

NPDES PERMIT NO. TX0000612
STATEMENT OF BASIS

FOR THE DRAFT NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
(NPDES) PERMIT TO DISCHARGE TO WATERS OF THE UNITED STATES

APPLICANT:

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ISSUING OFFICE:

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DATE PREPARED:

August 29, 2016

PERMIT ACTION:

It is proposed that the facility be reissued an NPDES permit for a 5-year term in accordance with regulations contained in 40 Code of Federal Regulations (CFR) 122.46(a).

40 CFR CITATIONS: Unless otherwise stated, citations to 40 CFR refer to promulgated regulations listed at Title 40, Code of Federal Regulations, revised as of August 12, 2016.

RECEIVING WATER – BASIN

Big Creek, thence to Lake Bridgeport, Segment No. 0811 of the Trinity River Basin.

DOCUMENT ABBREVIATIONS

For brevity, Region 6 used acronyms and abbreviated terminology in this Statement of Basis document whenever possible. The following acronyms were used frequently in this document:

BAT	Best Available Technology Economically Achievable)
BOD ₅	Biochemical oxygen demand (five-day unless noted otherwise)
BPJ	Best professional judgment
CFR	Code of Federal Regulations
cfs	Cubic feet per second
COD	Chemical oxygen demand
COE	United States Corp of Engineers
CWA	Clean Water Act
DMR	Discharge monitoring report
ELG	Effluent limitation guidelines
EPA	United States Environmental Protection Agency
ESA	Endangered Species Act
F&WS	United States Fish and Wildlife Service
GPD	Gallon per day
IP	Procedures to Implement the Texas Surface Water Quality Standards
µg/l	Micrograms per liter (one part per billion)
mg/l	Milligrams per liter (one part per million)
Menu 4	Discharge is to a lake or reservoir
Menu 8	Discharge is to an intermittent water body within 3 miles of a lake or a water body that acts like a lake
MGD	Million gallons per day
MSGP	Multi-Sector General Permit
NPDES	National Pollutant Discharge Elimination System
MQL	Minimum quantification level
O&G	Oil and grease
RRC	Railroad Commission of Texas
RP	Reasonable potential
SIC	Standard industrial classification
s.u.	Standard units (for parameter pH)
TAC	Texas Administrative Code
TCEQ	Texas Commission on Environmental Quality
TDS	Total dissolved solids
TMDL	Total maximum daily load
TOC	Total Organic Carbon
TRC	Total residual chlorine
TSS	Total suspended solids
TSWQS	Texas Surface Water Quality Standards
WET	Whole effluent toxicity
WQMP	Water Quality Management Plan
WQS	Water Quality Standards

I. PROPOSED CHANGES FROM PREVIOUS PERMIT

1. Limitation and monitoring requirements for total copper and total mercury have been established in the draft permit based on new application information.
2. Monitoring requirements for total aluminum and total selenium have been established in the draft permit based on new application information.
3. Electronic DMR reporting requirements have been included in the draft permit.
4. Language on the sufficiently sensitive method has been established in the draft permit.

II. APPLICANT LOCATION and ACTIVITY

Under the SIC Code 1321, the applicant processes natural gas and natural gas liquids.

As described in the application, the facility is located at 383 County Road 1745, Chico, Wise County, Texas. Wastewater discharges from the facility flows into Big Creek, thence to Lake Bridgeport, Segment No. 0811 of the Trinity River Basin.

Discharges are located on that water at:

Outfall 001: Latitude 33° 18' 33.20" N; Longitude 97° 52' 47.47" W

III. PROCESS AND DISCHARGE DESCRIPTION

The facility receives natural gas from a sweet gathering system, removes Carbon dioxide content through amine treatment, removes water content through glycol dehydration and in molecular sieve dehydrator beds, separates natural gas liquids from the natural gas through a cryogenic process, fractionates pipeline quality natural gas and mixed natural gas liquid product into ethane, propane, butane, and natural gasoline, and finally ships the products to off-site customers via pipelines and tank trucks.

Non-contact cooling water blowdown, and facility storm water are routed through Outfall 001, which discharges to Big Creek and thence to Lake Bridgeport. Reverse osmosis reject water is disposed off-site.

Table 1: Discharge Characteristics

The table below shows facility's pollutant concentrations contained in the NPDES application.

