



TPDES GENERAL PERMIT
NO. TXG530000

This is a new general permit
issued pursuant to Section
26.040 of the Texas Water
Code.

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION
P.O. BOX 13087
Austin, TX 78711-3087

GENERAL PERMIT TO DISPOSE OF WASTES

under provisions of
Section 402 of the Clean Water Act
and Chapter 26 of the Texas Water Code

Discharges of on-site treatment system from single family residences located within the San Jacinto River Basin in Harris County in the State of Texas

may be discharged directly or adjacent to exceptional, high, intermediate, limited, or no aquatic life use receiving waters as designated in the Texas Surface Water Quality Standards

only according to effluent limitations, monitoring requirements and other conditions set forth in this permit, as well as the rules of the Texas Natural Resource Conservation Commission (commission), the laws of the State of Texas, and other orders of the commission. The issuance of this general permit does not grant to the permittee the right to use private or public property for conveyance of wastewater along the discharge route. This includes property belonging to but not limited 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 any property rights necessary to use the discharge route.

This permit and the authorization contained herein shall expire at midnight June 30, 2004.

ISSUED DATE:

ATTEST: _____
For the Commission

TNRCC GENERAL PERMIT NUMBER TXG530000 RELATING DISCHARGES FROM SINGLES-FAMILY RESIDENCES LOCATED WITHIN THE SAN JACINTO RIVER BASIN IN HARRIS COUNTY IN THE STATE OF TEXAS

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Effective Date: _____

Expiration Date: June 30, 2004

Part I. Permit Applicability and Coverage

Section A. Discharges Covered

1. The purpose of this general permit is to regulate the discharges of single-family residences on-site wastewater treatment systems that are located within segments: 1001 (San Jacinto River Tidal); 1002 (Lake Houston); 1003 (East Fork San Jacinto River); 1004 (West Fork San Jacinto River); 1005 (Houston Ship Channel); 1006 (Houston Ship Channel Tidal); 1007 (Houston Ship Channel); 1008 (Spring Creek); 1009 (Spring Creek); 1010 (Caney Creek); 1013 (Buffalo Bayou Tidal); and 1014 (Buffalo Bayou above Tidal) of San Jacinto River Basin in Harris County Texas.
2. The property must have been subdivided and developed before January 1, 1979. (See Attachment "A".) The property size must be insufficient to accommodate on-site disposal of a wastewater under Chapter 366 of the Health and Safety Code and 30 Texas Administrative Code (TAC) Chapter 285.

Section B. Limitations on Coverage

1. Other authorizations will be required for discharges into or adjacent to water in the state that are located in Clear Lake Watershed (segments 1101 Clear Creek Tidal, 1102 Clear Creek Above Tidal, 2425 Clear Lake).
2. Single-family residences able to obtain service from regional or areawide waste collection or treatment system are not covered by this general permit.

Section C. Application for Coverage

1. New dischargers seeking authorization to discharge under this general permit shall submit a Notice of Intent (NOI), on a form approved by the executive director, a minimum of 90 days before discharging into or adjacent to water in the state. Existing dischargers must submit a new NOI a minimum of 30 days from the date this permit is reissued. NOI shall include, at a minimum, the legal name and address of the operator, the location of the discharge (as described by latitude and longitude), description of the discharge route of effluent from the facility for a minimum distance of three miles, and the date of the proposed discharge. Discharger who fails to submit a NOI in accordance with the terms of the permit is not authorized to discharge unless the facility is covered by an individual permit.
2. By submitting the NOI, the discharger acknowledges that the requirements of this general permit apply to the discharge and agrees to comply with the requirements of this general permit. The discharge may begin after the discharger have submits the NOI, have constructed the treatment work as

described in Attachment “B,” and has submitted copies of the maintenance agreement and the county deed record for the property. NOIs must be submitted before the general permit expiration date to obtain authorization under this general permit. The NOI must be submitted by certified mail, return receipt requested, to the address indicated in the NOI.

3. Coverage under this general permit is not transferable to any other person without notice to the executive director or authorized agent. If the owner of the facility will change or be transferred, the present owner must submit a Notice of Termination (NOT), and the new owner must submit a new NOI, not later than 10 days before the change in ownership.
4. A discharger authorized to discharge under this general permit must submit current information to the executive director or authorized agent by submitting a Notice of Change (NOC) not later than 10 days before to a change in previous information, any other change with respect to the nature or operations of the facility or the characteristics of the discharge.
5. Coverage under this general permit is site-specific and shall terminate when the discharge described on the NOI end and the executive director receives the discharge monitoring report (DMR) as required by Part III, Section C.

