PUBLIC SERVICES –
WATER / WASTEWATER UTILITIES

August 1, 2012

Texas State University
Mr. Russell Clark, CSP
Director, Environmental Health Safety and Risk Management
601 University Drive
San Marcos, Texas 78666

Re: Texas State University
STAR Park – Science, Technology and Advanced Research
Industrial User Permit No. 3055-01 and 3055-02

Dear Mr. Clark:

Enclosed is the permit for wastewater discharge from your facility into the City of San Marcos Publicly Owned Treatment Works (POTW). This permit will authorize discharge beginning on September 1, 2012 and will expire on December 31, 2014. An application for renewal must be submitted by Texas State at least 60 days prior to the expiration date.

Please feel free to contact me at 512-393-8038 if you have any questions concerning your discharge permit.

Sincerely,

[Signature]

Ron Riggins
Water Quality Manager
Water/Wastewater Utilities
City of San Marcos
Permit No. 3055-01 and 3055-02

INDUSTRIAL USER PERMIT

In accordance with the provisions of Section 86.126 Industrial Waste Permit of the San Marcos City Code Ordinance No. 2011-13 or as amended.

TEXAS STATE UNIVERSITY
STAR Park - Science, Technology and Advanced Research
3055 Hunter Road

is hereby authorized to discharge industrial wastewater from the above-identified facility into the City of San Marcos sewer system in accordance with effluent limitations, monitoring requirements, and other conditions set forth in this permit.

Issuance of this permit does not absolve the Industrial User of responsibility for adherence to requirements of Section 86.126 Industrial Waste Permit of the San Marcos City Code not specifically addressed herein, or from other federal, state or local regulations applicable to operation and management of the permitted facility.

All discharges authorized herein shall be consistent with the terms and conditions of this permit. Discharge of any pollutant identified in this permit more frequently than or at a level in excess of that authorized shall constitute a permit violation.

This permit shall become effective on September 1, 2012 and shall expire at midnight on December 31, 2014. The Industrial User shall not discharge after the date of expiration. If the Industrial User wishes to continue to discharge after this expiration date, an application must be filed for re-issuance of this permit in accordance with requirements of Section 86.126 Industrial Waste Permit of the San Marcos City Code or as amended, a minimum of sixty (60) days prior to the expiration date.

This permit shall not be transferred without written authorization by the Director and/or his designated authorized representative and without provision of a copy of this permit to the new owner or operator.

CITY OF SAN MARCOS

BY: [Signature]
Thomas P. Taggart
Executive Director of Public Services

[Date] 7/31/12
PART 1 - EFFLUENT LIMITATIONS

A. During the period of September 1, 2012 to December 31, 2014, the Industrial User is authorized to discharge process wastewater to the City of San Marcos wastewater collection system and the discharge shall not exceed the following effluent limitations.

<table>
<thead>
<tr>
<th>Local limits parameters</th>
<th>Maximum Concentration Limit Allowable, mg/L (Total)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cyanide</td>
<td>0.74</td>
</tr>
<tr>
<td>Arsenic</td>
<td>0.18</td>
</tr>
<tr>
<td>Cadmium</td>
<td>0.36</td>
</tr>
<tr>
<td>Chromium</td>
<td>1.62</td>
</tr>
<tr>
<td>Copper</td>
<td>4.57</td>
</tr>
<tr>
<td>Lead</td>
<td>0.65</td>
</tr>
<tr>
<td>Mercury</td>
<td>0.01</td>
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<tr>
<td>Molybdenum</td>
<td>2.44</td>
</tr>
<tr>
<td>Nickel</td>
<td>5.57</td>
</tr>
<tr>
<td>Selenium</td>
<td>0.17</td>
</tr>
<tr>
<td>Silver</td>
<td>0.306</td>
</tr>
<tr>
<td>Zinc</td>
<td>1.60</td>
</tr>
<tr>
<td>Fats, oil, grease</td>
<td>2.00</td>
</tr>
<tr>
<td>Temperature</td>
<td>104 (Degrees F)</td>
</tr>
<tr>
<td>pH</td>
<td>6.0-11.0 (s.u.)</td>
</tr>
</tbody>
</table>

