Application to Use Industrial Reclaimed Water

This application is for the beneficial reuse of industrial reclaimed water in accordance with 30 Texas Administrative Code (TAC) Chapter 210, Subchapter E.

**IMPORTANT:** Use the [INSTRUCTIONS](#INSTRUCTIONS) to fill out each question in this form.

**APPLICATION FEE:**

You must pay the **$100** Application Fee to TCEQ for the application to be complete.

Payment and NOI must be mailed to separate addresses.

You can pay online at: <http://www.tceq.texas.gov/goto/epay>

**Provide your payment information below, for verification of payment**

Mailed Check/Money Order Number: Click here to enter text.

 Check/Money Order Amount: Click here to enter text.

 Name Printed on Check: Click here to enter text.

EPAY Voucher Number: Click here to enter text.

**REASON FOR APPLICATION:**

**Select the reason you are submitting this application:**

[ ]   New authorization

[ ]   Amendment of reuse authorization number: 2E Click here to enter text.

# Section 1. Producer (Applicant)

1. What is the Customer Number (CN) issued to this entity? CN Click here to enter text.
2. What is the Legal Name of the entity (applicant) applying for this authorization? (The legal name must be spelled exactly as filed with the Texas Secretary of State, County, or in the legal document forming the entity.)

Click here to enter text.

1. Complete and attach a Core Data Form (TCEQ-10400) for this customer.

# Section 2. Provider

Is the Provider the same as the Producer?

 [ ]   Yes, go to Section 3)

 [ ]   No, complete section below

1. What is the Customer Number (CN) issued to this entity? CN Click here to enter text.
2. What is the Legal Name of the Provider? (The legal name must be spelled exactly as filed with the Texas Secretary of State, County, or in the legal document forming the entity.)

Click here to enter text.

1. Complete and attach a Core Data Form (TCEQ-10400) for this customer.

# Section 3. Reclaimed Water User

1. Is the producer, provider, and user the same entity?

[ ]   Yes, go to Section 4

[ ]   No, complete this section.

1. What is the Legal Name of the User? (The legal name must be spelled exactly as filed with the Texas Secretary of State, County, or in the legal document forming the entity.)

Click here to enter text.

1. What is the User’s Physical Address? Click here to enter text.

City, State, Zip Code: Click here to enter text.

County: Click here to enter text.

1. What is the contact information for the User?

Prefix (Mr. Ms. or Miss): Click here to enter text.

First and Last Name: Click here to enter text. Suffix: Click here to enter text.

Title: Click here to enter text. Credentials: Click here to enter text.

Phone Number: Click here to enter text. Fax Number: Click here to enter text.

Email: Click here to enter text.

Mailing Address: Click here to enter text.

City, State, and Zip Code: Click here to enter text.

# Section 4. Application Contact

This is the person TCEQ will contact if additional information is needed about this application.

Prefix (Mr. Ms. or Miss): Click here to enter text.

First and Last Name: Click here to enter text. Suffix: Click here to enter text.

Title: Click here to enter text. Credentials: Click here to enter text.

Phone Number: Click here to enter text. Fax Number: Click here to enter text.

Email: Click here to enter text.

Mailing Address: Click here to enter text.

City, State, and Zip Code: Click here to enter text.

#  Section 5. Regulated Entity (RE) Information

For this section, provide the requested information for the site where the reclaimed water is produced.

1. What is the Regulated Entity Number (RN) issued to the site? RN Click here to enter text.
2. What is the Site Name? Click here to enter text.
3. What is the name of the nearest classified segment? Click here to enter text.
4. What is the number of the nearest classified segment? Click here to enter text.

# Section 6. Producer and User Locations

1. Provide a written description of the Producer’s location.

|  |
| --- |
| Click here to enter text. |

1. Is the producer’s facility within the service area of a Publicly Owned Treatment Works (POTW)?

 [ ]   Yes

 [ ]   No

If **Yes**, has the POTW been notified of the Producer’s intent to use industrial reclaimed water?

 [ ]   Yes

 [ ]   No. Stop. You must notify the POTW prior to submitting this form.

1. Provide a written description of the User’s location.

|  |
| --- |
| Click here to enter text. |

1. Is the site at which reclaimed water will be used located within the Edwards Aquifer recharge zone?

 [ ]   Yes

 [ ]   No

If **Yes**, attach the additional information required by 30 TAC §§210.4(d) and 210.23(c).

Attachment Number: Click here to enter text.

# Section 7. Waste Streams

1. Provide a general description of industrial, manufacturing, or commercial activity at the site?

|  |
| --- |
| Click here to enter text. |

1. In the table below, provide the types and volumes of industrial wastewater generated and proposed for use as industrial reclaimed water.

| **Wastewater Type** | **Volume Generated Daily (gallons per day)** | **Volume Proposed for Reuse (gallons per day)** |
| --- | --- | --- |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |

1. Is the wastewater proposed for use as industrial reclaimed water a waste stream listed in 30 TAC §210.54?

 [ ]   Yes. Stop. The wastewater is not eligible for reuse.

