

# The Advocate



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

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## I'm Being Investigated - What Should I do?

It is the general policy of the TCEQ to schedule appointments for routine investigations at regulated entities whose compliance history ranks as high or average. Scheduled investigations allow you to plan and prepare for the visit.

Often, investigations concerning compliance issues can create a stressful time for you—the owner or operator. There are several things you can do prior to and during an investigation to help you overcome unnecessary anxiety. By following these simple suggestions, you will promote a more positive and relaxed environment for the investigation.

- **Allocate time.** Schedule the investigation when you can devote uninterrupted time with your investigator. It isn't always possible to attend meetings without outside distractions, but it is always best to avoid unnecessary interruptions if at all possible.
- **Ask questions.** If you have questions or concerns about the investigation procedure, ask the investigator prior to the meeting. The investigator will be most helpful in answering your questions, allowing you to better prepare. Usually, investigation checklists

are available upon request. Ask about the extent of the investigation. Some investigations are focused on specific processes or areas. During the exit interview, ask about potential violations, if any, and try to correct them as soon as possible.

- **Be prepared.** Record keeping is one of the most important elements of maintaining and demonstrating compliance with regulatory requirements. Make sure your records are readily available and in good order prior to the investigator's arrival.
- **Be helpful.** Answer all of the investigator's questions honestly and thoroughly. If any information you provide or if any areas of your facility you tour are confidential, let the investigator know. Otherwise, the information becomes part of the agency's public record. The same applies to photographs taken of your facility or operations.

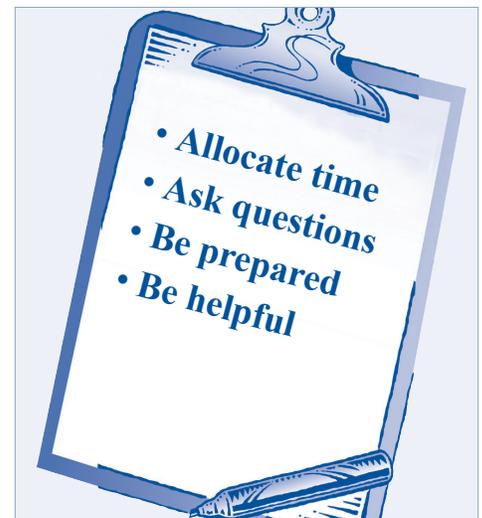
### *The Investigator Plans to Sample – What Are My Options?*

There may be times during routine investigations when sampling is required. When the investigator calls to schedule an investigation,

ask if sampling also will be conducted. You most likely will have the option to split samples with the investigator. If you plan to conduct sample splits, make sure you have the necessary equipment and tools readily available for sampling the specified medium.

Additionally, the TCEQ regional office may need prior notification of these sampling activities at your facility. If the TCEQ investigator requests sample splits, you should always allow the sample splits.

And remember—the Small Business and Local Government Assistance section (SBLGA) may be able to give you technical assistance. Call the SBLGA at 800-447-2827 to find out more about the free help we can offer. ■



# 2009 Due Dates to Remember

The TCEQ requires a number of reports, plans, and fees at different times throughout the year. To give small businesses and local governments a handy guide, the following list gives due dates for common TCEQ reports and fees. Please remember that this list may not be all inclusive; also, these items will not be applicable to all entities.

## January

- 1** • Waste Reduction Policy Act: Executive Summary of five year Pollution Prevention Plan, every fifth year
- Community public water systems serving at least 100,000 people: Submit Initial Distribution System Evaluation (IDSE) Report
- 10** • Groundwater or purchased water systems: Disinfectant Level Quarterly Operating Report (DLQOR)
- 15** • Texas Emission Reduction Plan (TERP) usage reports from grant recipients
- 25** • Industrial and hazardous waste: annual summary report (paper filers)
- Used-oil collection center: report every year, re-registration every odd numbered year
- 30** • Water and wastewater investor-owned utilities, districts, water supply corporations, and affected counties: regulatory assessment fees
- Dry cleaners quarterly registration fee

