TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

December 22, 2022

TO: Persons on the attached mailing list.

RE: Port of Corpus Christi Authority of Nueces County
TCEQ Docket No. 2019-1156-IWD; SOAH Docket No. 582-20-1895

Decision of the Commission on Application.

The Texas Commission on Environmental Quality ("TCEQ" or "Commission") has made a decision to grant the above-referenced permit application. Enclosed with this letter is a copy of the Commission's order. Unless a Motion for Rehearing ("MFR" or "motion") is timely filed with the chief clerk, this action of the Commission will become final. A MFR is a request for the Commission to review its decision on the matter. Any motion must explain why the Commission should review the decision.

Deadline for Filing Motion for Rehearing.

A MFR must be received by the chief clerk's office no later than the 25th day after the date that the Commission's order on this application is signed. The date of signature is indicated on the last page of the enclosed order.

Motions may be filed with the chief clerk electronically at www.tceq.texas.gov/goto/efilings or by filing an original and 7 copies with the Chief Clerk at the following address:

Laurie Gharis, Chief Clerk
TCEQ, MC-105
P.O. Box 13087
Austin, Texas 78711-3087
Fax: 512/239-3311

In addition, a copy of the motion must be sent on the same day to each of the individuals on the attached mailing list as indicated by an asterisk (*). A certificate of service stating that copies of the motion were sent to those on the mailing list must also be sent to the chief clerk. The procedures for filing and serving a MFR and responses are located in 30 TAC § 80.272, Texas Governmental Code § 2001.146 as revised by Senate Bill 1267 (84th Regular Session, effective September 1, 2015), and 30 TAC §§ 1.10 and 1.11. The hardcopy filing requirement is waived by the General Counsel pursuant to 30 TAC § 1.10(h).

The written motion must contain (1) the name and representative capacity of the person filing the motion; (2) the style and official docket number assigned by SOAH and official docket number assigned by the Commission; (3) the date of the order; (4) the particular findings of fact or conclusions of law that are the subject of the complaint and any evidentiary or legal ruling claimed to be erroneous; and (5) the legal and factual basis for the claimed error.

Unless the time for the Commission to act on the MFR is extended, the MFR is overruled by operation of law at 5:00 p.m. on the 55th day after the date that the Commission's order on this matter is signed.

If you have any questions or need additional information about the procedures described in this letter, please call the Public Education Program, toll free, at 1-800-687-4040.

Sincerely,

Laurie Gharis
Chief Clerk

LG/mt

Enclosure

MAILING LIST
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FOR THE STATE OFFICE OF ADMINISTRATIVE HEARINGS
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INTERESTED PERSONS:

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DALE , JAMES A
108 OAK DELL
BOERNE TX 78006-6429

DANIELS , CHRISTIAN & KATHALEEN S
APT A
1404 BARBERGALE ST
PFLUGERVILLE TX 78660-3399

DAUBERT , MATT
15315 WISTERIA SPRINGS DR
CYPRESS TX 77433-5599

DAVIES , CAROLINE
NO 3057
130 RAINBOW DR # 3040
LIVINGSTON TX 77399-1030

DAVIES , CAROLINE
UNIT 525
800 SANDCASTLE DR
PORT ARANSAS TX 78373-5903

DAVIS , LIZ
1319 S 11TH ST
PORT ARANSAS TX 78373-5755

DAVIS , RICHARD
13134 VISTA HVN
SAN ANTONIO TX 78216-1713

DAVIS , SANDRA
2025 S 11TH ST
PORT ARANSAS TX 78373-4164

DAVISON , NANCY
1722 WILD DEER RUN
SAN ANTONIO TX 78248-1475

DE LA PENA , DWAYNE
5438 GRAFORD PL
CORPUS CHRISTI TX 78413-5340

DEGRAAFF , JUDITH L
407 BEACH AVE
PORT ARANSAS TX 78373-5329

DEL MORAL , MR RAPHAEL
613 N PALIMINO DR
PORT ARANSAS TX 78373-6000

DELMORAL , MARY
216 BEACHWALK LN
PORT ARANSAS TX 78373-4826

DELMORAL , RAPHAEL
216 BEACHWALK LN
PORT ARANSAS TX 78373-4826

✻ DENNEY , CARA
PO BOX 2383
PORT ARANSAS TX 78373-2383

DERENTHALL , DAVID
BIG FISHERMAN STORAGE CENTER LLC
510 STATE HIGHWAY 188
ROCKPORT TX 78382-7092

DES ROSIER , JOE
115 REDHEAD RD
ROCKPORT TX 78382-9520

DICKEY , REBECCA
APT 21
3700 ISLAND MOORINGS PKWY
PORT ARANSAS TX 78373-4985

DILLAHUNTY , RAYMOND C
478 PARADISE POINTE DR
PORT ARANSAS TX 78373-5114

DODSON , PAUL EDGAR
8718 S DANA
ORANGE TX 77632-8229

DONALSON , ALYSON
53 CURLEW DR
ROCKPORT TX 78382-3714

DONALSON , DREW
PO BOX 684
SILSBEE TX 77656-0684

DONALSON , DREW
53 CURLEW DR
ROCKPORT TX 78382-3714

DONOVAN , JOHN
PO BOX 422
PORT ARANSAS TX 78373-0422

DONOVAN , JOHN POWER
PORT ARANSAS CONSERVANCY
19109 LUEDTKE LN
PFLUGERVILLE TX 78660-5021

DOOLITTLE III , JAMES L
1300 SEA SECRET ST
PORT ARANSAS TX 78373-5739

DORRELL , DR. TOM
2146 BURGENTINE DR
CORPUS CHRISTI TX 78418-9217

DORRESTIJN , HEATHER & ROBERT
423 MARINA DR
PORT ARANSAS TX 78373-4907

DORSEY , CRAIG
UNIT 315
1965 MATILDA ST
DALLAS TX 75206-8481

DOSS , CAMILLE
PO BOX 3294
PORT ARANSAS TX 78373-3294

DOSS , DAVID
206 CHURCH ST
PORT ARANSAS TX 78373-5168

DOWDEN , MR JUPE D
4410 E 50 N
LAFAYETTE IN 47905-7538

DOYLE , BRON
314 E AVENUE G
PORT ARANSAS TX 78373-5424

DRAKE , ALYSON
1024 CAP ROCK HL
NEW BRAUNFELS TX 78132-4246

DRAKE , KEVAN
STE 120
105 W RIVERSIDE DR
AUSTIN TX 78704-1247

DREISS , MS MILBY J
PO BOX 246
COMFORT TX 78013-0246

DREISS , MILBY J
403 TROJAN ST
PORT ARANSAS TX 78373-5404

DUBOIS , MR SCOTT
2916 TORO CANYON RD
AUSTIN TX 78746-2429

DURCAN , FIONA
490 BLUE HERON DR
PORT ARANSAS TX 78373-4921

* DYER , ALDO
1007 PRIVATE ROAD D
PORT ARANSAS TX 78373-5044

DZURENDA , STEPHEN M
801 SESAME LN
LAREDO TX 78045-2037

ECHOLS , CONNIE
541 ROSEMARY ST
CORPUS CHRISTI TX 78418-4709

ECKERLING , AARON
4505 BILBOA DR
AUSTIN TX 78759-5220

ECKSTROM , MR MATT R
310 EASY CIR
CORPUS CHRISTI TX 78418-3177

EDQUIST , PETE
518 LYNNA LN
BLANCO TX 78606-5270

EISELE , DOUGLAS A
208494 PELICAN BAY DR
MOSINEE WI 54455-4238

ELIAS , MARIAN A
W6108 FAWN LN
PESHTIGO WI 54157-9451

ELIAS , WILLIAM R
W6108 FAWN LN
PESHTIGO WI 54157-9451

ELLIOTT , MR STEVEN M
446 CLAY POINT CT
HOUSTON TX 77024-6701

EMERY , ARTHUR
APT 302
8070 FRANKFORD RD
DALLAS TX 75252-6884

ENGLISH , JENNIFER COX
1500 LOCHALINE LOOP
PFLUGERVILLE TX 78660-1757

ENGLISH , TERRI LEE
4830 ELM ST
SEABROOK TX 77586-2016

ENNIS , WILL
20215 BLACK CANYON DR
KATY TX 77450-8705

EPPRIGHT , JORDAN
6310 LEDGE MOUNTAIN DR
AUSTIN TX 78731-3741

ERNST , FRANK
3314 MAUI DR
CORPUS CHRISTI TX 78418-2923

ESPOSITO , JUDY
123 PEDERNALES DR
RHOME TX 76078-1107

ESTRADA , JOE
205 PORPOISE DR
ARANSAS PASS TX 78336-1928

EVANS , MARGARET
1035 SEA SECRET ST
PORT ARANSAS TX 78373-5733

FAHLIN , MICHAEL GAUGE
UNIT A
335 CEMETERY RD
BOYD TX 76023-4660

✻ FARLEY , BARNEY C
COASTLINE AC AND HEATING
PO BOX 369
PORT ARANSAS TX 78373-0369

FAULKNER , MORGAN
614 S GULF ST
PORT ARANSAS TX 78373-4302

FEDAK , EDWARD & SARAH J
341 KEEWAYDIN LN
PORT ARANSAS TX 78373-4811

FEDAK , EDWARD
341 KEEWAYDIN LN
PORT ARANSAS TX 78373-4811

FEDAK , SARAH J
341 KEEWAYDIN LN
PORT ARANSAS TX 78373-4811

FERRIS , JULIE A
9521 ZUNIGA DR
AUSTIN TX 78749-1164

FIEBRICH , MR GREG R
2827 OAK HAVEN CIR
GEORGETOWN TX 78628-9552

FINDLEY , EDGAR D
1111 WHISPERING SANDS ST
PORT ARANSAS TX 78373-5722

FINDLEY , JULIE KINNEY
1111 WHISPERING SANDS ST
PORT ARANSAS TX 78373-5722

FITZGERALD , BONITA L
3291 AHMAT RD
BARNUM MN 55707-9618

FITZPATRICK , MARLIVE
132 LAKE SHORE DR
CORPUS CHRISTI TX 78413-2635

FITZPATRICK , MARLIVE
APT H2
200 W COTTER AVE
PORT ARANSAS TX 78373-4039

FLORES , EDWARD
APT 1
418 W KINGS HWY
SAN ANTONIO TX 78212-2896

FLORES JR , MR ERNESTO M
222 BLOOMFIELD DR
SAN ANTONIO TX 78228-2905

FLORES , JOHN C
1200 SEA SECRET ST
PORT ARANSAS TX 78373-5737

FLORES , LILLIAN
8222 CAMPOBELLO DR
SAN ANTONIO TX 78218-2409

FLYNN , PAUL J
401 TROJAN ST
PORT ARANSAS TX 78373-5404

FLYNN , PAUL J
PO BOX 1532
PORT ARANSAS TX 78373-1532

FOLSE , JOSEPH E
209 BROWN ST
PORT ARANSAS TX 78373-5189

FOSTER , JUSTIN
14136 GUYTON RD
MOODY TX 76557-3206

FOSTER , REBEL
746 TARRANT AVE
PORT ARANSAS TX 78373-5005

FOSTER , TERESA
14136 GUYTON RD
MOODY TX 76557-3206

FOX , LAWRENCE J
720 BEACH ACCESS ROAD 1A
PORT ARANSAS TX 78373-6106

FOX , MARADEE I
720 BEACH ACCESS ROAD 1A
PORT ARANSAS TX 78373-6106

FRANCO , JERILYN
1112 LILAC ST
FORT WORTH TX 76110-1927

FRANCOIS , JOELLE
711 N CARANCAHUA ST
CORPUS CHRISTI TX 78401-0599

FRANKLIN , DR. LISA ALICE
425 DOLPHIN PL
CORPUS CHRISTI TX 78411-1513

FRANKS , JONATHAN
2302 OLIVE HEIGHTS CT
MANVEL TX 77578-1635

FRANKS , JONATHAN
2910 MEADOWCREEK DR
MISSOURI CITY TX 77459-2119

FRANNEA , MARTIN
1015 WHISPERING SANDS ST
PORT ARANSAS TX 78373-5719

FRAZIER , CHUCK
712 RIDGE DR
MARENGO IL 60152-3381

FREDERICK , DAVID O
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1206 SAN ANTONIO ST
AUSTIN TX 78701-1834

FRIDAY , PHILLIP
9218 MERNA DR
HOUSTON TX 77040-2451

FRIEDMAN , ANN
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PORT ARANSAS TX 78373-5738

FRIEDMAN , ANN
2104 JASON LN
TAYLOR TX 76574-1317

FRISCH , DR. MIKE A
THRIVAL COMPANY
5732 GORHAM GLEN LN
AUSTIN TX 78739-1772

FRISCO , MARCIA
467 95TH ST
CLEAR LAKE WI 54005-4005

FRISHMAN , BEN
STE A123
3112 WINDSOR RD
AUSTIN TX 78703-2350

FROST , KATHY
5004 CEDAR ST
BELLAIRE TX 77401-4009

FUENTES , RUDOLPH JOEL
13518 VISTA DE ORO ST
HOUSTON TX 77070-3529

FUGLER , DR. RICHARD C
103 ABNER JACKSON PKWY
LAKE JACKSON TX 77566-5172

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145 W OAKS AVE
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G , C
14 S SLASH PINE PARK
SPRING TX 77380-1582

GABEL , SCOTT R
4113 HONEYMOON RDG
LAKE IN THE HILLS IL 60156-6501

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PORT ARANSAS TX 78373-1908

GALLEGOS , ANDREA
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241 W COTTER AVE
PORT ARANSAS TX 78373-4035

GALLEGOS , SAL
241 W COTTER AVE
PORT ARANSAS TX 78373-4035

GARLAND , RENEE
2530 S 11TH ST
PORT ARANSAS TX 78373-6042

GARRETT , PAM
903 S 11TH ST
PORT ARANSAS TX 78373-1258

GARRETT , RICHARD
903 S 11TH ST
PORT ARANSAS TX 78373-1258

GARRISON , PEGGY E
116 LORD AVE
MUSCATINE IA 52761-4938

GARZA , MARGARET
13294 HUNTERS LARK ST
SAN ANTONIO TX 78230-2018

GASCA , PAT
3308 NE SHADY LANE DR
KANSAS CITY MO 64119-1952

GASPARD , CARROL & ERIC
1003 S 11TH ST
PORT ARANSAS TX 78373-5303

GASPARD , CARROL B
1003 S 11TH ST
PORT ARANSAS TX 78373-5303

GASPARD , DEAN
1934 COUNTY ROAD 237
FALLS CITY TX 78113-5807

GASPARD , ERIC J
1934 COUNTY ROAD 237
FALLS CITY TX 78113-5807

GATES , JIMMIE
PO BOX 1660
PORT ARANSAS TX 78373-1660

GATES , TERESA A
PO BOX 2172
PORT ARANSAS TX 78373-2172

GATES , TESSA
PO BOX 2172
PORT ARANSAS TX 78373-2172

GAUTHIER , DARLENE
702 N AUSTIN ST
ROCKPORT TX 78382-2806

GAUTHIER , JACKIE
124 ABREGO RIDGE DR
FLORESVILLE TX 78114-6667

GAYDOS , BECKY L
1702 W DEBERRY AVE
ARANSAS PASS TX 78336-4204

GECKLER , CHRIS
2301 ACKERMAN RD
SAN ANTONIO TX 78219-3021

GERHART , GARY E
2521 MACONDA LN
HOUSTON TX 77027-4011

GERLOFF , ALY FOX
606 LANTANA DR
PORT ARANSAS TX 78373-5305

GIAP , CHRISTINE
512 LIGHTSEY RD
AUSTIN TX 78704-7024

GILBERT , JACKIE
5348 MAGDELENA DR
AUSTIN TX 78735-6378

GILLESPIE , DONALD L
108 MACKEREL CT
ARANSAS PASS TX 78336-1831

GILMORE , JIM
3731 COUNTY ROAD 105 S
ALAMOSA CO 81101-9744

GLEASON III , TOM
5705 SHOALWOOD AVE
AUSTIN TX 78756-1121

GODFREY , AUSTIN D
1420 WEBBERVILLE RD
AUSTIN TX 78721-1406

GOFF , KRISTIN E
6927 ROSEBUD HOLLOW LN
RICHMOND TX 77469-5457

GOLDBERG , MOSES
UNIT 903
6649 SEACOMBER DR
PORT ARANSAS TX 78373-4877

GOLDBERG , MOSES
306 WESTMONT DR
LAREDO TX 78041-2744

GOLDSBURY , MR ROBERT B
249 E SUMMIT AVE
SAN ANTONIO TX 78212-3026

GOLOB , AMANDA
PO BOX 2832
PORT ARANSAS TX 78373-2832

GONZALES , REFUGIO & RICHARD L
APT A
1404 BARBERGALE ST
PFLUGERVILLE TX 78660-3399

GOODMAN , MRS KATHARINE P
545 N CAMBRIDGE WAY
SALT LAKE CITY UT 84103-4235

GORCZYCA , CHAD
520 OCEAN VW
PORT ARANSAS TX 78373-5711

GORDON , MEL
16400 HENDERSON PASS
SAN ANTONIO TX 78232-3302

GOSS , JERRY
11610 ONE TOKEN DR
HOUSTON TX 77065-1025

GRAF , DEWAYNE & ROSEMARIE
804 SHENANDOAH RIDGE RD
WAUSAU WI 54403-9173

GRAHAM , THOMAS
PO BOX 264
AUSTIN TX 78767-0264

GRANT , GENE
721 SUNRISE AVE
PORT ARANSAS TX 78373-4265

GRAY , ELLEN L
513 LIGHTHOUSE CHANNEL
PORT ARANSAS TX 78373-4215

GRAY , RICHARD J
743 COLLEGE BLVD
SAN ANTONIO TX 78209-3625

GREEN , CINDY
2166 TIMBERLEAF CIR
INGLESIDE TX 78362-6214

GREEN , MRS GAIL
PO BOX 1380
ORANGE GROVE TX 78372-1380

GREEN , JESSIE
132 W STAPP AVE
ARANSAS PASS TX 78336-2822

GREEN , KIMBERLY
132 W STAPP AVE
ARANSAS PASS TX 78336-2822

GREENE , PAM
2412 HWY 361
PORT ARANSAS TX 78373-4802

GREGG , PATRICK J
1931 PRAIRIE CREEK TRL
FRISCO TX 75033-8349

GREINER , J W
241 W COTTER AVE
PORT ARANSAS TX 78373-4035

GRIFFIN , LESLIE
PO BOX 1506
PORT ARANSAS TX 78373-1506

GRIFFIN , LESLIE
325 S 12TH ST
PORT ARANSAS TX 78373-5335

GROSECLOSE , MRS TINA
418 RED LANTERN
PORT ARANSAS TX 78373-5704

* GROSSE , MARK
PO BOX 872
PORT ARANSAS TX 78373-0872

GUAJARDO , ANNA
6817 KIRKWOOD RD
FORT WORTH TX 76116-9418

GUERRA , ROLANDO
B*TOWN REALTY
803 OLD PORT ISABEL RD
BROWNSVILLE TX 78521-3557

GUIDO , PATRICIA ANN
403 TROJAN ST
PORT ARANSAS TX 78373-5404

GUNCKEL , FORREST
PO BOX 1833
PORT ARANSAS TX 78373-1833

GUSTAFSON , KIM S
12916 BISMARK DR
AUSTIN TX 78748-1009

GUTIERREZ , HECTOR
4713 GRAND LAKE DR
CORPUS CHRISTI TX 78413-5249

HAGER , CECILIA J
MAS ES MEJO
218 S 11TH ST
PORT ARANSAS TX 78373-5320

HAIN , JEFFREY A
1042 W YOUNG AVE
ARANSAS PASS TX 78336-2915

HALIOUA , MS LINDA
PO BOX 1537
PORT ARANSAS TX 78373-1537

HALIOUA , LINDA
305 SORRENTO ST
PORT ARANSAS TX 78373-5501

HALLMARK , SPENCER GRAHAM
16130 CHARLYA DR
TEMPLE TX 76502-6644

HALLUM JR , RICHARD L
3028 OAK VISTA LN
ROUND ROCK TX 78681-3900

HAMILTON , ANNA
PO BOX 374
PORT ARANSAS TX 78373-0374

HAMILTON , LAURA
417 ABBY LN
PORT ARANSAS TX 78373-5566

HAMILTON , SUE ELLEN
641 SANDKEY DR
PORT ARANSAS TX 78373-6119

HAMM , MATTHEW
215 BLANCO DR
PORTLAND TX 78374-1303

HAMMETT , JEFF
1160 MCELROY LN
NEW ULM TX 78950-2007

HANCOCK , MATTHEW D
221 E AVENUE E
PORT ARANSAS TX 78373-5419

HANNA , MR JAY
106 CRESTWOOD CT
WEST LAKE HILLS TX 78746-4693

HANNA , PAT M
3000 SPEIGHT AVE
WACO TX 76711-1545

HARDINK-KING , PAMELA
PO BOX 1958
PORT ARANSAS TX 78373-1958

HARPER , JUDY
1509 N COUNTY ROAD 2150 E
LONGVIEW IL 61852-9702

HARRIS , CAROL & MARTY
PO BOX 581
PORT ARANSAS TX 78373-0581

HARRIS , CHESTER
93 CESSNA ST
SAYRE PA 18840-2757

HARRIS , DEBORAH
5601 STATE HIGHWAY 361
PORT ARANSAS TX 78373-4840

HARRISON , DOUGLAS
1000 HARRISON RD
NEW BRAUNFELS TX 78132-1671

HARSHMAN , CATHY
821 OCEAN SIDE
PORT ARANSAS TX 78373-5770

HART , DEBBIE
221 E AVENUE E
PORT ARANSAS TX 78373-5419

HARTLEY , MR RICHARD ALAN
HARTLEY
UNIT 65
10 S BRIAR HOLLOW LN
HOUSTON TX 77027-2817

HARTMAN , JOYCE ANN
1727 PALISADES DR
PORT ARANSAS TX 78373-6010

HASSINGER , SUSAN
604 E COTTER AVE
PORT ARANSAS TX 78373-5100

HATCH , DONALD
PO BOX 39
ARANSAS PASS TX 78335-0039

HAUSSER , ALBERT F
263 GENESEO RD
SAN ANTONIO TX 78209-5913

HAWKINS , LORI
325 RIVERSIDE DR
ANGLETON TX 77515-9111

HAYS , ABBY
134 PRIVATE ROAD 3576
BOYD TX 76023-3830

HAYS , JOHN
1214 TIKI DR
GALVESTON TX 77554-8123

HEIMANN , MARY ANN
PO BOX 986
ARANSAS PASS TX 78335-0986

HENDERSON , KATHY
PO BOX 2482
PORT ARANSAS TX 78373-2482

HENDRICKS , SARA
APT E
303 S DE LEON ST
VICTORIA TX 77901-8288

HENDRY , DOUG
638 MARLIN AZUL
PORT ARANSAS TX 78373-6159

HENDRY , JOYCE
638 MARLIN AZUL
PORT ARANSAS TX 78373-6159

HERBST , SHANE
8914 VALHALLA
SELMA TX 78154-1313

HERRIN , KELLY
4726 BUNNY RUN
AUSTIN TX 78746-1065

HERRMANN , KAREN & RONALD J
602 CLINES LANDING
PORT ARANSAS TX 78373

HESKEW , WAYNE R
621 BAYSHORE DR
INGLESIDE TX 78362-4706

HESS , BRIDGETT
UNIT B
1502 WATERLOO TRL
AUSTIN TX 78704-4897

HESS , BRIDGETT
602 MULBERRY DR
AUSTIN TX 78745-6424

HESSELBACHER , ROBIN
1185 INDIAN RDG
NEW BRAUNFELS TX 78132-3542

HESSELBACHER , ROBIN
3724 SAINT ANDREWS DR
THE COLONY TX 75056-4614

HESTER , ROGER
APT 9
504 S 10TH ST
PORT ARANSAS TX 78373-5558

HEWITT , CLINT
PO BOX 6
MARKHAM TX 77456-0006

HEWITT , MS ELIZABETH
6026 ROYAL WOOD
SAN ANTONIO TX 78239-1631

HEYMANN , STEVE
9107 AUTUMN LEAF ST
SAN ANTONIO TX 78217-3401

HICKS , DEBBIE
2091 SE 2800
ANDREWS TX 79714-5939

HICKS , DEBBIE
UNIT 29
6877 STATE HIGHWAY 361
PORT ARANSAS TX 78373-4942

HIGDON , PAULA
UNIT 53
300 E COTTER AVE
PORT ARANSAS TX 78373-5107

HILL , GREG
715 ACCESS RD 1A
PORT ARANSAS TX 78373

HILL , MICHAEL D
8295 COUNTY ROAD 179
RICHARDS TX 77873-4417

HILL , MICHAEL L
16117 WINDRUSH PL
EDMOND OK 73013-9415

HILLIN , LILA & STEVEN
629 SANDPIPER CIR
PORT ARANSAS TX 78373-4207

HODGDON , MRS LYNNE
12600 HILL COUNTRY BLVD
BEE CAVE TX 78738-6723

HOFFMAN , MARK
8618 SUNNY RIDGE DR
HOUSTON TX 77095-3709

HOLLAND , MR KEVIN M
CERVELLE HOMES
207 E EDGEWOOD DR
FRIENDSWOOD TX 77546-3820

HOLT , DR. GLORIA JOAN
710 W AVENUE A
PORT ARANSAS TX 78373-4128

HOLT , GLORIA JOAN
PO BOX 1199
PORT ARANSAS TX 78373-1199

HOLT , SCOTT
PO BOX 1199
PORT ARANSAS TX 78373-1199

HOOD , MARIELLEN
W6460 OJIBWA RD
SPOONER WI 54801-7223

HOPPER , MS ANDREA G
6917 ASWAN DR
CORPUS CHRISTI TX 78412-4144

HOPPER , MS ANDREA G
UNIT 210
6275 STATE HIGHWAY 361
PORT ARANSAS TX 78373-4713

HORADAM , RANDALL R
280 SEAY WORLD LN
SEGUIN TX 78155-9334

HORTON , NICOLE
1015 WHISPERING SANDS ST
PORT ARANSAS TX 78373-5719

HORVATH , STEPHANIE
207 LANDS END ST
ROCKPORT TX 78382-9769

HOUSMAN , PAULA
660 PELICAN CIR
PORT ARANSAS TX 78373-4206

HOWARD , FRED H
3623 ROBINSON RD
MISSOURI CITY TX 77459-4313

HOWARD , STEVE
19311 RIVERWALK DR
PORTER TX 77365-3758

HUGHES , BENJAMIN
7881 MEADOWBROOK AVE
FRISCO TX 75033-3615

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PO BOX 341355
AUSTIN TX 78734-0023