 [ ]   No

# Section 8. End Uses

1. Identify all proposed uses for the reclaimed water.

[ ]   Irrigation

[ ]   Fire Protection

[ ]   Dust Suppression

[ ]   Soil Compaction

[ ]   Impoundment Maintenance

[ ]   Other. Describe: Click here to enter text.

1. If the proposed end use is irrigation, provide the following information.

Area to be irrigated: Click here to enter text.

Vegetation or crop: Click here to enter text.

Proposed frequency of water reuse: Click here to enter text.

1. Is the proposed end use onsite?

 [ ]   Yes

 [ ]   No

If No, attach additional information required by 30 TAC §210.4.

Attachment Number: Click here to enter text.

# Section 9. Primary Disposal Method

Identify the primary method(s) for disposing of wastewater that cannot be re-used.

[ ]   Discharge authorized by wastewater permit

Permit Number WQ000 Click here to enter text.

[ ]   Discharge to a POTW

POTW Name: Click here to enter text.

[ ]   Recycle the wastewater so there is no discharge into or adjacent to water in the state

Describe the recycle process.

|  |
| --- |
| Click here to enter text. |

Attach a flow schematic for the recycle process.

Attachment Number: Click here to enter text.

[ ]   Pump and Haul

Name of hauler: Click here to enter text.

Attach a copy of the hauler agreement.

Attachment Number: Click here to enter text.

[ ]   Other. Describe: Click here to enter text.

# Section 10. Impoundments

Do you use or plan to use any lagoons, ponds, or impoundments to store the wastewater?

 [ ]   Yes

 [ ]   No

If Yes, attach a copy of the liner certification required by 30 TAC §210.23.

Attachment Number: Click here to enter text.

# Section 11. Compliance History

Is the applicant currently required to meet any implementation schedule for compliance or enforcement?

 [ ]   Yes

 [ ]   No

If Yes, provide a summary of the requirements and a status update.

|  |
| --- |
| Click here to enter text. |

# Section 12. Attachments

This application must include the following attachments:

1. A completed Core Data Form (TCEQ-10400) for each customer; and
2. A copy of the analytical laboratory reports for the reclaimed water.

# Section 13. Industrial Reclaimed Water Analyses

Use the analytical laboratory results to complete the following tables.

Table 1-1 Wastewater Concentrations for Conventional and Nonconventional Pollutants

| **Pollutant** | **Average (mg/L)** | **Maximum (mg/L)** | **Number of Samples** |
| --- | --- | --- | --- |
| Biochemical Oxygen Demand (5-day) |  |  |  |
| Carbonaceous Biochemical Oxygen Demand (5-day) |  |  |  |
| Total Organic Carbon |  |  |  |
| Nitrate Nitrogen |  |  |  |
| Total Phosphorus |  |  |  |
| Oil and Grease |  |  |  |
| Total Residual Chlorine \* |  |  |  |
| Total Dissolved Solids |  |  |  |
| Sulfate |  |  |  |
| Chloride |  |  |  |
| *E. coli* \*\* |  |  |  |
| pH (standard units) |  |  |  |

**Table 1-2 Wastewater Concentrations for Metals**

| **Pollutant** | **Average (mg/L)** | **Maximum (mg/L)** | **Number of Samples** | **MAL (mg/L)** |
| --- | --- | --- | --- | --- |
| Total Aluminum |  |  |  | 0.030 |
| Total Antimony |  |  |  | 0.030 |
| Total Arsenic |  |  |  | 0.010 |
| Total Barium |  |  |  | 0.010 |
| Total Beryllium |  |  |  | 0.005 |
| Total Cadmium |  |  |  | 0.001 |
| Total Chromium |  |  |  | 0.010 |
| Total Copper |  |  |  | 0.010 |
| Free Cyanide |  |  |  | 0.020 |
| Total Lead |  |  |  | 0.005 |
| Total Mercury |  |  |  | 0.0002 |
| Total Nickel |  |  |  | 0.010 |
| Total Selenium |  |  |  | 0.010 |
| Total Silver |  |  |  | 0.002 |
| Total Thallium \* |  |  |  | 0.010 |
| Total Zinc |  |  |  | 0.005 |

\*Testing only required if believed to be present in the wastewater.

\*\*Testing only required for industrial reclaimed water commingled with domestic wastewater.

