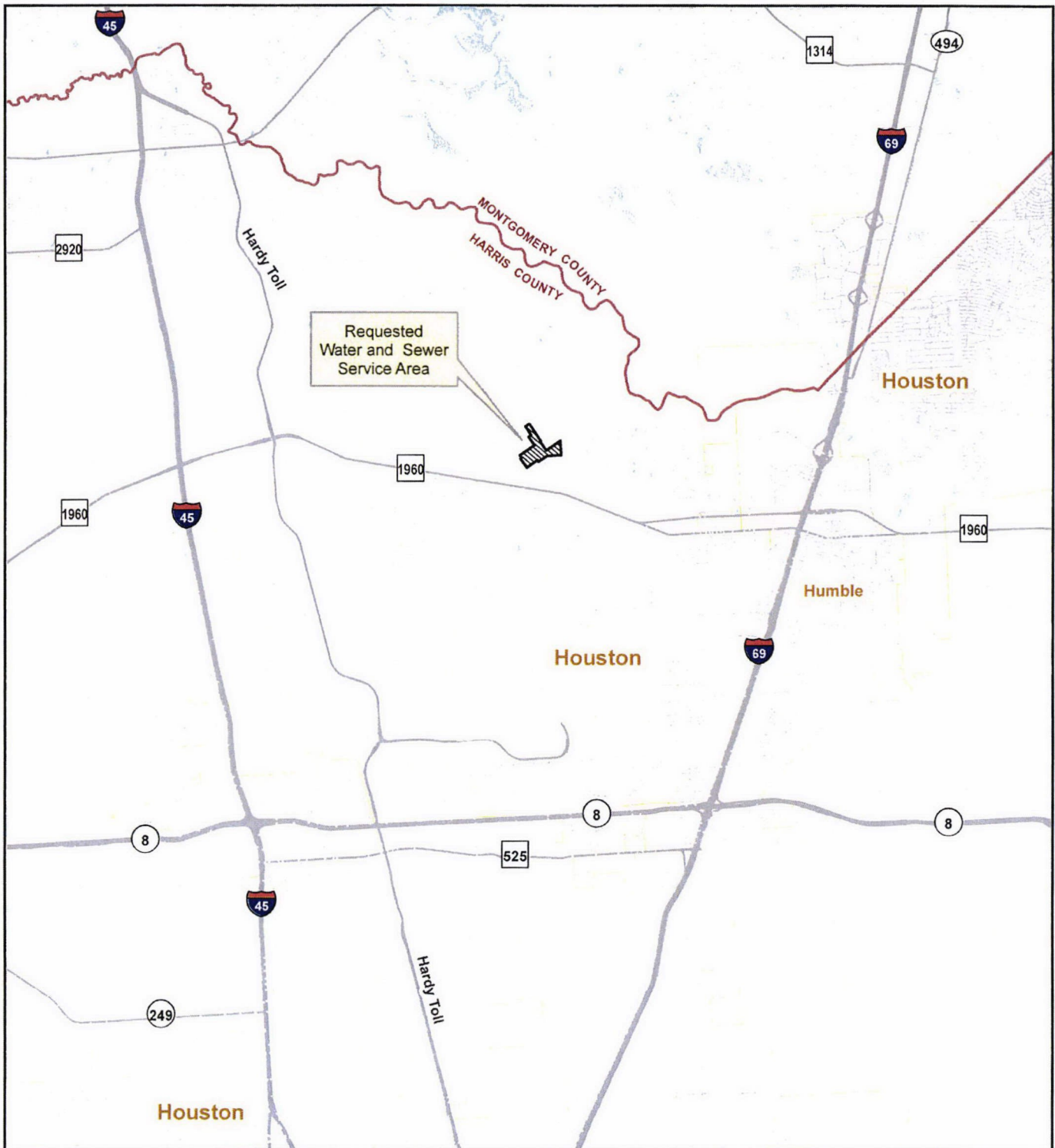
Quadvest, L.P.
Application to Amend Water CCN No. 11612 and Sewer CCN No. 20952
in Harris County



Requested Water and Sewer Service Area - approx 98 acres



Map by: S. Burt, ASBG
Date: April 30, 2020
Base: TxDOT 2015 Roadway
Project: Detail Map



General Location

Quadvest, L.P.
Application to Amend Water CCN No. 11612 and Sewer CCN No. 20952
in Harris County



0 1 2
Miles



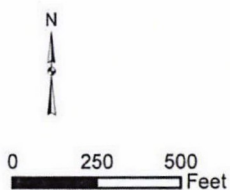
Requested Water and Sewer Service Area - approx 98 acres


Map by: S. Burt, ASBGI
Date: May 1, 2020
Base: TxDOT 2015 Roadway
Project: General Location



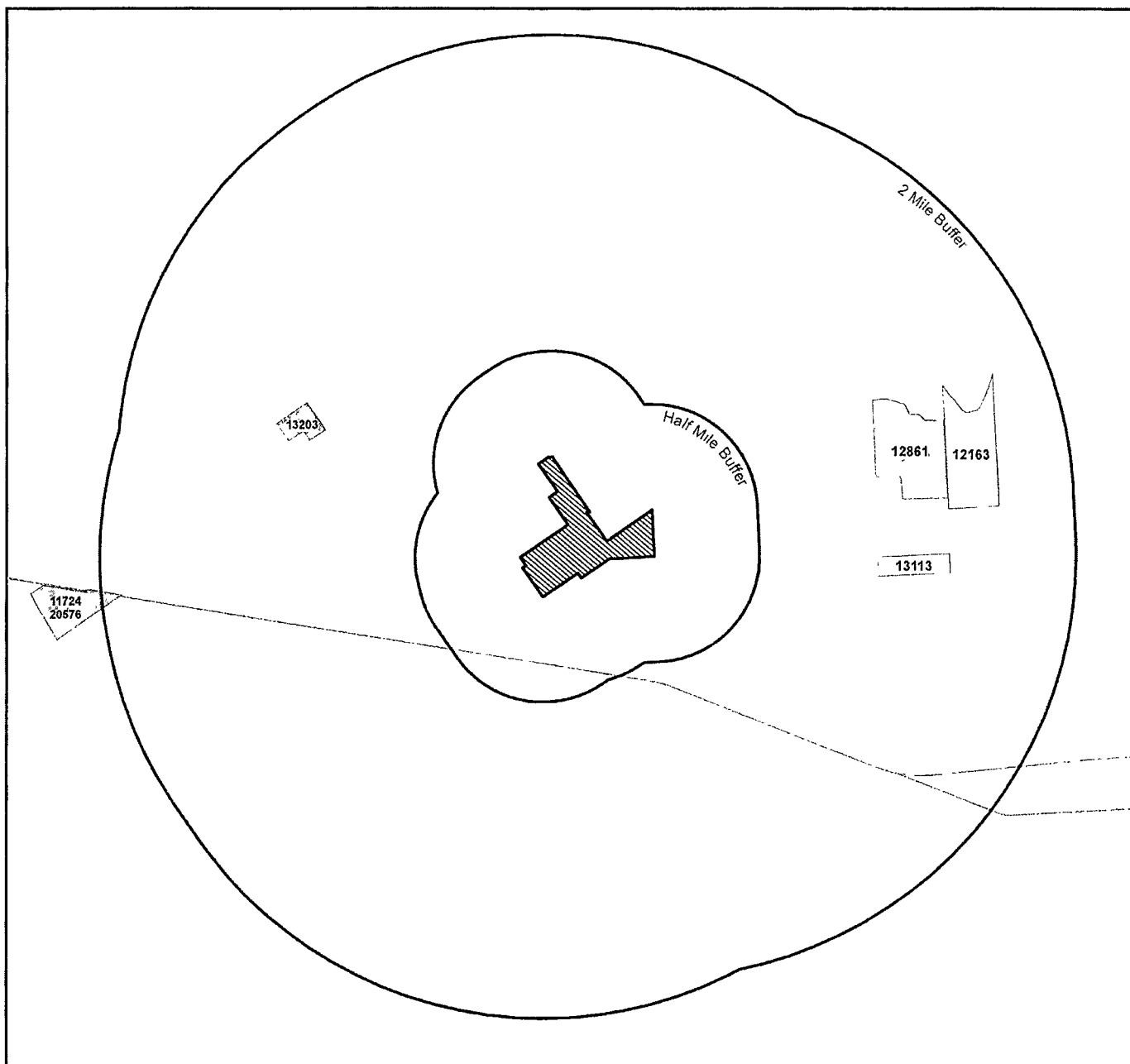
Detail Map on Imagery

Quadvest, L.P.
Application to Amend Water CCN No. 11612 and Sewer CCN No. 20952
in Harris County




 Requested Water and Sewer Service Area - approx 98 acres

Map by: S. Burt, ASBGI
Date: April 30, 2020
Base: ESRI World Imagery
Project: Detail Map on Imagery



Half Mile and 2 Mile Buffers - CCNs






Quadvest, L.P.
Application to Amend Water CCN No. 11612 and Sewer CCN No. 20952
in Harris County