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505 CROSS CREEK DR
BENTONVILLE AR 72712-3405

HUTCHENS , DAVID
120 GULFWIND DR
PORT ARANSAS TX 78373-4955

HUYNH , TUAN
9907 TEZEL RD
SAN ANTONIO TX 78254-5520

HYDER , NANCY
407 MERCER ST
PORT ARANSAS TX 78373-5155

HYLAND , PATTI
309 KEEWAYDIN LN
PORT ARANSAS TX 78373-4811

ICE , LAUREN
PERALES ALLMON & ICE PC
1206 SAN ANTONIO ST
AUSTIN TX 78701-1834

IMHOFF , MR BILL
400 MARINA DR
PORT ARANSAS TX 78373-4907

INLOW , MICHAEL
16330 BROOK FOREST DR
HOUSTON TX 77059-6502

INSCORE , GORDON
5500 MCGREGOR LN
DRIPPING SPRINGS TX 78620-2464

ISBELL , JIM
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ISRAEL , ERIC
21227 PENNSHORE LN
KATY TX 77450-5660

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UNIT 53
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PORT ARANSAS TX 78373-5107

JACOBSON , SANDRA
1883 COUNTY ROAD 299
BAY CITY TX 77414-4124

JAHNKE , EVAN
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PORT ARANSAS TX 78373

JAMAIL , RONALD
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JAMES , MR LUCAS MARSHALL
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721 SUNRISE AVE
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JASEK , LOUIS
527 WOODCREST DR
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JEFFREY , JAMES
1071 CHAPMAN RD
CRAWFORD TX 76638-2646

JENNINGS , JOAN D
15 COUNTRY CLUB PL
BEEVILLE TX 78102-9710

JESSEE , JULIA
311 WILDROSE AVE
SAN ANTONIO TX 78209-3816

JESSEE , LAWSON
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SAN ANTONIO TX 78209-3816

JOHNS , DAVID
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8727 SOUTHWESTERN BLVD
DALLAS TX 75206-8283

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GALVESTON TX 77554-8055

JOHNSON , HENRY KLEBERG
405 W CREEK ST
FREDERICKSBURG TX 78624-3113

JOHNSON , JASMINE
1128 SEA SECRET ST
PORT ARANSAS TX 78373-5734

JOHNSON , KATHRYN M
528 TERRELL RD
SAN ANTONIO TX 78209-6129

JOHNSON , KIM
PO BOX 3290
PORT ARANSAS TX 78373-3290

JOHNSON , RAE A
7011 LICKING TRAILS RD
NEWARK OH 43056-9173

JOHNSON , RAE A
2600 STATE HIGHWAY 361
PORT ARANSAS TX 78373-4816

JOHNSON , MR SETH MICHAEL
4015 DUCCIO RIVER WAY
KATY TX 77493-2866

JOHNSTONE , CLIFF
15857 EL SOCCORRO LOOP
CORPUS CHRISTI TX 78418-6603

JONES , MS KAREN J
PO BOX 186
BERRYVILLE AR 72616-0186

JONES , CAPT KENNETH
KENJO FLY CHARTERS
610 SANDY LN
PORT ARANSAS TX 78373-6160

JONES , WILLIAM J
326 JONES RANCH RD
MEDINA TX 78055-3707

JOSLIN , JENNIFER L
109 LEE CIR
ROCKPORT TX 78382-6983

JULIAN , ROBERT
700 LANTANA DR
PORT ARANSAS TX 78373-5309

KANE , PAYTON G
APT A
604 S SAINT MARYS ST
SAN ANTONIO TX 78205-3420

KATO , CHRISTOPHER
ALLIES AUTOMOTIVE
11230 SLAUGHTER CREEK DR
AUSTIN TX 78748-2237

KELLY , MARTY
TEXAS PARKS AND WILDLIFE DEPARTMENT
4200 SMITH SCHOOL RD
AUSTIN TX 78744-3218

KELLY , MELISSA
APT 302
1100 S CHERRY ST
TOMBALL TX 77375-6677

KENNEDY , RANDI K
1319 S 11TH ST
PORT ARANSAS TX 78373-5755

KENNEDY , RUSSELL
1319 S 11TH ST
PORT ARANSAS TX 78373-5755

KENYON , TERRY
1914 MISSION SPRINGS DR
KATY TX 77450-5085

KILGORE , CAROL I
5857 TIMBERGATE DR
CORPUS CHRISTI TX 78414-4237

KING , JAMES HARRISON
PO BOX 109
FORT DAVIS TX 79734-0109

KING , REBECCA
APT 10
404 S 9TH ST
PORT ARANSAS TX 78373-5227

KING , TAMMY RODGERS
1004 PRIVATE ROAD C
PORT ARANSAS TX 78373-5033

KIRKMAN , SUSAN
APT 11
2600 STATE HIGHWAY 361
PORT ARANSAS TX 78373-4816

KITHAS , STEPHANIE
3232 CHERYL LN
HALTOM CITY TX 76117-3523

KLEE , JOHN & PAM
UNIT D2
900 N STATION ST
PORT ARANSAS TX 78373-5099

KLEIN , JAMES E
COASTAL BEND SIERRA CLUB GROUP
3501 MONTERREY ST
CORPUS CHRISTI TX 78411-1709

KLING , PATRICIA L
LOT 487
120 GULFWIND DR
PORT ARANSAS TX 78373-4955

KNIPPA , JAKE
PO BOX 130
CEDAR CREEK TX 78612-0130

KOEHN , CYNDI
PO BOX 152
WEIMAR TX 78962-0152

KOEPP , ANNETTE L
348 HOMERIDGE DR
LA VERNIA TX 78121-4258

KOLKHORST , THE HONORABLE LOIS W STATE SENATOR
THE SENATE OF TEXAS DISTRICT 18
TEXAS CAPITOL ROOM 3E.2
PO BOX 12068
AUSTIN TX 78711-2068

KOLLAJA , MALLORY S
BRISTOL WEST INSURANCE COMPANY
PO BOX 1658
PORT ARANSAS TX 78373-1658

KOLLMAN , JANET
501 E OAKS AVE
PORT ARANSAS TX 78373-5130

KOLLMAN , JANET
2650 P RD
WOODSTON KS 67675-9053

KOSMAS , CONSTANCE
11146 WANDERING WAY
AUSTIN TX 78753-3344

KOUSCAKOVA , MIRIAM
314 E AVENUE G
PORT ARANSAS TX 78373-5424

KOVACOVA , KATARINA
314 E AVENUE G
PORT ARANSAS TX 78373-5424

KRAMPITZ , ANITA & JOHN B
536 ARANSAS CHANNEL
PORT ARANSAS TX 78373-4213

KRAVIK , DEBORAH J
571 280TH ST
OSCEOLA WI 54020-4018

KRAVIK , DEBORAH J
PO BOX 552
PORT ARANSAS TX 78373-0552

KRONE , JANE
103 CROWN RD
LEAD HILL AR 72644-8811

✻ KRUEGER , JO ELLYN
PO BOX 14
PORT ARANSAS TX 78373-0014

KULCIK , TOM
11 STICKLEY CT
THE WOODLANDS TX 77382-2889

KUNIK , JAN
314 E AVENUE G
PORT ARANSAS TX 78373-5424

KURTZ , SHARON W
UNIT A1
900 STATION ST
PORT ARANSAS TX 78373

LABORDE , JACOB
FREDERICK PERALES ALLMON ROCKWELL PC
1206 SAN ANTONIO ST
AUSTIN TX 78701-1834

LAMBDIN , MARK D
230 E ROBERTS AVE
PORT ARANSAS TX 78373-5122

LAMBDIN , VICKYE
230 E ROBERTS AVE
PORT ARANSAS TX 78373-5122

LANCASTER , HERB
260 E GOODNIGHT AVE
ARANSAS PASS TX 78336-1954

LANDOLT , CALLAN
615 LANTANA DR
PORT ARANSAS TX 78373-5306

LANDOLT , KENDRA
527 LANTANA DR
PORT ARANSAS TX 78373-5304

LANDRY , KURT
17155 KNOLL DALE TRL
CONROE TX 77385-1121

LANGFORD , DOUG
746 TARRANT AVE
PORT ARANSAS TX 78373-5005

LANGSTON , LULU R
UNIT 604
720 BEACH ACCESS ROAD 1A
PORT ARANSAS TX 78373-6106

LANNING , BOBBIE L
PO BOX 1751
PORT ARANSAS TX 78373-1751

LARA , MR RAYMOND MICHAEL
3918 KILLARNEY DR
SAN ANTONIO TX 78223-2858

LARSEN , DANIEL P
7007
170 RAINBOW DR
LIVINGSTON TX 77399-1070

LARSEN , MR DAVID
4305 ROLLING WATER DR
PFLUGERVILLE TX 78660-5577

LARSEN , DAVID D
NO 120
2009 W WHEELER AVE
ARANSAS PASS TX 78336-4739

LARSEN , MARG
PO BOX 2601
PORT ARANSAS TX 78373-2601

LARSON , DEBORAH ANN
3600 ENGLAND ST
BISMARCK ND 58504-8961

LATCHAM , GINA
PO BOX 10
BEEVILLE TX 78104-0010

LAVELY , WILBERT
1419 E PAISANO DR
ROCKPORT TX 78382-3233

LAW , JASON
8530 SILVER LURE DR
HUMBLE TX 77346-8132

LAYDEN , JAMES D
4510 HONEYVINE LN
PROSPER TX 75078-1214

LECLAIR , JAMES S
2435 LONG RD
LOCKHART TX 78644-3498

LEDESMA JR , MR ISRAEL
410 WILLOW VISTA DR
EL LAGO TX 77586-6020

LEE , SANDRA
229 DEAD ENDS DR
ROCKPORT TX 78382-7610

LEGGETT , ZACHARY
5365 WELLINGTON LN
LUMBERTON TX 77657-1111

LELEUX , JOHN D
K-JOHNS FISHING CHARTERS
1615 COUNTY ROAD 145
KENEDY TX 78119-4474

LEMBO , JOHN
13997 PORTS O CALL DR
CORPUS CHRISTI TX 78418-6597

LESINSKI , MS AMANDA
15614 FINISTERE ST
CORPUS CHRISTI TX 78418-6445

LEWIS , CAROL S
2709 ERIE DR
CORPUS CHRISTI TX 78414-3206

LIBBY , GLIDDEN N
207 ELMWOOD DR
NEW BRAUNFELS TX 78130-5281

LIBBY , RUTH A
207 ELMWOOD DR
NEW BRAUNFELS TX 78130-5281

LINDNER , DOROTHY
515 HOLIDAY RD
COMFORT TX 78013-3107

LINDNER , DOROTHY
824 E AVENUE C
PORT ARANSAS TX 78373-5274

LINDNER , HEATHER
206 TOPHILL RD
SAN ANTONIO TX 78209-3444

LINDNER , PATRICK
515 HOLIDAY RD
COMFORT TX 78013-3107

LINDNER , RICHARD
206 TOPHILL RD
SAN ANTONIO TX 78209-3444

LINDSEY , JOY
27827 BOGEN RD
NEW BRAUNFELS TX 78132-3875

LINK , CHARLENE
3990 LINK RD
NEW BRAUNFELS TX 78130-1900

LIPINCOTT , ROB
GUERO'S TACO BAR
1412 S CONGRESS AVE
AUSTIN TX 78704-2435

LITTON , CHANCE
25998 PARK BEND DR
NEW BRAUNFELS TX 78132-2938

LITTON , MICHAEL
2604 OAKWOOD GLEN DR
CEDAR PARK TX 78613-5120

LIVERMAN , TODD
3145 HERMOSA DR
KINGSLAND TX 78639-5292

LLOYD , KIRBY
194 KEEWAYDIN LN
PORT ARANSAS TX 78373-4817

LOBUE , JOE
PO BOX 84
ROCKDALE TX 76567-0084

LOEFFLER , CINDY
TEXAS PARKS AND WILDLIFE DEPARTMENT
4200 SMITH SCHOOL RD
AUSTIN TX 78744-3218

LOFLAND , JESSIE L
1942
1415 LADELLE ST
WHARTON TX 77488-3427

LOHSE , CAPT DAVID A
PO BOX 3578
SOUTH PADRE ISLAND TX 78597-3578

LONGORIA , MR ARMANDO H
PO BOX 769646
SAN ANTONIO TX 78245-9356

LOPEZ , ANALISA
6311 JADE GLN
SAN ANTONIO TX 78249-5025

LOPEZ , ROBIN
6311 JADE GLN
SAN ANTONIO TX 78249-5025

LORETTE , MICHELE
413 MUSTANG BLVD
PORT ARANSAS TX 78373-4917

LORING , LYNN
NO 163
1107 S 11TH ST
PORT ARANSAS TX 78373-5706

LORING , LYNN
116 AUBURN PL
SAN ANTONIO TX 78209-4722

LORING III , PORTER
NO 163
1107 S 11TH ST
PORT ARANSAS TX 78373-5706

LORING III , PORTER
116 AUBURN PL
SAN ANTONIO TX 78209-4722

LORSON , MR DON
14 SHAWNEE RIDGE CT
THE WOODLANDS TX 77382-2550

LOWERRE , RICHARD W
FREDERICK PERALES ALLMON & ROCKWELL PC
1206 SAN ANTONIO ST
AUSTIN TX 78701-1834

LUEDEMANN , W F
5144 TANGLE LN
HOUSTON TX 77056-2116

LYERLY , DIANE
1066 VERBENA DR
AUSTIN TX 78750-1403

MACDONALD , KIMBERLY
PO BOX 2299
PORT ARANSAS TX 78373-2299

MACHAC , MR TERRY J
PO BOX 2828
ROCKPORT TX 78381-2828

MACK , BEATRICE
530 LYDIA ANN CHANNEL
PORT ARANSAS TX 78373-4212

MACKWA , KRISTINA
314 E AVENUE G
PORT ARANSAS TX 78373-5424

MAINDELLE , ROBERT C
2328 PIRTLE DR
SALADO TX 76571-6041

MALO , MICHAEL P
427 SEA ISLE DR
PORT ARANSAS TX 78373-6004

MANCHESTER JR , MR JAMES
14 TWELVE PINES CT
THE WOODLANDS TX 77381-2685

MANER , JOHN A
120 GULFWIND DR
PORT ARANSAS TX 78373-4955

MANER , JOHN A
741 S CLIFTON AVE
WICHITA KS 67218-1930

MANTSCH , JEFFREY F
APT 101
2345 S 107TH ST
WEST ALLIS TX 53227

MARCO , SALLY
1128 SEA SECRET ST
PORT ARANSAS TX 78373-5734

MARCO , SALLY
PO BOX 403
PORT ARANSAS TX 78373-0403

MARCYES , MS TONNA
14834 BESCOTT DR
AUSTIN TX 78728-5729

MAREK , J D
702 SUSIE CT
SAN ANTONIO TX 78216-3036

MARION , J
1301 LONE STAR RD
FULTON TX 78358

MARION , RACHEL
1301 LONE STAR RD
FULTON TX 78358

MARKEY , PETER
115 ANGELFISH CT
ARANSAS PASS TX 78336-5332

MARKEY , SHARM
115 ANGELFISH CT
ARANSAS PASS TX 78336-5332

MARKS , MARGIE
PO BOX 249
IRON RIVER MI 49935-0249

MARKS , MARGIE
PO BOX 1487
PORT ARANSAS TX 78373-1487

MARKS JR , ROBERT J
PO BOX 249
IRON RIVER MI 49935-0249

MARKS JR , ROBERT J
PO BOX 1487
PORT ARANSAS TX 78373-1487

MARKSMAN , CHARLENE
W1631 COUNTY ROAD M
WHITE LAKE WI 54491-9224

MARKSMAN , EDWARD
W1631 COUNTY ROAD M
WHITE LAKE WI 54491-9224

MARRONE , GARY
3308 COLONY LOOP
FORT PIERRE SD 57532-2247

MARRONE , GARY
PO BOX 853
PORT ARANSAS TX 78373-0853

MARSHALL , TERRIE A
15 COLLINWAY PL
DALLAS TX 75230-1966

MARTIN , BILL
927 N COMMERCIAL ST
ARANSAS PASS TX 78336-2707

MARTIN , MR WILLIAM GRIER
939 MILLGROVE LN
HOUSTON TX 77024-2612

MASTEN , DR. KATHRYN A
1006 SANDPIPER
INGLESIDE TX 78362-4689

MASTEN , DR. KATHRYN A
PO BOX 25
VIENNA MD 21869-0025

MATSON , CAPT RONALD
LOT 1115
600 ENTERPRISE BLVD
ROCKPORT TX 78382-4343

MATSUNAMI , SHELLY
13008 COTTONWOOD LN
SPRINGFIELD NE 68059-5111

MATTHEWS , JOSEPH L
4219 NOBLE CYPRESS CT
HOUSTON TX 77059-3272

MATTHEWS , MARY JO
215 S STATION ST
PORT ARANSAS TX 78373-5282

MATTHEWS , MILES
2814 BENT BOW DR
SAN ANTONIO TX 78209-3011

MAY , CRAIG
17206 HORSESHOE WAY
NEW CANEY TX 77357-4716

MAY , LOU ADELE
301 E HUNTINGTON ST
BEEVILLE TX 78102-3544

MAY , ROBERT A
301 E HUNTINGTON ST
BEEVILLE TX 78102-3544

MAYORGA , MARY ELIZABETH
APT 85
5502 SARATOGA BLVD
CORPUS CHRISTI TX 78413-2948

MCALPIN , RONALD L
30629 BUCK LN
BULVERDE TX 78163-2113

MCCALL , PATRICK H
PO BOX 2704
PORT ARANSAS TX 78373-2704

MCCLELLAN , LISA
315 CUT OFF RD
PORT ARANSAS TX 78373-4218

MCCUNE , CAPT SCOTT ALLEN
301 CAPE VELERO DR
ROCKPORT TX 78382-7375

MCDONOUGH , CAPT GARY N
507 E AVENUE C
PORT ARANSAS TX 78373-5259

MCGINTY , CHRIS H
15133 AQUARIUS ST
CORPUS CHRISTI TX 78418-6904

MCHUGH , SHIRL
2204 JOHN TEE DR
CEDAR PARK TX 78613-1753

MCILHANY , BRYAN
120 LAMAR BEACH RD
ROCKPORT TX 78382-7919

MCINTOSH , MRS MARGARET I
UNIT 52
300 E COTTER AVE
PORT ARANSAS TX 78373-5107

MCIVER , MR TAL
1101 OTTAWA DR
AUSTIN TX 78733-2635

MCKEEN , DANIEL
LOT 309
120 GULFWIND DR
PORT ARANSAS TX 78373-4955

MCKINNEY , JOHN
PO BOX 2494
PORT ARANSAS TX 78373-2494

MCMANUS , MICHAEL
3064 CAMDEN PARK LN
LEAGUE CITY TX 77573-7175

MCMASTER , MELANIE D
635 SANDKEY DR
PORT ARANSAS TX 78373-6119

MCMILLIN , MR ROBERT
PO BOX 1327
PORT ARANSAS TX 78373-1327

MCQUEEN , NEIL ROBERT
4213 ESTATE DR
CORPUS CHRISTI TX 78412-2428

MECHLER , S L
26 ROSEHEART
SAN ANTONIO TX 78259-2264

MEDINA , HONORATO
214 RIVER BRIAR LN
RICHMOND TX 77406-2764

MENCHACA , JOHN C
5315 FREDERICKSBURG RD
SAN ANTONIO TX 78229-3595

MERRITT , MRS JULIA
PO BOX 50523
AUSTIN TX 78763-0523

MERRITT , LINDA
PO BOX 2820
PORT ARANSAS TX 78373-2820

MERRITT , RANDALL C
201 BARTON SPRINGS RD
AUSTIN TX 78704-1210

MESSLEY , CHARLES
3413 FORGE DR
BENTON AR 72015-4906

MILLER , ASHLEY
903 S 11TH ST
PORT ARANSAS TX 78373-1258

MILLER , DEBRA L
903 S 11TH ST
PORT ARANSAS TX 78373-1258

MILLER , KATHERINE
220 E OAKS AVE
PORT ARANSAS TX 78373-5135

MILLS JR , C H
ARANSAS COUNTY JUDGE
2840 HIGHWAY 35 N
ROCKPORT TX 78382-5711

MILNER , DANA
4900 KELLY ELLIOTT RD
ARLINGTON TX 76017-2216

MINOR , ERIC C
603 RENALDO ST
DICKINSON TX 77539-6122

MONN , MR JASON
11018 COLLINGSWOOD
LA PORTE TX 77571-4396

MOONEY , THOMAS W
1301 SMOKEHOUSE RD
ROCKPORT TX 78382-7176

MOORE , CHARLES R
241 W COTTER AVE
PORT ARANSAS TX 78373-4035

MOORE , ETHEL WHITE
MWM AND ASSOCIATES LC
603 RIVER RD
SAN ANTONIO TX 78212-3123

MOORE , KRYSTAL
5732 SHADY SPRINGS TRL
FORT WORTH TX 76179-3726

MOORE , MILBY
129 GILES RANCH RD
COMFORT TX 78013-3806

MOORE , TRENT
PO BOX 1816
PORT ARANSAS TX 78373-1816

MORA , SUSAN M
700 LANTANA DR
PORT ARANSAS TX 78373-5309

MORALES , PAULA G
4606 BAY POINT DR
ARLINGTON TX 76016-5425

MORDICA , MRS TERESA
2120 TIMBERHILL DR
PLEASANTON TX 78064-1534

MORGAN , LINDA M
PO BOX 42
PORT ARANSAS TX 78373-0042

MORGAN , SHELBY
13106 PEBBLEWALK CIR N
HOUSTON TX 77041-1823

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PO BOX 1677
PORT ARANSAS TX 78373-1677

MORRISON , C LYNLEE
STE 1
217 E BANDERA RD
BOERNE TX 78006-2992

MORRISON , CATHRYN CASTOR
522 LIGHTHOUSE CHANNEL
PORT ARANSAS TX 78373-4215

MORRISON , THE HONORABLE GEANIE W
STATE REPRESENTATIVE
TEXAS HOUSE OF REPRESENTATIVES DISTRICT 30
RM 1W.6
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AUSTIN TX 78768-2910

