

# **NPDES PERMIT NO. TX0125008**

## **FACT SHEET**

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

### **APPLICANT:**

Southwest Ozona Gas Plant  
370 17<sup>th</sup> Street, Suite 2500  
Denver, CO 80202

### **ISSUING OFFICE:**

U.S. Environmental Protection Agency  
Region 6  
1445 Ross Avenue  
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### **PREPARED BY:**

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### **DATE PREPARED:**

December 24, 2013

### **PERMIT ACTION**

The Environmental Protection Agency (EPA) has made a tentative determination, after consultation with the Railroad Commission of Texas (RRC), to modify the current National Pollutant Discharge Elimination System (NPDES) permit issued on August 28, 2013, with an effective date of September 1, 2013, and an expiration date of August 31, 2018. As provided by 40 CFR 122.62, only the conditions subject to modification are being reopened and are available for review and comment.

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 March 29, 2013.

### **RECEIVING WATER – BASIN**

Howard Draw, thence (after approximately 25 miles) to the lower Pecos River, in the Rio Grande Basin, Water Body Segment Code No. 2310.

**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 <sub>5</sub> | 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 7           | Intermittent stream with perennial pools                          |
| 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. MODIFICATIONS TO EXISTING PERMIT**

1. WET testing requirements at Outfall 001 have been removed.
2. Prohibition language for chemical or biocide in the treatment process has been added.

## **II. APPLICANT LOCATION and ACTIVITY**

Under the Standard Industrial Classification (SIC) Code No. 1311 and a secondary SIC Code 1321, the applicant operates a natural gas liquids plant.

As described in the application, the facility is located 33 miles Southwest of Ozona on FM 2083 (Pandale Road), Ozona, Crockett County, Texas. Treated groundwater from liquids recovery and treatment system flows into Howard Draw, thence (after approximately 25 miles) to the lower Pecos River, in the Rio Grande Basin, Water Body Segment Code No. 2310.

Discharges are located on that water at:

Outfall 001: Latitude 30° 26' 46.46" N; Longitude 101° 28' 6.29" W

## **III. PROCESS AND DISCHARGE DESCRIPTION**

The plant consists of cryogenic natural gas processing with no fractionation, with a design capacity of 90 MMCFD. The plant design utilizes systems for molecular sieve dehydration, gas liquid (NGL) recovery, residue gas compression, propane refrigeration, and condensate stabilizer system. The plant also consists of an amine system which treats liquids prior to pipeline delivery. A dry, pipeline quality residue gas is produced at maximum pressure of 1,200 pounds per square inch gauge (psig).

Wastewater treatment chemicals have been permanently discontinued. Main units in the treatment process include sediment and solids settling tank, followed by oil/water separator, particulate filtration, air stripper, particulate filtration, liquid 2-phase carbon polish filter, and treated water storage tank. To prevent residual iron fouling without the use of chemical treatment, equipment is power washed during periodic maintenance events as needed. Wash water is collected and properly disposed of offsite.

Wastewater discharges from the facility consist of treated groundwater from liquids recovery and treatment system.

## **IV. REQUEST FOR PERMIT MODIFICATION**

WET testing requirements (7-day static renewal using *Mysidopsis bahia* and *Menidia beryllina*) were established in the existing permit because the permittee had used chemicals or biocides in its treatment process. In a letter dated September 20, 2013, the permittee requests the WET testing requirements to be removed because its remediation system chemical injection was permanently terminated and disconnected effective June 18, 2013.

During system startup (1<sup>st</sup> quarter of 2012), influent TDS was approximately 1,930 mg/L and effluent TDS was approximately 2,010 mg/L. The TDS criteria at the water segment No. 2310 of the Rio Grande Basin is 4,000 mg/L pursuant to 30 TAC 307.10 Appendix A. Screening procedures for TDS is in accordance with the IP; intermittent stream with perennial pools is

appropriate. The procedure calculations show no control measures needed for TDS; see attached Screening Calculation for TDS for detail.

The facility is a non-continuous and minor discharger; with the permittee's commitment EPA determines the WET testing is not necessary, which is consistent with the IP.

## **V. 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 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 existing permit was issued for a 5-year term following regulations promulgated at 40 CFR 122.46(a). This is a modification of the existing permit; the modified permit will have the same expiration date of August 31, 2018 pursuant to 40 CFR 124.5(c)(2). The request letter for the modification was dated September 20, 2013.

## **VI. 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 modified permit.

## **VII. 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 modifications do not increase either the volume or pollutants of the discharge from the current permit. There is no WET limit established in the existing permit. The proposed modifications do not violate the provisions antibacksliding provisions of the CWA.

## **VIII. ENDANGERED SPECIES**

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](http://www.fws.gov/southwest/es/ES_Lists_Main.cfm), Black-capped vireo is still the only endangered species listed in Crockett County as of November 25, 2013.

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 the specie.
2. EPA previously determined during the previous NPDES permit that the authorized discharges would have “no effect” on the Black-capped vireo. There has been no additional information since the previous permit’s issuance that would need to be evaluated.

EPA concludes that the modification of the permit will have “no effect” on the species and/or its 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.

## **IX. HISTORICAL AND ARCHEOLOGICAL PRESERVATION CONSIDERATIONS**

The modified 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 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 §122.62 and 124.5.

## **XI. VARIANCE REQUESTS**

No variance requests have been received.

## **XII. CERTIFICATION**

The modifications to the permit are in the process of certification by the Railroad Commission of Texas 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. Request Letter**

Letter dated September 20, 2013 from Daniel Dick, DCP Midstream, LP to William Honker, EPA Region 6.

#### **B. State of Texas References**

"Procedures to Implement the Texas Surface Water Quality Standards via Permitting," Texas Commission on Environmental Quality, January 2003.

Texas Surface Water Quality Standards, 30 TAC Sections 307.1 – 307.10, effective August 17, 2000.

#### **C. Existing NPDES Permit**

TX0125008 issued on August 28, 2013, with an effective date of September 1, 2013, and an expiration date of August 31, 2018.

#### **D. 40 CFR Citations**

Sections 122, 124, 125, 133, and 136