



An Environmental Guide for Texas Automotive Repair Shops

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Automotive Repair and Environmental Rules

State and federal environmental laws are designed to help your business become environmentally efficient, increase your profits, and, in turn, minimize pollution and protect public health. But you must do your part. This guide informs you of some basic rules and regulations you need to know and follow in order to comply with state and federal environmental laws.

This publication is not a substitute for the actual rules. To obtain the most current, official copy of state rules, contact the Secretary of State’s office at 512-305-9623 or visit the Web page at <[info.sos.state.tx.us/pls/pub/readtac\\$ext.ViewTAC?tac_view=3&ti=30&pt=1](http://info.sos.state.tx.us/pls/pub/readtac$ext.ViewTAC?tac_view=3&ti=30&pt=1)>. Copies of the rules can also be downloaded from our Web page, <www.tceq.texas.gov/rules>.

Get the Proper Air Authorization

The Texas Commission on Environmental Quality, the state’s environmental agency, requires every business, small or large, that generates air pollution to obtain an air authorization for its facilities. Before you construct or modify your business, you **must** qualify for *de minimis* status, a permit by rule, or a State Air Quality Permit.

De Minimis

De minimis sites emit such low amounts of air pollution that no state air authorization is required. Facilities that qualify for *de minimis* status do

not need to register with the TCEQ, but must keep records to prove they have met the *de minimis* conditions. If your facility uses less than 50 gallons of cleaning and stripping solvents per year, you may qualify for *de minimis* status.

Permits by Rule

A facility may be permitted by rule and may not have to apply for a standard state air permit. To qualify for a permit by rule (or PBR), a facility cannot emit more than:

- 250 tons per year of carbon monoxide or nitrogen oxides,
- 25 tpy of volatile organic compounds or sulfur dioxide or inhalable particulate matter,
- 15 tpy of particulate matter with diameters of 10 microns or less,
- 10 tpy of particulate matter with diameters of 2.5 microns or less, or
- 25 tpy of any other air contaminant except carbon dioxide, water, nitrogen, methane, ethane, hydrogen, and oxygen.

Know that PBRs are process- or equipment-specific. Your facility may claim a PBR as long as you meet the all the conditions of the PBR, the general requirements listed in Title 30 of the Texas Administrative Code, Section 106.4, and the record-keeping requirements as outlined in Section 106.8. To claim some PBRs, you must submit a registration form to the TCEQ. Other PBRs require no notification from you. Chances are you'll have more than one PBR available to you, so, it's important to know which ones require you to submit the registration. Here's a look at some of the kinds of permits by rule for automotive repair facilities you may need:

Parts Washing or Degreasing. PBR 106.454 applies to certain types of parts degreasers. "Remote reservoir" and "cold solvent" cleaners are the most common degreasers. Both cleaners are covered by this PBR when certain design, operating, and record-keeping requirements are met. The type of machine and amount of solvent you use may require you to submit a registration form.

Handheld and Manually Operated Equipment. PBR 106.265 applies to certain manual processes like grinding, buffing, and drilling. Because these processes generate minimal air pollution, they're permitted by rule but don't require registration.

Used Oil Burners. PBR 106.181 allows an owner or operator to burn used oil generated on-site or used oil received from household "do it yourself" generators. No registration is required for this permit by rule.

Heat-Cleaning Devices. PBR 106.495 requires controls on types of materials baked off engines as well as on types of fuels used to fire heat-cleaning devices. Form PI-7 is required for a PBR.

Surface Coating of Parts or Engines. PBR 106.433 is required for painting engine blocks or other automotive parts. The PBR specifies the types of paints, coatings, and applications you may use. If coating is done outdoors or in an open area, written site approval by the TCEQ is required. Depending on the amount of paint and solvent you use, a PI-7 CERT form¹ may be required.

Steam Cleaning of Parts or Engines. PBR 106.411 applies to businesses that steam-clean engines. No registration is required.

Acid-Bath Cleaning of Parts or Radiators. PBR 106.375 applies to the use of acid baths or other aqueous solutions for stripping or cleaning parts. No registration is required.

