



Control Number: 51904



Item Number: 1

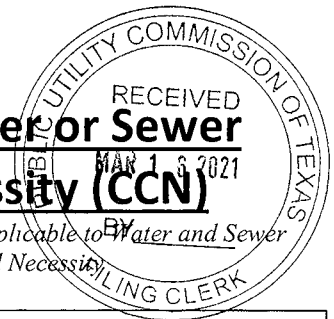
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151904



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 be 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.
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)
II. FILE: Seven (7) copies of the completed application with numbered attachments.
SEND TO: Public Utility Commission of Texas, Attention: Filing Clerk, 1701 N. Congress Avenue, P.O. Box 13326, Austin, Texas 78711-3326
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.
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.
i. HEARING ON THE MERITS: an affected party may request a hearing on the application.
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.
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.
VI. FINAL RECOMMENDATION: After receiving all required documents from the Applicant, Staff will file a recommendation on the CCN request.

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:** Monarch Utilities I L.P.

**CCN No. to be amended:** 12983 (water) & 20899 (sewer)

or  Obtain NEW CCN       Water       Sewer

**County(ies) affected by this application:** Harris and Liberty

**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 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 checked="" 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 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 checked="" 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 checked="" type="checkbox"/> | Application Attachment A & B                                 | Part E: Question 30   |
| <input checked="" type="checkbox"/> | Capital Improvement Plan                                     | Part E: Question 30   |
| <input checked="" 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: Monarch Utilities I L.P.  
(individual, corporation, or other legal entity)  
 Individual     Corporation     WSC     Other: LP

B. Mailing Address: 12535 Reed Road  
Sugar Land, TX 77478  
Phone No.: (830) 207-6100    Email: SWWC.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: George Freitag    Title: Regulatory Manager  
Mailing Address: 1620 Grand Ave Parkway, Ste 140, Pflugerville, TX 78660  
Phone No.: (512) 219-2288    Email: gfreitag@swwc.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) **Attachment 2**
- Corporation: Charter number (recorded with the Texas Secretary of State): \_\_\_\_\_
- 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: N/A

**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.

This application is to amend Monarch's water and wastewater CCNs to enable it to provide water and wastewater service, respectively, to a new residential community known as Los Pinos Estates in north Harris County. The area requested is for the first phase (244 single family homes) of the total planned development. The development will be served by new, stand alone water and wastewater systems. No dual certification or decertification of CCN areas is required.

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: **Harris County MUD # 516**

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

Requested area overlaps areas of Harris County Municipal Utility District #516 which is dormant/inactive. See Attachment 3 for the District's release.

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

A new development of single-family housing is planned for the requested area. Lots are sized so that retail public water and wastewater service is required. See Attachment 1 Developer's Agreement provided under Confidentiality.

9. Has the Applicant received any requests for service within the requested area? See Developer's schedule in Agreement provided with Confidential Materials - Attachment 1  
 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 See Developer's schedule in Agreement

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

Yes\*  No \*Attach copies of TCEQ approval letters Attachment 4

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:

Development construction is expected to begin by the spring of 2021 for Phase 1, including the required water and wastewater infrastructure.

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

Capital construction costs will be shared between developer contributions in aid of construction and by Monarch from internal resources with no need for external funding.

**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:

N/A. There are no utilities within one half mile from the outer boundary of the requested CCN area.

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.

Monarch is the second-largest investor-owned water and wastewater utility in Texas and has adequate financial, operational, and managerial expertise and capacity to serve the proposed development without negatively affecting existing customers. There are no retail public utilities of the same kind serving within the requested CCN area, and landowners in the requested CCN area will not be negatively effected.

**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:

N/A. The requested area currently has no customers and is not being served. Monarch will provide retail public utility service that meets or exceeds all standards and requirements of the Public Utility Commission of Texas and the Texas Commission on Environmental Quality.

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

Monarch is the second-largest investor-owned water and wastewater utility in Texas and has adequate financial, operational, and managerial expertise and capacity to serve the proposed development. Monarch currently provides service to over 30,000 customers in the state. Monarch has systems nearby and will provide daily operations out of a nearby regional service center.

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   See Attachment 5

\*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:

A new development of single family homes will be phased in on previously undeveloped land. All local and regional planning requirements and approvals are being followed. Wastewater will be discharged at a treatment level as approved by the TCEQ, which will ensure that the environmental integrity of the land will not be disrupted or negatively affected.

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. There are currently no economically distressed areas within the requested CCN, as it is a new development.

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:

See Attachment 6 for list.

**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:
	See Attachment 7		

\*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- See Attachment 8			
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: pending  
WQ - 0015830001

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

Water				Sewer	
	Non-metered	31	2"	4,362	Residential
29,512	5/8" or 3/4"	8	3"	43	Commercial
169	1"	2	4"		Industrial
31	1 1/2"	3	Other	1	Other
Total Water Connections:			29,756	Total Sewer Connections: 4,406	

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

Water				Sewer	
	Non-metered		2"	244	Residential
244	5/8" or 3/4"		3"		Commercial
	1"		4"		Industrial
	1 1/2"		Other		Other
Total Water Connections:			244	Total Sewer Connections: 244	



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:	325,978,069	12%
Sewer:	7,643,100	5%

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
Joel Massie	C- GW, A - WW	WG0013990, WW0009245	Water and Wastewater
Dalton McNeil	C- GW, A - WW, CSI	WG0015873, WW0062082, C1001124	Water and Wastewater
Keaton Ogden	C- GW, D - WW	WG0017284, WW0062848	Water and Wastewater
Jake R. Simpson	B- GW, B - WW, CSI	WG0016769 WW0057691 C1001007	Water and Wastewater

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:

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: Interim rates effective 02/02/2021

B. Was notice of this increase provided to the Commission or a predecessor regulatory authority?

No  Yes

Application or Docket Number: 50966

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. Provided  
Confidentially

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 See Capital Improvement Plan provided with Confidential Materials.
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. See Attachment 12

**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: See Attachment 13
    - 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: See Attachment 14
    - 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: 702

Number of customer connections in the requested area: 0

The closest city or town: Kingwood

Approximate mileage to closest city or town center: 5

Direction to closest city or town: southwest

The requested area is generally bounded on the North by: Meyer Road

on the East by: Liberty County line

on the South by: Magnolia Lane

on the West by: FM 2100 and

34. A copy of the proposed map will be available at SouthWest Water Company, 12535 Reed Road, Sugar Land, TX 77478

**Applicant's Oath**


STATE OF Texas

COUNTY OF Fort Bend

I, Jeffrey L. McIntyre being duly sworn, file this application to obtain or amend a water or sewer CCN, as President, Monarch Utilities L.P.  
(owner, member of partnership, title as officer of corporation, or authorized representative)

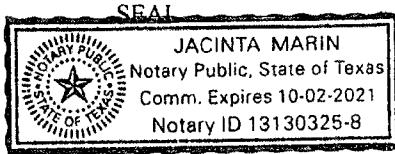
I attest that, in such capacity, I am qualified and authorized to file and verify such application, am personally familiar with the documents filed with this application, and have complied with all the requirements contained in the application; and, that all such statements made and matters set forth 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 12<sup>th</sup> of March, 2021



  
\_\_\_\_\_  
**NOTARY PUBLIC IN AND FOR THE  
STATE OF TEXAS**  
Jacinta Marin  
\_\_\_\_\_  
**PRINT OR TYPE NAME OF NOTARY**

My commission expires: 10 / 2 / 2021

Attachment 1

Certificate of Account Status

Part A: Q 4



## Franchise Tax Account Status

As of 01/07/2021 08:50:35

This page is valid for most business transactions but is not sufficient for filings with the Secretary of State

### MONARCH UTILITIES I L.P.

**Texas Taxpayer Number** 10303732514

**Mailing Address** 12535 REED RD C/O TAX DEPT (FSC) SUGAR LAND,  
TX 77478-2837

**Right to Transact Business in Texas** ACTIVE

**State of Formation** TX

**Effective SOS Registration Date** 12/10/2001

**Texas SOS File Number** 0800034797

**Registered Agent Name** CORPORATION SERVICE COMPANY DBA CSC -  
LAWYERS INCO

**Registered Office Street Address** 211 E. 7TH STREET SUITE 620 AUSTIN, TX 78701

Attachment 2

Partnership Agreement

Part A: Q 4



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



Geoffrey S. Connor  
Secretary of State

**Office of the Secretary of State**

**CERTIFICATE OF FILING  
OF**

Monarch Utilities I L.P.  
800034797

[formerly: Tecon Water Company, L.P.]

The undersigned, as Secretary of State of Texas, hereby certifies that an amendment to the certificate of limited partnership or the application for registration as a foreign limited partnership for the above named limited partnership has been received in this office and filed as provided by law on the date shown below.

Accordingly, the undersigned, as Secretary of State hereby issues this Certificate evidencing the filing in this office

Dated: 07/30/2004  
Effective: 07/30/2004



A handwritten signature in black ink, appearing to read "G. Connor".

Geoffrey S. Connor  
Secretary of State

FILED  
In the Office of the  
Secretary of State of Texas

JUL 30 2004

Corporations Section

CERTIFICATE OF AMENDMENT  
TO THE  
CERTIFICATE OF LIMITED PARTNERSHIP  
OF  
TECON WATER COMPANY, L.P.


Pursuant to the provisions of Section 2.02 of the Texas Revised Limited Partnership Act, the undersigned limited partnership desires to amend its certificate of limited partnership and for that purpose submits the following certificate of amendment.

1. The name of the limited partnership is **Tecon Water Company L.P.**
2. The certificate of limited partnership is amended as follows:
  - The name of Tecon Water Company L.P. be changed to **Monarch Utilities I L.P.**
  - The address of Monarch Utilities I L.P. be changed to **One Wilshire Building, 624 S. Grand Ave., Suite 2900, Los Angeles, California 90017.**
  - The officers of Monarch Utilities, I L.P. be changed to:

Michael O. Quinn	President
Peter J. Moerbeek	Treasurer
Richard J. Shields	Vice President and Secretary

Dated: July 27, 2004

TECON WATER COMPANY L.P.

By:   
 Michael O. Quinn, President,  
 Texas Water Services Group, LLC,  
 Its General Partner

**AGREEMENT OF LIMITED PARTNERSHIP  
OF  
TECON WATER COMPANY, L.P.**

This **AGREEMENT OF LIMITED PARTNERSHIP** of TECON WATER COMPANY, L.P., a Texas limited partnership, is made as of this the 10th day of December, 2001, between Texas Water Services Group, LLC, a Texas limited liability company (referred to hereinafter as "TWSG" or the "General Partner"), and Tecon Water Companies, Inc., a Texas corporation (referred to hereinafter as "Tecon" or the "Limited Partner").

WHEREAS, TWSG and Tecon desire to form a limited partnership for the purpose of engaging in the water and sewer utility business in the State of Texas and for such other lawful purposes as such parties may determine;

NOW, THEREFORE, in consideration of the mutual covenants, conditions and agreements herein contained, the parties hereto hereby agree as follows:

**ARTICLE I  
DEFINITIONS**

1.1 **Definitions.** As used in this Agreement, the following terms have the respective meanings indicated, unless the context otherwise requires. Defined terms in this Agreement include both the singular and plural of such terms.

"Act" shall mean the Texas Revised Limited Partnership Act, as amended.

"Agreement" shall mean this Agreement of Limited Partnership as it may be amended or supplemented from time to time

"Bankruptcy" shall mean, with respect to a Partner, the commencement of any bankruptcy or insolvency case or proceeding against such Partner which shall continue and remain unstayed and in effect for a period of sixty (60) consecutive days, or the filing by such Partner of a petition, answer or consent seeking relief under any applicable Federal or state bankruptcy, insolvency or similar law.

"Capital Account" shall mean, for each Partner, a separate account that is.

(a) increased by (i) the amount of such Partner's Capital Contribution and (ii) allocations of profit to such Partner; and

(b) decreased by (ii) the amounts distributed to such Partner by the Partnership, and (iii) allocations of Loss to such Partner.

"Capital Contribution" shall mean, for any Partner, the sum of the net amount of cash and the fair market value of any other property contributed by such Partner to the capital of the Partnership.

"Code" shall mean the Internal Revenue Code of 1986, as amended.

"Dissolution" of a Partner who is not a natural person shall mean that such Partner has terminated its existence (whether as a partnership, corporation or other legal entity) and dissolved; provided, however, that a change in the membership of a Partner that is a partnership shall not constitute a "Dissolution" of such Partner, so long as the business of the Partner is continued in partnership form, regardless of whether such Partner is deemed technically dissolved for partnership or tax law purposes.

