NPDES PERMIT NO. TX0134056
STATEMENT OF BASIS

FOR THE DRAFT NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT TO DISCHARGE TO WATERS OF THE UNITED STATES

APPLICANT

Freeport LNG Pretreatment Facility
1500 Lamar Street
Quintana TX 77541

ISSUING OFFICE

U.S. Environmental Protection Agency
Region 6
1445 Ross Avenue
Dallas, Texas 75202-2733

PREPARED BY

Maria Okpala
Environmental Engineer
NPDES Permits & Technical Branch (6WQ-PP)
Water Quality Protection Division
VOICE: 214-665-3152
FAX: 214-665-2191
EMAIL:okpala.maria@epa.gov

DATE PREPARED

March 6, 2018

PERMIT ACTION

It is proposed that the facility be issued an NPDES permit for a 5-year term in accordance with regulations contained in 40 Code of Federal Regulations (CFR) 122.46(a).

40 CFR CITATIONS: Unless otherwise stated, citations to 40 CFR refer to promulgated regulations listed at Title 40, Code of Federal Regulations, revised as of March 2, 2018

RECEIVING WATER – BASIN
Discharges are to South Horseshoe Lake, an intermittent water body with perennial pools and is located in Brazoria County, Texas. The outfall ultimately discharges to Segment 2501 (classified), Gulf of Mexico.

DOCUMENT ABBREVIATIONS

In the document that follows, various abbreviations are used. They are as follows:

AVT	Air Vaporization Tower
BAT	Best available technology economically achievable
BCT	Best conventional pollutant control technology
BOD	Biochemical oxygen demand (5-day)
BPT	Best practicable control technology currently available
BMP	Best management plan
BPJ	Best professional judgment
° C	Celsius, degrees
CFR	Code of Federal Regulations
cfs	Cubic feet per second
COD	Chemical oxygen demand
COE	United States Corp of Engineers
CWA	Clean Water Act
DMR	Discharge monitoring report
EA	Environmental Assessment
EIS	Environmental Impact Statement
ELG	Effluent limitation guidelines
EFH	Essential fish habitat
EPA	United States Environmental Protection Agency
ESA	Endangered Species Act
° F	Fahrenheit, degrees
FCB	Fecal coliform bacteria
GIWW	Gulf Intercostal Waterway
GOM	Gulf of Mexico
gpm	Gallons per minute
LNG	Liquefied natural gas
mg/l	Milligrams per liter (part per million)
ug/l	Micrograms per liter (part per billion)
MARAD	United States Maritime Administration
MGD	Million gallons per day
MQL	Minimum quantification level
NGL	Natural Gas Liquid
NEPA	National Environmental Policy Act
NMFS	National Marine Fisheries Service
NOAA	National Oceanographic and Atmospheric Administration
NPDES	National Pollutant Discharge Elimination System
ODC	Ocean Discharge Criteria
O&G	Oil and grease
RP	Reasonable potential
SIC	Standard industrial classification
s.u.	Standard units (for parameter pH)
TDS	Total dissolved solids
TMDL	Total maximum daily load
TOC	Total organic carbon
TRC	Total residual chlorine
TSS	Total suspended solids
USCG	U.S. Coast Guard
USFWS	United States Fish & Wildlife Service
USGS	United States Geological Service
WLA	Wasteload allocation
WET	Whole effluent toxicity
WQMP	Water Quality Management Plan

I. PROPOSED CHANGES FROM CURRENT PERMIT

New Discharger

II. APPLICANT LOCATION and ACTIVITY

Under the Standard Industrial Classification (SIC) Code No. 1321, the applicant operates a natural gas liquid plant. As described in the application, the facility is located at No. 1500 Lamar Street, Quintana, Brazoria County, Texas.

Freeport LNG's natural gas pretreatment facility has three (3) natural gas pretreatment systems and associated NGL removal units. The pretreatment facility will be used to purify pipeline quality natural gas to be sent to Freeport LNG liquefaction plant for the production of LNG. The pretreatment facility will consist of inlet separators, mercury guard beds, compressors, acid gas removal units, dehydration units, NGL recovery units, a gas turbine generator, and associated ancillary facilities. NGL product will be transferred via pipeline to the nearby storage and trucking facility located outside of the battery limits of pretreatment facility. The pretreatment facility is located approximately 3.5 miles inland to the northeast of Freeport's LNG's liquefaction plant located on Quintana Island in Brazoria County, Texas.

III. DISCHARGE LOCATION

The discharge points showing Outfall number, discharge coordinates: latitude and longitude, county, average flow rate in millions gallons per day (MGD), receiving water, and the waterbody identification numbers are shown in the following table:

Table 1 – Discharge Location for Outfalls 001 and Internal Outfall 101

Outfall Reference Number	Discharge Coordinates Latitude Deg° Min' Sec" Longitude Deg° Min' Sec"	County	Average Flow MGD	Receiving Water	Segment #
001	28°58' 54" N 95°18' 48 W	Brazoria	0.000036	South Horseshoe Lake to Canal to GIWW, thence to Gulf of Mexico	Segment No. 2501
101	28°58' 59" N 95° 18' 35" W	Brazoria	0.000296	Retention Pond then to South Horseshoe Lake, then to Canal, thence to GIWW thence to Gulf of Mexico	Segment No. 2501

Internal Outfall 101 will discharge stormwater exposed to industrial operations through oily water collection systems that are designed to collect stormwater effluents that might be contaminated with oil or heavy hydrocarbons. Discharges from Outfall 101 flows directly to sumps or pass through oily water stormceptors then to sumps. Contaminated water is removed by vacuum trucks for proper disposal offsite. Diesel fuel is a potential contaminant from

appurtenant piping and storage tanks required for standby generators. Curbed areas collect potential spills and contaminants, which are removed with vacuum trucks. Washwater from a washrack used to clean light utility vehicles will also be discharged.

Outfall 001 will discharge stormwater and firewater/eyewash/safety shower test water. Discharges of firewater, eyewash and safety shower discharges will be conducted through routine testing/flushing activities. Eyewash and safety shower discharges will be from the municipal water supply and will not hyperchlorinated.

