

NPDES PERMIT NO. TX0134028
STATEMENT OF BASIS

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

APPLICANT:

Enterprise Houston Ship Channel, LP
Echo Terminal to Echo Hydrocarbons Terminal Pipeline Project
P. O. Box 4324
Houston, TX 77210

ISSUING OFFICE:

U.S. Environmental Protection Agency
Region 6
1445 Ross Avenue
Dallas, Texas 75202-2733

PREPARED BY:

Nichole L. Young
Environmental Scientist
Permitting Section (6WQ-PP)
Water Division
Voice: 214-665-6447
Fax: 214-665-2191
Email: young.nichole@epa.gov

DATE PREPARED:

July 20, 2016

PERMIT ACTION

It is proposed that the facility be issued 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 July 18, 2016.

RECEIVING WATER – BASIN

Vince Bayou thence to the Houston Ship Channel thence to Upper San Jacinto Bay/Burnet Bay. This is Segment ID 1007, Houston Ship Channel/Buffalo Bayou Tidal of the San Jacinto 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
HT	Hydrostatic Testing
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)
MGD	Million gallons per day
MSGP	Multi-Sector General Permit
NPDES	National Pollutant Discharge Elimination System
ML	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 CURRENT PERMIT

The facility is a new discharger.

II. APPLICANT LOCATION and ACTIVITY

As described in the application, ECHO distribution Pipeline Project is located in Houston, Harris County, Texas. The facility is planning to construct approximately 18.2 miles of new 30-inch diameter crude oil pipeline. The proposed project commences at the existing ECHO terminal located approximately 0.75 miles southeast of the intersection of Beltway 8 and State Highway 3 and terminates at the proposed ECHO Hydrocarbons Terminal located approximately two miles southeast of the intersection of Interstate 10 and Beltway 8. The proposed route is primarily collocated within existing pipeline and powerline rights-of-way.

Under the SIC code 4612, Crude Petroleum Pipelines, the applicant provides transportation services for crude oil distribution utilities, marketers, producers, industrial end users and other shippers. The proposed permit is for the discharge of hydrostatic test water for the pipeline.

III. DISCHARGE LOCATION

The discharge point showing outfall number, discharge coordinates: latitude and longitude, county, average flow rate in millions gallons per day (MGD), receiving water, and the waterbody identification numbers are shown in the following table:

Outfall Reference Number	Discharge Coordinates Latitude Deg° Min' Sec" Longitude Deg° Min' Sec"	County	Average Flow MGD	Receiving Water	Segment #
001	29° 42' 59" N 95° 13' 9" W	Harris	2.16	Vince Bayou thence to the Houston Ship Channel thence to Upper San Jacinto Bay/Burnet Bay	Segment # 1007, Houston Ship Channel/Buffalo Bayou Tidal of the San Jacinto River Basin

IV. DISCHARGE DESCRIPTION

This will be a new facility and no discharge has occurred. The facility provided estimates for the following parameters:

Parameter	Max Concentration, mg/L unless noted
Flow, MGD	2.16
pH, su	6.0 – 9.0
BOD	20
TSS	30
Ammonia	2
Temperature	10 °C (Winter); 32 °C (Summer)
Oil & Grease	15

Test water will be drawn from Vince Bayou, Harris County, Texas. Test water will come into contact with only new piping, and therefore, no contaminants will be introduced to the water as a result of the hydrostatic test.

The proposed discharges from Outfall 001 are described as follows:

Discharges from Outfall 001 are to Vince Bayou thence to the Houston Ship Channel thence to Upper San Jacinto Bay/Burnet Bay, Segment No. 1007, Houston Ship Channel/Buffalo Bayou Tidal of the San Jacinto River Basin. The designated uses for Segment No. 1007 are navigation and industrial water supply

V. 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.

B. 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.

There are no published ELG's for this type of activity. Permit limits are proposed based on BPJ. Since hydrostatic test water discharges are batch discharges of short term duration, limits in this Permit will be expressed in terms of daily maximum concentrations rather than in terms of mass limitations, as allowed by 40 CFR 122.45(e) and (f). Limitations for Oil & Grease, TSS, and pH are proposed in the permit. The proposed limitations for TSS are 30 mg/l average, 45 mg/l maximum; and Oil & Grease is 15 mg/l maximum. Narrative standards for oil, grease, or related residue have been placed in the proposed permit. A technology-based limit of 15 mg/l for Oil and Grease is included to assure that the narrative criterion is maintained. Concentration limits will be protective of the stream uses.