"Event of Default" shall mean any failure by the General Partner to fulfill its obligations under this Agreement or any violation by the General Partner of the express terms of this Agreement, if such failure or violation is not curable or, if curable, is not cured within seven (7) days' written notice of default signed by Limited Partners then holding at least 40% interest in the Partnership.

"General Partner" shall mean TWSG and its successors and assigns.

"Limited Partner" shall mean Tecon and any other Person admitted to the Partnership as a Limited Partner.

"Partners" shall mean the General Partner and the Limited Partner and their successors

"Partnership" shall mean Tecon Water Company, L.P., a Texas limited partnership

"Partnership Interest" shall mean the partnership interest of the Partners in the Partnership.

"Percentage Interest" in respect to each of the Partners shall mean the following:

	<u>Percentage Interest</u>
General Partner	0.1%
Limited Partner	99.9%

"Person" shall mean any individual, corporation, association, partnership, joint venture, trust, estate or other entity or organization.

"Transfer" shall mean any sale, exchange, transfer, gift, encumbrance, assignment, pledge, mortgage, hypothecation or other disposition, whether voluntary or involuntary

## ARTICLE 2 ORGANIZATION

2.1 Formation of Limited Partnership. The Partners hereby associate themselves in the formation of the Partnership as a limited partnership pursuant to and in accordance with the provisions of the Act. Except as expressly provided herein to the contrary, the rights and

obligations of the Partners and the administration and termination of the Partnership shall be governed by the Act. The partnership interest of any Partner shall be personal property for all purposes

2.2 Name. The name of the Partnership shall be, and the business name of the Partnership shall be conducted under, the name of "Tecon Water Company, L.P." or under such other name as the General Partner may from time to time determine. The General Partner shall provide the Limited Partners with written notice of any change in the Partnership's name within 30 days after such change.

2.3 Character of Business. The purpose of the Partnership shall be to engage in any lawful business activities in which limited partnerships formed in the State of Texas may participate. Without limiting the generality of the foregoing, it is the present intention of the Partners that the primary activities of the Partnership shall be the acquisition, ownership and operation of water and sewer utility systems and facilities and, in connection therewith, (i) owning, operating, dealing in and with, and selling all types of property, both real and personal, tangible and intangible; and (ii) doing all things necessary, advisable or expedient in connection with, or incidental to, the foregoing.

2.4 Principal Place of Business. The address of the Partnership's principal place of business at which records shall be kept shall be 6116 North Central Expressway, Suite 1300, Dallas, Texas 75206. The Partnership may from time to time have such other place or places of business within or without the State of Texas as may be determined by the General Partner.

2.5 Fiscal Year. The fiscal year of the Partnership shall end on the last day of each calendar year. The Partnership shall have the same fiscal year for income tax purposes and for accounting purposes.

2.6 Names and Addresses of Partners. The names and addresses of the Partners are as set forth on Exhibit "A" hereto.

2.7 Term. The Partnership will commence upon the filing of the Certificate of Limited Partnership in accordance with the Act, and shall continue in existence until December 31, 2050, or such later date to which the Partners shall extend the term of the Partnership, unless earlier terminated in accordance with any provision of this Agreement.

2.8 Registered Office. The registered office of the Partnership shall be located at 350 North St. Paul Street, Dallas, Texas 75201. The Registered Agent of the Partnership may from time to time change the registered office of the Partnership by complying with the applicable provisions of the Act.

2.9 Registered Agent. The Registered Agent of the Partnership shall be CT Corporation System at the registered office of the Partnership. Should the Registered Agent resign or become disqualified for service as Registered Agent, then the General Partner shall obtain and designate a new Registered Agent not less than thirty (30) days after such event. The General Partner shall notify the Limited Partners in writing not more than ten (10) days after the effective date of a change in Registered Agent. The General Partner may remove the Registered Agent at any time and appoint as successor Registered Agent any qualified Person designated by the General Partner.

ARTICLE 3  
CAPITAL, DISTRIBUTIONS AND ALLOCATIONS

3.1 Contributions.

(a) Initial Capital Contribution. When required by the General Partner, the Partners will make the initial contributions to the Partnership. The agreed net fair market value of the initial contributions and the initial Capital Account balances of the Partners are reflected on Exhibit "A" hereto.

(b) Additional Contributions. No Partner shall be required to make additional capital contributions to the Partnership unless the General Partner requests such a capital contribution and Limited Partners holding a majority of the Percentage Interests approve such a contribution. Any such additional capital contributions shall be made by the Limited Partners in proportion to their respective Percentage Interests.

3.2 Distributions and Allocations. All distributions and allocations of items of profit and loss shall be in proportion to the Percentage Interests. Tax allocations shall be made in accordance with the Code and the regulations issued thereunder. Capital Accounts shall be maintained in accordance with Section 704(b) of the Code.

3.3 Interest. No interest shall be paid by the Partnership on contributions to the capital of the Partnership.

3.4 Withdrawal and Return of Capital. A Partner shall not be entitled to withdraw any part of its contribution or to receive any distribution from the Partnership, except as approved by the General Partner or as otherwise provided in this Agreement.

3.5 Loans from Partners. Loans by a Partner to the Partnership shall not be considered contributions to the capital of the Partnership.

ARTICLE 4  
CONDUCT OF ACTIVITIES

4.1 Powers of General Partner

(a) The General Partner shall conduct, direct and exercise full control over all activities of the Partnership. Except as otherwise expressly provided in this Agreement or as required under the Act, all management powers over the business and affairs of the Partnership shall be vested exclusively in the General Partner and no Limited Partner (except the General Partner in the event that it is also a Limited Partner) shall have any right to control or exercise management power over the business and affairs of the Partnership. Without limiting the generality of the foregoing, the General Partner shall have the power to manage, operate, sell, convey, assign, mortgage, pledge, hypothecate and otherwise dispose of any Partnership property and assets of any kind. The General Partner may delegate specific management powers to its officers, but no such delegation shall limit or release the General Partner from its responsibility and obligation to manage the Partnership.

(b) Prohibitions and Limitations.

- (i) The General Partner shall not do any act in contravention of this Agreement.
- (ii) The General Partner shall not do any act that would make it impossible to carry on the business of the Partnership
- (iii) The General Partner shall not possess Partnership property or assign rights in Partnership property for other than Partnership purposes.
- (iv) The General Partner shall not admit a person as a General Partner or Limited Partner, except as expressly permitted in this Agreement.
- (v) No act or power of the General Partner authorized by this Agreement or otherwise authorized by law shall in any manner increase or extend the liability of any Limited Partner as described in this Agreement.

(c) Certificate of Limited Partnership. Promptly after the execution of this Agreement, the General Partner shall cause to be filed the Certificate of Limited Partnership as required by the Act and such other certificates or documents as may be required in Texas or any other state. The General Partner shall thereafter file any necessary amendments to the Certificate of Limited Partnership and shall do all things necessary to the maintenance of the Partnership as a Limited Partnership under the laws of Texas or any other state. The Certificate of Limited Partnership shall include such provisions of this Agreement and other items as are required by law or as are considered desirable by the General Partner. If the Certificate of Limited Partnership contains items not required by law, the General Partner shall be authorized to file an amended Certificate of Limited Partnership deleting such items

(d) Tax Matters Partner. The General Partner is hereby designated the "tax matters partner" of the Partnership within the meaning of the Code. Except as specifically provided in the Code and the regulations issued thereunder, the General Partner in its sole discretion shall have exclusive authority to act for or on behalf of the Partnership with regard to tax matters, including, without limitation, the authority to make (or decline to make) any available tax elections. The tax returns of the Partnership shall be filed on such basis (cash, accrual or otherwise) as the General Partner determines to be necessary and in accordance with the requirements of the Code. The General Partner shall cause the Partnership's tax returns to be prepared and Schedule K-1 or any successor form to be prepared and delivered in a timely manner to the Limited Partners.

(e) Records. The General Partner shall cause the Partnership to maintain or cause to be maintained true and proper books, records, reports, and accounts in which shall be entered all transactions of the Partnership. Such books, records, reports and accounts shall be located at the principal place of business of the Partnership and shall be available to any Partner for inspection and copying during reasonable business hours

(f) Interests in Other Entities. The General Partner shall be authorized to cause the Partnership to acquire an interest in one or more corporations and/or in one or more other entities as the General Partner determines necessary or appropriate to carry out the business of the Partnership.

4.2 Limitation of Liability; Powers of Limited Partners. No Limited Partner shall have any liability whatsoever for any debt, obligation or liability of the Partnership. The Limited Partners may, at the request of any Limited Partner, meet with the General Partner and may, at any such meeting, discuss with the General Partner the business of the Partnership. The General Partner will, however, retain exclusive authority and responsibility for the management and control of the business of the Partnership, and the Limited Partners shall not take part in the control of the partnership business or have any authority or power to act for or bind the Partnership.

4.3 Title to Partnership Assets. All assets of the Partnership shall be deemed to be owned by the Partnership, as an entity, and no Partner, individually or collectively, shall have any ownership interest in the assets of the Partnership or any portion thereof. The Partnership shall hold all material assets of the Partnership in its own name or in the name of one or more nominees (which may include the General Partner or its affiliates) for the Partnership.

4.4 No Compensation. Except as provided in Section 4.5, no Partner shall be compensated for its services provided as a Partner to the Partnership.

4.5 Reimbursement of Expenses. Notwithstanding Section 4.5, the General Partner and its affiliates shall be entitled to reimbursement, together with reasonable interest thereon, for all expenses that they reasonably incur for Partnership purposes, including but not limited to the costs of personnel, equipment, and materials used in Partnership operations and the portion of the administrative and overhead expenses (such as rent and office maintenance thereof, payroll and payroll taxes, franchise taxes, insurance, employee benefits, travel and entertainment and similar expenses) of the General Partner and its affiliates at their principal place of business that is properly allocable to the Partnership.

4.6 Consent in Lieu of Meeting. Any action which may be taken by the Partners at a meeting may be effected through the execution of written consents by the requisite percentage in interest of the Partners.

## ARTICLE 5 TRANSFER OF INTERESTS

5.1 General. No Partner may Transfer its interest in the Partnership, in whole or in part, except in accordance with the terms and conditions set forth in this Agreement. Any Transfer or purported Transfer of an interest in the Partnership not made in accordance with this Agreement shall be null and void. Solely for purposes of this Section 5.1, an interest in the Partnership shall be deemed to include, without limitation, any Derivative Partnership Interest held, issued or created by a Partner, an assignee of a Partner or other Person. For purposes of this Section 5.1, "Derivative Partnership Interest" shall mean any actual, notional or constructive interest in, or right in respect of, the Partnership (other than a Partner's total interest in the capital, profits and management of the Partnership) that, under United States Department of the Treasury Regulation Section 1.7704-1(a)(2), is treated as an interest in the Partnership for



purposes of Section 7704 of the Code. Pursuant to the foregoing, "Derivative Partnership Interest" shall include, without limitation, any financial instrument that is treated as debt for Federal income tax purposes and (i) is convertible into or exchangeable for an interest in the capital or profits of the Partnership or (ii) provides for one or more payments of equivalent value.

5.2 Transfer of Interest of General Partner. The General Partner may not Transfer all or any portion of its Partnership Interest as the General Partner unless a majority in interest of the Limited Partners consent (i) to such Transfer, which consent may be given or withheld in the sole discretion of the Limited Partners, and (ii) to the admission of the transferee as a General Partner of the Partnership.

5.3 Transfer of Interest of Limited Partners. A Limited Partner may not Transfer all or any portion of its Partnership Interest without the prior written consent of the General Partner and all Limited Partners. In the case of any Transfer approved by the General Partner and all Limited Partners, the transferee or pledgee shall (i) agree to comply with and be bound by this Agreement and to execute any document that the General Partner may reasonably require to be executed in connection with the assignment to him, and (ii) appoint the General Partner his attorney-in-fact pursuant to the power of attorney set forth in Article 7.

5.4 Removal of General Partner. Upon the occurrence of an Event of Default, a majority in interest of the Limited Partners may require the removal of the General Partner, in accordance with the following provisions:

(a) A notice of removal signed by a majority in interest of the Limited Partners shall be delivered to the General Partner. Upon receipt of the notice, the General Partner shall offer to sell its Partnership Interest to the Limited Partners, each of whom then shall have seven (7) days in which to notify the General Partner whether he elects to purchase a pro rata portion of the General Partner's Partnership Interest.

(b) The General Partner shall sell its Partnership Interest (i) in equal undivided portions to those Limited Partners electing pursuant to paragraph (a) above to purchase same, or (ii) in the absence of any Limited Partners so electing, to a third party approved by a majority in interest of the Limited Partners; provided, however, if no such third party can be located and none of the Limited Partners elects to purchase the General Partner's Partnership Interest, the General Partner may not be removed and its Partnership Interest may not be sold pursuant to this paragraph. The sale described in this paragraph shall occur within sixty (60) days after the date the notice described in paragraph (a) above is delivered to the General Partner.