Fuel Dispensing. PBR 106.412 applies to businesses that have equipment that is used exclusively to store and dispense motor fuels into motor vehicles. No registration is required.

Soldering, Brazing, or Welding. PBR 106.227 applies to businesses that use brazing, soldering, or welding equipment, except those which emit 0.6 ton per year or more of lead is permit by rule.

Comfort Heating. PBR 106.102 applies to businesses that have combustion units that are designed and used exclusively for comfort heating and use liquid petroleum gas, natural gas, solid wood, or distillate fuel oil.

State Air Quality Permits

A state air permit is required when you don't qualify for *de minimis* status or a permit by rule. By law, permits are required before you construct or modify a facility. Application for a permit requires you to:

- submit TCEQ Form PI-1
- pay a fee
- supply additional information about your process
- post a public notice

For questions about *de minimis* status, permits by rule, permits, or a facility under construction without authorization, please call the Small Business and Local Government Assistance (SBLGA) hotline at 800-447-2827.

Meet Federal Air Requirements

Facilities that emit or have the potential to emit large amounts of air pollutants are called *major sources*. Compliance with additional regulations and a permit registration with the U.S. Environmental Protection Agency are required of major sources. If your facility still uses a solvent cleaning

¹ All PBRs may be claimed on the PI-7 or PI-7 CERT form (Forms TCEQ-10228 and TCEQ-20182, respectively). Use the PI-7 CERT if you paint or surface-coat parts; use a PI-7 for other activities requiring registration if you do not paint.

machine and halogenated solvent cleaners such as methylene chloride, you must comply with the EPA's regulations known as "NESHAP (National Emissions Standards for Hazardous Air Pollutants) for Halogenated Solvent Cleaners."

If your facility recovers refrigerant, it must be sent to an EPA-approved reclamation (recycling) facility. Technicians must be certified, and only EPA-approved equipment may be used. If your facility dispenses gasoline from stationary storage tanks into fuel tanks of on-road vehicles and is located in an ozone nonattainment area, you may be subject to the TCEQ's requirements for Stage I and Stage II vapor recovery.

Is Your Facility Located in a Nonattainment Area?

Nonattainment areas include counties that haven't met federal air quality requirements. Businesses located in nonattainment areas have limits on VOC emissions. Ozone nonattainment areas currently include the Beaumont–Port Arthur, Dallas–Fort Worth, El Paso, and Houston–Galveston areas. El Paso is also a nonattainment area for particulate matter.

Note: The Austin, San Antonio, and Tyler-Longview areas likely will receive *deferred nonattainment* status because they have committed to reduce emissions earlier than required. These areas may have stricter air quality standards for your facility.

Be Aware: Regulated underground storage tanks are subject to extensive TCEQ administrative and technical standards, including requirements for registration, installation, upgrades, repairs, removals, release reporting, operator training, corrective action, financial assurance, fees, contractor registration, and reporting and record keeping.

Know the State's General Air Regulations

To control air pollution, the TCEQ developed the following rules to guide all businesses, including automotive repair facilities:

Conduct an Emissions Inventory. If your facility is in an ozone nonattainment area and emits 10 tons or more per year of VOCs, you must file an emissions inventory report with the TCEQ annually. If you emit 10 tons or more of a specific hazardous air pollutant you also must file an emissions inventory. Call 800-447-2827 for a list of HAPs, or visit the EPA's Web page at <www.epa.gov/ttn/atw/orig189.html>. This information helps plan and track the progress of the state's efforts to reduce air pollution.

Don't Be a Nuisance. Facilities must not create emissions, including odors that adversely affect human health or welfare, animal life, vegetation, or the normal use and enjoyment of property.

Practice Good Housekeeping and Maintenance. Keep lids on cans containing solvents. Clean up spills immediately. Keep

pollution-control equipment in good working order, operate it properly, and promptly repair leaks.