**Table 2-1 Wastewater Concentrations for Volatile Compounds**

| **Pollutant** | **Average (µg /L)** | **Maximum (µg /L)** | **Number of Samples** | **MAL (µg/L)** |
| --- | --- | --- | --- | --- |
| Acrolein |  |  |  | 50 |
| Acrylonitrile |  |  |  | 50 |
| Benzene |  |  |  | 10 |
| Bromoform |  |  |  | 10 |
| Carbon Tetrachloride |  |  |  | 10 |
| Chlorobenzene |  |  |  | 10 |
| Chlorodibromomethane |  |  |  | 10 |
| Chloroethane |  |  |  | 50 |
| 2-Chloroethylvinyl Ether |  |  |  | 10 |
| Chloroform |  |  |  | 10 |
| Dichlorobromomethane |  |  |  | 10 |
| 1,1-Dichloroethane |  |  |  | 10 |
| 1,2-Dichloroethane |  |  |  | 10 |
| 1,1-Dichloroethylene |  |  |  | 10 |
| 1,2-Dichloropropane |  |  |  | 10 |
| 1,3-Dichloropropylene |  |  |  | 10 |
| Ethylbenzene |  |  |  | 10 |
| Methyl Bromide |  |  |  | 20 |
| Methyl Chloride |  |  |  | 50 |
| Methylene Chloride |  |  |  | 20 |
| 1,1,2,2-Tetrachloroethane |  |  |  | 10 |
| Tetrachloroethylene |  |  |  | 50 |
| Toluene |  |  |  | 10 |
| 1,2-Trans-Dichloroethylene |  |  |  | 10 |
| 1,1,1-Trichloroethane |  |  |  | 10 |
| 1,1,2-Trichloroethane |  |  |  | 10 |
| Trichloroethylene |  |  |  | 10 |
| Vinyl Chloride |  |  |  | 10 |

**Table 2-2 Wastewater Concentrations for Acid Compounds**

| **Pollutant** | **Average (µg /L)** | **Maximum (µg /L)** | **No. of Samples** | **MAL (µg/L)** |
| --- | --- | --- | --- | --- |
| 2-Chlorophenol |  |  |  | 10 |
| 2,4-Dichlorophenol |  |  |  | 10 |
| 2,4-Dimethylphenol |  |  |  | 10 |
| 4,6-Dinitro-o-Cresol |  |  |  | 50 |
| 2,4-Dinitrophenol |  |  |  | 50 |
| 2-Nitrophenol |  |  |  | 20 |
| 4-Nitrophenol |  |  |  | 50 |
| p-Chloro-m-Cresol |  |  |  | 10 |
| Pentachlorophenol |  |  |  | 50 |
| Phenol |  |  |  | 10 |
| 2,4,6-Trichlorophenol |  |  |  | 10 |

**Table 2-3 Wastewater Concentrations for Base/Neutral Compounds**

| **Pollutant** | **Average (µg/L)** | **Maximum (µg/L)** | **Number of Samples** | **MAL (µg/L)** |
| --- | --- | --- | --- | --- |
| Acenaphthene |  |  |  | 10 |
| Acenaphthylene |  |  |  | 10 |
| Anthracene |  |  |  | 10 |
| Benzidine |  |  |  | 50 |
| Benzo(a)Anthracene |  |  |  | 10 |
| Benzo(a)Pyrene |  |  |  | 10 |
| 3,4-Benzofluoranthene |  |  |  | 10 |
| Benzo(ghi)Perylene |  |  |  | 20 |
| Benzo(k)Fluoranthene |  |  |  | 10 |
| Bis(2-Chloroethoxy)Methane |  |  |  | 10 |
| Bis(2-Chloroethyl)Ether |  |  |  | 10 |
| Bis(2-Chloroisopropyl)Ether |  |  |  | 10 |
| Bis(2-Ethylhexyl)Phthalate |  |  |  | 10 |
| 4-Bromophenyl Phenyl Ether |  |  |  | 10 |
| Butylbenzyl Phthalate |  |  |  | 10 |
| 2-Chloronaphthalene |  |  |  | 10 |
| 4-Chlorophenyl Phenyl Ether |  |  |  | 10 |
| Chrysene |  |  |  | 10 |
| Dibenzo(a,h)Anthracene |  |  |  | 20 |
| 1,2-Dichlorobenzene |  |  |  | 10 |
| 1,3-Dichlorobenzene |  |  |  | 10 |
| 1,4-Dichlorobenzene |  |  |  | 10 |
| 3,3-Dichlorobenzidine |  |  |  | 50 |
| Diethyl Phthalate |  |  |  | 10 |
| Dimethyl Phthalate |  |  |  | 10 |
| Di-n-Butyl Phthalate |  |  |  | 10 |
| 2,4-Dinitrotoluene |  |  |  | 10 |
| 2,6-Dinitrotoluene |  |  |  | 10 |
| Di-n-Octyl Phthalate |  |  |  | 10 |
| 1,2-Diphenylhydrazine (as Azobenzene) |  |  |  | 20 |
| Fluoranthene |  |  |  | 10 |
| Fluorene |  |  |  | 10 |
| Hexachlorobenzene |  |  |  | 10 |
| Hexachlorobutadiene |  |  |  | 10 |
| Hexachlorocyclopentadiene |  |  |  | 10 |
| Hexachloroethane |  |  |  | 20 |
| Indeno(1,2,3-cd)pyrene |  |  |  | 20 |
| Isophorone |  |  |  | 10 |
| Naphthalene |  |  |  | 10 |
| Nitrobenzene |  |  |  | 10 |
| N-Nitrosodimethylamine |  |  |  | 50 |
| N-Nitrosodi-n-Propylamine |  |  |  | 20 |
| N-Nitrosodiphenylamine |  |  |  | 20 |
| Phenanthrene |  |  |  | 10 |
| Pyrene |  |  |  | 10 |
| 1,2,4-Trichlorobenzene |  |  |  | 10 |

#  Section 14. Signature and Certification

Identify the role(s) of the signatory.