 Requested Water and Sewer Service Area - approx 98 acres

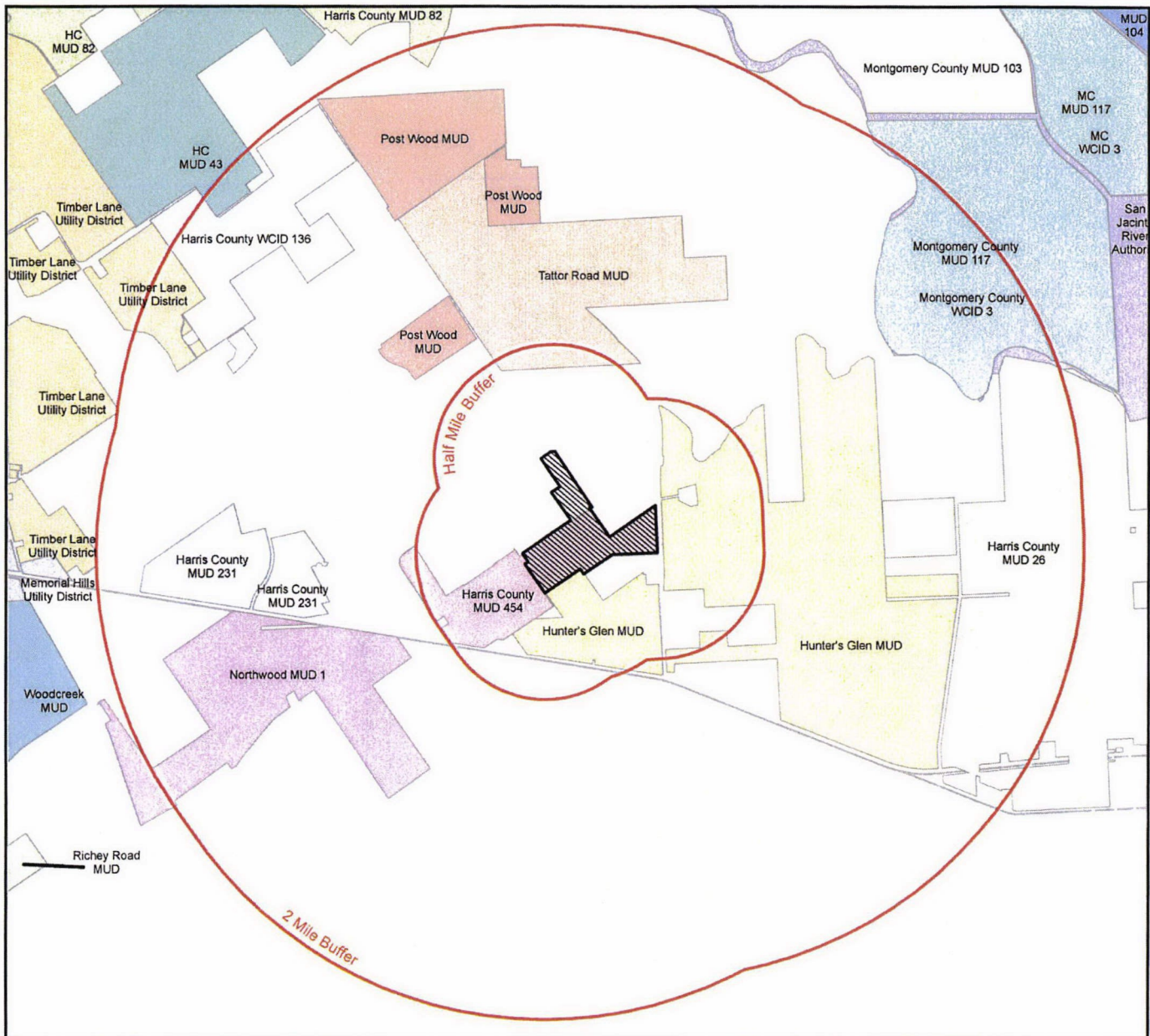


0 0.5 1
Miles

CCNs

-  11724, 20576 - Woodcreek MUD
-  12163 - Amberwood Utility Co
-  12861 - Oak Hill Estates Water Company
-  13113 - Serenity Estate Utilities LLC
-  13203 - Aqua Texas, Inc.

Map by S. Burt, ASBG
Date: May 1, 2020
Base: TxDOT 2015 Roadway
Project: Buffer Map - CCNs



Districts

- Harris County MUD 231
- Harris County MUD 26
- Harris County MUD 43
- Harris County MUD 454
- Harris County MUD 82
- Harris County WCID 136
- Hunter's Glen MUD
- Montgomery County MUD 117
- Montgomery County WCID 3
- Northwood MUD 1
- Post Wood MUD
- San Jacinto River Authority
- Tattor Road MUD
- Timber Lane Utility District
- Memorial Hills Utility District - out
- Montgomery County MUD 103 - out
- Montgomery County MUD 104 - out
- Richey Road MUD - out
- Woodcreek MUD - District is out -CCN is in

Half Mile and 2 Mile Buffers - Districts

Quadvest, L.P.
Application to Amend Water CCN No. 11612 and Sewer CCN No. 20952
in Harris County



Requested Water and Sewer Service Area - approx 98 acres

These districts completely overlap requested area (not shown on map.)

1. Coastal Water Authority
2. Gulf Coast Authority (Gulf Coast Waste Disposal Auth)
3. Harris County FCD
4. North Harris County Regional Water Authority
5. Port of Houston Authority

0 0.5 1
Miles



Map by: S. Burt, ASBGi
Date: May 1, 2020
Base: TxDOT 2015 Roadway
Project: Buffer Map - Districts

Quadvest, LP's Application to Amend Water CCN 11612 and Sewer CCN 20952 in Harris County

Requested service area: Flagstone, 98.129 acres

County: Harris

City Limits within: None

ETJ within: City of Houston

CCN overlaps: None

Districts overlaps: Harris County FCD (Special Law)

North Harris County Regional Water Authority (Special Law)

Gulf Coast Authority / Gulf Coast Waste Disposal Authority (Special Law)

Port of Houston Authority (Special Law)

Coastal Water Authority (Special Law)

Harris County MUD 454 (Inactive/Dormant, Retail water functions)

Hunter's Glen MUD (Retail water & sewer - Slivers of overlap due to differences in GIS data)

GCD within: Harris-Galveston Coastal Subsidence District

½ Mile Request for Service list:

(No CCNs)

Tattor Road MUD

Districts overlaps list above

2 Mile Notice List:

Amberwood Utility Co. (CCN 12163)

1900 1st St. E

Humble, TX 77338

Aqua Texas, Inc. (CCN 13203)

1106 Clayton Ln, Suite 400W

Austin, TX 78773

Oak Hill Estates Water Co. (CCN 12861)

27351 Blueberry Hill Dr. Ste 36

Conroe, TX 77385

Serenity Estate Utilities LLC (CCN 13113)

10919 White Thorn St.

Houston, TX 77016

Woodcreek MUD (CCN 11724, 20576)

1621 Milan St. FL 3

Houston, TX 77002

Harris County FCD

9900 Northwest Fwy

Houston, TX 77092

North Harris County Regional Water Authority
c/o Radcliffe Bobbit Adams Polley PLLC
2929 Allen Parkway, Suite 3450
Houston, TX 77019

Harris County WCID 136
c/o Radcliffe Bobbit Adams Polley PLLC
2929 Allen Parkway, Suite 3450
Houston, TX 77019

San Jacinto River Authority
PO Box 329
Conroe, TX 77305

Gulf Coast Authority (formerly Gulf Coast Waste Disposal Authority)
910 Bay Area Blvd
Houston, TX 77058

Port of Houston Authority
111 East Loop N
Houston, TX 77029

Coastal Water Authority
1801 Main St
Houston, TX 77002

Harris County MUD 454
c/o Smith Murdaugh Little & Bonham LLP
2727 Allen Pkwy Ste 1100
Houston, TX 77019

Harris County MUD 231
c/o Smith Murdaugh Little & Bonham LLP
2727 Allen Pkwy Ste 1100
Houston, TX 77019

Tattor Road MUD
c/o Smith Murdaugh Little & Bonham LLP
2727 Allen Pkwy Ste 1100
Houston, TX 77019

Timber Lane MUD
c/o Smith Murdaugh Little & Bonham LLP
2727 Allen Pkwy Ste 1100
Houston, TX 77019

Hunter's Glen MUD
c/o Radcliffe Bobbitt Adams Polley PLLC

2929 Allen Pkwy Ste 3450
Houston, TX 77019

Harris County MUD 26
1300 Post Oak Blvd, Ste 1400
Houston, TX 77056

Harris County MUD 43
c/o Andrews Kurth LLP
600 Travis St, Ste 4200
Houston, TX 77002

Harris County MUD 82
c/o Allen Boone Humphries Robinson LLP
3200 Southwest Fwy, Ste 2600
Houston, TX 77027

Harris county MUD 136
c/o Fulbright & Jaworski LLP
1301 McKinney St., Ste 5100
Houston, TX 77010

Montgomery County MUD 117 (Inactive/Dormant, No address)

Montgomery County WCID 3 (Inactive/Dormant, No address)

Northwood MUD 1
c/o Paul A. Philbin & Assoc.
6363 Woodway Dr., Ste 725
Houston, TX 77057

Post Wood MUD
3700 Buffalo Speedway, Ste 830
Houston, TX 77098

Harris-Galveston Coastal Subsidence District
1660 W Bay Area Blvd
Friendswood, TX 77546

Harris County Judge Lina Hidalgo
1001 Preston, Suite 911
Houston, TX 77002

26

City of Houston
PO Box 1562
Houston, TX 77251

Notice Description (#33, page 11 of Application)

The total acreage of the requested area is approximately: 98 acres

Number of customer connections in the requested area: 0

The closest city or town: Humble

Approximate mileage to closest city or town center: 4.5 miles

Direction to closest city or town: Southeast

Generally bounded on the North by: Cypress Creek

East by: Cypresswood Drive

South by: FM 1960

West by: Broze Road

Written Description – preferred format

The area subject to this transaction is located approximately 4.5 miles northwest of downtown Humble, TX, and is generally bounded on the north by Cypress Creek; on the east by Cypresswood Drive; on the south by FM 1960; and on the west by Broze Road.

Total area being requested includes approximately 98 acres and serves 0 current customers.