Section D. Termination of Coverage

A discharger may voluntarily terminate coverage under this general permit by providing a Notice of Termination (NOT) on a form approved by the executive director when the discharge becomes unnecessary.

Section E. Coverage Under an Individual Permit

1. Any discharger authorized by this general permit may be excluded from coverage under this general permit by obtaining an individual permit according to 30 TAC Chapter 305, relating to Consolidated Permits. The discharger shall submit an application to the executive director.
2. When an individual permit is issued to a discharger, otherwise subject to this general permit, the discharger shall submit an NOT to the executive director. Authorization to discharge under this general permit terminates upon the executive director’s or authorized agents’s receipt of the NOT.

Section F. Permit Expiration

1. This general permit expires at midnight June 30, 2004. Individual coverage under the general permit may be authorized until the expiration date. This general permit may be amended, revoked, or canceled by the commission. The commission may renew this general permit for an additional term or terms not to exceed five years each.
2. This general permit will remain in effect unless it expires, unless it is amended, revoked, renewed, or canceled by the commission. If the commission publishes a notice of a proposed permit renewal before

the expiration date, the conditions of this general permit will remain in effect for those existing discharges covered by the general permit. This general permit will not expire until the date on which the commission takes final action on the proposed permit renewal. However, no new NOIs will be accepted for authorization under the general permit after the expiration date.

3. Upon issuance of a renewed or amended general permit, all dischargers covered under this general permit must submit a new NOI.
4. If the commission does not propose a renewal of this general permit by 90 days before its expiration date, dischargers must apply for coverage under an individual permit before the general permit expires.

Part II. Permit Requirements

Section A. Effluent Limits

1. The following daily effluent limitations apply:

The monthly average discharge (flow) of effluent shall not exceed 500 gallons per day (gpd).

Effluent Characteristic	Discharge Limitations		Minimum Self-Monitoring Requirements	
	Daily Avg mg/l	Single Grab mg/l	Report Daily Avg. & Single Grab. Measurement Frequency	Sample Type
Carbonaceous Biochemical				
Oxygen Demand (5-day)	10	35	once every six months	grab
Total Suspended Solids	15	60	once every six months	grab
Ammonia Nitrogen	3	15	once every six months	grab
Fecal Coliform Bacteria, * colonies per 100 ml	200	400	once every six months	grab

* Fecal Coliform Bacteria daily average is a geometric mean of the values for all effluent samples collected in a 24 month reporting period.

2. The pH of the discharge shall not be less than 6.0 nor greater than 9.0 standard units and shall be sampled once every 6 months by grab sample; and,
3. There shall be no discharge of floating solids or visible foam other than in trace amounts, and no discharge of visible oil.

Section B. General Requirements

Unless exempted under Part I, Section B, discharges shall be subject to the following requirements.

1. The rate of discharge shall be controlled to prevent flooding and erosion.

2. Solid wastes, including cleanup wastes, shall be disposed of according to TNRCC rules and Chapter 361 of the Texas Health and Safety Code and 30 TAC Chapter 312.
3. The discharge shall not cause any nuisance conditions to adjacent landowners along the discharge route.
4. The discharger shall take all steps necessary to prevent any adverse effect to human health or safety, or to the environment. Immediately upon the notification from the agency's regional office that the discharge is presenting a hazard to the uses of the receiving water, the discharger shall terminate the discharge. The discharge shall cease immediately whenever problems associated with the discharge may endanger human health or safety, or the environment, and the problems shall be reported to the agency's central and Houston Regional Offices as soon as possible, but no later than 24 hours after their discovery. A written report shall be submitted to the agency's central and Houston Regional Office within five working days. The report shall contain:
 - (a) description of the location of the discharge;
 - (b) the exact date and time the problem was first identified;
 - (c) the potential danger to human health or safety, or the environment;
 - (d) the immediate steps that were taken to correct the problem;
 - (e) steps planned or taken to mitigate any adverse effects; and
 - (f) plans to prevent the reoccurrence of similar problems during future discharges.