## February

- 15** • Concentrated Animal Feeding Operations (CAFO) annual report

## March

- 1** • Water rights holder: annual water-use report
- Scrap-tire transporter: annual activity report
- Combined scrap tire and storage site: annual activity report
- Industrial and hazardous waste: annual summary report (electronic filers)

- Medical waste transporter and self transporter: annual waste report
- Medical waste: annual registration and summary
- Tier II reports
- 31** • Multi-sector general permit (MSGP)
  - ◆ Benchmark monitoring summary
  - ◆ Discharge monitoring reports (DMRs) on numeric effluent limit (annual hazardous metals)
  - ◆ DMRs on sector-specific, numeric effluent limits
- Air Emissions Inventory
- Annual report on air emissions events
- Community public water systems serving between 50,000 to 99,999 people: Complete Initial Distribution System Evaluation (IDSE) sampling (if required to do IDSE sampling)

## April

- 1** • Investor-owned or privately owned water and wastewater: annual report
- Any system providing water to a community water system shall deliver the applicable Consumer Confidence Report (CCR) to receiving systems
- 10** • Groundwater or purchased water systems: DLQOR
- 30** • Dry cleaner: quarterly registration

## June

- 30** • Categorical industrial users that discharge to a publicly owned treatment works without an approved pretreatment program: Semiannual report

## July

- 1** • Toxics Release Inventory
  - Liquid waste transporter: annual summary
  - Water systems: CCR to customers and Certificate of Delivery to TCEQ
  - Waste Reduction Policy Act: annual progress report
  - Nonexempt laboratory: analytical data generated must get accredited by the National Environmental Laboratory

Accreditation Conference to submit to the TCEQ

- Community public water systems serving between 50,000 to 99,999 people: submit IDSE report
- 10** • Groundwater or purchased water systems: DLQOR
- 15** • Sludge Transporter: renewal of registration, every two years
- 18** • TERP usage reports for grant recipients
- 30** • Dry cleaner: quarterly registration fee

## August

- 1** • Dry cleaner: annual renewal registration form

## September

- 1** • Liquid waste transporter fee
- Storm water general permit: annual water-quality fees assessed for MSGP & Phase II municipal separate storm sewer systems (MS4s)
- Land application of sludge (or as otherwise established in the authorization): annual reports

## October

- 1** • Community public water systems serving between 10,000 to 49,999 people: Complete IDSE sampling (if required to do IDSE sampling)
- 10** • Groundwater or purchased water systems: DLQOR
- 30** • Dry cleaner: quarterly registration

## November

- 11** • Phase II MS4: annual report
- 15** • Municipal solid waste facilities: annual report

## December

- 30** • All public drinking-water systems: public health service fee
- 31** • Categorical industrial users that discharge to a publicly owned treatment works without an approved pretreatment program: semi-annual report
- MSGP and Phase II MS4s: annual water quality fees ■

# Mulch Rules! Local Government Options for Waste Reduction

Local governments have struggled with the options for reducing the amount of brush and wood going into their landfills. One tool available to most local governments is mulching.

## Mulching Operations

Mulch is ground, coarse, wood yard trimmings and clean, wood material that has not been treated or painted. Wood that has been systemically killed using herbicides cannot be used for mulch. When applied to planting beds, in gardens, and around trees, mulch helps retain moisture in the soil, insulates plants against extreme temperatures, and

suppresses weed and grass growth—reducing water requirements and other maintenance costs.

## Environmental Regulations

A mulching operation owned or operated by a local government must comply with TCEQ requirements. This includes the abatement of public nuisances, such as odors and vector infestations; for example, mosquitoes and rodents. The local government also must address protection of surface and groundwater. Use a timely process of incoming materials to prevent these conditions. Observe dust-suppression

measures and determine whether equipment requires special air authorizations. The local government must file modifications to the site-operating plan if mulching activities are conducted at a permitted landfill, unless the facility permit already authorizes mulching. Mulching operations owned by local governments may be exempt from standard storage limitations and certain record-keeping and reporting requirements.