Quadvest, L.P.
26926 FM 2978
Magnolia, TX 77354

Main: 281-356-5347
Fax: 281-356-5382
Quadvest.com

May 14, 2020

Utility Company

To Whom It May Concern:

Please be advised that Quadvest, L.P. is filing an application with the Public Utility Commission (PUC) to amend its Water CCN No. 11612 and Sewer CCN NO. 20952 in Harris County, shown on enclosed map.

You have been identified as a neighboring utility of like kind and/or municipality with an extraterritorial jurisdiction (ETJ) within 2 miles of the proposed service area. Pursuant to TCEQ regulations, Quadvest, L.P formally asks whether you are willing or able to provide wastewater service to this proposed property sufficient to meet the TCEQ's minimum service standards plus local demands thereby providing continuous and adequate utility service to the consuming public. Please fill out the questionnaire below and return to us. It will be filed with the PUC.

You may fax or email your response to 281-356-5382 or yvette@quadvest.com. If you have any questions please call me at 281-305-1124.

Sincerely,

Yvette McNellie

Date of Reply: _____
Name of Utility _____
Ability to Provide Service?
(Yes/No) _____
Printed Name _____
Organization _____
Email/Telephone _____





Quadvest, L.P.
26926 FM 2978
Magnolia, TX 77354

Main: 281-356-5347
Fax: 281-356-5382
Quadvest.com

May 14, 2020

Utility Company

To Whom It May Concern:

Please be advised that Quadvest, L.P. is filing an application with the Public Utility Commission (PUC) to amend its Water CCN No. 11612 and Sewer CCN NO. 20952 in Harris County, shown on enclosed map.

You have been identified as a neighboring utility of like kind and/or municipality with an extraterritorial jurisdiction (ETJ) within 2 miles of the proposed service area. Pursuant to TCEQ regulations, Quadvest, L.P. formally asks whether you are willing or able to provide wastewater service to this proposed property sufficient to meet the TCEQ's minimum service standards plus local demands thereby providing continuous and adequate utility service to the consuming public. Please fill out the questionnaire below and return to us. It will be filed with the PUC.

You may fax or email your response to 281-356-5382 or yvette@quadvest.com. If you have any questions please call me at 281-305-1124.

Sincerely,

Yvette McNeilie

Date of Reply: May 19, 2020
Name of Utility Oak Hill Estates Water Co.
Ability to Provide Service?
(Yes/No) No
Printed Name Darcy Tramm
Organization A-1 Utility & Construction Services, Inc.
Email/Telephone operations@a1utility.com
(281) 367-9419

Operations company for Oak Hill Estates water company.
System is water only-no wastewater system





TPDES PERMIT NO. WQ0015746001
[For TCEQ office use only - EPA I.D.
No. TX0138886]

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

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

Humble Joint Venture 1, LLC

whose mailing address is

340 North Sam Houston Parkway East, Suite 140
Houston, Texas 77060

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

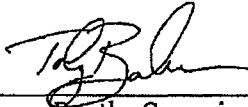
located approximately 2,600 feet northeast of the intersection of Broze Road and Farm-to-Market Road 1960, in Harris County, Texas 77338

to an unnamed tributary (Harris County Flood Control District Ditch K107-00-00), thence to Cypress Creek in Segment No. 1009 of the San Jacinto River Basin

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

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

ISSUED DATE: **September 10, 2019**



For the Commission

INTERIM I EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTSOutfall Number 001

1. During the period beginning upon the date of issuance and lasting through the completion of expansion to the 0.11 million gallons per day (MGD) facility, the permittee is authorized to discharge subject to the following effluent limitations:

The daily average flow of effluent shall not exceed 0.055 MGD, nor shall the average discharge during any two-hour period (2-hour peak) exceed 153 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 | Continuous | Totalizing Meter |
| Carbonaceous Biochemical Oxygen Demand (5-day) | 10 (4.6) | 15 | 25 | 35 | One/week | Grab |
| Total Suspended Solids | 15 (6.9) | 25 | 40 | 60 | One/week | Grab |
| Ammonia Nitrogen | 3 (1.4) | 6 | 10 | 15 | One/week | Grab |
| <i>E. coli</i> , colony-forming units or most probable number per 100 ml | 63 | N/A | N/A | 200 | One/quarter | Grab |

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 a minimum dissolved oxygen of 4.0 mg/l and shall be monitored once per week by grab sample.

INTERIM II EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTSOutfall Number 001

- During the period beginning upon the completion of expansion to the 0.11 million gallons per day (MGD) facility and lasting through the completion of expansion to the 0.30 MGD facility, the permittee is authorized to discharge subject to the following effluent limitations:

The daily average flow of effluent shall not exceed 0.11 MGD, nor shall the average discharge during any two-hour period (2-hour peak) exceed 306 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 | Continuous | Totalizing Meter |
| Carbonaceous Biochemical Oxygen Demand (5-day) | 10 (9.2) | 15 | 25 | 35 | One/week | Grab |
| Total Suspended Solids | 15 (14) | 25 | 40 | 60 | One/week | Grab |
| Ammonia Nitrogen | 3 (2.8) | 5 | 10 | 15 | One/week | Grab |
| <i>E. coli</i> , colony-forming units or most probable number per 100 ml | 63 | N/A | N/A | 200 | One/month | Grab |

- 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.
- The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored once per month by grab sample.
- There shall be no discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.
- Effluent monitoring samples shall be taken at the following location(s): Following the final treatment unit.
- The effluent shall contain a minimum dissolved oxygen of 4.0 mg/l and shall be monitored once per week by grab sample.

FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTSOutfall Number 001

1. During the period beginning upon the completion of expansion to the 0.30 million gallons per day (MGD) facility and lasting through the date of expiration, the permittee is authorized to discharge subject to the following effluent limitations:

The daily average flow of effluent shall not exceed 0.30 MGD, nor shall the average discharge during any two-hour period (2-hour peak) exceed 833 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 | Continuous | Totalizing Meter |
| Carbonaceous Biochemical Oxygen Demand (5-day) | 10 (25) | 15 | 25 | 35 | One/week | Grab |
| Total Suspended Solids | 15 (38) | 25 | 40 | 60 | One/week | Grab |
| Ammonia Nitrogen | 3 (7.5) | 5 | 10 | 15 | One/week | Grab |
| <i>E. coli</i> , colony-forming units or most probable number per 100 ml | 63 | N/A | N/A | 200 | One/month | Grab |

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

DEFINITIONS AND STANDARD PERMIT CONDITIONS

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

1. Flow Measurements

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

2. Concentration Measurements

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

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

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

- e. Bacteria concentration (*E. coli* or Enterococci) - Colony Forming Units (CFU) or Most Probable Number (MPN) of bacteria per 100 milliliters effluent. The daily average bacteria concentration is a geometric mean of the values for the effluent samples collected in a calendar month. The geometric mean shall be determined by calculating the 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 $(\text{Flow, MGD} \times \text{Concentration, mg/l} \times 8.34)$.
 - 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, effluent monitoring data shall be submitted each month, to the Compliance Monitoring Team of the Enforcement Division (MC 224), by the 20th day of the following month for each discharge which is described by this permit whether or not a discharge is made for that month. Monitoring results must be submitted online using the NetDMR reporting system available through the TCEQ website unless the permittee requests and obtains an electronic reporting waiver. Monitoring results must be signed and certified as required by Monitoring and Reporting Requirements No. 10.

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

2. Test Procedures

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

3. Records of Results

- a. Monitoring samples and measurements shall be taken at times and in a manner so as to be representative of the monitored activity.
- b. Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period

of at least five years (or longer as required by 40 CFR Part 503), monitoring and reporting records, including strip charts and records of calibration and maintenance, copies of all records required by this permit, records of all data used to complete the application for this permit, and the certification required by 40 CFR § 264.73(b)(9) shall be retained at the facility site, or shall be readily available for review by a TCEQ representative for a period of three years from the date of the record or sample, measurement, report, application or certification. This period shall be extended at the request of the Executive Director.

c. Records of monitoring activities shall include the following:

- i. date, time and place of sample or measurement;
- ii. identity of individual who collected the sample or made the measurement.
- iii. date and time of analysis;
- iv. identity of the individual and laboratory who performed the analysis;
- v. the technique or method of analysis; and
- vi. the results of the analysis or measurement and quality assurance/quality control records.

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

4. Additional Monitoring by Permittee

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

5. Calibration of Instruments

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

6. Compliance Schedule Reports

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

7. Noncompliance Notification

- a. In accordance with 30 TAC § 305.125(9) any noncompliance which may endanger human health or safety, or the environment shall be reported by the permittee to the TCEQ. Except as allowed by 30 TAC § 305.132, report of such information shall be provided orally or by facsimile transmission (FAX) to the Regional Office within 24 hours of becoming aware of the noncompliance. A written submission of such information shall also be provided by the permittee to the Regional Office and the Compliance Monitoring Team of the Enforcement Division (MC 224) within five working days of becoming aware of the noncompliance. For Publicly Owned Treatment Works (POTWs), effective September 1, 2020, the permittee must submit the written report for unauthorized discharges and unanticipated bypasses that exceed any effluent limit in the permit using the online electronic reporting system available through the TCEQ website unless the permittee requests and obtains an electronic reporting waiver. The written submission shall contain a description of the noncompliance and its cause; the potential danger to human health or safety, or the environment; the period of noncompliance, including exact dates and times; if the noncompliance has not been corrected, the time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance, and to mitigate its adverse effects.
 - b. The following violations shall be reported under Monitoring and Reporting Requirement 7.a.:
 - i. Unauthorized discharges as defined in Permit Condition 2(g).
 - ii. Any unanticipated bypass that exceeds any effluent limitation in the permit.
 - iii. Violation of a permitted maximum daily discharge limitation for pollutants listed specifically in the Other Requirements section of an Industrial TPDES permit.
 - c. In addition to the above, any effluent violation which deviates from the permitted effluent limitation by more than 40% shall be reported by the permittee in writing to the Regional Office and the Compliance Monitoring Team of the Enforcement Division (MC 224) within 5 working days of becoming aware of the noncompliance.
 - d. Any noncompliance other than that specified in this section, or any required information not submitted or submitted incorrectly, shall be reported to the Compliance Monitoring Team of the Enforcement Division (MC 224) as promptly as possible. For effluent limitation violations, noncompliances shall be reported on the approved self-report form.
8. In accordance with the procedures described in 30 TAC §§ 35.301 - 35.303 (relating to Water Quality Emergency and Temporary Orders) if the permittee knows in advance of the need for a bypass, it shall submit prior notice by applying for such authorization.
9. Changes in Discharges of Toxic Substances
- All existing manufacturing, commercial, mining, and silvicultural permittees shall notify the Regional Office, orally or by facsimile transmission within 24 hours, and both the Regional Office and the Compliance Monitoring Team of the Enforcement Division (MC 224) in writing within five (5) working days, after becoming aware of or having reason to believe:
- a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant listed at 40 CFR Part 122, Appendix D,