Outfall 001:

Parameter	Max Concentration, mg/L unless noted	Average Concentration, mg/L unless noted
Flow, MGD	0.099129	0.044577
pH, su	8.99	8.17
TSS	110	110
TOC	4.8	4.699
COD	52	46.73

Parameter	Max Concentration, mg/L unless noted	Average Concentration, mg/L unless noted
BOD	19	9.039
Oil & grease	3.3	2.4
Ammonia (as Nitrogen)	0.21	<0.24
Temperature, °C	29° winter; 33° summer	15.9° winter; 27.9° summer
Aluminum	2.6	0.595
Arsenic	0.0042	0.0042
Barium	0.5	0.419
Boron	0.1	0.0975
Chromium	0.0051	0.0028
Copper	0.046	0.0365
Iron	1.1	0.932
Lead	0.0056	0.0056
Magnesium	52	50.478
Manganese	0.15	0.139
Mercury	0.073	0.073
Nickel	0.012	0.012
Selenium	0.012	0.012
Zinc	0.055	0.055
Chloride	329	298.21
Sulfate	610	415.148
TSS	110	40.62
TDS	1900	1801.25
Residual Chlorine	0.09	0.09

IV. DRAFT PERMIT RATIONALE AND PROPOSED PERMIT CONDITIONS

A. OVERVIEW of TECHNOLOGY-BASED VERSUS WATER QUALITY STANDARDS-BASED EFFLUENT LIMITATIONS AND CONDITION FOR PERMIT ISSUANCE

Regulations contained in 40 CFR §122.44 NPDES permit limits are developed that meet the more stringent of either technology-based effluent limitation guidelines, numerical and/or narrative water quality standard-based effluent limits, on best professional judgment (BPJ) in the absence of guidelines, and/or requirements pursuant to 40 CFR 122.44(d), whichever are more stringent. Technology-based effluent limitations are established in the proposed draft permit for BOD5. Water quality-based effluent limitations are established in the proposed draft permit for pH, copper and mercury.

B. REASON FOR PERMIT ISSUANCE

EPA proposes to reissue the NPDES permit for the current permit issued on November 19, 2009, with an effective date of January 1, 2010, and an expiration date of December 31, 2015.

It is proposed that the permit be issued for a 5-year term following regulations promulgated at 40 CFR 122.46(a). This is a renewal of an existing permit. An NPDES Application for a Permit to Discharge (Form 1, 2E & 2F) was received on January 21, 2016. Updated application information (Forms 1 and 2E) as well as flow data were received via email on August 17, 15

&16, 2016, August 5, 2016, and March 28, 2016 ; CORMIX session report, analytical results, WET testing data were received on August 25, 15 & 5, 2016; and June 24, 2016; and was deemed administratively complete on August 29, 2016.

C. TECHNOLOGY-BASED EFFLUENT LIMITATIONS/CONDITIONS

Regulations promulgated at 40 CFR §122.44 (a) require technology-based effluent limitations to be placed in NPDES permits based on ELGs where applicable, on BPJ in the absence of guidelines, or on a combination of the two. In the absence of promulgated guidelines for the discharge, permit conditions may be established using BPJ procedures.

Stopped

There are no published ELG's for this type of activity. Final effluent requirements are based on Technology requirements in the previous permit and are based on Best Available Technology Economically Achievable (BAT) and/or TCEQ water quality standards for Segment No.0811. Limitations for BOD5 are proposed in the permit and are expressed in terms of both mass and concentration. This is consistent with both EPA and TCEQ permits for similar facilities and is also consistent with 40 CFR 122.45(f). The proposed limitation for BOD5 at Outfall 001 is 30 mg/l maximum and 20 mg/l average. The average flow from Outfall 001 over the past 2 years is 0.044577 MGD, with a maximum 30 day value of 0.09913 MGD.

The loading limits are calculated as follows:

lbs/day = Concentration of pollutant (mg/l) multiplied by 8.34 multiplied by Flow (MGD)

BOD₍₅₎ monthly average : 20 mg/l x 8.34 x 0.099129 MGD = 16.53 lbs/day

EPA calculates the daily maximum values by multiplying the daily average by 1.5.

BOD₍₅₎ daily maximum: = 24.80 lbs/day

The narrative limitation for Oil & Grease is also continued in the proposed permit based on the TCEQ narrative standard to limit Oil & Grease.

