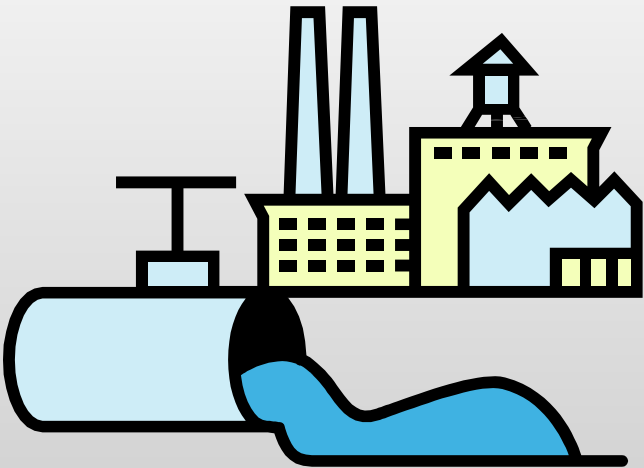


# The Industrial Wastewater Permitting Process



# Overview

Who needs a permit?

Types of permits

The permitting  
process



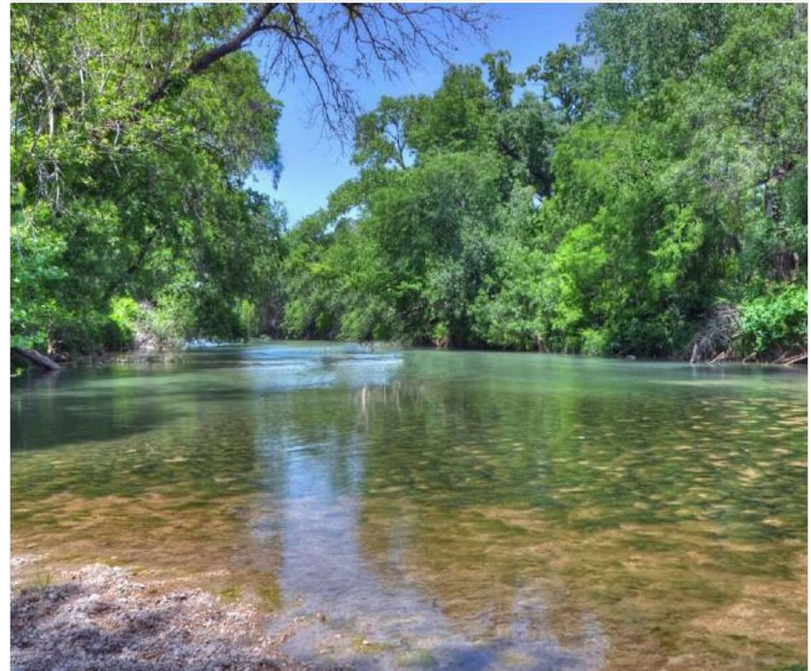


- Pursuant to the Texas Water Code §26.121:
  - Except as authorized by the commission, no person may discharge sewage, municipal waste, recreational waste, agricultural waste, or industrial waste into or adjacent to any water in the state.





- Water in the State
  - "Water" or "water in the state" means groundwater, percolating or otherwise, lakes, bays, ponds, impounding reservoirs, springs, rivers, stream... inside the jurisdiction of the state.



# Types of Permits

- Individual Authorizations

- Direct discharges (TPDES)
- Land Application (TLAP)
- Hybrid (TPDES/TLAP)