Tables II and III (excluding Total Phenols) which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":

- i. One hundred micrograms per liter (100 µg/L);
 - ii. Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/L) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;
 - iii. Five (5) times the maximum concentration value reported for that pollutant in the permit application; or
 - iv. The level established by the TCEQ.
- b. That any activity has occurred or will occur which would result in any discharge, on a nonroutine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
- i. Five hundred micrograms per liter (500 µg/L);
 - ii. One milligram per liter (1 mg/L) for antimony;
 - iii. Ten (10) times the maximum concentration value reported for that pollutant in the permit application; or
 - iv. The level established by the TCEQ.

10. Signatories to Reports

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

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

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

PERMIT CONDITIONS

1. General

- a. When the permittee becomes aware that it failed to submit any relevant facts in a permit

application, or submitted incorrect information in an application or in any report to the Executive Director, it shall promptly submit such facts or information.

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

2. Compliance

- a. Acceptance of the permit by the person to whom it is issued constitutes acknowledgment and agreement that such person will comply with all the terms and conditions embodied in the permit, and the rules and other orders of the Commission.
- b. The permittee has a duty to comply with all conditions of the permit. Failure to comply with any permit condition constitutes a violation of the permit and the Texas Water Code or the Texas Health and Safety Code, and is grounds for enforcement action, for permit amendment, revocation, or suspension, or for denial of a permit renewal application or an application for a permit for another facility.
- c. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.
- d. The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal or other permit violation that has a reasonable likelihood of adversely affecting human health or the environment.
- e. Authorization from the Commission is required before beginning any change in the permitted facility or activity that may result in noncompliance with any permit requirements.
- f. A permit may be amended, suspended and reissued, or revoked for cause in accordance with 30 TAC §§ 305.62 and 305.66 and TWCS 7.302. The filing of a request by the permittee for a permit amendment, suspension and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
- g. There shall be no unauthorized discharge of wastewater or any other waste. For the

purpose of this permit, an unauthorized discharge is considered to be any discharge of wastewater into or adjacent to water in the state at any location not permitted as an outfall or otherwise defined in the Other Requirements section of this permit.

- h. In accordance with 30 TAC § 305.535(a), the permittee may allow any bypass to occur from a TPDES permitted facility which does not cause permitted effluent limitations to be exceeded or an unauthorized discharge to occur, but only if the bypass is also for essential maintenance to assure efficient operation.
- i. The permittee is subject to administrative, civil, and criminal penalties, as applicable, under TWC §§ 7.051 - 7.075 (relating to Administrative Penalties), 7.101 - 7.111 (relating to Civil Penalties), and 7.141 - 7.202 (relating to Criminal Offenses and Penalties) for violations including, but not limited to, negligently or knowingly violating the federal CWA §§ 301, 302, 306, 307, 308, 318, or 405, or any condition or limitation implementing any sections in a permit issued under the CWA § 402, or any requirement imposed in a pretreatment program approved under the CWA §§ 402 (a)(3) or 402 (b)(8).

3. Inspections and Entry

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

4. Permit Amendment and/or Renewal

- a. The permittee shall give notice to the Executive Director as soon as possible of any planned physical alterations or additions to the permitted facility if such alterations or additions would require a permit amendment or result in a violation of permit requirements. Notice shall also be required under this paragraph when:
 - i. The alteration or addition to a permitted facility may meet one of the criteria for

determining whether a facility is a new source in accordance with 30 TAC § 305.534 (relating to New Sources and New Dischargers); or

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

facilities authorized by this permit. Such notification should be sent to the Applications Review and Processing Team (MC 148) of the Water Quality Division.

- b. A permit may be transferred only according to the provisions of 30 TAC § 305.64 (relating to Transfer of Permits) and 30 TAC § 50.133 (relating to Executive Director Action on Application or WQMP update).

6. Relationship to Hazardous Waste Activities

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

7. Relationship to Water Rights

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

8. Property Rights

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

9. Permit Enforceability

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

10. Relationship to Permit Application

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

11. Notice of Bankruptcy

- a. Each permittee shall notify the Executive Director, in writing, immediately following the filing of a voluntary or involuntary petition for bankruptcy under any chapter of Title 11 (Bankruptcy) of the United States Code (11 USC) by or against:
 - i. the permittee;
 - ii. an entity (as that term is defined in 11 USC, § 101(14)) controlling the permittee or listing the permit or permittee as property of the estate; or
 - iii. an affiliate (as that term is defined in 11 USC, § 101(2)) of the permittee.
- b. This notification must indicate:
 - i. the name of the permittee and the permit number(s);
 - ii. the bankruptcy court in which the petition for bankruptcy was filed; and

- iv. the date of filing of the petition.

OPERATIONAL REQUIREMENTS

1. The permittee shall at all times ensure that the facility and all of its systems of collection, treatment, and disposal are properly operated and maintained. This includes, but is not limited to, the regular, periodic examination of wastewater solids within the treatment plant by the operator in order to maintain an appropriate quantity and quality of solids inventory as described in the various operator training manuals and according to accepted industry standards for process control. Process control, maintenance, and operations records shall be retained at the facility site, or shall be readily available for review by a TCEQ representative, for a period of three years.
2. Upon request by the Executive Director, the permittee shall take appropriate samples and provide proper analysis in order to demonstrate compliance with Commission rules. Unless otherwise specified in this permit or otherwise ordered by the Commission, the permittee shall comply with all applicable provisions of 30 TAC Chapter 312 concerning sewage sludge use and disposal and 30 TAC §§ 319.21 - 319.29 concerning the discharge of certain hazardous metals.
3. Domestic wastewater treatment facilities shall comply with the following provisions:
 - a. The permittee shall notify the Municipal Permits Team, Wastewater Permitting Section (MC 148) of the Water Quality Division, in writing, of any facility expansion at least 90 days prior to conducting such activity.
 - b. The permittee shall submit a closure plan for review and approval to the Municipal Permits Team, Wastewater Permitting Section (MC 148) of the Water Quality Division, for any closure activity at least 90 days prior to conducting such activity. Closure is the act of permanently taking a waste management unit or treatment facility out of service and includes the permanent removal from service of any pit, tank, pond, lagoon, surface impoundment and/or other treatment unit regulated by this permit.
4. The permittee is responsible for installing prior to plant start-up, and subsequently maintaining, adequate safeguards to prevent the discharge of untreated or inadequately treated wastes during electrical power failures by means of alternate power sources, standby generators, and/or retention of inadequately treated wastewater.
5. Unless otherwise specified, the permittee shall provide a readily accessible sampling point and, where applicable, an effluent flow measuring device or other acceptable means by which effluent flow may be determined.
6. The permittee shall remit an annual water quality fee to the Commission as required by 30 TAC Chapter 21. Failure to pay the fee may result in revocation of this permit under TWC § 7.302(b)(6).
7. Documentation

For all written notifications to the Commission required of the permittee by this permit, the permittee shall keep and make available a copy of each such notification under the same conditions as self-monitoring data are required to be kept and made available. Except for

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

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

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

- b. The plans and specifications for domestic sewage collection and treatment works associated with any domestic permit must be approved by the Commission and failure to secure approval before commencing construction of such works or making a discharge is a violation of this permit and each day is an additional violation until approval has been secured.
 - c. Permits for domestic wastewater treatment plants are granted subject to the policy of the Commission to encourage the development of area-wide waste collection, treatment, and disposal systems. The Commission reserves the right to amend any domestic wastewater permit in accordance with applicable procedural requirements to require the system covered by this permit to be integrated into an area-wide system, should such be developed; to require the delivery of the wastes authorized to be collected in, treated by or discharged from said system, to such area-wide system; or to amend this permit in any other particular to effectuate the Commission's policy. Such amendments may be

made when the changes required are advisable for water quality control purposes and are feasible on the basis of waste treatment technology, engineering, financial, and related considerations existing at the time the changes are required, exclusive of the loss of investment in or revenues from any then existing or proposed waste collection, treatment or disposal system.