Control Visible Emissions. Your facility must not discharge visible emissions or fine particulate matter. If these emissions can be seen coming from your facility, contact the SBLGA to learn how these emissions are regulated. Make sure and check with your local air authority for any additional regulations that may apply.

Comply With Storage-Tank Regulations

Underground Storage Tanks

Underground storage tanks consist of one or a combination of underground tanks and any connecting underground pipes whose volume is 10 percent or more beneath the ground. Tanks are regulated if they contain either petroleum substances or hazardous substances. Some of the most common regulated substances you may find at an auto service facility include:

- gasoline
- petroleum solvents
- diesel
- ethylene glycol
- used oil
- acetone
- new oil
- methyl ethyl ketone

Aboveground Storage Tanks

Aboveground storage tanks are regulated by the TCEQ if they have a capacity of more than 1,100 gallons and store petroleum products that are capable of propelling motor vehicles and aircraft. Petroleum products include *gasoline, diesel, kerosene, gasohol, and aviation gasoline*. Regulated ASTs are subject to requirements regarding registration, fees, release reporting, corrective action, and record keeping, as well as other reporting requirements.

For a more comprehensive guide to issues relating to Petroleum Storage Tanks please refer to TCEQ publication no. RG-475, the PST Super Guide. You can download a free copy from the TCEQ Publications page at www.tceq.texas.gov/goto/rg-475, or call the SBLGA for a free copy or confidential help at 800-447-2827.

Other Requirements

The use, location, or contents of some USTs and ASTs subject them to the regulations of other TCEQ programs as well as to regulations of other state, federal, or local agencies having legal jurisdiction. If your facility has USTs or ASTs, do the following:

- Check with the EPA for possible requirements for spill-prevention control and countermeasures if:
 - tanks store petroleum or oil and if UST is 43,000 gallons or larger, or
 - if total capacity of all ASTs is 1,320 gallons or more.
- Check with the Texas General Land Office for possible Oil Spill Prevention and Response Act requirements if the tanks store petroleum or oil *and* are in Texas coastal regions.
- Check with the State Fire Marshal's Office (Texas Department of Insurance) if tanks store flammable liquids at a retail service station.

Pollution Prevention

Pollution prevention has many benefits. Financially—you'll reduce your costs of raw materials, waste disposal, permit fees, and meeting environmental requirements. That should lower your administrative costs because the less you pollute, the fewer regulations apply to you. Best of all, you'll reduce health and safety risks for your workers.

Then there's the legal reason to prevent pollution. The state's Waste Reduction Policy Act requires businesses that are classified as small-quantity or large-quantity generators of hazardous waste to have a source-reduction and waste-minimization plan. A good plan begins with applying pollution prevention practices to everything you do: *rethink, reduce, reuse, and recycle*. In other words, see if you can do things differently with greater efficiency; reduce the amount of materials you use; reuse materials, if possible; and, if not, recycle.

Determine the Kind of Waste You Generate

Before you throw anything away, take time to find out if you'll be in compliance with state and federal waste regulations. You see, every day, businesses dispose of waste—some of it hazardous and some nonhazardous. It's the hazardous waste that can do the most harm to your business, your employees, and your community. That's why it's critical for you to know if the waste you have is hazardous, and how to handle, transport and dispose of it properly. Here are some basic terms to know and the steps you can take to get started.

“Solid” waste can actually be a liquid, a solid, or a contained gas you plan to throw away or no longer use. The process of generating waste creates a

waste stream. You must identify all the waste streams generated at your facility, determine whether the waste is hazardous or nonhazardous, and then properly code the waste.

There are two different ways that a waste can be designated as a **hazardous waste**: it can be “listed” as hazardous or it can have hazardous characteristics. The EPA’s list has over 400 chemical products and wastes classified under a single letter (*F*, *K*, *P*, or *U*) followed by a three-digit code. Automotive repair facilities commonly generate hazardous wastes listed under *F*—for example, solvents used in parts washing and other types of degreasing.