[ ]   Producer

[ ]   Provider

[ ]   User

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

I further certify that I am authorized under 30 TAC §305.44 to sign and submit this document, and can provide documentation in proof of such authorization upon request.

Signatory Name: Click here to enter text.

Signatory Title: Click here to enter text.

Signature (use blue ink): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Date: \_\_\_\_\_\_\_\_\_\_\_

Instructions for

Application to Use Industrial Reclaimed Water

# GENERAL INFORMATION

**Please follow these instructions while completing the application to use industrial reclaimed water. All items in the application must be addressed. If an item is not addressed, a notice of deficiency will be sent to the applicant’s representative, and significant delays in processing the application may result.**

**The application form may not be altered in any way. Applications that are not in the original format and page numbering sequence will not be processed and will be returned. Questions cannot be rearranged or deleted.**

## Purpose

A person wishing to beneficially use industrial wastewater as industrial reclaimed water may use this application to apply for a Level II written authorization under 30 Texas Administrative Code (TAC), Chapter 210, Subchapter E: Special Requirements for Use of Industrial Reclaimed Water.

## Objectives

These instructions are intended to answer the following questions:

* Who does not need to submit an application?
* What is a Level I Authorization?
* Who cannot apply for authorization?
* Who must submit the application?
* When must the application be submitted?
* How must the application be submitted?
* How much does a reuse application cost?
* How long is the application process?
* How do I complete the application?
* How do I obtain additional information and assistance?

## Abbreviations And Acronyms

CFR Code of Federal Regulations

gpd gallons per day

MAL minimum analytical level

MGD million gallons per day

mg/L milligrams per liter

POTW publically owned treatment works

SU standard units

TAC Texas Administrative Code

TCEQ Texas Commission on Environmental Quality

TLAP Texas Land Application Permit

TPDES Texas Pollutant Discharge Elimination System

µg/L micrograms per liter

USGS United Stated Geological Survey

## Definitions

**Blowdown**—the discharge of re-circulating water for the purpose of discharging materials contained in the water, the further buildup of which would cause concentration in amounts that could damage or impair machinery, equipment, or systems.

**Commingled wastewater**—industrial wastewater that contains any amount of domestic wastewater.

**Containing**—the pollutant(s) of concern are measured at levels that exceed the minimum analytical level.

**Discharge**—the release or disposal of waste into or adjacent to any water in the state that in itself or in conjunction with any other discharge or activity causes, continues to cause, or will cause pollution of any of the water in the state.

**Dioxins and furans**—tetra-, penta-, hexa-, hepta-, and octa-chlorinated dibenzo dioxins and furans.

**End use**—landscape irrigation, soil compaction, dust suppression, impoundment maintenance, or industrial wastewater that is otherwise land applied in accordance with all applicable regulations.

**Industrial reclaimed water**—any industrial wastewater which has been treated, if necessary, to a quality suitable for land application for beneficial use.

**Industrial wastewater**—non-domestic or non-municipal wastewater.

**Land application**—the discharge of waste adjacent to water in the state (examples: irrigation and dust suppression).

**Minimum analytical level (MAL)**—the lowest concentration at which a particular substance can be quantitatively measured in the matrix of concern (i.e., wastewater) with a defined precision level, using approved analytical methods.

**Non-contact cooling water**—water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, by-product, or finished product.

**On-site use**—the use of industrial reclaimed water within the boundaries of the industrial facility or within the boundaries of property that is contiguous to the facility and owned or operated by the producer.

**Once-through cooling water**—water passed through main cooling condensers in one or two passes for the purpose of removing waste heat.

**Playa lake**—a shallow (generally less than one meter deep), isolated, naturally ephemeral approximately circular lake located in an enclosed basin in the High Plains and West Central Plains areas of the state.

**Priority pollutants**—pollutants listed in 40 Code of Federal Regulations (CFR) Part 122, Appendix D, Tables 2 and 3, plus 2,3,7,8‑Tetrachlorodibenzo-p-dioxin and asbestos.

**Process wastewater**—any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, by-product, or waste product.

**Producer**—a person who produces industrial reclaimed water as identified in this subchapter.

**Tail water**—runoff of irrigation water from the lower end of an irrigated field.

## Who Does Not Need To Submit An Application?

The following systems and activities are not required to submit this application to begin water reuse:

* Reuse of industrial wastewater for purposes other than land application
* Facilities which qualify for Level I authorization
* Land application activities authorized by a Texas Pollutant Discharge Elimination System (TPDES) permit or Texas Land Application Permit (TLAP).