- Reuse Authorizations

- 30 TAC Chapter 210 E

- General Permits

- Construction GP
- Aquaculture GP

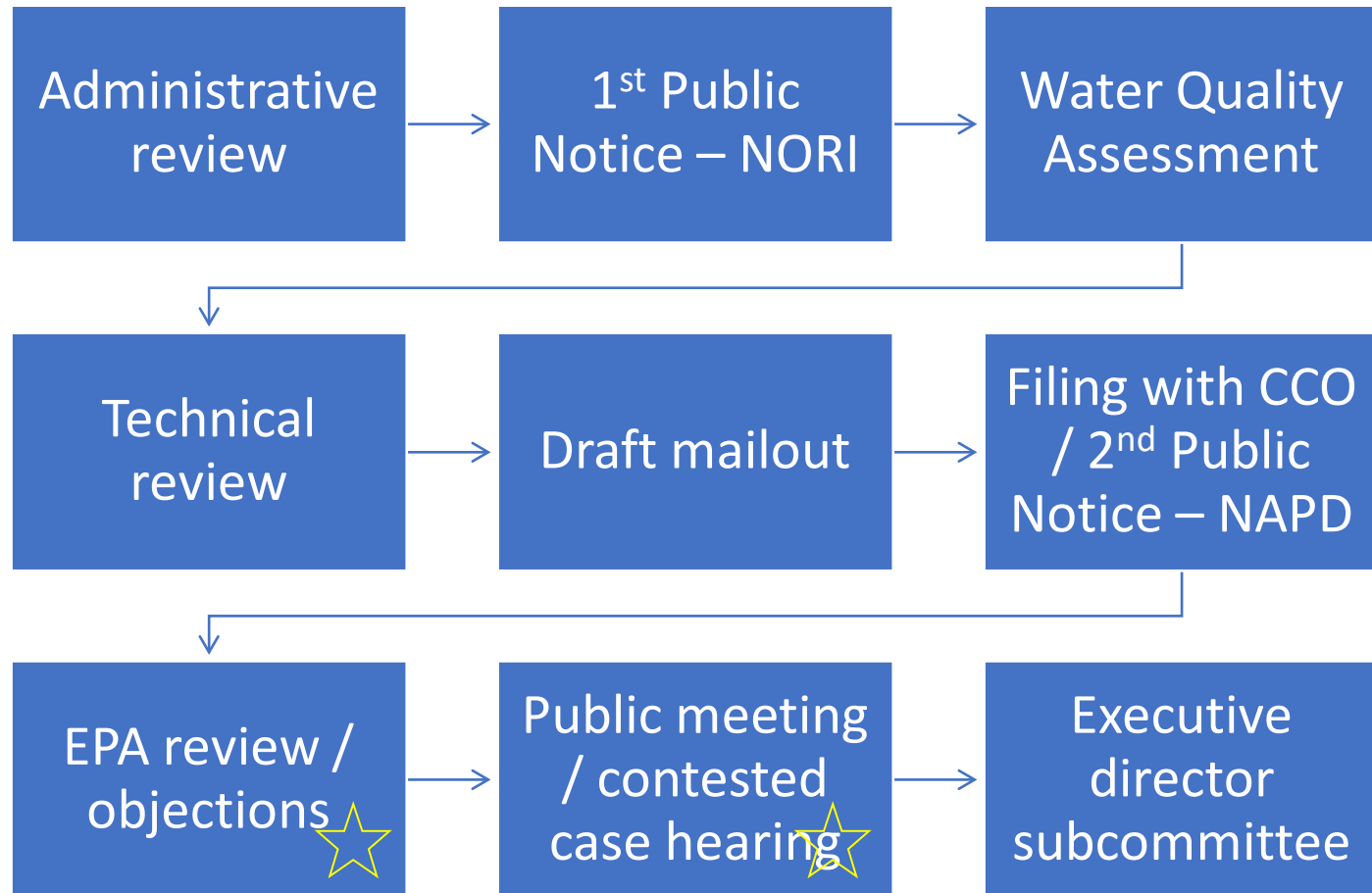


- Multi-Sector GP
- Evaporation Pond GP
- Concrete Batch Plant GP



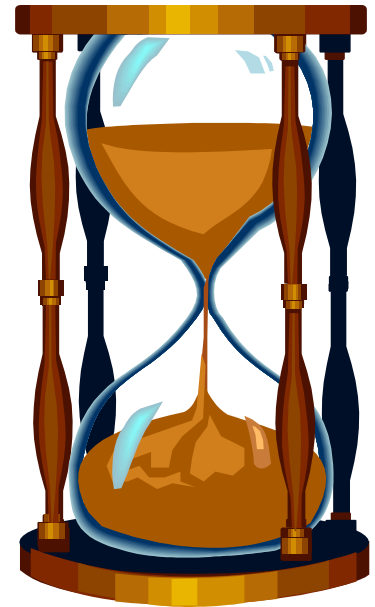


# Permitting Process

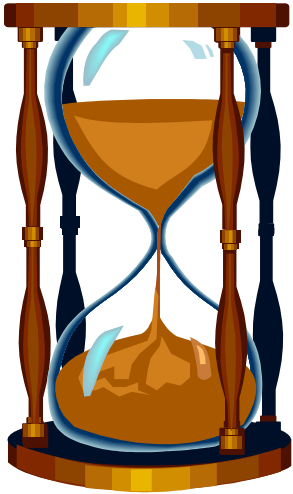


# Processing Time Frames

- **New application**
  - **330** days for both Major and Minor facilities
- **Major amendment**
  - Major facilities – **330** days
  - Minor facilities – **300** days
- **Renewal**
  - Major facilities – **330** days
  - Minor facilities – **300** days



# Water Quality Division Timeline



This new timeframe applies to all applications received after 09/01/2021:

- Our division has 170 days to submit a draft permit to the Office of the Chief Clerk.
- Our permit timeframes act as a chess clock.
- We are not accountable for time waiting on a response from a permittee.