The results of the data contained in the permit application are:

OUTFALL 101 –Demineralized Water Treatment, Firewater (Emergency Eqpt), Stormwater, Eyewash/Safety Shower test, Vehicle Washwater		
POLLUTANT	Max Daily, mg/l, unless noted	Average Daily, mg/l, unless noted
pH, s.u	6 - 9	6 - 9
TOC	30	20
O & G	15	10
Flow, MGD	0.067332	0.000296
BOD	61	22
COD	490	460
TSS	58	26
Copper	0.235	0.17
Nickel	0.03	0.03
Zinc	0.68	0.45
TRC	NA	NA

OUTFALL 001 – Firewater System (Emergency Eqpt), Eyewash/safety shower test, stormwater		
POLLUTANT	Max Daily, mg/l, unless noted	Average Daily, mg/l, unless noted
pH, s.u	6 - 9	6 - 9
TSS	45	45
Flow, MGD	0.003250	0.000036
TRC	2	2

IV. REGULATORY AUTHORITY/PERMIT ACTION

In November 1972, Congress passed the Federal Water Pollution Control Act establishing the NPDES permit program to control water pollution. These amendments established technology-based or end-of-pipe control mechanisms and an interim goal to achieve “water quality which provides for the protection and propagation of fish, shellfish, and wildlife and provides for recreation in and on the water,” more commonly known as the “swimmable, fishable” goal.

Further amendments in 1977 of the CWA gave EPA the authority to implement pollution control programs such as setting wastewater standards for industry and established the basic structure for

regulating pollutants discharges into the waters of the United States. In addition, it made it unlawful for any person to discharge any pollutant from a point source into navigable waters, unless a permit was obtained under its provisions. Regulations governing the EPA administered NPDES permit program are generally found at 40 CFR §122 (program requirements & permit conditions), §124 (procedures for decision making), §125 (technology-based standards) and §136 (analytical procedures). Other parts of 40 CFR provide guidance for specific activities and may be used in this document as required.

It is proposed that the permit be issued for a 5-year term following regulations promulgated at 40 CFR 122.46(a). This is a first-time permit issuance.

An NPDES Application for a Permit to Discharge (Form 1 and Form 2D) was received on September 19, 2017. Additional permit application information was received via email on January 23, 2018, & January 30, 2018, and was deemed administratively complete on February 7, 2018.

V. DRAFT PERMIT RATIONALE AND PROPOSED PERMIT CONDITIONS – TECHNOLOGY BASED LIMITATIONS

A. OVERVIEW of TECHNOLOGY-BASED VERSUS WATER QUALITY STANDARDS-BASED EFFLUENT LIMITATIONS AND CONDITIONS

Regulations contained in 40 CFR §122.44 NPDES permit limits are developed that meet the more stringent of either technology-based effluent limitation guidelines, numerical and/or narrative water quality standard-based effluent limits, on best professional judgment (BPJ) in the absence of guidelines, and/or requirements pursuant to 40 CFR 122.44(d), whichever are more stringent. Technology-based effluent limitations are established in the proposed draft permit for TSS, Oil and grease, visible oil sheen and TOC at internal Outfall 101. Water quality-based effluent limitations are established in the proposed draft permit for pH, and TRC, visible oil sheen at Outfall 001.

TECHNOLOGY-BASED EFFLUENT LIMITATIONS/CONDITIONS

Regulations promulgated at 40 CFR §122.44 (a) require technology-based effluent limitations to be placed in NPDES permits based on ELGs where applicable, on BPJ in the absence of guidelines, or on a combination of the two. In the absence of promulgated guidelines for the discharge, permit conditions may be established using BPJ procedures. EPA establishes limitations based on the following technology-based controls: BPT, BCT, and BAT. These levels of treatment are:

BPT - The first level of technology-based standards generally based on the average of the best existing performance facilities within an industrial category or subcategory.

BCT - Technology-based standard for the discharge from existing industrial point sources of conventional pollutants including BOD, TSS, fecal coliform, pH, and O&G.
BAT - The most appropriate means available on a national basis for controlling the direct discharge of toxic and non-conventional pollutants to navigable waters. BAT effluent limits

represent the best existing performance of treatment technologies that are economically achievable within an industrial point source category or subcategory.

Regulations contained in 40 CFR §122.44 require that NPDES permit limits are developed that meet the more stringent of either technology-based effluent limitation guidelines, numerical and/or narrative water quality standard-based effluent limits, or the previous permit.

Discharges from Outfall 101 are Demineralized Water Treatment, Firewater (Emergency Eqpt), Stormwater, Eyewash/Safety Shower test, Vehicle Washwater. EPA proposes to limit pH in discharges from Outfall 101. Technology based limits for pH is within the range 6-9 su.

Discharges from Outfall 001 is stormwater, firewater system (emergency equipment), and eyewash/safety shower test.

Limitations for O&G, daily maximum 15 mg/l, monthly average 10 mg/l, for internal Outfall 101 based on American Petroleum Institute (API) Oil and Water Separator Code 421, using Coalescing Separator Design and BPJ of the permit writer. Flow shall be an "estimate" and shall not be subject to the accuracy provisions established at Part III.C.6. Flow may be estimated using best engineering judgment.

The proposed permit establishes a TOC daily maximum limitation of 50 mg/L since uncontaminated or low potential contaminated stormwater which includes stormwater runoff from non-process area discharges from internal Outfall 101. TOC limit is established based on information contained in the permit application and the BPJ of the permit writer.

The proposed permit prohibits the discharge of free oil (no visible sheen) from internal Outfall 101. The associated process discharges must not cause a film or sheen or discoloration on the surface of the receiving water. This limit was derived from the BCT/BAT effluent limitations guidelines for the offshore oil and gas industry which prohibit free oil (no visible sheen) in discharges as contained in 40 CFR Part 435.14, Oil and Gas Extraction Point Source Category using BPJ. The technology basis for this limitation is segregation of materials and best management practices to control the inadvertent release of hydraulic oils and other lubricating materials. Visual observations of the discharge would be required to determine compliance with this limit. The permit limit shall be zero (0) days, and the operator shall count the number of days, when discharging, that the discharge has a visible sheen, and report the monthly total on the discharge monitoring form.

Since internal Outfall 101 uses a Stormceptor® (trade name) oil/water/sediment separator, the limitation for TSS is not established. In an email dated March 8, 2018, the permittee clarified that those drainage areas directly to the retention pond (not through internal outfall 101) will not be paved. The permittee also stated that some of the areas will be gravel or caliche and others will be earthen and will be stabilized with vegetation. As a result, TSS limitations and monitoring requirements are established at Outfall 001.

The permit will not at this time establish mass loading limits from any of the outfalls since flow rate and the concentration limits will be protective of the environment and the discharges are episodic.

