

# The Advocate



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

PD-006/10-01

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## Petroleum Storage Tank (PST) Workshops Coming to a Location Near You!

Are you a PST operator or owner confused about environmental regulations? The Small Business and Local Government Assistance (SBLGA) section of the TCEQ will host free, half-day workshops throughout Texas to explain state and federal PST requirements. The workshop will explain how to use TCEQ's newest tool, *PST Super Guide: A Comprehensive Guide to Compliance in Texas* (RG-475) and

review administrative and technical requirements, such as registration and self-certification, financial assurance, release detection, corrosion protection, spill prevention, and suspected releases.

Don't see a location in your area? Don't worry! We will be planning additional workshops in your TCEQ region next fall.



For more information or to register, visit [www.tceq.state.tx.us/assistance/sblga/pst.html](http://www.tceq.state.tx.us/assistance/sblga/pst.html). ■

## Sunset Advisory Commission to Review Texas Commission on Environmental Quality

During the 81st Legislative Special Session, the review of the TCEQ by the Sunset Advisory Commission (Sunset Commission) was moved forward two years. The Sunset Commission is an independent state agency composed of 12 members appointed by the Lieutenant Governor and the Speaker of the House.

The overall purpose of the Sunset Commission's review is to determine whether the TCEQ's functions continue to be needed. As part of the review process, the Sunset Commission will conduct public hearings and seek public input through interviews and discussions with external interested parties. The Sunset Commission will then adopt recommended actions for consideration by the Legislature in 2011.

For further information you may visit the Sunset Commission's Web site at: [www.sunset.state.tx.us/](http://www.sunset.state.tx.us/). ■

City	2010 Dates & Location	Time
Hurst	Jan 14, <b>The Brookside Center</b> 1244 Brookside Drive	8:30 a.m.–1:00 p.m.
Tyler	Jan 15, <b>Tyler Junior College West Campus</b> , Regional Training and Development Center-Room 104 1530 South-Southwest Loop 323	8:30 a.m.–1:00 p.m.
Austin	Jan 28, <b>TCEQ Headquarters</b> Building E, Room 201S 12100 Park 35 Circle	8:30 a.m.–1:00 p.m.
Beaumont	Feb 10, <b>South East Texas Region Planning Commission</b> 2210 Eastex Freeway	12:30 p.m.–5:00 p.m.
Houston	Feb 11, <b>Houston Galveston Area of Councils</b> 3555 Timmons, Suite 120	12:30 p.m.–5:00 p.m.
Abilene	Mar 23, <b>Abilene Small Business Development Center</b> 500 Chestnut, Suite 601	8:30 a.m.–1:00 p.m.
Lubbock	Mar 24, <b>Lubbock ISD-Byron Martin Advanced Technology Center</b> 3201 Avenue Q, Conference Room 101	8:30 a.m.–1:00 p.m.
Laredo	Apr 20, <b>City of Laredo Public Works Building</b> 5512 Thomas Avenue	8:30 a.m.–1:00 p.m.
Sinton	Apr 21, <b>San Patricio County Fairgrounds Conference Room</b> 219 West 5th Street	9:00 a.m.–1:00 p.m.
San Antonio	Apr 22, <b>Alamo Area Council of Governments</b> 8700 Tesoro, Suite 100	8:30 a.m.–1:00 p.m.

# East Texas Combustion Rules Effective March 1, 2010

Beginning March 1, new rules become effective for operators of stationary, gas-fired, internal-combustion engines in the following East Texas counties:

Anderson	Henderson	Navarro
Brazos	Hill	Panola
Burleson	Hopkins	Rains
Camp	Hunt	Robertson
Cass	Lee	Rusk
Cherokee	Leon	Shelby
Franklin	Limestone	Smith
Freestone	Madison	Titus
Gregg	Marion	Upshur
Grimes	Morris	Van Zandt
Harrison	Nacogdoches	Wood

You can read the rule in 30 TAC Chapter 117, Subchapter E, Division 4.