(c) Any sale of the General Partner's Partnership Interest pursuant to paragraph (b) above shall be made at the fair market value of such Partnership Interest. The fair market value shall be mutually agreed upon by the General Partner and the purchaser. If such an agreement cannot be reached, the fair market value of the Partnership Interest shall be determined by a reputable, independent appraiser experienced in such matters jointly selected by the General Partner and the purchaser. If the General Partner and the purchaser are unable to agree on such an appraiser, the General Partner shall select an appraiser, the purchaser shall select an appraiser and the two appraisers shall select a third appraiser, which third appraiser shall determine the value of the Partnership Interest. The Partnership shall pay the costs of all such appraisers.

ARTICLE 6  
DISSOLUTION AND LIQUIDATION OF THE PARTNERSHIP

6.1 Dissolving Events. The Partnership shall be dissolved upon the occurrence of any of the following events:

- (a) expiration of the Partnership term;
- (b) issuance of an order by a court of competent jurisdiction requiring the Dissolution of the Partnership;
- (c) permanent cessation of the Partnership's business;
- (d) consent to dissolve the Partnership by all Partners;
- (e) the withdrawal, retirement, Bankruptcy, Dissolution, death or incapacity of the General Partner; or
- (f) any other event which results in Dissolution of the Partnership under the Act

6.2 Winding Up of the Partnership.

- (a) Upon Dissolution of the Partnership, the General Partner shall promptly wind up the affairs of the Partnership.
- (b) Distributions to the Partners in liquidation may be made in cash or in kind, or partly in cash and partly in kind, as determined by the General Partner.
- (c) The profits and losses of the Partnership during the period of Dissolution and liquidation shall be allocated among the Partners in accordance with the provisions of Article 3.
- (d) The assets of the Partnership (including, without limitation, proceeds from the sale or other disposition of any assets during the period of Dissolution and liquidation) shall be applied as follows:
  - (i) first, to repay any indebtedness of the Partnership, whether to third parties or the Partners, in the order of priority required by law;
  - (ii) next, to any reserves which the General Partner reasonably deems necessary for contingent or unforeseen liabilities or obligations of the Partnership (which reserves when they become unnecessary shall be distributed in the remaining priorities set forth in this Section 6.2(d)); and
  - (iii) next, to the Partners in proportion to their respective positive Capital Account balances.

ARTICLE 7  
POWER OF ATTORNEY

7.1 Grant of Power of Attorney. Each Limited Partner does irrevocably constitute and appoint the General Partner (and any successor General Partner) and the authorized officers and attorneys-in-fact of the General Partner (and any successor General Partner), voting together or individually, with full power of substitution as its true and lawful attorney-in-fact and agent, with full power and authority in his name, place and stead to:

(a) execute, swear to, acknowledge, deliver, file and record in the appropriate public offices (i) the Certificate of Limited Partnership and all amendments thereto and other instruments that the General Partner deems necessary or appropriate to effect a change or modification of the Certificate of Limited Partnership, (ii) all certificates, conveyances, and other instruments that the General Partner deems necessary or appropriate to effect the acquisition, disposition, pledge, mortgage, hypothecation, encumbrance or exchange of any assets of the Partnership or the Dissolution and termination of the Partnership, (iii) all instruments and consents relating to the admission of additional Limited Partners or the General Partner, (iv) agreements with the Internal Revenue Service to keep open the statute of limitations with respect to any Partnership items under examination with the Internal Revenue Service, and (v) any other instrument that is now or may hereafter be required by law to be filed or recorded on behalf of the Partnership; and

(b) perform all acts and exercise all powers granted to the General Partner under this Agreement.

7.2 Nature of Power of Attorney. The power of attorney granted herein shall be deemed to be coupled with an interest, shall be irrevocable, and shall survive the death, incompetency or termination of existence of such Limited Partner and shall extend to such Limited Partner's heirs, successors and assigns. Each Limited Partner hereby agrees to be bound by any representations made by the General Partner, acting in good faith pursuant to such power of attorney, and each Limited Partner hereby waives any and all defenses that may be available to contest, negate or disaffirm the action of the General Partner taken in good faith under such power of attorney. Any person dealing with the Partnership may conclusively presume and rely upon the fact that any such instruments executed by the attorney-in-fact and agent herein appointed is regular and binding without further inquiry.

7.3 Other Instruments. Each Limited Partner shall execute and deliver to the General Partner within five (5) days after receipt of the General Partner's request therefor such further designations, powers of attorney and other instruments as the General Partner deems necessary to effectuate this Agreement and the purposes of the Partnership.

ARTICLE 8  
MISCELLANEOUS

8.1 Waiver of Partition. Each Partner hereby irrevocably waives any and all rights that it may have to maintain an action for partition of any of the Partnership's property.

8.2 Entire Agreement. This Agreement constitutes the entire agreement among the Partners with respect to the subject matter hereof and supersedes any prior agreement or understanding among them with respect to such subject matter.

8.3 Severability. If any provision of this Agreement, or the application of such provision to any person or circumstance, shall be held invalid, the remainder of this Agreement or the application of such provision to other persons or circumstances shall not be affected thereby.

8.4 Notices. All notices or other communications required or permitted to be given pursuant to this Agreement shall be in writing and shall be considered as properly given (a) in the case of notices or communications required or permitted to be given to a Limited Partner, if personally delivered or if mailed by United States certified or registered mail, postage prepaid and addressed to the Limited Partner's address for notices as it appears on the records of the Partnership, and (b) in the case of notices or communications required or permitted to be given to the General Partner, if personally delivered or if mailed by United States certified or registered mail, return receipt requested, postage prepaid and addressed to the General Partner at its principal place of business. A Limited Partner may change its address for notices by giving notice in writing, stating the new address for notices, to the General Partner, and the General Partner may change its address for notices by giving notice in writing, stating the new address for notices, to the Limited Partners. Any notice or other communication shall be deemed to have been given as of the date on which it is deposited in the United States mail or transmitted, in each case in compliance with the terms of this section.

8.5 Governing Law. THIS AGREEMENT SHALL BE GOVERNED BY THE LAWS OF THE STATE OF TEXAS.

8.6 Successors and Assigns. Except as otherwise specifically provided, this Agreement shall be binding upon and inure to the benefit of the Partners and their successors and assigns.

8.7 Counterparts. This Agreement may be executed in one or more counterparts, all of which shall constitute one and the same instrument.

8.8 Headings. The section headings in this Agreement are for convenience of a reference only, and shall not be deemed to alter or affect the meaning or interpretation of any provision hereof.

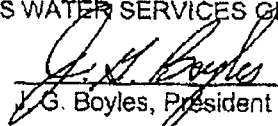
8.9 Amendment of Partnership Agreement. Except as otherwise provided herein, this Agreement may be amended only by a written agreement signed by all of the Partners.

IN WITNESS WHEREOF, the parties hereby have caused this Agreement to be executed as of the date first above written.

General Partner:

TEXAS WATER SERVICES GROUP, LLC

By:

  
\_\_\_\_\_  
J. G. Boyles, President

Limited Partner:

TECON WATER COMPANIES, INC

By. John H. McClellan  
John H. McClellan, Vice President

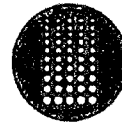
EXHIBIT "A"

<u>Partner and Address</u>	<u>Contribution</u>	<u>Net Capital Account Balance</u>
Texas Water Services Group, LLC 6116 North Central Expressway, Suite 1300 Dallas, Texas 75206	\$10 cash	\$10.00
Tecon Water Companies, Inc. 6116 North Central Expressway, Suite 1300 Dallas, Texas 75206	\$9,990 cash	\$9,990.00

**Attachment 3**

**Consent Letter**

**Part B: Q 7**



**Monarch  
Utilities I L.P.**

**A SouthWest Water Company**

February 23, 2021

Public Utility Commission of Texas  
William B. Travis Bldg.  
1701 N. Congress Avenue  
7th Floor  
Austin, TX 78701

12535 Reed Road  
Sugar Land, TX 77478  
Phone: 281-207-5800  
Fax: 281-207-5940  
www.swwc.com

Re: Application of Monarch Utilities I L.P. to Amend Water CCN 12983 and Wastewater  
CCN 20899

To Whom It May Concern:

Monarch Utilities I L.P. ("Monarch") is in the process of amending its Certificates of Convenience and Necessity ("CCNs") to provide water and wastewater utility service to a development known as Los Pinos Estates, as depicted on the attached Exhibit A (the "Project"). The proposed ultimate service areas depicted on Exhibit A lie within the district boundaries of Harris County Municipal Utility Districts ("MUDs") 515, 516, and 517 as shown on the attached Exhibit B. It is anticipated that amendment of the Monarch CCNs for the Los Pinos Estates will be sought on a section-by-section basis, with the initial application to include only the areas within MUDs HC515, HC516 and HC517 as described by metes and bounds on Exhibit A-**2**.

Monarch requests that LH Ranch, Ltd., as a representative of and on behalf of the MUDs, sign this letter to indicate the MUD's agreement and support of Monarch's current and future CCN amendments associated with the Project, to recognize and acknowledge the overlaps in service in territory, and to agree that once its CCNs are amended by the Public Utility Commission of Texas ("PUCT") that Monarch will be the sole and lawful provider of retail water and wastewater utility service in such amended CCN. By signing this letter, LH Ranch, Ltd. agrees on behalf of the MUDs that the MUDs will, upon request from Monarch, sign similar letters of support in respect in subsequent CCN amendments made in compliance with the terms of the definitive development agreement between Monarch and LH Ranch, Ltd. in respect of the Project.

Please call me if you have any questions.

Regards,

Monarch Utilities I L.P.,  
by and through its general partner Texas Water Services Group, LLC

*Jeffrey L McIntyre*

BB500C040789CE1A858D32304D295030 contractworks  
By: Jeffrey L. McIntyre

Its: President

*Signature Page Follows*



LH Ranch, Ltd, on behalf of:

Harris County MUD 515

Harris County MUD 516

Harris County MUD 517



By: Chris Ellis

Its: EVP

EGP 2017 Management, LLC  
its General Partner



**EXHIBIT A-2**

**[Attached]**

***Signature Page Follows***

STATE OF TEXAS                   §

COUNTY OF HARRIS               §

A **METES & BOUNDS** description of a certain 114.2 acre (4,973,475 square feet) tract situated in the Mary Magruder Survey, Abstract No. 530, in Harris County, Texas, being a portion of a called 2,755.4 acre tract (described as Tract I) conveyed to LH Ranch, Ltd., by deed recorded in Clerk's File No. RP-2017-220726, Harris County Official Public Records of Real Property; said 114.2 acre (4,973,475 square feet) tract being more particularly described as follows with all bearings being based on the Texas Coordinate System, South Central Zone, NAD 83:

**BEGINNING** at a 5/8-inch iron rod (with cap stamped "Manhard") set on the east right-of-way line of F.M. 2100 (based on a width of 60 feet) recorded in Volume 792, Page 359, Harris County Deed Records, being the southwest corner of said called 2,755.4 acre tract (described as Tract I);

THENCE, North 01°15'04" West (called North 01°15'07" West), 1,078.50 feet to a 5/8-inch iron rod (with cap stamped "Manhard") set;

THENCE, North 88°44'56" East, 20.00 feet to a 5/8-inch iron rod (with cap stamped "Manhard") set, being the beginning of a curve to the left;

THENCE, along said curve to the left in a southeasterly direction, with a radius of 35.00 feet, a central angle of 90°00'00", an arc length of 54.98 feet, and a chord bearing of South 46°15'04" East, 49.50 feet to a 5/8-inch iron rod (with cap stamped "Manhard") set;

THENCE, North 88°44'56" East, 17.32 feet to a 5/8-inch iron rod (with cap stamped "Manhard") set, being the beginning of a curve to the right;

THENCE, along said curve to the right in an easterly direction, with a radius of 400.00 feet, a central angle of 05°51'42", an arc length of 40.92 feet, and a chord bearing of South 88°19'13" East, 40.90 feet to a 5/8-inch iron rod (with cap stamped "Manhard") set;

THENCE, South 85°23'22" East, 259.70 feet to a 5/8-inch iron rod (with cap stamped "Manhard") set, being the beginning of a curve to the right;

THENCE, along said curve to the left in a northeasterly direction, with a radius of 25.00 feet, a central angle of 87°30'29", an arc length of 38.18 feet, and a chord bearing of North 50°51'24" East, 34.58 feet to a 5/8-inch iron rod (with cap stamped "Manhard") set;

THENCE, South 82°53'51" East, 60.00 feet to a 5/8-inch iron rod (with cap stamped "Manhard") set, being the beginning of a curve to the right;