B. STORM WATER POLLUTION PREVENTION PLAN (SWP3)

A requirement to develop a SWP3 is proposed in the draft permit. The SWP3, together with the additional documentation requirements is intended to document the selection, design, installation, and implementation (including inspection, maintenance, monitoring, and corrective action) of control measures being used to comply with the effluent limits set forth in the proposed permit.

The SWP3 must include documentation that all unauthorized discharges have been eliminated. The documentation must include the date of any evaluation, and describe any test or evaluation conducted to detect such discharges, the results of those evaluations. Acceptable test or evaluation techniques include dye testing, television surveillance, visual observation of outfall or other appropriate locations during dry weather, water balance calculations, and analysis of piping and drainage schematics. A combination of these mechanisms may be necessary to complete a thorough evaluation.

It is proposed that the facility conduct an annual inspection of the facility to identify areas contributing to the storm water discharge and identify potential sources of pollution which may affect the quality of storm water discharges from the facility.

This permit requires the permittee to identify potential sources of pollutants in stormwater resulting from exposure of industrial activities to stormwater. The operator must document the associated pollutants or pollutant constituents (e.g., biochemical oxygen demand, suspended solids). The pollutant list must include all significant materials that have been handled, treated, stored or disposed, and that have been exposed to stormwater in the three (3) years prior to the date the permittee prepares or amends its SWP3 as well as any additional significant materials that the permittee plans to use during the life of the permit.

EPA defines “significant materials” at 122.26(b)(12) as including but not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under section 101(14) of CERCLA; any chemical the permittee is required to report pursuant to section 313 of title III or SARA; fertilizers; pesticides; and waste products such as ashes, slag and sludge that have the potential to be released with stormwater discharges.

The proposed permit also requires the permittee to develop a site map. The site map shall include all areas where storm water may contact potential pollutants or substances which can cause pollution.

It is also proposed that all spilled product and other spilled wastes be immediately cleaned up and properly disposed. The SWP3 must include a list of any significant spills and leaks of pollutants that occurred in the 3 years prior to the date the SWP3 was developed or amended. The permittee should, to the extent practicable, identify any significant spills or leaks attributable to the old permittee. Significant spills include, but are not limited to, releases of oil or hazardous substances in excess of quantities that are reportable under section 311 of the CWA (see 40 CFR 110.10 and 40 CFR 117.21) or section 102 of CERCLA (see 40 CFR 302.4). Significant spills may also include releases of materials that are not classified as oil or hazardous substances. The list of significant spills and leaks should include a description of the causes of each spill or leak, the actions taken to respond to each release, and the actions taken to prevent similar spills or

leaks in the future. These efforts will aid the permittee in developing spill prevention and response procedures. Any spills or leaks that occur while covered under this permit must be documented.

Documenting spills does not relieve the permittee of any reporting requirements established in 40 CFR 110, 40 CFR 117, and 40 CFR 302, or any other statutory requirements relating to spills or other releases of oils or hazardous substances.

C. WATER QUALITY BASED LIMITATIONS

1. General Comments

Water quality based requirements are necessary where effluent limits more stringent than technology-based limits are necessary to maintain or achieve federal or state water quality limits. Under Section 301(b)(1)(C) of the CWA, discharges are subject to effluent limitations based on federal or state WQS. Effluent limitations and/or conditions established in the draft permit are in compliance with applicable State WQS and applicable State water quality management plans to assure that surface WQS of the receiving waters are protected and maintained, or attained.

2. Implementation

The NPDES permits contain technology-based effluent limitations reflecting the best controls available. Where these technology-based permit limits do not protect water quality or the designated uses, additional water quality-based effluent limitations and/or conditions are included in the NPDES permits. State narrative and numerical water quality standards are used in conjunction with EPA criteria and other available toxicity information to determine the adequacy of technology-based permit limits and the need for additional water quality-based controls.

3. State Water Quality Standards

The Clean Water Act in Section 301 (b) requires that effluent limitations for point sources include any limitations necessary to meet water quality standards. Federal regulations found at 40 CFR 122.44(d) state that if a discharge poses the reasonable potential to cause an in-stream excursion above a water quality criterion, the permit must contain an effluent limit for that pollutant. If the discharge poses the reasonable potential to cause an in-stream violation of narrative standards, the permit must contain prohibitions to protect that standard. Additionally, the TWQS found at 30 TAC Chapter 307 states that "surface waters will not be toxic to man from ingestion of water, consumption of aquatic organisms, or contact with the skin, or to terrestrial or aquatic life." The methodology outlined in the "Procedures to Implement the Texas Surface Water Quality Standards" (IP) is designed to ensure compliance with 30 TAC Chapter 307. Specifically, the methodology is designed to ensure that no source will be allowed to discharge any wastewater which: (1) results in instream aquatic toxicity; (2) causes a violation of an applicable narrative or numerical state water quality standard; (3) results in the endangerment of a drinking water supply; or (4) results in aquatic bioaccumulation which threatens human health.

The IP document is not a state water quality standard, but rather, a non-binding, non-regulatory guidance document. See IP at page 2 stating that "this is a guidance document and should not be

interpreted as a replacement to the rules. The TWQS may be found in 30 TAC Sections (§§) 307.1-.10."). EPA does not consider the IP to be a new or revised water quality standard and has never approved it as such. EPA did comment on and conditionally "approve" the IP as part of the Continuing Planning Process (CPP) required under 40 CFR §130.5(c) and the Memorandum of Agreement between TCEQ and EPA, but this does not constitute approval of the IP as a water quality standard under CWA section 303(c). Therefore, EPA is not bound by the IP in establishing limits in this permit – but rather, must ensure that the limits are consistent with the EPA-approved state WQS. However, EPA has made an effort, where we believe the IP procedures are consistent with all applicable State and Federal regulations, to use those procedures.

The general criteria and numerical criteria which make up the stream standards are provided in the 2000 EPA-approved Texas Water Quality Standards, Texas Administrative Code (TAC), 30 TAC Sections 307.1 - 307.9, effective September 23, 2014.

The known uses of the Gulf of Mexico, Segment 2501 are primary contact recreation, exceptional aquatic life use and Oyster waters.

