

The Advocate

Take Care of Texas For and about small businesses and local governments affected by environmental regulations

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TCEQ Adopts Changes to the Occupational Licenses and Registration Rules

September 2016 – On Sept. 7, 2016, TCEQ commissioners adopted revisions to 30 Texas Administrative Code (TAC) 30 – Occupational Licenses and Registrations.

The rule allows the agency to waive initial licensing fees for military service members, veterans, or their spouses and extend renewal deadlines for active military service members. Additionally, the rule identifies approved training delivery methods, clarifies current examination and proctoring practices to increase the integrity of the licensing examination, and updates the rule to remove redundant language, add relevant statutory citations, remove historical dates, and improve readability of the rule.

Members of the military, their spouses, and veterans may be exempt from the initial \$111.00 Occupational License Application Fee for new and upgraded applications if they can meet certain eligibility requirements. These eligibility requirements include:

- a military service member or veteran whose military service, training, or education substantially meets all of the requirements for a license; or
- a military service member, their spouse, or veteran who holds a current license issued by another jurisdiction with licensing requirements substantially equivalent to those for the license in Texas.

Active duty military members are now able to take advantage of an extended deadline of up to two years from the current 180 days to complete any continuing education requirements and any other requirements related to renewing their license application. If eligible, there are also no penalties for failing to renew the license in a timely manner. For more information on these benefits, please review the information on this web page:

www.tceq.texas.gov/licensing/information-for-military-service-members-veterans-and-spouses

The rule was published in the Texas Register on Sept. 23, 2016, and effective on Sept. 29, 2016. To review the adopted rule visit www.tceq.texas.gov/rules/adopt.html. For more information on the TCEQ's Occupational Licensing Program visit www.tceq.texas.gov/licensing.

Stakeholder Meeting Scheduled for the Renewal of the Stormwater Construction General Permit No. TXR150000

September 2016 - The Texas Commission on Environmental Quality has begun the renewal process for the Texas Pollutant Discharge Elimination System (TPDES) Construction General Permit No. TXR150000.

This general permit authorizes the discharge of stormwater from small and large construction activities and expires on March 5, 2018.

As part of the renewal process, the TCEQ will hold a public meeting, at which existing permittees will have an opportunity to ask questions and provide comments on the existing permit and renewal process.

Date: Monday, Oct. 17, 2016
Time: 1:30 p.m. - 4:30 p.m.
Place: Texas Commission on Environmental Quality
12100 Park 35 Circle
Building E, Room 201S
Austin, Texas 78753

Please visit the TCEQ Stormwater Stakeholders Group website for updates.
http://www.tceq.texas.gov/permitting/stormwater/stormwater_stakeholders_group.html.

This meeting will be available via webcast at <http://www.texasadmin.com/tceqs.shtml>.

If you would like to participate in the meeting via webcast, please e-mail outreach@tceq.texas.gov and include your name and the company you represent in the e-mail at the beginning of the meeting. You may also use this e-mail address to submit questions or comments before and during the meeting.

If you cannot attend the meeting or prefer to submit comments electronically, please send comments to SWGPA@tceq.texas.gov, with a subject line of "2018 CGP Renewal".

Texas Environmental Excellence Awards - Deadline Extended!

September 2016 - The Texas Environmental Excellence Awards (TEEA) celebrate the efforts of citizens, communities, businesses, and organizations to preserve and protect the Texas environment.

The public may nominate an individual, community, company, or organization for an award. They can also nominate themselves.

The application deadline is now October 14, 2016!

If you would like to apply for a 2017 Texas Environmental Excellence Award, go to www.teea.org/apply, complete an application, and submit it by October 14, 2016.

For more information, please call us at (512) 239-3143 or send an email to awards@tceq.texas.gov.

New TCEQ License Application Process

September 2016 - On Sept. 9, 2016, the TCEQ began offering an electronic application and pre-approval process for new licenses.

The eApplication takes approximately 20 minutes to complete and was created with your privacy and security in mind. eApplication is available for most licenses. For more information on completing an application online, visit www.tceq.texas.gov/licensing/eapp. The TCEQ strongly encourages the use of the electronic application process; however, for individuals who do not have access to a computer, the agency will continue to accept paper applications. A nonrefundable application fee of \$111 must be paid at the time an application is submitted.

In addition, the TCEQ began a pre-approval process on Sept. 9, 2016. As part of this new process, new license applicants will **NOT** be able to register for an exam until:

- their application is deemed administratively complete by the TCEQ,
- their application is approved by the TCEQ, and
- the applicant receives a notification from the TCEQ indicating the applicant is eligible to register for an exam session.