9. Domestic wastewater treatment plants shall be operated and maintained by sewage plant operators holding a valid certificate of competency at the required level as defined in 30 TAC Chapter 30.
10. For Publicly Owned Treatment Works (POTWs), the 30-day average (or monthly average) percent removal for BOD and TSS shall not be less than 85%, unless otherwise authorized by this permit.
11. Facilities that generate industrial solid waste as defined in 30 TAC § 335.1 shall comply with these provisions:
 - a. Any solid waste, as defined in 30 TAC § 335.1 (including but not limited to such wastes as garbage, refuse, sludge from a waste treatment, water supply treatment plant or air pollution control facility, discarded materials, discarded materials to be recycled, whether the waste is solid, liquid, or semisolid), generated by the permittee during the management and treatment of wastewater, must be managed in accordance with all applicable provisions of 30 TAC Chapter 335, relating to Industrial Solid Waste Management.
 - b. Industrial wastewater that is being collected, accumulated, stored, or processed before discharge through any final discharge outfall, specified by this permit, is considered to be industrial solid waste until the wastewater passes through the actual point source discharge and must be managed in accordance with all applicable provisions of 30 TAC Chapter 335.
 - c. The permittee shall provide written notification, pursuant to the requirements of 30 TAC § 335.8(b)(1), to the Corrective Action Section (MC 221) of the Remediation Division informing the Commission of any closure activity involving an Industrial Solid Waste Management Unit, at least 90 days prior to conducting such an activity.
 - d. Construction of any industrial solid waste management unit requires the prior written notification of the proposed activity to the Registration and Reporting Section (MC 129) of the Permitting and Registration Support Division. No person shall dispose of industrial solid waste, including sludge or other solids from wastewater treatment processes, prior to fulfilling the deed recordation requirements of 30 TAC § 335.5.
 - e. The term "industrial solid waste management unit" means a landfill, surface impoundment, waste-pile, industrial furnace, incinerator, cement kiln, injection well, container, drum, salt dome waste containment cavern, or any other structure vessel, appurtenance, or other improvement on land used to manage industrial solid waste.
 - f. The permittee shall keep management records for all sludge (or other waste) removed from any wastewater treatment process. These records shall fulfill all applicable requirements of 30 TAC § 335 and must include the following, as it pertains to wastewater treatment and discharge:

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

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

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

TCEQ Revision 08/2008

SLUDGE PROVISIONS

The permittee is authorized to dispose of sludge only at a Texas Commission on Environmental Quality (TCEQ) authorized land application site, co-disposal landfill, wastewater treatment facility, or facility that further processes sludge. **The disposal of sludge by land application on property owned, leased or under the direct control of the permittee is a violation of the permit unless the site is authorized with the TCEQ. This provision does not authorize Distribution and Marketing of Class A or Class AB Sewage 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 Registration Support Division and the Regional Director (MC Region 12) within seven (7) days after failing the TCLP Test.

The report shall contain test results, certification that unauthorized waste management has stopped and a summary of alternative disposal plans that comply with RCRA standards for the management of hazardous waste. The report shall be addressed to: Director, Permitting and Registration Support Division (MC 129), Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087. In addition, the permittee shall prepare an annual report on the results of all sludge toxicity testing. This annual report shall be submitted to the TCEQ Regional Office (MC Region 12) and the Compliance Monitoring Team (MC 224) of the Enforcement Division by September 30th of each year. Effective September 1, 2020, the permittee must submit this annual report using the online electronic reporting system available through the TCEQ website unless the permittee requests and obtains an electronic reporting waiver.

2. 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. of this permit.

TABLE 1

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

* Dry weight basis

3. Pathogen Control

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

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

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

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

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

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

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

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

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

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

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

- c. Sewage sludge that meets the requirements of Class AB sewage sludge may be classified a Class A sewage sludge if a variance request is submitted in writing that is supported by substantial documentation demonstrating equivalent methods for reducing odors and written approval is granted by the executive director. The executive director may deny the variance request or revoke that approved variance if it is determined that the variance may potentially endanger human health or the environment, or create nuisance odor conditions.
- d. Three alternatives are available to demonstrate compliance with Class B 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 to the Alternatives 1 – 3, 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 or Class AB 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 or Class AB 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

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

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

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

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

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

A. Pollutant Limits

Table 2

| <u>Pollutant</u> | <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, Class AB 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 Applicability in accordance with 30 TAC §312.41 and 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 AB and 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 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 Compliance Monitoring Team (MC 224) of the Enforcement Division, by September 30th of each year the following information. Effective September 1, 2020, the permittee must submit this annual report using the online electronic reporting system available through the TCEQ website unless the permittee requests and obtains an electronic reporting waiver.

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

14. Identify each of the analytic methods used by the facility to analyze enteric viruses, fecal coliforms, helminth ova, *Salmonella* sp., and other regulated parameters.
15. Vector attraction reduction alternative used as listed in Section I.B.4.
16. Amount of sludge transported in dry tons/year.
17. The certification statement listed in either 30 TAC § 312.47(a)(4)(A)(ii) or 30 TAC § 312.47(a)(5)(A)(ii) as applicable to the permittee's sludge treatment activities, shall be attached to the annual reporting form.
18. When the amount of any pollutant applied to the land exceeds 90% of the cumulative pollutant loading rate for that pollutant, as described in Table 2, the permittee shall report the following information as an attachment to the annual reporting form.
 - a. The location, by street address, and specific latitude and longitude.
 - b. The number of acres in each site on which bulk 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 Registration Support Division and the Regional Director (MC Region 12) of the appropriate TCEQ field office within 7 days after failing the TCLP Test.

The report shall contain test results, certification that unauthorized waste management has stopped and a summary of alternative disposal plans that comply with RCRA standards for the management of hazardous waste. The report shall be addressed to: Director, Permitting and Registration Support Division (MC 129), Texas Commission on Environmental Quality, P. O. Box 13087, Austin, Texas 78711-3087. In addition, the permittee shall prepare an annual report on the results of all sludge toxicity testing. This annual report shall be submitted to the TCEQ Regional Office (MC Region 12) and the 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 Compliance Monitoring Team (MC 224) of the Enforcement Division by September 30th of each year the following information. Effective September 1, 2020, the permittee must submit this annual report using the online electronic reporting system available through the TCEQ website unless the permittee requests and obtains an electronic reporting waiver.

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

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

SECTION IV. REQUIREMENTS APPLYING TO SLUDGE 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 Compliance Monitoring Team (MC 224) of the Enforcement Division, by September 30th of each year. Effective September 1, 2020, the permittee must submit this annual report using the online electronic reporting system available through the TCEQ website unless the permittee requests and obtains an electronic reporting waiver.

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

TCEQ Revision 01/2016

OTHER REQUIREMENTS

1. Reporting requirements according to 30 TAC §§ 319.1-319.11 and any additional effluent reporting requirements contained in this permit are suspended from the effective date of the permit until plant startup or discharge from the facility described by this permit, whichever occurs first. The permittee shall provide written notice to the TCEQ Regional Office (MC Region 12) and the Applications Review and Processing Team (MC 148) of the Water Quality Division at least forty-five (45) days prior to plant startup or anticipated discharge, whichever occurs first, and prior to completion of each additional phase on Notification of Completion Form 20007.
2. 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 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.

3. The facility is not located in the Coastal Management Program boundary.
4. The permittee shall comply with the requirements of 30 TAC § 309.13(a) through (d). In addition, by ownership of the required buffer zone area, the permittee shall comply with the requirements of 30 TAC § 309.13(e).
5. The permittee shall provide facilities for the protection of its wastewater treatment facility from a 100-year flood.
6. The permittee shall comply with 30 TAC § 311.36, which requires the permittees of all domestic wastewater treatment facilities discharging into the Lake Houston Watershed to install dual-feed chlorination systems capable of automatically changing from one cylinder to another if gaseous chlorination is used for disinfection.
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 in the Interim phase and 1/month may be reduced to 1/quarter in the Interim II and Final phases. **A violation of any bacteria limit by a facility that has been granted a less frequent measurement schedule will require the permittee to return to the standard frequency schedule and submit written notice to the TCEQ Wastewater Permitting Section (MC 148).** The permittee may not apply for another reduction in measurement frequency for at least 24 months from the date of the last violation. The Executive Director may establish a more frequent measurement schedule if necessary to protect human health or the environment.

8. Prior to construction of the Interim I, Interim II, and Final phase treatment facilities, the permittee shall submit to the TCEQ Wastewater Permitting Section (MC 148) a summary transmittal letter in accordance with the requirements in 30 TAC § 217.6(d). If requested by the Wastewater Permitting Section, the permittee shall submit plans 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 permitted effluent limitations required on Pages 2, 2a, and 2b of this permit. A copy of the summary transmittal letter shall be available at the plant site for inspection by authorized representatives of the TCEQ.

| QUADVEST LP | | | |
|---------------------------------------|----------------------|---------------|----------------------------|
| SUBDIVISION | PWS ID NUMBER | COUNTY | SUBSIDENCE DISTRICT |
| Bammel Forest | 1010096 | Harris | NHCRWA |
| Bammel Timbers | 1010096 | Harris | NHCRWA |
| Bauer Landing | 1013526 | Harris | NHCRWA |
| Bayer Utility (Old Town Spring) | 1010212 | Harris | NHCRWA |
| Bella Vista | 1460175 | Liberty | No Subsidence |
| Benders Landing | 1700678 | Montgomery | SJRA |
| Benders Landing Estates | 1700678 | Montgomery | SJRA |
| Brazos Lakes | 0790363 | Fort Bend | NFBWA |
| Bridlewood Estates | 0790350 | Fort Bend | City of Rosenberg |
| Caddo Village | 1700473 | Montgomery | SJRA |
| Camino Real | 1460175 | Liberty | No Subsidence |
| Campwood | 1700624 | Montgomery | SJRA |
| Canterbury Ranch | 1700624 | Montgomery | SJRA |
| Cape Shores | 1200044 | Jackson | No Subsidence |
| Chenango Ranch | 0200656 | Brazoria | Brazoria GWD |
| Clear Creek Forest | 1700576 | Montgomery | SJRA |
| Creeside Village | 1700742 | Montgomery | SJRA |
| Decker Oaks Estates | 1700605 | Montgomery | SJRA |
| Estates of Clear Creek | 1700576 | Montgomery | SJRA |
| Freeman Ranch | 2370123 | Waller | Bluebonnet GWD |
| Grande San Jacinto | 1460179 | Liberty | No Subsidence |
| Indigo Lake Estates | 1700576 | Montgomery | SJRA |
| Jacobs Reserve | 1700609 | Montgomery | SJRA |
| Lake House* (Formerly Cane Island) | 2370111 | Waller | No Subsidence |
| Lake Pointe Estates* | 0790350 | Fort Bend | NFBWA |
| Lake Windcrest | 1700624 | Montgomery | SJRA |
| Lakes of Fairhaven* | 1013288 | Harris | NHCRWA |
| Lakes of Magnolia | 1700736 | Montgomery | SJRA |
| Live Oak Landing | 1610129 | Matagorda | No Subsidence |
| Lone Star Ranch | 1700655 | Montgomery | SJRA |
| Magnolia Reserve | 1700864 | Montgomery | No Subsidence |
| McCall Sound | 1700763 | Montgomery | SJRA |
| Montgomery Trace | 1700577 | Montgomery | SJRA |
| Mostyn Manor | 1700669 | Montgomery | SJRA |
| Mostyn Springs | 1700669 | Montgomery | SJRA |
| Northcrest Ranch | 1700623 | Montgomery | SJRA |
| Oaks of Sun creek | 0200640 | Brazoria | Brazoria GWD |
| Pecan Forest | 1010096 | Harris | NHCRWA |
| Rancho San Vicente | 1460178 | Liberty | No Subsidence |
| Red Oak Ranch | 1700609 | Montgomery | SJRA |