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.

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.

2. 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.

For Outfall 001, the hydrostatic test water will be drawn and discharged back into the same water body. Test water will be obtained from Vince Bayou and be discharged to Vince Bayou, and to the Houston Ship Channel and ultimately to Burnet Bay. As a result, intake credits are authorized for Outfalls 001. Intake credits account for in-situ waterbody conditions for only TSS.

3. 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

The daily minimum and daily maximum permit limits of 6.0 standard units to 9.0 standard units on hydrostatic test general permits developed by other EPA Regions and States. TAC 307.10 states, "The pH criteria are listed as minimum and maximum values expressed in standard units at any site within the segment."

Wastewater discharges from the facility will flow into Waterbody Segment No. 1007 of the San Jacinto River Basin. pH shall be limited to the criteria listed for this Segment. For Outfall 001, pH shall be limited to 6.5 – 9.0.

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 proposed permit represent protection of water quality for Outfall 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.

The hydrostatic test water will be discharged directly into Vince Bayou (tidal stream), to the Houston Ship Channel and ultimately to Burnet Bay, Segment ID 1007, Houston Ship Channel/Buffalo Bayou Tidal of the San Jacinto River Basin. Outfall 001 is Menu 6 (Discharge is directly to a tidal water body (<400 ft) with upstream flow information). Vince Bayou is a tributary of the Houston Ship Channel, Texas Segment 1007. Based on TCEQ implementation procedures, the harmonic mean is 13.94 cubic feet per second and 7Q2 the critical low flow is 8.28 cubic feet per second.

The applicant proposes to draw water from Vince Bayou, and be discharged into Vince Bayou, and to the Houston Ship Channel and ultimately to Burnet Bay. Hydrostatic test water will contact only new pipe, and no chemicals will be added. As a result, no contaminants are expected to be present in the hydrostatic test water discharge at amounts that would pose a reasonable potential to exceed State WQS.

d. Solids and Foam

The prohibition of the discharge of floating solids or visible foam in other than trace amounts is proposed 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.

Turbidity

Waste discharges must not cause substantial and persistent changes from ambient conditions of turbidity or color.

D. 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.

For ALL outfalls, monitoring for flow, TSS, Oil & Grease, and pH shall be daily by grab sample, when discharging.

E. WHOLE EFFLUENT TOXICITY LIMITATIONS

There are no chemical specific limitations in the draft permit and the applicant has stated that no chemical additives such as corrosion inhibitors are being added to the test water. There does not appear that the discharge will have a potential for toxicity. The draft permit does not propose any biomonitoring of the discharge.

F. 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.

Electronic Reporting Rule

The EPA published the electronic reporting rule in the federal register (80 FR 64063) on October 22, 2015. The rule became effective on December 21, 2015. One year after the effective date of the final rule, NPDES regulated entities that are required to submit DMRs (including majors and non-majors, individually permitted facilities and facilities covered by general permits) must do so

electronically. All DMRs shall be electronically reported effective December 21, 2016, per 40 CFR 127.16. If you are submitting on paper before December 21, 2016, you 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.). To submit electronically, access the NetDMR website at www.epa.gov/netdmr and contact the R6NetDMR@epa.gov in-box for further instructions. PA and authorized NPDES programs will begin electronically receiving these DMRs from all DMR filers and start sharing these data with each other.