## What Is A Level I Authorization?

A Level I Authorization does not require written notification to or written authorization from the TCEQ. A Level I authorization does not require periodic testing, with the exception of cooling tower blowdown, which must meet a threshold concentration for total dissolved solids of 2,000 mg/L. A producer is eligible for a Level I Authorization **only** if the producer:

* uses any of the waste streams listed in 30 TAC §210.53(a) (see below), **and**
* uses the waste stream(s) on-site, **and**
* has a primary disposal method as an alternative to reuse listed in 30 TAC §210.56(b)(1) (see below), **and**
* has an end use listed in 30 TAC §210.56(b)(2) (see below).

### ***Waste Streams listed in 30 TAC §210.53(a):***

* air conditioner condensate, compressor condensate, steam condensate, or condensate that forms externally on steam lines and is not process wastewater
* washwater from washing whole fruits and vegetables
* non-contact cooling water
* once through cooling water
* water treatment filter backwash
* water from routine external washing of buildings or other structures, conducted without the use of detergents or other chemicals
* water from routine washing of pavement conducted without the use of detergents or other chemicals and where spills or leaks of toxic or hazardous waste have not occurred (unless spilled material has been removed)
* cooling tower blowdown with a total dissolved solids concentration less than 2,000 mg/L
* wastewater with measured effluent concentrations at or below threshold levels listed in the table below that is not a waste source prohibited from receiving coverage (see section titled “Who Cannot Apply for Authorization”). For all other priority pollutants listed in the application, the threshold level is set at the minimum analytical level.

### ***Primary Methods of Disposal Listed in 30 TAC §210.56(b)(1)***

* authority to dispose of wastewater under a TPDES permit, a TLAP, or another authorization
* authority to route effluent to a publically owned treatment works (POTW)
* ability to recycle the industrial reclaimed water in a manner that does not potentially result in a discharge into or adjacent to water in the state.

### ***End Uses Listed in 30 TAC §210.56(b)(2)***

* irrigation including landscape, pastures for milking animals, non-food crops (including, but not limited to, sod farms and silviculture)
* fire protection
* dust suppression and soil compaction
* maintenance of impoundments

**Threshold Levels for Industrial Reclaimed Water**

| Parameter | Threshold (mg/L) | MAL (mg/L) |
| --- | --- | --- |
| Total Organic Carbon | 55 |  |
| Oil and Grease | 10 |  |
| Total Dissolved Solids | 2000 |  |
| Nitrate Nitrogen | 10 |  |
| Antimony, total | 0.090 | 0.030 |
| Arsenic, total | 0.030 | 0.010 |
| Barium, total | 0.030 | 0.010 |
| Beryllium, total | 0.015 | 0.005 |
| Cadmium, total | 0.003 | 0.001 |
| Copper, total | 0.030 | 0.010 |
| Lead, total | 0.015 | 0.005 |
| Manganese | 0.050 |  |
| Mercury, total | 0.0002 | 0.0002 |
| Nickel, total | 0.030 | 0.010 |
| Selenium, total | 0.030 | 0.010 |
| Silver, total | 0.006 | 0.002 |
| Thallium, total | 0.030 | 0.010 |
| Zinc, total | 0.015 | 0.005 |
| Cyanide, free | 0.200 |  |

## Who Cannot Apply For Authorization?

The following waste streams **cannot be authorized** under 30 TAC Chapter 210, Subchapter E, regardless of effluent quality. The producer may submit a TPDES or TLAP application to request to discharge these waste streams:

* wastewater containing radioactive material regulated under Texas Health and Safety Code, Chapter 401
* wastewater containing dioxin and furans
* wastewater containing pesticides
* wastewater classified as or which is characteristically hazardous as defined by 40 Code of Federal Regulations (CFR) Part 261
* process wastewater regulated under 40 CFR Parts 400 - 471 with the following **exceptions**:
	+ Part 405 - dairy products processing
	+ Part 406 - grain mills
	+ Part 407 - canned and preserved fruits and vegetables
	+ Part 408 - canned and preserved seafood processing
	+ Part 409 - sugar processing
	+ Part 411 - cement manufacturing
	+ Part 417 - soap and detergent manufacturing
	+ Part 423 - steam electric power generating
	+ Part 434 - coal mining
	+ Part 436 - mineral mining and processing
	+ Part 454 - gum and wood chemicals manufacturing
	+ Part 460 - hospital
* septic tank waste, chemical toilet waste, grit trap waste, or grease trap waste
* barge cleaning washwater
* air scrubber wastewater
* any wastewater where a permit by rule authorized under 30 TAC Chapter 321 (relating to Control of Certain Activities by Rule) or commission-issued general permit for land application is available
* remediated or contaminated groundwater generated from facilities where process wastewater is prohibited for use as listed in 30 TAC §210.54(a)(5).

## Who Must Submit The Application?

The **producer** must submit the application for this Level II authorization request. A producer who does not meet Level I authorization requirements as described above may submit a Level II application to request authorization to use industrial reclaimed water.

## When Must The Application Be Submitted?

Reuse activities may not begin until the producer receives written authorization from the executive director. It is recommended that the application be submitted a minimum of 45 days prior to planned commencement of use of industrial reclaimed water.