THENCE, along said curve to the left in a southerly direction, with a radius of 1,640.00 feet, a central angle of 03°25'35", an arc length of 98.07 feet, and a chord bearing of South 05°23'22" West, 98.06 feet to a 5/8-inch iron rod (with cap stamped "Manhard") set;

LH Ranch, Ltd.  
114.2 Acre Tract

Mary Magruder Survey  
Abstract No. 530

THENCE, North  $87^{\circ}29'41''$  East, 1,320.46 feet to a 5/8-inch iron rod (with cap stamped "Manhard") set;

THENCE, North  $02^{\circ}30'19''$  West, 200.00 feet to a 5/8-inch iron rod (with cap stamped "Manhard") set;

THENCE, North  $87^{\circ}29'41''$  East, 2,930.00 feet to a 5/8-inch iron rod (with cap stamped "Manhard") set;

THENCE, South  $02^{\circ}30'19''$  East, 175.00 feet to a 5/8-inch iron rod (with cap stamped "Manhard") set, being the beginning of a curve to the right;

THENCE, along said curve to the left in a southeasterly direction, with a radius of 25.00 feet, a central angle of  $90^{\circ}00'00''$ , an arc length of 39.27 feet, and a chord bearing of South  $47^{\circ}30'19''$  East, 35.36 feet to a 5/8-inch iron rod (with cap stamped "Manhard") set;

THENCE, South  $02^{\circ}30'19''$  East, 60.00 feet to a 5/8-inch iron rod (with cap stamped "Manhard") set, being the beginning of a curve to the right;

THENCE, along said curve to the left in a southwesterly direction, with a radius of 25.00 feet, a central angle of  $90^{\circ}00'00''$ , an arc length of 39.27 feet, and a chord bearing of South  $42^{\circ}29'41''$  West, 35.36 feet to a 5/8-inch iron rod (with cap stamped "Manhard") set;

THENCE, South  $02^{\circ}30'19''$  East, 350.00 feet to a 5/8-inch iron rod (with cap stamped "Manhard") set, being the beginning of a curve to the right;

THENCE, along said curve to the left in a southeasterly direction, with a radius of 25.00 feet, a central angle of  $90^{\circ}00'00''$ , an arc length of 39.27 feet, and a chord bearing of South  $47^{\circ}30'19''$  East, 35.36 feet to a 5/8-inch iron rod (with cap stamped "Manhard") set;

THENCE, South  $02^{\circ}30'19''$  East, 60.00 feet to a 5/8-inch iron rod (with cap stamped "Manhard") set;

THENCE, South  $87^{\circ}29'41''$  West, 15.00 feet to a 5/8-inch iron rod (with cap stamped "Manhard") set;

THENCE, South  $02^{\circ}30'19''$  East, 400.00 feet to a 5/8-inch iron rod (with cap stamped "Manhard") set on the north line of a called 50.20023 acre tract conveyed to K K CHIPS, LLC, by deed recorded in Clerk's File No. 20070395689, Harris County Official Public Records of Real Property, from which a concrete monument found bears North  $87^{\circ}29'41''$  East (called South  $87^{\circ}31'32''$  West), 1,132.08 feet, being the northeast corner of said called 50.20023 acre tract and being on a west line a called 2740.96 acre tract conveyed to Timberleaf Properties, L.P., by deed recorded in Clerk's File No. Y336889, Harris County Official Public Records of Real Property;

LH Ranch, Ltd.  
114.2 Acre Tract

Mary Magruder Survey  
Abstract No. 530

THENCE, South 87°29'41" West (called South 87°31'32" West), 4,727.54 feet to the **POINT OF BEGINNING, CONTAINING** 114.2 acres (4,973,475 square feet) of land in Harris County, Texas, filed in the office of Manhard Consulting, Ltd. in The Woodlands, Texas.

Note : 0.9795 acres of the subject tract lies within called 40 foot Public Road Easement recorded under Volume 2525, Page 34 of the Harris County Deed Records.

Tract	Acres	Square Feet
Subject	114.2	4,973,475
Area within 40' Public Road Easement	0.9795	42,669
Net	113.2	4,930,806

A survey drawing of even date of this tract is available in the offices of Manhard Consulting, Ltd. in The Woodlands, Texas.

Manhard Consulting, Ltd.  
2445 Technology Forest Blvd, Suite #200  
The Woodlands, Texas 77381  
(832) 823-2200  
*Texas Board of Professional Engineers & Land Surveyors Firm Reg. No. 10194379*



Acting By/Through Joel K. Nalley  
Registered Professional Land Surveyor  
No. 6525  
jnalley@manhard.com



01/12/2021

LH Ranch, LTD.  
2.960 Acres (Water Plant)

Mary Magruder Survey  
Abstract No. 530

STATE OF TEXAS       §

COUNTY OF HARRIS   §

A **METES & BOUNDS** description of a certain 2.960 acre (128,943 square feet) tract of land situated in the Mary Magruder Survey, Abstract No. 530 in Harris County, Texas, being a portion of a called 2,755.4 acre tract (described as Tract I) conveyed to LH Ranch, LTD. by Special Warranty Deed With Vendor's Lien recorded in Clerk's File No. RP-2017-220726, Harris County Official Public Records of Real Property; said 2.960 acre (128,943 square feet) tract of land being more particularly described as follows with all bearings being based on the Texas Coordinate System, South Central Zone, NAD 83, 2001 Adjustment:

**COMMENCING** at a concrete monument found being the northerly northwest corner of a called 2740.96 acre tract conveyed to Timberleaf Properties, L.P., by deed recorded in Clerk's File No. Y336889, Harris County Official Public Records of Real Property, being an interior corner of said called 2,755.4 acre tract, from which a concrete monument found bears South 02°08'22" East (Called South 02°06'47" East), 1,858.74 feet;

THENCE, North 88°10'25" East (Called South 88°10'22" West), 107.45 feet along the north line of said called 2,740.96 acre tract, being the south line of said called 2,755.4 acre tract, to a point for corner;

THENCE, North 01°49'35" West, 200.00 feet, departing the north line of said called 2,740.96 acre tract, over and across said called 2,755.4 acre tract, to a 5/8-inch iron rod (with cap stamped "Manhard") set being the southeast corner and **POINT OF BEGINNING** of the herein described tract;

THENCE, South 88°10'25" West, 62.22 feet to a 5/8-inch iron rod (with cap stamped "Manhard") set being the beginning of a curve to the right;

THENCE, along said curve to the right in a northwesterly direction, having a radius of 360.00 feet, a central angle of 39°10'22", an arc length of 246.13 feet, and a chord bearing of North 69°20'55" West, 241.36 feet to a 5/8-inch iron rod (with cap stamped "Manhard") set being the end of said curve to the right;

THENCE, North 49°09'16" West, 380.23 feet to a 5/8-inch iron rod (with cap stamped "Manhard") set being the northwest corner of the herein described tract;

THENCE, North 88°10'25" East, 564.81 feet to a 5/8-inch iron rod (with cap stamped "Manhard") set being the northeast corner of the herein described tract;

LH Ranch, LTD.  
2.960 Acres (Water Plant)

Mary Magruder Survey  
Abstract No. 530

THENCE, South 01°49'35" East, 350.00 feet to the **POINT OF BEGINNING, CONTAINING** 2.960 acres (128,943 square feet) of land in Harris County, Texas filed in the office of Manhard Consulting, Ltd. in The Woodlands, Texas.

Manhard Consulting, Ltd.  
2445 Technology Forest Blvd, Suite #200  
The Woodlands, Texas 77381  
(832) 823-2200  
*Texas Board of Professional Engineers &  
Land Surveyors Firm Reg. No. 10194379*

  
Acting By/Through Joel K. Nalley  
Registered Professional Land Surveyor  
No. 6525  
jnalley@manhard.com



01/12/2021



LH Ranch, LTD.  
3.978 Acres (Wastewater Treatment Plant)

Mary Magruder Survey  
Abstract No. 530

STATE OF TEXAS       §

COUNTY OF HARRIS   §

A **METES & BOUNDS** description of a certain 3.978 acre (173,293 square feet) tract of land situated in the Mary Magruder Survey, Abstract No. 530 in Harris County, Texas, being a portion of a called 2,755.4 acre tract (described as Tract I) conveyed to LH Ranch, LTD. by Special Warranty Deed With Vendor's Lien recorded in Clerk's File No. RP-2017-220726, Harris County Official Public Records of Real Property; said 3.978 acre (173,293 square feet) tract of land being more particularly described as follows with all bearings being based on the Texas Coordinate System, South Central Zone, NAD 83, 2001 Adjustment:

**COMMENCING** at a concrete monument found being the northerly northwest corner of a called 2,740.96 acre tract conveyed to Timberleaf Properties, L.P., by deed recorded in Clerk's File No. Y336889, Harris County Official Public Records of Real Property, being an interior corner of said called 2,755.4 acre tract, from which a concrete monument found bears South 02°08'22" East (Called South 02°06'47" East), 1,858.74 feet;

THENCE, North 88°10'25" East (Called South 88°10'22" West), 107.45 feet along the north line of said called 2,740.96 acre tract, being the south line of said called 2,755.4 acre tract, to a point for corner;

THENCE, North 01°49'35" West, 200.00 feet, departing the north line of said called 2,740.96 acre tract, over and across said called 2,755.4 acre tract, to a 5/8-inch iron rod (with cap stamped "Manhard") set being the southwest corner and **POINT OF BEGINNING** of the herein described tract;

THENCE, North 01°49'35" West, 350.00 feet to a 5/8-inch iron rod (with cap stamped "Manhard") set being the northwest corner of the herein described tract;

THENCE, North 88°10'25" East, 481.16 feet to a 5/8-inch iron rod (with cap stamped "Manhard") set being the northeast corner of the herein described tract, and the beginning of a non-tangent curve to the right;

THENCE, along said non-tangent curve to the right in a southerly direction, having a radius of 1,960.00 feet, a central angle of 07°54'34", an arc length of 270.57 feet, and a chord bearing of South 05°48'46" East, 270.36 feet to a 5/8-inch iron rod (with cap stamped "Manhard") set being the end of said non-tangent curve to the right;

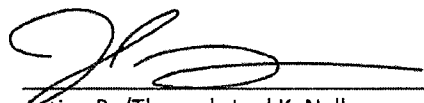
THENCE, South 01°51'29" East, 80.30 feet to a 5/8-inch iron rod (with cap stamped "Manhard") set being the southeast corner of the herein described tract;

LH Ranch, LTD.  
3.978 Acres (Wastewater Treatment Plant)

Mary Magruder Survey  
Abstract No. 530

THENCE, South 88°10'25" West, 500.00 feet to the **POINT OF BEGINNING, CONTAINING** 3.978 acres (173,293 square feet) of land in Harris County, Texas filed in the office of Manhard Consulting, Ltd. in The Woodlands, Texas.

Manhard Consulting, Ltd.  
2445 Technology Forest Blvd, Suite #200  
The Woodlands, Texas 77381  
(832) 823-2200  
*Texas Board of Professional Engineers &  
Land Surveyors Firm Reg. No. 10194379*



Acting By/Through Joel K. Nalley  
Registered Professional Land Surveyor  
No. 6525  
jnalley@manhard.com



01/12/2021

LH Ranch, LTD.  
0.3116 Acres (Water Well)

Mary Magruder Survey  
Abstract No. 311

STATE OF TEXAS       §

COUNTY OF LIBERTY   §

A **METES & BOUNDS** description of a certain 0.3116 acre (13,572 square feet) tract of land situated in the Mary Magruder Survey, Abstract No. 311 in Liberty County, Texas, being a portion of a called 2,755.4 acre tract (described as Tract I) conveyed to LH Ranch, LTD. by deed recorded in Clerk's File No. 2017009238, Liberty County Official Public Records; said 0.3116 acre (13,572 square feet) tract of land being more particularly described as follows with all bearings being based on the Texas Coordinate System, South Central Zone, NAD 83, 2001 Adjustment:

**COMMENCING** at a concrete monument found, being the northwest corner of a called 2,740.96 acre tract conveyed to Timberleaf Properties, L.P. by deed recorded in Clerk's File No. 2005004897, Liberty County Official Public Records and being an interior corner of said called 2,755.4 acre tract, from which a concrete monument found bears South 02°08'22" East (Called South 02°06'47" East), 1,858.74 feet;

THENCE, North 88°10'25" East (Called South 88°10'22" West), 4,453.09 feet along the north line of said called 2,740.96 acre tract to a point for corner, being the southeast corner of a called 0.1243 acre tract (described as Director's Lot 1) conveyed to LH RANCH, LTD. by deed recorded in Clerk's File No. RP-2017-458948, Harris County Official Public Records of Real Property;

THENCE, North 20°11'05" West, 2,351.42 feet, departing the north line of said called 2,740.96 acre tract, over and across said called 2,755.4 acre tract, to a point for corner;

THENCE, North 69°48'55" East, 101.15 feet, to a 5/8-inch iron rod (with cap stamped "Manhard") set, being the southwest corner and **POINT OF BEGINNING** of the herein described tract;

THENCE, North 00°08'55" East, 101.82 feet to a 5/8-inch iron rod (with cap stamped "Manhard") set, being the northwest corner of the herein described tract, and beginning a curve to the left;

THENCE, in a easterly direction along said curve to the left, having a radius of 4,050.00 feet, a central angle of 01°54'36", an arc length of 135.02 feet, and a chord bearing South 89°04'45" East, 135.01 feet to a 5/8-inch iron rod (with cap stamped "Manhard") set, being the northeast corner of the herein described tract;

THENCE, South 00°08'55" West, 100.00 feet to a 5/8-inch iron rod (with cap stamped "Manhard") set, being the southeast corner of the herein described tract;

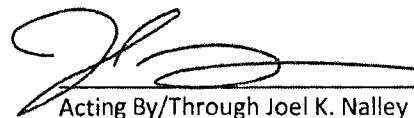
LH Ranch, LTD.  
0.3116 Acres (Water Well)

Mary Magruder Survey  
Abstract No. 311

THENCE, North 89°51'05" West, 135.00 feet to the **POINT OF BEGINNING, CONTAINING** 0.3116 acres (13,572 square feet) of land in Liberty County, Texas filed in the office of Manhard Consulting, Ltd. in The Woodlands, Texas.

