



# Complying with the Pollution Prevention Planning Law

The purpose of this guide is to help facilities comply with the Texas pollution prevention planning law established by the Waste Reduction Policy Act (WRPA). It gives the Texas Commission on Environmental Quality (TCEQ) the authority to administer the law under the rules in Title 30 of the Texas Administrative Code (30 TAC), Chapter 335, Subchapter Q.

*This guide does not apply to Pollution Prevention Plans required for storm water (see “Need more information?” at the end of this document).*

## What is pollution prevention planning?

Pollution prevention (P2) planning encourages facilities to conduct long-range planning that will strengthen efforts to prevent pollution in Texas. The goal is to prevent the generation of pollution, to save money, to reduce liability, and to lessen regulatory burden.

## Who must comply with the law?

The planning and reporting requirements on pollution prevention apply to the following types of facilities:

- facilities that report to the Environmental Protection Agency (EPA) using the Toxics Release Inventory (TRI) Form R; or
- large quantity generators (LQGs) or small quantity generators (SQGs) of hazardous waste that report to the TCEQ on the Annual Waste Summary.

For more information on requirements of the Toxics Release Inventory or of the Annual Waste Summary, see the “Need more information?” section.

## What does the law require?

The pollution prevention planning law requires you to prepare a five-year Pollution Prevention (P2) Plan and to submit documents to the TCEQ by specific deadlines. To find the forms and information about how to file them, go to [www.P2Plan.org](http://www.P2Plan.org).

### What documents should I use?

Under the law on P2 planning, you are required to:

- prepare a five-year P2 Plan, which is kept on site;
- submit an Executive Summary of the P2 Plan to the TCEQ;
- submit a signed Certificate of Completeness and Correctness to the TCEQ;
- renew the P2 Plan every five years and then file the Executive Summary of the P2 Plan and the Certificate of Completeness and Correctness with the TCEQ; and
- submit an Annual Progress Report to the TCEQ (not required of SQGs that do not report on TRI Form R).

For specific requirements, you can refer to the TCEQ pollution prevention publication, RG-409, A Guide to Pollution Prevention Planning. This publication is available by calling Publications at 512/458-0028. You can also download this publication at [www.P2Plan.org](http://www.P2Plan.org).

### When are the deadlines for reporting?

The following provides guidance on how to determine the due dates for reporting on the pollution prevention plans:

- Five-year P2 Plan. The initial five-year P2 Plan is due and must be implemented within 90 days after you submit your first TRI Form R or your first Annual Waste Summary.
- Executive Summary and Certificate of Completeness and Correctness. After preparing a P2 Plan, a facility must submit the Executive Summary of the P2 Plan and a signed Certificate of Completeness and Correctness to the TCEQ. *The certificate must be signed by the owner, corporate officer, or someone who has the financial means to implement the plan.*

- Annual Progress Report (APR). If applicable, the first report is due on July 1 of the year after your first plan is due. Subsequent reports are due on July 1 of each year.
- Renewed five-year plan. A facility must renew its five-year P2 Plan and then submit the Executive Summary of the five-year plan and a signed Certificate of Completeness and Correctness to the TCEQ. The TCEQ advises facilities renewing a five-year P2 Plan to begin on January 1 of the year the plan is renewed. To meet this deadline, you will need to begin planning several months—maybe even a year—before the renewal is due.

### ***Example of Due Dates for Reporting on a Pollution Prevention Plan***

*July 1, 2003:*

You reported on the TRI Form R for the first time.

*Sept. 30, 2003:*

Your five-year P2 Plan must be implemented. You will also need to submit an Executive Summary of your five-year P2 Plan and a signed Certificate of Completeness and Correctness to the TCEQ.

*July 1, 2004:*

Your first Annual Progress Report (if applicable) is due to the TCEQ.

*July 1, 2005, 2006, 2007, 2008:*

Annual Progress Reports (if applicable) are due each year on July 1.

*Jan. 1, 2008:*

The five-year P2 Plan ends in 2008, so the renewal of the five-year P2 Plan is due Jan. 1, 2008.

## Need more information?

For assistance on **pollution prevention**:

Mail: Industrial Pollution Prevention Team, MC 113  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, TX 78711-3087

Phone: 512/239-3100

E-mail: [p2@tceq.state.tx.us](mailto:p2@tceq.state.tx.us)

Web: [www.P2Plan.org](http://www.P2Plan.org)

For information on the **Toxics Release Inventory**:

Mail: Toxics Release Inventory Program, MC 164  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, TX 78711-3087

Phone: 512/239-4TRI (512/239-4874)

E-mail: [toxic@tceq.state.tx.us](mailto:toxic@tceq.state.tx.us)

EPA website: [www.epa.gov/tri](http://www.epa.gov/tri)

For information on the **Annual Waste Summary (TCEQ Form 00436B)**:

Mail: Industrial and Hazardous Waste Registration Team, MC 129  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, TX 78711-3087

Phone: 512/239-6413

E-mail: [wasteval@tceq.state.tx.us](mailto:wasteval@tceq.state.tx.us)

Web: [www.tceq.state.tx.us/goto/rg151.html](http://www.tceq.state.tx.us/goto/rg151.html), *Industrial and Hazardous Waste Annual Waste Summary Instructions* (RG-151) and [www.tceq.state.tx.us/goto/rg222.html](http://www.tceq.state.tx.us/goto/rg222.html), *Do You Need Industrial or Hazardous Waste Registration Numbers?* (RG-222). See Table 1 for information on determining

generator statuses (for example, Large Quantity Generator or Small Quantity Generator).

To find out your generator status: [wasteval@tceq.state.tx.us](mailto:wasteval@tceq.state.tx.us)

For information on the **Storm Water Pollution Prevention Plans:**

Mail: Storm Water and Pretreatment Team, MC 148

Texas Commission on Environmental Quality

P.O. Box 13087

Austin, TX 78711-3087

Phone: 512/239-4671

Web: [www.tceq.state.tx.us/goto/sw-permits.html](http://www.tceq.state.tx.us/goto/sw-permits.html)

For compliance assistance tools, see “Assistance Tools for Storm Water Permitting” at [www.tceq.state.tx.us/goto/sw.html](http://www.tceq.state.tx.us/goto/sw.html)