| | | | |
|-----------------------------|---------|------------|-------------------|
| Rocky Creek | 1013393 | Harris | WHCRWA |
| Sawmill Estates | 1700576 | Montgomery | SJRA |
| Sendera Ranch | 1700577 | Montgomery | SJRA |
| Shaw Acres | 1013468 | Harris | NHCRWA |
| Sierra Woods | 1700624 | Montgomery | SJRA |
| Sonoma Ridge | 1700763 | Montgomery | SJRA |
| Stonecrest Ranch | 1700611 | Montgomery | SJRA |
| Summerset Estates | 1700655 | Montgomery | SJRA |
| Suncreek Estates | 0200640 | Brazoria | Brazoria GWD |
| Suncreek Ranch | 0200616 | Brazoria | Brazoria GWD |
| Sunrise Bay | 1200037 | Jackson | No Subsidence |
| Sunset Bay | 0040055 | Aransas | No Subsidence |
| Telge Terrace | 1011805 | Harris | Harris Galv. Sub. |
| Telge Jarvis | 1013638 | Harris | NHCRWA |
| Texas Grand Ranch | 2360088 | Walker | Bluebonnet GWD |
| The Colony/Intercontinental | 1011806 | Harris | Harris Galv. Sub. |
| Timberdale | 1011810 | Harris | Harris Galv. Sub. |
| Vaquero River Estates | 1610129 | Matagorda | No Subsidence |
| Villa Nueva | 1460175 | Liberty | No Subsidence |
| Village of Decker Oaks | 1700605 | Montgomery | SJRA |
| Waterstone Estates | 1013389 | Harris | NHCRWA |
| Waypoint Landing | 1610137 | Matagorda | No Subsidence |
| Westwood | 2370042 | Waller | Bluebonnet GWD |
| Windcrest Farms | 1700577 | Montgomery | SJRA |
| Yesterday's Crossing | 1700758 | Montgomery | No Subsidence |

*Lake House, Lake Point Estates and Lakes of Fairhaven (Formerly Westside Water, LLC) have a separate tariff page.

** Bammel Forest, Bammel Timbers and Pecan Forest (Formerly Bammel Forest Utility Company) have a separate tariff page.

The rates set or approved by the city for the systems entirely within its corporate boundary are not presented in this tariff. Those rates are not under the original jurisdiction of the PUC and will have to be obtained from the city or utility.

LIST OF SUBDIVISION AND SYSTEMS

| | |
|---|-----------------|
| Bauer Landing | WQ0014675-001 |
| Old Town Spring | WQ0013819-001 |
| Bella Vista | WQ0015061-001 |
| Benders Landing Estates | WQ0014755-001 |
| Caddo Village* | WQ0012670-001 |
| Camino Real | WQ0015452-001 |
| Victoria Station* (Formerly HMW SUD) | WQ0015003-001 |
| Creekside Village | WQ0014531-001 |
| Decker Oaks Estates | WQ0015003-001 |
| Freeman Ranch | |
| Grande San Jacinto | WQ0015192-001 |
| Lake House* (Formerly Cane Island) | WQ0015101-001 |
| Lakes of Fairhaven* | WQ0014434-001 |
| Lake Pointe Estates* | Purchased Sewer |
| Lone Star Ranch | WQ0014029-001 |
| Lakes of Magnolia | WQ0014542-001 |
| Magnolia Reserve | WQ0015317-001 |
| Mostyn Manor | WQ0014711-001 |
| Mostyn Springs | WQ0014711-001 |
| Rancho San Vicente | WQ0015061-001 |
| Summerset Estates | WQ0014029-001 |
| Telge Jarvis | WQ0015336-001 |
| Villa Nueva | WQ0015061-001 |
| Village of Decker Oaks | WQ0015003-001 |

*Caddo Village, Victoria Station, Lake House, Lakes of Fairhaven, and Lake Pointe Estates have separate tariff pages.

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 24, 2019

Mr. Simon Sequeira
President
Quadvest Limited Partnership
Post Office Box 409
Tomball, Texas 77377-0409

Re: Modified Comprehensive Compliance Investigation at:
Waterstone Estates, 24714 1/2 Stuebner Airline Road, Tomball, Harris County, Texas
Regulated Entity No.: 105160501
TCEQ ID No.: 1013389 Investigation No.: 1579736

Dear Mr. Sequeira:

On July 18, 2019, Ms. Kathleen Campbell, Ms. Katherine Heller, and Mr. Ankor Mehra of the Texas Commission on Environmental Quality (TCEQ) Houston Region Office conducted an investigation of the above-referenced facility to evaluate compliance with the applicable requirements for public water supply systems. No violations are being alleged as a result of the investigation. In addition, please be advised that a violation could be issued upon further review of your system's records or self-reported documentation.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions regarding these matters, please feel free to contact Ms. Campbell in the Houston Region Office at (713) 767-3725.

Sincerely,

A handwritten signature in cursive script that reads "Latrichia Spikes".

Latrichia Spikes
Team Leader
Public Water Supply
Houston Region Office

LS/KC/es

cc: Harris County Public Health and Environmental Services
101 South Richey Street, Suite G, Pasadena, Texas 77506-1023

| Name of License Holder | WATER | | WASTEWATER | |
|------------------------|---------------------|------------|---------------------|-----------|
| Operators | License # /Level | Expires | License # /Level | Expires |
| Angel R Reyes | WG0011763/ C | 1/9/2021 | WW0062453/ B | 6/14/2022 |
| Casey Henderson | WG0017690/ C | 2/19/2022 | WW0057920/ C | 2/23/2021 |
| Chad Portie | | | WW0062194/ D | 2/24/2023 |
| Chris Oliver | WO0005854/ A | 11/21/2020 | WW0004190/ A | 10/8/2022 |
| Christopher Clark | WG0017408/ B | 8/3/2021 | WW0058729/ B | 2/23/2021 |
| Hunter Mata | WO0044460/ D | 6/17/2022 | WW0063567/ D | 9/25/2022 |
| John Valadez | WG0012223/ C | 10/30/2021 | WW0062043/ B | 3/1/2022 |
| Jonathan Oldner | WG0017894/ C | 5/28/2022 | WW0063131/ C | 6/10/2022 |
| Justin Gonzales | WO0043729/ D | 1/18/2022 | WW0062293/ D | 5/23/2022 |
| Manny Poveda Jr. | WO0043291/ D | 12/7/2021 | WW0062163/ D | 3/25/2022 |
| Victor Segovia | WG0014141/ C | 9/18/2021 | WW0045922/ C | 5/8/2021 |

| OIT (Operator In Training) | Start Date | Need License By: | Start Date | Need License By: |
|----------------------------|------------|------------------------|------------|------------------------|
|----------------------------|------------|------------------------|------------|------------------------|

| Licensed Employees | License # /Level | Expires | License # /Level | Expires |
|--------------------|---------------------|-----------|---------------------|-----------|
| Billie Alldredge | WO0040033/ D | 5/10/2020 | WW0062887/ C | 5/28/2022 |
| Charles Holder | WG0012913/ C | 8/9/2022 | WW0042606/ C | 7/22/2022 |
| Chris Daughtrey | WG0012909/ C | 9/17/2022 | WW0050205/ B | 3/11/2023 |
| Justen Heinrich | | | WW0060418/ D | 8/23/2021 |
| Reece O'Donnell | WO0045597/ D | 2/4/2023 | | |



WATER UTILITY TARIFF

Tariff Control No. 49216

Quadvest, L.P.
(Utility Name)

26926 FM 2978
(Business Address)

Magnolia, Texas 77354
(City, State, Zip Code)

281/356-5347
(Area Code/Telephone)

This tariff is effective for utility operations under the following Certificate of Convenience and Necessity:

11612

This tariff is effective in the following counties:

Aransas, Brazoria, Fort Bend, Harris, Jackson, Liberty, Matagorda, Montgomery, Walker, and Waller

This tariff is effective in the following cities or unincorporated towns (if any):

Richmond (portion of Bridlewood Estates only - same rates)

This tariff is effective in the following subdivisions or systems:

See attached chart.