## Where to Send the Application Form?

**BY REGULAR U.S. MAIL:**

TCEQ

Water Quality Division (MC-148)

P.O. Box 13087

Austin, Texas 78711-3087

**BY OVERNIGHT/EXPRESS MAIL:**

TCEQ

Water Quality Division (MC-148)

12100 Park 35 Circle

Austin, TX 78753

## Where to Mail the Application Fee?

**BY REGULAR U.S. MAIL:**

TCEQ

Financial Administration Division

Cashier’s Office (MC 214)

P.O. Box 13088

Austin, Texas 78711-3088

**BY OVERNIGHT/EXPRESS MAIL:**

TCEQ

Financial Administration Division

Cashier’s Office (MC 214)

12100 Park 35 Circle

Austin, TX 78753

## TCEQ Contact List

Application – status and form questions: 512-239-4671

Technical questions: 512-239-4671

Environmental Law Division: 512-239-0600

Records Management - obtain copies of forms: 512-239-0900

Reports from databases (as available): 512-239-DATA (3282)

## Application Review Process

When your application is received by the program, the form will be processed as follows:

* **Administrative Review**: Each item on the form will be reviewed for a complete response. In addition, the producer and provider’s legal name must be verified with Texas Secretary of State as valid and active (if applicable). The address(s) on the form must be verified with the US Postal service as receiving regular mail delivery. Do not give an overnight/express mailing address.
* **Technical Review**: The form and attachments will be reviewed to determine compliance with 30 TAC §210.
* **Notice of Deficiency:** If an item is incomplete or not verifiable as indicated above, a notice of deficiency (NOD) will be mailed to the application contact. The application contact will have 30 days to respond to the NOD. The response will be reviewed for completeness.
* **Acknowledgment of Coverage:** A reuse authorization will be mailed to the applicant.

OR

* **Denial of Coverage:** If the application contact fails to respond to the NOD or the response is inadequate, authorization may be denied. If authorization is denied, the application contact will be notified.

# INSTRUCTIONS FOR FILLING OUT THE FORM

Indicate if you are requesting a new authorization or an amendment of an existing reuse authorization. If this is an amendment, please provide the reuse authorization number. The reuse authorization number will begin with “2E”.

## Section 1. and 2. Producer and Provider Information

1. TCEQ’s Central Registry assigns each customer a **Customer Number (CN)**. This is not a permit number, registration number, or license number. Search the TCEQ’s [Central Registry](http://www12.tceq.texas.gov/crpub/index.cfm?fuseaction=regent.RNSearch)[[1]](#footnote-1) to find the customer’s assigned CN.
2. Provide the current legal name of the applicant. The name must be provided exactly as filed with the Texas Secretary of State, or on the legal documents forming the entity as filed with the county. If filed in the county, provide a copy of the legal documents showing the legal name.
3. Complete and attach a Core Data Form (TCEQ-10400) for each customer.

## Section 3. Reclaimed Water Users

1. Indicate if the producer, provider, and user are the same entity. If No, complete the questions in this section. If Yes, skip to section 4.
2. Provide the current legal name of the user. The name must be provided exactly as filed with the Texas Secretary of State, or on the legal documents forming the entity as filed with the county. If filed in the county, provide a copy of the legal documents showing the legal name.
3. Provide the user’s physical address and county.
4. Provide the user’s contact information.

## Section 4. Application Contact

Provide the name, title and contact information of the person that TCEQ can contact for additional information regarding this application.

## Section 5. Regulated Entity (RE) Information

1. The **Regulated Entity Reference Number (RN)** is issued by TCEQ’s Central Registry to sites where an activity is regulated by TCEQ. This is not a permit number, registration number, or license number. Search the TCEQ’s [Central Registry](http://www12.tceq.texas.gov/crpub/index.cfm?fuseaction=regent.RNSearch)[[2]](#footnote-2) to find the site’s assigned RN.

Provide the assigned RN for the business site where the regulated activity will occur.

1. Provide the name of the site as known by the public in the area where the site is located.
2. Provide the name of the classified segment that is nearest to the site. For assistance, consult the online “Atlas of Texas Surface Waters” from the [Hydrography Maps and Data](http://www.tceq.texas.gov/waterquality/tmdl/hydromaps.html)[[3]](#footnote-3) web site.
3. Provide the name and number of the classified segment that is nearest to the site. For assistance, consult the online “Atlas of Texas Surface Waters” from the [Hydrography Maps and Data](http://www.tceq.texas.gov/waterquality/tmdl/hydromaps.html)[[4]](#footnote-4) web site.

## Section 6. Producer and User Locations

1. Provide a written location description of the **producer’s** facility. Do not provide directions to the facility. The location description must use easily identifiable landmarks found on a USGS map. The description must include the direction and distance in feet or miles from road intersections and the nearest city, town, or community.

Example: The facility is located 2,600 feet southwest of the intersection of State Highway 20 and Farm-to-Market Road 1200, five miles southeast from the City of Waco.