4. Reasonable Potential- Procedures

EPA develops draft permits to comply with State WQS, and for consistency, attempts to follow the IP where appropriate. However, EPA is bound by the State's WQS, not State guidance, including the IP, in determining permit decisions. EPA performs its own technical and legal review for permit issuance, to assure compliance with all applicable State and Federal requirements, including State WQS, and makes its determination based on that review. Waste load allocations (WLA's) are calculated using estimated effluent dilutions, criteria outlined in the TWQS, and partitioning coefficients for metals (when appropriate and designated in the implementation procedures). The WLA is the end-of-pipe effluent concentrations that can be discharged and still meet instream criteria after mixing with the receiving stream. From the WLA, a long term average (LTA) is calculated, for both chronic and acute toxicity, using a log normal probability distribution, a given coefficient of variation (0.6), and either a 90th or a 99th percentile confidence level. The 90th percentile confidence level is for discharges to rivers, freshwater streams and narrow tidal rivers with upstream flow data, and the 99th percentile confidence level is for the remainder of cases. For facilities that discharge into receiving streams that have human health standards, a separate LTA will be calculated. The implementation procedures for determining the human health LTA use a 99th percentile confidence level, along with a given coefficient of variation (0.6). The lowest of the calculated LTA; acute, chronic and/or human health, is used to calculate the daily average and daily maximum permit limits.

Procedures found in the IP for determining significant potential are to compare the reported analytical data either from the DMR history and/or the application information, against percentages of the calculated daily average water quality-based effluent limitation. If the average of the effluent data equals or exceeds 70% but is less than 85% of the calculated daily average limit, monitoring for the toxic pollutant will usually be included as a condition in the permit. If the average of the effluent data is equal to or greater than 85% of the calculated daily average limit, the permit will generally contain effluent limits for the toxic pollutant. The permit may specify a compliance period to achieve this limit if necessary. Procedures found in the IP

require review of the immediate receiving stream and effected downstream receiving waters. Further, if the discharge reaches a perennial stream or an intermittent stream with perennial pools within three-miles, chronic toxicity criteria apply at that confluence.

5. Permit-Action - Water Quality-Based Limits

Regulations promulgated at 40 CFR §122.44(d) require limits in addition to, or more stringent than effluent limitation guidelines (technology based). State WQS that are more stringent than effluent limitation guidelines are as follows:

a. pH

Wastewater discharges from the facility all flow into Intracoastal Waterway, thence to the Gulf of Mexico, Water Body Segment No. 2501, which has Texas WQS of 6.5 – 9.0 s.u. pH shall be limited to 6.5 – 9.0 s.u. for Outfall 001, the criteria listed for Segment 2501. pH shall be limited to 6.0 – 9.0 s.u. for internal Outfall 101.

b. Narrative Limitations

Narrative protection for aesthetic standards will propose that surface waters shall be maintained so that oil, grease, or related residue will not produce a visible film or globules of grease on the surface or coat the banks or bottoms of the watercourse; or cause toxicity to man, aquatic life, or terrestrial life. The discharge shall not present a hazard to humans, wildlife, or livestock.

The following narrative limitations in the proposed permit represent protection of water quality for all Outfalls:

"The effluent shall contain no visible film of oil or globules of grease on the surface or coat the banks or bottoms of the watercourse."

c. Total Residual Chlorine

Based on the information contained in the permit application and additional information submitted by the permittee, firewater, eyewash and safety shower discharges will be from the municipal water supply and will not be hyperchlorinated. Because the source water will be from municipal water supply, TRC limitations and monitoring requirements for Outfall 001 are established. Based on additional information submitted by the permittee via email dated January 30, 2018, the estimated maximum chlorine concentration at discharge from the distribution system through Outfalls 001 is 2 mg/L (2,000 µg/L).

The TRC concentration of 19µg/L is EPA's acute chlorine criteria and 11µg/L is EPA's chronic chlorine criteria. Limits must be protective of WQS per 40 CFR 122.4(d) and 122.44(d). Since the acute conditions do not allow dilution; the limit must be met at end-of-pipe but chronic standards do allow dilution, the permit shall use the most stringent WQS for the permit limit.

The critical dilution is 100 %. The in-stream TRC concentration at Outfall 001 after allowing for dilution is: 11µg/L ÷ 1 = 11 µg/L. Since this value is less than the19 µg/L end-of-pipe acute

standard, the11 µg/L is more stringent and will be more protective. The draft permit shall establish the 11µg/L limit. However, TRC is toxic at measurable amounts, so in addition to the 11 µg/L chemical specific limitation, the narrative limit for TRC shall be "No Measurable." Hence, the effluent shall contain NO MEASURABLE TRC at any time. NO MEASURABLE will be defined as no quantifiable level of TRC as determined by any approved method established in 40 CFR 136 that is greater than the established MQL. The effluent limitation for TRC is the instantaneous maximum and cannot be averaged for reporting purposes. TRC shall be measured within fifteen (15) minutes of sampling.

d. Toxics

The CWA in Section 301 (b) requires that effluent limitations for point sources include any limitations necessary to meet water quality standards. Federal regulations found at 40 CFR §122.44 (d) state that if a discharge poses the reasonable potential to cause an in-stream excursion above a water quality criterion, the permit must contain an effluent limit for that pollutant.

Internal Outfall 101 is Menu 4 (Discharge is directly to a lake or a water body that acts like a lake). Outfall 101 discharges directly into a retention pond in Brazoria County, Texas. The outfall ultimately discharges to Segment 2501 (classified), Gulf of Mexico. Discharge is 0.000296 MGD (avg.) (< 10 MGD) and lake-width at discharge entry point is 365 feet (> 200 feet), therefore:

- acute toxic criteria apply at 60%. (ZID = 60%)
- chronic toxic criteria apply at 15%. (MZ = 15%), and
- human health criteria apply at 8%. (HH = 8%).

The lake is 28.4 acres (< 150 acres) in surface area, therefore human health criteria apply at the 10-4 risk level (Incidental Freshwater Fish Tissue).

Outfall 001 is Menu 7 (Discharge is to an intermittent water body with perennial pools). The outfall discharges to South Horseshoe Lake, an intermittent water body with perennial pools and is located in Brazoria County, Texas. The outfall ultimately discharges to Segment 2501, Gulf of Mexico. Chronic toxic criteria apply for 100% at the point of discharge.
Based on the information contained in the application, reasonable potential analysis was performed for internal Outfall 101, using TEXTOC Menu 4. The results of Menu 4 model ran showed that none of the pollutants exceeded 85% of the calculated daily average limit. As a result, limitations and monitoring requirements are not established for any of the toxic pollutants.

Solids and Foam

The prohibition of the discharge of floating solids or visible foam in other than trace amounts is continued in the proposed permit. In addition, there shall be no discharge of visible films of oil, globules of oil, grease or solids in or on the water, or coatings on stream banks.

