

Water Quality Advisory Work Group  
Draft Meeting Summary  
April 28, 2009

Welcome and Introductions – Chris Linendoll, Wastewater Permitting Section Manager

Update on Barton & Onion Creeks Stakeholder Group – Kim Wilson

- TCEQ received petition from the City of Austin and the Barton Springs/Edwards Aquifer Conservation District requesting to initiate rulemaking to adopt new rules under 30 Texas Administrative Code Chapter 311 concerning water quality management in the Barton Creek and Onion Creek watersheds
- TCEQ Commissioners denied the petition but directed the Executive Director to seek stakeholder input
- TCEQ held 2 stakeholder meetings and staff is currently evaluating input that was received
- Staff will report back to the Commissioners with stakeholder input and information from comments
- Staff will then wait for further recommendations from the Commission
- Target date for agenda is July 8
- Staff is still taking comments
- Management briefings should begin soon

Legislative Update – Kim Wilson

Proposed legislation that may impact the Water Quality Division:

- Prohibiting discharges in area of the Edwards Aquifer contributing zone – has moved out of the House Natural Resources committee
- TCEQ required to conduct soil sampling in the Bosque – bill is currently in the House of Representatives
- Quarries may be required to register with the state
- Several bills filed relate to back up power at wastewater facilities

Status of Bacteria Effluent Limits for Domestic TPDES Permits and Chapter 39 Notice Rule – Sherry Smith

- Bacteria Rule set for May 20 Commissioners' agenda
- Draft language should be on the website by Friday, May 1
- Notice period is June 5 to July 5, Public hearing is June 30
- TCEQ staff have made several presentations to inform the regulated community
- The notice rule would require wastewater systems to send an updated mailing list if the permit is held up for 2 or more years between the first notice and the second notice
- Notice rule package is scheduled for proposal at the July 8 agenda

Rule Revisions – Chris Linendoll

TCEQ is opening up Chapters 309, 319 and 210 for rule revision soon.

Chapter 217 Design Criteria for Wastewater Systems – Louis C. Herrin, III

- Chapter 217 is adopted
- New rule says that cities can apply for review authority – more cities are doing that
- TCEQ will have the application on website
- MUDs and river authorities cannot apply since the statute only applies to cities
- Chapter 217 requires a 30" manhole – the only exception is if the manhole is only used for clean out purposes

- Last day for the variance was March 9, 2009
  - Everyone is now subject to Chapter 217 instead of 317
  - Systems can apply for a variance through 217.6
  - Office of Rules and Community Affairs (ORCA) is releasing funds for fixed generators
  - About 500 applications are expected from wastewater systems and another 500 from water systems
  - TCEQ has sent ORCA a sample application letter and a checklist
  - Submittals will be sent to TCEQ
  - Will give a quick review, look at proximity to neighbors, secondary containment, etc
  - ORCA handling HUD grant and FEMA money
  - Only public systems will qualify, not private
  - When asking for a variance under 217, the engineer must justify the changes
  - Staff will have 30 days to review instead of 10
  - Chapter 217 has more specific language on service agreements for pressure sewers
  - Applicants must submit copy of service agreement to TCEQ and state what will happen during a power outage
  - TCEQ has not received any plans yet for scalping plants under 321 P yet
  - WEAT is planning a webcast on scalping plants
- Q: What is the difference between grinder stations and lift stations?  
A: Grinder stations are under 100 gpd in small pressure sewers. Lift stations are much larger.
- Q: Are homeowners responsible for pressure sewers or the company?  
A: It's up to the utility. The service agreement should stipulate who bears the responsibility. Electrical costs should also be addressed in the service agreement.
- Q: Who is responsible for an over flow at the pump and any fines or infractions?  
A: The service agreement should also address this issue. This legislative session will probably address the issue of emergency power.
- Q: What is the requirement for electrical service under power outages?  
A: There should be enough power to run the lift stations. The disinfection system must be operated at all times. There should be enough power to get water through the plant.

#### Update on Standards Revision – Sidne Tiemann, Water Quality Planning Division

- Second meeting of the Water Quality Standards workgroup was held yesterday.
- Group concentrated on nutrient issues that were brought up at the January meeting
- The group discussed the rule package in the morning and the implementation procedures in the afternoon.
- The rule is in the new Water Quality Planning Division and the implementation procedures are in the Water Quality Division since they were part of permitting.
- The workgroup discussed nutrients and the use of old chlorophyll data
- They discussed looking for differences between the old and new.
- Staff will begin to pull more recent data and look at recalculating criteria
- The group also discussed using total phosphorous as a screening constituent. They suggested using other constituents.
- If total phosphorous screening is kept, it will be included in the rule and taken out of the implementation procedures.
- In a discussion of the implementation procedures, the group talked about how criteria would be used
- Some changes have been made to the rule package as a result of comments.
- Staff is in the process of preparing the final draft before sending it to management for review.
- The rulemaking process should begin sometime around the middle of summer, possibly with final adoption in 2010.

## Permit Application Revision – Dr. Michael Redda

Phase I – Completed at the beginning of March 2009

- Zip Code on the Location description of the facility
- Email address of contacts

Phase II – Scheduled for completion in May 2009

- General
  - < Immediate staff and stakeholder involvement
  - < WordPerfect converted to MS Word
  - < Formatting for better readability (page set up, spacing and maintaining font to 11 throughout)
- National Environmental Laboratory Accreditation Conference (NELAC) signature requirement added
- Based on 30 TAC §317 changes were made to:
  - < All parts referencing 30 TAC §317
  - < Examples of design calculations for wastewater and sludge management
  - < Examples of safety features
- Map
  - < Example of Landowners map was added to Land Application Permits (TLAP)
- Example flow diagram was reconstructed to better address the permit requirements
- Class V Injection Well designation key removed (reviewer – Brian Smith – Industrial Hazardous Waste Program)
- References to Land Application Team were changed to Municipal Wastewater Permits Team
- No versions of application material later than 6 months can be accepted
- A statement asking about compliance to the permit requirements was added
  - Summary submittal letter
  - Pond liner certification
  - Buffer zone requirements
- Based on the agreement reached between EPA and TCEQ Fecal Coliform monitoring requirement was substituted with
  - *E. coli* for discharges to freshwater discharge
  - *Enterococci* for discharges to saltwater

## Pending Issues

Changes to the Minimum Analytical Level of the Pollutant Analysis Requirement

## Announcements – Chris Linendoll

TCEQ Environmental Trade Fair May 12-14 at the Convention Center

EPA/TCEQ sponsoring NPDES Permit Writers' training here at the agency May 18-21

Next meeting – July 21<sup>st</sup> at 1:15, Building E. Room 201S. Suggested topics are an update on legislation, water quality standards and implementation procedures.