The TCEQ allows a 180-day grace period for all applicants to transition to the new pre-approval process. During this time a dual process will be in place. After March 1, 2017, all applicants must have pre-approval before registering to take an exam. In order to meet the March 1 deadline, applicants must submit their application no later than Jan. 1, 2017.

The new process will allow for a consistent approach for all licensees that is simpler, easier to understand, and will facilitate better exam scheduling. Additionally, it will allow all licensees the option to schedule Computer Based Testing (CBT) for their first exam.

The TCEQ is developing a process that will allow a conditional pre-approval for those individuals who are registered for, attend, and complete training through an association school, so they may continue to complete their testing immediately following the training.

For more information please visit the [Occupational Licensing](#) page on the TCEQ website or contact the program at: 512-239-6133 or licenses@tceq.texas.gov.

TCEQ Produces New Compliance and Assistance Video

September 2016 - The Texas Commission on Environmental Quality helps small businesses and local governments achieve compliance with environmental laws, protecting all Texans.

The [TCEQ Compliance and Assistance video](#) highlights some of the ways we do that, focusing on the Small Business and Local Government Assistance Program. The video features the chair of the Golden Triangle Small Business Advisory Committee, Mr. Jeff Rogers. View this and more videos on the [TCEQ News YouTube channel](#).



If you would like to share this video from your website, here's how:

- To provide the link to this video, use this:
<<https://www.youtube.com/embed/P5EWxMk3mMI>>, or
- To embed the image/link on your website and have it appear as it does on this page, please use the following code:
 - <iframe width="300" height="168" src="https://www.youtube.com/embed/P5EWxMk3mMI" frameborder="0" allowfullscreen></iframe>
 - To make the image larger or smaller, you can adjust the width and height provided in the code.

Advanced Air Permitting Seminar

September 2016 - The Texas Commission on Environmental Quality has opened registration for its Advanced Air Permitting Seminar.



The Texas Commission on Environmental Quality has opened registration for its Advanced Air Permitting Seminar, to be held on October 10-11, at the Palmer Events Center, 900 Barton Springs Rd., Austin. Visit the [Advanced Air Permitting Seminar webpage](#) for more information.

The seminar will include Oil and Gas Hot Topics!

Exhibitor Registration Fee: \$799 (*includes one exhibitor badge with access to the classroom*)

Attendee Early Registration Fee: \$199

Registration Fee: \$299 (*after September 9th*)

On-site Registration Fee: \$399

[Click Here to Register!](#)

Up to 10 hours of continuing education credits will be offered to Professional Engineers and Professional Geoscientists in attendance. If unable to register electronically, call 800-775-2774, or email tceq@iemshows.com.

Upcoming TCEQ Water Quality/Stormwater Seminar: Attendee & Exhibitor Registration Open!

August 2016 - At this seminar, TCEQ staff will update attendees on permitting rules and upcoming regulations.

Presentations will cover a wide range of topics, including the technical aspects of municipal, industrial, stormwater, and sludge permits.

CEU certification is pending for 2016. In 2015, the seminar was approved for CEUs for wastewater system operators and leaking petroleum storage tank corrective action project managers.

Find out more information about this and other TCEQ seminars on our [Event Webpage](#).

Dates:

Oct. 12-13, 2016

Attendees:

Early Registration Fee: \$100

Registration Fee: \$150

(After September 16th) On-site Registration Fee: \$150

Exhibitors:

Registration Fee: \$250 (includes one exhibitor badge)

Additional Exhibitor Badges: \$100 each

Location:

Palmer Events Center

900 Barton Springs Rd.

Austin, TX 78704

[Register Now!](#)

TCEQ Adopts Changes to Texas Emission Reduction Plan (TERP) Rules and Guidelines

August 2016 - On Aug. 3, 2016, TCEQ commissioners adopted revisions to 30 Texas Administrative Code (TAC) 114, Subchapter K, Division 8 - Drayage Truck Incentive Program (DTIP).

The rule expands the definition of a drayage truck to include other cargo-handling equipment and expands the definition of a seaport to include publically or privately owned property within a ship channel security district established under Texas Water Code Chapter 68. The rule also removes the requirement limiting qualifying drayage trucks to only those with day cabs.

The commission also adopted revisions to the DTIP guidelines to incorporate the rule changes and to make other changes. One change removes the provision in the guidelines authorizing the TCEQ executive director to allow an engine replaced under the program to be sent for remanufacture in lieu of destruction. In addition, the commission adopted revisions to the TERP Emissions Reduction Incentive Grant guidelines to remove the same provision.