TABLE OF CONTENTS

The above utility lists the following sections of its tariff (if additional pages are needed for a section, all pages should be numbered consecutively):

| | |
|---|----|
| SECTION 1.0 -- RATE SCHEDULE..... | 3 |
| SECTION 2.0 -- SERVICE RULES AND POLICIES | 13 |
| SECTION 3.0 -- EXTENSION POLICY | 21 |

APPENDIX A - DROUGHT CONTINGENCY PLAN
APPENDIX B - SAMPLE SERVICE AGREEMENT
APPENDIX C - APPLICATION FOR SERVICE

| QUADVEST LP | | | |
|---------------------------------------|----------------------|---------------|----------------------------|
| SUBDIVISION | PWS ID NUMBER | COUNTY | SUBSIDENCE DISTRICT |
| Bammel Forest | 1010096 | Harris | NHCRWA |
| Bammel Timbers | 1010096 | Harris | NHCRWA |
| Bauer Landing | 1013526 | Harris | NHCRWA |
| Bayer Utility (Old Town Spring) | 1010212 | Harris | NHCRWA |
| Bella Vista | 1460175 | Liberty | No Subsidence |
| Benders Landing | 1700678 | Montgomery | SJRA |
| Benders Landing Estates | 1700678 | Montgomery | SJRA |
| Brazos Lakes | 0790363 | Fort Bend | NFBWA |
| Bridlewood Estates | 0790350 | Fort Bend | City of Rosenberg |
| Caddo Village | 1700473 | Montgomery | SJRA |
| Camino Real | 1460175 | Liberty | No Subsidence |
| Campwood | 1700624 | Montgomery | SJRA |
| Canterbury Ranch | 1700624 | Montgomery | SJRA |
| Cape Shores | 1200044 | Jackson | No Subsidence |
| Chenango Ranch | 0200656 | Brazoria | Brazoria GWD |
| Clear Creek Forest | 1700576 | Montgomery | SJRA |
| Creekside Village | 1700742 | Montgomery | SJRA |
| Decker Oaks Estates | 1700605 | Montgomery | SJRA |
| Estates of Clear Creek | 1700576 | Montgomery | SJRA |
| Freeman Ranch | 2370123 | Waller | Bluebonnet GWD |
| Grande San Jacinto | 1460179 | Liberty | No Subsidence |
| Indigo Lake Estates | 1700576 | Montgomery | SJRA |
| Jacobs Reserve | 1700609 | Montgomery | SJRA |
| Lake House* (Formerly Cane Island) | 2370111 | Waller | No Subsidence |
| Lake Pointe Estates* | 0790350 | Fort Bend | NFBWA |
| Lake Windcrest | 1700624 | Montgomery | SJRA |
| Lakes of Fairhaven* | 1013288 | Harris | NHCRWA |
| Lakes of Magnolia | 1700736 | Montgomery | SJRA |
| Live Oak Landing | 1610129 | Matagorda | No Subsidence |
| Lone Star Ranch | 1700655 | Montgomery | SJRA |
| Magnolia Reserve | 1700864 | Montgomery | No Subsidence |
| McCall Sound | 1700763 | Montgomery | SJRA |
| Montgomery Trace | 1700577 | Montgomery | SJRA |
| Mostyn Manor | 1700669 | Montgomery | SJRA |
| Mostyn Springs | 1700669 | Montgomery | SJRA |
| Northcrest Ranch | 1700623 | Montgomery | SJRA |
| Oaks of Suncreek | 0200640 | Brazoria | Brazoria GWD |
| Pecan Forest | 1010096 | Harris | NHCRWA |
| Rancho San Vicente | 1460178 | Liberty | No Subsidence |
| Red Oak Ranch | 1700609 | Montgomery | SJRA |

| | | | |
|-----------------------------|---------|------------|-------------------|
| Rocky Creek | 1013393 | Harris | WHCRWA |
| Sawmill Estates | 1700576 | Montgomery | SJRA |
| Sendera Ranch | 1700577 | Montgomery | SJRA |
| Shaw Acres | 1013468 | Harris | NHCRWA |
| Sierra Woods | 1700624 | Montgomery | SJRA |
| Sonoma Ridge | 1700763 | Montgomery | SJRA |
| Stonecrest Ranch | 1700611 | Montgomery | SJRA |
| Summerset Estates | 1700655 | Montgomery | SJRA |
| Suncreek Estates | 0200640 | Brazoria | Brazoria GWD |
| Suncreek Ranch | 0200616 | Brazoria | Brazoria GWD |
| Sunrise Bay | 1200037 | Jackson | No Subsidence |
| Sunset Bay | 0040055 | Aransas | No Subsidence |
| Telge Terrace | 1011805 | Harris | Harris Galv. Sub. |
| Telge Jarvis | 1013638 | Harris | NHCRWA |
| Texas Grand Ranch | 2360088 | Walker | Bluebonnet GWD |
| The Colony/Intercontinental | 1011806 | Harris | Harris Galv. Sub. |
| Timberdale | 1011810 | Harris | Harris Galv. Sub. |
| Vaquero River Estates | 1610129 | Matagorda | No Subsidence |
| Villa Nueva | 1460175 | Liberty | No Subsidence |
| Village of Decker Oaks | 1700605 | Montgomery | SJRA |
| Waterstone Estates | 1013389 | Harris | NHCRWA |
| Waypoint Landing | 1610137 | Matagorda | No Subsidence |
| Westwood | 2370042 | Waller | Bluebonnet GWD |
| Windcrest Farms | 1700577 | Montgomery | SJRA |
| Yesterday's Crossing | 1700758 | Montgomery | No Subsidence |

*Lake House, Lake Point Estates and Lakes of Fairhaven (Formerly Westside Water, LLC) have a separate tariff page.

** Bammel Forest, Bammel Timbers and Pecan Forest (Formerly Bammel Forest Utility Company) have a separate tariff page.

The rates set or approved by the city for the systems entirely within its corporate boundary are not presented in this tariff. Those rates are not under the original jurisdiction of the PUC and will have to be obtained from the city or utility.

SECTION 1.0 -- RATE SCHEDULE

Section 1.01 - Rates

| <u>Meter Size</u> | <u>Monthly Minimum Charge</u> | <u>Gallage Charge</u> |
|-------------------|-------------------------------------|---|
| 5/8" or 3/4" | <u>\$28.75</u> (Includes 0 gallons) | <u>\$1.75</u> per 1000 gallons for the first 10,000 gallons |
| 1" | <u>\$71.88</u> | <u>\$2.00</u> per 1,000 gallons from 10,001 to 20,000 gallons |
| 1½" | <u>\$143.75</u> | <u>\$2.25</u> per 1,000 gallons from 20,001 to 30,000 gallons |
| 2" | <u>\$230.00</u> | <u>\$2.93</u> per 1,000 gallons thereafter |
| 3" | <u>\$431.25</u> | |
| 4" | <u>\$718.75</u> | |
| 6" | <u>\$1,437.50</u> | |
| 8" | <u>\$2,300.00</u> | |
| 10" | <u>\$3,306.25</u> | |
| 12" | <u>\$6,181.25</u> | |

An additional pass through gallage charge per 1,000 gallons of water will be added for fees imposed by any non-affiliated third party water supplier or underground water district having jurisdiction over the utility. Bluebonnet GRP (BGCD), Brazoria GRP (BCGCD), City of Rosenberg GRP (CR), North Fort Bend GRP (NFBWA), West Harris County Regional Water Authority (WHCRWA), North Harris County Regional Water Authority (NHCRWA), San Jacinto River Authority GRP (SJRA) and Shaw Acres. Each pass through gallage charge is represented in the table below. **SEE PURCHASED WATER AND/OR DISTRICT FEE PASS THROUGH CLAUSE.**

| | BGCD | BCGCD | CR | HCSD | WHCRWA | NFBWA | NHCRWA | SJRA | Shaw Acres |
|---------------------------|--------|--------|--------|--------|--------|--------|--------|--------|------------|
| Rate per thousand gallons | \$0.06 | \$0.03 | \$2.74 | \$0.02 | \$2.64 | \$4.09 | \$4.52 | \$2.80 | \$3.40 |

*Chart excludes Bammel Forest, Bammel Timbers and Pecan Forest, Lake House, Lake Pointe Estates and Lakes of Fairhaven, which have separate tariff pages
(Tariff Control No. 49216)

FEDERAL TAX CHANGE CREDIT RIDER
(Docket No. 48323)

| Monthly Fixed Rate Adjustment | <u>May 1, 2018-December 31, 2018</u> | <u>January 1, 2019</u> |
|-------------------------------|--------------------------------------|------------------------|
| 5/8" or 3/4" | \$(0.53) | \$(0.42) |
| 1" | \$(1.33) | \$(1.05) |
| 1½" | \$(2.66) | \$(2.10) |
| 2" | \$(4.26) | \$(3.35) |
| 3" | \$(7.99) | \$(6.29) |
| 4" | \$(13.32) | \$(10.48) |
| 6" | \$(26.63) | \$(20.97) |
| 8" | \$(42.61) | \$(33.55) |
| 10" | \$(61.26) | \$(48.22) |
| 12" | \$(114.52) | \$(90.16) |

SECTION 1.0 -- RATE SCHEDULE (Continued)

FORM OF PAYMENT: The utility will accept the following forms of payment:

Cash X, Check X, Money Order X, Credit Card X, Other (specify) Bank Draft
THE UTILITY MAY REQUIRE EXACT CHANGE FOR PAYMENTS AND MAY REFUSE TO ACCEPT PAYMENTS
MADE USING MORE THAN \$1.00 IN SMALL COINS. A WRITTEN RECEIPT WILL BE GIVEN FOR CASH
PAYMENTS.

REGULATORY ASSESSMENT 1.0%
PUC RULES REQUIRE THE UTILITY TO COLLECT A FEE OF ONE PERCENT OF THE RETAIL MONTHLY BILL
AND TO REMIT THE FEE TO THE TCEQ.

Section 1.02 - Miscellaneous Fees

TAP FEE \$810.00
TAP FEE COVERS THE UTILITY'S COSTS FOR MATERIALS AND LABOR TO INSTALL A STANDARD
RESIDENTIAL 5/8" x 3/4" METER. AN ADDITIONAL FEE TO COVER UNIQUE COSTS IS PERMITTED IF LISTED
ON THIS TARIFF.