A survey drawing of even date of this tract is available in the offices of Manhard Consulting, Ltd. in The Woodlands, Texas.

Manhard Consulting, Ltd.  
2445 Technology Forest Blvd, Suite #200  
The Woodlands, Texas 77381  
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Acting By/Through Joel K. Nalley  
Registered Professional Land Surveyor 01/12/2021  
No. 6525  
jnalley@manhard.com

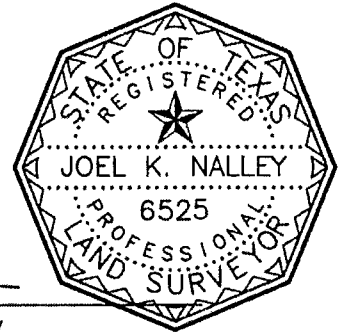
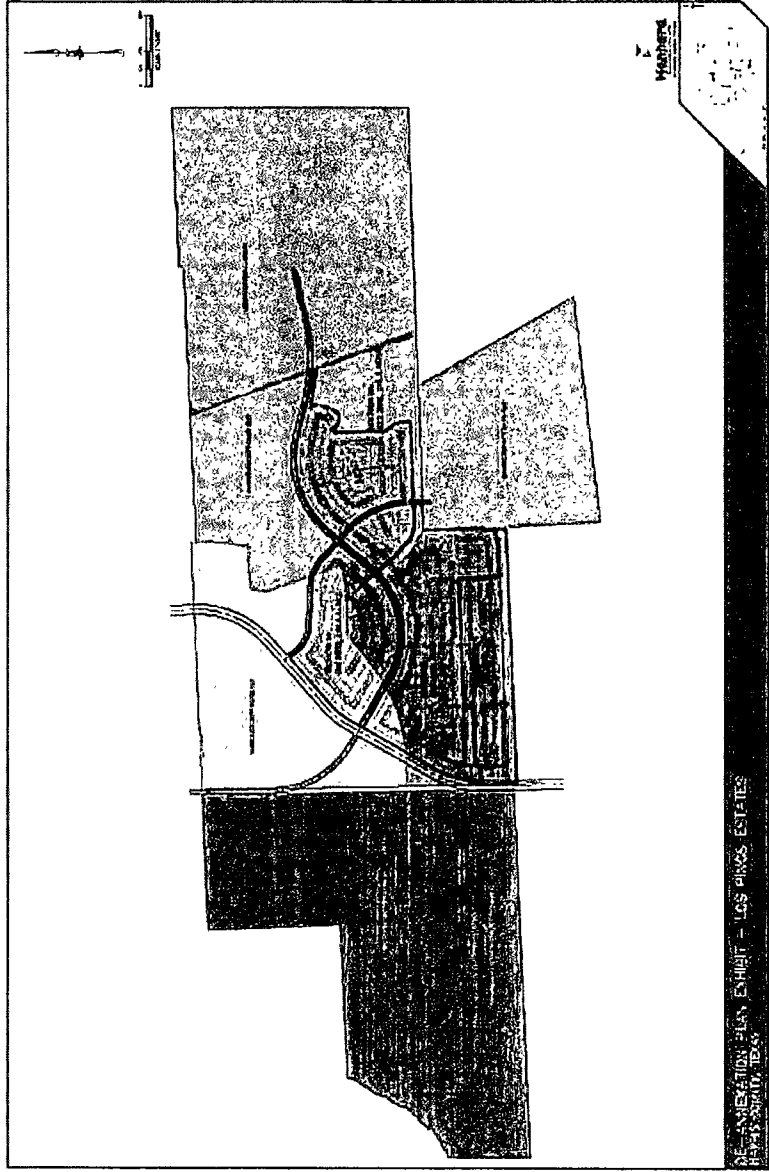


EXHIBIT B



Attachment 4

Discharge Permit

TCEQ Engineering Approvals

Part B: Q 11



TPDES PERMIT NO. WQ0015830001  
[For TCEQ office use only - EPA I.D.  
No. TX0139653]

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

LH Ranch WWTP-1, Ltd.

whose mailing address is

500 West 5th Street, Suite 700  
Austin, Texas 78701

is authorized to treat and discharge wastes from the Los Pinos Wastewater Treatment Facility, SIC Code 1521

located approximately 3,250 feet northeast of the intersection of East Pine Drive and Magnolia Lane, in Harris County, Texas 77336

to a drainage ditch, thence to Key Gully, thence to Luce Bayou, thence to Lake Houston in Segment No. 1002 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:

**May 29, 2020**

A handwritten signature in black ink, appearing to read "T. G. Baker".

\_\_\_\_\_  
For the Commission

INTERIM I EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

Outfall Number 001

1. During the period beginning upon the date of issuance and lasting through the completion of expansion to the 0.12 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 0.050 MGD, nor shall the average discharge during any two-hour period (2-hour peak) exceed 139 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 (4.2)	15	25	35	One/week	Grab
Total Suspended Solids	15 (6.3)	25	40	60	One/week	Grab
Ammonia Nitrogen	3 (1.3)	6	10	15	One/week	Grab
<i>E. coli</i> , colony-forming units or most probable number per 100 ml	126	N/A	N/A	399	One/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 REQUIREMENTS

Outfall Number 001

1. During the period beginning upon the completion of expansion to the 0.12 million gallons per day (MGD) facility and lasting through the completion of expansion to the 0.36 MGD facility, the permittee is authorized to discharge subject to the following effluent limitations:

The daily average flow of effluent shall not exceed 0.12 MGD, nor shall the average discharge during any two-hour period (2-hour peak) exceed 333 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 (10)	15	25	35	One/week	Grab
Total Suspended Solids	15 (15)	25	40	60	One/week	Grab
Ammonia Nitrogen	3 (3.0)	6	10	15	One/week	Grab
<i>E. coli</i> , CFU or MPN/100 ml	126	N/A	N/A	399	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.

FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

Outfall Number 001

1. During the period beginning upon the completion of expansion to the 0.36 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 0.36 MGD, nor shall the average discharge during any two-hour period (2-hour peak) exceed 1,000 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 (30)	15	25	35	One/week	Grab
Total Suspended Solids	15 (45)	25	40	60	One/week	Grab
Ammonia Nitrogen	3 (9.0)	6	10	15	One/week	Grab
<i>E. coli</i> , colony-forming units or most probable number per 100 ml	126	N/A	N/A	399	One/month	Grab

2. The effluent shall contain a 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 (Flow, MGD x Concentration, mg/l x 8.34).
  - g. Daily maximum loading (lbs/day) - the highest daily discharge, in terms of mass (lbs/day), within a period of one calendar month.
3. Sample Type
- a. Composite sample - For domestic wastewater, a composite sample is a sample made up of a minimum of three effluent portions collected in a continuous 24-hour period or during the period of daily discharge if less than 24 hours, and combined in volumes proportional to flow, and collected at the intervals required by 30 TAC § 319.9 (a). For industrial wastewater, a composite sample is a sample made up of a minimum of three effluent portions collected in a continuous 24-hour period or during the period of daily discharge if less than 24 hours, and combined in volumes proportional to flow, and collected at the intervals required by 30 TAC § 319.9 (b).

- b. Grab sample - an individual sample collected in less than 15 minutes.
4. Treatment Facility (facility) - wastewater facilities used in the conveyance, storage, treatment, recycling, reclamation and/or disposal of domestic sewage, industrial wastes, agricultural wastes, recreational wastes, or other wastes including sludge handling or disposal facilities under the jurisdiction of the Commission.
5. The term "sewage sludge" is defined as solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in 30 TAC Chapter 312. This includes the solids that have not been classified as hazardous waste separated from wastewater by unit processes.
6. Bypass - the intentional diversion of a waste stream from any portion of a treatment facility.

### **MONITORING AND REPORTING REQUIREMENTS**

#### **1. Self-Reporting**

Monitoring results shall be provided at the intervals specified in the permit. Unless otherwise specified in this permit or otherwise ordered by the Commission, the permittee shall conduct effluent sampling and reporting in accordance with 30 TAC §§ 319.4 - 319.12. Unless otherwise specified, 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 TWC§ 7.302. The filing of a request by the permittee for a permit amendment, suspension and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
  - g. There shall be no unauthorized discharge of wastewater or any other waste. For the

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

- h. In accordance with 30 TAC § 305.535(a), the permittee may allow any bypass to occur from a TPDES permitted facility which does not cause permitted effluent limitations to be exceeded or an unauthorized discharge to occur, but only if the bypass is also for essential maintenance to assure efficient operation.
  - i. The permittee is subject to administrative, civil, and criminal penalties, as applicable, under TWC §§ 7.051 - 7.075 (relating to Administrative Penalties), 7.101 - 7.111 (relating to Civil Penalties), and 7.141 - 7.202 (relating to Criminal Offenses and Penalties) for violations including, but not limited to, negligently or knowingly violating the federal CWA §§ 301, 302, 306, 307, 308, 318, or 405, or any condition or limitation implementing any sections in a permit issued under the CWA § 402, or any requirement imposed in a pretreatment program approved under the CWA §§ 402 (a)(3) or 402 (b)(8).
3. Inspections and Entry
- a. Inspection and entry shall be allowed as prescribed in the TWC Chapters 26, 27, and 28, and THSC § 361.
  - b. The members of the Commission and employees and agents of the Commission are entitled to enter any public or private property at any reasonable time for the purpose of inspecting and investigating conditions relating to the quality of water in the state or the compliance with any rule, regulation, permit or other order of the Commission. Members, employees, or agents of the Commission and Commission contractors are entitled to enter public or private property at any reasonable time to investigate or monitor or, if the responsible party is not responsive or there is an immediate danger to public health or the environment, to remove or remediate a condition related to the quality of water in the state. Members, employees, Commission contractors, or agents acting under this authority who enter private property shall observe the establishment's rules and regulations concerning safety, internal security, and fire protection, and if the property has management in residence, shall notify management or the person then in charge of his presence and shall exhibit proper credentials. If any member, employee, Commission contractor, or agent is refused the right to enter in or on public or private property under this authority, the Executive Director may invoke the remedies authorized in TWC § 7.002. The statement above, that Commission entry shall occur in accordance with an establishment's rules and regulations concerning safety, internal security, and fire protection, is not grounds for denial or restriction of entry to any part of the facility, but merely describes the Commission's duty to observe appropriate rules and regulations during an inspection.
4. Permit Amendment and/or Renewal
- a. The permittee shall give notice to the Executive Director as soon as possible of any planned physical alterations or additions to the permitted facility if such alterations or additions would require a permit amendment or result in a violation of permit requirements. Notice shall also be required under this paragraph when:
    - i. The alteration or addition to a permitted facility may meet one of the criteria for

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

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

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

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

6. Relationship to Hazardous Waste Activities

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

7. Relationship to Water Rights

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

8. Property Rights

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

9. Permit Enforceability

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

10. Relationship to Permit Application

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

11. Notice of Bankruptcy

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

#### 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 30<sup>th</sup> 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 30<sup>th</sup> 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 30<sup>th</sup> 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 30<sup>th</sup> 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.