D. MONITORING FREQUENCY FOR LIMITED PARAMETERS

NPDES permits must include monitoring requirements to yield data representative of the monitored activity, 40 CFR §122.48(b), and to assure compliance with permit limitations, 40 CFR §122.44(i)(1). For all the outfalls, monitoring frequency and type shall be the same as the previous permit. The draft permit requires the applicant to monitor the facility's discharge on a regular basis; and report the results quarterly. The monitoring results will be available to the public.

For Outfalls 101 & 001, the permit shall require a grab sample collection of the first flush taken during the first 30-minutes of stormwater runoff, when discharging. This is due to the fact that the first flush of the stormwater runoff discharge has the potential to contain the greatest amount of contaminants. Due to the intermittent nature of stormwater runoff discharges, instantaneous grab sampling requirements when discharging are established in the permit. For Outfall 101and 001, flow and pH shall be monitored and reported daily using grab sample. Flow shall be an "estimate" and shall not be subject to the accuracy provisions established at Part III.C.6. Flow estimate may be determined using sound engineering practices at a frequency of once per day when discharging. Free oil; no visible sheen, shall be made daily during daylight hours when discharging, by visual observations of the receiving waters in the vicinity of the discharges from Outfalls 101. O&G, TOC and TSS shall be sampled and monitored once per week, within the first 30-minutes of discharge by grab sample, when discharging. TRC shall also be once a week by instantaneous grab when discharging.

E. WHOLE EFFLUENT TOXICITY TESTING

Biomonitoring is the most direct measure of potential toxicity which incorporates both the effects of synergism of effluent components and receiving stream water quality characteristics. The effluent from Outfall 101 involves demineralized water treatment, firewater (Emergency Equipment), stormwater, eyewash/safety shower test, vehicle washwater. The discharge from Outfall 101 is into a retention pond then to South Horseshoe Lake, then to Canal, thence to GIWW thence to Gulf of Mexico. Although internal Outfall 101 will discharge stormwater exposed to industrial operations through oil water collection systems, the contaminated water is removed by vacuum trucks for proper disposal offsite. Diesel fuel is a potential contaminant from appurtenant piping and storage tanks required for standby generators. Curbed areas collect potential spills and contaminants, which are removed with vacuum trucks. Washwater from a washtrack used to clean light utility vehicles will be discharged into Outfall 001.

Discharges of firewater, eyewash and safety showers will be conducted through routine testing/flushing activities. Eyewash and safety shower discharges will be from the municipal water supply, which could be potentially harmful to the environment, the draft permit establishes biomonitoring requirement for Outfall 001.

Biomonitoring of the effluent is, therefore, required as a condition of this permit to assess potential toxicity. Based on the Texas Implementation procedures, permittees that discharge into intermittent waterbody with perennial pools will conduct chronic testing with a critical dilution of 100%.

OUTFALL 001

The permit will propose a 7-day Chronic WET test using freshwater species at 100 % effluent. The proposed permit requires five (5) dilutions in addition to the control (0% effluent) to be used in the toxicity tests based on a 0.75 dilution series. These additional effluent concentrations shall be 32%, 42%, 56%, 75%, and 100%. The draft permit proposes the following test:

EFFLUENT CHARACTERISTICS	DISCHARGE MONITORING	MONITORING REQUIREMENTS	
Whole Effluent Toxicity Testing (7-Day Chronic Static Renewal NOEC) (*1)	VALUE	MEASUREMENT FREQUENCY	SAMPLE TYPE (*2)
Ceriodaphnia dubia	Report	Once/Quarter (*3)	Composite
Pimephales promelas	Report	Once/Quarter (*3)	Composite

FOOTNOTES
1/ Monitoring and reporting requirements begin on the effective date of this permit. See Part II, Whole Effluent Toxicity Testing Requirements for additional WET monitoring and reporting conditions.

F. FINAL EFFLUENT LIMITATIONS

See the draft permit for limitations.

VI. FACILITY OPERATIONAL PRACTICES

A. WASTE WATER POLLUTION PREVENTION REQUIREMENTS

The permittee shall institute programs directed towards pollution prevention. The permittee will institute programs to improve the operating efficiency and extend the useful life of the treatment system.

B. OPERATION AND REPORTING

The permittee must submit Discharge Monitoring Report's (DMR's) quarterly, beginning on the effective date of the permit, lasting through the expiration date of the permit or termination of the permit, to report on all limitations and monitoring requirements in the permit.

Sufficiently Sensitive Analytical Methods (SSM)

The permittee must use sufficiently sensitive EPA-approved analytical methods (SSM) (under 40 CFR part 136 or required under 40 CFR chapter I, subchapters N or O) when quantifying the presence of pollutants in a discharge for analyses of pollutants or pollutant parameters under the permit. In case the approved methods are not sufficiently sensitive to the limits, the most SSM with the lowest method detection limit (MDL) must be used as defined under 40 CFR 122.44(i)(1)(iv)(A). If no analytical laboratory is able to perform a test satisfying the SSM in the

region, the most SSM with the lowest MDL must be used after adequate demonstrations by the permittee and EPA approval.

VII. IMPAIRED WATER - 303(d) LIST AND TMDL

According to the 2014 State of Texas 303(d) List for Assessed River/Stream Reaches Requiring Total Maximum Daily Loads (TMDLs), the receiving stream, South Horseshoe Lake, an intermittent water body with perennial pools which ultimately discharges to Segment 2501 (classified), Gulf of Mexico. Water Body Segment No. 2501, is listed as impaired for bacteria and mercury in edible tissue on the State's currently approved 2014 303(d) list. The discharge from the facility would eventually flow into Segment 2501_04 (Freeport area), which is only impaired for mercury in edible tissue. This listing is under Category 5c which implies that additional data or information will be collected and/or evaluated for one or more parameters before a management strategy is selected.

The facility does not plan to discharge mercury. If the waterbody is listed at a later date for additional pollutants, and a total maximum discharge loading determined for the segment, the standard reopener clause would allow the permit to be revised and additional pollutants and/or limits added. No additional requirements beyond the already proposed technology-based and/or water-quality based requirements are needed in the proposed permit.

VIII. ANTIDEGRADATION

The Texas Commission on Environmental Quality, Texas Surface Water Quality Standards, Antidegradation, Title 30, Part 1, Chapter 307, Rule §307.5 sets forth the requirements to protect designated uses through implementation of the State WQS. The limitations and monitoring requirements set forth in the proposed permit are developed from the State WQS and are protective of those designated uses. Furthermore, the policy sets forth the intent to protect the existing quality of those waters, whose quality exceeds their designated use. The permit requirements are protective of the assimilative capacity of the receiving waters, which is protective of the designated uses of that water. There are no increases of pollutants being discharged to the receiving waters authorized in the proposed permit.

