

# The Advocate

*For and about small businesses and local governments affected by environmental regulations*

PD-006/03-01

Volume 8, Issue 1 / January - March 2003

## 2003 Dates to Remember

Pull out your calendar and jot down these dates! We've done our best to compile a list of reporting deadlines and dates for other events of interest to small businesses and local governments. If a report you must file is not on the list, it may pertain to very few businesses or local governments. Unless otherwise stated, these dates are when the report is due to the TCEQ.

### January .....

- 1:** Monitoring Plan for small water systems (serving fewer than 10,000 people) that treat surface water or ground water under the influence of surface water
- 27:** Industrial & Hazardous Waste Annual Waste Summary Report (paper filers only)
  - Used Oil Collection Center Report and Re-Registration
  - Used Oil Processors and Re-Refiners Biennial Report
  - Used Oil Filter Handlers Biennial Report and Re-Registration
- 31:** Stage II Vapor Recovery Exemption Confirmation Form

### March .....

- 1:** Annual Water Use Report by Water Rights Holders
- Industrial & Hazardous Waste Annual Waste Summary Report (electronic filers)

- Medical Waste Transporter Annual Waste Report
- On-Site Treatment of Medical Waste on Mobile Vehicles Report
- Scrap Tire Transporter Annual Activity Report
- Scrap Tire Facility and Storage Site Combined Annual Activity Report

- 30:** Annual Survey of Recycled-Content Newsprint
- 31:** Air Point Source Emissions Inventory

### April .....

- 8-12:** Environmental Crimes Prevention Week
- 22:** Earth Day

### May .....

- 5:** TCEQ Environmental Trade Fair opening day
- 6:** Texas Environmental Excellence Awards Banquet

### June .....

- 15:** Sludge Transporter Annual Report
- 30:** Semiannual report due to TCEQ from Categorical Industrial Users (CIUs) that discharge process wastewater to Publicly Owned Treatment Works (POTWs) lacking an approved Texas Pollutant Discharge Elimination System

(TPDES) pretreatment program (see also December 31)

### July .....

- 1:** Deadline for distributing Consumer Confidence Reports (on drinking water quality) to community water system customers
- Deadline for submitting Toxic Release Inventory Form R to TCEQ and EPA

### August .....

- 1:** Certificate of Delivery of Consumer Confidence Reports

### September .....

- 15-21:** National Pollution Prevention Week

### November .....

- 8:** Application deadline for 2004 Texas Environmental Excellence Awards
- 15:** Texas Recycles Day

### December .....

- 31:** Semiannual report due to TCEQ from Categorical Industrial Users (CIUs) that discharge process wastewater to Publicly Owned Treatment Works (POTWs) lacking an approved Texas Pollutant Discharge Elimination System (TPDES) pretreatment program (see also June 30) ■

## FREE Compliance Workshops

### *Fleet Operations Workshop*

This workshop will focus on pollution prevention and compliance issues including:

- Hazardous waste rules
- Used oil, used oil filter, and antifreeze requirements
- Used tire management
- Storm water rules
- Air permitting requirements

The workshop will identify specific ways vehicle maintenance and repair facilities can reduce pollution and save money.

### *RCRA Record Keeping Workshop*

Because poor record keeping is among the top environmental violations received by small businesses and local governments, this workshop will cover record keeping and reporting requirements for facilities that generate hazardous, industrial, and universal waste.

For dates and registration information on workshops, check the Upcoming Events section (on the back). ■

## Compliance History

In 2001, the Legislature required TCEQ to develop and use a consistent method for evaluating compliance history across agency programs. As a result, the TCEQ must consider the compliance history of a business before taking any action involving a permit application, an enforcement action, an investigation, or an application to participate in a TCEQ innovative program. Businesses will be given a compliance history rating which will be used to categorize them as a High, Average, or Poor Performer. At this time, compliance history scores are only being calculated as needed for agency decisions. After September 1, 2003, all businesses will be given a compliance history rating on an annual basis.

For more information on how compliance history will affect you, or to see which entities have been assigned classifications, log on to: [www.tnrcc.state.tx.us/enforcement/compl\\_histories.html](http://www.tnrcc.state.tx.us/enforcement/compl_histories.html). ■

## New Rule Requires Reporting on Emission Levels

A new TCEQ rule may require small businesses that are “major sources” of air pollution to report the type and amount of their air emissions. This new rule will apply to all types of business and local government operations, but those most likely to need to report include shops with boilers, engines, compressors, or those who use large amounts of one chemical.

You are considered a “major source” if the amounts you could potentially emit exceed federally set limits for your area. Major sources of air pollution must have federal authorization to operate. This determination is based upon “potential to emit” (PTE). If all sources of air pollutants at a site, operating 24 hours per day, 365 days per year could potentially emit amounts greater than the limits in their area, the site becomes a “major source.”