MORTON , CHERYL A
312 SORRENTO ST
PORT ARANSAS TX 78373-5501

MORTON , RICHARD L
312 SORRENTO ST
PORT ARANSAS TX 78373-5501

MOSER , JAMES
PO BOX 157
BRENHAM TX 77834-0157

MOTT , TINA
1333 SEA SECRET ST
PORT ARANSAS TX 78373-5740

MOYER , CHRISTOPHER
2242 S TERRACE DR
WICHITA KS 67218-5028

MOYER , MARIA
2242 S TERRACE DR
WICHITA KS 67218-5028

MUECKE , MARK WALTER
211 THELMA DR
SAN ANTONIO TX 78212-2519

MUNIZ , MARIA T
PO BOX 1593
PORT ARANSAS TX 78373-1593

MUNIZ , MICHAEL
PO BOX 1593
PORT ARANSAS TX 78373-1593

MURFF , STEVEN
5607 SHOALWOOD AVE
AUSTIN TX 78756-1623

MURRILL , JAMES B
13411 ALCHESTER LN
HOUSTON TX 77079-7103

MYERS , BARBARA
9706 GEMINI DR
SAN ANTONIO TX 78217-3203

MYERS , NANCY
PO BOX 925
PORT ARANSAS TX 78373-0925

MYERS , WILL ROBERT
APT A31
3215 EXPOSITION BLVD
AUSTIN TX 78703-1241

MYSKA , GLEN ALLEN
458 DUSKYWING WAY
RICHMOND TX 77469-2156

NAGY , DIANE E
PO BOX 1432
PORT ARANSAS TX 78373-1432

NAGY , DIANE E
APT 230
5973 STATE HIGHWAY 361
PORT ARANSAS TX 78373-4847

NANCE , EARTHEA
US EPA
STE 500
1201 ELM ST
DALLAS TX 75270-2102

NANGLE , DOLORES I
201 S 18TH ST
HERRIN IL 62948-2207

NAVA , TONY
5802 OAKDALE MDWS
SPRING TX 77379-5558

NEAGLE , JOSHUA
NO 11
2600 STATE HIGHWAY 361
PORT ARANSAS TX 78373-4816

NEIHART , MS KATHY L
UNIT A
105 E AVENUE E
PORT ARANSAS TX 78373-4138

NEIHART , MS KATHY L
NO 162
2600 STATE HIGHWAY 361
PORT ARANSAS TX 78373-4816

NEIL , MR MATTHEW
13002 BROKEN BROOK CT
CYPRESS TX 77429-2274

NEIMANN , MRS DIANNE
424 TROJAN ST
PORT ARANSAS TX 78373-5404

NELSON , DEB & GREG
6745 SEACOMBER DR
PORT ARANSAS TX 78373-4934

NELSON , GREG
6745 SEACOMBER DR
PORT ARANSAS TX 78373-4934

NELSON , RICK
2450 SPRUCE AVE
ESTES PARK CO 80517-7146

NEUMANN , CATENA & ROBERT W
PO BOX 3167
PORT ARANSAS TX 78373-3167

NEUMANN , CATENA
PO BOX 3167
PORT ARANSAS TX 78373-3167

NEUMANN , ROBERT
PO BOX 3167
PORT ARANSAS TX 78373-3167

NICHOLS , DONNA M
24 SUNDAY COVE LN
MADISON NH 03849-5406

NIEMANN , MARY DIANNE
424 TROJAN ST
PORT ARANSAS TX 78373-5404

NIPPER , BOB
743 ROLLING MILL DR
SUGAR LAND TX 77498-3077

NOELKE , BEN
520 FARLEY ST
PORT ARANSAS TX 78373

NOSKA , JASON
1124 HARDEE ST
ROCKPORT TX 78382-4619

NOVEY , KATHRYN M
APT 314
720 BEACH ACCESS ROAD 1A
PORT ARANSAS TX 78373-6106

NOVEY , STANLEY F
APT 314
720 BEACH ACCESS ROAD 1A
PORT ARANSAS TX 78373-6106

NOVITT , JOHN
7795 WALTER DR
WOODRUFF WI 54568-9619

O'BRIEN , KAITLIN
21339 CEDAR GAP
SAN ANTONIO TX 78266-2760

O'CONNOR , BRENDAN
172 DIAL DR
BEEVILLE TX 78102-9116

O'CONNOR , CECILE
172 DIAL DR
BEEVILLE TX 78102-9116

O'CONNOR , CECILE
1400 OCEAN DR APT 703C
CORPUS CHRISTI TX 78404-2117

OATES , NORMAN C
120 SEA MIST DR
ARANSAS PASS TX 78336-5801

OCKER , GAIL & RICHARD
PO BOX 2988
PORT ARANSAS TX 78373-2988

OGLE , TESHA
PO BOX 566
PORT ARANSAS TX 78373-0566

OHLHAUSEN , REBECCA
STE 106-466
11703 HUEBNER RD
SAN ANTONIO TX 78230-1201

OLIVARES , ARMANDO
557 COUNTY ROAD 126
EDNA TX 77957-5345

OLIVER , JOHN
110 MADERA WAY
ABILENE TX 79602-4412

OLLE , GARY
467 BAHIA MAR
PORT ARANSAS TX 78373-4910

OLMSTEAD , KEVIN
PO BOX 976
BAUDETTE MN 56623-0976

ORDNER , MICHAEL
6107 COUNTY ROAD 99
SANDIA TX 78383-5737

OROIAN , COLLEEN & MOSES
10
PO BOX 1657
PORT ARANSAS TX 78373-1657

ORTEGO , JAMES BRENT
202 CAMINO DR
VICTORIA TX 77905-0650

ORTIZ , ALEX & AVA
UNIT B17
14427 COMPASS ST
CORPUS CHRISTI TX 78418-6189

ORTIZ , JOHNNY JOE
476 W COLL ST
NEW BRAUNFELS TX 78130-5619

ORTIZ , MARY LOU
476 W COLL ST
NEW BRAUNFELS TX 78130-5619

OSHMAN , SANDRA LEE
408 BLUE HERON DR
PORT ARANSAS TX 78373-4921

OSWALD , JOHN
16913 BORROMEO AVE
PFLUGERVILLE TX 78660-4878

OTTMERS , BRYAN
503 KENDALL PKWY
BOERNE TX 78015-8323

OWENS , BETH
551 LA COSTA CAY
PORT ARANSAS TX 78373-4918

OWENS , BRENDA
PO BOX 1006
PORT ARANSAS TX 78373-1006

OWENS , ELIZABETH
DEEP SEA HEADQUARTERS
PO BOX 388
PORT ARANSAS TX 78373-0388

OWENS , ELIZABETH
FINS GRILL AND ICEHOUSE
PO BOX 1697
PORT ARANSAS TX 78373-1697

OWENS , KELLY
RED DRAGON PIRATE CRUISES
PO BOX 388
PORT ARANSAS TX 78373-0388

OWENS , MR STEVE
11211 MIDDLEBURGH DR
TOMBALL TX 77377-8734

PADGETT , DAVID L
25614 FORESTBURG CT
SPRING TX 77386-2655

PADILLA , AUDREY
4808 CAMPFIRE CT
FORT WORTH TX 76244-7921

PADILLA III , JOHN M
4808 CAMPFIRE CT
FORT WORTH TX 76244-7921

PALMER , CAMILLA
2287 COUNTY ROAD 408
BEEVILLE TX 78102-8488

PANCAMO , BRETT
950 S BAY ST
ARANSAS PASS TX 78336-5810

PANCAMO , SHANNON
950 S BAY ST
ARANSAS PASS TX 78336-5810

PANTESA , PAUL
3527 SAN FERNANDO ST
SAN ANTONIO TX 78207-4656

PARKE , TIM
1419 S 11TH ST
PORT ARANSAS TX 78373-5710

PARKS , KAREN
913 ROLLING DR
ATHENS TX 75751-2945

PARR , DENISE
207 S GULF ST
PORT ARANSAS TX 78373-4152

PARR , SUZANNE
14233 PLAYA DEL REY
CORPUS CHRISTI TX 78418-7504

PARRISH , MAXEY
324 PECAN VILLAGE CIR
WACO TX 76710-2157

PAST , KAY
842 GILL RANCH RD
BEEVILLE TX 78102-8019

PASTORED , JAKUB
314 E AVENUE G
PORT ARANSAS TX 78373-5424

PATE , MARNIE
211 TROJAN ST
PORT ARANSAS TX 78373-5406

PATE , RICK DOOR
375 DOSHER LN
WOODWAY TX 76712-2510

PATE , TERESA
375 DOSHER LN
WACO TX 76712-2510

PATTON , ANNA
PO BOX 937
PORT ARANSAS TX 78373-0937

PATTON , ROBERT
5201 CAMP BOWIE BLVD
FORT WORTH TX 76107-4812

PAULISON , ROBERT
15821 ALMERIA AVE
CORPUS CHRISTI TX 78418-6502

PAYER , DAN H
215 TURTLE CV
PORT ARANSAS TX 78373

PAYER , DAN H
207 HARRIETT DR
SAN ANTONIO TX 78216-7305

PAYNE , RICHARD
982 LEE RD
ARANSAS PASS TX 78336-6609

PAYTON , REGINA
506 W BRAZOS ST
VICTORIA TX 77901-5006

PEARSON JR , CHARLES L
PO BOX 1427
PORT ARANSAS TX 78373-1427

PEARSON , CHUCK
PO BOX 1427
PORT ARANSAS TX 78373-1427

PEARSON , RETA
PO BOX 1427
PORT ARANSAS TX 78373-1427

PECORE , DAN
PO BOX 528
PORT ARANSAS TX 78373-0528

PENA , DANIEL
1810 VERA
INGLESIDE TX 78362-4617

PENA , MS DARA K
755 LARI DAWN
SAN ANTONIO TX 78258-4007

PENNINGTON , LAUREN
174 COUNTY ROAD 4860
AZLE TX 76020-8810

PERKINS , ANDREW
20801 PLAZA CIR
CROSBY TX 77532-6877

PERKINS , ANDREW
29011 TRACE VISTA CIR
HUFFMAN TX 77336-2570

PERSONETTE JR , ALAN J
5240 CUMBERLAND DR
LEAGUE CITY TX 77573-1716

PETER , LOUIS
PO BOX 199
CEDAR LANE TX 77415-0199

PFLUGER , CHRISTA GAIDA
410 TROJAN ST
PORT ARANSAS TX 78373-5404

PHILLIPS , MRS KATE
3222 GILLESPIE ST
HOUSTON TX 77020-6024

PIERCE , KATHY
1901 RODD FIELD RD
CORPUS CHRISTI TX 78412-5058

PIERCE , MARY LOU
10891 E BERRY PL
ENGLEWOOD CO 80111-3912

PIETTE , SUZANNE
321 S 7TH ST
PORT ARANSAS TX 78373-4104

PITTMAN , JERRY L
PO BOX 95
FORT DAVIS TX 79734-0095

PLOETZ , SCOTT
625 PASEO CANADA ST
SAN ANTONIO TX 78232-1110

PLUNKETT , CHARLES A
517 LANTANA DR
PORT ARANSAS TX 78373-5304

PLUNKETT , CHARLES A
15115 CADILLAC DR
SAN ANTONIO TX 78248-1015

PLUNKETT , JULIE A
517 LANTANA DR
PORT ARANSAS TX 78373-5304

PLUNKETT , JULIE A
15115 CADILLAC DR
SAN ANTONIO TX 78248-1015

POOL , JOHN
672 ANCHOR DR
PORT ARANSAS TX 78373-6002

PORCHER , CHERISE
APT 2208
7001 LIPES BLVD
CORPUS CHRISTI TX 78414-7001

PORTER , MRS MARIE
930 CHANNEL VISTA DR
PORT ARANSAS TX 78373-4209

POSEY , MATTHEW
116 TANGLEWOOD DR
ALEDO TX 76008-3967

POSTON , BETH
PO BOX 998
VALLEY MILLS TX 76689-0998

POSTON , ELIZABETH ANNE
PO BOX 998
VALLEY MILLS TX 76689-0998

POWERS , BRECK
LBJ CONSTRUCTION LP
5438 GUHN RD
HOUSTON TX 77040-6211

POWERS , SHELLEY
PO BOX 2334
PORT ARANSAS TX 78373-2334

POWERS , TIFFINY
3119 HACKBERRY AVE
INGLESIDE TX 78362-4650

✻ PRATT , CAMERON
PO BOX 730
FORT DAVIS TX 79734-0730

✻ PRATT , CAMERON
639 E AVENUE B
PORT ARANSAS TX 78373-5201

PRESLEY , COLE
1015 COOPER SPRINGS DR
SPRING TX 77373-7737

PRESTON , MELISSA
862 OCEAN SIDE
PORT ARANSAS TX 78373-5770

PRICE , CALLAN
4018 CLAUDIA DR
CORPUS CHRISTI TX 78418-3108

PROULX , KEITH W
PO BOX 1897
PORT ARANSAS TX 78373-1897

PROULX , ROSALIE A
PO BOX 1897
PORT ARANSAS TX 78373-1897

PRUETT , GARY
7925 ETIENNE DR
CORPUS CHRISTI TX 78414-6013

PUSATERI , STEVEN CHARLES
2075 N RANCH ESTATES BLVD
NEW BRAUNFELS TX 78130-9079

QUINONES , MR EDUARDO
2106 MELINDA DR
MISSION TX 78572-3043

QUINONES-WHITMORE , DR. GERARDO D
1703 N SAINT MARYS ST
BEEVILLE TX 78102-2738

RADTKE , CINDY L
105 HONEYCOMB MESA
LEANDER TX 78641-8959

RANDALL , LAURI
10603 SIERRA OAKS
AUSTIN TX 78759-5166

RANDALL , MR REESE
11 PADDLECREEK AVE
CHARLESTON SC 29412-2541

RANDAZZO JR , JOSEPH
3124 FM 2673
CANYON LAKE TX 78133-4729

RANGEL , LOUIE
2502 WOOD RUN
SAN ANTONIO TX 78251-2540

RAPER , JIMMY
110 REDFISH CT
ARANSAS PASS TX 78336-5330

RASH , KAILEIGH
1116 CACTUS SPINE DR
HASLET TX 76052-2899

RAY , HARPER
520 FARLEY ST
PORT ARANSAS TX 78373

READER , JUDITH
213 GRAHAM RD
CORPUS CHRISTI TX 78418-3508

REDWINE , MICHAEL
960 N HOUSTON ST
ARANSAS PASS TX 78336-2716

REED , RITA
PO BOX 599
PORT ARANSAS TX 78373-0599

REEDER , MS H SUZANNA
KELLER WILLIAMS COASTAL BEND REALTY
PO BOX 808
PORT ARANSAS TX 78373-0808

REEDER , H SUZANNA
423 E AVENUE C
PORT ARANSAS TX 78373-5215

REEVES , MR BILL
900 LITTLE CYPRESS CV
GEORGETOWN TX 78633-5715

REICHARDT , HENRY G
18 EVERGREEN DR
ROUND ROCK TX 78664-9735

REINHART , MR PAUL
108 HAWTHORNE PL
PORTLAND TX 78374-1428

RENTZ , JERRY
RENTZ ELECTRIC
12026 WARFIELD ST
SAN ANTONIO TX 78216-3217

RHEA , C
2704 SKIVUE DR
ARGYLE TX 76226-1513

RICE-BAKER , DEBBY N
7751 WEATHERBY RD
BURLESON TX 76028-1935

RICH , MR ROBERT
16807 DORMAN DR
ROUND ROCK TX 78681-3666

RICHESON , RHONDA
1721 BELLE PL
FORT WORTH TX 76107-3967

RICHESON , RHONDA
2120 S 11TH ST
PORT ARANSAS TX 78373-6053

RIDDLE , DEBBIE & TRINNON
PO BOX 241
PORT ARANSAS TX 78373-0241

RINNER , ELIZABETH
527 WOODCREST DR
SAN ANTONIO TX 78209-2938

RINNER , LISA
1959
527 WOODCREST DR
SAN ANTONIO TX 78209-2938

RITTER , CAROLE & DOUGLAS
237 W YOAKUM AVE
ARANSAS PASS TX 78336-2532

RITTER , CAROLE
237 W YOAKUM AVE
ARANSAS PASS TX 78336-2532

RIVERA , JESSICA
215 BLANCO DR
PORTLAND TX 78374-1303

ROARK , ADAM
1975
11803 COBBLESTONE DR
HOUSTON TX 77024-5136

ROBERTSON , JIMMY
3602 BRIDLE PATH
AUSTIN TX 78703-2647

ROCKWOOD , GAYLYN
14114 SAGE TRL
SAN ANTONIO TX 78231-1975

ROGERS , EMILY W
BICKERSTAFF HEATH DELGADO ACOSTA LLP
BLDG 1 STE 300
3711 S MOPAC EXPY
AUSTIN TX 78746-8013

ROGERS , HENRY & JULIE
710 FURMAN AVE
CORPUS CHRISTI TX 78404-3222

ROMEYN , JACQUELINE
PO BOX 25
PORT ARANSAS TX 78373-0025

ROSS , MARIANNE
8330 SUMMERWOOD DR
AUSTIN TX 78759-8225

ROSSON , TODD
STE 1900
401 CONGRESS AVE
AUSTIN TX 78701-4071

ROWE , JANET & KENNETH W
524 ARANSAS CHANNEL
PORT ARANSAS TX 78373-4213

RUFF , LISA
PO BOX 1423
PORT ARANSAS TX 78373-1423

RUFF , PAUL
PO BOX 1423
PORT ARANSAS TX 78373-1423

RUGGLES , JOHN MICHAEL
322 PEERMAN PL
CORPUS CHRISTI TX 78411-1610

RUSZCZYK , LISA
STE B
345 N ALISTER ST
PORT ARANSAS TX 78373-4120

RUTTERFORD , BRIE
1037 OAKLANDS DR
ROUND ROCK TX 78681-2701

RYAN , J DAVID
APT 1815
820 E DOVE LOOP RD
GRAPEVINE TX 76051-7283

SABA , DAVID
501 W 10TH ST
HOUSTON TX 77008-6701

SALG , MARY ELLEN
300 S GULF ST
PORT ARANSAS TX 78373-4102

SAMMONS , JAMES & KRYSTAL
1327 N KOSSUTH ST
ROCKPORT TX 78382-5631

SAMPSON , DALIN
7350 MCARDLE RD
CORPUS CHRISTI TX 78412-4246

SANDERS , BECKY
69 REDFISH DR
ROCKPORT TX 78382-9253

SANDUSKY , LORENZA
13267 HUNTERS LARK ST
SAN ANTONIO TX 78230-2017

SATHER , DENNIS & VICTORIA
25564 E CLARK LAKE RD
NISSWA MN 56468-2812

SATHER , DENNIS & VICTORIA
622 BEACH ACCESS ROAD 1A
PORT ARANSAS TX 78373-6100

SAVAGE , MICHAEL
3714 BRIGHTON LN
PEARLAND TX 77584-7627

SCHLEIFER , CINDY
102 SPURWOOD ST
CORPUS CHRISTI TX 78410-3529

SCHMALZ , DELLA J
W7239 CABLE LAKE RD
SPOONER WI 54801-8813

SCHMALZ , GUY
W7239 CABLE LAKE RD
SPOONER WI 54801-8813

SCHOU , BILLIE M
20307 RIO VILLA DR
HOUSTON TX 77049-3227

SCHROEDER , CODY W
602 CEDAR RIDGE DR
PFLUGERVILLE TX 78660-6801

SCHROEDER , MYRON
246 E STODDARD AVE
ARANSAS PASS TX 78336-1801

SCHUTTE , WENDY
PO BOX 1364
PORT ARANSAS TX 78373-1364

SCHWENK , ANNETTE
NO 15
400 E COTTER AVE
PORT ARANSAS TX 78373-5133

SCOTT , CAROLINE
2103 CYPRESS PT E
AUSTIN TX 78746-7220

SCOTT , DEANNA
DEANNA SCOTT REALTOR
401 OLD MILL DR
DRIPPING SPRINGS TX 78620-4695

SCOTT , JEFF
401 OLD MILL DR
DRIPPING SPRINGS TX 78620-4695

SCOVILLE , DORIS
4820 SANIBEL LN
PORT ARANSAS TX 78373-4812

SEALAN , DELLA & RICHARD
108 ROGERS RIDGE ST
SAN MARCOS TX 78666-4715

SEARCY , BRYAN
3219 LEYTE ST
SAN ANTONIO TX 78217-4017

* SEARIGHT , SARAH
PO BOX 2043
AUSTIN TX 78768-2043

* SEARIGHT , SARAH
1504 LORRAIN ST
AUSTIN TX 78703-4025

* SEARIGHT , SARAH
PO BOX 2043
PORT ARANSAS TX 78373-2043

* SEARIGHT , SARAH
411 E WHITE AVE
PORT ARANSAS TX 78373-5147

SEATON SR , ROBERT
1004 WILMA LOIS AVE
PASADENA TX 77502-3826

SEGER , WILL M
9250 BOAT CLUB RD
FORT WORTH TX 76179-3263

SEIBERT , RICHARD
487 BIG SKY DR
NEW BRAUNFELS TX 78132-4433

SEILER , BOBBIE K
5227 OVERRIDGE DR
ARLINGTON TX 76017-1273

SEILER , CHARLOTTE C
16650 BLANCO KY
SAN ANTONIO TX 78247-5654

SEILER , SCOTT
16650 BLANCO KY
SAN ANTONIO TX 78247-5654

SELBE , JANET B
PO BOX 1586
PORT ARANSAS TX 78373-1586

SERNA JR , ENCARNACION
105 LOST CREEK DR
PORTLAND TX 78374-1449

SHAFER , JENNIFER
627 AVENUE I
PORT ARANSAS TX 78373-4259

SHANNON , CECELIA & WILLIAM
PO BOX 428
FULTON TX 78358-0428

SHANT , SHELLI
1110 ORION DR
PORTLAND TX 78374-1923

SHARPE , GERALD B
250 ROCKHILL DR
SAN ANTONIO TX 78209-2222

SHAW , KIMBERLY
UNIT A
328 SEA ISLE DR
PORT ARANSAS TX 78373-5805

SHEARER , KIMBERLY
PO BOX 3144
PORT ARANSAS TX 78373-3144

SHEETS , DANA
13460 BERNADETTE CT
STERLING HEIGHTS MI 48313-3402

SHELDON , MARGARET MARY
695 KARA LN
PORT ARANSAS TX 78373-6153

SHELTON , JIM
200 N 12TH ST
PORT ARANSAS TX 78373

SHEPARD , MARY
1501 WILDERNESS TRL
EAGLE RIVER WI 54521-9742

SHEPPERD , JOHN
5618 STEVEN CREEK WAY
AUSTIN TX 78721-3030

SHERWOOD , DR. J MATTHEW
8607 ROSEHEDGE TERRACE WAY
RICHMOND TX 77406-3771

SHETTON , JIM
PO BOX 2165
PORT ARANSAS TX 78373-2165

SHIELDS , DEIRDRE
200 E ROBERTS AVE
PORT ARANSAS TX 78373-5119

SHIELDS III , MR MILTON ALLEN
29054 ARROYO ST
HARLINGEN TX 78552-2121

SHIFFLETT , SKIP
2224 RIDGECREST TRL
CARROLLTON TX 75007-1622

SHOCKLEY , JEFF
105 PLAINS DR
MARTINDALE TX 78655-4144

SHOCKLEY , JEFF
2025 CASTLE GATE CIR
SAN MARCOS TX 78666-2219

SHUMATE , ANN
324 MARINA DR
PORT ARANSAS TX 78373-4906

SIBLE , AMANDA G
219 E KLEBERG AVE
KINGSVILLE TX 78363-4572

SILVERS , DONNA
1915 SHADOW BEND DR
HOUSTON TX 77043-2413

SIMANEK , MICHELLE
PO BOX 304
PORT ARANSAS TX 78373-0304

SIMEK , MS BRENDA
2030 OVERLAND TRL
CORPUS CHRISTI TX 78410-1856

✻SIMPSON , SUSAN
413 TROJAN ST
PORT ARANSAS TX 78373-5431

* SIMPSON , SUSAN
UNIT 4
413 TROJAN ST
PORT ARANSAS TX 78373-5431

SINCLAIR , LINDA
7295 GIN RD
MARION TX 78124-6704

SINGLETON , BUELL
3219 S PEACH HOLLOW CIR
PEARLAND TX 77584-2038

SIRAGUSA , CHARLES R
3660 BLUEBONNET BLVD
BRENHAM TX 77833-9029

SLAGLE , JAMES
1107 SEA SECRET ST
PORT ARANSAS TX 78373-5735

SLAGLE , JUANITA
1107 SEA SECRET ST
PORT ARANSAS TX 78373-5735

SLOBOJAN , WILLIAM
PO BOX 403
JUNCTION TX 76849-0403

SMALLWOOD , TIM
401 SEA ISLE DR
PORT ARANSAS TX 78373-6004

SMITH , BARNEY L
PO BOX 1581
PORT ARANSAS TX 78373-1581

SMITH , CARTER
TEXAS PARKS AND WILDLIFE DEPARTMENT
4200 SMITH SCHOOL RD
AUSTIN TX 78744-3218

SMITH , DEDE
PO BOX 920
PORT ARANSAS TX 78373-0920

SMITH , JEFFERY H
14313 DORSAL ST
CORPUS CHRISTI TX 78418-6013

SMITH , KAREN S
4301 SPRING CREEK DR
CORPUS CHRISTI TX 78410-5657

SMITH , KIMBERLY JEAN
TEXSTAR
1226 SEA SECRET ST
PORT ARANSAS TX 78373-5737

SMITH , LESLIE ANN
HIGHLAND AC
607 6TH ST
PORT ARANSAS TX 78373-4334

SMITH , LOU ANN
PO BOX 1581
PORT ARANSAS TX 78373-1581

SMITH , DR. RICHARD
10122 METRONOME DR
HOUSTON TX 77080-6312

SMITH , RUSSELL R
1221 MILLARD DR
NACOGDOCHES TX 75965-2643

SMITH , MS SANDRA NELSON
923 COUNTY ROAD 235
WHARTON TX 77488-4661

SMITH , STEVEN
607 6TH ST
PORT ARANSAS TX 78373-4334

SMITH , SYLVIA
1007 BRIARCLIFF DR
ARLINGTON TX 76012-5318

SMITH , WILLIAM C
106 SERENADA DR
GEORGETOWN TX 78628-1363

SODAMANN , DR. PAUL E
6390 ROCKENHAM RD
SAINT GEORGE KS 66535-9757

SOHL , WALTER
423 E AVENUE C
PORT ARANSAS TX 78373-5215

SOLCHER , GERRY
111 W CASTLE LN
SAN ANTONIO TX 78213-1804

SOLIMINE , MRS SHANNON A
USPS
525 LIGHTHOUSE CHANNEL
PORT ARANSAS TX 78373-4215

SOMMERS , DANA
1016 ANTLER DR
SCHERTZ TX 78154-1104

SORENSEN , MR TODD
5802 OAKDALE MDWS
KLEIN TX 77379-5558

SORTO , MR JUAN
4720 LAKE RIM DR
ALVIN TX 77511-5149

ST CLAIR , MICHAEL
518 E 5TH ST N
NEWTON IA 50208-3132

ST CLAIR , SUSAN
518 E 5TH ST N
NEWTON IA 50208-3132

STALLINGS , BILL
7615 SHADY VILLA WALK
HOUSTON TX 77055-5098

STANDARD , GARY MITCHELL
1603 OAK ISLAND DR
LAKE JACKSON TX 77566-3633

STANUSH , BELINDA MOSTY
501 BAHIA MAR
PORT ARANSAS TX 78373-4926

STEDMAN , CULVER
930 BRIAR RIDGE DR
HOUSTON TX 77057-1118

STEGENGA , CORINNE
1017 S 10TH ST
PORT ARANSAS TX 78373-5500

STEIDEL , ANNDEE
14131 OAKLAND MILLS ST
SAN ANTONIO TX 78231-1635

STEIDEL , JAMES
14131 OAKLAND MILLS ST
SAN ANTONIO TX 78231-1635

STEPHENS , MYRA
1016 REDWOOD AVE
ROCKPORT TX 78382-5931

STEPHENSON , LEE ANN
PO BOX 7
RIVERSIDE WY 82325-0007

STEVENES , MISTI
8706 DONNA GAIL DR
AUSTIN TX 78757-6912

STEVENS , LISA
PO BOX 1694
PORT ARANSAS TX 78373-1694

STEVENSON , GAYLA
746 E COTTER AVE
PORT ARANSAS TX 78373-5138

STEVES , SAM
STEVES AND SONS
STE 502
7373 BROADWAY
SAN ANTONIO TX 78209-3253

STOCKTON , RICK
738 S BAY ST
ARANSAS PASS TX 78336-5808

STORRIE , MAGEN NICOLE
THIRD COAST MARKETING
PO BOX 2456
PORT ARANSAS TX 78373-2456

STRAIN , CLIFF A
PO BOX 1379
PORT ARANSAS TX 78373-1379

STRESSMAN , NEIL
2223 SADDLE BACK CT
FORT LUPTON CO 80621-4630

STRIEBER , WILLIAM C
6113 CHARIS CT
AUSTIN TX 78735-1657

STRIEBER , WILLIAM C
420 PRIVATE ROAD A
PORT ARANSAS TX 78373-5236

STROKER , MR JOHN STEWART
99 SUMMER CREST CIR
THE WOODLANDS TX 77381-2966

STROMAN , MARTHA V
PO BOX 642
PORT ARANSAS TX 78373-0642

STROWD , DON
1901 ENCINO BLUFF ST
SAN ANTONIO TX 78259-2339

STRUBBE , THOMAS MICHAEL
517 NAPLES ST
CORPUS CHRISTI TX 78404-2909

STRUBBE , THOMAS MICHAEL
4401 HIGHWAY 35 S
ROCKPORT TX 78382-7098

STUNZ , DR. GREG
3752 PELICAN PT
PORT ARANSAS TX 78373-4900

SUDDERTH , SHEILA
PO BOX 1407
PORT ARANSAS TX 78373-1407

SUMMERLIN , ERROL ALVIE
1017 DIOMEDE ST
PORTLAND TX 78374-1914

SUTCH , ROBIN
8000 SCOTLAND YARD
AUSTIN TX 78759-4311

SUTER , HAL
1002 CHAMBERLAIN ST
CORPUS CHRISTI TX 78404-2607

SUTTLE , RICHARD
STE 1300
100 CONGRESS AVE
AUSTIN TX 78701-4072

SWEATMAN , DEBORAH
UNIT B9
900 N STATION ST
PORT ARANSAS TX 78373-5099

TALBOT , DON
NO 46
241 W COTTER AVE
PORT ARANSAS TX 78373-4035

TALBOT , MARILYN A
NO 46
241 W COTTER AVE
PORT ARANSAS TX 78373-4035

TAMAYO , ELVIA
NO 9
2025 S 11TH ST
PORT ARANSAS TX 78373-4164

TANNER-JACOBS , DEBORAH
3606 JOHN SIMPSON TRL
AUSTIN TX 78732-2239

TANZER , SCOTT
PO BOX 420
PORT ARANSAS TX 78373-0420

TAYLOR , BLAKE
327 S STATION ST
PORT ARANSAS TX 78373-5214

TAYLOR , MERIDITH
543 ARANSAS CHANNEL
PORT ARANSAS TX 78373-4213

TAYLOR , MONICA
PO BOX 2029
FULTON TX 78358-2029

TEAGUE , KENNETH G
UNIT 236
2918 RANCH ROAD 620 N
AUSTIN TX 78734-2258

TEAGUE , MARINA
12639 POINT CYN
SAN ANTONIO TX 78253-5492

TEAGUE , TROY
12639 POINT CYN
SAN ANTONIO TX 78253-5492

TEDESCO , RENEE
6133 GEHRING ST
HOUSTON TX 77021-1176

TELLER , GEORGIA
PO BOX 2553
PORT ARANSAS TX 78373-2553

TENENBOWN , MR MICHAEL D
PO BOX 420490
HOUSTON TX 77242-0490

TERRAZAS JR , GUADALUPE
1010 E BELGRAVIA DR
PEARLAND TX 77584-2230

TERRY , JOE
453 W 21ST ST
HOUSTON TX 77008-2411

THAYER , TED
534 COUNTRY LN
BUDA TX 78610-9314

THOMAS , CATHY
3556 VICKERY LN
INGLESIDE TX 78362-4815

THOMAS , RONALD L
409 MERCER ST
PORT ARANSAS TX 78373-5155

TIBBETTS , MICHAEL J
PO BOX 1200
PORT ARANSAS TX 78373-1200

TIBBETTS , MICHAEL J
1080 WESTCLIFF CURV
SAINT PAUL MN 55126-1403

TILLMAN-RUIZ , TERESA
302 CARACARA DR
BUDA TX 78610-2410

TINNIN , LYNN
PO BOX 582
PORT ARANSAS TX 78373-0582

TINNIN , RICHARD K
PO BOX 582
PORT ARANSAS TX 78373-0582

TIPPS , ROBERT
532 ROCKPORT CHANNEL
PORT ARANSAS TX 78373-4216

TISE , MR CAREY
225 HERITAGE TRL N
BELLVILLE TX 77418-9311

TODD , SUSAN
808 SEA BREEZE LN
PORT ARANSAS TX 78373-5804

TOEPPERWEIN , TRACI
UNIT 111
2212 STATE HIGHWAY 361
PORT ARANSAS TX 78373-5086

TOMPKINS , DENISE
142 W BRUNDRETT AVE
PORT ARANSAS TX 78373-5146

TOMPKINS , DENISE
STE C, BOX 142
1023 STATE HIGHWAY 361
PORT ARANSAS TX 78373-5567

TOSATTO , BETH
APT 108
230 CUT OFF RD
PORT ARANSAS TX 78373-4228

TRASK , CANDY E
116 LAKE SHORE DR
CORPUS CHRISTI TX 78413-2635

TRAYLOR , MS KRISTINE
115 OAK LN
BURNET TX 78611-2839

TREADWAY , BRYAN
5101 NINA LEE LN
HOUSTON TX 77092-5240

TREME , TABETHA
4951 COUNTY ROAD 30
ROBSTOWN TX 78380-4392

TRIPPET , NANCY
2025 S 11TH ST
PORT ARANSAS TX 78373-4164

TRIPPET , NANCY
PO BOX 1317
PORT ARANSAS TX 78373-1317

TRUITT , ROY L
1233 SPYGLASS DR
AUSTIN TX 78746-6905

TRUMPY , DEBRA E
315 LAUREL ST
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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

AN ORDER GRANTING THE APPLICATION OF PORT OF CORPUS CHRISTI AUTHORITY OF NUECES COUNTY FOR TPDES PERMIT NO. WQ0005253000; TCEQ DOCKET NO. 2019-1156-IWD; SOAH DOCKET NO. 582-20-1895

On September 22, 2022, the Texas Commission on Environmental Quality (TCEQ or Commission) considered the application of the Port of Corpus Christi Authority of Nueces County for a new Texas Pollutant Discharge Elimination System Permit in Nueces County, Texas. A Proposal for Decision on Remand (PFD) was issued by Rebecca S. Smith and Cassandra Quinn, Administrative Law Judges with the State Office of Administrative Hearings, and considered by the Commission.

After considering the PFD, the Commission makes the following findings of fact and conclusions of law.

I. FINDINGS OF FACT

Background

1. The Port of Corpus Christi Authority of Nueces County (Applicant or Port Authority) filed an application (Application) for a new Texas Pollutant Discharge Elimination System (TPDES) permit with TCEQ on March 7, 2018.

2. The Application requests authorization to discharge treated effluent into the Corpus Christi Ship Channel in Nueces County, Texas.

3. TCEQ's Executive Director (ED) declared the Application administratively complete on June 26, 2018.

4. The ED completed the technical review of the Application and prepared a draft permit (Draft Permit).

Notice and Jurisdiction

5. The Notice of Receipt of Application and Intent to Obtain Water Quality Permit (NORI) was published on July 25, 2018, in the *Aransas Pass Progress*, *Ingleside Index*, and *Corpus Christi Caller-Times*. The NORI was also published on July 26, 2018, in the *Port Aransas South Jetty*.

6. The Notice Application and Preliminary Decision (NAPD) was published on November 21, 2018, in the *Aransas Pass Progress* and *Ingleside Index*. The NAPD was also published on November 22, 2018, in the *Port Aransas South Jetty* and *Corpus Christi Caller-Times*.

7. Copies of the Application were placed in La Retama Central Library, Sinton Public Library, Ed and Hazel Richmond Public Library, and the Port Aransas City Hall.

8. A public meeting was held on April 8, 2019, at the Port Aransas Civic Center in Port Aransas, Texas.

9. The public comment period ended at the close of the public meeting.