Find Out if Your Waste Is Hazardous

Your task is to find out if your shop generates hazardous waste. Here are three ways to identify hazardous waste:

1. **Check the EPA list.** The list can be found in *Guidelines for the Classification and Coding of Industrial and Hazardous Waste* (TCEQ publication no. RG-22), or call SBLGA for a copy of the list.

Is All Hazardous Waste on the EPA’s List?

No. Some waste is considered hazardous if it exhibits one or more of the following characteristics—in other words, you could say this kind of waste has a “**TRIC**”—

Toxicity: Waste that leaches specific amounts of a regulated toxic constituent is toxic.

Reactivity: Waste that’s reactive is unstable or undergoes a rapid, violent chemical reaction when in contact with water or other materials.

Ignitability: Ignitable **liquid** waste has a flash point of less than 140 degrees; ignitable **nonliquid** waste, under standard temperature and pressure, is capable of causing a fire through friction, absorption of moisture, or spontaneous chemical change, or is an ignitable compressed gas.

Corrosivity: Liquid waste is corrosive if it has a pH less than or equal to 2 **or** greater than or equal to 12.5. This includes waste that dissolves metals or other materials or burns the skin.

2. **Process knowledge.** Use your knowledge about how the waste was generated or product-label information to check against the EPA’s list or look for hazardous characteristics. This information must be written and kept on-site.
3. **Arrange for a lab test to determine if waste is hazardous.** You should do a hazardous waste determination only once for each waste stream. However, if you generate a new waste or your

waste content changes, then you must do a new hazardous-waste determination.

Assign Waste Codes

Your next task is to assign a specific identification number to each waste stream you've determined is hazardous. This number is called a "Texas Waste Code." For more information, call TCEQ Publications at 512-239-0028 and request publication no. RG-22, *Guidelines for the Classification and Coding of Industrial and Hazardous Wastes*. You can download a copy online at <www.tceq.texas.gov/publications/rg/rg-022.html>, or call the Small Business and Local Government Assistance Section for a free copy or confidential help at 800-447-2827.

If you have technical questions, call the Hazardous Waste Identification Rules Section at 512-239-2335.

Find Your Generator Status

Now you must figure out your generator status. **This status applies to you only if you generate hazardous waste.** Nonhazardous waste, unused hazardous materials or the amount of waste you ship is not relevant to your generator status. Your generator status is determined by the total weight of hazardous waste and acutely hazardous waste created in a month.

There are three types of generator status:

- ***Conditionally Exempt Small-Quantity Generator (CESQG)***: (a) generates up to 220 lbs. (about half of a 55-gallon drum of liquid) per month of hazardous waste or up to 2 lbs. of acute hazardous waste, (b) may collect up to 2,200 lbs. (about five 55-gallon drums of liquid) of hazardous waste or up to 2 lbs. of acute hazardous waste, and (c) has no time limit on storage.
- ***Small-Quantity Generator (SQG)***: (a) generates from 220 to 2,200 lbs. per month, (b) may collect up to 13,200 lbs. (about thirty 55-gallon drums of liquid), and (c) stores hazardous waste for up to 180 days.
- ***Large-Quantity Generator (LQG)***: (a) generates over 2,200 lbs. per month, (b) collects any amount of waste, and (c) stores hazardous waste for up to 90 days (120 days in special cases).

Count Properly—and Keep Records

Remember—the amount of hazardous waste you generate determines your generator status. So be sure to count hazardous waste that is:

- generated or accumulated on-site

- treated or disposed of on-site
- packaged or transported off-site
- generated as sludge or still bottoms
- recycled off-site

Check your generator status periodically and update your records. If your status changes, you must write the TCEQ. In your letter, indicate any changes, including:

- your change of status
- your desire to cancel your EPA and state hazardous waste generator numbers, if applicable
- notification that the submission of an Annual Waste Summary is no longer required—you may also submit your Annual Waste Summary and put a check mark in the box labeled “No Report Required”

Universal Waste

Some hazardous wastes may qualify as “universal waste.” Universal waste is a specific type of hazardous waste that is subject to more flexible regulatory requirements regarding accumulation, record keeping, and shipping. The categories of universal waste currently include batteries, pesticides, thermostats and fluorescent lights, mercury-containing equipment, and paint and paint-related wastes.