# Processing Time Frames Continued.

Timeframes may be extended if:

- EPA issues objections to the draft permit
- TCEQ receives request(s) for public meeting or contested case hearing



# Administrative Review

The Administrative Report includes

- Applicant and site information
- Notice information
- Landowner information

The Core Data Form is reviewed during this stage of the process.

Please respond promptly to any notices of deficiency (NODs).



# Administrative Review Cont.

- Notice of Receipt of Application and Intent to Obtain a Water Quality Permit (NORI) – “first notice”
  - Publish this notice promptly and return the documentation to the Office of the Chief Clerk (OCC)
  - The draft permit cannot be filed with the OCC if the NORI process is incomplete.



# Title VI Requirements

- All applications administratively complete after May 1<sup>st</sup>, 2022, must adhere to Title VI requirements.
  - An alternative language notice (ALN) and plain language summary is required if the location of your facility meets certain criteria.
  - ALNs are required for all applications, including minor amendments.
  - ALNs are required for NORI and/or NAPD completion.



# Water Quality Assessment - TPDES

## Water Quality Standards

- Uses and criteria
- Antidegradation
- Endangered species

## Critical Conditions

- Critical low flow
- Mixing zone definition



# Water Quality Assessment - TPDES

## Dissolved Oxygen (DO) Modeling

- Impact of discharge(s) on DO
- Water body impairments
- Completed total maximum daily loads (TMDLs)



## Biomonitoring

- Whole effluent toxicity (WET) testing or limits



# Water Quality Assessment - TLAP



## Agronomy

Crops  
Soil testing

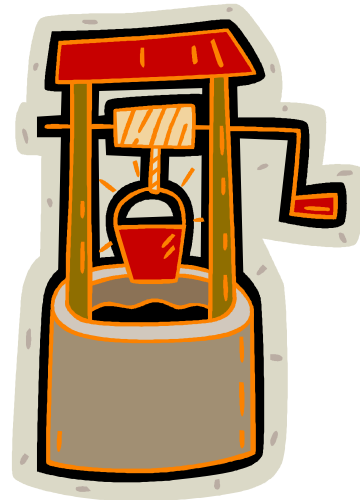


## Hydrogeology

Pond-lining requirements  
Buffer zones  
Groundwater monitoring



## Permit Writer's Review





# The Development Process for Industrial Permits

- Preliminary technical review
- Technical Review
  - Compliance history
  - Self-reported effluent data (DMRs)
  - Technology-based effluent limits
  - Water quality-based effluent limits
  - Final effluent limits



# The Development Process for Industrial Permits

- Peer review process
- Draft permit mailout
- Applicant comments/approval
- Filing with the OCC
- EPA review\*
- Public meeting may be held / response to public comments\*



# Industrial Permits - Review

- Notice of Application and Preliminary Decision (NAPD) – “second notice”
  - Again, publish this notice promptly and return the documentation to the OCC.
  - If comments are received, the permit writer and TCEQ Legal staff prepare a response to comments document.
  - If a public meeting is held, the comment period is typically extended until the end of meeting.



# Executive Director Sub-delegation

- Permit Writer
- Team Leader
- Section Manager
- Deputy Director
- (TCEQ Legal staff)




# Congratulations!

## You now have a permit.



# Forms and Instructions

 TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Home | Air | Land | Water | Licenses | Permits | Reporting

Search Site

Wastewater and Stormwater Home

Available Water Quality General Permits


Industrial Wastewater Discharges: Am I Regulated?

Sewage Sludge and Biosolids: Am I Regulated?

Wastewater Pretreatment

Water Quality Permits for Agriculture

Completing Water Quality Applications

 How are we doing? Take our customer satisfaction survey

Home / Permits, Registrations, and Reporting / Wastewater Treatment / Industrial / Industrial Wastewater Discharges: The Permit Process

## Industrial Wastewater Discharges: The Permit Process

This page contains a brief description of the industrial wastewater permitting process for Texas Pollutant Discharge Elimination System (TPDES) permits and Texas Land Application permits (TLAPs).

If you must obtain an individual permit to discharge industrial wastewater into or adjacent to "**waters in the state**," take these steps to begin the permitting process:

1. **Contact TCEQ staff well before you apply for the permit.** This is not a requirement, but is highly recommended. Our staff will help you determine if, and what type of, a permit is needed, as well as what information needs to go into a permit application package.
2. **Find out whether the water body receiving the discharge is listed as impaired in the Texas Integrated Report of Surface Water Quality.** New discharges into impaired water bodies may not be allowed or may come with stringent requirements.