10. TCEQ received public comments on the Application, and the ED prepared a Response to Comments, which was filed with the Chief Clerk on July 3, 2019.

11. On November 21, 2019, the Commission issued an interim order granting certain hearing requests, referring certain hearing requests to the State Office of Administrative Hearings (SOAH) for an affectedness determination, denying certain hearing requests and requests for reconsideration, and referring the Application to SOAH for a contested evidentiary hearing on the following nine issues:

    A. Whether the proposed discharge will adversely impact: the marine environment, aquatic life, and wildlife, including birds and endangered or threatened species, spawning eggs, or larval migration;

B. Whether the proposed discharge will adversely impact the health of the requesters and their families, including whether fish and other seafood will be safe for human consumption;

C. Whether the proposed discharge will adversely impact recreational activities, commercial fishing, or fisheries in Corpus Christi Bay and the ship channel;

D. Whether the Application, and representations contained therein, are complete and accurate;

E. Whether the Applicant substantially complied with applicable public notice requirements;

F. Whether the draft permit is consistent with the Texas Coastal Management Program's goals and policies;

G. Whether the modeling complies with applicable regulations to ensure the draft permit is protective of water quality, including utilizing accurate inputs;

H. Whether the Executive Director's antidegradation review was accurate; and

I. Whether the draft permit includes all appropriate and necessary requirements.

Proceedings at SOAH

12. The preliminary hearing was initially scheduled to be held in Port Aransas, Texas, on March 24, 2020, but due to the COVID-19 pandemic, was rescheduled and set to convene via Zoom videoconference.

13. Notice of the rescheduled preliminary hearing was mailed by TCEQ on May 28, 2020, and published by the Port Authority in the *Aransas Pass Progress* and *Corpus Christi Caller-Times* on June 3, 2020, and the *Port Aransas South Jetty* on June 4, 2020.

14. The preliminary hearing was held before Administrative Law Judges (ALJs) Rebecca S. Smith and Cassandra Quinn on July 9, 2020, via Zoom videoconference.

15. At the preliminary hearing, the ALJs determined that SOAH had jurisdiction, named parties, and admitted the administrative record into evidence for all purposes.

16. Before the evidentiary hearing, various named parties withdrew. The remaining parties are: the Port Authority; ED; TCEQ's Office of Public Interest Counsel (OPIC); Audubon Texas; Port Aransas Conservancy (PAC); the following individuals represented by counsel: James Harrison King, Tammy King, Edward Steves, and Sam Steves (collectively, represented protestants); and the following individuals representing themselves: Stacey Bartlett, Jo Ellen Krueger, Sarah Searight, Lisa Turcotte, Cara Denney, Aldo Dyer, and Mark Grosse.

17. The evidentiary hearing convened on November 4-6 and 9-10, 2020, via Zoom videoconference, with ALJs Rebecca S. Smith and Cassandra Quinn presiding. All parties participated at the hearing except for Ms. Denney, Mr. Dyer, and Mr. Grosse. The record

closed on January 12, 2021, after the parties submitted written closing arguments and proposed findings of fact and conclusions of law.

18. On February 5, 2021, the ALJs issued a Proposal for Decision (PFD) recommending that the Application be denied.

19. On May 19, 2021, the Commission considered the ALJs' PFD during an open meeting and voted to remand the matter to SOAH for additional proceedings.

20. The Commission issued an Interim Order on May 26, 2021, remanding the case to SOAH for the ALJs to "[a]pply the appropriate legal standard for non-numeric criteria found in 30 Texas Administrative Code § 307.6(e)(1) for evaluating the impacts to aquatic organisms that move through a zone of initial dilution;" and to take additional evidence on the following issues:

    A. Whether the proposed discharge will adversely impact: the marine environment, aquatic life, and wildlife, including birds and endangered or threatened species, spawning eggs, or larval migration;

    C. Whether the proposed discharge will adversely impact recreational activities, commercial fishing, or fisheries in Corpus Christi Bay and the ship channel;

    D. Whether the Application, and representations contained therein, are complete and accurate;

    G. Whether the modeling complies with applicable regulations to ensure the draft permit is protective of water quality, including utilizing accurate inputs;

    H. Whether the Executive Director's antidegradation review was accurate; and

    I. Whether the draft permit includes all appropriate and necessary requirements.

21. The Applicant subsequently submitted a revised application (Revised Application) to change the location of the discharge (outfall), to revise its proposed diffuser design, and to present additional modeling and data, among other things.

22. The ED then prepared a revised draft permit (Revised Draft Permit).

23. On November 10, 2021, the ALJs issued Order No. 16, adopting the parties' agreed procedural schedule on remand for this case.

24. The preliminary hearing on remand was held before ALJs Rebecca S. Smith and Cassandra Quinn on January 25, 2022, via Zoom videoconference.

25. The evidentiary hearing on remand (Remand Hearing) convened on March 14-25, 2022, via Zoom videoconference, with ALJs Rebecca S. Smith and Cassandra Quinn presiding. The record closed on April 22, 2022, after the parties submitted written closing arguments and proposed findings of fact and conclusions of law.

Description of Proposed Facility and Discharge

26. The Port Authority seeks a wastewater discharge permit for a proposed marine seawater desalination plant (the Facility) to be located on Harbor Island in Nueces County, Texas.

27. Harbor Island is situated between the Texas coast and the barrier islands of San Jose Island and Mustang Island, at the mouth of the Aransas Pass inlet, which connects the Gulf of Mexico to Texas's bays and estuaries.

28. The Facility will pump seawater from the Gulf of Mexico and use reverse osmosis to produce potable water.

29. The proposed discharge is for treated effluent from the Facility, consisting primarily of the concentrated brine resulting from the desalination process.

30. If the Revised Draft Permit is issued, the treated effluent will be discharged into the Corpus Christi Ship Channel approximately 229 feet off Harbor Island's shoreline. The outfall location is near the confluence of the Corpus Christi Ship Channel, Lydia Ann Channel, and Aransas Pass inlet.

31. The proposed discharge is to Segment 2481 (Corpus Christi Bay) of the Texas classified surface water segments.

32. The designated uses for Segment 2481 are primary contact recreation, exceptional aquatic life use, and oyster waters.

33. The Port Authority plans to use a diffuser at the discharge site to enhance mixing of the treated effluent with the ambient water.

Texas Surface Water Quality Standards (TSWQS)

34. The TSWQS were developed to protect surface water quality in regards to human health, aquatic life, terrestrial life, and the environment.

35. The TSWQS designate uses for the state's surface waters, and establish narrative and numerical water quality standards to protect those uses.

36. The TCEQ has adopted standard procedures to implement the TSWQS, which are approved by the U.S. Environmental Protection Agency (EPA) and set forth in "Procedures to Implement the Texas Surface Water Quality Standards (RG 194)" (IPs).

37. The TSWQS and IPs are used to set permit limits for wastewater discharges.

38. The TSWQS establish "mixing zones" in the receiving water body, which are defined areas contiguous to the permitted discharge where the effluent mixes with the receiving waters. Acute toxicity to aquatic organisms is not allowed in a mixing zone, and chronic toxicity to aquatic organisms is not allowed beyond a mixing zone.

39. There are three applicable mixing zones: the zone of initial dilution (ZID), aquatic life mixing zone (ALMZ), and human health mixing zone (HHMZ).

40. For toxic substances where adequate toxicity information is available, the TSWQS establish numerical water quality standards for acute and chronic toxicity that apply at the mixing zone boundaries.

41. The TSWQS do not contain numerical criteria for salinity. However, concentrations and the relative ratios of dissolved minerals such as chloride, sulfate, and total dissolved solids must be maintained such that existing, designated, presumed, and attainable uses are not impaired.

42. Under the TSWQS, salinity gradients in estuaries must be maintained to support attainable estuarine-dependent aquatic life uses, and careful consideration must be given to all activities that may detrimentally affect salinity gradients.

Revised Draft Permit Requirements

43. The Revised Draft Permit specifies daily maximum and daily average flow limits of 110 million gallons per day (MGD) and 95.6 MGD, respectively.

44. No analytical data regarding the effluent was provided in the Application because the Facility has not yet been constructed or begun discharging, and consequently, screening against the water-quality-based effluent limits in the TSWQS could not be accomplished.

45. The Revised Draft Permit includes the following requirements:

    a. The effluent must be monitored daily for total suspended solids, total dissolved solids, chloride, and sulfate.

    b. The effluent's pH must be not less than 6.0 standard units (SU) and not more than 9.0 SU.

    c. The maximum effluent percentage limit at the ZID boundary is 14.6%.

    d. The Port Authority must conduct effluent sampling within 60 days of the initial discharge and submit the analytical data to TCEQ for screening against the water-quality-based effluent limits in the TSWQS.

    e. The Port Authority must complete a study of ambient water velocity at the outfall location and report the results to the TCEQ.

    f. The Port Authority must conduct whole effluent toxicity (WET) testing on the effluent during the first year of the discharge, with a 24-hour test every six months. The 24-hour test requires the test species to be submerged in 100% effluent from the Facility for 24 hours. The Port Authority must also conduct quarterly chronic biomonitoring for both mysid shrimp and inland silverside, using five effluent dilution concentrations and a control. If none of the first four consecutive tests demonstrates significant toxicity, the testing frequency will be reduced.

Modeling Analysis

46. The Cornell Mixing Zone (CORMIX) model is the most commonly used model to design

diffusers and evaluate mixing near outfalls.

47. The TCEQ's IPs provide for the use of the CORMIX model when a diffuser will be used, and the TCEQ has developed a guidance manual for running the model titled "Mixing Analyses Using CORMIX" (CORMIX SOPs).

48. Use of the CORMIX model was appropriate in this case.

49. The ED uses the CORMIX model to predict the percentage of effluent present at the edge of each regulatory mixing zone, and then sets permit limits based on the highest predicted effluent percentages.

50. In running the model, the ED relied on information provided in the Application and the CORMIX SOPs.

51. For the Revised Application, the ED's CORMIX modeling predicts effluent percentages of 14.6% at the ZID boundary, 8.9% at the ALMZ boundary, and 5.4% at the HHMZ boundary.

52. Use of the CORMIX model requires "schematization," the process of describing a receiving water body's actual geometry with a rectangular cross section. CORMIX's conservative module simulates the geometry of the receiving water body as a rectangle with a flat bottom and vertical sides, and does not account for variations in channel depth or a sloping bank.

53. Due to the need for schematization, some professional judgment will be necessary when selecting the inputs to the CORMIX model and a range of values may be reasonable.

54. The depth of the water body at the discharge point is an important model input because it is a variable that influences near-field mixing.

55. The depth of the channel at the outfall location is close to 65 feet but is adjacent to a 90-foot depression.

56. Using a 90-foot depth was among the range of reasonable options a modeler could select and was not inaccurate.

57. The distance from shore to the diffuser (DISTB) is an input to the model that impacts mixing predictions. Due to schematization, the shore placement effectively creates a vertical wall behind which no mixing is determined to take place; thus, the further it is located from the diffuser, the more water the model predicts will be available for mixing and dilution of the effluent.

58. The distance directly between the proposed diffuser location and the shoreline is 229 feet, but because the channel floor slopes downward from the shoreline, using that value for DISTB will overpredict mixing.

59. The modeling results were not materially different using 35 meters (114.8 feet) for DISTB, so the ED's use of 229 feet for the modeling was not materially inaccurate.

60. Using CORMIX's brine module was not required in this case.

61. The ED's modeling used reasonable inputs for ambient velocity based on data collected at the proposed discharge site.

62. The potential for an eddy to form occasionally near the proposed discharge site does not invalidate the CORMIX modeling results or indicate that inaccurate inputs were used.

63. The presence of two outcropping extending from the shoreline and the 90-foot depression introduces some uncertainty into the modeling results, but does not make them inaccurate.

64. Because salinity is in both the effluent and receiving waters, the highest predicted effluent percentages from the ED's CORMIX modeling do not provide the worst-case scenario for salinity.

65. CORMIX's margin of error does not invalidate the modeling results.

66. Including a limit on salinity in the permit is supported by the uncertainty introduced into the modeling results by the site-specific bathymetry, basing the ED's critical conditions on modeling results that do not represent the worst-case scenario for salinity, and CORMIX's margin of error.

67. The ED's CORMIX modeling inputs are either within the range of reasonable values or are not materially inaccurate.

68. The ED's CORMIX modeling is sufficient to ensure the Revised Draft Permit is protective of water quality.

69. The Port Authority separately conducted modeling with the SUNTANS model to evaluate the proposed discharge's effects in the far field as the effluent moves further from the mixing zones.

70. The SUNTANS modeling predicts that the desalination brine discharge increases computed salinity by 0-1 parts per thousand (ppt) in the vicinity of the discharge and throughout the Corpus Christi Bay system, with daily tidal fluctuations continuously mixing the discharge so that stratification is never persistent.

71. SUNTANS modeling is not required by the applicable regulatory requirements.

Antidegradation Review

72. An antidegradation review is designed to ensure that a proposed discharge does not impair the uses or degrade the water quality of the receiving waters.

73. Tier 1 and Tier 2 antidegradation reviews are required due to the exceptional aquatic life use designation at the outfall location.

74. The ED's antidegradation review for the Revised Application was performed by Peter Schaefer.

75. In conducting his Tier 1 review, Mr. Schaefer examined the Port Authority's WET tests, CORMIX modeling, static 2-minute acute tests at various salinity levels, and the SUNTANS modeling.

76. For his Tier 1 review, Mr. Schaefer also relied on the SUNTANS modeling, the salt mass balance, and the requirement that the Port Authority submit effluent data within 90 days of beginning to discharge.

77. Mr. Schaefer used a Texas Water Development Board paper to determine the optimal salinity level of red drum for his review, and also examined salinity toxicity testing by PAC witness Dr. Kristen Nielsen.

78. The ED's antidegradation review demonstrates that the proposed discharge will maintain existing uses and not lower water quality by more than a de minimis amount.

Impact on the Marine Environment, Aquatic Life, and Wildlife

79. Aransas Pass is one of five major coastal passes connecting the Gulf of Mexico with Texas's bays and estuaries. The next closest inlets are Packery Channel, a very small channel over 20 miles to the south, and the channel at Port O'Connor over 80 miles to the north.

80. Aransas Pass is the main source of productivity (e.g., spawning, migrating, and feeding) and connectivity with the Gulf of Mexico for all the fish and invertebrate populations in the entire region.

81. The Gulf-bay connection created by the Aransas Pass inlet is necessary for the life cycle of certain estuarine-dependent marine species. The adults of these species typically live and spawn offshore, and their eggs and larvae drift in coastal currents until a portion of them arrive at the coast and are drawn into the inlet. From there, some of the larvae are carried on the flood tide into the estuary where they can develop into juveniles and sub-adults, before eventually returning to the ocean as mature adults.

82. Because the inlet compounds and magnifies the marine life abundance, the impact of the proposed discharge will be disproportionately greater than what would occur in other areas with less densities and concentrations of marine life.

83. Organisms entering the Aransas Pass inlet have three alternate pathways to travel to the estuaries: Corpus Christi Ship Channel, Lydia Ann Channel, and Aransas Channel. Approximately 20% to 50% of larvae are estimated to use the Corpus Christi Ship Channel for this journey.

84. There is a zone of passage for aquatic organisms around the ZID and mixing zones. However, early life stages of aquatic species cannot swim around the effluent plume and will enter the ZID and mixing zones, and thus, come into contact with the undiluted effluent.

85. High salinity or saline imbalances can be fatal to aquatic life, particularly early life stages, such as embryos and larvae.

86. While levels of salinity rise and fall, they do so over time, allowing time for acclimation by aquatic species that protects them.

87. The ambient salinity in the Corpus Christi Ship Channel naturally fluctuates between 28 ppt and 42 ppt.

88. Salinity toxicity testing provided by the Port Authority showed that the no observable effect concentration (NOEC) for two species approved by the EPA and TCEQ for WET testing, mysid shrimp and inland silverside, were the highest concentrations tested, 45 ppt for a seven-day exposure and 55 ppt for a two-minute exposure.

89. Using mysid shrimp and inland silverside for testing was reasonable, but red drum (redfish) are more sensitive than these species, particularly in early life stages. As a result, the Port Authority's testing may not be representative of the impacts on more sensitive species or earlier life stages.

90. Salinity toxicity testing by PAC witness Dr. Nielsen did not require the use of an accredited environmental testing laboratory because she was not analyzing the components of environmental media.

91. Red drum is a reasonable surrogate for evaluating potential adverse impacts of the proposed discharge because it is an estuarine-dependent species that relies on the Corpus Christi Ship Channel and its early life stages are sensitive to salinity changes.

92. Red drum adults and juveniles successfully tolerate significantly high salinities, including those exceeding 60 ppt. Red drum eggs and larvae are more sensitive to salinity changes, especially 3- to 5-day-old larvae.

93. Red drum eggs have been shown to hatch within a wide range of salinities with best hatch-out and growth rates occurring between 33 and 43 ppt.

94. Early life stages of red drum, including 3- to 5-day-old larvae, will pass through the ZID and mixing zones.

95. Under the worst-case conditions modeled by the Executive Director, the proposed discharge will result in salinity levels at the ZID boundary as high as 44.68 ppt.

96. Exposure times will be longest during slack tide conditions, but will still be on the order of seconds and minutes, rather than hours.

97. Although eggs and larvae may be somewhat mixed in the water column, they are more concentrated in the upper portion of the water column due to their buoyancy, thereby further limiting their exposure to the discharge, which will be approximately 60 feet below the surface.

98. Abrupt changes in salinity at levels that may occur in the ZID under worst-case conditions will cause mortality to red drum larvae.

99. Other states and countries address the risk of abrupt changes in salinity from desalination discharges by setting limits on the change in salinity over ambient, generally limiting salinity increases to 2.0 ppt over ambient measured at some distance from the outfall.

100. For marine seawater desalination discharges, the Texas Parks and Wildlife Department and Texas General Land Office recommend limiting salinity increases to no more than 2.0 ppt over ambient measured at 100 meters from the outfall.

101. Because the TSWQS do not contain numeric criteria for salinity, the Revised Draft Permit's requirement to test the effluent after the discharge commences and screen it against the TSWQS's water-quality-based effluent limits does not address the concerns about salinity.

102. Including a salinity limit in the permit of 2.0 ppt over ambient to be measured at 100 meters from the outfall is necessary and appropriate to protect aquatic organisms that will be exposed to the proposed discharge.

103. The careful consideration required for evaluating the impacts of a discharge of salinity was performed.

104. With the addition of a salinity limit in the Revised Draft Permit, the proposed discharge will not adversely impact the marine environment, aquatic life, and wildlife, including spawning eggs and larval migration.

105. The piping plover is a threatened species found in Segment 2481, and the whooping crane is an endangered species that has been sighted in the Corpus Christi Bay area.

106. Because the proposed discharge will not adversely impact aquatic life, there will not be cascading effects on aquatic-dependent species, including birds.

107. The proposed discharge will not adversely impact birds and endangered or threatened species.

Impact on Recreational Activities, Commercial Fishing, and Fisheries

108. The Aransas Pass tidal inlet is a multi-species spawning site for the most economically valuable sportfishes in the region.