Stormwater has been identified by the permittee as a component of the discharge through Outfall 001. Stormwater pollution prevention requirements are continued in the proposed permit. It is proposed that the facility continue to conduct an annual inspection of the facility to identify areas contributing to the storm water discharge and identify potential sources of pollution which may affect the quality of storm water discharges from the facility.

The proposed permit requires the permittee to maintain a site map. The site map shall include all areas where storm water may contact potential pollutants or substances which can cause pollution. It is also proposed that all spilled product and other spilled wastes be immediately cleaned up and properly disposed. The permit prohibits the use of any detergents, surfactants or other chemicals from being used to clean up spilled product. Additionally, the permit requires all waste fuel, lubricants, coolants, solvents or other fluids used in the repair or maintenance of vehicles or equipment be recycled or contained for proper disposal. All diked areas surrounding storage tanks or stormwater collection basins shall be free of residual oil or other contaminants so as to prevent the accidental discharge of these materials in the event of flooding, dike failure, or improper draining of the diked area. The permittee shall amend the SWP3 whenever there is a change in the facility or change in operation of the facility.

D. WATER QUALITY BASED LIMITATIONS

1. General Comments

Water quality based requirements are necessary where effluent limits more stringent than technology-based limits are necessary to maintain or achieve federal or state water quality limits. Under Section 301(b)(1)(C) of the CWA, discharges are subject to effluent limitations based on federal or state WQS. Effluent limitations and/or conditions established in the draft permit are in compliance with applicable State WQS and applicable State water quality management plans to assure that surface WQS of the receiving waters are protected and maintained, or attained.

2. Implementation

The NPDES permits contain technology-based effluent limitations reflecting the best controls available. Where these technology-based permit limits do not protect water quality or the designated uses, additional water quality-based effluent limitations and/or conditions are included in the NPDES permits. State narrative and numerical water quality standards are used in conjunction with EPA criteria and other available toxicity information to determine the adequacy of technology-based permit limits and the need for additional water quality-based controls.

3. State Water Quality Standards

The Clean Water Act in Section 301 (b) requires that effluent limitations for point sources include any limitations necessary to meet water quality standards. Federal regulations found at 40 CFR 122.44(d) state that if a discharge poses the reasonable potential to cause an in-stream excursion above a water quality criterion, the permit must contain an effluent limit for that pollutant. If the discharge poses the reasonable potential to cause an in-stream violation of narrative standards, the permit must contain prohibitions to protect that standard. Additionally, the TWQS found at 30 TAC Chapter 307 states that "surface waters will not be toxic to man from ingestion of water, consumption of aquatic organisms, or contact with the skin, or to terrestrial or aquatic life." The methodology outlined in the "Procedures to Implement the Texas Surface Water Quality Standards" (IP) is designed to ensure compliance with 30 TAC Chapter 307. Specifically, the methodology is designed to ensure that no source will be allowed to discharge any wastewater which: (1) results in instream aquatic toxicity; (2) causes a violation of an applicable narrative or numerical state water quality standard; (3) results in the endangerment of a drinking water supply; or (4) results in aquatic bioaccumulation which threatens human health.

The IP document is not a state water quality standard, but rather, a non-binding, non-regulatory guidance document. See IP at page 12 stating that "this is a guidance document and should not be interpreted as a replacement to the rules. The TWQS may be found in 30 TAC Sections (§§) 307.1-.10."). EPA does not consider the IP to be a new or revised water quality standard and has never approved it as such. EPA did comment on and conditionally "approve" the IP as part of the Continuing Planning Process (CPP) required under 40 CFR §130.5(c) and the Memorandum of Agreement between TCEQ and EPA, but this does not constitute approval of the IP as a water quality standard under CWA section 303(c). Therefore, EPA is not bound by the IP in establishing limits in this permit – but rather, must ensure that the limits are consistent with the EPA-approved state WQS. However, EPA has made an effort, where we believe the IP procedures are consistent with all applicable State and Federal regulations, to use those procedures.

The general criteria and numerical criteria which make up the stream standards are provided in the 2014 EPA-approved Texas Water Quality Standards, Texas Administrative Code (TAC), 30 TAC Sections 307.1 - 307.9, effective September 23, 2014.

The designated uses of Bridgeport Reservoir in Segment 0811 are primary contact recreation, high aquatic life and public water supply.

