

The Advocate

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

October-December 2016 Archive - Please note that archived articles are provided for your reference and the links they contain may no longer be active. If you need help to find information you believe is contained in a link that is no longer active, please call 1-800-447-2827 and we will assist you.

Changes to Public Notice for Concrete Batch Plant Standard Permit Adopted by TCEQ Commissioners	2
TCEQ Adopts Rules to Expand Use of Graywater	3
Emissions Inventory Workshop Scheduled for Jan. 25, 2017, in Austin.....	4
Dam Safety Workshop Scheduled for Jan. 25, 2017, in Austin.....	5
TCEQ Seeking Stakeholder Input for Emissions Banking and Trading Rulemaking	6
TCEQ Adopts the Renewal of the Ready Mixed Concrete General Permit (TXG110000).....	7
Renew Your Multi-Sector General Permit (MSGP) Coverage by Nov. 14, 2016.....	8
TCEQ Seeking Comments for the Renewal of the Construction General Permit (CGP) No. TXR150000.....	9
Free Webinar: TCEQ’s Rules for Accidental Discharges or Spills at Wastewater Treatment or Collection Systems	10
TCEQ Proposes New Rules Incorporating the Federal Revised Total Coliform Rule (RTCR) Requirements	11

Changes to Public Notice for Concrete Batch Plant Standard Permit Adopted by TCEQ Commissioners

December 2016 - On Dec. 7, 2016, the TCEQ commissioners adopted revisions to 30 Texas Administrative Code (TAC) Chapter 39, Public Notice, and Chapter 55, Request for Reconsideration and Contested Case Hearing; Public Comment.

The rules consolidate the publication of the first and second public notices into a single notice. Additionally, public comments, requests for public meetings, and requests for contested case hearings will be accepted for 30 days after publication of the consolidated notice. Initial applications to register for the Concrete Batch Plant Standard Permit received on or after Jan. 1, 2017, will be subject to the consolidated notice rules. Renewal applications are not affected. For more information visit www.tceq.texas.gov/goto/cbp.

The rules will be published in the Texas Register on Dec. 23, 2016. To review the adopted rules visit www.tceq.texas.gov/rules/adopt.html.

TCEQ Adopts Rules to Expand Use of Graywater

December 2016 - On Dec. 7, 2016, TCEQ commissioners adopted revisions to 30 Texas Administrative Code (TAC) Chapter 210, Use of Reclaimed Water, and Chapter 285, On-Site Sewage Facilities.

The adopted rules:

- allow for a potential reduction in the OSSF drainfield size if the OSSF is used in conjunction with a reuse system;
- move all graywater reuse rules to Chapter 210;
- authorize the reuse of alternative onsite water;
- authorize by rule the reuse of 400 gallons per day or more of graywater and alternative onsite water, unless directed by the TCEQ executive director to obtain an authorization;
- add toilet and urinal flushing as an authorized use of graywater and alternative onsite water;
- establish uses of and treatment standards for alternative onsite water similar to those for graywater;
- allow spray irrigation at private residences under certain conditions;
- incorporate nationally recognized treatment levels for total suspended solids and *Escherichia coli* (*E. coli*) for graywater and alternative onsite water when used for toilet and urinal flushing; and
- revise bacteria limits from fecal coliform to *E. coli* throughout the rule.

The rules will be published in the Texas Register on Dec. 23, 2016, and effective on Dec. 29, 2016. To review the adopted rule visit www.tceq.texas.gov/rules/adopt.html.

Emissions Inventory Workshop Scheduled for Jan. 25, 2017, in Austin

December 2016 - The workshop will focus on the two methods for Web Emissions Inventory (EI) Reporting: EIQ Entry and File Upload.

Location:

[J.J. Pickle Research Campus](#)

The University of Texas at Austin

Commons Learning Center

10100 Burnet Road

Austin, TX 78758

Workshop hours are from 9:00 a.m. to 2:30 p.m. Additional information and registration are available at <https://www.tceq.texas.gov/p2/events/industrialemissionsinventoryworkshop>.

For more information regarding the workshop, contact Joe Briseno at events@tceq.texas.gov or 512-239-3143.

Dam Safety Workshop Scheduled for Jan. 25, 2017, in Austin

November 2016 - The workshop will educate dam owners and operators about state dam safety laws and regulations, dam failure modes and case histories, owner responsibilities and liabilities, security issues, dam operations, maintenance and inspections, and developing and implementing emergency action plans.

