



SMALL BUSINESS AND ENVIRONMENTAL
ASSISTANCE DIVISION, MC 106
TEXAS NATURAL RESOURCE
CONSERVATION COMMISSION
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Small Business *The Advocate*

For and about small businesses affected by environmental regulations

Healthy Environment. Strong Business. Good Sense.

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TNRCC Seeking Comments on Permit by Rule Proposals

Changes Would Require Record Keeping & Limit Emissions from Maintenance Activities

As reported in the March/April issue of *The Small Business Advocate* (Vol. 6, No. 2), the TNRCC is drafting new record-keeping requirements for facilities authorized to emit low volumes of contaminants under a "permit by rule" (PBR).

Operators of facilities with a PBR authorization that *only* names the type of facility would not be required to maintain ongoing compliance records. These facilities must collect and present information only when requested by TNRCC. Operators of facilities with *other* PBR authorizations would have to maintain records sufficient to show that they meet all appropriate PBR conditions. All PBR holders are encouraged to use records they currently keep (production records, purchase records, etc.) to demonstrate compliance with the emission limitations. These records would have to show compliance with PBR conditions for any consecutive 12-month period and be retained for at least five years.

The agency also is proposing that facilities that authorize maintenance, start-up, and shutdown emissions by PBR (§106.263) tally total emissions from these activities to ensure they stay under reportable thresholds. Facilities would have to keep records on emissions from these activities in order to show compliance. Maintenance, start-up, and shutdown emissions that meet the conditions for a "de minimis" source do not have to be authorized. De minimis means "very small, insignificant additions to background concentrations" that "cause no discernable or unacceptable impact to

public health." The TNRCC has a list of the types of operations and rates of chemical usage that would qualify as de minimis.

Many small businesses may be affected by the proposed changes. The TNRCC is asking small businesses to comment on the proposed rules. The proposals are expected to be published in the May 4 *Texas Register* (www.sos.state.tx.us/texreg). You can also download the proposed rules by logging on to the TNRCC's Web site (www.tnrcc.state.tx.us) and clicking on "Rules." At the Rules page, click on "Proposals and Adoptions" and then scroll to find "Permits by Rule."

The public has 30 days from the date of publication to comment on the proposals. A public hearing on the proposals is scheduled for May 29 at 10 a.m. At TNRCC head-

quarters in Austin. For more information, call SBLGA at 1-800-447-2827.

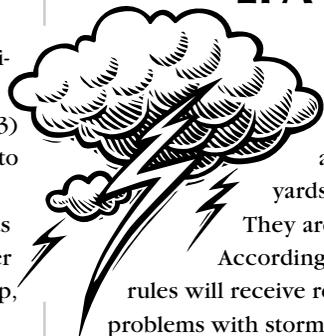
Submit comments on the PBR proposals to:

Lola Brown, MC-205
Office of Environmental Policy,
Analysis, and Assessment
PO Box 13087
Austin, TX 78711-3087
Fax: 512/239-4808

Help SBLGA track comments by sending a copy to:

Emily Barrett, MC-106
SBLGA
PO Box 13087
Austin, TX 78711-3087
Fax: 512/239-1065

EPA Issues Enforcement Alert *Storm Water Discharges*



EPA is currently focusing enforcement efforts on unpermitted discharges of storm water associated with industrial activities. EPA has found widespread problems with auto salvage yards and is continuing their Auto Salvage Enforcement Initiative.

They are sending out more than 1,800 letters to facilities in Texas.

According to EPA, auto salvage yards that commit to complying with the rules will receive reduced penalties. For more information on common compliance problems with storm water discharge rules, consult the January 2001 *Enforcement Alert* at www.epa.gov/oeca/ore/enfalert/.

Do you need a storm water discharge permit? Are you complying with the requirements of your permit? If you're not sure, call (512) 239-4433 for help.

Change is coming in Texas: The TNRCC has been delegated responsibility from EPA for administering storm water permitting for most industrial activities. EPA has retained

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authority over industrial storm water permits related to construction activities and those industries regulated by the Texas Railroad Commission.

Industrial storm water permit workshops will be held in nine Texas cities this summer. Check www.tnrcc.state.tx.us/permitting/waterperm/wwperm/tpdestorm.html for upcoming information on these workshops and the Texas Industrial Storm Water Permit. ■

Need Help? You Got It!

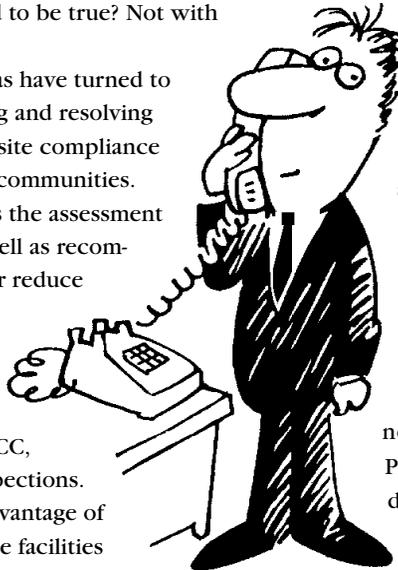
Your own free environmental consultant for the day, on-site in your shop to point out problems and suggest ways to remedy them. Sound too good to be true? Not with SBLGA's Site Visit Program.