4. Reasonable Potential- Procedures

EPA develops draft permits to comply with State WQS, and for consistency, attempts to follow the IP where appropriate. However, EPA is bound by the State's WQS, not State guidance, including the IP, in determining permit decisions. EPA performs its own technical and legal review for permit issuance, to assure compliance with all applicable State and Federal requirements, including State WQS, and makes its determination based on that review. Waste load allocations (WLA's) are calculated using estimated effluent dilutions, criteria outlined in the TWQS, and partitioning coefficients for metals (when appropriate and designated in the implementation procedures). The WLA is the end-of-pipe effluent concentrations that can be discharged and still meet instream criteria after mixing with the receiving stream. From the WLA, a long term average (LTA) is calculated, for both chronic and acute toxicity, using a log normal probability distribution, a given coefficient of variation (0.6), and either a 90th or a 99th percentile confidence level. The 90th percentile confidence level is for discharges to rivers, freshwater streams and narrow tidal rivers with upstream flow data, and the 99th percentile confidence level is for the remainder of cases. For facilities that discharge into receiving streams that have human health standards, a separate LTA will be calculated. The implementation procedures for determining the human health LTA use a 99th percentile confidence level, along with a given coefficient of variation (0.6). The lowest of the calculated LTA; acute, chronic and/or human health, is used to calculate the daily average and daily maximum permit limits.

Procedures found in the IP for determining significant potential are to compare the reported analytical data either from the DMR history and/or the application information, against percentages of the calculated daily average water quality-based effluent limitation. If the average of the effluent data equals or exceeds 70% but is less than 85% of the calculated daily average limit, monitoring for the toxic pollutant will usually be included as a condition in the permit. If the average of the effluent data is equal to or greater than 85% of the calculated daily average limit, the permit will generally contain effluent limits for the toxic pollutant. The permit may specify a compliance period to achieve this limit if necessary.

Procedures found in the IP require review of the immediate receiving stream and effected downstream receiving waters. Further, if the discharge reaches a perennial stream or an intermittent stream with perennial pools within three-miles, chronic toxicity criteria apply at that confluence.

5. Permit-Action - Water Quality-Based Limits

Regulations promulgated at 40 CFR §122.44(d) require limits in addition to, or more stringent than effluent limitation guidelines (technology based). State WQS that are more stringent than effluent limitation guidelines are as follows:

Regulations promulgated at 40 CFR §122.44(d) require limits in addition to, or more stringent than effluent limitation guidelines (technology based). State WQS that are more stringent than effluent limitation guidelines are as follows:

a. pH

Wastewater discharges from the facility flows into Outfall 001. Wastewater discharges from the facility flows into Big Creek, thence to Lake Bridgeport, Segment No. 0811 of the Trinity River Basin. The limitation of pH in the discharge shall be limited to the standards for waterbody Segment 0811 of the Trinity River Basin to the range of 6.5 to 9.0 su's.

b. Narrative Limitations

Narrative protection for aesthetic standards will propose that surface waters shall be maintained so that oil, grease, or related residue will not produce a visible film or globules of grease on the surface or coat the banks or bottoms of the watercourse; or cause toxicity to man, aquatic life, or terrestrial life.

The following narrative limitations in the draft permit represent protection of water quality for Outfalls 001:

“The effluent shall contain no visible film of oil or globules of grease on the surface or coat the banks or bottoms of the watercourse.”

c. Toxics

The CWA in Section 301 (b) requires that effluent limitations for point sources include any limitations necessary to meet water quality standards. Federal regulations found at 40 CFR §122.44 (d) state that if a discharge poses the reasonable potential to cause an in-stream excursion above a water quality criteria, the permit must contain an effluent limit for that pollutant.

For Outfall 001, the facility discharges into unnamed intermittent ditch approximately 0.4 miles upstream of an unnamed Lake and subsequently to the Big Creek Arm of Lake Bridgeport. This arm of the lake is periodically pooled during drought conditions. TCEQ'S TEXTOX Menu 8 (Discharge is to an intermittent water body within 3 miles of a lake or a water body that acts like a lake), is appropriate for evaluating the discharge. TEXTOX Menu 4 was also used to check for Big Creek Arm of Lake Bridgeport for public water supply and fresh water fish tissue. Results of both menu shows that Menu 8 is appropriate and more protective for evaluating the discharge.