1. If the **producer’s** facility is within the service area of a publically owned treatment works (POTW), check “Yes;” otherwise check “No.” If you check “Yes,” the producer is required by 30 TAC §210.56(b)(3) to notify the POTW of the intent to use industrial wastewater as industrial reclaimed water. Indicate if this notification has been completed.
2. If the **user’s** site is not the same as the producer’s location, provide a written location description of the reclaimed water use site. Do not provide directions to the site. The location description must use easily identifiable landmarks found on a USGS map. The description must include the direction and distance in feet or miles from road intersections and the nearest city, town, or community.
3. If the site where industrial reclaimed water is to be applied is within the recharge zone of the Edwards Aquifer, check “Yes;” otherwise check “No.” If you check “Yes,” additional information is required to be submitted with the application (see 30 TAC §210.4(d) and §210.23 for details). Provide the additional information as required as an attachment to this application. Questions regarding location of a facility within the recharge zone of the Edwards Aquifer should be routed to the respective TCEQ regional office.

## Section 7. Waste Streams

1. Provide a general description of industrial, manufacturing, or commercial activities conducted on-site.
2. In the table, identify the types of industrial wastewater proposed for use as industrial reclaimed water. Examples: cooling tower blowdown, floor wash water, reverse osmosis reject water. For each type of wastewater, estimate the volume of water generated by each specific waste stream and indicate the approximate volume of water proposed for reuse activities.
3. TCEQ cannot authorize waste streams listed in 30 TAC §210.54 for beneficial reuse. The producer may apply for a TPDES or TLAP permit to request authorization to land apply these types of waste streams. Indicate if the wastewater types proposed for use as industrial reclaimed water are a waste stream listed in 30 TAC §210.54.

## Section 8. End Uses

1. Identify all of the potential uses of the industrial reclaimed water.
2. If the end use is for any type of irrigation, provide the approximate area to be irrigated, the type of crop or vegetation grown over the irrigation area, and how often reuse activities are planned. Example: 120 feet × 500 feet of landscaping area with trees, shrubs, and annual flowers, irrigated approximately once per week.
3. Indicate if the end use is on the producer’s site. If not, the producer is required to comply with the notification requirements in 30 TAC §210.4. Provide the additional information as required as an attachment to this application.

## Section 9. Primary Disposal Method

A primary method of disposal of industrial wastewater is required for periods when use of industrial reclaimed water is not necessary or feasible. Identify the methods of disposal the facility will use. If the method of disposal is not listed, please check “Other” and describe the disposal method in detail. **The primary disposal method cannot be the beneficial reuse itself,** and additional storage does not qualify as a primary method of disposal.

**Note:** If the producer proposes to use a hauler to remove the industrial wastewater, a copy of a contract or agreement must be submitted as an attachment to this application. If the producer proposes to recycle wastewater in a manner that does not discharge into or adjacent to water in the state, a flow schematic must be submitted as an attachment to this application.

## Section 10. Impoundments

Indicate whether impoundments (lagoons or ponds) are used or are planned to be used for treatment, holding, or storage. If “yes,” refer to 30 TAC §210.23 (relating to Storage Requirements for Reclaimed Water) for specific liner requirements and attach a document furnished by a Texas Licensed professional engineer certifying that the pond lining meets all applicable criteria in 30 TAC §210.23.

### **Summary of Pond Requirements**

Ponds must be designed and constructed to prevent groundwater contamination. Soils used for lining shall be free from foreign materials such as paper, brush, trees, and large rocks.

**Within the Edwards Aquifer Recharge Zone** – Ponds located **within** the recharge zone of the Edwards Aquifer, as defined in 30 TAC Chapter 213, must also meet one of the following sets of liner requirements:

*Compacted Clay/In-Situ* – Soil liners must be of compacted material, at least 24 inches thick, compacted in lifts no greater than 6 inches thick and compacted to 95% of Standard Proctor Density. In-situ clay soils meeting the soils liner requirements shall be excavated and recompacted a minimum of 6 inches below planned grade to assure a uniformly compacted finished surface. Soil liners must meet the following size gradation and Atterberg limits:

* 30% or more passing a number 200 mesh sieve;
* a liquid limit of 30% or greater;
* a plasticity index of 15 or greater, and
* have a permeability less than or equal to 1×10-7 cm/sec.

*Synthetic* – Synthetic membrane linings shall have a minimum thickness of 40 mils **with a leak detection system**. In situ liners at least 24 inches thick meeting a permeability less than or equal to 1×10-7 cm/sec are acceptable alternatives.

**Not Within the Edwards Aquifer Recharge Zone** – All ponds located **outside** the recharge zone of the Edwards Aquifer shall meet one of the following sets of liner requirements:

*Compacted Clay/In-Situ*– Soil liners must be of compacted material having a permeability less than or equal to 1×10-4 cm/sec, at least 24 inches thick, compacted in lifts no greater than 6 inches each.

*Synthetic* – Synthetic membrane linings shall have a minimum thickness of 40 mils. In situ liners at least 24 inches thick meeting a permeability less than or equal to 1×10-4 cm/sec are acceptable alternatives.

