

# The Advocate



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

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## Rules Final for Underground Storage Tank Operator Training

The TCEQ recently finalized federally mandated operator training rules for underground storage tanks (USTs). The Energy Policy Act of 2005 required states to develop a program that trains persons responsible for the on-site operation and maintenance of UST systems.

**There are three types of licenses:**

- 1. Class A** - responsible for proper operations of USTs and to manage resources and personnel to achieve compliance with all UST regulations.
- 2. Class B** - ensures day-to-day implementation of all applicable requirements of the UST regulations.

**3. Class C** - designated person who typically controls dispensing of fuel and responsible for responding to alarms, releases, spills, overfill, or threats to the public or the environment.

Class A and B operator training must be obtained through a TCEQ-approved training course. Class C operators may be trained by Class B operators through programs that meet minimum requirements specified by TCEQ rule. While the rule is effective now, the deadline for training operators is August 8, 2012, and within every three years from last training date. To get more information about

the UST Operator Training Rules, visit the TCEQ's website at: <[www.tceq.texas.gov/rules/adopt.html](http://www.tceq.texas.gov/rules/adopt.html)> or contact the TCEQ PST Technical Support Function at 512-239-5755 or PST-TECH@tceq.texas.gov.

The PST Super Guide: A Comprehensive Guide to Compliance in Texas (RG-475) will be updated in the future to include a module on operator training. UST owners and operators can download RG-475 by visiting the TCEQ's website at <[www.tceq.texas.gov/publications](http://www.tceq.texas.gov/publications)>. ■



## Changes to Authorizations for the Oil and Gas Industry

On Jan. 26, the TCEQ adopted changes to the permit by rule for oil and gas production facilities (listed in Title 30 of the Texas Administrative Code, Section 106.352) and the air quality standard permit for oil and gas handling and production facilities. The changes apply to new projects in the Barnett Shale area started on or after April 1, 2011. The Barnett Shale counties included are: Archer, Bosque, Clay, Comanche, Cooke, Coryell, Dallas, Denton, Eastland, Ellis, Erath, Hill, Hood, Jack, Johnson, Montague, Palo Pinto, Parker, Shackelford,

Stephens, Somervell, Tarrant, and Wise counties. For more information, visit <[www.TexasEnviroHelp.org](http://www.TexasEnviroHelp.org)> and click on "Oil and Gas Facilities." ■



## Make Plans to Attend TCEQ's Environmental Trade Fair and Conference

The next Environmental Trade Fair and Conference is scheduled for May 3-4 at the Austin Convention Center. The Environmental Trade Fair & Conference is Texas' premier environmental educational forum, considered by many to be one of the best in the country. Attendee and banquet registration opened Feb. 7. For more information, visit <[www.tceq.texas.gov/p2/events/etfc/etf.html](http://www.tceq.texas.gov/p2/events/etfc/etf.html)>. ■

# Deadline Approaching for Metal Fabricating and Finishing Shops

Small metal fabricating and finishing shops may be subject to title 40 of the Code of Federal Regulations Subpart XXXXXX—the EPA’s National Emission Standards for Hazardous Air Pollutants (NESHAP) Area Source Standards for Nine Metal Fabrication and Finishing Source Categories. Operations that would be affected by this rule include electronic equipment finishing operations, fabricated metal products, and iron and steel forging, to name a few.

If your operation was constructed before April 3, 2008, you are required to submit an initial notification to the EPA and be in compliance by July 25. In addition, you must submit a notification of compliance status to the EPA by Nov. 22, 2011.

New Sources (constructed after April 3, 2008) must be in compliance with the rule upon startup, and send an initial notification and a notification of compliance status to the EPA within 120 days after startup. You can find

more information on this federal rule by visiting <[www.TexasEnviroHelp.org](http://www.TexasEnviroHelp.org)> and clicking on “NESHAP assistance tools,” then going to the information on Subpart XXXXXX. ■



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## Note New Rules for Scrap Tire Projects

Is a scrap tire project in your future? The TCEQ has changed the rules on Land Reclamation Projects Using Tires (LRPUT). These projects are designed to fill, improve, or restore already excavated or disturbed land. Specific requirements include the following:

- The project’s purpose must be to restore the land to its approximate natural grade and to prepare or reclaim the land for reuse.
- All tires used to fill land must be split, quartered, or shredded.
- Whole tires cannot be placed below ground.
- Completed projects must be covered with 18 inches of clean soil.
- The operator and property owner must file an affidavit and a complete application certifying that the hole existed before the project, and was not excavated for the burial of tire pieces.
- Additional registrations may be required for hauling, cutting, or storing tires for the project.
- The new rules require registrants to show proof that local authorities have been notified.
- A notification application must be sealed by a registered professional engineer and may be approved by the TCEQ if design requirements are met and public and local government notification requirements are satisfied.

For more information see the TCEQ’s Instructions and Sample Public Notices for Scrap Tire Management Registration and LRPUT Notification Applications (Form 10298) by visiting the TCEQ’s website at <[www.tceq.texas.gov](http://www.tceq.texas.gov)> then clicking on “Forms” and in the “Form Number” field, typing “10298.” ■



## Local Compliance Assistance Specialists are Ready to Help You!

Free, confidential help in your backyard.