The highest monthly average flow over the most recent 24-months is 0.099129 MGD (0.15365 cfs). For industrial facilities, the highest monthly average flow over the most recent 24-months is used for reasonable potential calculations. EPA ran the CORMIX model using the facility's information and augmented it with EPA's information regarding the discharge pipe and flow, the resulting critical dilution is 4.73%. (See attached CORMIX model results)

For Outfall 001, the reasonable potential calculations were performed based on data obtained from the permit application using Menu 8 model run. Discharges from Outfall 001 consist of cooling tower blowdown and stormwater. In addition, Table D-8 of the IP, segment specific values for pH, TSS, total hardness, TDS, chloride, and sulfate values were used in Menu 8 to

calculate reasonable potential. For Segment 0811, specific values for pH, TSS, total hardness, sulfate and chloride are 7.9, 2 mg/L, 96 mg/L as CaCO₃, 20 mg/L and 28 mg/l respectively. Water quality screening performed for Outfall 001 shows that the average of the effluent data for aluminum and selenium equals or exceeds 70% but is less than 85% of the calculated daily average limit, as a result, monitoring for total aluminum and total selenium are established in the draft permit. Also, the average of the effluent data for total copper and total mercury is greater than 85% of the calculated daily average limit. As a result, the draft permit established limitation and monitoring requirements for total copper and total mercury. (See attached spreadsheet).

The process for an unclassified intermittent stream within three miles of a perennial freshwater body (TEXTOX Menu 8) was then used to screen for TDS, sulfate and chloride. This procedure requires screening for TDS using the intermittent stream equation. The same procedure also requires screening for TDS as a perennial freshwater body using the appropriate protocol described under unclassified perennial stream or river, classified stream or river, classified lake, or unclassified lake. Lake Bridgeport is a classified lake. The screening values for the intermittent stream model and the classified lake model are then compared and the more stringent value is selected.

Following the IP, the screening values for TDS, sulfate and chloride as an intermittent stream are all 2,500 mg/L

$$C_{TDS} = (C_c / 500 \text{ mg/L}) * 2,500 \text{ mg/L}$$

where: C_{TDS} = TDS concentration (mg/L) used to determine the TDS screening value

C_c = TDS criterion (mg/L) at the first downstream Segment = 300 mg/L

$$C_{TDS} = (300 / 500 \text{ mg/L}) * 2,500 \text{ mg/L} = 1,500 \text{ mg/L}$$

According to Page 176 of the ITWQS, if C_{TDS} is less than or equal to 2,500 mg/L, then 2,500 mg/L is used as the screening value. Since $C_{TDS} = 1,500 \text{ mg/L}$, then $CSV = C_{TDS} = 2,500 \text{ mg/L}$, where CSV is the TDS screening value. A 2,500 mg/L screening value is less than the respective TDS, sulfate and chloride effluent concentrations. As a result, TDS, sulfate and chloride limits are not required using the intermittent stream model.

Similarly, using the lake model and the human health effluent fraction of 0.02292, the result of the lake model showed that no further action is required. Based on these rationales, TDS, sulfate and chloride limitations and monitoring requirements are not developed in the draft permit. (See attached spreadsheet).

Solids and Foam

The prohibition of the discharge of floating solids or visible foam in other than trace amount is continued in the draft permit. In addition, there shall be no discharge of visible films of oil, globules of oil, grease or solids in or on the water, or coatings on stream banks.

E. MONITORING FREQUENCY FOR LIMITED PARAMETERS

Regulations require permits to establish monitoring requirements to yield data representative of the monitored activity, 40 CFR §122.48(b), and to assure compliance with permit limitations, 40 CFR §122.44(i)(1). The monitoring frequencies are based on BPJ, taking into account the nature of the facility, the previous permit, and past compliance history.

For Outfall 001, Flow shall continue to be monitored continuously by using a recording flowmeter. The permittee shall continue to monitor for pH and BOD5, at Outfall 001, once per two weeks, using grab samples. Aluminum, copper, mercury, and selenium shall also be monitored once per two weeks, using grab samples. Biomonitoring testing shall continue to be performed semiannually.

F. WHOLE EFFLUENT TOXICITY LIMITATIONS

Biomonitoring is continued in the draft permit. Biomonitoring of the effluent is, therefore, required as a condition of this permit to assess potential toxicity.