Correctly classifying any relevant waste as universal waste has several advantages:

- You don’t have to count universal waste toward your facility’s generator status.
- You don’t have to identify universal waste on your facility’s Notice of Registration.
- Universal waste does not count toward the amount of waste you report on the Annual Waste Summary.
- You may accumulate universal waste for up to one year before sending it for disposal.
- Universal waste does not need to be manifested when shipped in Texas.
- You don’t need a registered waste hauler to transport your universal waste—you may use a common carrier.
- Universal waste is not subject to the end-of-year hazardous-waste-generation fee.

Properly Handle Hazardous Waste before Disposal

Proper maintenance of containers for hazardous waste collected and kept on-site is required. When storing hazardous waste, be certain to:

- comply with appropriate requirements concerning accumulation time and quantity,
- clearly label containers with the words “Hazardous Waste” and the date collection begins,
- indicate the name of each waste in the container,
- keep containers in good condition—don’t allow leaks to happen,
- inspect containers weekly and tanks daily for leaks, corrosion, and bulging,
- keep containers closed when not in use,
- keep containers with ignitable or reactive wastes at least 50 feet from your facility’s property line and as far as possible from your general work area, and
- never collect incompatible wastes in the same container.

Properly Transport and Dispose of Hazardous Waste

Keep in mind that you’re responsible for waste you generate, including its proper disposal. Arrange for your hazardous waste to be transported off-site for recycling, treatment, and disposal. Do this *before* you collect the maximum amount and avoid keeping any waste on-site for the maximum time allowed under your generator status. Use a registered transporter and disposal company who will deliver the waste to a TCEQ-approved facility. Each time your waste is hauled, it must be accompanied by a *Federal Uniform Hazardous Waste Manifest*. If you are a SQG or a CESQG and you use no more than 25 manifests per site per year, you can order these manifests through TCEQ Publications at 512-239-0028. If you require more than 25 manifests per year, you will need to contact one of the approved printers. The EPA has a list of approved printers at < www.epa.gov/wastes/hazard/transportation/manifest/registry/printers.htm>. This manifest has six white copies back to front.

- Keep the generator’s initial copy, and be sure the transporter signs it.
- The transporter keeps the transporter’s copy.
- The disposal facility keeps the disposal facility’s copy.

The generator’s final copy is returned to you by the disposal facility with all signature blocks complete.

If you don't receive the white copy of your manifest within 35 days of when your waste was hauled, call your transporter, the treatment, storage, and disposal facility, or both. If you don't receive the white copy within the next 10 days, you must inform the TCEQ in writing. Your letter will be filed as an exception report and requires no special form.

Caution: Do not transport or dispose of hazardous waste yourself unless you have TCEQ authorization to do so.

Properly Handle Your Waste

Automotive repair shops generate several waste streams. Whether they're hazardous or nonhazardous, these waste streams have special requirements for handling and disposal. You must determine the types of specialty automotive waste you generate and be aware of the proper procedures for registration, storage, transport, and disposal. Never dispose of these kinds of waste with your regular trash:

- used oil
- used oil filters
- lead-acid batteries
- antifreeze
- scrap tires

Used Oil

You are considered a "used-oil generator" if you remove used oils, or spent engine lubricating oils from a vehicle. These may include (but are not limited to) the following:

- automotive crankcase oil, including car, truck, marine, and aircraft engine oils not used for engine fuel
- diesel-engine crankcase oil, including car, truck, marine, heavy equipment, aircraft, and railroad engine oils not used for fuel
- natural gas-fired engine oils
- oils from alternative-fueled engines
- transmission fluids
- brake fluids
- power-steering fluids

Registration: Your shop must register as a "used-oil-collection center" if the shop collects used oil from other shops or from the public.