IX. ANTIBACKSLIDING

The proposed permit is consistent with the requirements and exemption to meet Antibacksliding provisions of the Clean Water Act, Section 402(o) and 40 CFR Part 122.44(i)(B), which state in part that interim or final effluent limitations must be as stringent as those in the previous permit, unless information is available which was not available at the time of permit issuance. Since this is a first time NPDES Permit for this discharge, antibacksliding does not apply.

X. ENDANGERED SPECIES

The effects of EPA's permitting action are considered in the context of the environmental baseline. The environmental baseline is established by the past and present impacts of all Federal, State, or private actions and other human activities in an action area; the anticipated impacts of all proposed Federal projects in an action area that have already undergone formal or early ESA §7 consultation; and the impact of State or private actions that are contemporaneous

with the consultation in process (50 CFR §402.02). Wastewater discharges from the natural gas pretreatment facility occur after the plant has been constructed following earth disturbing activities that have had to have received appropriate federal, state, and local authorizations putting the plant itself into the environmental baseline. The scope of the evaluation of the effects of the discharge authorized by this permit was therefore limited to the effects related to the authorized discharge.

According to the most recent county listing available at US Fish and Wildlife Service (USFWS), Southwest Region 2 website, http://ecos.fws.gov/ipac/wizard/chooseLocation!prepare.action, nine species of concern are listed in Brazoria County as Endangered or Threatened. The endangered species are the whooping crane (Grus americana), hawksbill sea turtle (Eretmochelys imbricata), Kemp's ridley sea turtle (Lepidochelys kempii), loggerhead sea turtle (Caretta caretta), and the leatherback sea turtle (Dermochelys coriacea). The threatened species include the green sea turtle (Chelonia mydas), piping Plover (Charadrius melodus), Red Knot (Calidris canutus), and the West Indian Manatee (Trichechus manatus). A description of the species and its effects to the proposed permit follows:

WHOOPING CRANE (Grus americana)

The tallest bird in North America, the Whooping Crane breeds in the wetlands of Wood Buffalo National Park in northern Canada and spends the winter on the Texas coast at Arkansas National Wildlife Refuge near Rockport. Cranes live in family groups made up of the parents and 1 or 2 offspring. In the spring, Whooping Cranes perform courtship displays (loud calling, wing flapping, and leaps in the air) as they get ready to migrate to their breeding grounds. Whooping Cranes are endangered because much of their wetland habitat has been drained for farmland and pasture. Whooping Cranes are nearly 5 feet tall. They eat Blue crabs, clams, frogs, minnows, rodents, small birds, and berries. They are found in large wetland areas. Cranes are considered sacred in many parts of the world. In China, they are a symbol of long life. Whooping Cranes are endangered because much of their wetland habitat has been drained for farmland and pasture.

HAWKSBILL SEA TURTLE (Eretmochelys imbricata)

Hawksbill sea turtle is found in Brazoria County. Hawksbill is a small to medium-sized sea turtle averaging approximately 2.8 feet in curved carapace length with a weight of approximately 176 pounds. Hawksbills reenter coastal waters when they reach approximately 20-25 cm carapace length. Coral reefs are widely recognized as the resident foraging habitat of juveniles, sub-adults and adults. This habitat association is undoubtedly related to their diet of sponges, which need solid substrate for attachment. The ledges and caves of the reef provide shelter for resting both during the day and night. Hawksbills are also found around rocky outcrops and high energy shoals, which are also optimum sites for sponge growth. Hawksbills are also known to inhabit mangrove-fringed bays and estuaries, particularly along the eastern shore of continents where coral reefs are absent. In Texas, juvenile hawksbills are associated with stone jetties. Hawksbills utilize both low- and high-energy nesting beaches in tropical oceans of the world. Both insular and mainland nesting sites are known. Hawksbills will nest on small pocket beaches and, because of their small body size and great agility can traverse fringing reefs that limit access by other species. They exhibit a wide tolerance for nesting substrate type. Nests are typically placed

under vegetation. Threats to this species include: poaching, oil spills, vessel anchoring and groundings, artificial lighting at nesting sites, mechanical beach cleaning, increased human presence, beach vehicular driving, entanglement at sea, ingestion of marine debris, commercial and recreational fisheries, water craft collisions, sedimentation and siltation, and agricultural and industrial pollution.

KEMP'S RIDLEY SEA TURTLE (Lepidochelys kempii)

Kemp's ridley sea turtle is found in Brazoria County. Kemp's ridley sea turtles are the smallest of all extant sea turtles. Adult Kemp's ridleys' shells are almost as wide as long. Neonatal Kemp's ridleys feed on the available sargassum and associated infauna or other epipelagic species found in the Gulf of Mexico. In post-pelagic stages, the ridley is largely a crab-eater, with a preference for portunid crabs. Age at sexual maturity is not known, but is believed to be approximately 7-15 years, although other estimates of age at maturity range as high as 35 years. The major nesting beach for Kemp's ridleys is on the northeastern coast of Mexico. This location is near Rancho Nuevo in southern Tamaulipas. The species occurs mainly in coastal areas of the Gulf of Mexico and the northwestern Atlantic Ocean. Hunting of both turtles and eggs contributed to the decline of this species. Existing threats include: development and human encroachment of nesting beaches, erosion of beaches, vehicular traffic on beaches, fisheries, oil spills, floating debris, dredging, and explosive removal of old oil and gas platforms.

LOGGERHEAD SEA TURTLE (Caretta caretta)

Loggerhead sea turtle is found in Brazoria County. Loggerheads are the most abundant species in U.S. coastal waters, and are often captured incidental to shrimp trawling. Shrimping is thought to have played a significant role in the population declines observed for the loggerhead. Maturity is reached at between 16-40 years. Mating takes place in late March-early June, and eggs are laid throughout the summer.