## Market Development

Many communities use mulch in their parks and open spaces or provide free mulch to garden clubs and homeowners. Consider developing a cost-effective, utility-bill insert explaining the benefits and availability of mulch to the public. Demonstration sites also can effectively educate the public about the benefits of mulching. TCEQ publications, Mulching and Composting (GI-036) and A Green Guide to Yard Care (GI-028) are available through the agency's Web site at [www.tceq.state.tx.us/publications](http://www.tceq.state.tx.us/publications) and can offer your staff additional mulching tips. For more information on mulching rules, go to [www.tceq.state.tx.us/permitting/waste\\_permits/msw\\_permits/MSW\\_amIregulatedcomposting.html](http://www.tceq.state.tx.us/permitting/waste_permits/msw_permits/MSW_amIregulatedcomposting.html). ■

## 2009 Underground Storage Tank Delivery Certificate Renewal Schedule

If the owner # ends in:	Certificate Expires:	Renewal Date:	Renewed Delivery Certificate Posted By:
1	Jan. 31	Jan. 2	Feb. 1
2	Feb 28	Jan. 30	Mar. 1
3	Mar. 31	Mar. 2	Apr. 1
4	Apr. 30	Apr. 1	May 1
5	May 31	May 2	June 1
6	June 30	June 1	July 1
7	July 31	July 2	Aug. 1
8	Aug. 31	Aug. 2	Sept. 1
9	Sept. 30	Sept. 1	Oct. 1
10	Oct. 31	Oct. 2	Nov. 1

## U P C O M I N G E V E N T S

### Wastewater Record-Keeping and Reporting Workshop

Oct. 21, 9:30 a.m.-4:30 p.m., San Antonio - Jeanne Cordell, 512-239-3150

Oct. 28, 9:30 a.m.-4:30 p.m., McAllen - Jeanne Cordell, 512-239-3150

For questions related to the workshop please visit [www.tceq.state.tx.us/assistance/sblga/wastewtr\\_wkshops.html](http://www.tceq.state.tx.us/assistance/sblga/wastewtr_wkshops.html)

### Pollution Prevention (P2) Planning Workshop

Oct. 2-3, Houston, H.E.S.S. Center

Oct. 15-16, Corpus Christi, Ortiz Center

Nov. 5-6, Fort Worth, Automation & Robotics Research Institute

For additional information, visit [www.p2plan.org](http://www.p2plan.org) or contact Jennifer Lasseter, 512-239-3100.

### Small Business Advisory Committees (SBAC)

Nov. 12, 2:00 p.m.-4:00 p.m., Fort Worth, Diamond Oaks Country Club, 5821 Diamond Oaks Drive North - Tasha Burns

Nov. 12, 10 a.m., Dallas, North Dallas Chamber of Commerce, 10707 Preston Road - Lori Rose. For additional information, please call 800-447-2827.

## ¿Se Habla Español?

The EnviroMentor Program offers the assistance of qualified professionals with technical expertise who volunteer their time to help small businesses and small local governments with compliance. The program has grown and we are proud to have many qualified consultants. But we need more Spanish-speaking EnviroMentors. If you are an environmental professional who speaks Spanish and would like to contribute to your community, please call 800-447-2827. EnviroMentors who contribute at least 20 hours a year may qualify for free admission to TCEQ events, including the Environmental Trade Fair. ■

## CALL ON US

Toll Free & Confidential: **1-800-447-2827**

Get free, confidential help with questions on air, water, waste, or pollution prevention issues from this special section of the TCEQ. SBLGA works for you by:

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

**On the Web at: [www.sblga.info](http://www.sblga.info)**

SBLGA is entirely separate from TCEQ's enforcement program.

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*Disclaimer:* This regulatory guidance publication does not take the place of the full, official TCEQ rules. It is intended only as a general explanation about selected parts of the rules. If you have questions about any information contained in this periodical, contact us at 800-447-2827.

*The Advocate is published quarterly by the Small Business and Local Government Assistance (SBLGA) Program of the Texas Commission on Environmental Quality (TCEQ).*



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