The rules will become effective on Aug. 25, 2016, and are expected to help further reduce emissions in and around seaports and rail yards located in the state's nonattainment areas.

For more information on the TERP grant programs and to obtain copies of the rules and guidelines visit <www.terpgrants.org>.

Regional Financial Assistance Workshops

August 2016 - Opportunities for Helpful One-on-One Discussions

The [Texas Water Development Board \(TWDB\)](#) is pleased to invite you to a new style of workshop that provides valuable information while allowing for more one-on-one opportunities to discuss your project needs. Your Regional Project Team, along with TWDB Program Coordinators, will be at the workshops to discuss specific projects and answer any questions you may have.

Overview of Workshop

- Brief but informative overview of the TWDB and the types of financing available
- Handout of program updates for those already familiar with the TWDB
- One-on-One meetings with TWDB staff to explore funding options for your projects

Location *	Date	Building Name	Address
Uvalde	August 16, 2016 - 10 a.m.	Texas Agri-Life Research & Extension Auditorium, Room 121	1619 Garner Field Road, Uvalde, TX
Conroe	September 13, 2016 - 9 a.m.	San Jacinto River Authority, G & A Building, Board Room	1577 Dam Site Road, Conroe, TX
Corsicana	October 11, 2016 - 9 a.m.	Corsicana Public Library, Nancy Roberts Room	100 North 12th Street, Corsicana, TX
Amarillo	November 9, 2016 - 9 a.m.	Panhandle Regional Planning Commission	415 West 8th Street, Amarillo, TX
McAllen	December 6, 2016 - 9 a.m.	McAllen City Hall Commission Chambers - 3rd Floor	1300 Houston Avenue, McAllen, TX

* The monthly regional workshops will be ongoing. The schedule for 2017 will be released later in 2016.

If you desire to hold a pre-application meeting at the conference being held in your region, please contact your Regional Project Team Manager: Their contact information may be found at: http://www.twdb.texas.gov/financial/programs/swift/regional_project_teams.asp

To register, please email your name, title, entity, email, telephone contact information and the workshop location you are planning to attend to srfworkshops@twdb.texas.gov. General questions may be directed to your Regional Project Team Manager.

Please register as soon as possible as venues are subject to capacity limitations.

TCEQ Creates New Monthly Summary Reporting Form for Certain Accidental Discharges or Spills at Wastewater Treatment or Collection Systems

July 2016 - On May 11, 2016, TCEQ commissioners adopted the volume based exemptions from the 24 hour reporting requirement for certain accidental discharges, implementing Senate Bill (SB) 912, 84th Legislature.

The new rules, codified in [30 Texas Administrative Code \(TAC\) §305.132](#) and [30 TAC §327.32](#), address any single, accidental discharge or spill of treated or untreated domestic wastewater that occurs at a wastewater treatment or collection system owned or operated by a local government. These types of discharges or spills are able to be reported to the TCEQ monthly, as a summary of spills, provided certain conditions are met. See the article: [“TCEQ Adopts New Rules for Accidental Discharges or Spills at Wastewater Treatment or Collection Systems”](#) for additional detail.

To assist the regulated community in complying with the rule, the TCEQ has developed the [Accidental Discharge or Spill Monthly Summary Form](#) (TCEQ-20756). When reporting an accidental or unauthorized discharge or spill, you must include all information that is requested on the summary form, such as the start date, end date, and description of the discharge or spill; the volume and method used to calculate the volume; and the location, cause, and steps taken to reduce, eliminate, and prevent a recurrence. Mail the original form by the 20th day of the month following the spill to the following address:

TCEQ Compliance Monitoring Team, MC-224
P.O. Box 13087
Austin TX 78711-3087

Also mail a copy to the appropriate [TCEQ Regional Office](#).

TCEQ Seeks Comments on Proposed Rules on the Use of Graywater

July 2016 - On July 6, 2016, TCEQ commissioners approved publication of a proposed rule on the use of graywater.

The proposed rule implements House Bill 1902, 84th Texas Legislature, which requires the TCEQ to:

- Develop standards to allow the reuse of graywater for toilet and urinal flushing;
- Create a new regulatory classification for “alternative onsite water” which the bill defines as “rainwater, air conditioning condensate, foundation drain water, storm water, cooling tower blowdown, swimming pool backwash and drain water, reverse osmosis reject water, or any other source of water considered appropriate by the commission” and develop standards for the reuse of alternative onsite water similar to the standards for graywater;
- Allow an adjustment in the drainfield size of an on-site sewage facility (OSSF) if used in conjunction with a graywater reuse system; and
- Develop a regulatory guidance manual to explain the graywater and alternative onsite water regulations.