National Categorical Standards

Metal Finishing Category: New source performance standards 40 CFR 433.16

<table>
<thead>
<tr>
<th>Pollutant or Pollutant Property</th>
<th>Maximum for Any One Day (mg/l)</th>
<th>Monthly Average (Not to Exceed) (mg/l)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cadmium (T)</td>
<td>0.11</td>
<td>0.07</td>
</tr>
<tr>
<td>Chromium (T)</td>
<td>2.77</td>
<td>1.71</td>
</tr>
<tr>
<td>Copper (T)</td>
<td>3.38</td>
<td>2.07</td>
</tr>
<tr>
<td>Lead (T)</td>
<td>0.69</td>
<td>0.43</td>
</tr>
<tr>
<td>Nickel (T)</td>
<td>3.98</td>
<td>2.38</td>
</tr>
<tr>
<td>Silver (T)</td>
<td>0.43</td>
<td>0.24</td>
</tr>
<tr>
<td>Zinc (T)</td>
<td>2.61</td>
<td>1.48</td>
</tr>
<tr>
<td>Cyanide (T)</td>
<td>1.20</td>
<td>0.65</td>
</tr>
<tr>
<td>TTO(^1)</td>
<td>*2.13</td>
<td>((^1))</td>
</tr>
<tr>
<td>Oil and Grease</td>
<td>52</td>
<td>26</td>
</tr>
<tr>
<td>TSS</td>
<td>60</td>
<td>31</td>
</tr>
<tr>
<td>pH (s.u.)</td>
<td>((^3))</td>
<td>((^3))</td>
</tr>
</tbody>
</table>
Electrical and Electronic Components Point Source Category

Subpart A - Semiconductor Subcategory
New Source Performance Standards 40 CFR 469.17
and
Subpart B – Electronic Crystals Subcategory.
New Source Performance Standards 40 CFR 469.27

<table>
<thead>
<tr>
<th>Pollutant or Pollutant Property</th>
<th>Maximum for Any One Day (mg/l)</th>
<th>Average of daily values for 30 consecutive days (mg/l)</th>
</tr>
</thead>
<tbody>
<tr>
<td>TTO¹</td>
<td>*1.37</td>
<td>(²)</td>
</tr>
<tr>
<td>Flouride(T)</td>
<td>32.0</td>
<td>17.4</td>
</tr>
<tr>
<td>TSS</td>
<td>61.0</td>
<td>23.0</td>
</tr>
<tr>
<td>pH (s.u.)</td>
<td>(³)</td>
<td>(³)</td>
</tr>
<tr>
<td>Arsenic(T)⁴</td>
<td>2.09</td>
<td>0.83</td>
</tr>
</tbody>
</table>

¹ Total toxic organics
² Not applicable
³ Within range of 6.0 to 9.0
⁴ The Arsenic(T) limitation only applies to manufacturers of gallium or indium arsenide crystals.

*The Total Toxic Organics (TTO) testing requirement is subject to waiver if (1) a Toxic Organic Management Plan is developed and submitted to the Director; and (2) the following certification statement accompanies self-reported data submission.

Based on my inquiry of the person or persons directly responsible for managing compliance with the permit limitation [or pretreatment standard] for Total Toxic Organics (TTO), I certify that, to the best of my knowledge and belief, no dumping of concentrated toxic organics into the wastewaters has occurred since filing for the last discharge monitoring report. I further certify that this facility is implementing the toxic organic management plan submitted to the control authority.

________________________    Title    _______________________

________________________    Signature    _______________________

The Industrial User must comply with all regulations included in 40 CFR 433.17. The Toxic Organic Management Plan shall list the toxic organic compounds used; the method of disposal used; and procedures for ensuring that toxic organics do not routinely spill or leak into the wastewater. Any submitted Toxic Organic Management Plan must meet the TTO certification alternative requirements to the satisfaction of the Control Authority Director.

Data on discharge flows of the pretreatment facility shall be metered and records of flows made available to the Director or his representative upon request.
Dilution of these elements in solution or suspension in lieu of treatment or removal is specifically prohibited. The Director may further restrict the discharges of those wastes which contain these elements to a definite limit expressed in the units of "pounds per day" to prevent the employment of dilution of such pollutants in order to meet the concentration limits of the ordinance.

Additional specific parameters:

Aluminum, Carbonaceous Biochemical Oxygen Demand (C-BOD), Total Suspended Solids (TSS), Ammonia, Total Phosphorous and potential Hydrogen (pH).

B. The Industrial User shall not discharge wastewater containing any of the following substances into the Publicly Owned Treatment Works (POTW) as pursuant to 40 CFR §403.5(b).

(1) Pollutants which create a fire or explosion hazard in the POTW, including but not limited to, wastestreams with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees Centigrade using the test methods specified in 40 CFR 261.21.

