

EXHIBIT 3  
ADMINISTRATIVE RECORD # 5

TX0054186

APR 13 2006

CERTIFIED MAIL: RETURN RECEIPT REQUESTED (7004 1160 0003 0360 9255)

San Jacinto River Authority  
Donald R. Sarich, Division Manager  
P.O. Box 7537  
Woodlands, TX 77387

Re: San Jacinto River Authority, Woodlands POTW No.1, NPDES Permit No. TX0054186 --  
308 Information Request for Permit Application, Effluent Characterization, and Whole  
Effluent Toxicity Test Information

Dear Mr. Sarich:

The United States Environmental Protection Agency (EPA) has a statutory mandate to protect public health and the environment. On January 6, 2006, EPA Region 6 submitted a specific objection to the NPDES permit proposed by TCEQ for the above referenced facility. In accordance with EPA regulations found at §123.44(h)(1), “[i]f no public hearing is held under paragraph (e) of this section and the State does not resubmit a permit revised to meet the regional administrator’s objection within 90 days of receipt of the objection, the Regional Administrator may issue the permit . . .” No public hearing was requested and TCEQ has not resubmitted a permit revised to meet the Regional Administrator’s objections. Consistent with §123.44(h)(3), on April 6, 2006, ninety days from the receipt of the objection, exclusive authority to issue the permit passed to EPA.

In order for EPA to develop permit conditions protective of water quality and listed endangered and threatened species in your area, an updated NPDES permit application is required. Therefore, under the authority of section 308 of the Clean Water Act (Office of Management and Budget Information collection request No. 2040-0086), you must submit the following information no later than June 2, 2006.

1. A full and complete Form 2A NPDES application with updated effluent data.
2. Copies of all full reports for all whole effluent toxicity tests initiated since January 1, 2001. In addition, submit copies of all information developed related to toxicity testing, toxicity reduction evaluation studies (whether required by permit or not) or any other information relevant to whole effluent toxicity developed or performed since January 1, 2001.

Sincerely yours,

Claudia V. Hosch  
Chief  
NPDES Permits Branch

Enclosures

cc (without enclosures):  
Chris Linendoll, Section Manager, TCEQ

bcc: Permit File TX0054186  
6WQ-P Branch Chief's Reading File  
6WQ-P NPDES Permits Branch Reading File

6WQ-PP : GIGLIO

CODE:	6WQ-PP	6WQ-P	6RC-M
NAME:	Giglio	Lane	Gillespie
DATE:			

*Take 6RC-m  
Rt  
4/11/06  
w/perm.*

*TDL 4/11/06*