

The Advocate

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

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Texas Legislature Enacts Broad Range Of Environmental Statutes

On June 2nd, the 78th Texas Legislature adjourned after enacting a wide range of environmental laws that will impact the TCEQ. Many of these laws will help streamline the environmental regulatory process for many small businesses and local governments. A few of these important laws include the following:

- House Bill 44 expands the authority of the TCEQ Small Business and Local Government

Assistance program to provide environmental assistance on water and solid waste requirements in addition to air requirements.

- House Bill 1287 will exempt some portable facilities, such as concrete batch plants, rock crushers, and hot mix asphalt plants, from public notice requirements.
- House Bill 1365 fully funds the Texas Emissions Reduction Plan (TERP).

TERP authorizes a variety of incentive programs aimed at reducing air pollution. The program requires TCEQ to provide fast and simple access to grants for certain small businesses. The grants are to offset some of the costs of projects that reduce air pollution from heavy trucks and construction equipment in nonattainment and near nonattainment areas of the state.

- House Bill 1366 establishes a remediation fund for contaminated dry cleaner sites.
- House Bill 3152 authorizes the TCEQ to designate municipal groundwater settings in urban areas. This will limit the scope of groundwater remediation actions in areas where the groundwater is not used for drinking water.
- Senate Bill 275 authorizes the creation of a small business advocate in the Governor's office.

The TCEQ has already begun working on rules to implement these and other directives from the 78th Texas Legislature. Future issues of *The Advocate* will keep you up to date on new developments and opportunities to comment. ■

Air Rules Being Reviewed

Most small businesses and many local governments are authorized to emit air emissions using a "Permit by Rule." There are more than 100 types of these authorizations. If a process or source of air pollution meets the terms of one of these rules, exactly, then the business or government may operate under its authority.

The TCEQ is reviewing these Permit by Rule authorizations. Among the first reviewed is Trench Burners (30 TAC, Section §106.496). The rule will be re-named "Air Curtain Incinerators." We expect other changes to include revised distance requirements; reference to 30 TAC, Section §332 to encourage mulching and composting of brush and trees instead of incineration; and specific provisions to comply with all waste handling and disposal requirements.

Because of the number of rules and their complexity, the review process will take the TCEQ a number of years to complete.

To keep track of the air-related rules that interest you, visit:

www.tnrc.state.tx.us/permitting/airperm/nsr_permits/announce.htm

and read about the TCEQ's progress and anticipated changes right here in *The Advocate*. ■

Confident You've Met Your CCR Obligations?

Public water systems, have you completed your annual Consumer Confidence Report (CCR)? Federal law requires that by **July 1** you mail or deliver a Consumer Confidence Report to your bill-paying customers. The law also requires that you make a good faith effort to reach non-bill paying customers by publishing the report in your local newspaper or in a public place.

The Environmental Protection Agency (EPA) has designed software applications to help water suppliers quickly create their CCRs. The applications take users through all sections of a CCR, convert lab results into "CCR units" and allow users to insert and edit EPA's recommended text. To download copies of the CCR software report writer go to www.epa.gov/ogwdw/ccr/ccrwriter.html.

Once you complete these steps, don't forget to notify the TCEQ by **August 1** that you have met the CCR requirements. Mail the TCEQ two copies of the CCR Certification of Delivery and two copies of the CCR delivered to customers.

For assistance in complying with the CCR requirements, contact a member of TCEQ's Public Drinking Water Team at 512/239-4691. Information and a new CCR Certification Delivery form is available online at www.tnrcc.state.tx.us/permitting/waterperm/pdw/ccr.html. ■

Oil-Change Invention Leads to Award

When a West Texas farmer invented a new way to change oil in his irrigation engines, he had no idea it would lead to a new business or winning the 2003 Texas Environmental Excellence Award for Small Business.

In 1994, Gary Sage built his first "Oil Vac," which allowed him to make mobile oil changes quickly, efficiently and, most importantly, safely and cleanly. When word of his invention spread, neighbors began asking Sage for their own oil vacs. In 2002, Sage Oil Vac was born.

Research shows that one quart of spilled oil can contaminate up to 250,000 gallons of water. By using an Oil Vac for five years, a farmer can not only prevent harmful oil spills, he can reclaim and recycle 7,200 gallons of waste oil.

As this year's Small Business Winner, Mr. Sage was honored at the May 6th Texas Environmental Excellence Awards banquet in Austin. To read more about Mr. Sage and his invention, visit www.teea.org. ■



**Texas Environmental
Excellence Award**

Are You Certain You Comply with TCEQ Emission Rules?