109. The productivity of local populations of sportfishes, including red drum, spotted seatrout, sheepshead, black drum, and southern flounder, is directly linked to, and dependent upon, the reproductive activity that occurs in the Aransas Pass inlet.

110. The fisheries in the Corpus Christi Bay, Aransas Pass inlet, and Texas Gulf of Mexico support a multi-billion-dollar commercial fishing industry for finfish, crab, and shrimp.

111. Because the proposed discharge will not adversely impact aquatic life, there will not be cascading effects on recreational and commercial fishing, or fisheries.

112. The proposed discharge will not adversely impact recreational activities, commercial fishing, and fisheries in Corpus Christi Bay and the ship channel.

Impact on Human Health

113. No party presented evidence challenging whether the proposed discharge will adversely impact the health of the requesters and their families, including whether fish and other seafood will be safe for human consumption.

114. The proposed discharge will be located at least 60 feet below the water surface, so humans will not be directly exposed to the discharge.

115. The proposed discharge will not adversely impact the health of the requestors or their families.

Accuracy and Completeness of the Application

116. That the Revised Application did not have a sponsoring witness at the Remand Hearing does not make it incomplete or inaccurate.

117. The Revised Application and supporting documentation correctly identified the Port Authority as the owner and operator of the Facility, the locations of the proposed Facility and outfall, changing velocities near the outfall, and the depth of the channel at the outfall location.

118. The whole water sampling for the Application was not conducted in a period of abnormally high rainfall.

119. Sediment sampling was not required for a complete Application.

120. Whether the Facility is properly characterized as a minor or major facility does not affect whether the Application is accurate or complete.

121. The Revised Application was complete despite not specifying the exact chemicals that will be used to treat water.

Permit Requirements

122. The Revised Draft Permit should include additional provisions requiring mixing limits for percentages of effluent at the boundaries of all three mixing zones; imposing a salinity limit of 2.0 ppt over ambient to be measured at 100 meters from the outfall; and requiring a monitoring plan.

122A. To address the mixing limits for percentages of effluent at the boundaries of all three mixing zones, the following requirement should be added to the Revised Draft Permit: The permittee shall maintain the diffuser at Outfall 001 to achieve maximum effluent percentages at the edge of each regulatory mixing zone: Zone of Initial Dilution (ZID): 14.6%; Chronic Aquatic Mixing Zone: 8.9%; Human Health Mixing Zone: 5.4%.

123. Additional provisions related to the latitude, longitude, and location of the outfall; related to chemical additives' compliance with NSF-60; related to biological surveys; and related to the intake structure do not need to be included in the Revised Draft Permit.

124. Changes to the WET testing requirements do not need to be made to the Revised Draft Permit.

Notice Requirements

125. Notice was properly mailed and published, and a copy of the Application was made available at appropriate public locations. The location of the outfall determines the owners of properties that are required to be identified in the Application as affected landowners.

126. Protestants have not challenged their own notice.

Texas Coastal Management Program

127. The ED appropriately reviewed the Application for consistency with the Texas Coastal Management Program's goals and policies.

Transcription Costs

128. For the Initial Proceeding, the total cost for recording and transcribing the prehearing conference and hearing on the merits was $17,861.26, which has been paid by the Port Authority.

129. The transcript was required by SOAH's rules.

130. No party asserts that transcript costs should be allocated to Audubon or the self-represented protestants.

131. Transcript costs cannot be assessed against the ED and OPIC because they are statutory parties who are precluded from appealing the decision of the Commission.

132. The Port Authority, PAC, and represented protestants fully participated in the hearing.

133. The Port Authority, PAC, and represented protestants have the financial ability to cover the costs associated with the transcript.

134. The Port Authority, PAC, and represented protestants benefitted equally from having a transcript.

135. It is reasonable and appropriate for PAC and represented protestants to reimburse the Port Authority $8,930.63 for transcript costs for the Initial Proceeding.

136. For the Remand Hearing, the total cost for recording and transcribing the prehearing conference and the hearing on the merits was $3,825.00.

137. The Port Authority, PAC, and represented protestants fully participated in the Remand Hearing and benefitted from a transcript.

138. That the Remand Hearing was to allow the Port Authority to provide additional evidence for its own benefit, and because once the Port Authority filed a Revised Application, the

remand's scope increased are factors relevant to a just and reasonable assessment of costs.

139. It is reasonable and appropriate for the Port Authority to bear the entire transcript costs for the Remand Hearing.

II. CONCLUSIONS OF LAW

1. The Commission has jurisdiction over water quality and the issuance of TPDES permits. Tex. Water Code §§ 5.013, 26.003, 26.011, 26.027, and 26.028.

2. The Application was referred to SOAH under Texas Water Code § 5.556.

3. SOAH has jurisdiction to conduct a hearing and prepare a proposal for decision in contested cases referred by the Commission under Texas Government Code § 2003.047.

4. Notice of the Application and the hearing were properly provided to the public and to all parties. Tex. Water Code §§ 5.115, 26.022, 26.028; Tex. Gov't Code §§ 2001.051-.052; 30 Tex. Admin. Code ch. 39.

5. The Application is subject to Texas Government Code § 2003.047(i-1)-(i-3).

6. In the Initial Proceeding, the filing of the Application, the Draft Permit, the preliminary decisions issued by the ED, and other supporting documentation in the administrative record of the Application established a prima facie case that: (i) the Draft Permit meets all state and federal legal and technical requirements; and (ii) the permit, if issued consistent with the Draft Permit, would protect human health and safety, the environment, and physical property. Tex. Gov't Code § 2003.047(i-1).

7. A party may rebut the prima facie demonstration by presenting evidence that: (1) relates to an issue directly referred; and (2) demonstrates that one or more provisions in the Draft Permit violates a specifically applicable state or federal requirement. Tex. Gov't Code § 2003.047(i-2); 30 Tex. Admin. Code §§ 80.17(c)(2), .117(c)(3).

8. Applicant retains the burden of proof on the issues regarding the sufficiency of the Application and compliance with the necessary statutory and regulatory requirements. 30 Tex. Admin. Code § 80.17(a).

9. The Remand Hearing was to allow the Applicant to present additional evidence on specified issues. Therefore, the process of rebutting a prima facie case has previously occurred. The Applicant was not entitled to another presumption.

10. The administrative record is admitted into evidence for all purposes. 30 Tex. Admin. Code § 80.127(h).

11. There must be no significant lethality to aquatic organisms that move through a ZID. 30 Tex. Admin. Code § 307.6(e)(1).

12. Water in the state must be maintained to preclude adverse toxic effects on aquatic life. 30 Tex. Admin. Code § 307.6(b)(4).

13. Surface waters must not be toxic to man from ingestion of water, consumption of aquatic

organisms, or contact with the skin, or to terrestrial or aquatic life. 30 Tex. Admin. Code § 307.4(d).

14. Salinity gradients in estuaries must be maintained to support attainable estuarine-dependent aquatic life uses. 30 Tex. Admin. Code § 307.4(g)(3).

15. An attainable use is a use that can be reasonably achieved by a water body in accordance with its physical, biological, and chemical characteristics whether it is currently meeting that use or not. 30 Tex. Admin. Code § 307.3(a)(4).

16. Careful consideration must be given to all activities that may detrimentally affect salinity gradients. 30 Tex. Admin. Code § 307.4(g)(3).

17. The ED's antidegradation review ensures compliance with the Tier 1 and Tier 2 antidegradation standards. 30 Tex. Admin. Code § 307.5(b).

18. The ED's modeling analysis of the proposed discharge is sufficient to ensure the Revised Draft Permit is protective of water quality.

19. The Commission may accept environmental testing laboratory data and analysis for use in Commission decisions regarding any matter under the Commission's jurisdiction relating to permits or other authorizations only if the data and analysis is prepared by an accredited environmental testing laboratory. Tex. Water Code § 5.134(a).

20. The accreditation requirement applies to "environmental testing laboratory data," and an "environmental testing laboratory" is "a scientific laboratory that performs analyses to determine the chemical, molecular, or pathogenic components of environmental media for regulatory compliance purposes." Tex. Water Code § 5.801; 30 Tex. Admin. Code § 25.2(6).

21. With the additional permit requirements described in Finding of Fact No. 122, the Revised Draft Permit includes all appropriate and necessary requirements to protect the marine environment, aquatic life, wildlife, recreational activities, commercial fishing, and fisheries.

22. With the additional permit requirements described in Finding of Fact No. 122, the Revised Draft Permit is protective of water quality and the uses of the receiving waters under the applicable TSWQS. 30 Tex. Admin. Code ch. 307.

23. The Revised Draft Permit contains sufficient provisions to protect the health of the requesters and their families.

24. The Revised Draft Permit is consistent with the Texas Coastal Management Program's goals and policies. 30 Tex. Admin. Code ch. 281, subch. B.

25. The Port Authority substantially complied with all applicable notice requirements. 30 Tex. Admin. Code ch. 39.

26. No transcript costs may be assessed against the ED or OPIC because the TCEQ's rules prohibit the assessment of any cost to a statutory party who is precluded by law from appealing any ruling, decision, or other act of the Commission. Tex. Water Code §§ 5.275,

.356; 30 Tex. Admin. Code § 80.23(d)(2).

27. Factors to be considered in assessing transcript costs include: the party who requested the transcript; the financial ability of the party to pay the costs; the extent to which the party participated in the hearing; the relative benefits to the various parties of having a transcript; and any other factor which is relevant to a just and reasonable assessment of the costs. 30 Tex. Admin. Code § 80.23(d)(1).

28. Considering the factors in 30 Texas Administrative Code § 80.23(d)(1), a reasonable assessment of Original Hearing transcript costs against parties to the contested case proceeding is that the Port Authority, PAC, and represented protestants should split the costs evenly, with PAC and represented protestants reimbursing the Port Authority $8,930.63.

29. Considering the factors in 30 Texas Administrative Code § 80.23(d)(1), a reasonable assessment of Remand Hearing transcript costs against parties to the contested case proceeding is that the Port Authority should bear the entire $3,825.00 costs.

III. EXPLANATION OF CHANGES

During the September 22, 2022, open meeting the Commission made the following changes to the ALJs' Proposed Order, as discussed and explained during the open meeting:

1. All references to the draft permit number in the ALJs' Proposed Order were corrected to "WQ0005253000."

2. Revised Finding of Fact No. 95 as follows: "Under the worst-case conditions modeled by the Executive Director, the proposed discharge will result in salinity levels at the ZID boundary as high as 44.68 ppt." This change is made to correct an error in interpreting the Executive Director's modeling results found in Exhibit Kings/Steves-21R.

3. Revised Finding of Fact No. 114 as follows: "The proposed discharge will be located at least 60 feet below the water surface, so humans will not be directly exposed to the discharge." This change corrects a typographical error. The location of the diffuser is specified as more than 60 feet below the surface of the water, as reflected in Exhibit APP-LT-16-R.

4. Added Finding of Fact No. 122A: "To address the mixing limits for percentages of effluent at the boundaries of all three mixing zones, the following requirement should be added to the Revised Draft Permit: The permittee shall maintain the diffuser at Outfall 001 to achieve maximum effluent percentages at the edge of each regulatory mixing zone: Zone of Initial Dilution (ZID): 14.6%; Chronic Aquatic Mixing Zone: 8.9%; Human Health Mixing Zone: 5.4%." This finding of fact is added to specify in Revised Draft permit the mixing limits for percentages of effluent at the boundaries of all three mixing zones, as identified in the Executive Director's Statement of Basis.

NOW, THEREFORE, BE IT ORDERED BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY, IN ACCORDANCE WITH THESE FINDINGS OF FACT AND CONCLUSIONS OF LAW, THAT:

1. The Revised Application of the Port of Corpus Christi Authority of Nueces County for Texas Pollutant Discharge Elimination System Permit No. WQ0005253000 is granted, with the following additions: a provision requiring mixing limits for percentages of effluent at the boundaries of all three mixing zones; imposing a salinity limit of 2.0 ppt over ambient to be measured at 100 meters from the outfall; and a monitoring plan.

2. PAC and represented protestants shall pay $8,930.63 of the transcription costs for the Initial Proceeding, with the Port Authority paying the remainder of transcription costs for all other proceedings.

3. All other motions, requests for entry of specific Findings of Fact or Conclusions of Law, and any other requests for general or specific relief, if not expressly granted herein, are hereby denied.

4. The effective date of this Order is the date the Order is final, as provided by Texas Government Code § 2001.144 and 30 Texas Administrative Code § 80.273.

5. TCEQ's Chief Clerk shall forward a copy of this Order to all parties.

6. If any provision, sentence, clause, or phrase of this Order is for any reason held to be invalid, the invalidity of any provision shall not affect the validity of the remaining portions of this Order.

TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

Jon Niermann, Chairman

12/20/22
Dated

TPDES PERMIT NO.
WQ0005253000
[For TCEQ office use only -
EPA I.D. No. TX0138347]

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
P.O. Box 13087
Austin, Texas 78711-3087

PERMIT TO DISCHARGE WASTES
under provisions of
Section 402 of the Clean Water Act
and Chapter 26 of the Texas Water Code

Port of Corpus Christi Authority of Nueces County

whose mailing address is

P.O. Box 1541
Corpus Christi, Texas 78403

is authorized to treat and discharge wastes from Harbor Island Property - Former FINA Tank Farm, a seawater desalination facility (SIC 4941 and 4491)

located adjacent to State Highway 361 just northeast of the Ferry Landing, Nueces County, Texas 78336

via pipe directly to Corpus Christi Bay in Segment No. 2481 of the Bays and Estuaries

only according to effluent limitations, monitoring requirements, and other conditions set forth in this permit, as well as the rules of the Texas Commission on Environmental Quality (TCEQ), the laws of the State of Texas, and other orders of the TCEQ. The issuance of this permit does not grant to the permittee the right to use private or public property for conveyance of wastewater along the discharge route described in this permit. This includes, but is not limited to, property belonging to any individual, partnership, corporation, or other entity. Neither does this permit authorize any invasion of personal rights nor any violation of federal, state, or local laws or regulations. It is the responsibility of the permittee to acquire property rights as may be necessary to use the discharge route.

This permit shall expire at midnight, five years from the date of permit issuance.

ISSUED DATE: December 20, 2022

For the Commission

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS — Outfall Number 001

1. During the period beginning upon the date of permit issuance and lasting through the date of permit expiration, the permittee is authorized to discharge water treatment wastes [1] subject to the following effluent limitations:

   The daily average flow of effluent shall not exceed 95.6 million gallons per day (MGD). The daily maximum flow shall not exceed 110 MGD.

Effluent Characteristics	Discharge Limitations					Minimum Self-Monitoring Requirements	
	Daily Average		Daily Maximum		Single Grab	Report Daily Average and Daily Maximum	
	lbs/day	mg/L	lbs/day	mg/L	mg/L	Measurement Frequency	Sample Type
Flow	95.6 MGD		110 MGD		N/A	Continuous	Totalizer
Total Suspended Solids	Report	Report	Report	Report	N/A	1/day	Grab
Total Dissolved Solids	Report	Report	Report	Report	N/A	1/day	Grab
Chloride	Report	Report	Report	Report	N/A	1/day	Grab
Sulfate	Report	Report	Report	Report	N/A	1/day	Grab

2. The pH must not be less than 6.0 standard units nor greater than 9.0 standard units and must be monitored 1/day by grab sample.

3. There must be no discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.

4. Effluent monitoring samples must be taken at the following location: At Outfall 001, following commingling of all wastewater and prior to discharging into Corpus Christi Bay.

[1] See Other Requirement No. 2.

DEFINITIONS AND STANDARD PERMIT CONDITIONS

As required by Title 30 Texas Administrative Code (TAC) Chapter 305, certain regulations appear as standard conditions in waste discharge permits. 30 TAC §§305.121 - 305.129 (relating to Permit Characteristics and Conditions) as promulgated under the Texas Water Code (TWC) §§5.103 and 5.105, and the Texas Health and Safety Code (THSC) §§361.017 and 361.024(a), establish the characteristics and standards for waste discharge permits, including sewage sludge, and those sections of 40 Code of Federal Regulations (CFR) Part 122 adopted by reference by the Commission. The following text includes these conditions and incorporates them into this permit. All definitions in Texas Water Code §26.001 and 30 TAC Chapter 305 shall apply to this permit and are incorporated by reference. Some specific definitions of words or phrases used in this permit are as follows:

1. Flow Measurements

   a. Annual average flow - the arithmetic average of all daily flow determinations taken within the preceding 12 consecutive calendar months. The annual average flow determination shall consist of daily flow volume determinations made by a totalizing meter, charted on a chart recorder, and limited to major domestic wastewater discharge facilities with a one million gallons per day or greater permitted flow.

   b. Daily average flow - the arithmetic average of all determinations of the daily flow within a period of one calendar month. The daily average flow determination shall consist of determinations made on at least four separate days. If instantaneous measurements are used to determine the daily flow, the determination shall be the arithmetic average of all instantaneous measurements taken during that month. Daily average flow determination for intermittent discharges shall consist of a minimum of three flow determinations on days of discharge.

   c. Daily maximum flow - the highest total flow for any 24-hour period in a calendar month.

   d. Instantaneous flow - the measured flow during the minimum time required to interpret the flow measuring device.

   e. 2-hour peak flow (domestic wastewater treatment plants) - the maximum flow sustained for a two-hour period during the period of daily discharge. The average of multiple measurements of instantaneous maximum flow within a two-hour period may be used to calculate the 2-hour peak flow.

   f. Maximum 2-hour peak flow (domestic wastewater treatment plants) - the highest 2-hour peak flow for any 24-hour period in a calendar month.

2. Concentration Measurements

   a. Daily average concentration - the arithmetic average of all effluent samples, composite or grab as required by this permit, within a period of one calendar month, consisting of at least four separate representative measurements.

      i. For domestic wastewater treatment plants - When four samples are not available in a calendar month, the arithmetic average (weighted by flow) of all values in the previous four consecutive month period consisting of at least four measurements shall be utilized as the daily average concentration.

      ii. For all other wastewater treatment plants - When four samples are not available in a calendar month, the arithmetic average (weighted by flow) of all values taken during the month shall be utilized as the daily average concentration.

   b. 7-day average concentration - the arithmetic average of all effluent samples, composite or grab as required by this permit, within a period of one calendar week, Sunday through Saturday.

   c. Daily maximum concentration - the maximum concentration measured on a single day, by the sample type specified in the permit, within a period of one calendar month.

d. Daily discharge - the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in terms of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the sampling day. For pollutants with limitations expressed in other units of measurement, the "daily discharge" is calculated as the average measurement of the pollutant over the sampling day.

   The "daily discharge" determination of concentration made using a composite sample shall be the concentration of the composite sample. When grab samples are used, the "daily discharge" determination of concentration shall be the arithmetic average (weighted by flow value) of all samples collected during that day.

e. Bacteria concentration (Fecal coliform, *E. coli*, or Enterococci) – the number of colonies of bacteria per 100 milliliters effluent. The daily average bacteria concentration is a geometric mean of the values for the effluent samples collected in a calendar month. The geometric mean shall be determined by calculating the nth root of the product of all measurements made in a calendar month, where n equals the number of measurements made; or computed as the antilogarithm of the arithmetic mean of the logarithms of all measurements made in a calendar month. For any measurement of bacteria equaling zero, a substitute value of one shall be made for input into either computation method. If specified, the 7-day average for bacteria is the geometric mean of the values for all effluent samples collected during a calendar week.

f. Daily average loading (lbs/day) - the arithmetic average of all daily discharge loading calculations during a period of one calendar month. These calculations must be made for each day of the month that a parameter is analyzed. The daily discharge, in terms of mass (lbs/day), is calculated as (Flow, MGD × Concentration, mg/L × 8.34).

g. Daily maximum loading (lbs/day) - the highest daily discharge, in terms of mass (lbs/day), within a period of one calendar month.

3. Sample Type

   a. Composite sample - For domestic wastewater, a composite sample is a sample made up of a minimum of three effluent portions collected in a continuous 24-hour period or during the period of daily discharge if less than 24 hours, and combined in volumes proportional to flow, and collected at the intervals required by 30 TAC §319.9(a). For industrial wastewater, a composite sample is a sample made up of a minimum of three effluent portions collected in a continuous 24-hour period or during the period of daily discharge if less than 24 hours, and combined in volumes proportional to flow, and collected at the intervals required by 30 TAC §319.9(c).

   b. Grab sample - an individual sample collected in less than 15 minutes.

4. Treatment Facility (facility) - wastewater facilities used in the conveyance, storage, treatment, recycling, reclamation or disposal of domestic sewage, industrial wastes, agricultural wastes, recreational wastes, or other wastes including sludge handling or disposal facilities under the jurisdiction of the Commission.

5. The term "sewage sludge" is defined as solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in 30 TAC Chapter 312. This includes the solids that have not been classified as hazardous waste separated from wastewater by unit processes.

6. Bypass - the intentional diversion of a waste stream from any portion of a treatment facility.

MONITORING AND REPORTING REQUIREMENTS

1. Self-Reporting

   Monitoring results shall be provided at the intervals specified in the permit. Unless otherwise specified in this permit or otherwise ordered by the Commission, the permittee shall conduct effluent sampling and reporting in accordance with 30 TAC §§319.4 - 319.12. Unless otherwise

specified, effluent monitoring data shall be submitted each month, to the Enforcement Division (MC 224), by the 20th day of the following month for each discharge that is described by this permit whether or not a discharge is made for that month. Monitoring results must be submitted online using the NetDMR reporting system available through the TCEQ website unless the permittee requests and obtains an electronic reporting waiver. Monitoring results must be signed and certified as required by Monitoring and Reporting Requirements No. 10.
As provided by state law, the permittee is subject to administrative, civil and criminal penalties, as applicable, for negligently or knowingly violating the Clean Water Act; TWC Chapters 26, 27, and 28; and THSC Chapter 361, including but not limited to knowingly making any false statement, representation, or certification on any report, record, or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance, or falsifying, tampering with or knowingly rendering inaccurate any monitoring device or method required by this permit or violating any other requirement imposed by state or federal regulations.

2. Test Procedures

   a. Unless otherwise specified in this permit, test procedures for the analysis of pollutants shall comply with procedures specified in 30 TAC §§319.11 - 319.12. Measurements, tests, and calculations shall be accurately accomplished in a representative manner.

   b. All laboratory tests submitted to demonstrate compliance with this permit must meet the requirements of 30 TAC Chapter 25, Environmental Testing Laboratory Accreditation and Certification.

3. Records of Results

   a. Monitoring samples and measurements shall be taken at times and in a manner so as to be representative of the monitored activity.

   b. Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by 40 CFR Part 503), monitoring and reporting records, including strip charts and records of calibration and maintenance, copies of all records required by this permit, records of all data used to complete the application for this permit, and the certification required by 40 CFR §264.73(b)(9) shall be retained at the facility site, or shall be readily available for review by a TCEQ representative for a period of three years from the date of the record or sample, measurement, report, application or certification. This period shall be extended at the request of the Executive Director.

   c. Records of monitoring activities shall include the following:

      i. date, time, and place of sample or measurement;
      ii. identity of individual who collected the sample or made the measurement;
      iii. date and time of analysis;
      iv. identity of the individual and laboratory who performed the analysis;
      v. the technique or method of analysis; and
      vi. the results of the analysis or measurement and quality assurance/quality control records.

      The period during which records are required to be kept shall be automatically extended to the date of the final disposition of any administrative or judicial enforcement action that may be instituted against the permittee.

4. Additional Monitoring by Permittee

   If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit using approved analytical methods as specified above, all results of such monitoring shall be included in the calculation and reporting of the values submitted on the approved self-report form. Increased frequency of sampling shall be indicated on the self-report form.

5. Calibration of Instruments

All automatic flow measuring or recording devices and all totalizing meters for measuring flows shall be accurately calibrated by a trained person at plant start-up and as often thereafter as necessary to ensure accuracy, but not less often than annually unless authorized by the Executive Director for a longer period. Such person shall verify in writing that the device is operating properly and giving accurate results. Copies of the verification shall be retained at the facility site or shall be readily available for review by a TCEQ representative for a period of three years.

6. Compliance Schedule Reports

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of the permit shall be submitted no later than 14 days following each schedule date to the regional office and the Enforcement Division (MC 224).

7. Noncompliance Notification

a. In accordance with 30 TAC §305.125(9) any noncompliance that may endanger human health or safety, or the environment shall be reported by the permittee to the TCEQ. Report of such information shall be provided orally or by facsimile transmission (FAX) to the regional office within 24 hours of becoming aware of the noncompliance. A written submission of such information shall also be provided by the permittee to the regional office and the Enforcement Division (MC 224) within five working days of becoming aware of the noncompliance. For Publicly Owned Treatment Works (POTWs), effective September 1, 2020, the permittee must submit the written report for unauthorized discharges and unanticipated bypasses that exceed any effluent limit in the permit using the online electronic reporting system available through the TCEQ website unless the permittee requests and obtains an electronic reporting waiver. The written submission shall contain a description of the noncompliance and its cause; the potential danger to human health or safety, or the environment; the period of noncompliance, including exact dates and times; if the noncompliance has not been corrected, the time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance, and to mitigate its adverse effects.

b. The following violations shall be reported under Monitoring and Reporting Requirement 7.a.:

i. unauthorized discharges as defined in Permit Condition 2(g).
ii. any unanticipated bypass that exceeds any effluent limitation in the permit.
iii. violation of a permitted maximum daily discharge limitation for pollutants listed specifically in the Other Requirements section of an Industrial TPDES permit.

c. In addition to the above, any effluent violation that deviates from the permitted effluent limitation by more than 40% shall be reported by the permittee in writing to the regional office and the Enforcement Division (MC 224) within 5 working days of becoming aware of the noncompliance.

d. Any noncompliance other than that specified in this section, or any required information not submitted or submitted incorrectly, shall be reported to the Enforcement Division (MC 224) as promptly as possible. For effluent limitation violations, noncompliances shall be reported on the approved self-report form.

8. In accordance with the procedures described in 30 TAC §§35.301 - 35.303 (relating to Water Quality Emergency and Temporary Orders) if the permittee knows in advance of the need for a bypass, it shall submit prior notice by applying for such authorization.