Questions or Comments:  
wqap@tceq.texas.gov

### Related Content


- Delinquent Fees and penalties
- Occupational Licensing
- State 401 Certification of Federal 404 Dredge and Fill Permits
- Advisory Groups
- Water Quality Management Plan

### Participating in the Process

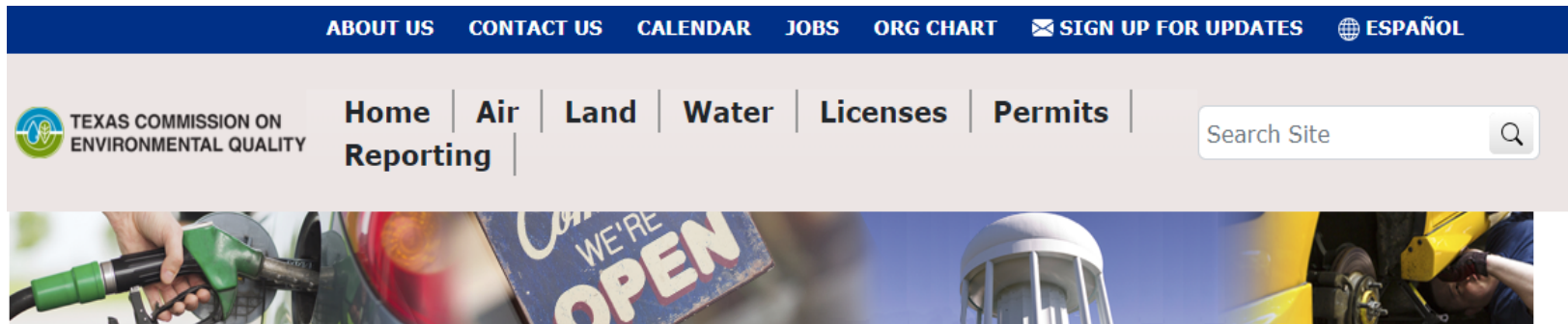
**Wastewater Permit Applications Participating in the Review Process**

In our review of wastewater permit applications, the public's opportunity

[https://www.tceq.texas.gov/permitting/wastewater/industrial/TPDES\\_industrial\\_wastewater\\_steps.html](https://www.tceq.texas.gov/permitting/wastewater/industrial/TPDES_industrial_wastewater_steps.html)

The logo of the Texas Commission on Environmental Quality (TCEQ) is a circular emblem. It features a green outer ring with the text "TEXAS COMMISSION ON ENVIRONMENTAL QUALITY" in white. Inside the ring is a stylized graphic of a blue water drop and a green leaf, symbolizing environmental protection and water quality.

# Questions or need help?



## Small Business and Local Government Assistance Home


### Air Compliance Resources

### Water Compliance Resources

### Waste Compliance Resources

### The Advocate: Email Updates

### Compliance Assistance Videos


 How are we doing? Take our

Home /  
Small Business and Local Government Assistance

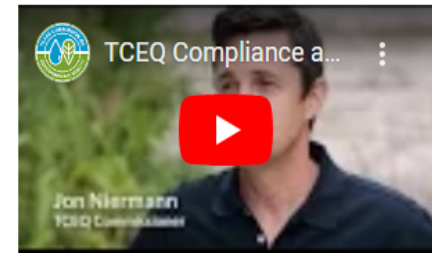
## TexasEnviroHelp - Small Business and Local Government Assistance

Resources specifically tailored to help small businesses and local governments comply with environmental regulations.

The Small Business and Local Government Assistance (SBLGA) program provides technical assistance without the threat of enforcement.

- Call us toll free at **(800) 447-2827**.
- Find the nearest **Compliance Assistance Specialist**.
- Read more about rule changes that impact small businesses and local governments in **The Advocate**.
-  **Sign up to receive an email or text alert** when TCEQ posts information regarding

Questions or Comments:  
[TexasEnviroHelp@tceq.texas.gov](mailto:TexasEnviroHelp@tceq.texas.gov)



### Hot Topics

**HOT** In accordance with Texas Health and Safety Code Subsection 341.033(i)(6), non-industrial public water systems (PWS) must immediately notify TCEQ of an unplanned condition that has caused

<https://www.tceq.texas.gov/assistance/sblga.html>





# Contact us:

<b>Wastewater Permitting Section</b>	<b>Mailing Address: P.O. Box 13087 Austin, Texas 78711-0387</b>	<b>Main Line: 512-239-4671 Extension:</b>
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<b>Industrial Permits Team Leader</b>	Alyssa. Loveday <a href="mailto:Alyssa.Loveday@tceq.texas.gov">Alyssa.Loveday@tceq.texas.gov</a>	4524
<b>Wastewater Permitting Section Manager</b>	Matthew Udenenwu <a href="mailto:Mathew.Udenenwu@tceq.texas.gov">Mathew.Udenenwu@tceq.texas.gov</a>	6922

[https://www.tceq.texas.gov/agency/directory/water\\_directory.html](https://www.tceq.texas.gov/agency/directory/water_directory.html)