The previous permit requires that discharge to outfall 001 be monitored by a 48-hr acute toxicity test, with semiannual monitoring according to the provisions indicated in Parts I and II of the permit. Since the perennial downstream water (Lake Bridgeport) has no low flow, the permittee met the chronic WET testing requirement. However, the permittee was required in the previous permit to insert a rectangular weir at Outfall 001 discharge into Big Creek to enhance mixing. Based on CORMIX modeling result performed by EPA, the percentage of effluent at the edge of the mixing zone is 4.73 %. As a result, the critical dilution for chronic testing is 4.73%. Since the critical dilution is less than 5%, a 48-hour acute testing using an acute to chronic ratio of 10:1 is established in the draft permit. The dilution series are 19.9%, 26.6%, 35.5%, 47.3%, and 63.1%; 47.3% being the critical dilution.

The reasonable potential analysis performed using past WET data shows that reasonable potential does not exist. As a result, the permit requires biomonitoring only.

OUTFALL 001

In Section IV.D.5.c. above; "Toxics", it was stated that the critical dilution, CD, for the facility is 4.73%. Based on the nature of the discharge; industrial, the estimated average flow; 0.099129 MGD, the nature of the receiving water; intermittent water body within 3 miles of perennial pools; the 2010 TCEQ IP directs the WET test to be either a 48-hour acute or a chronic test. The type of test depends on the size of the discharge relative to the flow of the perennial water downstream. If the effluent flow equals or exceeds 10% of the low-flow of the perennial water, the permittee will conduct chronic testing with a critical dilution representative of the percentage of effluent in the perennial stream during low-flow. If the effluent flow is less than 10% of the low-flow in the perennial stream, the permittee will conduct 48-hour acute toxicity tests with a critical dilution of 100% effluent. The TCEQ generally requires permittees that discharge into intermittent streams within 3 miles of a bay, estuary, or tidal river to conduct chronic marine testing.

The permittee shall perform a 48-hr acute test using *Daphnia pulex* and *Pimephales promelas* at a once per 6 months frequency for the first year of the permit. Both species shall resume quarterly monitoring at a once per three months frequency on the last day of the permit.

The proposed permit requires five (5) dilutions in addition to the control (0% effluent) to be used in the toxicity tests based on a 0.75 dilution series. These additional effluent concentrations shall be 19.9%, 26.6%, 35.5%, 47.3%, and 63.1%. The low-flow effluent concentration (critical low-flow dilution) is defined as 47.3% effluent.

During the period beginning on the effective date of the permit and lasting until the expiration date, the permittee is authorized to discharge from outfall number 001 to Big Creek, thence to

Lake Bridgeport, Segment No. 0811 of the Trinity River Basin. Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTIC	DISCHARGE MONITORING	
	<u>30-DAY AVG MINIMUM</u>	<u>48-Hr. MINIMUM</u>
Whole Effluent Toxicity Testing (48 Hr. Static Renewal) <u>1/</u>		
<u>Daphnia pulex</u>	REPORT	REPORT
<u>Pimephales promelas</u>	REPORT	REPORT

EFFLUENT CHARACTERISTIC	MONITORING REQUIREMENTS	
	<u>FREQUENCY</u>	<u>TYPE</u>
Whole Effluent Toxicity Testing (48 Hr. Static Renewal) <u>1/</u>		
<u>Daphnia pulex</u>	1/six months	24-Hr. Composite
<u>Pimephales promelas</u>	1/six months	24-Hr. Composite

FOOTNOTES

1/ Monitoring and reporting requirements begin on the effective date of this permit. See Part II, Whole Effluent Toxicity Testing Requirements for additional WET monitoring and reporting conditions.

G. FINAL EFFLUENT LIMITATIONS

See the draft permit for limitations.

VI. FACILITY OPERATIONAL PRACTICES

A. WASTE WATER POLLUTION PREVENTION REQUIREMENTS

The permittee shall institute programs directed towards pollution prevention. The permittee will institute programs to improve the operating efficiency and extend the useful life of the treatment system.

B. OPERATION AND REPORTING

The permittee must submit Discharge Monitoring Report's (DMR's) quarterly, beginning on the effective date of the permit, lasting through the expiration date of the permit or termination of the permit, to report on all limitations and monitoring requirements in the permit.