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

According to the 2014 State of Texas 303(d) List for Assessed River/Stream Reaches Requiring Total Maximum Daily Loads (TMDLs), the receiving stream for Outfall 001, Vince Bayou thence to the Houston Ship Channel thence to Upper San Jacinto Bay/Burnet Bay, Segment ID 1007 is listed as impaired for bacteria, PCBs in edible tissue, dioxin in edible tissue, and toxicity in sediment. Bacteria, PCBs in edible tissue and dioxin in edible tissue are under TCEQ's category 5a, which implies that a TMDL is underway, scheduled, or will be scheduled. Toxicity is under TCEQ's category 5c, which implies that additional data or information will be collected and/or evaluated for one or more parameters before a management strategy is selected.

In light of the nature of the system, the discharger is not likely to contribute to bacteria, PCBs in edible fish tissue, dioxin in edible tissue, and toxicity in sediment. 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.

IX. ENDANGERED SPECIES

The effects of EPA's permitting action are considered in the context of the environmental baseline. The environmental baseline is established by the past and present impacts of all Federal, State, or private actions and other human activities in an action area; the anticipated impacts of all proposed Federal projects in an action area that have already undergone formal or early ESA §7 consultation; and the impact of State or private actions that are contemporaneous with the consultation in process (50 CFR §402.02). Hydrostatic test water discharges occur after a pipeline has already been put in place following earth disturbing activities that have had to have received appropriate federal, state, and local authorizations putting the construction of pipeline itself into the environmental baseline. The scope of the evaluation of the effects of the discharge authorized by this permit was therefore limited to the effects related to the authorized discharge.

According to the most recent county listing available at US Fish and Wildlife Service (USFWS), Southwest Region 2 website, <http://ecos.fws.gov/ipac/wizard/chooseLocation!prepare.action>, Five species are listed as endangered or threatened in Harris County. They are Texas Prairie dawn flower (*Hymenoxys texana*), West Indian Manatee (*Trichechus manatus*), Least tern (*Sterna antillarum*), Piping Plover (*Charadrius melodus*) and Red Knot (*Calidris*). The description of the species and its effect on the hydrostatic test discharge is described below.

TEXAS PRAIRIE DAWN FLOWER (*Hymenoxys texana*):

Texas Prairie Dawn is a delicate annual one to six inches tall. Its yellow flower heads, less than 1/2 inch in diameter, stands out brightly in the patches of dull gray barren sand in which the species is normally found. Texas Prairie Dawn flowers in March - early April and disappear by mid-summer. Habitat destruction by urban development continues to threaten this plant. It grows in sparsely vegetated areas ("slick spots") at the base of mima mounds ("pimple mounds") or other nearly barren areas on slightly saline soils in coastal prairie grasslands. The wildflower is found in Fort Bend and Harris counties, southeast Texas. This species occurs within and on the outskirts of Houston.

WEST INDIAN MANATEE (*Trichechus manatus*)

West Indian manatees are large, gray aquatic mammals with bodies that taper to a flat, paddle-shaped tail. They have two forelimbs, called flippers, with three to four nails on each flipper. Their head and face are wrinkled with whiskers on the snout. The manatee's closest relatives are the elephant and the hyrax. Manatees are believed to have evolved from a wading, plant-eating animal. The average adult manatee is about 10 feet long and weighs between 800 and 1,200 pounds. Manatees can be found in shallow, slow-moving rivers, estuaries, saltwater bays, canals, and coastal areas, particularly where seagrass beds or freshwater vegetation flourish. Manatees are a migratory species.

West Indian manatees have no natural enemies, and it is believed they can live 60 years or more. As with all wild animal populations, a certain percentage of manatee mortality is attributed to natural causes of death such as cold stress, gastrointestinal disease, pneumonia, and other diseases. A high number of additional fatalities are from human-related causes. Most human-related manatee fatalities occur from collisions with watercraft. Other causes of human-related manatee mortality include being crushed and/or drowned in canal locks and flood control structures; ingestion of fish hooks, litter, and monofilament line; and entanglement in crab trap lines. Ultimately, loss of habitat is the most serious threat facing manatees in the United States today.