9. Changes in Discharges of Toxic Substances

All existing manufacturing, commercial, mining, and silvicultural permittees shall notify the regional office, orally or by facsimile transmission within 24 hours, and both the regional office and the Enforcement Division (MC 224) in writing within five (5) working days, after becoming aware of or having reason to believe:

a. That any activity has occurred or will occur that would result in the discharge, on a routine or frequent basis, of any toxic pollutant listed at 40 CFR Part 122, Appendix D, Tables II and III (excluding Total Phenols) that is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":

i. one hundred micrograms per liter (100 µg/L);
ii. two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/L) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;
iii. five (5) times the maximum concentration value reported for that pollutant in the permit application; or
iv. the level established by the TCEQ.

b. That any activity has occurred or will occur that would result in any discharge, on a nonroutine or infrequent basis, of a toxic pollutant that is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":

i. five hundred micrograms per liter (500 µg/L);
ii. one milligram per liter (1 mg/L) for antimony;
iii. ten (10) times the maximum concentration value reported for that pollutant in the permit application; or
iv. the level established by the TCEQ.

10. Signatories to Reports

All reports and other information requested by the Executive Director shall be signed by the person and in the manner required by 30 TAC §305.128 (relating to Signatories to Reports).

11. All POTWs must provide adequate notice to the Executive Director of the following:

a. any new introduction of pollutants into the POTW from an indirect discharger that would be subject to CWA §301 or §306 if it were directly discharging those pollutants;

b. any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit; and

c. for the purpose of this paragraph, adequate notice shall include information on:

i. the quality and quantity of effluent introduced into the POTW; and
ii. any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.

PERMIT CONDITIONS

1. General

a. When the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in an application or in any report to the Executive Director, it shall promptly submit such facts or information.

b. This permit is granted on the basis of the information supplied and representations made by the permittee during action on an application, and relying upon the accuracy and completeness of that information and those representations. After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked, in whole or in part, in accordance with 30 TAC Chapter 305, Subchapter D, during its term for good cause including, but not limited to, the following:

i. violation of any terms or conditions of this permit;
ii. obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or
iii. a change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.

c. The permittee shall furnish to the Executive Director, upon request and within a reasonable time, any information to determine whether cause exists for amending, revoking, suspending, or terminating the permit. The permittee shall also furnish to the Executive Director, upon request, copies of records required to be kept by the permit.

2. Compliance

a. Acceptance of the permit by the person to whom it is issued constitutes acknowledgment and agreement that such person will comply with all the terms and conditions embodied in the permit, and the rules and other orders of the Commission.

b. The permittee has a duty to comply with all conditions of the permit. Failure to comply with any permit condition constitutes a violation of the permit and the Texas Water Code or the Texas Health and Safety Code, and is grounds for enforcement action, for permit amendment, revocation, or suspension, or for denial of a permit renewal application or an application for a permit for another facility.

c. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.

d. The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal or other permit violation that has a reasonable likelihood of adversely affecting human health or the environment.

e. Authorization from the Commission is required before beginning any change in the permitted facility or activity that may result in noncompliance with any permit requirements.

f. A permit may be amended, suspended and reissued, or revoked for cause in accordance with 30 TAC §§305.62 and 305.66 and TWC §7.302. The filing of a request by the permittee for a permit amendment, suspension and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

g. There shall be no unauthorized discharge of wastewater or any other waste. For the purpose of this permit, an unauthorized discharge is considered to be any discharge of wastewater into or adjacent to water in the state at any location not permitted as an outfall or otherwise defined in the Other Requirements section of this permit.

h. In accordance with 30 TAC §305.535(a), the permittee may allow any bypass to occur from a TPDES permitted facility that does not cause permitted effluent limitations to be exceeded or an unauthorized discharge to occur, but only if the bypass is also for essential maintenance to assure efficient operation.

i. The permittee is subject to administrative, civil, and criminal penalties, as applicable, under Texas Water Code §§7.051 - 7.075 (relating to Administrative Penalties), 7.101 - 7.111 (relating to Civil Penalties), and 7.141 - 7.202 (relating to Criminal Offenses and Penalties) for violations including, but not limited to, negligently or knowingly violating the federal CWA §§301, 302, 306, 307, 308, 318, or 405, or any condition or limitation implementing any sections in a permit issued under the CWA §402, or any requirement imposed in a pretreatment program approved under the CWA §§402(a)(3) or 402(b)(8).

3. Inspections and Entry

a. Inspection and entry shall be allowed as prescribed in the TWC Chapters 26, 27, and 28, and THSC Chapter 361.

b. The members of the Commission and employees and agents of the Commission are entitled to enter any public or private property at any reasonable time for the purpose of inspecting and investigating conditions relating to the quality of water in the state or the compliance with any rule, regulation, permit, or other order of the Commission. Members, employees, or agents of

the Commission and Commission contractors are entitled to enter public or private property at any reasonable time to investigate or monitor or, if the responsible party is not responsive or there is an immediate danger to public health or the environment, to remove or remediate a condition related to the quality of water in the state. Members, employees, Commission contractors, or agents acting under this authority who enter private property shall observe the establishment's rules and regulations concerning safety, internal security, and fire protection, and if the property has management in residence, shall notify management or the person then in charge of his presence and shall exhibit proper credentials. If any member, employee, Commission contractor, or agent is refused the right to enter in or on public or private property under this authority, the Executive Director may invoke the remedies authorized in TWC §7.002. The statement above, that Commission entry shall occur in accordance with an establishment's rules and regulations concerning safety, internal security, and fire protection, is not grounds for denial or restriction of entry to any part of the facility, but merely describes the Commission's duty to observe appropriate rules and regulations during an inspection.

4. Permit Amendment or Renewal

   a. The permittee shall give notice to the Executive Director as soon as possible of any planned physical alterations or additions to the permitted facility if such alterations or additions would require a permit amendment or result in a violation of permit requirements. Notice shall also be required under this paragraph when:

      i. the alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in accordance with 30 TAC §305.534 (relating to New Sources and New Dischargers); or

      ii. the alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are subject neither to effluent limitations in the permit, nor to notification requirements in Monitoring and Reporting Requirements No. 9; or

      iii. the alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.

   b. Prior to any facility modifications, additions, or expansions that will increase the plant capacity beyond the permitted flow, the permittee must apply for and obtain proper authorization from the Commission before commencing construction.

   c. The permittee must apply for an amendment or renewal at least 180 days prior to expiration of the existing permit in order to continue a permitted activity after the expiration date of the permit. If an application is submitted prior to the expiration date of the permit, the existing permit shall remain in effect until the application is approved, denied, or returned. If the application is returned or denied, authorization to continue such activity shall terminate upon the effective date of the action. If an application is not submitted prior to the expiration date of the permit, the permit shall expire and authorization to continue such activity shall terminate.

   d. Prior to accepting or generating wastes that are not described in the permit application or that would result in a significant change in the quantity or quality of the existing discharge, the permittee must report the proposed changes to the Commission. The permittee must apply for a permit amendment reflecting any necessary changes in permit conditions, including effluent limitations for pollutants not identified and limited by this permit.

   e. In accordance with the TWC §26.029(b), after a public hearing, notice of which shall be given to the permittee, the Commission may require the permittee, from time to time, for good cause, in accordance with applicable laws, to conform to new or additional conditions.

   f. If any toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is promulgated under CWA §307(a) for a toxic pollutant that is present in the discharge and that standard or prohibition is more stringent than any

limitation on the pollutant in this permit, this permit shall be modified or revoked and reissued to conform to the toxic effluent standard or prohibition. The permittee shall comply with effluent standards or prohibitions established under CWA §307(a) for toxic pollutants within the time provided in the regulations that established those standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

5. Permit Transfer

   a. Prior to any transfer of this permit, Commission approval must be obtained. The Commission shall be notified in writing of any change in control or ownership of facilities authorized by this permit. Such notification should be sent to the Applications Review and Processing Team (MC 148) of the Water Quality Division.

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

6. Relationship to Hazardous Waste Activities

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

7. Relationship to Water Rights

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

8. Property Rights

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

9. Permit Enforceability

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

10. Relationship to Permit Application

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

11. Notice of Bankruptcy.

    a. Each permittee shall notify the executive director, in writing, immediately following the filing of a voluntary or involuntary petition for bankruptcy under any chapter of Title 11 (Bankruptcy) of the United States Code (11 USC) by or against:

       i. the permittee;
       ii. an entity (as that term is defined in 11 USC, §101(15)) controlling the permittee or listing the permit or permittee as property of the estate; or
       iii. an affiliate (as that term is defined in 11 USC, §101(2)) of the permittee.

    b. This notification must indicate:

       i. the name of the permittee;
       ii. the permit number(s);
       iii. the bankruptcy court in which the petition for bankruptcy was filed; and
       iv. the date of filing of the petition.

OPERATIONAL REQUIREMENTS

1. The permittee shall at all times ensure that the facility and all of its systems of collection, treatment, and disposal are properly operated and maintained. This includes, but is not limited to, the regular, periodic examination of wastewater solids within the treatment plant by the operator in order to maintain an appropriate quantity and quality of solids inventory as described in the various operator training manuals and according to accepted industry standards for process control. Process control, maintenance, and operations records shall be retained at the facility site, or shall be readily available for review by a TCEQ representative, for a period of three years.

2. Upon request by the Executive Director, the permittee shall take appropriate samples and provide proper analysis in order to demonstrate compliance with Commission rules. Unless otherwise specified in this permit or otherwise ordered by the Commission, the permittee shall comply with all applicable provisions of 30 TAC Chapter 312 concerning sewage sludge use and disposal and 30 TAC §§319.21 - 319.29 concerning the discharge of certain hazardous metals.

3. Domestic wastewater treatment facilities shall comply with the following provisions:

   a. The permittee shall notify the Municipal Permits Team, Wastewater Permitting Section (MC 148) of the Water Quality Division, in writing, of any facility expansion at least 90 days prior to conducting such activity.

   b. The permittee shall submit a closure plan for review and approval to the Municipal Permits Team, Wastewater Permitting Section (MC 148) of the Water Quality Division, for any closure activity at least 90 days prior to conducting such activity. Closure is the act of permanently taking a waste management unit or treatment facility out of service and includes the permanent removal from service of any pit, tank, pond, lagoon, surface impoundment or other treatment unit regulated by this permit.

4. The permittee is responsible for installing prior to plant start-up, and subsequently maintaining, adequate safeguards to prevent the discharge of untreated or inadequately treated wastes during electrical power failures by means of alternate power sources, standby generators, or retention of inadequately treated wastewater.

5. Unless otherwise specified, the permittee shall provide a readily accessible sampling point and, where applicable, an effluent flow measuring device or other acceptable means by which effluent flow may be determined.

6. The permittee shall remit an annual water quality fee to the Commission as required by 30 TAC Chapter 21. Failure to pay the fee may result in revocation of this permit under TWC §7.302(b)(6).

7. Documentation

   For all written notifications to the Commission required of the permittee by this permit, the permittee shall keep and make available a copy of each such notification under the same conditions as self-monitoring data are required to be kept and made available. Except for information required for TPDES permit applications, effluent data, including effluent data in permits, draft permits and permit applications, and other information specified as not confidential in 30 TAC §1.5(d), any information submitted pursuant to this permit may be claimed as confidential by the submitter. Any such claim must be asserted in the manner prescribed in the application form or by stamping the words "confidential business information" on each page containing such information. If no claim is made at the time of submission, information may be made available to the public without further notice. If the Commission or Executive Director agrees with the designation of confidentiality, the TCEQ will not provide the information for public inspection unless required by the Texas Attorney General or a court pursuant to an open records request. If the Executive Director does not agree with the designation of confidentiality, the person submitting the information will be notified.

8. Facilities that generate domestic wastewater shall comply with the following provisions; domestic wastewater treatment facilities at permitted industrial sites are excluded.

a. Whenever flow measurements for any domestic sewage treatment facility reach 75% of the permitted daily average or annual average flow for three consecutive months, the permittee must initiate engineering and financial planning for expansion or upgrading of the domestic wastewater treatment or collection facilities. Whenever the flow reaches 90% of the permitted daily average or annual average flow for three consecutive months, the permittee shall obtain necessary authorization from the Commission to commence construction of the necessary additional treatment or collection facilities. In the case of a domestic wastewater treatment facility that reaches 75% of the permitted daily average or annual average flow for three consecutive months, and the planned population to be served or the quantity of waste produced is not expected to exceed the design limitations of the treatment facility, the permittee shall submit an engineering report supporting this claim to the Executive Director of the Commission.

   If in the judgment of the Executive Director the population to be served will not cause permit noncompliance, then the requirement of this section may be waived. To be effective, any waiver must be in writing and signed by the Director of the Enforcement Division (MC 149) of the Commission, and such waiver of these requirements will be reviewed upon expiration of the existing permit; however, any such waiver shall not be interpreted as condoning or excusing any violation of any permit parameter.

b. The plans and specifications for domestic sewage collection and treatment works associated with any domestic permit must be approved by the Commission, and failure to secure approval before commencing construction of such works or making a discharge is a violation of this permit and each day is an additional violation until approval has been secured.

c. Permits for domestic wastewater treatment plants are granted subject to the policy of the Commission to encourage the development of area-wide waste collection, treatment, and disposal systems. The Commission reserves the right to amend any domestic wastewater permit in accordance with applicable procedural requirements to require the system covered by this permit to be integrated into an area-wide system, should such be developed; to require the delivery of the wastes authorized to be collected in, treated by or discharged from said system, to such area-wide system; or to amend this permit in any other particular to effectuate the Commission's policy. Such amendments may be made when the changes required are advisable for water quality control purposes and are feasible on the basis of waste treatment technology, engineering, financial, and related considerations existing at the time the changes are required, exclusive of the loss of investment in or revenues from any then existing or proposed waste collection, treatment or disposal system.

9. Domestic wastewater treatment plants shall be operated and maintained by sewage plant operators holding a valid certificate of competency at the required level as defined in 30 TAC Chapter 30.

10. For Publicly Owned Treatment Works (POTWs), the 30-day average (or monthly average) percent removal for BOD and TSS shall not be less than 85%, unless otherwise authorized by this permit.

11. Facilities that generate industrial solid waste as defined in 30 TAC §335.1 shall comply with these provisions:

    a. Any solid waste, as defined in 30 TAC §335.1 (including but not limited to such wastes as garbage, refuse, sludge from a waste treatment, water supply treatment plant or air pollution control facility, discarded materials, discarded materials to be recycled, whether the waste is solid, liquid, or semisolid), generated by the permittee during the management and treatment of wastewater, must be managed in accordance with all applicable provisions of 30 TAC Chapter 335, relating to Industrial Solid Waste Management.

    b. Industrial wastewater that is being collected, accumulated, stored, or processed before discharge through any final discharge outfall, specified by this permit, is considered to be industrial solid waste until the wastewater passes through the actual point source discharge and must be managed in accordance with all applicable provisions of 30 TAC Chapter 335.

c. The permittee shall provide written notification, pursuant to the requirements of 30 TAC §335.8(b)(1), to the Corrective Action Section (MC 127) of the Remediation Division informing the Commission of any closure activity involving an Industrial Solid Waste Management Unit, at least 90 days prior to conducting such an activity.

d. Construction of any industrial solid waste management unit requires the prior written notification of the proposed activity to the Registration and Reporting Section (MC 129) of the Permitting and Remediation Support Division. No person shall dispose of industrial solid waste, including sludge or other solids from wastewater treatment processes, prior to fulfilling the deed recordation requirements of 30 TAC §335.5.

e. The term "industrial solid waste management unit" means a landfill, surface impoundment, waste-pile, industrial furnace, incinerator, cement kiln, injection well, container, drum, salt dome waste containment cavern, or any other structure vessel, appurtenance, or other improvement on land used to manage industrial solid waste.

f. The permittee shall keep management records for all sludge (or other waste) removed from any wastewater treatment process. These records shall fulfill all applicable requirements of 30 TAC Chapter 335 and must include the following, as it pertains to wastewater treatment and discharge:

i. volume of waste and date(s) generated from treatment process;
ii. volume of waste disposed of on-site or shipped off-site;
iii. date(s) of disposal;
iv. identity of hauler or transporter;
v. location of disposal site; and
vi. method of final disposal.

The above records shall be maintained on a monthly basis. The records shall be retained at the facility site, or shall be readily available for review by authorized representatives of the TCEQ for at least five years.

12. For industrial facilities to which the requirements of 30 TAC Chapter 335 do not apply, sludge and solid wastes, including tank cleaning and contaminated solids for disposal, shall be disposed of in accordance with THSC Code Chapter 361.

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OTHER REQUIREMENTS

1. The executive director reviewed this action for consistency with the goals and policies of the Texas Coastal Management Program (CMP) in accordance with the regulations of the General Land Office and determined that the action is consistent with the applicable CMP goals and policies.
2. The term *water treatment wastes* includes, but is not limited to, cold lime water treatment wastes, demineralizer backwash, filter backwash, ion exchange water treatment system wastes, membrane regeneration wastes, supernate, filtrate, and reverse osmosis reject water.
3. MIXING ZONES

   The permittee shall maintain the diffuser at Outfall 001 to achieve a maximum dilution of 8.9 percent effluent at the edge of the chronic aquatic life mixing zone. The chronic aquatic life mixing zone at Outfall 001 is defined as a 553-foot by 227-foot rectangle that is centered on the diffuser with the longer edge extending along the diffuser barrel. This area is approximately equal to the area of a 200-foot radius circle. Chronic toxic criteria apply at the edge of the chronic aquatic life mixing zone.

   The permittee shall maintain the diffuser at Outfall 001 to achieve a maximum dilution of 5.4 percent effluent at the edge of the human health mixing zone. The human health mixing zone at Outfall 001 is defined as a volume within a 1,053-foot by 477-foot rectangle centered on the diffuser with the longer edge along the diffuser barrel. This area is approximately equal to the area of a 400-foot radius circle.
4. The permittee shall maintain the diffuser at Outfall 001 to achieve a maximum dilution of 14.6 percent effluent at the edge of the zone of initial dilution (ZID). The ZID is defined as a 184-foot by 43-foot rectangle that is centered on the diffuser barrel with the longer edge extending along the diffuser barrel. This area is approximately equal to the area of a 50-foot radius circle.
5. This permit does not authorize the discharge of domestic wastewater. All domestic wastewater must be disposed of in an approved manner, such as routing to an approved on-site septic tank and drainfield system or to an authorized third party for treatment and disposal.
6. The sludge from the treatment process must be digested, dewatered, and disposed of in accordance with all the applicable rules of the TCEQ. The permittee shall ensure that the disposal of sludge does not cause any contamination of the ground or surface waters in the state. The permittee shall keep records of all sludge removed from the wastewater treatment plant site. Such records shall include the following information:

   A. volume (dry weight basis) of sludge disposed of;

   B. date of disposal;

   C. identity and registration number of hauler;

   D. location and registration or permit number of disposal site; and

   E. method of final disposal.

   The above records must be maintained on a monthly basis and be available at the plant site for inspection by authorized representatives of the TCEQ for at least three (3) years.
7. Reporting requirements pursuant to 30 TAC Sections 319.1-319.11 and any additional effluent reporting requirements contained in the permit are suspended from the effective date of the permit until plant startup or discharge from the facility described by this permit, whichever comes first. The permittee shall provide written notice to the TCEQ Region 14 Office and the Applications Review and Processing Team (MC-148) of the Water Quality Division at least forty-five days prior

to plant startup or anticipated discharge, whichever occurs first, on Notification of Completion Form 20007.

8. Wastewater discharged via Outfall 001 must be sampled and analyzed as directed below for those parameters listed in Tables 1, 2, and 3 of Attachment A of this permit. Analytical testing for Outfall 001 must be completed within 60 days of initial discharge. Results of the analytical testing must be submitted within 90 days of initial discharge to the TCEQ Industrial Permits Team (MC-148). Based on a technical review of the submitted analytical results, an amendment may be initiated by TCEQ staff to include additional effluent limitations, monitoring requirements, or both.

   Table 1: Analysis is required for all pollutants in Table 1. Wastewater must be sampled and analyzed for those parameters listed in Table 1 for a minimum of four sampling events that are each at least one week apart.

   Table 2: Analysis is required for those pollutants in Table 2 that are used at the facility that could in any way contribute to contamination in the Outfall 001 discharge. Sampling and analysis must be conducted for a minimum of four sampling events that are each at least one week apart.

   Table 3: For all pollutants listed in Table 3, the permittee shall indicate whether each pollutant is believed to be present or absent in the discharge. Sampling and analysis must be conducted for each pollutant believed present for a minimum of one sampling event.

   The permittee shall report the flow at Outfall 001 in MGD in the attachment. The permittee shall indicate on each table whether the samples are composite (C) or grab (G) by checking the appropriate box.

9. During the term of the permit, the permittee shall complete a study of ambient water velocity and submit a report to the TCEQ Water Quality Assessment Section (MC-150) summarizing measured ambient water velocity at the location of Outfall 001. The report must include results of measurements of speed and direction of the tidal current collected at the depth of the proposed/installed diffuser barrel. The measurements shall capture velocities encompassing a complete tidal cycle and be collected during a period in which maximum tidal amplitude typically occurs.

10. A salinity limit of 2 part per thousand (ppt) over ambient salinity effective 100 meters from Outfall 001 is a requirement of this permit. Compliance with this requirement shall be determined according to the receiving water monitoring plan in Attachment B.

Attachment A

Table 1

Outfall No.: ☐C ☐G	Effluent Concentration (mg/L)					
Pollutants	**Samp.**	**Samp.**	**Samp.**	**Samp.**	**Average**	
Flow (MGD)						
BOD (5-day)						
CBOD (5-day)						
Chemical Oxygen Demand						
Total Organic Carbon						
Dissolved Oxygen						
Ammonia Nitrogen						
Total Suspended Solids						
Nitrate Nitrogen						
Total Organic Nitrogen						
Total Phosphorus						
Oil and Grease						
Total Residual Chlorine						
Total Dissolved Solids						
Sulfate						
Chloride						
Fluoride						
Temperature (°F)						
Total Alkalinity (mg/L as $CaCO_3$)						
pH (Standard Units; min/max)						

	Effluent Concentration (µg/L)[1]					MAL [2] (µg/L)
Total Aluminum						2.5
Total Antimony						5
Total Arsenic						0.5
Total Barium						3
Total Beryllium						0.5
Total Cadmium						1
Total Chromium						3
Trivalent Chromium						N/A
Hexavalent Chromium						3
Total Copper						2
Cyanide						10
Total Lead						0.5
Total Mercury						0.005
Total Nickel						2
Total Selenium						5
Total Silver						0.5
Total Thallium						0.5
Total Zinc						5.0

[1] Indicate units if different from µg/L.
[2] Minimum Analytical Level.

Table 2

Outfall No.: ☐C ☐G Pollutant	Samp. 1 (µg/L) [1]	Samp. 2 (µg/L) [1]	Samp. 3 (µg/L) [1]	Samp. 4 (µg/L) [1]	Avg. (µg/L) [1]	MAL (µg/L)
Acrylonitrile						50
Anthracene						10
Benzene						10
Benzidine						50
Benzo(*a*)anthracene						5
Benzo(*a*)pyrene						5
Bis(2-chloroethyl)ether						10
Bis(2-ethylhexyl)phthalate						10
Bromodichloromethane						10
Bromoform						10
Carbon Tetrachloride						2
Chlorobenzene						10
Chlorodibromomethane						10
Chloroform						10
Chrysene						5
Cresols						10
1,2-Dibromoethane						10
m-Dichlorobenzene						10
o-Dichlorobenzene						10
p-Dichlorobenzene						10
3,3'-Dichlorobenzidine						5
1,2-Dichloroethane						10
1,1-Dichloroethylene						10
Dichloromethane						20
1,2-Dichloropropane						10
2,4-Dimethylphenol						10
Di-*n*-Butyl Phthalate						10
Ethylbenzene						10
Fluoride						500
Hexachlorobenzene						5
Hexachlorobutadiene						10
Hexachlorocyclopentadiene						10
Hexachloroethane						20
Methyl Ethyl Ketone						50
Nitrobenzene						10
N-Nitrosodiethylamine						20
N-Nitroso-di-*n*-Butylamine						20
Nonylphenol						333
Pentachlorobenzene						20
Pentachlorophenol						5
Phenanthrene						10
Polychlorinated Biphenyls (PCBs) [2]						0.2
Pyridine						20
1,2,4,5-Tetrachlorobenzene						20
1,1,2,2-Tetrachloroethane						10

Outfall No.: ☐C ☐G Pollutant	Samp. 1 (µg/L) [1]	Samp. 2 (µg/L) [1]	Samp. 3 (µg/L) [1]	Samp. 4 (µg/L) [1]	Avg. (µg/L) [1]	MAL (µg/L)
Tetrachloroethylene						10
Toluene						10
1,1,1-Trichloroethane						10
1,1,2-Trichloroethane						10
Trichloroethylene						10
2,4,5-Trichlorophenol						50
TTHM (Total Trihalomethanes)						10
Vinyl Chloride						10

[1] Indicate units if different from µg/L.
[2] Total PCB-1242, PCB-1254, PCB-1221, PCB-1232, PCB-1248, PCB-1260, PCB-1016.

Table 3

Outfall No.: ☐C ☐G Pollutant	Believed Present	Believed Absent	Effluent Concentration (mg/L)		No. of Samples
			Average	Maximum	
Bromide					
Color (PCU)					
Nitrate-Nitrite (as N)					
Sulfide (as S)					
Sulfite (as SO_3)					
Surfactants					
Total Boron					
Total Cobalt					
Total Iron					
Total Magnesium					
Total Molybdenum					
Total Manganese					
Total Tin					
Total Titanium					

[1] Indicate units if different from µg/L.

Attachment B
Receiving Water Monitoring Plan

Objective
Provide a monitoring plan to demonstrate compliance with the TPDES permit effluent limit for salinity of 2.0 parts per thousand (ppt) over ambient at a distance of 100 meters (m) from the outfall.