## Section 11. Compliance History

If the facility is currently required to meet any implementation schedule for this site, check “yes.” This requirement includes Federal, State, or local authority permit conditions; administrative or enforcement orders; and enforcement compliance schedule letters, stipulations, court orders, or grant and loan conditions.

If “yes,” provide a brief summary of the requirements which includes background discussion of the requirements, an identification of each compliance/abatement requirement, and a listing of the required projected final compliance dates.

## Section 12. Attachments

1. Complete and attach the TCEQ Core Data Form (TCEQ-10400) for each customer.
2. Attach copy of the analytical laboratory reports for the industrial reclaimed water.

## Section 13. Industrial Reclaimed Water Analysis

All laboratory tests performed to demonstrate compliance with the requirements of this authorization must meet the requirements of 30 TAC Chapter 25, Environmental Testing Laboratory Accreditation and Certification.

All tests must be performed down to the minimum analytical level (MAL) specified in the application.

**Tables 1** All industrial wastewater requesting to be used as industrial reclaimed water (Level II Authorization) shall be sampled and analyzed for those parameters listed in Tables 1 of this application for a minimum of one (1) sampling event. All results are to be reported in mg/L.

**Tables 2-1, 2-2, and 2-3** – If the industrial wastewater is considered a **process wastewater**, then Tables 2-1,-2-2, and 2-3 must also be completed in full. A minimum of one sample shall be obtained and analyzed for each pollutant. All results are to be reported in µg/L.

If the industrial wastewater is considered a **non-process wastewater**, Tables 2-1, 2-2, and 2-3 do not need to be completed **unless** the producer believes one or more pollutants may be present in the wastewater. Then a minimum of one sample shall be obtained and analyzed for the pollutant(s) believed to be present.

Additional testing may be required if the TCEQ thinks additional pollutants may be present in the wastewater based on process knowledge or best professional judgment.

**Note:** If effluent data is not available because the facility has not been constructed, the effluent testing requirements will be included in the authorization, and testing results will have to be submitted to and reviewed by the TCEQ before the industrial wastewater may be re-used under the authorization.

## Section 14. Signature and Certification

Each entity applying for the permit is required to sign the certification statement. Indicate the role of the person signing.

The certification must bear an original signature of a person meeting the signatory requirements specified under 30 Texas Administrative Code §305.44.

IF YOU ARE A CORPORATION:

The regulation that controls who may sign an application form is 30 Texas Administrative Code §305.44(a), which is provided below. According to this code provision, any corporate representative may sign an NOI or similar form so long as the authority to sign such a document has been delegated to that person in accordance with corporate procedures. By signing the NOI or similar form, you are certifying that such authority has been delegated to you. The TCEQ may request documentation evidencing such authority.

IF YOU ARE A MUNICIPALITY OR OTHER GOVERNMENT ENTITY:

The regulation that controls who may sign an NOI or similar form is 30 Texas Administrative Code §305.44(a), which is provided below. According to this code provision, only a ranking elected official or principal executive officer may sign an NOI or similar form. Persons such as the City Mayor or County Commissioner will be considered ranking elected officials. In order to identify the principal executive officer of your government entity, it may be beneficial to consult your city charter, county or city ordinances, or the Texas statutes under which your government entity was formed. An NOI or similar document that is signed by a government official who is not a ranking elected official or principal executive officer does not conform to §305.44(a) (3). The signatory requirement may not be delegated to a government representative other than those identified in the regulation. By signing the NOI or similar form, you are certifying that you are either a ranking elected official or principal executive officer as required by the administrative code. Documentation demonstrating your position as a ranking elected official or principal executive officer may be requested by the TCEQ.

If you have any questions or need additional information concerning the signatory requirements discussed above, please contact the Texas Commission on Environmental Quality’s Environmental Law Division at 512-239-0600.

30 Texas Administrative Code §305.44. Signatories to Applications

(a) All applications shall be signed as follows.

(1) For a corporation, the application shall be signed by a responsible corporate officer. For purposes of this paragraph, a responsible corporate officer means a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding $25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures. Corporate procedures governing authority to sign permit or post-closure order applications may provide for assignment or delegation to applicable corporate positions rather than to specific individuals.

(2) For a partnership or sole proprietorship, the application shall be signed by a general partner or the proprietor, respectively.

(3) For a municipality, state, federal, or other public agency, the application shall be signed by either a principal executive officer or a ranking elected official. For purposes of this paragraph, a principal executive officer of a federal agency includes the chief executive officer of the agency, or a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., regional administrator of the EPA).

1. http://www12.tceq.texas.gov/crpub/index.cfm?fuseaction=regent.RNSearch [↑](#footnote-ref-1)
2. http://www12.tceq.texas.gov/crpub/index.cfm?fuseaction=regent.RNSearch [↑](#footnote-ref-2)
3. http://www.tceq.texas.gov/waterquality/tmdl/hydromaps.html [↑](#footnote-ref-3)
4. http://www.tceq.texas.gov/waterquality/tmdl/hydromaps.html [↑](#footnote-ref-4)