(2) Pollutants which will cause corrosive structural damage to the POTW, but in no case discharges with a pH lower than 6.0 or higher than 11.0, unless the works is specifically designed to accommodate such discharges;

(3) Solid (i.e., any ashes, cinders, sand, mud, straw, shavings metal, glass, rags, feathers, tar, plastics, wood, paunch, manure) or viscous pollutants in amounts which will cause obstruction to the flow in the POTW resulting in interference;

(4) Any pollutant, including oxygen-demanding pollutants (BOD, etc.) released in a discharge at a flow rate and/or pollutant concentration which will cause interference with the POTW.

(5) Heat in amounts which will inhibit biological activity in the POTW resulting in interference, but in no case heat in such quantities that the
temperature at the POTW exceeds 40°C (104°F) unless the approval authority, upon request of the POTW, approves alternate temperature limits.

(6) Petroleum oil, non biodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through (i.e. fats, wax, grease), whether emulsified or not, in excess of two hundred (200) mg/l or containing substances which may solidify or become viscous at temperatures between 55 degrees F (12.8 degrees C) and 90 degrees F (32.2 degrees C); Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquids, solids or gases;

(7) Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems.

(8) The Industrial user shall comply with all prohibitions and requirements in the City of San Marcos Pretreatment Ordinance.

PART 2 - SPECIAL CONDITIONS

Flows

The combined six month flow rate will be reported when the analytical results are submitted to the Director in June and December.

Sampling

The Industrial User shall conduct sampling of waste discharge a minimum of two times each year for the pollutants listed in Part 1 (A) at least once between the months of January and June and at least once between July and December. (See Attachment 1 for the testing parameters).

Type of Sampling

All samples (except for Cyanide, pH, fats, oil, grease (FOG), volatile organic compounds, and phenols) should be taken as a composite. A composite is a sample that results from a combination of individual wastewater
samples taken at selected intervals based on an increment of either flow or time. Cyanide, pH, fats, oil, grease (FOG), phenols, and volatile organic compounds should be taken as a grab. A grab is a sample that is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and without consideration of time. All sample analysis shall be conducted according to methodology specified in 40 CFR Part 136 (as amended), with the analytical method employed for content determination of each parameter of sample written on a laboratory report form.

1. **Local Limits**

Local Limits listed in Part 1(A) of Permit, apply for the combined, final facility discharge. The port for collection of samples for determination of compliance with Local Limits shall be from the following location: 3055-01. A sample, at a minimum shall consist of a composite (except for cyanide, pH, fats, oil, grease (FOG), phenols, and volatile organic compounds which are grab samples only) of four grab samples collected at equal intervals during the daily operational period.

2. **National Categorical Standards**

Sampling for National Categorical Standards, as listed under Part 1(A) of Permit, shall be from the following location: 3055-02. A sample, at a minimum shall consist of a 24 hour composite (except for cyanide, pH, fats, oil, grease (FOG), phenols, and volatile organic compounds which are grab samples only) obtained through flow-proportional sampling techniques unless time-proportional composite or grab sampling is authorized by the Control Authority, and the samples must be representative of the discharge.

**Sampling Locations**

These locations shall be:

3055-01

The 8-inch sample port located on the southeast corner of the site near the loading dock.
3055-02

The 6-inch cleanout located on the east side of the site near the emergency generator.

Samples shall be collected at the points indicated on the attached diagram. (See attachment 2)

PART 3 - REPORTING REQUIREMENTS

A. Re-sampling in response to a violation

If the results of the permittee’s wastewater analysis indicates that a violation has occurred, the permittee must:

1. Inform the City of San Marcos of the violation within 24 hours; and

2. Repeat the sampling and pollutant analysis and submit, in writing, the results of this second analysis within 30 days of the first violation.

B. Accidental Discharge Notification

1. The Industrial User shall contact (within 24 hours of awareness of any violation) the City of San Marcos in regards to discharges of substances prohibited by Section 86.117 of Ordinance No. 2011-13. During normal business hours (Monday-Friday, 8:00 a.m. - 5:00 p.m.), the City of San Marcos should be notified by telephone at 393-8344 or 393-8038. At all other times, the City of San Marcos should be notified by telephone at 393-8010. The notification shall include person reporting, contact number, location of discharge, date and time thereof, type of waste, including concentration and volume, and corrective actions taken.