The permittee must submit monitoring results to EPA on either the electronic or paper Discharge Monitoring Report (DMR) approved formats. Monitoring results can be submitted electronically

in lieu of the paper DMR Form. All DMRs shall be electronically reported effective December 21, 2016, per 40 CFR 127.16. See 80 FR 64063. To submit electronically, access the NetDMR website at www.epa.gov/netdmr and contact the R6NetDMR@epa.gov in-box for further instructions. Until the permittee is approved for Net DMR, it must report on the Discharge Monitoring Report (DMR) Form EPA No. 3320-1 in accordance with the "General Instructions" provided on the form. No additional copies are needed if reporting electronically, however when submitting paper form EPA No. 3320-1, the permittee shall submit the original DMR signed and certified as required by Part III.D.11 and all other reports required by Part III.D. to the EPA and other agencies as required. (See Part III.D.IV of the permit.)

Sufficiently Sensitive Analytical Methods (SSM)

The permittee must use sufficiently sensitive EPA-approved analytical methods (SSM) (under 40 CFR part 136 or required under 40 CFR chapter I, subchapters N or O) when quantifying the presence of pollutants in a discharge for analyses of pollutants or pollutant parameters under the permit. In case the approved methods are not sufficiently sensitive to the limits, the most SSM with the lowest method detection limit (MDL) must be used as defined under 40 CFR 122.44(i)(1)(iv)(A). If no analytical laboratory is able to perform a test satisfying the SSM in the region, the most SSM with the lowest MDL must be used after adequate demonstrations by the permittee and EPA approval.

VII. IMPAIRED WATER - 303(d) LIST AND TMDL

Wastewater discharges from the facility flows into Big Creek, thence to Lake Bridgeport, Segment No. 0811 of the Trinity River Basin. Segment 0811, Big Creek to Bridgeport Reservoir, of the Trinity River Basin is not listed on the Texas 2014 Clean Water Act Section 303(d) List approved by EPA on November 19, 2015. Therefore, no additional requirements beyond the previously described technology-based or water quality-based effluent limitations and monitoring requirements, are established in the proposed permit.

VIII. ANTIDEGRADATION

The Texas Commission on Environmental Quality, Texas Surface Water Quality Standards, Antidegradation, Title 30, Part 1, Chapter 307, Rule §307.5 sets forth the requirements to protect designated uses through implementation of the State WQS. The limitations and monitoring requirements set forth in the proposed permit are developed from the State WQS and are protective of those designated uses. Furthermore, the policy sets forth the intent to protect the existing quality of those waters, whose quality exceeds their designated use. The permit requirements are protective of the assimilative capacity of the receiving waters, which is protective of the designated uses of that water. There are no increases of pollutants being discharged to the receiving waters authorized in the proposed permit.

IX. ANTIBACKSLIDING

The proposed permit is consistent with the requirements and exemption to meet Antibacksliding provisions of the Clean Water Act, Section 402(o) and 40 CFR Part 122.44(i)(B), which state in part that interim or final effluent limitations must be as stringent as those in the previous permit, unless information is available which was not available at the time of permit issuance. The proposed permit maintains the limitation requirements of the current permit for BOD and pH. Additional effluent limitations established in the draft permit includes total copper and mercury.

X. ENDANGERED SPECIES

According to the most recent county listing available at US Fish and Wildlife Service (USFWS), Southwest Region 2 website, at <http://ecos.fws.gov/ipac/wizard/chooseLocation!prepare.action>, five species are listed as endangered or threatened in Wise County. The listed species are the black-capped Vireo (*Vireo atricapilla*), Least Tern (*Sterna antillarum*), Red Knot (*Calidris canutus rufa*), Whooping Crane (*Grus americana*), and the Piping Plover (*Charadrius melodus*).

Determination

The Environmental Protection Agency has evaluated the potential effects of issuance of this permit upon listed endangered or threatened species. After review, EPA has determined that the reissuance of this permit will have “no effect” on listed threatened and endangered species nor will adversely modify designated critical habitat. EPA makes this determination based on the following:

1. No pollutants are identified by the permittee-submitted application at levels which might affect species habitat or prey species. Issuance of this permit is found to have no impact on the habitats of these species.
2. EPA has received no additional information since the current permit was issued November 19, 2009, which would lead to revision of its determinations.
3. EPA determines that Items 1 and 2 above result in no change to the environmental baseline established by the previous permit, therefore, EPA concludes that reissuance of this permit will have “no effect” on listed species and designated critical habitat.