**OTHER REQUIREMENTS**

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

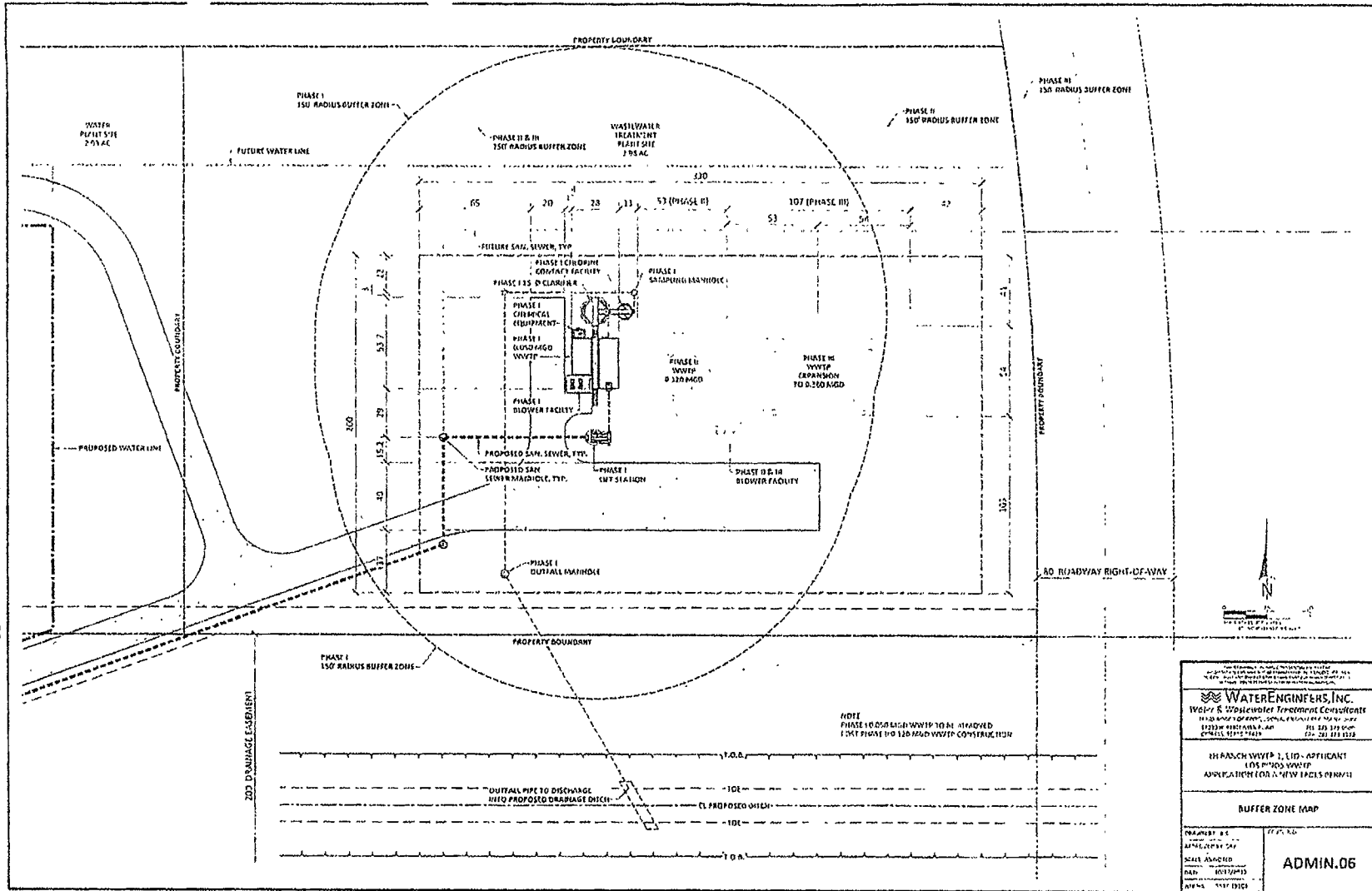
This Category C facility must be operated by a chief operator or an operator holding a Category C license or higher. The facility must be operated a minimum of five days per week by the licensed chief operator or an operator holding the required level of license or higher. The licensed chief operator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

2. The facility is not located in the Coastal Management Program boundary.
3. The permittee shall comply with the requirements of 30 TAC § 309.13(a) through (d). In addition, by ownership of the required buffer zone area and the drainage easement along the southern property boundary of the facility, the permittee shall comply with the requirements of 30 TAC § 309.13(e) (See Attachment A).
4. The permittee shall provide facilities for the protection of its wastewater treatment facility from a 100-year flood.
5. 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.
6. In accordance with 30 TAC § 319.9, a permittee that has at least twelve months of uninterrupted compliance with its bacteria limit may notify the commission in writing of its compliance and request a less frequent measurement schedule. To request a less frequent schedule, the permittee shall submit a written request to the TCEQ Wastewater Permitting Section (MC 148) for each phase that includes a different monitoring frequency. The request must contain all of the reported bacteria values (Daily Avg. and Daily Max/Single Grab) for the twelve consecutive months immediately prior to the request. If the Executive Director finds that a less frequent measurement schedule is protective of human health and the environment, the permittee may be given a less frequent measurement schedule. For this permit, 1/quarter may be reduced to 1/6 months in the Interim I 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.
7. Prior to construction of the Interim I, Interim II, and Final 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 Page 2, 2a, and 2b of this permit. A copy of the summary transmittal letter shall be available at the plant site for inspection by authorized representatives of the TCEQ.

8. 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.

Attachment A - Buffer Zone Map - TPDES Permit No. WQ0015830001



<p>Water Engineers, Inc.                  Water &amp; Wastewater Treatment Consultants                  1110 SOUTH OF BAYVIEW, SUITE 100, FORT MYERS, FLORIDA 33907                  813.938.1111 FAX 813.938.1112                  813.938.1113 FAX 813.938.1112                  813.938.1114 FAX 813.938.1112</p>	
<p>BRANSON WYWER, J., LID - APPLICANT                  LOS 150' DIA. WWTP                  APPLICATION FOR A NEW FACILITY PERMIT</p>	
<p>BUFFER ZONE MAP</p>	
<p>PREPARED BY                  DATE 02/24/11                  SCALE AS SHOWN                  DATE 02/24/11                  DRAWN BY                  CHECKED BY</p>	<p>ADMIN.06</p>

 **WATERENGINEERS, INC.**  
*Water & Wastewater Treatment Consultants*  
Texas Board of Professional Engineers Firm No. 2066  
17230 HUFFMEISTER RD. SUITE A TEL : 281-373-0500  
CYPRESS, TEXAS 77429 FAX : 281-373-1113

September 16, 2020

Ms. Vera Poe, P.E.  
TCEQ Water Supply Division  
Utilities Tech Review Section, MC 153  
12100 Park 35 Circle, Building F  
Austin, Texas 78753

Re: Monarch Utilities I, LP – Los Pinos Water System  
PWS ID: Proposed; RN: Proposed; CN: 602740706  
Harris & Liberty County, Texas

Dear Ms. Poe:

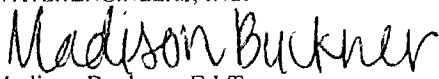
Please find herewith the Engineering Plans, Specifications, and Design Report for the proposed Los Pinos Water System located approximately 3,250 feet northeast of the intersection of East Pine Drive and Magnolia Lane in Huffman, Texas 77336.

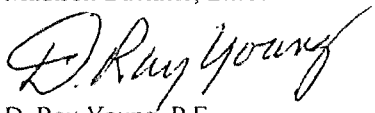
1. Plan Review Submittal Form & Core Data Form
2. Engineering Design Report
3. Well Pollution Hazard Survey Checklist & Map
4. Well Search
5. Well Hydraulic Calculations
6. Well Chlorination Calculations
7. Water System Capacity Calculations
8. Property Metes & Bounds
9. Equipment Specifications
10. Engineering Design Drawings

If you have any questions or would like further information, I can be reached by telephone at 281-373-0500 or by email at [madison@waterengineers.com](mailto:madison@waterengineers.com) or [d.ray@waterengineers.com](mailto:d.ray@waterengineers.com).

Sincerely,

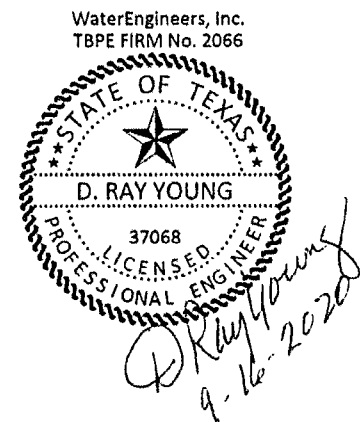
WATERENGINEERS, INC.

  
Madison Buckner, E.I.T.

  
D. Ray Young, P.E.  
Principal Engineer

Enclosures: As Noted Above

cc: John Mays via email to [jmay@cayetanodevelopment.com](mailto:jmay@cayetanodevelopment.com)  
Ryan Wade via email to [rwade@manhard.com](mailto:rwade@manhard.com)  
Jacob Gifford via email to [jgifford@manhard.com](mailto:jgifford@manhard.com)  
George Freitag via email to [gfreitag@swwc.com](mailto:gfreitag@swwc.com)  
Nicodemus Abowd via email to [nabowd@swwc.com](mailto:nabowd@swwc.com)  
Yonas Hagos via email to [yahgos@swwc.com](mailto:yahgos@swwc.com)  
Troy Richardson via email to [trov.richardson@tceq.texas.gov](mailto:trov.richardson@tceq.texas.gov)  
TCEQ Region 12 via email to [R12PWS@tceq.texas.gov](mailto:R12PWS@tceq.texas.gov)



# SECTION 1

**TCEQ PUBLIC WATER SYSTEM PLAN REVIEW SUBMITTAL FORM**  
 (Complete, Seal and Attach to Submittal Package)

**WATER SYSTEM INFORMATION**

Date:	9/16/2020	
TCEQ PWS Identification No.: (Facilities will be assigned this PWS No.)	Proposed	
Water System Name:	Los Pinos Water System	

**OWNER INFORMATION**

Water System Owner:	Monarch Utilities I, LP		
Address:	12535 Reed Road, Sugar Land, Texas 77478-2837	(AC) Phone:	512-219-2288
Responsible Official:	Jeffrey McIntyre	Title:	President of Texas Utilities
County (System Location):	Harris & Liberty	Mechanism & Source of Financing: (i.e. loans, rates, self-financed, etc.)	Cash
Subdivision Sec., Phase, Unit, Etc.	Los Pinos Subdivision		

**ENGINEER INFORMATION**

Engineer Name:	D. Ray Young, P.E.	Registration No.:	TX37068
Firm Name:	WaterEngineers, Inc.	Firm No.:	F-2066
(AC) Phone:	281-373-0500	(AC) Fax:	281-373-1113
Firm Address:	17230 Huffmeister Road, Suite A, Cypress, Texas 77429		

**SUBMITTAL INFORMATION**

Is this submittal for a new public water system?	YES: <input checked="" type="checkbox"/> NO: <input type="checkbox"/>
If no, proceed to the <i>Project Information</i> section on Page 2. If no PWS number exists, the owner must submit a core data form and business plan, if required, in accordance with §290.39(f) and (g).	

**NEW (PROPOSED) WATER SYSTEMS**

(Only complete this section if this submittal is for a NEW water system)

For new (proposed) system submittals, please provide 2 copies of the submittal and attach the following:

<input type="checkbox"/>	A list of all water utilities within ½ mile of the proposed service area boundaries (reference 30 TAC 290.39(c)(1))
<input checked="" type="checkbox"/>	Copies of written responses from each of the entities listed above (reference 30 TAC 290.39(c)(1))
<input checked="" type="checkbox"/>	Copies of formal applications for service from each of the following (reference 30 TAC 290.39(c)(1)):
<input checked="" type="checkbox"/>	Any municipality if the system is within its ETJ
<input checked="" type="checkbox"/>	Any district or other political subdivision whose corporate boundaries are within ½ mile of the proposed service area boundaries
<input checked="" type="checkbox"/>	Any other water service provider whose certificated service area boundary is within ½ mile of the proposed service area boundaries
<input checked="" type="checkbox"/>	Documentation that all application requirements, including fee payments, are current.
<input type="checkbox"/>	<p><b>Business plan:</b> Please complete the financial ability form, provide a cost summary for the proposed project, and submit a business plan (reference 30 TAC 290.39 (f)). The business plan must confirm capital available to construct the system according to TCEQ requirements. Acceptable financial information can include some of the following:</p> <p>Financial statements (preferably audited), CPA compilation report, tax returns, statements of net worth, bank statements.                      If the project is being funded with loan proceeds, provide a loan commitment letter from the lender specific to this project.</p> <p>If the plan submittal is for a community system, also provide a copy of the Certificate of Convenience and Necessity (CCN) application submitted to the Public Utility Commission of Texas (PUC), and complete items referenced in 30 TAC 290.39 (f) (1 - 13).</p>

**TCEQ PUBLIC WATER SYSTEM PLAN REVIEW SUBMITTAL FORM**  
(Complete, Seal and Attach to Submittal Package)

<input type="checkbox"/>	Justification for constructing a separate system (if one of the entities listed above is willing to provide service)
<input checked="" type="checkbox"/>	TCEQ Core Data Form (No. 10400)
<input type="checkbox"/>	Emergency Preparedness Plan (No. 20536) if serving water in Harris or Fort Bend Counties and have overnight accommodations

**CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN)**

Certificates of Convenience and Necessity (CCN) applications are processed by the Public Utility Commission of Texas (PUC) and are required for privately owned systems and water supply corporations. If a CCN is required and a CCN does not exist, the applicant must obtain a CCN number or have the application accepted for filing at the PUC before a PWS project submittal can be technically reviewed. In addition, if a submittal is for a project located outside the CCN area, a CCN amendment application must be submitted before a project may be reviewed for construction approval. Please refer to PUC for additional information at: <http://www.puc.texas.gov/industry/water/guidance/UtilRulesGuidance.aspx>.

