

Provisions in the 2000 Standards – Not Approved by the EPA

(updated November 17, 2009)

The following summary identifies the portions from the 1997 TX WQS that are still effective for CWA purposes. These sections had new or revised items in the 2000 TX WQS that: (1) the EPA has disapproved or (2) the EPA is explicitly not going to take action.

Disapproved

- The application of the TX WQS for the portions of the Red River and Lake Texoma that are located within the state of Oklahoma.
- The TX WQS for those waters or portions of waters located in Indian Country, as defined in 18 U.S.C. 1151.
- Appendix A – Site-specific Uses and Criteria for Classified Segments: Intermediate aquatic life use and 4.0 mg/L dissolved oxygen criterion for Segment 0615 – Angelina River/Sam Rayburn Reservoir. This segment was created in the 2000 TX WQS from a portion of segment 0610 – Sam Rayburn Reservoir. The high aquatic life use and dissolved oxygen criterion of 5.0 mg/l for segment 0610 in the 1997 TX WQS remain effective for Segment 0615. The revised boundaries, contact recreation and public water supply, and other numeric criteria for segment 0615 in the 2000 TX WQS were approved.
- Appendix A – Site-specific Uses and Criteria for Classified Segments: Maximum temperature criterion for Segment 1811 – Comal River. The maximum temperature criterion of 90°F for Segment 1811 in the 1997 TX WQS remains effective for CWA purposes.
- Appendix E – Site-specific Criteria: Site-specific selenium criteria for Dixon Creek, an unclassified water body in Segment 0101. For CWA purposes, an acute criterion of 20 ug/l and a chronic criterion of 5 ug/l from Table 1 of the 2000 TX WQS are effective.
- Appendix E – Site-specific Criteria: Site-specific selenium criteria for Linnville Bayou, an unclassified water body in Segment 1304. For CWA purposes, an acute criterion of 20 ug/l and a chronic criterion of 5 ug/l from Table 1 of the 2000 TX WQS are effective.
- Appendix E – Site-specific Criteria: Site-specific zinc criteria for Kinney Bayou Tidal and Jewel Fulton Canal Tidal, unclassified water bodies in Segment 2481. Criteria based on a water effects ratio of 1.14 were approved in accordance with the water effects ratio provision in §307.6(c)(9).

No Action

- §307.3(a)(57) surface water in the state – The revised definition of “surface water in the state” includes a distance of 10.36 miles into the Gulf of Mexico. Under the CWA, Texas does not have jurisdiction to regulate water standards more than three miles from the coast. Therefore, EPA’s approval of portions of the TX WQS recognizes the state’s authority under the CWA out to three miles in the Gulf of Mexico, but does not extend past that point. Beyond three miles, EPA retains authority for CWA purposes.

- §307.6(c)(8) – Table 2. This table provides the total hardness and pH values used for determining select in-stream toxic criteria. EPA considers Table 2 to be an implementation provision.
- §307(b)(1)(C) – Language in this provision that allows continued use of fecal coliform bacteria for effluent limits in wastewater discharge permits. EPA considers this to be an NPDES implementation provision.
- Appendix A – Site-specific Uses and Criteria for Classified Segments: Public water supply use for Segment 2308 – Rio Grande Below International Dam. This use was included in the proposed 2000 TX WQS, but withdrawn in the preamble to the adopted TX WQS based on updated information.
- Appendix B – Low-Flow Criteria: seven-day, two year low flow (7Q2) and harmonic mean flow values. EPA considers Appendix B to be an implementation provision.