The East Texas Combustion rules require operators of stationary, gas-fired, rich-burn engines to meet emission specifications and follow operating requirements that include:

- monitoring and testing for NO<sub>x</sub> and O<sub>2</sub> emissions of the engines,
- notifying the TCEQ regional office of testing,
- record keeping of emission measurement, monitoring, and maintenance activities,
- reporting to the TCEQ any testing and monitor certifications.

Partial exemptions exist for engines that are:

- less than 240 horsepower

- diesel
- dual-fuel
- gas-fired, lean-burn
- used exclusively for emergencies
- used in research and testing
- used in agriculture

Operators of engines that qualify for a partial exemption still must meet certain record-keeping requirements as specified in 30 TAC Chapter 117.3345(b).

If you have questions about the East Texas Combustion rules, call Ray Schubert, Air Quality Division, at 512-239-4900. Find the rules online at <[www.tceq.state.tx.us](http://www.tceq.state.tx.us)>. Click on "Rules," then on "Download TCEQ Rules." ■



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## A Message from the Compliance Advisory Panel Chair, Mark Shelton

*-Mark Shelton, CAP Chair  
Oil City Iron Works, Inc.*

As part of the 1990 Federal Clean Air Act Amendments, a small business compliance advisory panel (CAP)

comprised of seven members was established. The members' roles include:

- Advising the TCEQ's Small Business Assistance Program on improving its effectiveness.
- Submitting periodic progress reports and recommendations to the U.S. Environmental Protection Agency's small business ombudsman.
- Assessing compliance and enforcement trends encountered by specific small business sectors and recommending improvements to the TCEQ.
- Ensuring that information and regulations affecting small businesses are written in plain language.

Looking back at our CAP meeting last year, Hurricane Ike was just off the Texas coast and our attention was focused on the imminent devastation and impacting effect. There is sad irony in the fact that this year's CAP meeting finds us pondering the disastrous effects of this economic

recession on those same small businesses across Texas.

When you listen to what business owners and operators have to say about their current situation, you hear the same resounding message, "we will find a way to survive this, but the playing field will be very different." For those fortunate companies that can make it through these difficult times, there will be a different field to operate on, and one of the most dramatic differences will be in the workforce. In order to absorb this economic blow, many Texas small businesses have had to reduce their payrolls to stay afloat. The impact of these reductions in many cases directly affects the person charged with the responsibility of administering their Environmental Health and Safety (EHS) programs.

Many small businesses will find themselves shorthanded in a very globally competitive arena. The new focus will be on growing and maintaining their customer base while cleaning up and repairing the damage left by the economic storm. The responsibility of the important EHS programs will most likely fall onto an already overburdened survivor with

little or no experience. I am convinced that the Small Business and Local Government Assistance (SBGLA) section will fill the role of rescue assistance for these struggling businesses, so they can get back onto their feet and maintain their environmental compliance. In many cases it will be a quick phone call with a question that needs to be answered about a regulation, or in a most severe case it might be several training seminars or a site visit that is required. Either way, I am hopeful that the affected small businesses will reach out to the SBGLA and accept the trustworthy assistance that is available.

Small businesses that are struggling with these issues should make the call and gladly accept the available assistance. An important component of their new business plans should include networking and participation in one of the several Small Business Advisory Committees (SBACs) located throughout our state. I am convinced there is a triple digit return on the investment of time and effort spent interacting and networking with other small businesses and the trustworthy staff at the SBGLA. ■

# New Requirements Coming for Public Water Providers in Harris County

Revisions to 30 TAC Chapter 290 and Chapter 291 will establish new requirements for the following types of public water providers:

- retail public utilities,
- exempt utilities,
- providers or conveyors of potable or raw water service that furnish water to more than one customer in a county with a population of 3.3 million, or in counties with populations of 400,000 or more adjacent to a county with a population of 3.3 million or more.

