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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

November 19, 2019

Ms. Victoria Bohrer, Environmental Compliance
K-3 Resources, L.P.
P.O. Box 2236
Alvin, Texas 77512

Re: K-3 Resources, L.P., Individual Permit No. WQ0004450000
CN603843426; RN102911898

Dear Ms. Bohrer:

Enclosed is a copy of the above referenced permit for your beneficial land use site. The permit contains several general and special conditions for the operation of the site. In addition, the operation activities of the site must be consistent with those represented in the application.

As required by the 30 Texas Administrative Code Chapter 312, you must submit copies of the results from soil sampling on an annual basis. These sample results should be filed with both the Texas Commission on Environmental Quality (TCEQ) in Austin and the appropriate TCEQ Regional Office and maintained in your records for five years. In addition, you must submit the Annual Sludge Report Summary Sheet by September 30th of each year. Please pay associated fees promptly when billed by the TCEQ each year during the term of this permit.

This permit will be in effect for five years from the date of approval or for the term stated on the permit. To renew this permit, an application for this action must be filed with the TCEQ at least 180 days prior to the expiration date.

If you have any questions, please contact Mr. Brian Sierant of the TCEQ's Water Quality Assessment Section at (512) 239-4671, or if by correspondence include MC-150 in the letterhead address below.

Sincerely,

A handwritten signature in black ink, appearing to read "David W. Galindo".

David W. Galindo, Director
Water Quality Division

DWG/BS/kb

cc: Mr. Carbett Trey Duhon, III, County Judge, Waller County Courthouse
836 Austin Street, Suite 203, Hempstead, Texas 77445

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TCEQ PERMIT NO. WQ0004450000

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
P.O. Box 13087
Austin, Texas 78711-3087

This amendment supersedes and replaces Permit No. WQ0004450000 issued on June 19, 2014.

PERMIT TO LAND APPLY SEWAGE SLUDGE

under provisions of Chapter 26 of the Texas Water Code, Chapter 361 of the Texas Health and Safety Code, and Title 30 Texas Administrative Code Chapter 312.

I. PERMITTEE:

K-3 Resources, L.P.
P.O. Box 2236
Alvin, Texas 77512

II. AUTHORIZATION:

Beneficial Land Application of Wastewater Treatment Plant (WWTP) Sewage Sludge and Water Treatment Plant (WTP) Sludge.

III. GENERAL DESCRIPTION AND LOCATION OF SITE:

Description: The permittee is authorized to land apply WWTP sewage sludge and WTP sludge at an annual rate not to exceed 12 dry tons per acre per year on Fields 1, 2, and 3 on 164.2 acres located within approximately 236.9 acres at this site. *

* See Special Provision A.

Location: The sludge land application site is located on Farm-to-Market Road 529, 1.4 miles west of the intersection of Farm-to-Market Road 529 and Farm-to-Market Road 362, in Waller County, Texas 77423 (see Attachment A).

SIC Code: 4952

Drainage Basin: The land application site is located in the drainage basin of Bessie's Creek in Segment No. 1202 of the Brazos River Basin. No discharge of pollutants into water in the state is authorized by this permit.

This permit and the authorization contained herein shall expire at midnight five years from the date of issuance listed below.

ISSUED DATE: **November 12, 2019**

A handwritten signature in black ink, appearing to read "T. G. Baker".

For the Commission

IV. GENERAL REQUIREMENTS:

- A. The permittee shall handle and dispose of sewage sludge including WTP sludge, in accordance with 30 Texas Administrative Code (TAC) Chapter 312 and all other applicable state and federal regulations in a manner that protects public health and the environment from any reasonably anticipated adverse effects due to any toxic pollutants that may be present in the sludge.
- B. An application for renewing this permit shall be submitted by the permittee at least 180 days prior to the expiration date of this permit.
- C. WWTP and WTP sludge
 - 1. In all cases, the generator or processor of sewage sludge shall provide necessary analytical information to the parties who receive the sludge, including those receiving the sewage sludge for land application, to assure compliance with these regulations.
 - 2. The permittee shall not accept sludge that fails the Toxicity Characteristic Leaching Procedure (TCLP) test per the method specified in both 40 Code of Federal Regulations (CFR) Part 261 and 40 CFR Part 268, or another method which receives the prior approval of the Texas Commission on Environmental Quality (TCEQ) for the contaminants listed in Table 1 of 40 CFR Section 261.24.
 - 3. Sewage sludge shall not be applied to the land if the concentration of any metal exceeds the ceiling concentration listed in Table 1 below. Additional information on the frequency of testing for metals is found in Section IX.

Table 1

Pollutant	Ceiling Concentration (milligrams per kilogram)*
Arsenic	75
Cadmium	85
Chromium	3000
Copper	4300
Lead	840
Mercury	57
Molybdenum	75
Nickel	420
Selenium	100
Zinc	7500

* Dry weight basis

- 4. When the total aggregate amount of any metal in Table 2 below (in all sludge applied at the site during the entire use of this site) reaches the cumulative level listed in Table 2, only sludge with metal levels at or below those shown in Table 3 below can be applied at the site. To compute this number, the total amount of each metal in all sludge applied must be summed on a continuing basis as sludge is applied.