Loggerheads are circumglobal, inhabiting continental shelves, bays, estuaries, and lagoons in temperate, subtropical, and tropical waters. In the United States, killing of nesting loggerheads is infrequent. However, in a number of areas, egg poaching is common. Erosion of nesting beaches can result in loss of nesting habitat. Loggerhead turtles eat a wide variety of marine debris such as plastic bags, plastic and styrofoam pieces, tar balls, balloons and raw plastic pellets. Effects of consumption include interference in metabolism or gut function, even at low levels of ingestion, as well as absorption of toxic byproducts. Turtles are taken by gillnet fisheries in the Atlantic and Gulf of Mexico. Several thousand vessels are involved in hook and line fishing for various coastal species. Sea turtles are at risk when encountering an oil spill. Respiration, skin, blood chemistry and salt gland functions are affected. Pesticides, heavy metals and PCB's have been detected in turtles and eggs, but the effect on them is unknown. Turtles have been caught in saltwater intake systems of coastal power plants. The mortality rate is estimated at 2%. Underwater explosions can kill or injure turtles, and may destroy or damage habitat. The effects of offshore lights are not known. They may attract hatchlings and interfere with proper offshore orientation, increasing the risk from predators. Turtles get caught in discarded fishing gear. The number affected is unknown, but potentially significant.

LEATHERBACK SEA TURTLE (Dermochelys coriacea)

Leatherback sea turtle is found in Brazoria County. Leatherback is the largest living turtle, and is so distinctive as to be placed in a separate taxonomic family, Dermochelyidae. The carapace is distinguished by a rubber-like texture, about 4 cm thick, and made primarily of tough, oil-saturated connective tissue. No sharp angle is formed between the carapace and the plastron, resulting in the animal being somewhat barrel-shaped. The front flippers are proportionally longer than in any other sea turtle. Nesting occurs from February - July with sites located from Georgia to the U.S. Virgin Islands. During the summer, leatherbacks tend to be found along the east coast of the U.S. from the Gulf of Maine south to the middle of Florida.

Leatherbacks become entangled in longlines, fish traps, buoy anchor lines and other ropes and cables. This can lead to serious injuries and/or death by drowning. Leatherback turtles eat a wide variety of marine debris such as plastic bags, plastic and styrofoam pieces, tar balls, balloons and plastic pellets. Effects of consumption include interference in metabolism or gut function, even at low levels of ingestion, as well as absorption of toxic byproducts. Leatherbacks are vulnerable to boat collisions and strikes, particularly when in waters near shore. Marine turtles are at risk when encountering an oil spill. Respiration, skin, blood chemistry and salt gland functions are affected.

GREEN SEA TURTLE (Chelonia mydas)

Green Sea Turtle is found in Brazoria County. Sea turtles are graceful saltwater reptiles, well adapted to life in their marine world. With streamlined bodies and flipper-like limbs, they are graceful swimmers able to navigate across the oceans. When they are active, sea turtles must swim to the ocean surface to breathe every few minutes. When they are resting, they can remain underwater for much longer periods of time. Although sea turtles live most of their lives in the ocean, adult females must return to land in order to lay their eggs. Sea turtles often travel long distances from their feeding grounds to their nesting beaches. Human threats include: oil spills, live bottom smothering with sediments and drilling fluids, dredging, coastal development, agricultural and industrial pollution, seagrass bed degradation, shrimp trawling and other fisheries, boat collisions, under water explosions, ingestion of marine debris, entanglement in marine debris, and poaching.

PIPING PLOVER (Charadrius melodus)

Piping Plover is listed in Brazoria County as threatened. A small plover has wings approximately 117 mm; tail 51 mm; weight 46-64 g (average 55 g); length averages about 17-18 cm. Inland birds have more complete breast band than Atlantic coast birds. The non-breeding plovers lose the dark bands. The breeding season begins when the adults reach the breeding grounds in mid- to late April or in mid-May in northern parts of the range. The adult males arrive earliest, select beach habitats, and defend established territories against other males. When adult females arrive at the breeding grounds several weeks later, the males conduct elaborate courtship rituals including aerial displays of circles and figure eights, whistling song, posturing with spread tail and wings, and rapid drumming of feet. The plovers defend territory during breeding season and at some winter sites. Nesting territory may or may not contain the foraging area. Home range during the breeding season generally is confined to the vicinity of the nest. Plovers are usually

found in sandy beaches, especially where scattered grass tufts are present, and sparsely vegetated shores and islands of shallow lakes, ponds, rivers, and impoundments.

Food consists of worms, fly larvae, beetles, crustaceans, mollusks, and other invertebrates. The plovers prefer open shoreline areas, and vegetated beaches are avoided. It also eats various small invertebrates. It obtains food from surface of substrate, or occasionally probes into sand or mud.

Destruction of habitat, disturbance and increased predation rates due to elevated predator densities in piping plover habitat are described as the main reasons for this species' endangered status and continue to be the primary threats to its recovery. The remaining populations, whether on the breeding or wintering grounds, mostly inhabit public or undeveloped beaches. These populations are vulnerable to predation and disturbance.

Research of available material finds that the primary cause for the population decreases leading to threatened or endangered status for these species is destruction of habitat. Issuance of the permit will have no effect on this species, in that the discharge is not expected to lead to the destruction of habitat.

RED KNOT (Calidris Canutus rufa)

Red Knot is a medium-sized shorebird and the largest of the "peeps" in North America, and one of the most colorful. It makes one of the longest yearly migrations of any bird, traveling 15,000 km (9,300 mile) from its Arctic breeding grounds to Tierra del Fuego in southern South America.

Their diet varies according to season; arthropods and larvae are the preferred food items at the breeding grounds, while various hard-shelled molluscs are consumed at other feeding sites at other times.
The Red Knot nests on the ground, near water, and usually inland. The nest is a shallow scrape lined with leaves, lichens and moss. Males construct three to five nest scrapes in their territories prior to the arrival of the females. The female lays three or more usually four eggs, apparently laid over the course of six days. Both parents incubate the eggs, sharing the duties equally. The incubation period last around 22 days.
The birds have become threatened as a result of commercial harvesting of horseshoe crabs in the Delaware Bay which began in the early 1990s. Delaware Bay is a critical stopover point during spring migration; the birds refuel by eating the eggs laid by these crabs (with little else to eat in the Delaware Bay).

WEST INDIAN MANATEE (Trichechus manatus)

West Indian manatees are large, gray aquatic mammals with bodies that taper to a flat, paddle-shaped tail. They have two forelimbs, called flippers, with three to four nails on each flipper. Their head and face are wrinkled with whiskers on the snout. The manatee's closest relatives are the elephant and the hyrax. Manatees are believed to have evolved from a wading, plant-eating animal. The average adult manatee is about 10 feet long and weighs between 800 and 1,200 pounds.

Manatees can be found in shallow, slow-moving rivers, estuaries, saltwater bays, canals, and coastal areas — particularly where seagrass beds or freshwater vegetation flourish. Manatees are a migratory species.

