

The Advocate

For and about small businesses and local governments affected by environmental regulations

PD-006/05-01

Volume 10, Issue 1 / January - March 2005

2005 Dates to Remember

January

- 1 ● Waste Reduction Policy Act Plans due
- 25 ● Industrial and hazardous waste annual summary report (paper filers)
 - Used oil collection center report and re-registration
- 30 ● Drinking water investor owned utilities, districts, water supply corporations, and counties remit regulatory assessment fees
- 31 ● Stage II vapor recovery exemption confirmation form
 - Recycled-Content Newsprint Survey due

February

- 1 ● Dry cleaners submit quarterly registration fee payment

March

- 1 ● Water Rights holders submit annual water use report
 - Scrap tire transporter annual activity report
 - Scrap tire and storage site combined annual activity report
 - Industrial & Hazardous Waste Annual summary report (electronic filers)
 - Medical waste transporter and self transporter annual waste report
 - On-site treatment of medical waste on mobile vehicles report
- 31 ● Benchmark monitoring summary for storm water general permit holders
 - Air Emissions Inventory
 - Applications due for Texas Emissions Reduction Plan (TERP) Small Business Grants

April

- 1 ● Investor-owned utilities must submit service and financial report

May

- 1 ● Dry cleaners submit quarterly registration fee payment

June

- 15 ● Liquid waste transporter annual summary
- 30 ● Semi Annual Report for Categorical Industrial Users that discharge to a Publicly Owned Treatment Works lacking an approved pretreatment program

July

- 1 ● Toxic Release Inventory (TRI)
 - Water systems must have distributed Consumer Confidence Reports (CCR) on drinking water quality to their customers.
 - Waste Reduction Policy Act Annual Progress Report due

August

- 1 ● Water systems must submit Certificate of Delivery of CCR
 - Dry cleaners submit quarterly registration fee payment

- 31 ● New source review permit applications due for formerly grandfathered facilities

September

- 1 ● Liquid waste transporter fees
 - Petroleum storage fees are assessed

November

- 1 ● Dry cleaners submit quarterly registration fee payment

December

- 31 ● Semi Annual Report for Categorical Industrial Users that discharge to a Publicly Owned Treatment Works lacking an approved pre-treatment program

Variable

- A water district must submit its Financial Report within 45 days of the end of its fiscal year.
- A water district must submit its Audit Report & Audit Filing Affidavit within 135 days of the end of its fiscal year.
- Petroleum Delivery Certificate Renewal Schedule: see table below.

Schedule of Renewals for Petroleum Delivery Certificates

If Owner Number Ends In:	the Certificate Expires:	the Renewal Date is:	Renewed Delivery Certificate Posted By:
1	January 31	January 2	February 1
2	Last Day of February	January 30 (Leap Year – January 31)	March 1
3	March 31	March 2	April 1
4	April 30	April 1	May 1
5	May 31	May 2	June 1
6	June 30	June 1	July 1
7	July 31	July 2	August 1
8	August 31	August 2	September 1
9	September 30	September 1	October 1
0	October 31	October 2	November 1

Texas Small Business Compliance Advisory Panel (CAP)

Making your voice heard in the environmental rule making process

The Texas Small Business Compliance Advisory Panel or CAP is a seven-member panel that helps small businesses comply with environmental regulations while remaining economically viable. Members of the CAP are appointed by the governor, lieutenant governor, speaker of the House of Representatives and the TCEQ chairman. CAP members Robert Curnock of Waco and Ken Legler of Houston were appointed by the governor, Sarah Walls of Fort Worth was appointed by the lieutenant governor, and Jack Godfrey Sr. of Arlington and Mark Shelton of Corsicana

were appointed by the speaker of the House of Representatives.

The goals of the CAP are to ensure that the interests of small businesses are represented when the TCEQ develops policies and rules affecting them; to evaluate the effectiveness of TCEQ's technical assistance provided to small businesses regarding air, waste, and water rules and regulations; and to ensure that materials distributed to small businesses are clear, concise, and understandable.

Current CAP projects include:

- submitting comments from small businesses to the TCEQ regarding

the Enforcement Review Process, currently under review at the commission;

- and submitting recommendations for revisions to:

- ▼ the universal waste rule to include hazardous waste solvents and hazardous electronic waste, and
- ▼ rules associated with low impact transfer stations and liquid waste.

For further information, call the TCEQ Small Business and Local Government Assistance section toll free at 1-800-447-2827. ■

Industrial Storm Water

As we begin the new year, facility operators who are subject to industrial storm water permitting need to review their Storm Water Pollution Prevention Plans (SWP3) to ensure they are up to date. This review should include:

- the annual comprehensive compliance evaluation, including a facility walk through;
- quarterly facility inspection;
- quarterly visual monitoring;
- benchmark monitoring, if required to perform the second year of monitoring;
- annual effluent limit monitoring or a determination that the waiver for hazardous metals applies; and
- sector-specific effluent monitoring for Sector A, Timber Products; Sector C, Chemicals and Allied Products; Sector D, Asphalt Paving and Roofing Materials and Lubricants; Sector E, Glass Clay, Cement, Concrete, and Gypsum Products; Sector J, Mineral Mining and Dressing Facilities; and Sector O, Steam Electric Generating Facilities.

The annual comprehensive compliance evaluation can replace one of the quarterly facility inspections. Make sure to re-certify your SWP3 for the new year.

Facilities required to conduct benchmark monitoring for calendar year 2004 need to average the results of their samples and submit those to the TCEQ by March 31, 2005, using the Benchmark Monitoring Report (TCEQ form 20091) or a similar form.