Storage: Containers used to store used oil must be in good condition, must not leak, and must be clearly marked with the words "Used Oil." All used-oil spills must be cleaned up. Spills of 25 gallons or more must be

reported to the TCEQ by calling the Spill Reporting (24-hour) number at 800-832-8224.

Transport and Disposal: Only a registered processor may dispose of used oil. You may transport up to 55 gallons of oil at a time to a registered processor or recycling facility without a registration. Only registered used-oil transporters may transport larger volumes of used oil.

Used Oil Filters

You are a “used-oil-filter generator” if your business removes used oil filters from vehicles or other transportation or equipment.

Registration: A used-oil-filter generator is required to register as a used-oil-filter collection center” if the shop collects used oil filters from other shops or from the public.

Storage: You may store up to six 55-gallon drums of used oil filters without having to register as a storage facility. Containers must not leak and must be securely closed, waterproof, and in good condition. Containers must be clearly labeled “Used Oil Filters.”

Transport and Disposal: All free-flowing oil must be removed from used oil filters stored on-site. Used oil filters may only be transported by a registered used oil filter transporter and delivered only to a registered used oil filter processor. However, at any one time, you may transport two 55-gallon containers or less of used oil filters yourself without registering as a transporter. All used oil filter shipments must be sealed, properly labeled, and accompanied by a bill of lading. Never dispose of used oil filters with your regular trash.

Lead-Acid Batteries

If your shop removes lead-acid batteries from vehicles, aircraft, vessels, or other equipment, you’re a “generator of lead-acid batteries,” and must comply with specific regulations. In addition, if your business sells batteries, you must register with the Office of the State Comptroller and collect an appropriate fee.

Registration: You must register with the TCEQ if your shop reclaims batteries. If you send batteries off-site to be reclaimed, you are not required to register.

Storage: There are no specific requirements for the storage of lead-acid batteries. However, you must ensure that your storage practice does not damage the environment *and* that any spills are properly contained and reported.

Transport and Disposal: Taking spent lead-acid batteries to a reclamation (recycling) facility does not require TCEQ registration or

record keeping. However, you must ensure that your transport practices do not cause any spills or damage to the environment.

Scrap Tires

Registration: You must register with the TCEQ as a scrap-tire generator if your shop routinely generates, transports, or retails used or scrap tires and you will be storing more than 500 used or scrap tires on the ground or more than 2,000 in a closed, lockable container. If you will be storing fewer than 500 used or scrap tires on the ground, then you do not have to register as a scrap-tire generator. You can register as a scrap-tire generator by calling our registration coordinator at 817-588-5817. There is no charge to register.

Storage: You may store a maximum of 500 used or scrap tires outside and in a non-enclosed area or a maximum of 2,000 scrap tires in an enclosed area. Generators must monitor tires stored outdoors every two weeks to prevent health hazards such as fires, insects, flies, mosquitoes, rodents, and snakes (these hazards are commonly called vectors). If you exceed these maximum storage limits, you must register as a Scrap-Tire Storage Facility and meet all storage facility requirements such as financial assurance.

Transport and Disposal: Only TCEQ-registered scrap-tire transporters may transport used or scrap tires from your facility. A TCEQ-approved scrap-tire manifest (Form 10304, or other comparable form approved by the agency) must accompany each shipment of used or scrap tires. You do not need authorization to self-transport your used or scrap tires to an authorized end-use facility; however, you must still comply with all manifesting requirements. Generators must use a scrap-tire manifest system to document any removal of scrap tires or pieces. All scrap tires must be transported to an authorized storage site, a scrap-tire recycler or processor facility, or a landfill. Tires sent to a landfill must first be split, quartered, or shredded. You must also register as a scrap-tire processor if you split, quarter, or shred your used or scrap tires.

Antifreeze

If your shop removes antifreeze from vehicles, the antifreeze may be a hazardous waste. Antifreeze may be hazardous if it is mixed with hazardous waste such as solvents, or it may be characteristically hazardous if it comes from an older car and has a high concentration of lead (5 ppm) or a high pH. If your shop generates antifreeze that is nonhazardous, no special rules apply and it should be treated like any other nonhazardous waste. Remember, antifreeze is always a good candidate for recycling even if it is hazardous. If recycling is not an option, test the used antifreeze to determine if it is hazardous, and dispose of accordingly.

