NPDES PERMIT NO. TX0067687
FACT SHEET

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

June 30, 2014

PERMIT ACTION

Renewal of a permit previously issued on July 17, 2009, with an effective date of September 1, 2009, and an expiration date of August 31, 2014.

RECEIVING WATER – BASIN

Rodgers Creek – Sabine River Basin (Segment No. 0506)

DOCUMENT ABBREVIATIONS

In the document that follows, various abbreviations are used. They are as follows:

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)
MMCFD	Million cubic feet per day
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. CHANGES FROM THE PREVIOUS PERMIT

Changes from the permit previously issued on July 17, 2009, with an effective date of September 1, 2009, and an expiration date of August 31, 2014, are as follow:

- Mass limits have been established for BOD.
- Discharge flow has changed to 0.504 MGD.
- New limitation/monitoring for TSS, BTEX, cadmium, copper and mercury has been established.
- TRC limit has been changed from 33 ug/l to 11 ug/l.
- Monitoring frequencies have been changed for BOD and TRC.
- 3-hour composite sample type has been changed from grab type.
- Limit for WET testing has been established.

II. APPLICANT LOCATION and ACTIVITY

As described in the application, the facility is located at FM 1795 Street, Hawkins, TX 75765; County of Wood. Outfall 001 coordination is latitude 32º 36' 25" and longitude 95º 11' 54".

Under the SIC code 1321, the applicant operates a natural gas liquids plant. It is a centralized facility supporting extraction of oil and gas from XTO's operations in the vicinity of the Hawkins area. The facility includes oil/water separation, nitrogen injection, natural gas compression and natural gas separation processes. Discharge consists of sediment waste from water clarifier supplying water to cooling tower, non-contact cooling water and cooling tower blowdown. Wastewater passes through treatment pit before discharged to Rodgers Creek through Outfall 001, thence to Sabine River. Chemical additives and water treatment products are used in the process. A map of the facility is attached.

III. EFFLUENT CHARACTERISTICS

Submitted application in form 2C and 2E show as follow:

	Outfall 001 (Form 2C)	**Outfall 001 (Form 2E)**
Parameter	*Max. Daily Value (mg/l)*	*Max. Daily Value (mg/l)*
BOD	24	24
TSS	4.5	4.5
TRC	0.42	0.03
Oil & Grease	<5.23	<5.23
COD	< 20	< 20
TOC	3.46	3.46
Ammonia (as N)		0.0512
Discharge Flow	0.504 MGD	
pH range	7.1 – 8.5 s.u.	7.1 – 8.5 s.u.
Temperature (F), summer	91*	91*
Bromide	< 1.0	
Nitrate-Nitrite (as N)	< 0.2	
Nitrogen, Total organic (as N)	0.0512	
Phosphorus (as P)	1.26	
Sulphate	11.1	
Sulfide	0.042	
Sulfite	4	

Surfactants	<0.2	
Barium, Total	0.11	
Boron, Total	<0.1	
Cobalt, Total	<0.0005	
Molybdenum, Total	0.000907	
Manganese, Total	0.0154	
Tin, Total	<0.05	
Titanium, Total	<0.05	
Antimony, Total	0.00249	
Arsenic	0.0028	
Cadmium, Total	< 0.005	
Chromium, Total	0.00223	
Copper, Total	0.0131	
Lead, Total	< 0.005	
Mercury, Total	< 0.0002	
Nickel, Total	0.00116	
Selenium, Total	< 0.001	
Zinc, Total	<0.005	
Benzene	<0.001	
Ethylbenzene	<0.001	
Toluene	<0.001	

*Provided via email dated 6/6/14

According to DMRs from 9/1/2009 to present, there were one exceedance for pH in July 2012 and 2 exceedances for copper in September 2010 and April 2013 after the established compliance schedule.