LEAST TERN (*Sterna Antillarum*)

The Least tern populations have declined due to habitat destruction by permanent inundation, destruction by reservoir releases, channelization projects, alterations of Natural River or lake dynamics resulting in vegetational succession of potential nesting sites, and recreational use of potential nesting sites. Issuance of this permit is found to have no impact on the habitat of this species, as none of the aforementioned listed activities is authorized by this permitting action.

PIPING PLOVER (*Charadrius melodus*)

Piping Plover is listed in Harris County as threatened. A small plover has wings approximately 117 mm; tail 51 mm; weight 46-64 g (average 55 g); length averages about 17-18 cm. The breeding season begins when the adults reach the breeding grounds in mid- to late April or in mid-May in northern parts of the range. Plovers are usually found on sandy beaches, especially where scattered grass tufts, sparsely vegetated shores and islands of shallow lakes, ponds, rivers, and impoundments are present. Destruction of habitat, disturbance and increased predation rates due to elevated predator densities in piping plover habitats are described as the main reasons for this species' endangered status and continue to be the primary threats to its recovery. The remaining populations, whether on the breeding or wintering grounds, mostly inhabit public or undeveloped beaches. These populations are vulnerable to predation and disturbance. Research of available material finds that the primary cause for the population decreases, leading to threatened or endangered status for these species, is destruction of habitat.

RED KNOT (*Calidris canutus*)

Red Knot is a medium-sized shorebird and the largest of the "peeps" in North America, and one of the most colorful. It makes one of the longest yearly migrations of any bird, traveling 15,000 km (9,300 mile) from its Arctic breeding grounds to Tierra del Fuego in southern South America. The Red Knot nests on the ground, near water, and usually inland. The birds have become threatened as a result of commercial harvesting of horseshoe crabs in the Delaware Bay which began in the early 1990s. Delaware Bay is a critical stopover point during spring migration; the birds refuel by eating the eggs laid by these crabs (with little else to eat in the Delaware Bay).

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 issuance 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. A Threatened and Endangered Species Survey was conducted and a report prepared. In the report, it was determined that the proposed project would have no effect on any federally listed Threatened and Endangered Species having the potential to occur within Harris County, Texas.
3. Based on information described above, EPA Region 6 has determined that discharges proposed to be authorized by the proposed permit will have no effect on the listed species in Harris County.

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.

Operators have an independent ESA obligation to ensure that any of their activities do not result in prohibited “take” of listed species. Section 9 of the ESA prohibits any person from “taking” a listed species, e.g., harassing or harming it, with limited exceptions. See ESA Sec 9; 16 U.S.C. §1538. This prohibition generally applies to “any person,” including private individuals, businesses and government entities. Operators who intend to undertake construction activities in areas that harbor endangered and threatened species may seek protection from potential “take” liability under ESA section 9 either by obtaining an ESA section 10 permit or by requesting coverage under an individual permit and participating in the section 7 consultation process with the appropriate FWS or NMFS office. Operators unsure of what is needed for such liability protection should confer with the appropriate Services.

X. 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.

XI. FINAL DETERMINATION

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

XII. ADMINISTRATIVE RECORD

The following information was used to develop the modified permit:

A. APPLICATION

NPDES Application for Permit to Discharge, Form 1 & 2E, Permit Application received on January 29, 2016.

B. State of Texas References

2014 Texas Integrated Report of Surface Water Quality, , Texas Commission on Environmental Quality, November 19,2015.

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

Texas Surface Water Quality Standards, 30 TAC Sections 307.1 - 307.9, effective February 12, 2014.

C. Endangered Species References

<http://www.tpwd.state.tx.us/huntwild/wild/species/txp>

[rdawn/](#)

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

D. 40 CFR CITATIONS Sections 122, 124, 125, 133, and 136

E. MISCELLANEOUS CORRESPONDENCE

Letter from Dorothy Brown, EPA, to Mr. Graham Bacon, Enterprise Houston Ship Channel, LP. dated July 18, 2016, informing applicant that its NPDES application was administratively complete.