TAP FEE \$910.00
TAP FEE COVERS THE UTILITY'S COSTS FOR MATERIALS AND LABOR TO INSTALL A STANDARD 3/4" and 1"
METER. AN ADDITIONAL FEE TO COVER UNIQUE COSTS IS PERMITTED IF LISTED ON THIS TARIFF.

TAP FEE (Large meter) Actual Cost
TAP FEE IS THE UTILITY'S ACTUAL COST FOR MATERIALS AND LABOR FOR METER SIZE INSTALLED.

TAP FEE (Unique Costs) Actual Cost
FOR EXAMPLE, A ROAD BORE FOR CUSTOMERS OUTSIDE A SUBDIVISION IS A UNIQUE COST. UNIQUE COST
WILL BE DETERMINED ON A CASE BY CASE BASIS.

RECONNECTION FEE

THE RECONNECT FEE MUST BE PAID BEFORE SERVICE CAN BE RESTORED TO A CUSTOMER WHO HAS
BEEN DISCONNECTED FOR THE FOLLOWING REASONS (OR OTHER REASONS LISTED UNDER SECTION 2.0
OF THIS TARIFF):

- a) Nonpayment of bill (Maximum \$25.00) \$25.00
- b) Customer's request that service be disconnected \$50.00
OR OTHER REASONS LISTED UNDER SECTION 2.0 OF THIS TARIFF

SEASONAL RECONNECTION FEE:

BASE RATE TIMES NUMBER OF MONTHS OFF THE SYSTEM NOT TO EXCEED SIX MONTHS WHEN LEAVE
AND RETURN WITHIN A TWELVE MONTH PERIOD.

TRANSFER FEE \$45.00
THE TRANSFER FEE WILL BE CHARGED FOR CHANGING AN ACCOUNT NAME AT THE SAME SERVICE
LOCATION WHEN THE SERVICE IS NOT DISCONNECTED.

LATE CHARGE (EITHER \$5.00 OR 10% OF THE BILL) 10%
PUC RULES ALLOW A ONE-TIME PENALTY TO BE CHARGED ON DELINQUENT BILLS. A LATE CHARGE MAY
NOT BE APPLIED TO ANY BALANCE TO WHICH THE PENALTY WAS APPLIED IN A PREVIOUS BILLING.

RETURNED CHECK CHARGE \$25.00
RETURNED CHECK CHARGES MUST BE BASED ON THE UTILITY'S DOCUMENTABLE COST.

CUSTOMER DEPOSIT RESIDENTIAL (Maximum \$50) \$50.00

COMMERCIAL & NON-RESIDENTIAL DEPOSIT 1/6TH OF ESTIMATED ANNUAL BILL
Tariff Control No. 49216

SECTION 1.0 -- RATE SCHEDULE (Continued)

METER TEST FEE\$25.00

THIS FEE WHICH SHOULD REFLECT THE UTILITY'S COST MAY BE CHARGED IF A CUSTOMER REQUESTS A SECOND METER TEST WITHIN A TWO-YEAR PERIOD AND THE TEST INDICATES THAT THE METER IS RECORDING ACCURATELY. THE FEE MAY NOT EXCEED \$25.

METER RELOCATION FEEActual Cost to Relocate the Existing Meter

THIS FEE MAY BE CHARGED IF A CUSTOMER REQUESTS RELOCATION OF AN EXISTING METER.

METER CONVERSION FEE.....Actual Cost to Convert the Existing Meter

THIS FEE MAY BE CHARGED IF A CUSTOMER REQUESTS CHANGE OF SIZE OF AN EXISTING METER OR CHANGE IS REQUIRED BY MATERIAL CHANGE IN CUSTOMERS SERVICE DEMAND.

ILLEGAL RECONNECTION, LOCK REMOVAL OR DAMAGE FEE.....\$100.00

THIS FEE MAY BE CHARGED TO A DISCONNECTED CUSTOMER FOR DAMAGE CAUSED BY CUSTOMER'S ATTEMPT TO RESTORE WATER SERVICE BY CUTTING OR BREAKING LOCK, REMOVAL OR BYPASS OF METER.

GOVERNMENTAL TESTING, INSPECTION AND COSTS SURCHARGE:

WHEN AUTHORIZED IN WRITING BY PUC AND AFTER NOTICE TO CUSTOMERS, THE UTILITY MAY INCREASE RATES TO RECOVER INCREASED COSTS FOR INSPECTION FEES AND WATER TESTING. [16 TAC § 24.25(b)(2)(G)]

LINE EXTENSION AND CONSTRUCTION CHARGES:

REFER TO SECTION 3.0--EXTENSION POLICY FOR TERMS, CONDITIONS, AND CHARGES WHEN NEW CONSTRUCTION IS NECESSARY TO PROVIDE SERVICE.

TEMPORARY WATER RATE:

Unless otherwise superseded by PUC order or rule, if the Utility is ordered by a court or government body of competent jurisdiction to reduce its pumpage, production or water sales, the Utility shall be authorized to increase its approved gallonage charge according to the formula:

$$TGC = \frac{cgc + (pr)(cgc)(r)}{(1.0 - r)}$$

Where:

TGC = temporary gallonage charge
 cgc = current gallonage charge
 r = water use reduction expressed as a decimal fraction (the pumping restriction)
 prr = percentage of revenues to be recovered expressed as a decimal fraction, for this tariff prr shall equal 0.5

To implement the Temporary Water Rate, the Utility must comply with all notice and other requirements of 16 TAC § 24.25(j).

SECTION 1.0 -- RATE SCHEDULE (Continued)

PURCHASED WATER AND/OR DISTRICT FEE PASS THROUGH CLAUSE:

Changes in fees imposed by any non-affiliated third party water supplier or underground water district having jurisdiction over the Utility shall be passed through as an adjustment to the water gallonage charge according to the following formula:

$WPC = (E + (AP - AC)) / (JC \times AU)$, Where:

- WPC = Water pass-through gallonage charge per 1,000 gallons, rounded to the nearest cent
- E = Estimated sum of upcoming 12 months of purchase water, groundwater conservation district costs, and fees
- AP = Actual payments by utility for prior 12 months for purchase water, district costs and fees
- AC = Actual collections by utility in prior 12 months from water pass-through gallonage charge
- JC = Year end customer connections
- AU = Average annual usage per connection, in 1,000 gallons from most recent year

The WPC must be true-up and adjusted every twelve months.

To implement, all notice requirements must be met. The utility may begin to charge the new filed WPC on the proposed effective date in the notice. Implementation of this WPC adjustment provision shall be governed by 16 TAC § 24.25(F).

With each annual WPC adjustment, the utility must file a true-up report that shows the calculation for the next 12 month WPC reflected in the notice. The report shall contain up to five years of data, as available, showing the annual and accumulated difference between WPC amounts collected from customers and amounts actually paid to the entities whose charges are included in the WPC.

Quadvest, L.P.
Lake House, Lake Pointe Estates, and Lake Fairhaven
 (Formerly Westside Water, LLC)

Water Tariff Page No. 7

SECTION 1.0 -- RATE SCHEDULE

Section 1.01 - Rates

| <u>Meter Size</u> | <u>Monthly Minimum Charge*</u> | <u>Gallage Charge</u> |
|-------------------|-------------------------------------|--|
| 5/8" | <u>\$17.85</u> (Includes 0 gallons) | <u>\$1.50</u> per 1000 gallons, Residential |
| 3/4" | <u>\$26.80</u> | <u>\$2.00</u> per 1,000 gallons, Non-Residential |
| 1" | <u>\$44.65</u> | |
| 1 1/2" | <u>\$89.25</u> | |
| 2" | <u>\$142.80</u> | |
| 3" | <u>\$267.75</u> | |
| 4" | <u>\$535.50</u> | |

PLUS:

Pass Through Fees:

North Harris County Regional Water Authority (NHCRWA) for
 Lakes of Fairhaven..... \$4.08 per 1,000 gallons
 (Tariff Control No. 49215)

North Fort Bend Water Authority (NFBWA) for
 Lake Point Estates..... \$3.65 per 1,000 gallons
 (Tariff Control No. 49124)

Bluebonnet Groundwater Conservation District (BGCD) for
 Lake House..... \$0.05 per 1,000 gallons
 (Tariff Control No. 49213)

FEDERAL TAX CHANGE CREDIT RIDER (Docket No.48323)

| <u>Monthly Fixed Rate</u> | <u>May 1, 2018-December 31, 2018</u> | <u>January 1, 2019</u> |
|---------------------------|--------------------------------------|------------------------|
| <u>Adjustment</u> | | |
| 5/8" | \$(1.08) | \$(0.78) |
| 3/4" | \$(1.62) | \$(1.18) |
| 1" | \$(2.70) | \$(1.96) |
| 1 1/2" | \$(5.39) | \$(3.92) |
| 2" | \$(8.63) | \$(6.26) |
| 3" | \$(16.18) | \$(11.75) |
| 4" | \$(32.37) | \$(23.49) |

FORM OF PAYMENT: The utility will accept the following forms of payment:

Cash X, Check X, Money Order X, Credit Card X, Other (specify) Bank Draft
 THE UTILITY MAY REQUIRE EXACT CHANGE FOR PAYMENTS AND MAY REFUSE TO ACCEPT PAYMENTS
 MADE USING MORE THAN \$1.00 IN SMALL COINS. A WRITTEN RECEIPT WILL BE GIVEN FOR CASH
 PAYMENTS.

REGULATORY ASSESSMENT..... 1.0%
 PUC RULES REQUIRE THE UTILITY TO COLLECT A FEE OF ONE PERCENT OF THE RETAIL MONTHLY BILL
 AND TO REMIT THE FEE TO THE TCEQ.

Tariff Control No. 49216