Scope
In-situ monitoring will be conducted in the Corpus Christi Ship Channel at a monthly frequency [twelve (12) times per year] from a motor vessel using direct-reading instrumentation during typical discharge waste type and volume conditions. If monitoring data demonstrates compliance with the 2.0 ppt over ambient salinity limit in the first year of operation, upon TCEQ approval, sampling may subsequently be conducted on a quarterly or semi-annual basis[1]. The sampling locations described in this plan will be verified by an on-board Global Positioning System (GPS) during each sampling event. Each monitoring event will consist of three tidal phases: the ebb tide phase, the slack tide phase, and the flood tide phase.

For each tidal phase, an ambient surface water monitoring station will be sampled at 1 m depth intervals beginning at 0.3 m above the channel bottom and ending at 0.3 m below the water surface. For each phase, after the ambient water monitoring station is sampled, two plume monitoring stations (the Slack Tide Plume Monitoring Station and either the Flood Tide or Ebb Tide Plume Monitoring Station, depending on the phase) will then be sampled at 1 m depth intervals beginning at 0.3 m above the channel bottom and ending at 0.3 m below the water surface.

Station Locations
The three diffuser plume monitoring stations that will be referred to in this plan as "downstream"[2] locations are:

1. Ebb Tide Plume Monitoring Station – located 100 m east (toward the Gulf of Mexico) of the outermost eastern port of the diffuser. This is the downstream station during the ebb tide phase.
2. Flood Tide Plume Monitoring Station – located 100 m west (towards Corpus Christi Bay) of the outermost western port of the diffuser. This is the downstream location during flood tide phase.
3. Slack Tide Plume Monitoring Station – located 100 m south (toward Port Aransas) of the center of the diffuser barrel (i.e., cross-channel). This is the downstream location during slack tide phase.

The ambient (upstream) monitoring stations will each be located 200 m from the outermost port of the outfall in the opposite direction from the location of each downstream location:

1. Ebb Tide Ambient Station – located 200 m west (toward Corpus Christi Bay) of the outermost west port of the diffuser.
2. Flood Tide Ambient Station – located 200 m east (toward the Gulf of Mexico) of the outermost east port of the diffuser.
3. Slack Tide Ambient Station – located at either the Ebb Tide Ambient Station or Flood Tide Ambient Station depending on whether the immediately preceding condition is flood or ebb tide, i.e., if the sample is collected following a flood tide (water moving into Corpus Christi

[1] The determination of the frequency of sampling after the first 12 months will be based on statistical analysis of the first 12 months of data.

[2] The term "downstream" as used in this plan signifies the direction of the ambient current that carries the effluent plume away from the diffuser, or in the case of the slack tide the direction that the effluent plume travels when the current is not strong enough to deflect the effluent plume.

Bay), then the measurements will be collected at the Flood Tide Ambient Station and vice-versa.

The GPS coordinates of each sample station will be determined after completion of construction of the diffuser and will be provided to TCEQ for approval at least 60 days before discharge from the operational desalination facility begins. Measurements will be collected at each of these stations by positioning the vessel utilizing the on-board GPS equipment.

Monitoring Data

For each applicable plume monitoring station and ambient monitoring station for each phase, the recorded monitoring data will be as follows:

1. GPS coordinates.
2. Date and time of measurements.
3. Total water depth.
4. Specific Conductance – (measured at 0.3 m above the channel bottom to 0.3 m below the water surface at 1-m intervals).
5. Temperature – (measured at 0.3 m above the channel bottom to 0.3 m below the water surface at 1-m intervals).
6. Salinity – calculated from the measured temperature and specific conductance at each interval, then averaged at each station. [3]
7. Surface elevations – calculated using the water level elevation (tides) obtained from the NOAA Port Aransas Texas Station ID 8775327 for each monitoring event.
8. Weather conditions and ship traffic during each monitoring event.

Measurements for the flood tide phase and the ebb tide phase, will begin at least two hours after slack tide occurs and more than one hour before the following slack tide is expected, based on tide tables for NOAA Port Aransas Texas Station ID 8775327.

Measurements for the slack tide phase will be collected within one hour either side of predicted slack tide based on tide tables for NOAA Port Aransas Texas Station ID 8775327.

All monitoring data will be recorded in a logbook and will be maintained in accordance with TPDES permit requirements.

Data Analysis

The average calculated salinity from the applicable ambient monitoring station during the ebb tide phase, the flood tide phase, and the slack tide phase will define the "ambient" salinity conditions for determining the increase above ambient salinity for each respective phase.

For each phase, the increase in salinity above ambient will be calculated by subtracting the average salinity at the applicable ambient monitoring station from the average salinity at the applicable plume monitoring station. Negative values will be recorded if they occur.

Salinity measurements above ambient for each monitored phase will then be averaged to determine the increase in salinity over ambient for the monitoring event, which will be reported in the discharge monitoring report (DMR) for the month the monitoring event occurs.

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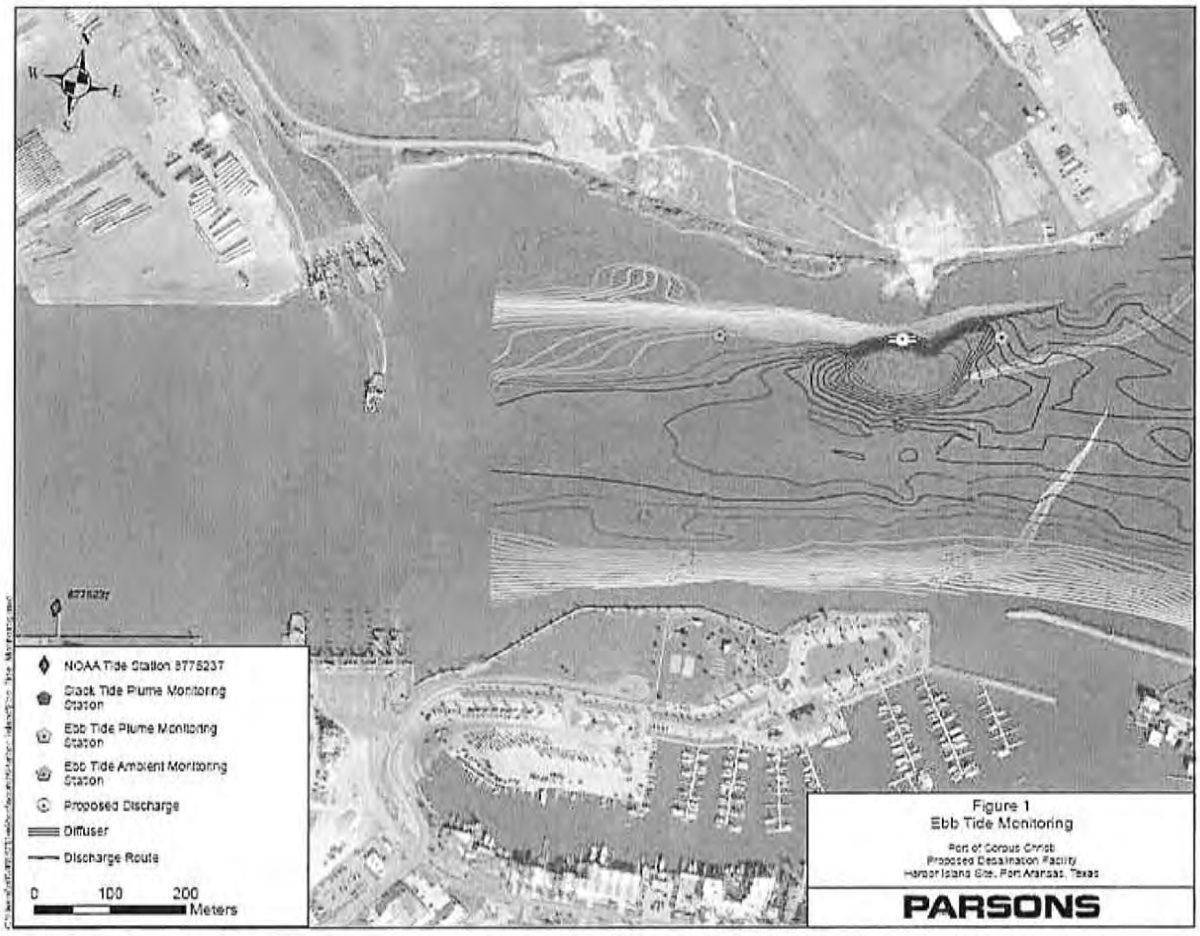
[3] The Texas Commission on Environmental Quality (TCEQ's) surface water monitoring manual *Surface Water Quality Monitoring Procedures, Volume 1: Physical and Chemical Monitoring Methods* (RG-415) specifies that salinity (TCEQ parameter code 00480) is calculated from specific conductance and water temperature. This will be the method used in this monitoring plan.

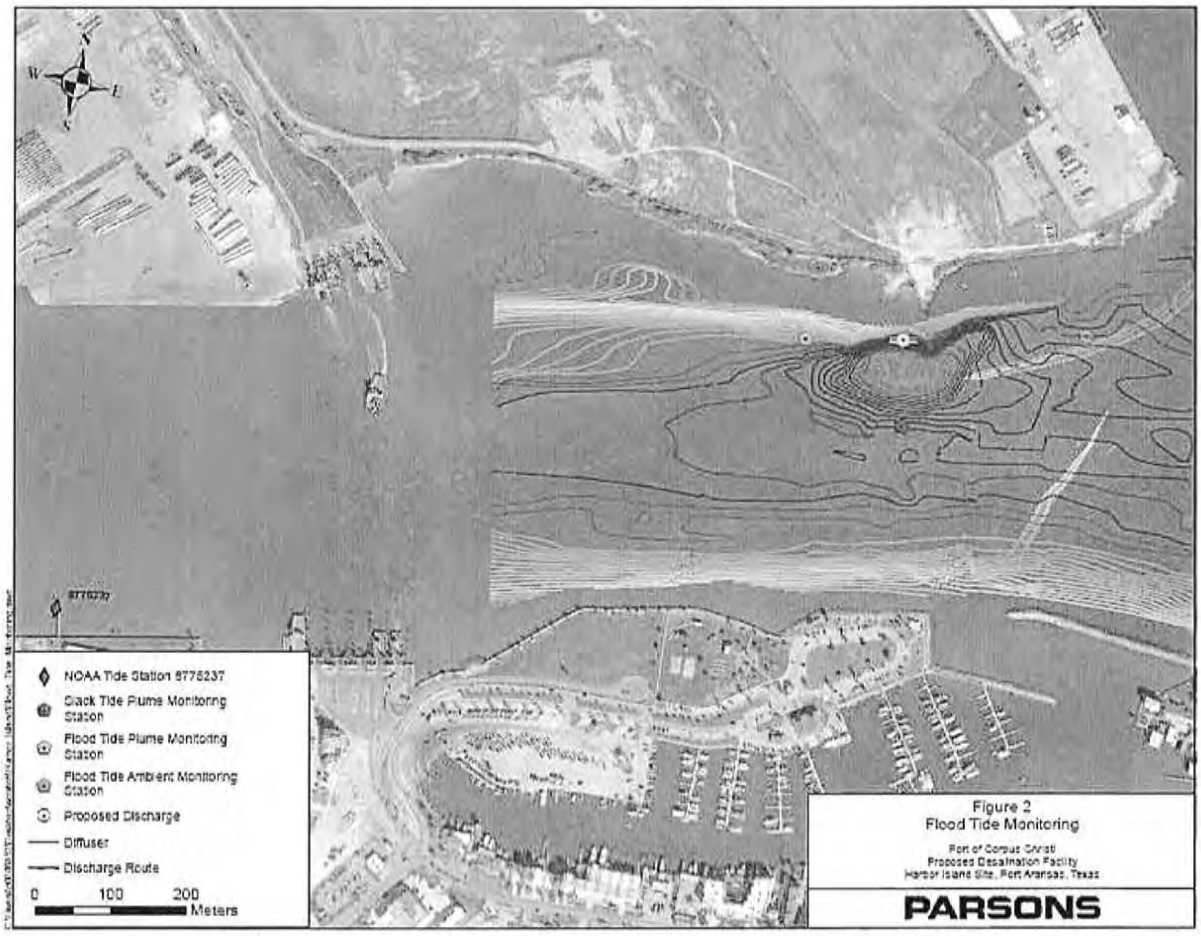
Compliance Determination
Compliance with the TPDES permit effluent limit for salinity of 2.0 ppt over ambient at 100 m from the outfall is demonstrated if the reported increase in salinity above ambient for the monitoring event, as described in the data analysis section above, is less than or equal to 2 ppt.

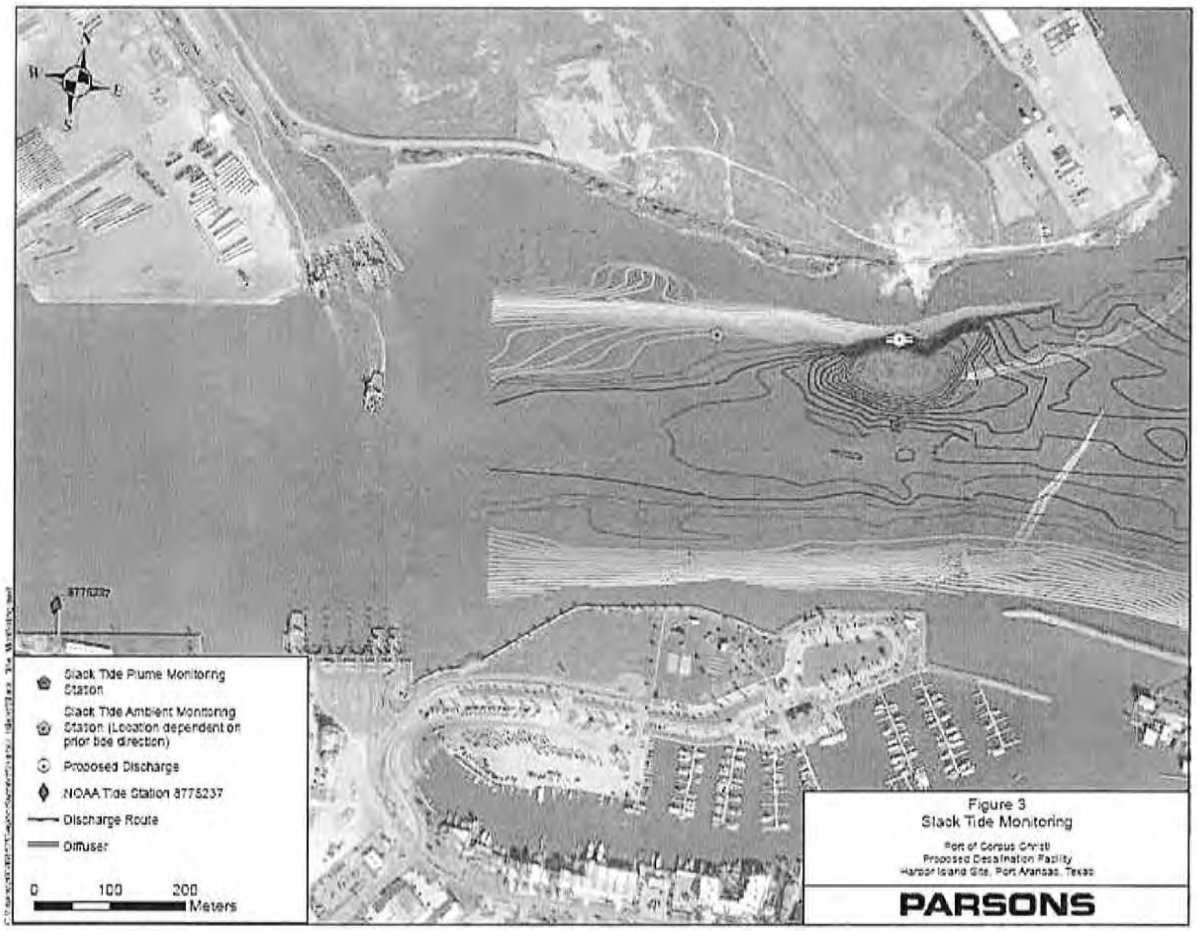
Equipment
The equipment requirements are as follows:

1. Motor vessel(s) capable of maintaining a fixed position in the channel under normal current conditions utilizing a GPS.
2. Equipment and procedures consistent with those specified in *Surface Water Quality Monitoring Procedures, Volume 1: Physical and Chemical Monitoring Methods* (RG-415), most recent edition, for measuring in-situ salinity (specific conductance) and temperature.
3. Water quality monitoring equipment calibrated as specified by RG-415 (most recent edition).
4. GPS location system calibrated in accordance with manufacturer's specifications.

Quality Assurance – Quality Control (QA/QC)
All QA/QC will be as specified in RG-415 (most recent edition) for all equipment used in this plan.


NOAA Tide Station 8775237
Black Tide Plume Monitoring Station
Ebb Tide Plume Monitoring Station
Ebb Tide Ambient Monitoring Station
Proposed Discharge
Diffuser
Discharge Route
0 100 200
Meters
Figure 1
Ebb Tide Monitoring
Port of Corpus Christi
Proposed Desalination Facility
Harbor Island Site, Port Aransas, Texas
PARSONS


N
W
E
S
NOAA Tide Station 8776237
Black Tide Plume Monitoring Station
Flood Tide Plume Monitoring Station
Flood Tide Ambient Monitoring Station
Proposed Discharge
Diffuser
Discharge Route
0 100 200
Meters
Figure 2
Flood Tide Monitoring
Port of Corpus Christi
Proposed Desalination Facility
Harbor Island Site, Port Aransas, Texas
PARSONS


N
W
E
S
8775237
Slack Tide Plume Monitoring Station
Slack Tide Ambient Monitoring Station (Location dependent on prior tide direction)
Proposed Discharge
NOAA Tide Station 8775237
Discharge Route
Diffuser
0 100 200
Meters
Figure 3
Slack Tide Monitoring
Port of Corpus Christi
Proposed Desalination Facility
Harbor Island Site, Port Aransas, Texas
PARSONS

CHRONIC BIOMONITORING REQUIREMENTS: MARINE

The provisions of this section apply to Outfall 001 for whole effluent toxicity (WET) testing.

1. Scope, Frequency and Methodology

   a. The permittee shall test the effluent for toxicity in accordance with the provisions below. Such testing will determine if an appropriately dilute effluent sample adversely affects the survival or growth of the test organisms.

   b. Within 90 days of initial discharge, the permittee shall conduct the following toxicity tests using the test organisms, procedures, and quality assurance requirements specified below and in accordance with "Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms," third edition (EPA-821-R-02-014) or its most recent update:

      1) Chronic static renewal 7-day survival and growth test using the mysid shrimp (*Mysidopsis bahia*) (Method 1007.0). A minimum of eight replicates with five organisms per replicate shall be used in the control and in each dilution. This test shall be conducted once per quarter.

      2) Chronic static renewal 7-day larval survival and growth test using the inland silverside (*Menidia beryllina*) (Method 1006.0). A minimum of five replicates with eight organisms per replicate shall be used in the control and in each dilution. This test shall be conducted once per quarter.

      The permittee must perform and report a valid test for each test species during the prescribed reporting period. An invalid test must be repeated during the same reporting period. An invalid test is defined as any test failing to satisfy the test acceptability criteria, procedures, and quality assurance requirements specified in the test methods and permit.

   c. The permittee shall use five effluent dilution concentrations and a control in each toxicity test. These effluent dilution concentrations are 4%, 5%, 7%, 9%, and 12% effluent. The critical dilution, defined as 9% effluent, is the effluent concentration representative of the proportion of effluent in the receiving water during critical low flow or critical mixing conditions.

   d. This permit may be amended to require a WET limit, a chemical-specific limit, a best management practice, or other appropriate actions to address toxicity. The permittee may be required to conduct a toxicity reduction evaluation (TRE) after multiple toxic events.

   e. Testing Frequency Reduction

      1) If none of the first four consecutive quarterly tests demonstrates significant toxicity, the permittee may submit this information in writing and, upon approval, reduce the testing frequency to once per six months for the invertebrate test species and once per year for the vertebrate test species.

      2) If one or more of the first four consecutive quarterly tests demonstrates significant toxicity, the permittee shall continue quarterly testing for that

species until this permit is reissued. If a testing frequency reduction had been previously granted and a subsequent test demonstrates significant toxicity, the permittee will resume a quarterly testing frequency for that species until this permit is reissued.

2. Required Toxicity Testing Conditions

a. Test Acceptance - The permittee shall repeat any toxicity test, including the control and all effluent dilutions, which fails to meet any of the following criteria:

1) a control mean survival of 80% or greater;

2) a control mean dry weight of surviving mysid shrimp of 0.20 mg or greater;

3) a control mean dry weight for surviving unpreserved inland silverside of 0.50 mg or greater and 0.43 mg or greater for surviving preserved inland silverside.

4) a control coefficient of variation percent (CV%) between replicates of 40 or less in the growth and survival tests;

5) a critical dilution CV% of 40 or less in the growth and survival endpoints for either growth and survival test. However, if statistically significant lethal or nonlethal effects are exhibited at the critical dilution, a CV% greater than 40 shall not invalidate the test;

6) a percent minimum significant difference of 37 or less for mysid shrimp growth; and

7) a percent minimum significant difference of 28 or less for inland silverside growth.

b. Statistical Interpretation

1) For the mysid shrimp and the inland silverside larval survival and growth tests, the statistical analyses used to determine if there is a significant difference between the control and an effluent dilution shall be in accordance with the manual referenced in Part 1.b.

2) The permittee is responsible for reviewing test concentration-response relationships to ensure that calculated test-results are interpreted and reported correctly. The document entitled "Method Guidance and Recommendation for Whole Effluent Toxicity (WET) Testing (40 CFR Part 136)" (EPA 821-B-00-004) provides guidance on determining the validity of test results.

3) If significant lethality is demonstrated (that is, there is a statistically significant difference in survival at the critical dilution when compared to the survival in the control), the conditions of test acceptability are met, and the survival of the test organisms are equal to or greater than 80% in the critical dilution and all dilutions below that, then the permittee shall report a survival No Observed Effect Concentration (NOEC) of not less than the critical dilution for the reporting requirements.

4) The NOEC is defined as the greatest effluent dilution at which no significant effect is demonstrated. The Lowest Observed Effect Concentration (LOEC) is defined as the lowest effluent dilution at which a significant effect is demonstrated. A significant effect is herein defined as a statistically significant difference between the survival, reproduction, or growth of the test organism in a specified effluent dilution compared to the survival, reproduction, or growth of the test organism in the control (0% effluent).

5) The use of NOECs and LOECs assumes either a monotonic (continuous) concentration-response relationship or a threshold model of the concentration-response relationship. For any test result that demonstrates a non-monotonic (non-continuous) response, the NOEC should be determined based on the guidance manual referenced in Item 2.

6) Pursuant to the responsibility assigned to the permittee in Part 2.b.2), test results that demonstrate a non-monotonic (non-continuous) concentration-response relationship may be submitted, prior to the due date, for technical review. The guidance manual referenced in Part 1.b. will be used when making a determination of test acceptability.

7) TCEQ staff will review test results for consistency with rules, procedures, and permit requirements.

c. Dilution Water

1) Dilution water used in the toxicity tests must be the receiving water collected as close to the point of discharge as possible but unaffected by the discharge.

2) Where the receiving water proves unsatisfactory as a result of preexisting instream toxicity (i.e., fails to fulfill the test acceptance criteria of Part 2.a.), the permittee may substitute synthetic dilution water for the receiving water in all subsequent tests provided the unacceptable receiving water test met the following stipulations:

a) a synthetic lab water control was performed (in addition to the receiving water control) which fulfilled the test acceptance requirements of Part 2.a;

b) the test indicating receiving water toxicity was carried out to completion (i.e., 7 days); and

c) the permittee submitted all test results indicating receiving water toxicity with the reports and information required in Part 3.

3) The synthetic dilution water shall consist of standard, reconstituted seawater. Upon approval, the permittee may substitute other dilution water with chemical and physical characteristics similar to that of the receiving water.

d. Samples and Composites

1) The permittee shall collect a minimum of three composite samples from Outfall 001. The second and third composite samples will be used for the renewal of the

dilution concentrations for each toxicity test.

2) The permittee shall collect the composite samples such that the samples are representative of any periodic episode of chlorination, biocide usage, or other potentially toxic substance being discharged on an intermittent basis.

3) The permittee shall initiate the toxicity tests within 36 hours after collection of the last portion of the first composite sample. The holding time for any subsequent composite sample shall not exceed 72 hours. Samples shall be maintained at a temperature of 0-6 degrees Centigrade during collection, shipping, and storage.

4) If Outfall 001 ceases discharging during the collection of effluent samples, the requirements for the minimum number of effluent samples, the minimum number of effluent portions, and the sample holding time are waived during that sampling period. However, the permittee must have collected an effluent composite sample volume sufficient to complete the required toxicity tests with renewal of the effluent. When possible, the effluent samples used for the toxicity tests shall be collected on separate days if the discharge occurs over multiple days. The sample collection duration and the static renewal protocol associated with the abbreviated sample collection must be documented in the full report.

3. Reporting

All reports, tables, plans, summaries, and related correspondence required in this section shall be submitted to the attention of the Standards Implementation Team (MC 150) of the Water Quality Division.

a. The permittee shall prepare a full report of the results of all tests conducted in accordance with the manual referenced in Part 1.b. for every valid and invalid toxicity test initiated whether carried to completion or not.

b. The permittee shall routinely report the results of each biomonitoring test on the Table 1 forms provided with this permit.

1) Annual biomonitoring test results are due on or before January 20th for biomonitoring conducted during the previous 12-month period.

2) Semiannual biomonitoring test results are due on or before July 20th and January 20th for biomonitoring conducted during the previous 6-month period.

3) Quarterly biomonitoring test results are due on or before April 20th, July 20th, October 20th, and January 20th, for biomonitoring conducted during the previous calendar quarter.

4) Monthly biomonitoring test results are due on or before the 20th day of the month following sampling.

c. Enter the following codes for the appropriate parameters for valid tests only:

1) For the mysid shrimp, Parameter TLP3E, enter a "1" if the NOEC for survival is less than the critical dilution; otherwise, enter a "0."

2) For the mysid shrimp, Parameter TOP3E, report the NOEC for survival.

3) For the mysid shrimp, Parameter TXP3E, report the LOEC for survival.

