

Effective: June 12, 2002

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION
Permanent Rule Change

Rule Log No. 2001-100-214-WS
Secondary Containment required for USTs located over certain aquifers

Chapter 214
Secondary Containment Requirements for Underground Storage Tank Systems
Located Over Certain Aquifers

1. Purpose. This change transmittal provides the page(s) that reflect changes and addition to the Texas Natural Resource Conservation Commission (commission) Volume of Permanent Rules.
2. Explanation of Change. On June 20, 2001, the commission adopted new Chapter 214, Secondary Containment Requirements for Underground Storage Tank Systems Located Over Certain Aquifers, §§214.1 - 214.3. Sections 214.1 - 214.3 were adopted *without changes* to the proposed text as published in the February 15, 2002 issue of the *Texas Register* (27 TexReg 1100) and was not republished.
3. Effect of Change. The adopted rules implement House Bill (HB) 2912, Article 13, §13.01 and Article 18, §18.13, 77th Legislature, 2001. House Bill 2912 added Texas Water Code (TWC), §26.3476, Secondary Containment Required For Tanks Located Over Certain Aquifers. TWC, §26.3476, specifies that an underground storage tank (UST) system, at a minimum, shall incorporate a method for secondary containment if the system is located in the outcrop of a major aquifer composed of limestone and associated carbonate rocks of Cretaceous age or older; and a county that has a population of at least one million and relies on groundwater for at least 75% of the county's water supply or has a population of at least 75,000 and is adjacent to a county that has a population of at least one million and relies on groundwater for at least 75% of the county's water supply. TWC, §26.3476, applies only to a UST system that is installed, upgraded, or replaced on or after September 1, 2001 and applies only to the outcrop of the Edwards (Balcones Fault Zone) and Trinity aquifers in northern Bexar and Comal Counties as defined by the Texas Water Development Board.