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Patty Avery,  
806-468-0505

### Region 2 - Lubbock

Celeste Hoehne,  
806-796-7642

### Region 3 - Abilene

Mandy Ellifritz,  
325-698-6104

### Region 4 - Dallas–Ft. Worth

Tasha Burns,  
817-588-5868  
Lynn Owens,  
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John Aquilino,  
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713-767-3693  
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713-767-3549

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Laressa Wong,  
210-403-4039  
Nathan Weiss,  
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### Region 14 - Corpus Christi

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### Region 15 - Harlingen

Jonathan Diaz,  
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Imelda Peña,  
956-389-7427

### Region 16 - Laredo

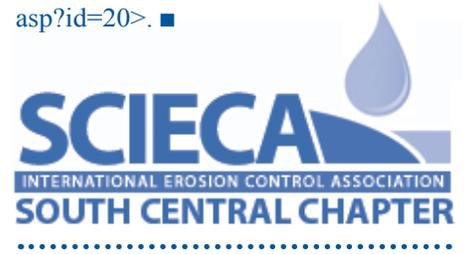
Carmen Ramirez,  
956-721-8457

# Save the Date! Annual Conference for MS4 Operators in July

The Environmental Protection Agency, the South Central Chapter of the International Erosion Control Association, the City of San Antonio, San Antonio Water Systems, and the states of Region 6, are hosting the 13th Annual EPA Region 6 Municipal Separate Storm Sewer System (MS4) Operators Conference. Slated this summer from July 5 to July 8 in San Antonio, the conference speakers will address the various issues and challenges of man-

aging municipal storm water and will discuss new regulations. Early-bird registrations get a discounted fee and participants attending only one day of the conference receive a reduced fee. For more information or to register for this conference, visit <[www.scieca.org](http://www.scieca.org)>. In addition, the conference planning committee is seeking your input for future event topics, and is accepting volunteers as committee members or presenters. Please complete the

conference survey posted at <[www.ieca.org/applications/survey/survey.asp?id=20](http://www.ieca.org/applications/survey/survey.asp?id=20)>. ■



## New Projects to Keep Texas Bays Clean

The TCEQ's Total Maximum Daily Load (TMDL) program sets pollution limits for impaired or threatened water bodies across the state. A water body is considered impaired if pollution levels are high enough to limit recreation or fishing or to make aquatic life unhealthy. TMDL limits are based on how much pollution (for example: bacteria, metals, and other toxic compounds) a bay, river, or lake can tolerate.

Several new TMDL projects are under way in the Houston and Galveston Bay areas. These projects are focused on setting new bacteria limits, as bacteria pollution is a serious problem in this area of Texas. By developing TMDL Implementation Plans for each water body, the TCEQ and its contractors will work with local wastewater treatment plants and cities to reduce the amount of bacteria reaching the water bodies. This may result in tougher permit requirements or improved storm water management measures, or both. Reducing the bacteria in these water bodies will improve water quality, which improves recreation, fishing, and oyster harvesting. ■



## UPCOMING EVENTS

### Small Business Advisory Committee (SBAC)

Jun. 16, 10:30 a.m.–noon, Fort Worth Chamber of Commerce  
Irving Library; 801 W Irving Blvd., Irving 75060  
Contact: Lynn Owens, 817-588-5927

*\*Please note that the Dallas and Fort Worth SBAC meetings are held on the same date at the same location.*

Jun. 16, 10:30 a.m.–noon, North Dallas Chamber of Commerce  
Irving Library; 801 W Irving Blvd., Irving 75060  
Contact: John Aquilino, 817-588-5836

*\*Please note that the Dallas and Fort Worth SBAC meetings are held on the same date at the same location.*

Jun. 14, 11:30 a.m.–1 p.m., Southeast Texas Regional Planning Commission  
2210 Eastex Freeway, Beaumont 77703  
Contact: Lori Palmer, 409-899-8789

Jun. 15, 10 a.m.–noon, Houston Galveston Area Council  
3555 Timmons Lane, Conference Room C, Houston 77027  
Contact: Matt Boger, 713-767-3693

### Environmental Trade Fair and Conference

May 3–4, Austin Convention Center  
500 East Cesar Chavez St., Austin 78701  
Contact: Sherry Wagner, 512-239-3143

### Annual Municipal Storm Water Conference

Jul. 5–8, Grand Hyatt  
600 E. Market Street, San Antonio 78205  
Contact: Terry Branch, 214-665-6667

### Dam Safety Workshop

Jun. 9, 9 a.m.–1:30 p.m., Fremaux's Metropolitan Catering  
932 West University Drive, Denton 76201  
Contact: Ana Bellomy, 512-239-3143

Jun. 15, 9 a.m.–1:30 p.m., Holiday Inn South Broadway  
5701 South Broadway, Tyler 75703  
Contact: Ana Bellomy, 512-239-3143