Within five (5) days following an accidental discharge, the Industrial User shall submit to the City of San Marcos a detailed written report. The report shall specify:
a. Description and cause of the upset, slug or accidental discharge and the impact on the Industrial User's compliance status. The description should also include location of discharge, type, concentration and volume of waste.

b. Duration of non-compliance, including exact dates and times of non-compliance, and if the non-compliance continues, the time by which compliance is reasonably expected to occur.

c. All steps taken or to be taken to reduce, eliminate, and prevent recurrence of such an upset, slug, accidental discharge, or other conditions of non-compliance.

d. Include detailed report from the 24-hour contact.

2. The Industrial User shall notify the EPA Regional Waste Management Division Director, and the TCEQ in writing of any discharge into the POTW of a substance, which if otherwise disposed of, would be a hazardous waste under 40 CFR part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other) If the Industrial User discharges more than 100 kilograms (220 pounds) of such waste per calendar month to the POTW, the notification shall also contain the following information to the extent such information is known and readily available to the Industrial User: An identification of the hazardous constituents contained in the wastes, an estimation of the mass of constituents in the wastestream expected to be discharged during the following twelve months. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. However, notifications of changed discharges must be submitted under 40 CFR 403.12(j). The notification requirement in this section does not apply to any pollutants already reported under the self-monitoring requirements listed above.
3. Act of God defense. The act of God defense constitutes a statutory affirmative defense [Texas Water Code Section 7025] in an action brought in municipal or state court. If a person can establish that an event that would otherwise be a violation of a pretreatment ordinance, or a permit issued under the ordinance, was caused solely by an act of God, war, strike, riot, or other catastrophe, the event is not a violation of the ordinance or permit.

B. Report Submittal

Copies of field forms, laboratory chain of custody forms, analytical results of samples, and combined six month flow rates shall be submitted to the Director on or before forty-five (45) days from the end of June and December.

All records shall be maintained for a minimum of three years pursuant to 40 CFR §403.12(g)(2).

All periodic compliance reports required by this permit must include the certification statement as set forth in 40 CFR part 403.6 (a)(2)(ii); the statement is as follows:

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 is to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.
The reports shall be submitted to the City of San Marcos at the following address:

City of San Marcos
Attention: Ron Riggins
Water Quality Manager
630 East Hopkins
San Marcos, Texas 78666
PART 4 - STANDARD CONDITIONS

A. Right of Entry

The Industrial User shall allow the Director of Water/Wastewater Utilities and/or his authorized representatives, EPA and State official personnel upon the presentation of credentials required by the Industrial Waste Ordinance:

1. To enter upon the Industrial User's premises or other premises under the control of the Industrial User, where an effluent source is located or in which any records are required to be kept under the terms and conditions of this permit. In the event of refusal to allow the City to enter the Industrial User's premises, then the Director may seek issuance of a search warrant from the appropriate court as specified in 86.128;

2. To have access to and to copy any records required to be kept under the terms and conditions of this permit or the ordinance;

3. To inspect any monitoring equipment or monitoring methods required in this permit;

4. To sample or monitor for the purposes of assuring permit compliance or as otherwise authorized by the ordinance, any substances or parameters at any location; or

5. To perform an operation and maintenance inspection of the permitted facility.

B. Signatory Authority

All permit applications shall be signed by a principal executive officer or ranking elected official. Discharge monitoring and other reports may be signed by an authorized representative provided that a written authorization has been submitted and that the representative so authorized is responsible for the overall operation of the facility from which the discharge originates.
C. Bypass Prohibition

Any bypassing of untreated liquid waste around the pretreatment system, directly or indirectly, to the sewer is expressly prohibited.

D. Process Modifications

The Director shall be provided with prior written notice of any proposed changes in process.

E. Permit Modification

This permit may be reopened and modified for Causes including, but not limited to the following:

1. To incorporate any new or revised Federal, state, or local pretreatment standards or requirements, including Technically Based Local Limits;

2. Material or substantial alterations or additions to the dischargers' processes, or discharge volume or character which were not considered in drafting the effective permit;

3. A change in any condition in either the Industrial User or the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;

4. Information indicating that the permitted discharge poses a threat to the City of San Marcos collection and treatment systems, POTW personnel or the receiving waters;

5. Violation of any terms or conditions of the permit;

6. Misrepresentation or failure to disclose fully all relevant facts in the permit application or in any required reporting;

7. Revision of or a grant of variance from such categorical standards pursuant to 40 CFR 403.13; or
8. To correct typographical or other errors in the permit;