Section C. Design Requirements

The discharger shall use the wastewater treatment facility design as shown on Attachment "B."

Part III. Discharge Monitoring and Notification Requirements

Section A. Discharge Notification

Dischargers shall notify the Houston Regional Office by telephone at least two days before discharge. For emergency facility repair or replacement, the discharger shall notify the Houston Regional Office by telephone as soon as possible. The Houston Regional Office telephone number is (713)767-3500.

Section B. Sampling Requirements

1. The discharger shall ensure that properly trained and authorized personnel monitor and sample the discharge.
2. The sampling point shall be after the filter media.
3. All sample collections shall be conducted according to recommendations in the latest edition of

"Standard Methods for the Examination of Water and Wastewater" (prepared and published jointly by the American Public Health Association, the American Waterworks Association, and the Water Pollution Control Federation), or Environmental Protection Agency, "Methods for Chemical Analysis of Water and Wastes" (1979), or Environmental Protection Agency, "Biological Field and Laboratory Methods for Measuring the Quality of Surface Waters and Effluents" (1973).

4. Sample containers, holding times, preservation methods, and the physical, chemical, and microbiological analyses of effluents shall meet the requirements in 40 Code of Federal Regulations (CFR) Part 136, as amended. All analyses shall be conducted according to 40 CFR Part 136, as amended, or the latest edition of "Standard Methods for the Examination of Water and Wastewater."

Section C. Reporting Requirements

All analytical results shall be reported to the commission's central office on the DMR form (EPA 3320-1) provided by the executive director. Analytical results shall be submitted to the commission by the 25th day of the month in which the reports are due. All violations of effluent limitations shall be noted on the form.

Part IV. Standard Permit Conditions

1. The discharger has a duty to comply with all permit conditions. Failure to comply with any permit condition is a violation of the permit and other rules and statutes under which it was issued and is grounds for enforcement action, for terminating coverage under this general permit, or for requiring a discharger to apply for and obtain a TPDES individual permit.
2. It is not a defense for a discharger in an enforcement action that it would have been necessary to halt or reduce the permitted activity to maintain compliance with the permit conditions.
3. The discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) installed or used by the discharger to achieve compliance with the permit conditions.
4. The discharger shall furnish to the executive director, upon request and within a reasonable time, any information to determine whether cause exists for revoking, suspending, or terminating authorization under the permit, and copies of any records required to be kept by the permit.
5. The discharger shall give notice to the executive director before making physical alterations or additions to the permitted facility if alterations would result in a violation of permit requirements.
6. The homeowner shall allow TNCRC's employees and authorized agent to enter the property and inspect, as allowed under Texas Water Code Chapters §§ 26.014 and 26.015.
7. Monitoring and reporting requirements are as follows:

- (a) Monitoring samples and measurements shall be taken at times and in a manner so as to be representative of the monitored activity.
 - (b) The general permit holder shall retain all records related to the application, monitoring, or certification for a period of five years from the date of discharge. This period may be extended at the request of the executive director.
 - (c) Records of monitoring activities shall include:
 - (1) date, time and place of sample or measurement;
 - (2) identity of individual who collected the sample or made the measurement;
 - (3) date of analysis;
 - (4) identity of the individual and laboratory who performed the analysis;
 - (5) the technique or method of analysis; and
 - (6) the results of the analysis or measurement.
8. Any noncompliance other than that specified in this general permit or any required information not submitted or submitted incorrectly, shall be reported to the executive director or the authorized agent as promptly as possible.
9. Coverage under this general permit is not transferable to any person. The new owner must submit a new NOI.
10. 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. Authorization under this permit may be suspended or revoked for cause. The filing of notification by the discharger of planned changes or anticipated noncompliance, does not stay any permit condition.
12. A permit does not convey any property rights of any sort, or any exclusive privilege.
13. Monitoring results shall be provided at the intervals specified in this permit.
14. Where the discharger becomes aware that it failed to submit any relevant facts in an NOI, or submitted incorrect information in an NOI or in any report to the executive director or authorized agent, it shall promptly submit such facts or information.
15. The discharger is subject to administrative, civil, and criminal penalties, as applicable, under Texas Water Code Chapter 7 for violations including but not limited to the following:
- (a) negligently or knowingly violating Texas Water Code, Chapter 26, or any condition or limitation implementing any sections in a permit issued under Texas Water Code, Chapter 26, or any requirement imposed in a pretreatment program approved under Texas Water Code, Chapter 26 or Texas Health and Safety Code Chapter 366.
 - (b) falsifying, tampering with, or knowingly rendering inaccurate any monitoring device or method

- (c) required to be maintained under a permit; or knowingly making any false statement, representation, or certification in any record or other document submitted or required to be maintained under a permit, including monitoring reports or reports of compliance or noncompliance.