Manatees are gentle and slow-moving animals. Most of their time is spent eating, resting, and traveling. Manatee are mostly herbivorous, however small fish and invertebrates can sometimes be ingested along with a manatee's normal vegetation diet.

West Indian manatees have no natural enemies, and it is believed they can live 60 years or more. As with all wild animal populations, a certain percentage of manatee mortality is attributed to natural causes of death such as cold stress, gastrointestinal disease, pneumonia, and other diseases. A high number of additional fatalities are from human-related causes. Most human-related manatee fatalities occur from collisions with watercraft. Other causes of human-related manatee mortality includes being crushed and/or drowned in canal locks and flood control structures; ingestion of fish hooks, litter, and monofilament line; and entanglement in crab trap lines. Ultimately, loss of habitat is the most serious threat facing manatees in the United States today.

Determination

Many of the threats to listed threatened or endangered turtle species are related to poaching of turtles and eggs, development and human encroachment of nesting beaches, erosion of beaches, vehicular traffic on beaches, artificial lighting, mechanical beach cleaning, marina and dock development, coastal development, increased human presence, dredging, non-native vegetation, sea grass bed degradation, and agricultural pollution. Other threats which may occur in the area are entanglement at sea, commercial and recreational fisheries, and shrimp trawling. Threats to turtle species which could be related to the proposed facility covered under this permit include stormwater pollution. The proposed permit contains controls to limit the quantity of pollutants which are discharged and prevent toxic effects in the receiving waters. The proposed permit has limits for O&G, TSS, TRC, pH, total zinc, total copper and a prohibition of visible oil sheen. The permit also has a biomonitoring provision where the discharge is evaluated against marine test species that would be an indicator of synergistic effects of the pollutants in the wastewater.

The threats to the piping plover are mainly due to construction activities. The discharge again has limitations that would address the threats to the food sources of these species.

The Environmental Protection Agency has evaluated the potential effects of issuance of this permit upon listed endangered or threatened species. After review, EPA has determined that the reissuance of this permit will have "*no effect*" on listed threatened and endangered species nor will adversely modify designated critical habitat. EPA makes this determination based on the following:

1. No pollutants are identified by the permittee-submitted application at levels which might affect species habitat or prey species. Issuance of this permit is found to have no impact on the habitats of these species.

2. Based on information described above, EPA Region 6 has determined that discharges proposed to be authorized by the proposed permit will have no effect on the listed species in Brazoria County.

The standard reopener clause in the permit will allow EPA to reopen the permit and impose additional limitations if it is determined that changes in species or knowledge of the discharge would require different permit conditions.

Operators have an independent ESA obligation to ensure that any of their activities do not result in prohibited "take" of listed species. Section 9 of the ESA prohibits any person from "taking" a listed species, e.g., harassing or harming it, with limited exceptions. See ESA Sec 9; 16 U.S.C. §1538. This prohibition generally applies to "any person," including private individuals, businesses and government entities. Operators who intend to undertake construction activities in areas that harbor endangered and threatened species may seek protection from potential "take" liability under ESA section 9 either by obtaining an ESA section 10 permit or by requesting coverage under an individual permit and participating in the section 7 consultation process with the appropriate FWS or NMFS office. Operators unsure of what is needed for such liability protection should confer with the appropriate Services.

XI. HISTORICAL AND ARCHEOLOGICAL PRESERVATION CONSIDERATIONS

In a letter dated June 18, 2012, the State Historic Preservation Officer certified that the project should have no impact on historical and/or archeological. As a result, the issuance of the permit should have no impact on historical and/or archeological sites since no significant archeological deposits are encountered during construction and development of the property.

XII. PERMIT REOPENER

The permit may be reopened and modified during the life of the permit if relevant portions of the Texas WQS are revised or remanded. In addition, the permit may be reopened and modified during the life of the permit if relevant procedures implementing the WQS are either revised or promulgated. Should the State adopt a new WQS, and/or develop a TMDL, this permit may be reopened to establish effluent limitations for the parameter(s) to be consistent with that approved State standard and/or water quality management plan, in accordance with 40 CFR §122.44(d). Modification of the permit is subject to the provisions of 40 CFR §124.5.

XIII. VARIANCE REQUESTS

No variance requests have been received.

XIV. COMPLIANCE HISTORY

None

XV. CERTIFICATION

This permit is in the process of certification by the State agency following regulations promulgated at 40 CFR 124.53. A draft permit and draft public notice will be sent to the District Engineer, Corps of Engineers; to the Regional Director of the U.S. Fish and Wildlife Service and to the National Marine Fisheries Service prior to the publication of that notice.

XVI. FINAL DETERMINATION

The public notice describes the procedures for the formulation of final determinations.

XVII. ADMINISTRATIVE RECORD

The following information was used to develop the proposed permit:

A. APPLICATION

NPDES Application for a Permit to Discharge (Form 1 and Form 2D) was received on September 19, 2017. Additional permit application information was received via email on January 23, 2018, & January 30, 2018.

B. State of Texas References

The State of Texas Water Quality Inventory, 13th Edition, Publication No. SFR-50, Texas Commission on Environmental Quality, December 1996.

"Procedures to Implement the Texas Surface Water Quality Standards via Permitting," Texas Commission on Environmental Quality, June 2010.
Texas Surface Water Quality Standards, 30 TAC Sections 307.1 - 307.9, effective September 23, 2014.

http://www.fws.gov/southwest/es/ES_ListSpecies.cfm

D. 40 CFR CITATIONS

Sections 122, 124, 125, 133, and 136

E. MISCELLANEOUS CORRESPONDENCE

Email from Chad Richards, Atkins – North America – Consultant for Freeport LNG, to Maria Okpala, dated March 8, 2018, 2018, on additional permit application information.

Letter from Brent Larsen, EPA, to Mr. Chad Richards, Atkins- North America – Consultant for Freeport LNG, dated February 7, 2018, informing the applicant that its' NPDES application received September 19, 2017, is administratively complete.

Letter from Chad Richards, Atkins – North America – Consultant for Freeport LNG, to Maria Okpala, dated January 30, 2018, on additional permit application information.

Email from Chad Richards, Atkins – North America – Consultant for Freeport LNG, to Maria Okpala, dated January 23, 2018, on State Historic Preservation concurrence letter.

Email from Michael Daniel, EPA, to Maria Okpala, EPA, dated 1/19/2018, 11/28/2017, 11/27/2017, 11/21/2017, and 11/6/2017, on critical condition information.