Will the proposed PWS be owned by either an investor owned utility (IOU) or water supply corporation (WSC)? If yes, please indicate which type of entity <u>IOU</u>	YES: <input checked="" type="checkbox"/> NO: <input type="checkbox"/>
Has a CCN application been submitted to the PUC? If yes, please provide the date of acceptance _____	YES: <input type="checkbox"/> NO: <input type="checkbox"/>
List the name, license number and class of the operator for the proposed system:	

**PROJECT INFORMATION**

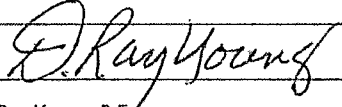
If a system does NOT have a PWS number, the sections above must be filled out

All engineering documents must be sealed, signed, and dated by a Texas registered professional engineer. An engineering report that includes the number of connections to be served must accompany each project. Please check each box that is applicable.

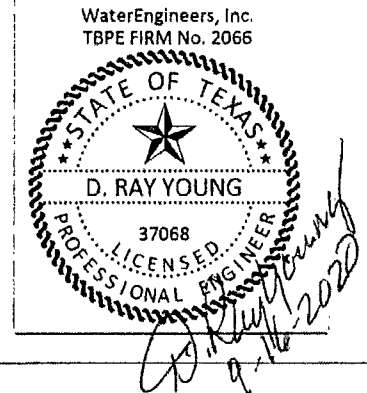
If this submittal is a revision of previously submitted plans, please provide the assigned TCEQ log number:	
<u>New Projects/Facilities</u>	<u>Modifications to Existing Facilities</u>
<input checked="" type="checkbox"/> Water well construction – Proposed	<input type="checkbox"/> Surface water treatment plant modifications
<input type="checkbox"/> Well completion data for approved well	<input type="checkbox"/> Storage capacity modifications
<input checked="" type="checkbox"/> Ground water treatment plant – New	<input type="checkbox"/> Distribution system modifications
<input type="checkbox"/> Surface water treatment plant – New	<input type="checkbox"/> Pressure maintenance facilities modifications
<input type="checkbox"/> Proposed Innovative/Alternative Treatment	<input type="checkbox"/> Disinfection facilities or other modifications
<input type="checkbox"/> Request for rule exception	<input type="checkbox"/> As-built information on water plant
<input type="checkbox"/> Preliminary engineering report without plans	
<input type="checkbox"/> Texas Water Development Board Project No.:	
<input type="checkbox"/> As-Built Plans & Engineering Report	
<input checked="" type="checkbox"/> Other (please describe):	Water Distribution Network – New

**SIGNATURE AND CERTIFICATION**

The following certification indicates I have the authority to make submittals on behalf of the PWS referenced on Page 1. I hereby certify that the above information is, to the best of my knowledge, true and correct:

Engineer's Signature:	
Engineer's Printed Name:	D. Ray Young, P.E.
Date:	9/16/2020

**Signature/P.E. Seal Required below:**



Please call (512) 239-4691 if you have questions regarding this form. Your cooperation will help us provide better service. Additional helpful information and rules are available at the Public Water System Plan Review website.





TCEQ Use Only

# TCEQ Core Data Form

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

## SECTION I: General Information

1. Reason for Submission (If other is checked please describe in space provided)	
<input checked="" type="checkbox"/> New Permit, Registration or Authorization (Core Data Form should be submitted with the program application)	
<input type="checkbox"/> Renewal (Core Data Form should be submitted with the renewal form)	<input type="checkbox"/> Other
2. Attachments Describe Any Attachments: (ex. Title V Application, Waste Transporter Application, etc.)	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
3. Customer Reference Number (if issued)	4. Regulated Entity Reference Number (if issued)
CN 602740706	RN

## SECTION II: Customer Information

5. Effective Date for Customer Information Updates (mm/dd/yyyy)		09-16-2020	
6. Customer Role (Proposed or Actual) – as it relates to the Regulated Entity listed on this form. Please check only one of the following:			
<input checked="" type="checkbox"/> Owner	<input type="checkbox"/> Operator	<input type="checkbox"/> Owner & Operator	
<input type="checkbox"/> Occupational Licensee	<input type="checkbox"/> Responsible Party	<input type="checkbox"/> Voluntary Cleanup Applicant	<input type="checkbox"/> Other: _____
7. General Customer Information			
<input type="checkbox"/> New Customer		<input type="checkbox"/> Update to Customer Information	
<input type="checkbox"/> Change in Legal Name (Verifiable with the Texas Secretary of State)		<input type="checkbox"/> Change in Regulated Entity Ownership	
		<input checked="" type="checkbox"/> No Change**	
**If "No Change" and Section I is complete, skip to Section III – Regulated Entity Information.			
8. Type of Customer:			
<input type="checkbox"/> Corporation	<input type="checkbox"/> Individual	<input type="checkbox"/> Sole Proprietorship- D.B.A	
<input type="checkbox"/> City Government	<input type="checkbox"/> County Government	<input type="checkbox"/> Federal Government	<input type="checkbox"/> State Government
<input type="checkbox"/> Other Government	<input type="checkbox"/> General Partnership	<input type="checkbox"/> Limited Partnership	<input type="checkbox"/> Other: _____
9. Customer Legal Name (If an individual, print last name first: ex: Doe, John)		If new Customer, enter previous Customer End Date:	
10. Mailing Address:			
City	State	ZIP	ZIP + 4
11. Country Mailing Information (if outside USA)		12. E-Mail Address (if applicable)	
13. Telephone Number		14. Extension or Code	
( ) -		( ) -	
15. Fax Number (if applicable)			
16. Federal Tax ID (9 digits)		17. TX State Franchise Tax ID (11 digits)	
18. DUNS Number (if applicable)		19. TX SOS Filing Number (if applicable)	
20. Number of Employees		21. Independently Owned and Operated?	
<input type="checkbox"/> 0-20 <input type="checkbox"/> 21-100 <input type="checkbox"/> 101-250 <input type="checkbox"/> 251-500 <input type="checkbox"/> 501 and higher		<input type="checkbox"/> Yes <input type="checkbox"/> No	

## SECTION III: Regulated Entity Information

22. General Regulated Entity Information (If "New Regulated Entity" is selected below this form should be accompanied by a permit application)			
<input checked="" type="checkbox"/> New Regulated Entity <input type="checkbox"/> Update to Regulated Entity Name <input type="checkbox"/> Update to Regulated Entity Information <input type="checkbox"/> No Change** (See below)			
**If "NO CHANGE" is checked and Section I is complete, skip to Section IV, Preparer Information.			
23. Regulated Entity Name (name of the site where the regulated action is taking place)			
Los Pinos Water System			

24. Street Address of the Regulated Entity: (No P.O. Boxes)	Approx. 3,250 feet northeast of the intersection of East Pine Drive and Magnolia Lane							
	City	Huffman	State	TX	ZIP	77336	ZIP + 4	
25. Mailing Address:	12535 Reed Road							
	City	Sugar Land	State	TX	ZIP	77478	ZIP + 4	2837
26. E-Mail Address:	jmcintyre@swwc.com							
27. Telephone Number	28. Extension or Code		29. Fax Number (if applicable)					
( 512 ) 219-2288			( ) -					
30. Primary SIC Code (4 digits)	31. Secondary SIC Code (4 digits)	32. Primary NAICS Code (5 or 6 digits)		33. Secondary NAICS Code (5 or 6 digits)				
34. What is the Primary Business of this entity? (Please do not repeat the SIC or NAICS description.)								

Questions 34 – 37 address geographic location. Please refer to the instructions for applicability.

35. Description to Physical Location:	Approx. 1.30-miles northeast of the intersection of East Pine Dr. and Magnolia Lane					
36. Nearest City	County		State		Nearest ZIP Code	
Huffman	Harris & Liberty		TX		77336	
37. Latitude (N) In Decimal:	30.124375			38. Longitude (W) In Decimal:	95.079903	
Degrees	Minutes	Seconds	Degrees	Minutes	Seconds	
30	7	27.75	95	4	47.65	

39. TCEQ Programs and ID Numbers Check all Programs and write in the permits/registration numbers that will be affected by the updates submitted on this form or the updates may not be made. If your Program is not listed, check other and write it in. See the Core Data Form instructions for additional guidance.

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

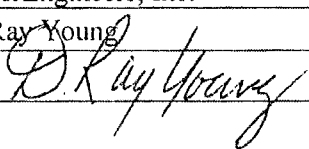
#### SECTION IV: Preparer Information

40. Name:	D. Ray Young		41. Title:	Principal Engineer	
42. Telephone Number	43. Ext./Code	44. Fax Number	45. E-Mail Address		
( 281 ) 373-0500		( 281 ) 373-1113	d.ray@waterengineers.com		

#### SECTION V: Authorized Signature

46. By my signature below, I certify, to the best of my knowledge, that the information provided in this form is true and complete, and that I have signature authority to submit this form on behalf of the entity specified in Section II, Field 9 and/or as required for the updates to the ID numbers identified in field 39.

(See the Core Data Form instructions for more information on who should sign this form.)

Company:	WaterEngineers, Inc.		Job Title:	Principal Engineer	
Name (In Print):	D. Ray Young			Phone:	( 281 ) 373-0500
Signature:				Date:	9/16/2020

Attachment 5

Enforcement Action Status

**Enforcement Action Status**  
**Part E: Question 18, Part D Question 12**

System	Docket No.	Water/Wastewater	Violation	Date AO Signed by TCEQ	Original TCEQ Compliance Date	Extension Request Compliance Date	SWWC Compliance Achieved	Notice of Compliance Rec'd by SWWC	Comments
Oak Trail Shores	2020-0221-PWS-E	Water	TTHMs	Awaiting TCEQ Signature	TBD	NA	Q2 2020	9/8/2020	System returned to compliance with running annual average in Q2 2020
Lakeway Harbor	2020-0246-PWS-E	Water	TTHMs/HAA5s	Awaiting TCEQ Signature	TBD	NA	Q2 2020	9/30/2020	System returned to compliance with running annual average in Q2 2020. AO approved by the Commission <u>Awaiting Notice of Compliance.</u>
Indian Hills Harbor	2019-0429-PWS-E	Water	Plan Review & Booster Pump Capacity	Awaiting TCEQ Signature	TBD	NA	Currently out of compliance		Pressure readings submitted to TCEQ Regional office awaiting response. Engineering Report submitted to TROT and the regional office

		Compliance deadline extension to be requested
		Compliance achieved prior to compliance date
		Working toward compliance

## Attachment 6

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

Part B: Q 19

**Application of Monarch Utilities I L.P. Amend CCN 12983 and CCN 20899**

**QUESTION B 19**

**NEIGHBORING UTILITIES AND AFFECTED ENTITIES**

City of Kingwood  
City of New Caney  
Harris County MUD No. 415  
Harris County MUD No. 483  
Harris County MUD No. 484  
Harris County MUD No. 485  
Harris County MUD No. 514  
Harris County MUD No. 515  
Harris County MUD No. 516  
Harris County MUD No. 517  
Harris Liberty Counties MUD 1  
Liberty County MUD No. 2  
Liberty County MUD No. 3  
Liberty County MUD No. 6  
Liberty County MUD No. 7  
Liberty Grand MUD 1  
Luce Bayou PUD  
New Caney MUD  
Pine Bough PUD  
Quadvest CCN 11612  
The Commons CCN 12781  
Utilities Investment CCN 12671

Attachment 7

All PWS Associated with the Applicant's CCN

Part D: Q 20 A.