IV. REGULATORY AUTHORITY/PERMIT ACTION

In November 1972, Congress passed the Federal Water Pollution Control Act establishing the NPDES permit program to control water pollution. These amendments established technology-based or end-of-pipe control mechanisms and an interim goal to achieve "water quality which provides for the protection and propagation of fish, shellfish, and wildlife and provides for recreation in and on the water"; more commonly known as the "swimmable, fishable" goal. Further amendments in 1977 of the CWA gave EPA the authority to implement pollution control programs such as setting wastewater standards for industry and established the basic structure for regulating pollutants discharges into the waters of the United States. In addition, it made it unlawful for any person to discharge any pollutant from a point source into navigable waters, unless a permit was obtained under its provisions. Regulations governing the EPA administered the NPDES permit program are generally found at 40 CFR §122 (program requirements & permit conditions), §124 (procedures for decision making), §125 (technology-based standards) and §136 (analytical procedures). Other parts of 40 CFR provide guidance for specific activities and may be used in this document as required.

The application was dated April 11, 2014. It is proposed that the permit be reissued for a 5-year term following regulations promulgated at 40 CFR §122.46(a).

V. DRAFT PERMIT RATIONALE AND PROPOSED PERMIT CONDITIONS

A. OVERVIEW of TECHNOLOGY-BASED VERSUS WATER QUALITY STANDARDS-BASED EFFLUENT LIMITATIONS AND CONDITIONS

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, or the previous permit.

Technology-based effluent limitations are established in the proposed draft permit for BTEX, BOD and TSS. Water quality-based effluent limitations are established in the proposed draft permit for monitoring of applicable WQ-based pollutants, TDS, TRC and pH.

B. TECHNOLOGY-BASED EFFLUENT LIMITATIONS/CONDITIONS

1. General Comments

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 pursuant to 40 CFR 125.3(c)(2). EPA establishes limitations based on the following technology-based controls: BPT, BCT and BAT. These levels of treatment are:

BPT - The first level of technology-based standards generally based on the average of the best existing performance facilities within an industrial category or subcategory.

BCT - Technology-based standard for the discharge from existing industrial point sources of conventional pollutants including BOD, TSS, fecal coliform, pH and O&G.

BAT - The most appropriate means available on a national basis for controlling the direct discharge of toxic and non-conventional pollutants to navigable waters. BAT effluent limits represent the best existing performance of treatment technologies that are economically achievable within an industrial point source category or subcategory.

2. Effluent Limitation

Limitation for BOD is retained in this draft permit. These limitations are based on the BPJ of the permit writer and are consistent with natural gas industry. Since these are technology-based there is no compliance schedule provided to meet these limits. Compliance is required on the permit effective date.

Benzene, toluene, ethylbenzene, and xylenes (BTEX) are among the hydrocarbons typically found in water contaminated by liquid or gaseous petroleum hydrocarbons. Hydrocarbon condensates left by the natural gas are the major source of toxic pollutants in hydrostatic test/non-contact cooling water discharge for existing facility. The daily maximum level of BTEX representing BAT is 100µg/l. The TSWQS does not have BTEX standard. As a result, a BTEX daily maximum limit of 100µg/l is proposed at Outfall 001 that Region 6 has established the same limit for a similar facility.

Regulations at 40 CFR §122.45(f)(1) require all pollutants limited in permits to have limits expressed in terms of mass such as pounds per day if feasible. When determining mass limits, the maximum effluent flow (0.504 MGD) over the last two years is used to establish the mass load. Mass limits are determined by the following mathematical relationship:

Loading in lbs/day = pollutant concentration in mg/l * 8.345 (lbs)(l)/(mg)(MG) * max. flow in MGD

Monthly average BOD loading = 20 mg/l * 8.345 (lbs)(l)/(mg)(MG) * 0.504 MGD = 84 lbs/day
Daily max. BOD loading = 30 mg/l * 8.345 (lbs)(l)/(mg)(MG) * 0.504 MGD = 126 lbs/day
Monthly average TSS loading = 30 mg/l * 8.345 (lbs)(l)/(mg)(MG) * 0.504 MGD = 126 lbs/day
Daily max. TSS loading = 45 mg/l * 8.345 (lbs)(l)/(mg)(MG) * 0.504 MGD = 189 lbs/day
Daily max. BTEX loading = 0.1 mg/l * 8.345 (lbs)(l)/(mg)(MG) * 0.504 MGD = 0.42 lbs/day

A summary of the technology-based limits for the facility:

Effluent Characteristic	**Discharge Limitation**			
	lbs/day, unless noted		mg/l, unless noted	
Parameter	Monthly Avg	Daily Max	Monthly Avg	Daily Max
BOD	84	126	20	30
TSS	126	189	30	45
BTEX	N/A	0.42	N/A	0.1

C. 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 2 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 2010 EPA-approved partially Texas Water Quality Standards, Texas Administrative Code (TAC), 30 TAC Sections 307.1 - 307.10, adopted June 30, 2010. The designated uses of the receiving water (Segment 0506) are primary contact recreation, high aquatic life use 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. The 99th percentile confidence level is for discharges to lakes, reservoirs, bays, estuaries, wide tidal rivers, and narrow tidal rivers without upstream flow data. 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 smaller LTA value between acute and chronic condition is used to calculate the daily average (DLY AVG) and daily maximum (DLY MAX) concentration limits as follow:

DLY AVG = 1.47 LTA and DLY MAX = 3.11 LTA

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. Discharges within three miles of perennial water or perennial pools with significant aquatic life uses are designed to protect against chronic toxicity and to protect human health in those waters.

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:

a. pH

Criteria for pH is between 6.0 and 8.5 s.u. for the water segment 0506 pursuant to 30 TAC 307.10.

b. Aesthetic parameters

Narrative criteria is surface waters must be essentially free of floating debris, visible foam and maintained in an aesthetically attractive condition 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 pursuant to 30 TAC 307.4(b).

c. Temperature

Criteria for maximum temperature is 90 ºF. There is no numerical criteria for industrial cooling impoundments pursuant to 30 TAC 307.4(f). The reported maximum discharge temperature, 91 ºF, is within the regulated temperature differential (rise over ambient). EPA believes monitoring the temperature is not necessary.

d. TRC

EPA chronic criteria for TRC, 11 ug/l, will be established since TSWQS does not have numerical criteria for TRC. The previous permit used the MQL of 33 ug/l as a limit. This permit establishes the limit based on the WQS consistent with requirements of the Act, but allows test results less than the MQL to be reported as zero (see Part II.A).

e. TDS

Criteria of TDS is 500 mg/l. TDS effluent value of 188 mg/l was collected on June 18, 2014. Attached Screening Calculations for TDS shows no permit limitations for TDS is needed.

e. 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.

The critical low flow, site specific 7Q2 for the receiving stream is zero cfs; the harmonic mean is 0.1 cfs. Outfall 001 discharges directly Rodgers Creek (intermittent stream), thence to Sabine River in Segment 0506 of Sabine River Basin. TCEQ'S TEXTOX Menu 7 is appropriate for evaluating this discharge.

The reasonable potential calculations were performed based on data obtained from the permit application. Segment specific values for pH, TSS, total hardness, TDS, chloride, and sulphate values were obtained from table D-5 of the 2010 IP. These values were also used in the menu to calculate reasonable potential. The following results are pollutants exceeding the 85% or in range of 70% - 85% of the calculated daily average limits (see attached TEXTOX Menu 7 for detail):

Parameter	**70% Calculated Daily Avg. (ug/l)**	**85% Calculated Daily Avg. (ug/l)**	**Effluent data at Outfall 001 (ug/l)**
Cadmium, total	0.443	.538	.5
Copper, total		15.95	Two values; each greater than 45.3
Mercury, total		0.16 (human health criteria)	0.2

Copper was limited at 0.0214 mg/l (daily avg.) and 0.0453 mg/l (daily max.) previously. New limits for copper will be more stringent due to different input data as seen in the menu. Mass limitations of these toxics are calculated using the same equation as for BOD and TSS.

EPA provides a compliance schedule for those new established limits. A summary of the water-based limitation and monitoring for the facility:

Effluent Characteristic	**Discharge Limitation**			
	lbs/day, unless noted		mg/l, unless noted	
Parameter	Monthly Avg	Daily Max	Monthly Avg	Daily Max
Cadmium, total	Report	Report	Report	Report
Copper, total	0.079	0.167	0.0187	0.0397
Mercury, total	0.0008	0.0017	0.00019	0.0004

D. MONITORING FREQUENCY FOR 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. Composite sample type is appropriate for continuous discharge at Outfall 001, except for TRC and pH, which has to be analyzed within 15 minutes after sample is collected.