Location:

[J.J. Pickle Research Campus](#)

The University of Texas at Austin

Commons Learning Center

10100 Burnet Road

Austin, TX 78758

Workshop hours are from 8:00 a.m. to 1:30 p.m. Additional information and registration are available on the [Dam Safety Workshop web page](#).

Lunch and refreshments are included in the registration fee. Participants will also receive a copy of the Workshop Participant Manual and have the opportunity to speak one on one with TCEQ dam safety personnel.

Two other workshops will be held (East Texas and North Texas) in the summer of 2017. Information will be updated as it becomes available.

For more information regarding the workshops, contact Joe Briseno at events@tceq.texas.gov or 512-239-3143.

TCEQ Seeking Stakeholder Input for Emissions Banking and Trading Rulemaking

November 2016 - The TCEQ has scheduled meetings to inform stakeholders of the pending draft revisions to the Emissions Banking and Trading (EBT) rules in 30 Texas Administrative Code Chapter 101, Subchapter H, Divisions 1 and 3.

The meetings will focus specifically on draft rule amendments regarding the generation and use of emission credits by area and mobile sources.

The meetings are open to the public and anyone interested may attend. Meetings are scheduled for:

- Houston: Dec. 6, 2016, 2:00-5:00 pm, Texas Department of Transportation (TxDOT) Auditorium, 7600 Washington Avenue, Houston, TX 77007;
- Dallas-Fort Worth: Dec. 7, 2016, 2:00-5:00 pm, The Regional Forum Room at North Central Texas Council of Governments, 616 Six Flags Drive, Arlington, TX 76011; and
- Austin: Dec. 9, 2016, 9:00-11:30 am, TCEQ Headquarters, Building E, Room 201, 12100 Park 35 Circle, Austin, TX 78753.

The current EBT rules allow an area or mobile source to generate emission reduction credits (ERCs) from emission reductions that are demonstrated to be real, quantifiable, permanent, enforceable, and surplus to the state implementation plan (SIP) and all applicable rules. The current rules also allow an area or mobile source to generate discrete emission reduction credits (DERCs) from reductions that are real, quantifiable, and surplus to the SIP and all applicable rules.

However, research shows significant implementation issues associated with ensuring that area and mobile source credits meet the United States Environmental Protection Agency (EPA) and Federal Clean Air Act (FCAA) requirements.

To address implementation issues associated with generating and using area and mobile credits, the TCEQ is considering proposing new requirements related to:

- the types of sources that would be eligible to generate credits;
- the quantity of credits that could be generated by area and mobile sources;
- the timeframe for credit generation; and
- record keeping and reporting.

These potential new requirements, as well as any suggestions raised by meeting participants, will be discussed at these meetings.

For more information about these meetings, contact Guy.Hoffman@tceq.texas.gov or Daphne.McMurrer@tceq.texas.gov.

TCEQ Adopts the Renewal of the Ready Mixed Concrete General Permit (TXG110000)

November 2016 - On Oct. 19, 2016, TCEQ commissioners adopted the renewal of the Ready Mixed Concrete General Permit which authorizes discharges from ready-mixed concrete plants, concrete products plants, and their associated facilities.

The permit became effective on Nov. 7, 2016. A copy of the renewed permit and a fact sheet summarizing the changes to the renewed permit can be found online at: <https://www.tceq.texas.gov/permitting/wastewater/general>.

Current permittees will have 90 days to renew their permit coverage. The 90 day grace period ends Feb. 5, 2017. You may submit your NOI electronically through the State of Texas Environmental Electronic Reporting System (STEERS) at: <https://www3.tceq.texas.gov/steers/>. If you have questions please contact the Industrial Permits Team at 512-239-4671 or the Small Business & Local Government Assistance Program at 800-447-2827.

Renew Your Multi-Sector General Permit (MSGP) Coverage by Nov. 14, 2016

October 2016 - The TCEQ issued the Texas Pollutant Discharge Elimination System (TPDES) MSGP TXR050000 for stormwater discharges from industrial facilities on Aug. 14, 2016.

Currently permitted facilities have 90 days to renew their authorization by submitting an NOI (TCEQ Form 10382) either online through STEERS ePermits program or by paper form, and paying the application fee. **The 90-day renewal grace period ends at 5:00 p.m. on Nov. 14, 2016.**

Before submitting an NOI to obtain permit coverage, be sure to:

- obtain and review a copy of the 2016 general permit,
- update or create your Stormwater Pollution Prevention Plan (SWP3), and
- implement the SWP3 on site.