Since 1997, hundreds of small businesses throughout Texas have turned to the Site Visit Program for free, confidential help in identifying and resolving problems with environmental compliance. Now, the free on-site compliance assessments are also available to local governments in Texas communities. An environmental consultant contracted by SBLGA conducts the assessment and then reports to you any deficiencies in compliance as well as recommended actions you can take to resolve those deficiencies or reduce or prevent pollution.

If you correct all the compliance deficiencies identified during the Site Visit, you'll be eligible for the Compliance Commitment (C²) Partnership. If you qualify for the C² Partnership, you'll get a Certificate of Recognition from the TNRCC, entitling you to a one-year exemption from routine field inspections.

In fiscal year 2000, a total of 262 small businesses took advantage of Site Visits, up from 225 the year before. Overall, about half the facilities the consultant assessed were not in compliance prior to the Site Visit; after the Site Visit, 92 percent were compliant. Common problems: no air permit or authorization or noncompliance with the permit or authorization; missing hazardous waste determinations and records; problems with hazardous waste containers and labeling; no storm water plans or permits; unauthorized wastewater discharges.

To schedule your free, confidential Site Visit, call SBLGA at 1-800-447-2827. ■



Some examples of facilities who have used the Site Visit Program:

- Anhydrous ammonia storage facilities
- Dry cleaners
- Automotive repair facilities
- Foundries
- Autobody/auto salvage facilities
- Metal finishers
- Printers
- Surface coaters
- Local government fleet maintenance facilities
- Wood product manufacturers

TNRCC Building Central Registry of Core Data

The TNRCC is creating a Central Registry where common information, referred to as "core data," will be maintained and shared throughout the agency. Core data includes names, addresses, and telephone numbers of customers and regulated entities that have dealings with or interests in the TNRCC.

The Central Registry will issue identification numbers for use in updating information, completing TNRCC forms, or otherwise contacting the agency. These numbers will not replace current permit, license, or registration numbers; they just make it easier for the TNRCC to keep information on your facility accurate and consistent.

You will only need to submit a core data form to the TNRCC when you are changing core data information or submitting a registration packet or permit application to the agency for the first time.

So far, the Central Registry contains core data on Title V. To monitor our progress in building the registry, log on to www.tnrcc.state.tx.us/permitting/projects/cr/index.html or call 512/239-5175. ■

EPA Proposing Tighter Effluent Limits for Metal Products and Machinery Shops

Metal finishing and printed circuit board shops are among the small businesses that would be affected by an EPA proposal to establish new standards for wastewater discharged by facilities classified as Metal Products and Machinery (MP&M) point sources. The proposal, which would affect both discharges directly to waterways and to publicly owned treatment works, would establish more stringent effluent limitations and pretreatment standards.

The proposed MP&M rule is technology-based. The Strategic Goals Program - a voluntary pollution reduction program of metal finishers and associations and local, state, and federal regulators - has suggested a compliance alternative based on pollution prevention.

The comment period on the proposal closed May 3. A fact sheet and other information on the proposal can be viewed online at www.epa.gov/ost/guide/mpm/rule.html. For further information, contact Shari Barash, EPA project manager, at 202/260-7130, or Michael Ebner, assistant project manager, at 202/260-5397. For more information on the Strategic Goals Program, call 703/354-2172 or log on to www.strategicgoals.org. ■



YES! I would like to receive Small Business' *The Advocate*

Article V, Section 66C, H.B. 558, 66th Legislature, 1979, requires state newsletters to notify recipients in three consecutive issues that they must formally request the publication in order to continue receiving it. **If you wish to continue receiving Small Business' *The Advocate*, please return this form to:**

Small Business and Environmental Assistance Division, MC 106
Texas Natural Resource Conservation Commission
P.O. Box 13087
Austin, TX 78711-3087

Name _____

Address _____

City/State/Zip _____

UPCOMING EVENTS:

World Safety Organization's 15th International Environmental Health and Safety Conference & Expo.
(Jerry Atlas 254/867-3438) September 10-12, Waco Convention Center

Environmental Trade Fair & Conference (512/239-3150)
Austin, April 30 - May 2

Texas Environmental Excellence Awards (512/239-4745)
Austin, May 1

Free Compost Workshop for Professionals (512/239-6780)
Bryan, May 10

The Natural Step Sustainability Seminar (512/239-1408)
Fort Worth, July 17

The Small Business Advocate is published bi-monthly by the Small Business Assistance Program. Comments or suggestions for future articles should be sent to:

The Small Business Advocate Editor
Small Business and Environmental Assistance Division, MC 106
Texas Natural Resource Conservation Commission
P.O. Box 13087
Austin, Texas 78711-3087

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(All calls are confidential)

Fax: 512/239-1065

Web Site:
www.tnrcc.state.tx.us/exec/sbea/smallbus.html

