



Texas Commission on Environmental Quality

DOCKET NO. 2013-2118-MIS
General Permit No. TXG500000

IN THE MATTER OF AMENDING AND	§	BEFORE THE TEXAS
RENEWING A GENERAL PERMIT TO	§	COMMISSION ON
AUTHORIZE DISCHARGES OF	§	ENVIRONMENTAL
PROCESS WASTEWATER, MINE	§	QUALITY
DEWATERING, STORMWATER	§	
ASSOCIATED WITH INDUSTRIAL	§	
ACTIVITY, CONSTRUCTION	§	
STORMWATER, AND CERTAIN NON-	§	
STORMWATER DISCHARGES FROM	§	
QUARRIES LOCATED GREATER THAN	§	
ONE MILE FROM A WATER BODY	§	
WITHIN A WATER QUALITY	§	
PROTECTION AREA IN THE JOHN	§	
GRAVES SCENIC RIVERWAY	§	

COMMISSION RESOLUTION AMENDING AND RENEWING THE GENERAL PERMIT

WHEREAS, under Texas Water Code (TWC), § 26.121, no person may discharge waste or pollutants into or adjacent to any water in the state except as authorized by a rule, permit, or order issued by the Texas Commission on Environmental Quality (Commission);

WHEREAS, under TWC, § 26.027, the Commission has the authority to issue permits and amendments to permits for the discharge of waste or pollutants into or adjacent to water in the state;

WHEREAS, under TWC, § 26.040, the Commission has the authority to issue a general permit to authorize the discharge of waste into or adjacent to waters in the state;

WHEREAS, under TWC, § 26.553, the Commission is required to issue a general permit to authorize discharges into or adjacent to waters in the state for any

quarry located greater than one mile from any water body within a water quality protection area in the John Graves Scenic Riverway;

WHEREAS, the renewal with amendment of General Permit No. TXG500000 authorizing the discharges of process wastewater, mine dewatering, stormwater associated with industrial activity, construction stormwater, and certain non-stormwater discharges from quarries located greater than one mile from a water body within a water quality protection area in the John Graves Scenic Riverway, was drafted and proposed by the Executive Director and is attached as Exhibit A;

WHEREAS, the Commission did receive public comment on the general permit;

WHEREAS, the Executive Director did not make any changes to the general permit based on comments received;

WHEREAS, the Executive Director prepared, made available to the public, and filed with the Chief Clerk a written Response to Public Comment on the proposed change to the general permit, in accordance with the requirements of 30 Texas Administrative Code (30 TAC) § 205.3(e), and is here attached as Exhibit B;

WHEREAS, the Commission has reviewed, in accordance with Texas Natural Resources Code, § 33.205 and 30 TAC § 205.5(f), the changes to the General Permit for consistency with the Texas Coastal Management Program (CMP) and has found that the general permit is consistent with applicable CMP goals and policies, and that the general permit will not adversely affect any applicable coastal natural resource areas as identified in the CMP;

WHEREAS, the Commission has determined in accordance with TWC, §26.040(a)(1)-(4), that the general permit would authorize dischargers who engage in the same or substantially similar types of operations, discharge the same types of waste, are subject to the same requirements regarding effluent limitations or operating conditions, and are subject to the same or similar monitoring requirements;

WHEREAS, the Commission finds, in accordance with TWC, § 26.040(a)(5), that the general permit would apply to dischargers who are more appropriately regulated under a general permit than under individual permits and that:

(A) the general permit was drafted to assure that it can be readily enforced and that the Commission can adequately monitor compliance with the terms of the general permit through on-site inspection and by submission of annual reports by dischargers; and

(B) the category of discharges covered by the general permit will not include a discharge of pollutants that will cause significant adverse effects to water quality;

THEREFORE, after consideration of all public comment and the responses to such

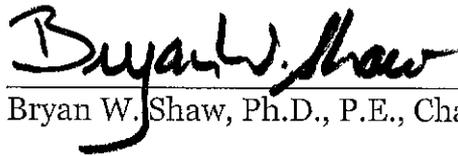
comment, the Commission, by this resolution, hereby issues the general permit, attached as Exhibit A, as recommended by the Executive Director and as approved by the Commission during its March 26, 2014 public meeting. The Commission, by this resolution, also hereby issues the Executive Director's Response to Comment as approved by the Commission during its March 26, 2014 public meeting as the Commission's Response to Public Comment, attached as Exhibit B.

Furthermore, the Commission directs staff to make any non-substantive changes to the general permit and the Commission's Response to Public Comment to satisfy *Texas Register* format requirements and requests that the general permit be made available to the public in accordance with the requirements of TWC, § 26.040(d) and 30 TAC § 205.3(e).

It is so **RESOLVED**.

Date of Adoption: APR 07 2014

TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY


Bryan W. Shaw, Ph.D., P.E., Chairman