Facilities with an active No Exposure Certification (NEC) need to also submit the NEC (TCEQ Form 10383) and pay the application fee. This can also be done either online using STEERS or by submitting a paper form.

If you no longer need coverage under the MSGP and have not submitted a Notice of Termination (NOT) (TCEQ Form 10443), your permit authorization will automatically expire on Nov. 14, 2016. Permit authorizations that were not terminated prior to Sept. 1, 2016, will be assessed the \$200 annual water quality fee.

To renew electronically you may access STEERS at: <https://www3.tceq.texas.gov/steers/>.

When renewing make sure you use the exact legal name as it is registered with the Texas Comptroller of Public Accounts and Secretary of State.

If you have questions, please call the Small Business and Local Government Assistance hotline at 1-800-447-2827 or visit the TCEQ website at www.TexasEnviroHelp.org.

TCEQ Seeking Comments for the Renewal of the Construction General Permit (CGP) No. TXR150000

October 2016 - The TCEQ has begun the process of renewing the 2013 Stormwater Construction General Permit which will expire on March 4, 2018, at midnight.

Stakeholders have the opportunity to provide comments on the existing permit. Comments are due Tuesday, Nov. 1, 2016. Please submit your comments electronically to the Stormwater and Pretreatment Team at swgp@tceq.texas.gov, subject line "2018 CGP Renewal".

For a list of proposed changes, please visit the [Stormwater Stakeholders Group](#) web page and click on the [CGP Renewal Proposed Changes](#)  document.

For additional assistance you may contact the Small Business & Local Government Assistance hotline at 800-447-2827.

Free Webinar: TCEQ's Rules for Accidental Discharges or Spills at Wastewater Treatment or Collection Systems

October 2016 -The Water Environment Association of Texas is conducting a free webinar Wednesday, Oct 26, 2016, from noon to 1 PM CDT.

The [webinar](#) will provide information on the new accidental discharge or spill reporting standard located in [30 Texas Administrative Code \(TAC\) §305.132](#) and [30 TAC §327.32](#).

Topics to be covered in the [webinar](#) include:

- how and when to use the new reporting rule,
- determining the eligibility criteria,
- learning the acceptable spill calculation methods, and
- understanding what information will be required on the new [Accidental Discharge or Spill Monthly Summary Form](#) (TCEQ-20756).

Time will be allotted for questions and answers.

To register for the webinar, please go to the [Water Environment Association of Texas](#) website or visit [gotowebinar registration](#).

TCEQ Proposes New Rules Incorporating the Federal Revised Total Coliform Rule (RTCR) Requirements

October 2016 – On Sept. 21, 2016, TCEQ commissioners approved publication of rulemaking that amends 30 Texas Administrative Code (TAC) Section 290 to make it consistent with the federal RTCR, to address EPA comments on the federal Groundwater Rule, and to provide clarification on existing state rules.

The proposed rulemaking incorporates rule language consistent with the RTCR, and includes the EPA’s primacy revision crosswalk. The crosswalk is a side-by-side comparison of the federal requirements and the corresponding state regulations. Additionally, the rulemaking proposes to align current state rules to provide consistency. It also updates other requirements such as:

- Lead and Copper Rules (LCR);
- Total Organic Carbon (TOC) Rule and federal monitoring and reporting requirements concerning TOC;
- Public Notice (PN) Rule requirements;
- disinfection and analytical requirements for chlorine dioxide and chlorite; and
- submission of laboratory analyses and reports to the TCEQ executive director.

The rulemaking also proposes to clarify and streamline existing state rules including:

- disinfection treatment and monitoring requirements for public water systems (PWS) that utilize a groundwater source;
- PWS ownership reporting requirements;
- boil water notice (BWN) reporting requirements
- nitrite monitoring requirements;
- disinfection operating reports;
- continuous turbidity monitoring and reporting; and
- well record-keeping requirements.

The proposed rules will be published in the Texas Register on Oct. 7, 2016, which opens the comment period. The proposed rules will be open for comments for 45 days. Comments are due by Nov. 22, 2016. The Drinking Water Advisory Work Group will hold a meeting on Oct. 25, 2016, in Austin at the TCEQ headquarters, located at 12015 Park 35 Circle, Building E, Room 201S and 254S, from 9:00 – noon. The meeting will present an overview of the proposed rule. The TCEQ will hold a public hearing on Nov. 7, 2016, also at the TCEQ headquarters, in the same location, at 2:00 pm. The rules are scheduled for adoption on Mar. 8, 2017, and will be effective Mar. 30, 2017.

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/agency/comments.html>