Part V. Executive Director Denial or Suspension of Authorization

Denial of an NOI or suspension of a discharger's authorization under this general permit shall be conducted in accordance with the commission rules under 30 TAC Chapter 205, §205.4, regarding General Permits for Waste Discharges, that were in place at the time of issuance of this general permit.

Part VI. Fees

An NOI submitted to the executive director or authorized agent shall include an application fee of \$100. Discharger covered under this general permit are not subject to pay an annual waste treatment inspection fee under Texas Water Code (TWC), §26.0291, consistent with §§305.501-305.507 of this title (relating to the Waste Treatment Inspection Fee Program) or an annual watershed monitoring and assessment fee under TWC, §26.0135(h), consistent with §220.21 of this title (relating to Water Quality Assessment Fees).

Part VII. Definitions

The following words and terms, used in this general permit, shall have the following meanings.

1. Authorized agent - A local governmental entity authorized by the commission, or executive director to implement Chapter 366, of the Texas Health and Safety Code and that has adopted a resolution under Section 7.352 of the Texas Water Code (TWC) that authorizes the county to exercise enforcement power under Subchapter H, Chapter 7 of the TWC; and entered into an agreement with the commission to inspect, investigate, and otherwise monitor compliance with the permit.
2. Daily average concentration - the arithmetic average of all effluent samples, composite or grab as required by this permit, within a reporting period, consisting of at least four separate representative measurements. When four samples are not available in a reporting period, the arithmetic average of the four most recent measurements of all values taken during the reporting period the daily average concentration.
3. Discharge - Deposit, conduct, drain, emit, throw, run, allow to seep, or otherwise release or dispose of, or to allow, permit, or suffer any of these acts or omissions.
4. Fecal Coliform Bacteria Concentration - the number of colonies of fecal coliform bacteria per 100 milliliters effluent. The fecal coliform bacteria daily average is a geometric mean of the values for the effluent samples collected in a 24 month reporting period. The geometric mean shall be determined by calculating the nth root of the product of all measurements made in a particular period of time. For example in a month's time, where n equals the number of measurements made; or,

computed as the antilogarithm of the sum of the logarithm of each measurement made. For any measurement of fecal coliform bacteria equaling zero, a substituted value of one shall be made for input into either computation method.

5. General permit - A permit, issued under the provisions of Chapter 205, authorizing the discharge of waste into or adjacent to water in the state for one or more categories of waste discharge within a geographical area of the state or the entire state as provided by §26.040, Texas Water Code.
6. Grab sample - An individual sample collected in less than 15 minutes.
7. Notice of Change or NOC - A written submittal to the executive director from a discharger authorized under a general permit providing information on changes to information previously provided to the commission, or any changes with respect to the nature or operations of the facility or the characteristics of the discharge.
8. Notice of intent or NOI - A written submittal to the executive director from a discharger requesting coverage under the terms of a general permit.
9. Notice of Termination or NOT - A written submittal to the executive director from a discharger authorized under a general permit requesting termination of coverage.
10. Texas Pollutant Discharge Elimination System (TPDES) - The state program for issuing, amending, terminating, monitoring, and enforcing permits, and imposing and enforcing pretreatment requirements, under Clean Water Act §§307, 402, 318 and 405, the Texas Water Code and Texas Administrative Code regulations.
11. Treatment Facility (facility) - wastewater facilities used in the conveyance, storage, treatment, recycling, reclamation or disposal of domestic sewage, including sludge handling or disposal facilities under the jurisdiction of the commission.
12. Water in the state - Groundwater, percolating or otherwise, lakes, bays, ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, wetlands, marshes, inlets, canals, the Gulf of Mexico, inside the territorial limits of the state, and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, navigable or non-navigable, and including the beds and banks of all watercourses and bodies of surface water, that are wholly or partially inside or bordering the state or inside the jurisdiction of the state.