4) For the mysid shrimp, Parameter TWP3E, enter a "1" if the NOEC for growth is less than the critical dilution; otherwise, enter a "0."

5) For the mysid shrimp, Parameter TPP3E, report the NOEC for growth.

6) For the mysid shrimp, Parameter TYP3E, report the LOEC for growth.

7) For the inland silverside, Parameter TLP6B, enter a "1" if the NOEC for survival is less than the critical dilution; otherwise, enter a "0."

8) For the inland silverside, Parameter TOP6B, report the NOEC for survival.

9) For the inland silverside, Parameter TXP6B, report the LOEC for survival.

10) For the inland silverside, Parameter TWP6B, enter a "1" if the NOEC for growth is less than the critical dilution; otherwise, enter a "0."

11) For the inland silverside, Parameter TPP6B, report the NOEC for growth.

12) For the inland silverside, Parameter TYP6B, report the LOEC for growth.

d. Enter the following codes for retests only:

1) For retest number 1, Parameter 22415, enter a "1" if the NOEC for survival is less than the critical dilution; otherwise, enter a "0."

2) For retest number 2, Parameter 22416, enter a "1" if the NOEC for survival is less than the critical dilution; otherwise, enter a "0."

4. Persistent Toxicity

The requirements of this part apply only when a test demonstrates a significant effect at the critical dilution. Significant effect and significant lethality were defined in Part 2.b. Significant sublethality is defined as a statistically significant difference in growth at the critical dilution when compared to the growth of the test organism in the control.

a. The permittee shall conduct a total of 2 additional tests (retests) for any species that demonstrates a significant effect (lethal or sublethal) at the critical dilution. The two retests shall be conducted monthly during the next two consecutive months. The permittee shall not substitute either of the two retests in lieu of routine toxicity testing. All reports shall be submitted within 20 days of test completion. Test completion is defined as the last day of the test.

b. If the retests are performed due to a demonstration of significant lethality, and one or both of the two retests specified in Part 4.a. demonstrates significant lethality, the permittee shall initiate the TRE requirements as specified in Part 5. The provisions of Part 4.a. are suspended upon completion of the two retests and submittal of the TRE

Action plan and schedule defined in Part 5.

If neither test demonstrates significant lethality and the permittee is testing under the reduced testing frequency provision of Part 1.e., the permittee shall return to a quarterly testing frequency for that species.

c. If the two retests are performed due to a demonstration of significant sublethality, and one or both of the two retests specified in Part 4.a. demonstrates significant lethality, the permittee shall again perform two retests as stipulated in Part 4.a.

d. If the two retests are performed due to a demonstration of significant sublethality, and neither test demonstrates significant lethality, the permittee shall continue testing at the quarterly frequency.

e. Regardless of whether retesting for lethal or sublethal effects or a combination of the two, no more than one retest per month is required for a species.

5. Toxicity Reduction Evaluation

a. Within 45 days of the retest that demonstrates significant lethality, or within 45 days of being so instructed due to multiple toxic events, the permittee shall submit a general outline for initiating a TRE. The outline shall include, but not be limited to, a description of project personnel, a schedule for obtaining consultants (if needed), a discussion of influent and effluent data available for review, a sampling and analytical schedule, and a proposed TRE initiation date.

b. Within 90 days of the retest that demonstrates significant lethality, or within 90 days of being so instructed due to multiple toxic events, the permittee shall submit a TRE action plan and schedule for conducting a TRE. The plan shall specify the approach and methodology to be used in performing the TRE. A TRE is a step-wise investigation combining toxicity testing with physical and chemical analyses to determine actions necessary to eliminate or reduce effluent toxicity to a level not effecting significant lethality at the critical dilution. The TRE action plan shall describe an approach for the reduction or elimination of lethality for both test species defined in Part 1.b. At a minimum, the TRE Action Plan shall include the following:

1) Specific Activities - The TRE action plan shall specify the approach the permittee intends to utilize in conducting the TRE, including toxicity characterizations, identifications, confirmations, source evaluations, treatability studies, and alternative approaches. When conducting characterization analyses, the permittee shall perform multiple characterizations and follow the procedures specified in the document entitled "Methods for Aquatic Toxicity Identification Evaluations: Phase I Toxicity Characterization Procedures" (EPA/600/6-91/003) or alternate procedures. The permittee shall perform multiple identifications and follow the methods specified in the documents entitled, "Methods for Aquatic Toxicity Identification Evaluations: Phase II Toxicity Identification Procedures for Samples Exhibiting Acute and Chronic Toxicity" (EPA/600/R-92/080) and "Methods for Aquatic Toxicity Identification Evaluations: Phase III Toxicity Confirmation Procedures for Samples Exhibiting Acute and Chronic Toxicity" (EPA/600/R-92/081). All characterization, identification, and confirmation tests shall be conducted in an orderly and logical progression;

2) Sampling Plan - The TRE action plan should describe sampling locations, methods, holding times, chain of custody, and preservation techniques. The effluent sample volume collected for all tests shall be adequate to perform the toxicity characterization/identification/confirmation procedures and chemical-specific analyses when the toxicity tests show significant lethality. Where the permittee has identified or suspects specific pollutant and source of effluent toxicity, the permittee shall conduct, concurrent with toxicity testing, chemical-specific analyses for the identified and suspected pollutant and source of effluent toxicity;

3) Quality Assurance Plan - The TRE action plan should address record keeping and data evaluation, calibration and standardization, baseline tests, system blanks, controls, duplicates, spikes, toxicity persistence in the samples, randomization, reference toxicant control charts, and mechanisms to detect artifactual toxicity; and

4) Project Organization - The TRE action plan should describe the project staff, project manager, consulting engineering services (where applicable), consulting analytical and toxicological services, etc.

c. Within 30 days of submittal of the TRE action plan and schedule, the permittee shall implement the TRE.

d. The permittee shall submit quarterly TRE activities reports concerning the progress of the TRE. The quarterly reports are due on or before April 20th, July 20th, October 20th, and January 20th. The report shall detail information regarding the TRE activities including:

1) results and interpretation of any chemical-specific analyses for the identified and suspected pollutant performed during the quarter;

2) results and interpretation of any characterization, identification, and confirmation tests performed during the quarter;

3) any data and substantiating documentation which identifies the pollutant and source of effluent toxicity;

4) results of any studies/evaluations concerning the treatability of the facility's effluent toxicity;

5) any data which identifies effluent toxicity control mechanisms that will reduce effluent toxicity to the level necessary to meet no significant lethality at the critical dilution; and

6) any changes to the initial TRE plan and schedule that are believed necessary as a result of the TRE findings.

e. During the TRE, the permittee shall perform, at a minimum, quarterly testing using the more sensitive species. Testing for the less sensitive species shall continue at the frequency specified in Part 1.b.

f. If the effluent ceases to effect significant lethality, i.e., there is a cessation of lethality, the permittee may end the TRE. A cessation of lethality is defined as no significant lethality for a period of 12 consecutive months with at least monthly testing. At the end of the 12 months, the permittee shall submit a statement of intent to cease the TRE and may then resume the testing frequency specified in Part 1.b.

This provision accommodates situations where operational errors and upsets, spills, or sampling errors triggered the TRE, in contrast to a situation where a single toxicant or group of toxicants cause lethality. This provision does not apply as a result of corrective actions taken by the permittee. Corrective actions are herein defined as proactive efforts that eliminate or reduce effluent toxicity. These include, but are not limited to, source reduction or elimination, improved housekeeping, changes in chemical usage, and modifications of influent streams and effluent treatment.
The permittee may only apply this cessation of lethality provision once. If the effluent again demonstrates significant lethality to the same species, the permit will be amended to add a WET limit with a compliance period, if appropriate. However, prior to the effective date of the WET limit, the permittee may apply for a permit amendment removing and replacing the WET limit with an alternate toxicity control measure by identifying and confirming the toxicant and an appropriate control measure.

g. The permittee shall complete the TRE and submit a final report on the TRE activities no later than 28 months from the last test day of the retest that confirmed significant lethal effects at the critical dilution. The permittee may petition the Executive Director (in writing) for an extension of the 28-month limit. However, to warrant an extension the permittee must have demonstrated due diligence in its pursuit of the toxicity identification evaluation/TRE and must prove that circumstances beyond their control stalled the toxicity identification evaluation/TRE. The report shall provide information pertaining to the specific control mechanism selected that will, when implemented, result in the reduction of effluent toxicity to no significant lethality at the critical dilution. The report shall also provide a specific corrective action schedule for implementing the selected control mechanism.

h. Based upon the results of the TRE and proposed corrective actions, this permit may be amended to modify the biomonitoring requirements, where necessary, require a compliance schedule for implementation of corrective actions, specify a WET limit, specify a best management practice, and to specify a chemical-specific limit.

i. Copies of any and all required TRE plans and reports shall also be submitted to the U.S. EPA Region 6 office, 6WQ-PO.

TABLE 1 (SHEET 1 OF 4)

MYSID SHRIMP SURVIVAL AND GROWTH

Dates and Times Composites Collected

Date Time Date Time

No. 1 FROM: _____ TO: _____

No. 2 FROM: _____ TO: _____

No. 3 FROM: _____ TO: _____

Test initiated: _____ am/pm _____ date

Dilution water used: _____ Receiving water _____ Synthetic dilution water

MYSID SHRIMP SURVIVAL

Percent Effluent	Percent Survival in Replicate Chambers								Mean Percent Survival			CV%*
	A	B	C	D	E	F	G	H	24h	48h	7 day	
0%												
4%												
5%												
7%												
9%												
12%												

* Coefficient of Variation = standard deviation x 100/mean

DATA TABLE FOR GROWTH OF MYSID SHRIMP

Replicate	Mean dry weight in milligrams in replicate chambers					
	0%	4%	5%	7%	9%	12%
A						
B						
C						
D						
E						

TABLE 1 (SHEET 2 OF 4)

MYSID SHRIMP SURVIVAL AND GROWTH

DATA TABLE FOR GROWTH OF MYSID SHRIMP (Continued)

Replicate	Mean dry weight in milligrams in replicate chambers					
	0%	4%	5%	7%	9%	12%
F						
G						
H						
Mean Dry Weight (mg)						
CV%*						
PMSD						

1. Dunnett's Procedure or Steel's Many-One Rank Test or Wilcoxon Rank Sum Test (with Bonferroni adjustment) or t-test (with Bonferroni adjustment) as appropriate:

   Is the mean survival at 7 days significantly less than the control survival for the % effluent corresponding to lethality?

   CRITICAL DILUTION (9%): _____ YES _____ NO

2. Dunnett's Procedure or Steel's Many-One Rank Test or Wilcoxon Rank Sum Test (with Bonferroni adjustment) or t-test (with Bonferroni adjustment) as appropriate:

   Is the mean dry weight (growth) at 7 days significantly less than the control's dry weight (growth) for the % effluent corresponding to non-lethal effects?

   CRITICAL DILUTION (9%): _____ YES _____ NO

3. Enter percent effluent corresponding to each NOEC\LOEC below:

   a.) NOEC survival = _____% effluent

   b.) LOEC survival = _____% effluent

   c.) NOEC growth = _____% effluent

   d.) LOEC growth = _____% effluent

TABLE 1 (SHEET 3 OF 4)

INLAND SILVERSIDE MINNOW LARVAL SURVIVAL AND GROWTH TEST

		Date Time	Date Time
Dates and Times Composites Collected	No. 1 FROM:	_____	TO: _____
	No. 2 FROM:	_____	TO: _____
	No. 3 FROM:	_____	TO: _____

Test initiated: _____am/pm _____date

Dilution water used: _____ Receiving water _____ Synthetic Dilution water

INLAND SILVERSIDE SURVIVAL

Percent Effluent	Percent Survival in Replicate Chambers					Mean Percent Survival			CV%*
	A	B	C	D	E	24h	48h	7 days	
0%									
4%									
5%									
7%									
9%									
12%									

* Coefficient of Variation = standard deviation x 100/mean

TABLE 1 (SHEET 4 OF 4)

INLAND SILVERSIDE LARVAL SURVIVAL AND GROWTH TEST

INLAND SILVERSIDE GROWTH

Percent Effluent	Average Dry Weight in milligrams in replicate chambers					Mean Dry Weight (mg)	CV%*
	A	B	C	D	E		
0%							
4%							
5%							
7%							
9%							
12%							
PMSD							

Weights are for: ____ preserved larvae, or ____ unpreserved larvae

1. Dunnett's Procedure or Steel's Many-One Rank Test or Wilcoxon Rank Sum Test (with Bonferroni adjustment) or t-test (with Bonferroni adjustment) as appropriate:

   Is the mean survival at 7 days significantly less than the control survival for the % effluent corresponding to lethality?

   CRITICAL DILUTION (9%): _____ YES _____ NO

2. Dunnett's Procedure or Steel's Many-One Rank Test or Wilcoxon Rank Sum Test (with Bonferroni adjustment) or t-test (with Bonferroni adjustment) as appropriate:

   Is the mean dry weight (growth) at 7 days significantly less than the control's dry weight (growth) for the % effluent corresponding to non-lethal effects?

   CRITICAL DILUTION (9%): _____ YES _____ NO

3. Enter percent effluent corresponding to each NOEC/LOEC below:

   a.) NOEC survival = _____% effluent

   b.) LOEC survival = _____% effluent

   c.) NOEC growth = _____% effluent

   d.) LOEC growth = _____% effluent

24-HOUR ACUTE BIOMONITORING REQUIREMENTS: MARINE

The provisions of this section apply to Outfall 001 for whole effluent toxicity (WET) testing.

1. Scope, Frequency, and Methodology

   a. The permittee shall test the effluent for lethality in accordance with the provisions in this Section. Such testing will determine compliance with Texas Surface Water Quality Standard 30 TAC § 307.6(e)(2)(B), which requires greater than 50% survival of the appropriate test organisms in 100% effluent for a 24-hour period.

   b. The toxicity tests specified shall be conducted once per six months for the first year of testing. If all four tests comply with the standard in Item 1.a., the permittee may submit this information in writing and, upon approval, discontinue further testing for the term of the permit. The permittee shall conduct the following toxicity tests using the test organisms, procedures, and quality assurance requirements specified in this section of the permit and in accordance with "Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms," fifth edition (EPA-821-R-02-012) or its most recent update:

      1) Acute 24-hour static toxicity test using the mysid shrimp (*Mysidopsis bahia*). A minimum of five replicates with eight organisms per replicate shall be used in the control and each dilution.

      2) Acute 24-hour static toxicity test using the inland silverside (*Menidia beryllina*). A minimum of five replicates with eight organisms per replicate shall be used in the control and each dilution.

      A valid test result must be submitted for each reporting period. The permittee must report, then repeat, an invalid test during the same reporting period. The repeat test shall include the control and all effluent dilutions and use the appropriate number of organisms and replicates, as specified above. An invalid test is defined as any test failing to satisfy the test acceptability criteria, procedures, and quality assurance requirements specified in the test methods and permit.

   c. In addition to an appropriate control, a 100% effluent concentration shall be used in the toxicity tests. Except as discussed in Part 2.b., the control and dilution water shall consist of standard, synthetic, reconstituted seawater.

   d. This permit may be amended to require a WET limit, a best management practice, a chemical-specific limit, additional toxicity testing, and other appropriate actions to address toxicity. The permittee may be required to conduct a toxicity reduction evaluation (TRE) after multiple toxic events.

2. Required Toxicity Testing Conditions

   a. Test Acceptance - The permittee shall repeat any toxicity test, including the control, if the control fails to meet a mean survival equal to or greater than 90%.

   b. Dilution Water - In accordance with Part 1.c., the control and dilution water shall consist of standard, synthetic, reconstituted seawater.

c. Samples and Composites

1) The permittee shall collect one composite sample from Outfall 001.

2) The permittee shall collect the composite sample such that the sample is representative of any periodic episode of chlorination, biocide usage, or other potentially toxic substance being discharged on an intermittent basis.

3) The permittee shall initiate the toxicity tests within 36 hours after collection of the last portion of the composite sample. The sample shall be maintained at a temperature of 0-6 degrees Centigrade during collection, shipping, and storage.

4) If Outfall 001 ceases discharging during the collection of the effluent composite sample, the requirements for the minimum number of effluent portions are waived. However, the permittee must have collected a composite sample volume sufficient for completion of the required test. The abbreviated sample collection, duration, and methodology must be documented in the full report.

3. Reporting

All reports, tables, plans, summaries, and related correspondence required of this section shall be submitted to the attention of the Standards Implementation Team (MC 150) of the Water Quality Division.

a. The permittee shall prepare a full report of the results of all tests conducted in accordance with the manual referenced in Part 1.b. for every valid and invalid toxicity test initiated.

b. The permittee shall routinely report the results of each biomonitoring test on the Table 2 forms provided with this permit for the first year of testing in accordance with Item 1.b..

1) Semiannual biomonitoring test results are due on or before July 20th and January 20th for biomonitoring conducted during the previous 6-month period.

2) Quarterly biomonitoring test results are due on or before April 20th, July 20th, October 20th, and January 20th for biomonitoring conducted during the previous calendar quarter.

c. Enter the following codes for the appropriate parameters for valid tests only:

1) For the mysid shrimp, Parameter TIE3E, enter a "0" if the mean survival at 24 hours is greater than 50% in the 100% effluent dilution; if the mean survival is less than or equal to 50%, enter a "1."

2) For the inland silverside, Parameter TIE6B, enter a "0" if the mean survival at 24 hours is greater than 50% in the 100% effluent dilution; if the mean survival is less than or equal to 50%, enter a "1."

d. Enter the following codes for retests only:

1) For retest number 1, Parameter 22415, enter a "0" if the mean survival at 24 hours is greater than 50% in the 100% effluent dilution; if the mean survival is less than or equal to 50%, enter "1."

2) For retest number 2, Parameter 22416, enter a "0" if the mean survival at 24 hours is greater than 50% in the 100% effluent dilution; if the mean survival is less than or equal to 50%, enter "1."

4. Persistent Mortality

The requirements of this part apply when a toxicity test demonstrates significant lethality, here defined as a mean mortality of 50% or greater to organisms exposed to the 100% effluent concentration after 24 hours.

a. The permittee shall conduct 2 additional tests (retests) for each species that demonstrates significant lethality. The two retests shall be conducted once per week for 2 weeks. Five effluent dilution concentrations in addition to an appropriate control shall be used in the retests. These additional effluent concentrations are 6%, 13%, 25%, 50% and 100% effluent. The first retest shall be conducted within 15 days of the laboratory determination of significant lethality. All test results shall be submitted within 20 days of test completion of the second retest. Test completion is defined as the 24th hour.

b. If one or both of the two retests specified in Part 4.a. demonstrates significant lethality, the permittee shall initiate the TRE requirements as specified in Part 5 of this Section.

5. Toxicity Reduction Evaluation

a. Within 45 days of the retest that demonstrates significant lethality, the permittee shall submit a general outline for initiating a TRE. The outline shall include, but not be limited to, a description of project personnel, a schedule for obtaining consultants (if needed), a discussion of influent and effluent data available for review, a sampling and analytical schedule, and a proposed TRE initiation date.

b. Within 90 days of the retest that demonstrates significant lethality, the permittee shall submit a TRE action plan and schedule for conducting a TRE. The plan shall specify the approach and methodology to be used in performing the TRE. A TRE is a step-wise investigation combining toxicity testing with physical and chemical analyses to determine actions necessary to eliminate or reduce effluent toxicity to a level not effecting significant lethality at the critical dilution. The TRE action plan shall lead to the successful elimination of significant lethality for both test species defined in Part 1.b. At a minimum, the TRE action plan shall include the following:

1) Specific Activities - The TRE action plan shall specify the approach the permittee intends to utilize in conducting the TRE, including toxicity characterizations, identifications, confirmations, source evaluations, treatability studies, and alternative approaches. When conducting characterization analyses, the permittee shall perform multiple characterizations and follow the procedures specified in the document entitled "Methods for Aquatic Toxicity Identification Evaluations: Phase I Toxicity Characterization Procedures" (EPA/600/6-91/003) or alternate procedures. The permittee shall perform multiple identifications and follow the methods specified in the documents

entitled "Methods for Aquatic Toxicity Identification Evaluations: Phase II Toxicity Identification Procedures for Samples Exhibiting Acute and Chronic Toxicity" (EPA/600/R-92/080) and "Methods for Aquatic Toxicity Identification Evaluations: Phase III Toxicity Confirmation Procedures for Samples Exhibiting Acute and Chronic Toxicity" (EPA/600/R-92/081). All characterization, identification, and confirmation tests shall be conducted in an orderly and logical progression;

2) Sampling Plan - The TRE action plan should describe sampling locations, methods, holding times, chain of custody, and preservation techniques. The effluent sample volume collected for all tests shall be adequate to perform the toxicity characterization/identification/confirmation procedures and chemical-specific analyses when the toxicity tests show significant lethality. Where the permittee has identified or suspects a specific pollutant and source of effluent toxicity, the permittee shall conduct, concurrent with toxicity testing, chemical-specific analyses for the identified and suspected pollutant and source of effluent toxicity;

3) Quality Assurance Plan - The TRE action plan should address record keeping and data evaluation, calibration and standardization, baseline tests, system blanks, controls, duplicates, spikes, toxicity persistence in the samples, randomization, reference toxicant control charts, and mechanisms to detect artifactual toxicity; and

4) Project Organization - The TRE action plan should describe the project staff, project manager, consulting engineering services (where applicable), consulting analytical and toxicological services, etc.

c. Within 30 days of submittal of the TRE action plan and schedule, the permittee shall implement the TRE.

d. The permittee shall submit quarterly TRE activities reports concerning the progress of the TRE. The quarterly TRE activities reports are due on or before April 20th, July 20th, October 20th, and January 20th. The report shall detail information regarding the TRE activities including:

1) results and interpretation of any chemical-specific analyses for the identified and suspected pollutant performed during the quarter;

2) results and interpretation of any characterization, identification, and confirmation tests performed during the quarter;

3) any data and substantiating documentation that identifies the pollutant and source of effluent toxicity;

4) results of any studies/evaluations concerning the treatability of the facility's effluent toxicity;

5) any data that identifies effluent toxicity control mechanisms that will reduce effluent toxicity to the level necessary to eliminate significant lethality; and

6) any changes to the initial TRE plan and schedule that are believed necessary as a result of the TRE findings.

e. During the TRE, the permittee shall perform, at a minimum, quarterly testing using the more sensitive species. Testing for the less sensitive species shall continue at the frequency specified in Part 1.b.

f. If the effluent ceases to effect significant lethality, i.e., there is a cessation of lethality, the permittee may end the TRE. A cessation of lethality is defined as no significant lethality for a period of 12 consecutive weeks with at least weekly testing. At the end of the 12 weeks, the permittee shall submit a statement of intent to cease the TRE and may then resume the testing frequency specified in Part 1.b.

This provision accommodates situations where operational errors and upsets, spills, or sampling errors triggered the TRE, in contrast to a situation where a single toxicant or group of toxicants cause lethality. This provision does not apply as a result of corrective actions taken by the permittee. Corrective actions are defined as proactive efforts that eliminate or reduce effluent toxicity. These include, but are not limited to, source reduction or elimination, improved housekeeping, changes in chemical usage, and modifications of influent streams and effluent treatment.

The permittee may only apply this cessation of lethality provision once. If the effluent again demonstrates significant lethality to the same species, the permit will be amended to add a WET limit with a compliance period, if appropriate. However, prior to the effective date of the WET limit, the permittee may apply for a permit amendment removing and replacing the WET limit with an alternate toxicity control measure by identifying and confirming the toxicant and an appropriate control measure.

g. The permittee shall complete the TRE and submit a final report on the TRE activities no later than 18 months from the last test day of the retest that demonstrates significant lethality. The permittee may petition the Executive Director (in writing) for an extension of the 18-month limit. However, to warrant an extension the permittee must have demonstrated due diligence in its pursuit of the toxicity identification evaluation/TRE and must prove that circumstances beyond its control stalled the toxicity identification evaluation/TRE. The report shall specify the control mechanism that will, when implemented, reduce effluent toxicity as specified in Part 5.h. The report shall also specify a corrective action schedule for implementing the selected control mechanism.

h. Within 3 years of the last day of the test confirming toxicity, the permittee shall comply with 30 TAC § 307.6(e)(2)(B), which requires greater than 50% survival of the test organism in 100% effluent at the end of 24-hours. The permittee may petition the Executive Director (in writing) for an extension of the 3-year limit. However, to warrant an extension the permittee must have demonstrated due diligence in its pursuit of the toxicity identification evaluation/TRE and must prove that circumstances beyond its control stalled the toxicity identification evaluation/TRE.

The permittee may be exempted from complying with 30 TAC § 307.6(e)(2)(B) upon proving that toxicity is caused by an excess, imbalance, or deficiency of dissolved salts. This exemption excludes instances where individually toxic components (e.g., metals) form a salt compound. Following the exemption, the permit may be amended to include an ion-adjustment protocol, alternate species testing, or single species testing.

i. Based upon the results of the TRE and proposed corrective actions, this permit may be amended to modify the biomonitoring requirements where necessary, require a compliance schedule for implementation of corrective actions, specify a WET limit, specify a best management practice, and to specify a chemical specific limit.

j. Copies of any and all required TRE plans and reports shall also be submitted to the U.S. EPA Region 6 office, 6WQ-PO.

TABLE 2 (SHEET 1 OF 2)

MYSID SHRIMP SURVIVAL

GENERAL INFORMATION

	Time	Date
Composite Sample Collected		
Test Initiated		

PERCENT SURVIVAL

Time	Rep	Percent effluent					
		0%	6%	13%	25%	50%	100%
24h	A						
	B						
	C						
	D						
	E						
	MEAN						

Enter percent effluent corresponding to the LC50 below:

24 hour LC50 = _____% effluent

TABLE 2 (SHEET 2 OF 2)

INLAND SILVERSIDE SURVIVAL

GENERAL INFORMATION

	Time	Date
Composite Sample Collected		
Test Initiated		

PERCENT SURVIVAL

Time	Rep	Percent effluent					
		0%	6%	13%	25%	50%	100%
24h	A						
	B						
	C						
	D						
	E						
	MEAN						

Enter percent effluent corresponding to the LC50 below:

24 hour LC50 = _____% effluent