Storage: There are storage requirements only if the antifreeze is hazardous. Store waste antifreeze in a separate, closed container labeled WASTE ANTIFREEZE ONLY. If it has not been mixed with other hazardous waste

and is not characteristically hazardous, then it should be properly stored like any other nonhazardous waste your shop generates.

Transport and Disposal: The TCEQ regulates treatment and disposal only if the antifreeze is hazardous. If your used antifreeze is hazardous, then it must be transported and disposed of like any other hazardous waste you generate. Nonhazardous antifreeze may be discharged to the sanitary sewer if you first get the written approval of your local wastewater-treatment plant. The best disposal choice for any used antifreeze your shop generates is recycling.

Cleaning Solutions and Sludges: If your shop uses cleaning solutions (for example, in a parts washer), the use of these chemicals may cause the generation of hazardous waste when they can no longer be used for their intended purpose. These wastes must be managed properly by meeting hazardous waste generator, storage, transportation, and disposal requirements. Sludge from a parts washer may also be hazardous.

Under the Continued Use Program, used solvent from one facility is taken to another and used as a product or raw material. The used solvent is not a waste if it is reusable as an ingredient or as a substitute for a chemical.

Wastewater Regulations

Wastewater produced at auto repair shops includes water produced from steam cleaning engines, flushing engine cooling systems, or washing shop floors. Make a hazardous waste determination on all your wastewater as you would any waste stream. If you have hazardous wastewater, you must follow storage, reporting, and disposal procedures. For nonhazardous wastewater, choose one of the following discharge options:

- With written permission, discharge to a sanitary sewer system that is connected to a local publicly owned treatment works. Check with your POTW operator to determine whether a permit is required.
- With a TCEQ permit, you may discharge wastewater in or next to state waters such as a lake, river, stream, pond, spring, creek, estuary, wetland, ditch, or storm drain.

Wastewater Permits

Permits aren't always required. If you discharge wastewater into a sanitary sewer operated by a local POTW, contact the POTW operator for permission to discharge. Usually, a city or municipal utility district operates the POTW. Some POTWs simply require compliance with local municipal sewer discharge codes. It is always best if you can get approval to discharge your wastewater to the POTW in writing. If you discharge into or near a lake, river, or stream, call the TCEQ's Wastewater Permitting Section in the Water Quality Division for information on how to obtain an industrial discharge permit (512-239-4671).

Septic Tanks

On-site septic tanks can only be used for domestic wastewater. You may collect no more than 5,000 gallons of domestic waste per day. Waste must be collected, treated, and disposed of on-site. Septic tanks must meet TCEQ construction and installation standards. Permits to construct and operate septic tanks are required unless the tanks are located on 10 or more acres of land. Local government entities usually grant these permits if they have an authorized agent. Many counties do not have authorized agents and rely on the TCEQ. You can find a local authorized agent at <www.tceq.texas.gov/goto/find_aa>.

General Regulations

Spills

A spill is any incident in which oil, hazardous substances, industrial waste, or other substances contaminate or may contaminate surface water or groundwater. This includes substances spilled on the ground, because they may find their way into surface water or groundwater. Remember, all spills must be controlled, contained, cleaned up, and reported to the proper authorities. Some spills require that you notify the TCEQ because of the volume spilled—if it exceeds a threshold amount called a *reportable quantity*. You can find a list of these items and to whom they must be reported at <www.tceq.texas.gov/response/spill_rq.html>.

Changes to Your Business

Are you planning to change any process, method of operation, or equipment? If so, first consider whether you can still meet the conditions of your existing exemptions or permits. Changes may trigger the need for a permit or permit amendment. Additionally, changes to your business might generate new waste streams or alter your generator status.