The standard reopener clause in the permit will allow EPA to reopen the permit and impose additional limitations if it is determined that changes in species or knowledge of the discharge would require different permit conditions.

XI. HISTORICAL AND ARCHEOLOGICAL PRESERVATION CONSIDERATIONS

The issuance of the permit should have no impact on historical and/or archeological sites since no construction activities are planned in the reissuance.

XII. PERMIT REOPENER

The permit may be reopened and modified during the life of the permit if relevant portions of the Texas WQS are revised or remanded. In addition, the permit may be reopened and modified during the life of the permit if relevant procedures implementing the WQS are either revised or promulgated. Should the State adopt a new WQS, and/or develop a TMDL, this permit may be reopened to establish effluent limitations for the parameter(s) to be consistent with that approved State Standard and/or water quality management plan, in accordance with 40 CFR §122.44(d). Modification of the permit is subject to the provisions of 40 CFR §124.5.

XIII. VARIANCE REQUESTS

No variance requests have been received.

XIV. COMPLIANCE HISTORY

The effluent from the facility has been monitored under the conditions of the current permit. DMR reports revealed that BOD concentration was out of compliance in March 2011. Also in the first quarter of 2013, the pH level (1.94 s.u.) was below the permitted limit (6.5 to 9.0 s.u.) due to operational issue. In addition, there was single sample violation during the month of January, 2015; permit requires testing frequency of two times per month. As a result of these violations, the frequency established in the previous permit remains the same.

XV. CERTIFICATION

This permit is in the process of certification by the State agency following regulations promulgated at 40 CFR 124.53. A draft permit and draft public notice will be sent to the District Engineer, Corps of Engineers; to the Regional Director of the U.S. Fish and Wildlife Service and to the National Marine Fisheries Service prior to the publication of that notice.

XVI. FINAL DETERMINATION

The public notice describes the procedures for the formulation of final determinations.

XVII. ADMINISTRATIVE RECORD

The following information was used to develop the proposed permit:

A. APPLICATION

NPDES Application for Permit to Discharge, Form 1, 2E & 2F, dated July 23, 2014, was received on January 21, 2016. Updated application information (Forms 1 and 2E) as well as flow data were received via email on August 17, 16, 15, & 5, 2016, and March 28, 2016 ; CORMIX session report, analytical results, WET testing data were received on August 25, 15 & 5, 2016; and June 24, 2016; and was deemed administratively complete on August 29, 2016.

B. State of Texas References

The State of Texas Water Quality Inventory, 13th Edition, Publication No. SFR-50, Texas Commission on Environmental Quality, December 1996.

"Procedures to Implement the Texas Surface Water Quality Standards via Permitting," Texas Commission on Environmental Quality, June 2010.

Texas Surface Water Quality Standards, 30 TAC Sections 307.1 - 307.9, effective September 23, 2014.

<http://ecos.fws.gov/ipac/wizard/chooseLocation!prepare.action>

C. 40 CFR CITATIONS

Sections 122, 124, 125, 133, and 136

D. MISCELLANEOUS CORRESPONDENCE

Letter from Dorothy Brown, EPA, to Ms. Francis Foret, dated August 29, 2016, informing applicant that its NPDES application dated July 23, 2014, received on January 21, 2016, and additional updated information received August 2016, was deemed administratively complete on August 20, 2014.

Email from Zach Stornant, Sr. Environmental Specialist, Targa Resources, to Maria Okpala dated August 17, 16, 15, & 5, 2016, and March 28, 2016 ; CORMIX session report, analytical results, WET testing data dated August 25, 15 & 5, 2016; and June 24, 2016 on additional permit application information.

Email from Zach Stornant, Senior Environmental Specialist, Targa Resources, to Maria Okpala, EPA dated August 17, 15 & 16, 2016, August 5, 2016, and March 28, 2016; CORMIX session report, analytical results, WET testing data were received on August 25, 15 & 5, 2016; and June 24, 2016; March 28, 2016, on additional permit application information.

Email from Robert Kirkland, EPA, to Maria Okpala, EPA, dated August 24, 2016; February 11, 2016, and updated 4/27/2016, on critical conditions information.

Email from Taimur Shaikh, EPA, to Maria Okpala, EPA, dated August 24, 2016, on CORMIX modeling results.