Parameter	**Frequency at Outfall 001**
Flow	Daily
pH	2/month
BOD	1/month (decreased from previous one due to no exceedances)
TSS	1/month

TRC	1/month (decreased from previous one due to no exceedances)
BTEX	1/month
Copper	2/month
Cadmium	Quarterly
Mercury	1/month

E. WHOLE EFFLUENT TOXICITY

Biomonioring is the most direct measure of potential toxicity which incorporates both the effects of synergism of effluent components and receiving stream water quality characteristics. Biomonitoring of the effluent is, therefore, required as a condition of this permit to assess potential toxicity.

Outfall 001 directly discharges to intermittent stream (7Q2 is zero) with perennial pools. According to the 2003 IP the permittee will conduct chronic testing using the same species in the previous permit. The previous permit required WET testing semi-annually over the 5-year term. EPA has received 7 out of 10 required test results. EPA considers no test result is a failed test for analysis purpose. The attached Reasonable Potential Analyzer shows there are RPs for both test species; therefore WET limits are established for both species.

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 must be 32%, 42%, 56%, 75% and 100% same as before. The low-flow effluent concentration (critical low-flow dilution) is defined as 100% effluent. The permittee must limit and monitor discharge(s) as specified below:

Effluent Characteristic	**Discharge Limitations**		**Monitoring Requirements**	
WET Testing (7-day Chronic Renewal)[1]	30-day Avg Min.	7-day Min.	Frequency	Type
Ceriodaphnia dubia	100%	100%	Quarterly	24-hr Composite
Pimephales promelas	100%	100%	Quarterly	24-hr Composite

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

VI. TMDL REQUIREMENTS

The receiving stream Rodgers Creek, thence to water segment 0506 of the Sabine River Basin, is not listed in 2012 Texas 303(d) List, which EPA approved on May 9, 2013. No additional requirements beyond the already proposed technology-based and/or water-quality based requirements are needed in the proposed permit.

VII. 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.

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.

VIII. ENDANGERED SPECIES CONSIDERATIONS

According to the most recent county listing available at US Fish and Wildlife Service (USFWS), Southwest Region 2 website, http://www.fws.gov/southwest/es/ES_Lists_Main.cfm, there is one endangered species: Least tern for Wood County as of June 5, 2014. The species was listed in the previous permit with determination of "no effect".

In accordance with requirements under section 7(a)(2) of the Endangered Species Act, EPA has reviewed this permit for its effect on listed threatened and endangered species and designated critical habitat. 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. Submitted data shows no pollutants at levels which might affect species habitats. Issuance of this permit is found to have no impact on the habitats of the species.

2. EPA has received no additional information since the previous permit issuance which would lead to revision of its determinations.

3. The draft permit is consistent with the States WQS.

4. EPA determines that Items 1, thru 3 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.

IX. HISTORICAL and ARCHEOLOGICAL PRESERVATION CONSIDERATIONS

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

X. PERMIT REOPENER

The permit may be reopened and modified during the life of the permit if relevant portions of 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.

XI. VARIANCE REQUESTS

None

XII. 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.

XIII. FINAL DETERMINATION

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

XIV. ADMINISTRATIVE RECORD

The following information was used to develop the proposed permit:

A. APPLICATION

NPDES Application for Permit to Discharge, Form 1, 2C and 2E dated on April 11, 2014.

B. State of Texas References

2012 Texas Integrated Report - Texas 303(d) List
Procedures to Implement the Texas Surface Water Quality Standards, June 2010
Procedures to Implement the Texas Surface Water Quality Standards, January 2003
Texas Surface Water Quality Standards, 30 TAC Sections 307.1 - 307.10, adopted June 30, 2010

C. 40 CFR CITATIONS

Sections 122, 124, 125, 133, and 136

D. MISCELLANEOUS

NPDES Permit Writers' Manual, September 2010.
Permittee's letter dated April 8, 2014; emails dated June 6 and June 26, 2014.