The rule amends Chapter 210 of the Texas Administrative Code, 30 TAC Sections 210.81-210.85, Use of Reclaimed Water. It also amends Section 285.80, repeals Section 285.81, and proposes new Section 285.81 of Chapter 285, On-Site Sewage Facilities.

The proposed rule will be published in the Texas Register on July 22, 2016, which opens the public comment period. Comments are due by Aug. 22, 2016. The TCEQ will hold a public hearing on Aug. 16, 2016, at 2:00 p.m. in Austin at the TCEQ headquarters located at 12100 Park 35 Circle, Building E, Room 201S.

To obtain a copy of the proposed rule, visit the TCEQ website at:

<https://www.tceq.texas.gov/rules/prop.html>

For more information on providing comments to the TCEQ, visit our website

at: <https://www.tceq.texas.gov/rules/howtocomment.html>

TCEQ Seeks Comment on Proposed Changes to Public Notice Requirements for the Air Quality Standard Permit for Concrete Batch Plants

July 2016 - On July 6, 2016, TCEQ commissioners approved publication of proposed rulemaking that amends portions of 30 Texas Administrative Code (TAC) Chapters 39 and 55 regarding public notice for certain concrete batch plants. The rule changes are also proposed as revisions to the State Implementation Plan (SIP).

The proposed rule amends existing public participation rules for registrations of the Air Quality Standard Permit for Concrete Batch Plants. The proposed rule requires consolidation of the Notice of Receipt of Application and Intent to Obtain Permit (NORI, commonly referred to as “first notice”) and Notice of Application and Preliminary Decision (NAPD, commonly referred to as “second notice”) into a single public notice. Additionally the rulemaking proposes to provide a single 30-day period in which the public can submit comments, or request a public meeting or a contested case hearing.

The proposed rule will be published in the Texas Register on July 22, 2016, which opens the public comment period. Comments are due by Aug. 22, 2016. The TCEQ will hold a public hearing on Aug. 10, 2016, at 10:00 a.m. in Austin at the TCEQ headquarters located at 12100 Park 35 Circle, Building E, Room 201S.

To obtain a copy of the proposed rule, visit the TCEQ website at:
<https://www.tceq.texas.gov/rules/prop.html>

For more information on providing comments to the TCEQ, visit our website at: <https://www.tceq.texas.gov/rules/howtocomment.html>

TCEQ Adopts the Renewal of the Multi-Sector General Permit (TXR050000)

July 2016 - On July 6, 2016, TCEQ commissioners adopted the renewal of the Texas Pollutant Discharge Elimination System (TPDES) - Multi-Sector General Permit (MSGP) (TXR050000) for stormwater discharges from industrial facilities. The permit will be effective on Aug. 14, 2016.

Changes to the renewed permit include:

- formatting changes and additional detail to existing SIC codes and industrial activity descriptions;
- clarifying language in Part II, Section B.7 related to impaired water bodies and Total Maximum Daily Load (TMDL);
- adding language regarding the Federal Electronic Reporting Rule;
- lowering three benchmark monitoring levels for specific SIC codes in Sectors A,C,F,H, and T;
- adding and revising several definitions to clarify permitting requirements;
- clarifying requirements for aboveground storage tanks, zero rainfall totals, and oil and gas extraction facilities; and
- adding narrative and numeric effluent limitations guidelines for Sector S to include federal deicing requirements.

For more information view the PDF on the renewed permit, including a fact sheet summarizing all the changes,

https://www.tceq.texas.gov/assets/public/comm_exec/agendas/comm/backup/Agendas/2016/07-06-2016/0475MIS.pdf

Once effective, currently permitted facilities will have 90 days to renew their permit coverage either online or paper form. The 90 day grace period ends Nov. 14, 2016. **Permittees cannot obtain a renewal until Aug. 14, 2016, the effective date of the renewed permit.**

Before submitting a Notice of Intent (NOI) to obtain permit coverage, be sure to:

- obtain and review a copy of the general permit,
- update or create your Stormwater Pollution Prevention Plan (SWP3), and
- implement the SWP3 on site.

Check www.TexasEnviroHelp.org often for updates to the permit and forms. You may also contact the Small Business and Local Government Assistance hotline at 800-447-2827.