**Q D 20 A.**  
**MONARCH WATER - SUBDIVISIONS AND INSPECTIONS**

County	Water Systems	PWS ID Number	Subdivisions	Last Inspection
Bandera	Lake Medina Shores	0100037	Lakeshore Beach, Wharton Dock, Lake Medina Shores, Lake Point	2/6/2020
Brazoria	Holiday Shores	0200029	Holiday Shores	9/24/2019
Chambers	Tower Terrace	0360069	Houston Raceway Park, West Chambers County Estates, Tower Terrace	1/8/2019
Denton	Denton Creek Estates	0610015	Denton Creek Estates, Aero Valley Airport	11/20/2018
	Ponderosa Addition	0610175	Sunrise Circle Estates, Ponderosa, Wild West Addition,	5/20/2016
	Stonecrest Estates	0610059	Stonecrest Estates.	11/6/2015
	Wynwood Haven Estates	0610037	Wynwood Haven, Estates, Snug Harbor	11/9/2015
Grayson	Ridgecrest (Grayson)	0910035	Glen Eden, Hiland Shores, Lakeview, Little Mineral MHP, Millers Estates, Oak Estates, Preston Cove, Preston Forest, Preston Oaks, Preston Point Bend, Ridgecrest, Van Antwerp	2/15/2018
	Rocky Point Estates	0910038	Hanna Cove Estates, Rocky Point Estates "A", Rocky Point Estates "B", Rock Point "A", Hanna Ranchettes	2/15/2018
	Sherwood Shores	0910040	Cedar Mills Estates, Hillcrest Shores, Wught Acres, Sherwood Shores	1/30/2020
	Tanglewood-on-Texoma	0910052	Angler's Estates, Cedar Oak Hills, Eagle Chase, Fairway Hollow Greenway Bend, Lakecrest Village, Mill Creek Homesites, Oak Meadow Estates, Paradise Cove, Russwood-on-the-Lake, Simmons Shores, Sunrise Circle, Tanglewood Hills, Tanglewood Resort, Cambridge Shores, Highport, Mill Creek Meadows	4/19/2018
Harris	Villas of Willowbrook	1013599	Villas of Willowbrook	11/4/2019
	Western Trails	1010230	Western Trails Subdivision	2/12/2015
Hays	Plum Creek	1050028	Amberwood, Bootstring Farms, Branch View Addition, Buda Business Park, Casey-Kyle, Double R, Dove Hill Estates, Goforth Estates, Green Pastures, Interstate Business, Kyle Crossing-Home Depot, Park South, Pinafore Park, Rolling Hills Estates, South Buda Business Park, Two Way, Village at Buda, Indian Paintbrush	11/18/2019
	River Oaks Ranch	1050099	River Oaks Ranch	1/30/2019
Henderson	Beachwood Estates	1070069	Brentwood Estates, Deep Water Estates, Forest Shores, Greenwood Cove, Hidden Harbor, Indian Oaks, Beachwood Estates, Oak Forest Estates, Pebble Beach, Seis Hombres, Spillview Acres, Three-Way View, Treasure Isle, Waterboard	6/18/2020
	Briarwood Harbor	1070220	Briarwood Harbor	3/7/2019
	Carolynn Estates / Pinnacle Club	1070106	Bluffview, Brushy Creek, Bushwacker Estates, Carolynn Estates, Enclave, Esquire Estates II, Green Acres, Hidden Hills Harbor, Hillside Acres, Lynn Creek Cove, Payne Springs Estates, Forest Glen, The Highlands at Cedar Creek Lake, Michael's Cove, Pinnacle Club	1/15/2019
	Cherokee Shores	1070206	Allen Ranch, Carson Addition, Coleman Tract, La Martinque, Landmarck Passage, Manning Ranch, Robinson Tract (Country Estates), Taylor Tract, Waterfront Shores, Cherokee Shores	6/18/2020
	Dal-High	1070159	Dal-High Addition	7/26/2019
	Highsaw	1070124	Brierwood Bay, Coffee City*, Diamond Head Bay, Coffee Landing Addition, Fincastle Farms, Highsaw, Hillside Estates	9/26/2016
	Lollipop Landing	1070039	Lollipop Landing	9/26/2017
	Westwood Beach	1070085	Cooper Estates, Lakeway, Oak Trail Shores, Shuloh, Waterwood, Wildewood, Westwood Beach	10/25/2019
Hood	Acton (Royal Oaks)	1110055	Acton Royal Oaks	10/25/2019
	Comanche Cove	1110060	Heritage Heights, Scenic View, Comanche Cove	1/10/2020
	Comanche Harbor	1110022	Comanche Point, Island Village, Ports O'Call, Comanche Harbor	11/13/2018
	Granbury Acres	1110109	377 Sunset Strip, Granbury Acres	10/25/2019
	Hideaway Bay Estates	1110002	Hideaway Bay	11/13/2018
	Montego Bay Estates	1110044	Montego Bay	9/25/2019
	Oak Trail Shores	1110004	Lake Granbury Estates, Oak Trail Plaza, Oak Trail Shores, Arrowhead Shores, Lake Granbury Harbor	11/29/2017
	Rancho Brazos	1110036	Rancho Brazos	9/25/2019



County	Water Systems	PWS ID Number	Subdivisions	Last Inspection
	Western Hills Harbor	1110005	Western Hills Harbor, Whisperview Village, Kings Plaza	12/6/2019
Johnson	Crowley One Acre	1260011	Blue Grass Estates, Crowley One Acre, Highcrest Estates, Skyline Ranch, Lakeside Estates, Lakeview Ranchettes	4/10/2019
	Falcon Crest Addition	1260076	Falcon Crest Addition	3/20/2019
	Metroplex Homesteads	1260074	Metroplex Homesteads, The Homesteads	6/23/2020
	Nolan River Estates	1260099	Nolan River Estates	6/20/2020
	Ridgecrest Estates (Johnson)	1260035	Misty Hollow, Ridgecrest	3/20/2019
	Shaded Lane Estates	1260103	Shaded Lane Estates	6/26/2018
	Southern Acres	1260094	Southern Acres	5/23/2017
	Sundance Addition	1260025	Space Acres North, Space Acres, X-Cell Ranch Estates, Sundance	4/10/2019
	Tex-Rides Fifth	1260037	Tex-Rides Fifth	4/14/2016
	Triple H Estates	1260116	Triple H Estates	5/23/2017
	Twin Creeks Addition	1260038	Rolling Acres, North Hills Estates, Twin Creeks Addition	2/28/2019
West Meadows	1260063	West Meadows	4/10/2019	
West Park Village	1260077	West Park Village	5/16/2017	
Liberty	Raywood	1460041	Raywood	8/8/2019
Marion	Indian Hills Harbor	1580063	Indian Hills Harbor	8/31/2016
	Pine Harbor	1580023	Pine Harbor	9/17/2019
Matagorda	Camelot Forest	1610058	Camelot Forest	7/26/2019
Medina	Lake Medina Shores	0100037	Holiday Villages of Medina, Lake Medina Shores	2/6/2020
Montgomery	Crystal Springs	1700331	Crystal Springs	1/8/2020
	Decker Hills	1700386	Champions Glen, Decker Hills, Hidden Lake Estates, Inverness Crossing, Park Place	10/15/2019
	Hulon Lakes	1700014	Hilltop Village, Woodcreek Valley, Hulon Lakes	3/29/2016
	Oak Woods	1700454	Oak Woods	12/18/2018
	Serenity Woods	1700483	Pine Loch, Serenity Woods	3/24/2016
Parker	Green Acres	1840120	Green Acres, Robertson Village	1/9/2020
	Spanish Park Estates	1840026	Spanish Park Estates	1/9/2020
	Western Lake Estates	1840014	Cedar Ridge (Formerly Ruby Ridge), Brazos Ridge Estates, Western Lake Estates	12/4/2018
	Westview (Parker)	1840105	Westview	1/9/2020
Polk	Chesswood	1870088	Chesswood	1/30/2018
	Countrywood	1870138	Country Wood	3/22/2017
	Garden Acres	1870160	Garden Acres	1/30/2018
	Longhorn Valley	1870152	Longhorn Valley	1/21/2020
	Oak Terrace Estates	1870055	Oak Terrace Estates	11/30/2018
	Phillips Acres	1870146	Phillips Acres	1/30/2018
	Punwah Pines	1870130	Punwah Pines	1/3/2017
San Jacinto	Bluewater Cove	2040059	Bluewater Cove	1/3/2017
	Cedar Valley	2040045	Cedar Valley	6/12/2020
	Coldspring Terrace	2040031	Coldspring Terrace	1/30/2018
	Governor's Point	2040008	Governor's Point	3/13/2019
	Holiday Villages of Livingston	2040067	Hidden Coves, Holiday Village of Livingston, Palmetto Point	3/22/2017
	Shepherd Hill Estates	2040061	Shepherd Hills Estates, Shepherd Ranch Estates	11/2/2017
Smith	Lakeway Harbor	2120064	Lakeway Harbor	6/7/2016
	Pine Trail Shores	2120035	Pine Trail Shores	1/2/2019
Tarrant	Benbrook Hills	2200313	Benbrook Hills	7/18/2019
	Markum Ranch Estates	2200281	Markum Ranch Estates	12/6/2018
	Silver Saddle	2200299	Silver Saddle	12/6/2018
	Westside Addition	2200079	Gun Club, Cabot Estates, Willow Creek Additions, Westside	7/18/2019
Travis	Inverness Point Water System	2270102	Crosswind Hidden Hills, Inverness Point and Lakehurst	6/14/2019
Trinity	Harbor Point	2280035	Harbor Point	1/30/2018
Van Zandt	Callender Lake	2340007	Callender Lake, Hickory Hills	7/10/2019
Wise	Aurora Vista	2490051	Aurora Vista*	8/7/2019
	Chisholm Hills	2490044	Chisholm Hills	7/12/2018
	Coyote Ridge	2490053	Coyote Ridge	7/12/2018
	Hills of Oliver Creek	2490046	Hills of Oliver Creek	1/18/2018
	Las Brisas	n/a	Las Brisas Estates	#N/A
	Sage Brush Estates	2490058	Sage Brush Estates	9/21/2017
	Skyview Ranch	2490061	Skyview Ranch	7/12/2018
Windmill Trails	2490050	Windmill Trails	10/10/2017	
Wood	Holiday Villages of Fork	2500058	Holiday Villages of Fork	2/8/2018

Attachment 8

All WQ Dischargers Associated with Applicant's CCN

Part D: Q 20 B.

**QUESTION D 20 B.**

**MONARCH WASTEWATER SYSTEMS - SUBDIVISIONS AND MOST CURRENT INSPECTION**

<b>County</b>	<b>Wastewater Systems</b>	<b>TCEQ WQ No.</b>	<b>Subdivisions</b>	<b>Inspection</b>
Chambers	Tower Terrace	WQ 12478-001	Houston Raceway Park, West Chambers County Estates, Tower Terrace	7/1/2019
Grayson	Tanglewood-on-Texoma	collection only	Eagle Chase, Fairway Hollow, Greenway Bend, Highport, Sunrise Circle, Tanglewood Hills, Tanglewood Resort	n/a
Harris	Villas of Willowbrook	collection only	Villas of Willowbrook	n/a
Henderson	Beachwood Estates	WQ 11282-001	Beachwood Estates, Brentwood Estates, Deep Water Estates, Forest Shores, Greenwood Cove, Hidden Harbor, Indian Oaks, Oak Forest Estates, Pebble Beach, Seis Hombres, Three-Way View, Treasure Isle, Waterboard, Key Ranch Estates	4/18/2018
	Pinnacle Club	WQ 13879-001	Pinnacle Club	
	Cherokee Shores	WQ 11506-001	Cherokee Shores, Deep Water Bay, Deer Island, Diamond Oaks, Glenn Road, Grandview Terrace, Moon Waters, Nee Tom Jo, Robinson Tract/Country Estates, Spillview Estates II, Taylor Tract, Timber Bay, Waterfront Shores, Wood Canyon Waters	4/18/2018
Medina	Lake Medina Shores	WQ 14167-001	Holiday Villages of Medina, Lake Medina Shores	10/15/2015
Montgomery	Decker Hills	WQ 12587-001	Champions Glen, Decker Hills, Hidden Lake Estates, Inverness Crossing, Park Place	11/29/2018
San Jacinto	Bluewater Cove	WQ 14179-001	Bluewater Cove	12/17/2019
	Holiday Villages of Livingston	WQ 14056-001	Hidden Coves, Holiday Village of Livingston, Palmetto Point	10/10/2019
Trinity	Harbor Point	WQ 13547-001	Harbor Point	12/19/2017
Wood	Lake Fork Estates	WQ 14055-001	Holiday Villages of Fork	7/18/2019

## Attachment 9

### Tariffs

#### Part E: Q 29

NOTE: Official Interim Rate  
Tariffs are pending and new  
tariffs will be issued in Docket  
50944