9. To reflect transfer of the facility ownership and/or operation to a new Owner/operator;

10. Upon request of the permittee, provided such Request does not create a violation of any Applicable requirements, standards, laws, or Rules and regulations.
PART 5 - PENALTIES

Any person who violates any provision of this Ordinance or any order or permit issued hereunder or who fails to comply with any provision hereof may be fined not less than one hundred dollars ($100.00) nor more than the maximum allowed by the Texas Water Code, Section 26.213, and each day that such violation occurs or continues shall constitute a separate offense. The City is granted a minimum penalty authority of one thousand dollars ($1000.00) in accordance with 40 CFR 403.8(f) (1) (vi) (A). The City may impose additional penalties as described elsewhere in the Enforcement Response Plan or the Ordinance.

Any person violating any of the provisions of the Ordinance shall be liable to the City for any expense, loss or damage incurred by the city by reason of such violation. In addition to the penalties provided herein, the City may recover reasonable attorney's fees and other expenses of litigation by appropriate suit against the person found to have violated this ordinance or the orders, rules, regulations and permits issued hereunder.

If a person can establish that an event that would otherwise be a violation of a pretreatment ordinance or a permit issued under the ordinance was caused solely by an act of God, war, strike, riot, or other catastrophe, the event is not a violation of the ordinance or permit.

The City is further authorized to prosecute and seek all criminal and civil remedies in the various courts as set forth in the Texas Water Code, Chapter 26, Water Quality Control, Subchapter D-Prohibition Against Pollution; Enforcement, Subchapter E-Authority of Local Government; and Subchapter -Criminal Prosecution, for all violations of this Article or violations of any conditions of a permit granted by the City.

Permits may be revoked if the requirements for self-monitoring, reporting, compliance and any other requirements set forth in the permit or in this
division are not being met. The industrial user must immediately cease discharge upon permit revocation.

If, in the opinion of the Director, non-compliance with the requirements of this permit is severe, the City may suspend provided utility services and/or the industrial user permit. A notice shall be placed in local newspapers each year as required by 40 CFR 403.8 (f) (2) (vii) for significant violators. The notification shall include the industry name and address plus a description of violation(s). The notification shall be for a designated twelve(12) month period.
<table>
<thead>
<tr>
<th>Parameters</th>
<th>Containers</th>
<th>Preservation</th>
<th>Maximum Holding Time</th>
<th>MQL</th>
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<tbody>
<tr>
<td>Cyanide</td>
<td>P, G</td>
<td>Cool, 4 C NaOH to pH &gt;12</td>
<td>14 Days</td>
<td>20</td>
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<tr>
<td></td>
<td></td>
<td>0.6 g. Ascorbic Acid</td>
<td></td>
<td></td>
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<td>Arsenic</td>
<td>P</td>
<td>HN03 to pH&lt;2</td>
<td>6 Months</td>
<td>10</td>
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<tr>
<td>Cadmium</td>
<td>P</td>
<td>HN03 to pH&lt;2</td>
<td>6 Months</td>
<td>1</td>
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<td>Chromium</td>
<td>P</td>
<td>HN03 to pH&lt;2</td>
<td>6 Months</td>
<td>5</td>
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<tr>
<td>Copper</td>
<td>P</td>
<td>HN03 to pH&lt;2</td>
<td>6 Months</td>
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<tr>
<td>Lead</td>
<td>P</td>
<td>HN03 to pH&lt;2</td>
<td>6 Months</td>
<td>5</td>
</tr>
<tr>
<td>Mercury</td>
<td>P, G</td>
<td>HN03 to pH&lt;2</td>
<td>28 days</td>
<td>0.2</td>
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<td>Nickel</td>
<td>P</td>
<td>HN03 to pH&lt;2</td>
<td>6 Months</td>
<td>10</td>
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<td>6 Months</td>
<td>2</td>
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<td>Zinc</td>
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<td>5</td>
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<td>Molybdenum</td>
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<td>30</td>
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<td>P, G</td>
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<th>MQL</th>
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<tr>
<td>C-BOD</td>
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<td>TSS</td>
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<tr>
<td>Ammonia</td>
<td>0.1</td>
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<tr>
<td>Total Phosphorous</td>
<td>0.05</td>
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P = Polyethylene  G = Glass
ATTACHMENT 2

STAR Park
3055 Hunter Road

Hunter Rd.

STAR Park

Em. Gen. Port
3055-01 3055-02

McCarty Lane

S IH-35 N