If you have the potential to emit above the major source threshold, but your actual emissions are below those levels, you may take on a voluntary limit to avoid being subject to Federal Operating Permit requirements. These voluntary limits must be reported to TCEQ in February 2003. In the past these sites could complete the PI-8 form and keep it on-site. To learn what the major source emission levels are for your area, or for more information on this new reporting requirement, contact SBLGA at 1-800-477-2827. ■

## New SBLGA Web Pages

Small Business and Local Government Assistance (SBLGA) Web pages offer a wealth of useful information on litter control/illegal dumping, Permit by Rule authorizations, and calculations of air emissions.

- *Where to Find Resources on Managing Municipal Solid Waste*, at [www.tnrcc.state.tx.us/exec/sbea/sblga/msw.html](http://www.tnrcc.state.tx.us/exec/sbea/sblga/msw.html), is a virtual tool kit of resources for governmental entities, nonprofit groups, and individuals concerned about litter and illegal dumping. A companion publication, “Tool Kit of Resources on Managing Municipal Solid Waste,” is available by calling 512/239-0028 and asking for TCEQ publication GI-294.
- Air Emission Authorizations: Permits by Rule, at [www.tnrcc.state.tx.us/exec/sbea/sblga/pbraea.html](http://www.tnrcc.state.tx.us/exec/sbea/sblga/pbraea.html) explains how small businesses and local governments can qualify for these authorizations. To determine what air contaminants you create and how much, follow these steps.
  - ▶ Start by identifying your business process (described in a “Permit by Rule”)

- ▶ Make basic emission estimates of the contaminants of concern for your business—the pollutants you create that effect the public’s health and the environment
- ▶ Compare your estimates with the authorization requirements: [www.tnrcc.state.tx.us/exec/sbea/sblga/pbrlist.pdf](http://www.tnrcc.state.tx.us/exec/sbea/sblga/pbrlist.pdf). ■

## New Regulations For ASTs and USTs

Installing above-ground storage tanks (ASTs) or underground storage tanks (USTs) is now prohibited over portions of the Edwards Aquifer recharge zone. The recharge zone affected is located in Uvalde, Medina, Bexar, Comal, and portions of Hays and Kinney counties. Also, any owner or operator who intends to replace a tank system, or install new or replacement piping for an existing tank system, must either incorporate a method of tertiary containment or completely remove the tank if it is an underground storage tank.

For more information, or to read the complete rule, go to the Edwards Aquifer Authority Web site at: [www.edwardsaquifer.org](http://www.edwardsaquifer.org). ■

## TPDES Construction and MS4 General Storm Water Permits

The TCEQ will soon issue the Construction General Storm Water Permit and the Municipal Separate Storm Sewer System (MS4) General Storm Water Permit. The Construction General Storm Water Permit will provide coverage for construction sites that disturb one surface acre or more or are part of a common plan of development that will result in the disturbance of one acre or more. The MS4 General Permit will provide coverage for municipalities with populations less than 100,000 located in an urbanized area (as defined by the U.S. Census Bureau)



or meeting other designation criteria such as the protection of a public water supply, the protection of sea grass areas of Texas bays, or the protection of impaired waterways. Small MS4s located in urbanized areas, and small construction activities should apply for permit coverage by March 10, 2003. ■

## Storm Water ISTE A Exemption Ending

The Intermodal Surface Transportation and Efficiency Act (ISTEA) of 1991 provided a temporary exemption from industrial storm water permitting requirements for all industries except airports, power plants, and uncontrolled sanitary landfills owned and operated by municipalities with a population of less than 100,000. Facilities qualifying for this exemption have until March 10, 2003 to obtain storm water permit coverage. ■

## Local Specialists are Ready to Help You!

You've also got free, confidential help right in your back yard. Just check the list below for your local compliance assistance specialist:

### Region 1 (Amarillo)

Doug White 806/468-0505

### Region 2 (Lubbock)

Celeste Hoehne 806/788-5005

### Region 3 (Abilene)

Mandy Ellifritz 915/698-6104

### Region 4 (Dallas/Ft. Worth)

Mike Smithson 817/588-5836

Melinda Houlihan 817/588-5868

### Region 5 (Tyler)

Kevin Glanton 903/535-5133

Cynthia Skief 903/535-5158

### Region 6 (El Paso)

Pamela Aguirre 915/834-4971

### Region 7 (Midland)

Kit Owens 915/620-6116

### Region 8 (San Angelo)

Bill Koger 915/481-8061

### Region 9 (Waco)

Elaine Alexander 254/761-3044

Polly Porter 254/761-3039

### Region 10 (Beaumont)

Charlie Adams 409/899-8788

### Region 11 (Austin)

Scott Wiedeman 512/239-7015

### Region 12 (Houston)

Clarence Gray 713/767-3582

Cynthia Williams 713/767-3549

### Region 13 (San Antonio)

Christine Bergren 210/403-4028

### Region 14 (Corpus Christi)

Glenda Swierc 361/825-3421

### Region 15 (Harlingen)

Jane Scheidler 956/389-7426

### Region 16 (Laredo)

Carmen Ramirez 956/721-8457

## You Can Call on Us

*Confused about environmental regulations?*

*Concerned about inspections?*

*Who can you turn to for help?*

Call the folks with

**Small Business and Local Government Assistance**

**1-800-447-2827**

[www.tnrcc.state.tx.us/exec/sbea/sblga.html](http://www.tnrcc.state.tx.us/exec/sbea/sblga.html)

You can get free, confidential help with questions on air, water, waste, or pollution prevention issues from this special section of the Texas Commission on Environmental Quality (TCEQ).

Small Business and Local Government Assistance (SBLGA) works for you by:

- providing local environmental assistance when and where it's needed;
- giving small business and local government a voice in TCEQ rule and policy making; and
- communicating technical information in plain language.

***SBLGA is entirely separate from TCEQ's enforcement program.***

With SBLGA, you benefit from:

- a toll-free hotline and Web site with answers to technical questions on air, water, waste, and pollution prevention;
- industry-specific compliance guidebooks for metal finishers, printers, dry cleaners, auto body and auto repair shops, and facilities making wood and fiberglass products;
- the *Local Government Guide to the TNRCC* (GI-145), a reference book with plain language environmental information; and
- many more services.

# UPCOMING EVENTS:

**Rule-ionaire Training,**  
**January 30,** Fort Worth,  
**January 31,** Dallas,  
 Mike Lindner 512/239-3045

**Air Emission Inventory Seminar,**  
**February 11-12,** Houston,  
 Sue Phillips 512/239-6327

**Auto Body Repair  
 Facilities Workshop,**  
**February 25 and March 3,**  
 Austin, Scott Wiedeman  
 512/239-7015

**On-Site Wastewater Treatment  
 Research Council Conference,**  
**February 25-26,** Waco,  
 Diane Stallings 512/239-6333

**Dallas Small Business  
 Advisory Committee (SBAC),**  
**February 25,** Melinda Houlihan  
 817/588-5868

**Fort Worth Small Business  
 Advisory Committee (SBAC),**  
**March 5,** Mike Smithson  
 817/588-5836

**Golden Triangle Small Business  
 Advisory Committee (SBAC),**  
**February 19,** Beaumont,  
 Charlie Adams 409/899-8788

**Houston Small Business  
 Advisory Committee (SBAC),**  
**March 13,** Cynthia Williams  
 713/767-3549

**RCRA Workshops**  
**February 11,** Plainview,  
 Celeste Hoehne 806/788-5005

**February 12,** Lamesa,  
 Kit Owens 915/620-6116

**February 19,** Corpus Christi,  
 Glenda Swierc 361/825-3421

**March 13,** La Marque,  
 Clarence Gray 713/767-3582

**March 19,** Arlington, Melinda  
 Houlihan 817/588-5868

**Fleet Operations Workshops**  
**March 19,** Beaumont,  
 Charlie Adams 409/899-8788

**April 8,** Corpus Christi,  
 Glenda Swierc 361/825-3421

**Environmental  
 Management Workshops**  
**January 21,** Austin, One-day  
 overview for non-profits  
 and trade associations,  
 Larissa Peter 512/239-3766

**January 28,** Houston, One-day  
 overview for local governments,  
 David James 512/239-3184

**January 29-31,** Dallas/Fort Worth,  
 Three-day implementation  
 for local governments,  
 David James 512/239-3184

**February 5,** Rio Grande Valley,  
 One-half-day overview for  
 local governments,  
 David James 512/239-3184

**February 11,** Houston,  
 One-half-day overview for small  
 and medium-sized businesses,  
 David James 512/239-3184

**February 12-14,** Houston,  
 Three-day implementation  
 for local governments,  
 David James 512/239-3184

**March 11,** Dallas/Fort Worth,  
 One-half-day overview for small  
 and medium-sized businesses,  
 David James 512/239-3184

**March 19-21,** Houston, Three-day  
 implementation for small and  
 medium-sized businesses,  
 David James 512/239-3184

*The Advocate is  
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 articles should be sent to:*

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 P.O. Box 13087  
 Austin, Texas 78711-3087

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**Toll Free**  
**1-800-447-2827**  
 (All calls are confidential)  
**Fax: 512/239-1065**

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**Web Site:**  
[www.tnrcc.state.tx.us/exec/sbea/sblga.html](http://www.tnrcc.state.tx.us/exec/sbea/sblga.html)



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