Affected utilities must develop emergency preparedness plans to ensure operations of their water systems at a minimum of 35 pounds per square inch (psi) during power outages lasting more than 24 hours following the occurrence of a natural disaster. Generally, utilities will be able to do this

using one of the following options:

- automatic start of auxiliary generators,
- sharing of auxiliary generator capacity,
- negotiation of leasing and contracting (mutual aid) agreements,
- use of portable generators,
- on-site electrical generation,
- hardening of the electric transmission and distribution system,
- using direct engine or right angle drives, or
- any other alternative determined by the executive director as acceptable.

Prior to this new senate bill, emergency power was required of systems serving 250 or more connections that did not have elevated storage. The senate bill includes all affected utilities serving more than one customer in areas that meet the population density as described above. (At a minimum,

affected utilities in Harris County will need to follow these proposed rules.) It also requires that each affected utility submit to the commission its emergency preparedness plan no later than March 1, 2010.

To review the new rules, go to [http://info.sos.state.tx.us/pls/pub/readtac\\$ext.viewtac](http://info.sos.state.tx.us/pls/pub/readtac$ext.viewtac) and choose Title 30, Chapter 290, Subchapter D, sections 290.38 through 290.47 and Chapter 291, Subchapter L, sections 291.160 through 291.162. ■

## Do You Want to Be More Involved? Join a Small Business Advisory Committee Today!

Small Business Advisory Committees (SBACs) provide small businesses in selected Texas areas with a voice in the regulatory process, access to local and state decision makers, and exposure to businesses and agencies that promote environmental quality.

The TCEQ coordinates quarterly meetings where SBAC members comment on existing and proposed local, state and federal environmental rules, policies, and programs and their effects on small businesses.

Membership is voluntary and open to all interested persons such as the following:

- small business owners
- environmental consultants
- representatives of trade associations
- representatives of governmental organizations.

Currently, SBACs are located in Houston, Beaumont, Dallas, and Fort Worth. For more information, visit the Web site at [www.tceq.state.tx.us/assistance/sblga/sbac.html](http://www.tceq.state.tx.us/assistance/sblga/sbac.html) or call the Small Business and Local Government Assistance hotline at 1-800-447-2827. ■

## UPCOMING EVENTS

### Small Business Advisory Committee (SBAC)

Feb. 24, 2 p.m.–4 p.m., Fort Worth Chamber of Commerce  
777 Taylor Street, Suite 900, Fort Worth  
Contact: Lynn Owens, 817-588-5927

Feb. 25, 10 a.m.–noon, North Dallas Chamber of Commerce  
10707 Preston Road, Dallas  
Contact: Stephanie Colman, 817-588-5836

March 9, 11:30 a.m.–1 p.m., Southeast Texas Regional Planning Commission  
2210 Eastex Freeway, Beaumont  
Contact: Lori Palmer, 409-899-8789

March 17, 10 a.m.–noon, Houston Galveston Area Council  
3555 Timmons Lane, Conference Room C, Houston  
Contact: Matt Boger, 713-767-3693

### Emissions Inventory Workshop

Jan. 27, J.J. Pickle Center, Commons Building  
10100 Burnet Road, Austin  
Contact: Sherry Wagner, 512-239-3143

### Environmental Trade Fair and Conference

May 4–5, Austin Convention Center  
500 East Chavez Street, Austin  
Contact: Diane Stallings, 512-239-3143



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## CALL ON US Toll Free & Confidential: 1-800-447-2827

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;
- communicating technical information in plain language; and
- giving small business and local government a voice in TCEQ rule and policy making.

**On the Web at: [www.sblga.info](http://www.sblga.info)**

SBLGA is entirely separate from TCEQ's enforcement program.

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**Disclaimer:** This regulatory guidance publication does not take the place of the full, official TCEQ rules. It is intended only as a general explanation about selected parts of the rules. If you have questions about any information contained in this periodical, contact us at 800-447-2827.

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



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