Almost all businesses or operations emit some sort of air pollution and, therefore, must have state authorization to do so. The key to fully complying with TCEQ emission regulations is to understand what your company may be emitting into the air and how much. TCEQ has developed a Web page to help small businesses identify their business processes and estimate their emissions:

www.tnrcc.state.tx.us/exec/sbea/sblga/pbraea.html.

Small business owners or local government officials need to first determine if their air emissions can be authorized by a Permit by Rule (PBR) (see article on Permits by Rule in this issue). On the Web page referenced above, check the TCEQ table that lists all Permits by Rule and their contaminants of concern, as well as special instructions and other regulations which may apply for each PBR. The Web page also specifies potential pollutants and directs companies how to estimate emissions resulting from products of combustion, as well as those containing particulate matter or volatile organic compounds. ■

Construction Storm Water Permit Issued

The TCEQ issued the TPDES General Permit (TXR150000) authorizing discharges from construction sites on March 5, 2003. Small construction sites, defined as one to five acres of disturbed land, and large construction sites, defined as greater than five acres of disturbed land, are both covered in this permit. For copies of the permit, applicable forms and documents or information related to the electronic submittal process please visit:

www.tnrcc.state.tx.us/permitting/waterperm/wwperm/construct.html#forms

EPA and Local Enforcement Programs Approve Site Visit Program

Participating in the TCEQ's Compliance Assistance Site Visit Program may help you avoid enforcement and could exempt you from TCEQ scheduled inspections and other local environmental enforcement programs for one year.

An independent contractor will conduct a free and confidential on-site evaluation of your facility to identify compliance issues and recommend ways to resolve any problems.

During a follow-up visit, if the consultant finds your facility in full compliance, you are eligible for a Compliance Commitment Partnership Certificate of Recognition, which exempts you from TCEQ scheduled inspections for one year. Some local environmental enforcement programs, such as those of the city of Houston, Harris County, city of Dallas, and Galveston County, also recognize the Compliance Commitment Partners by waiving scheduled inspections. The city of Fort Worth is in the process of approving inspection exemptions as well.

Call the TCEQ at 1-800-447-2827 for more information or to schedule your site visit. ■

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

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.

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)
Vacant

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)
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)
George Ortiz 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
Lynn Lindsay 210/403-4039

Region 14 (Corpus Christi)
Glenda Swierc 361/825-3421

Region 15 (Harlingen)
Kevin Ayarzagoitia 956/389-7425
Neftali Buenrostro 956/389-7426

Region 16 (Laredo)
Carmen Ramirez 956/721-8457

UPCOMING EVENTS

Environmental Compliance Workshop for Sawmill Operations

Kountze, August 13, 2003; Charlie Adams, 409/899-8788

Linden, August 14, 2003; Charlie Adams, 409/899-8788

Grease Management Workshop

Fort Hood, July 16, 2003; Polly Porter 254/761-3039 or David James 512/239-3184

Victoria, August 5, 2003; Glenda Swierc, 361/825-3421 or David James, 512/239-3184

Corpus Christi, August 6, 2003; Glenda Swierc, 361/825-3421 or David James, 512/239-3184

Fort Worth, August, day to be determined, 2003;

Mike Smithson, 817/588-5836 or David James, 512/239-3184

Water Utility Rates Seminar

Austin, August 21, 2003; Diane Stallings, 512/239-6333

Small Business Advisory Committee

Dallas, August 26, 2003; Melinda Houlihan, 817/588-5868

Fort Worth, September 10, 2003; Mike Smithson, 817/588-5836

Beaumont, September 18, 2003; Charlie Adams, 409/899-8788

The Advocate is published quarterly by the Small Business and Local Government Assistance Program. Comments or suggestions for future articles should be sent to:

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Small Business and Environmental Assistance Division, MC 106
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

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

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



The TCEQ is an equal opportunity/affirmative action employer. The agency does not allow discrimination on the basis of race, color, religion, national origin, sex, disability, age, sexual orientation or veteran status. In compliance with the Americans with Disabilities Act, this document may be requested in alternate formats by contacting the TCEQ at 512/239-0028, Fax 512/239-4488 or 1-800-RELAY-TX (TDD), or by writing P.O. Box 13087, Austin, TX 78711-3087.

RETURN SERVICE REQUESTED

SMALL BUSINESS AND ENVIRONMENTAL
ASSISTANCE DIVISION, MC 106
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY
PO BOX 13087
AUSTIN TX 78711-3087



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