Facilities required to conduct annual effluent limit monitoring and/or sector-specific effluent monitoring need to record their results using a Discharge Monitoring Report (EPA form 3320-1) or similar form and include it in their SWP3. Facilities obtaining a waiver from annual effluent limitations for hazardous metals need to retain a copy of that waiver form in their SWP3.

All forms and related storm water documents can be obtained from the TCEQ's Industrial Storm Water Permitting Web page at www.tnrc.state.tx.us/permitting/waterperm/wwperm/industry.html. ■



Arsenic and Radionuclide Rule

The TCEQ adopted new rules, effective on December 23, 2004, for federal approval to administer arsenic and radionuclide drinking water standards.

For arsenic, the rule requires a maximum contaminant level (MCL) of 0.010 milligrams per liter of arsenic and a maximum contaminant level (MCL) of 30 micrograms per liter of uranium.

For radionuclide, the rule includes monitoring requirements for radium-226, gross alpha particle radioactivity, beta particle and photon radioactivity. MCLs are already in place for combined radium at 5pCi/L and Gross Alpha at 15pCi/L.

Community and nontransient non-community public water systems must comply with the arsenic regulations, but only community public water systems must comply with the radionuclide regulations. Systems must be in compliance with the arsenic maximum contaminant levels by January 23, 2006. All radionuclide standards became effective on the federal level on December 8, 2003. ■

Municipal Solid Waste (MSW) Rules Revision

The TCEQ is revising its Municipal Solid Waste (MSW) Chapter 330 rules. In addition to regulating all aspects of landfill and transfer station design, permitting, and operation, the proposed rule addresses medical waste management, air authorizations for landfills, Councils of Governments' involvement in reviews, and counties' ability to license MSW activities and streamline low impact activities.

The TCEQ has established an advisory group to gather input and identify areas of concern regarding the siting, design, construction, and monitoring of municipal solid waste facilities.

For the latest information on the advisory group, time line, meeting schedule, or to review the draft Chapter 330 rules please visit our Web site at www.tnrcc.state.tx.us/permitting/wasteperm/mswperm/msw_ch330_advgrp.html. ■

Texas Small Public Water System Training Program

Operators of small community or non-transient non-community public water systems (PWS) serving 3,300 persons or fewer are eligible for benefits such as paid classroom courses and licensing fees through a grant from the Environmental Protection Agency (EPA).

Training is available on the subjects of obtaining, upgrading or renewing a water license.

To determine eligibility or to enroll, log on to www.txsmallwater.org or call the Texas Small Public Water System Training Program toll free at 877/822-5349. ■

U P C O M I N G E V E N T S

Commissioners Work Session

February 25, 2005, Austin

March 11, 2005, Austin

EMS Training Events

February 1-3, 2005, Port of Houston, Paul Judice 409/899-8782

February 15-16, 2005, Austin, Larissa Peter 512/239-3766

February 16-17, 2005, Austin, Larissa Peter 512/239-3766

March 29-31, 2005, Port of Houston, Paul Judice 409/899-8782

TCEQ Air Emissions Inventory Seminar

February 8-9, 2005, Houston, Sue Phillips 512/239-6327

The 13th Annual On-Site Wastewater Treatment Research Council Conference

March 8-9, 2005, Waco Convention Center, Diane Stallings 512/239-6333

Small Business Advisory Committee

February 17, 2005, Beaumont, Charlie Adams 409/899-8788

March 15, 2005, Dallas, Sandra Calderon-Garcia 817/588-5868

March 24, 2005, Houston, Cynthia Williams 713/767-3549

Local Specialists are Ready to Help You!

You have free, confidential help right in your back yard. Just check the list below for your local compliance assistance specialist:

Region 1 (Amarillo)

Ross Muir 806/468-0505

Region 2 (Lubbock)

Celeste Hoehne 806/788-5005

Region 3 (Abilene)

Mandy Ellifritz 325/698-6104

Region 4 (Dallas/Ft. Worth)

Sandra Calderon Garcia 817/588-5868

Diane Malas 817/588-5836

Region 5 (Tyler)

Kathy Bell 903/535-5158

Region 6 (El Paso)

Pamela Aguirre 915/834-4974

Region 7 (Midland)

Janet Prim 432/620-6118

Region 8 (San Angelo)

George Ortiz 325/481-8061

Region 9 (Waco)

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Region 12 (Houston)

Clarence Gray 713/767-3582

Cynthia Williams 713/767-3549

Region 13 (San Antonio)

Christine Bergren 210/403-4028

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Region 14 (Corpus Christi)

Glenda Swierc 361/825-3421

Region 15 (Harlingen)

Neftali Buenrostro 956/389-7426

Ronnie Garza 956/389-7425

Region 16 (Laredo)

Carmen Ramirez 956/721-8457

The Advocate

The Advocate is published quarterly by the Small Business and Local Government Assistance (SBLGA) Program of the Texas Commission on Environmental Quality (TCEQ).

YOU CAN CALL ON US

Get free, confidential help with questions on air, water, waste, or pollution prevention issues from this special section of the TCEQ.

SBLGA works for you by:

- providing local environmental assistance when and where it's needed;
- giving small business and local government a voice in TCEQ rule and policy making; and
- communicating technical information in plain language.

SBLGA is entirely separate from TCEQ's enforcement program.

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Toll Free and Confidential
1-800-447-2827

On the Web at:
www.sblga.info



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RETURN SERVICE REQUESTED

SMALL BUSINESS AND ENVIRONMENTAL
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