Toxics Release Inventory

Federal right-to-know laws require certain facilities to use Form R available online at <www.epa.gov/tri/reporting_materials/forms/formR/ry2012FormR.pdf> to report their “releases” of toxic materials or “transfers” of specific toxic chemicals in waste. When submitting Form R, include all toxics that end up in your air emissions or in your water discharges, waste you send to a landfill, or waste you recycle. Your information becomes part of the Toxics Release Inventory compiled by every state. For more information on the TRI, contact the TCEQ’s TRI Program Coordinator by phone at 512-239-4TRI (4874) or by e-mail at <toxic@tceq.texas.gov>.

Record Keeping

Keep records to verify your compliance with the conditions of your permit, exemptions, or hazardous-waste generation. All records should be kept in an orderly manner and be easy to access in the event of an inspection.

Proposition 2 Tax Exemption

Did you know that your pollution-control equipment may be tax exempt? Under Proposition 2, which became Article 8, Section 1-1 of the Texas Constitution by referendum in 1993, certain property you use for environmental compliance could be exempt from property taxes. Your equipment may be on the preapproved list. Examples include control devices, water curtains, and filtration systems used to capture volatile organic compounds generated by spray booths. If it is not, you may still ask the TCEQ to determine if you will be allowed to claim a tax exemption for your equipment. If you think your business might qualify for this tax exemption, call the TCEQ's Tax Relief for Pollution Control Property program at 512-239-6348 for more information.

Texas Environmental, Health, and Safety Audit Privilege Act

The Audit Act gives you an incentive to perform voluntary audits of your company's compliance with environmental, health, and safety regulations. If you plan to conduct an audit, follow these procedures:

1. First, notify the TCEQ that you will conduct an audit and provide specific beginning and ending dates.
2. Complete the audit.
3. Note the problems you found.
4. Correct the potential violations in a timely manner.

By conducting an audit, you may be exempt from penalties. Some information discovered in an audit is privileged and confidential, and cannot be used against you in civil and administrative proceedings. For information about this audit process, see *Guidance on the Texas Environmental, Health, and Safety Audit Privilege Act* (RG-173), or call the TCEQ's Office of Legal Services at 512-239-0600. To order this or other TCEQ publications, see "How to Get Copies of TCEQ Rules, Publications, and Forms" below.

Check the Rules of Other Government Agencies

It's important for you to find out if local, county, state, and federal agencies require any registration, notification, permits, inspections, certificates of occupancy, or business licenses from you.

Keep in mind that this guide does not contain the complete rules or all the information you may need to be in compliance. TCEQ publication no. RG-234, *Industrial and Hazardous Waste: Rules and Regulations for Small-Quantity Generators* contains information that may be useful to you. To order this or other TCEQ publications, see “How to Get Copies of TCEQ Rules, Publications, and Forms” below.

What if I’m in Violation of TCEQ Rules?

It is always better to report your own violations than to be the subject of a complaint or to have violations discovered by the TCEQ during an inspection. In many instances, small businesses may not face fines or sanctions for their first violation if they make good-faith efforts to report problems as soon as they are aware of them and if they develop a TCEQ-approved plan to correct the problems.

For technical questions and assistance, call the TCEQ Small Business and Local Government Assistance Section for free, confidential help at 800-447-2827.

How to Get Copies of TCEQ Rules, Publications, and Forms

- On the Internet go to <www.tceq.texas.gov> and click on the link for “Rules,” “Publications,” or “Forms.” Download and save or print a copy. If the item you want is not listed on the website, the TCEQ Publications Unit will try to help you find it; contact them as shown below.
- Fax your order to 512-239-4488, or order by voice at 512-239-0028.
- Write to:
Publications, MC 118
TCEQ
PO Box 13087
Austin, TX 78711-3087

Try to give the number of the rule, publication, or form, as well as the title; this information will help the TCEQ get the correct item to you as quickly as possible.

For free and confidential assistance, contact

Small Business and Local Government Assistance, MC 106
TCEQ
PO Box 13087
Austin, TX 78711-3087
800-447-2827
<www.TexasEnviroHelp.org>