



Wastewater Permitting Updates

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Water Quality Division



Office of Water

- L'Oreal Stepney, P.E., Deputy Director
- Water Availability Division
- Water Supply Division
- Water Quality Planning Division
- Water Quality Division

Wastewater Permitting Section

Yvonna, Miramontes, Section Manager

- Industrial Permits
- Municipal Permits
- Stormwater Permits
- Pretreatment Program



Water Quality Assessments Section

Gregg Easley, Section Manager

- CAFO
- Biosolids
- WQ Assessments
- WQ Standards Implementation



Water Quality Division Support Section

Deirdre Shepphard, Section Manager

- Application Review and Processing
- Customer Information and Assistance
- Information Technology



Texas is a Delegated NPDES State

EPA delegated the NPDES program to TCEQ in 1998

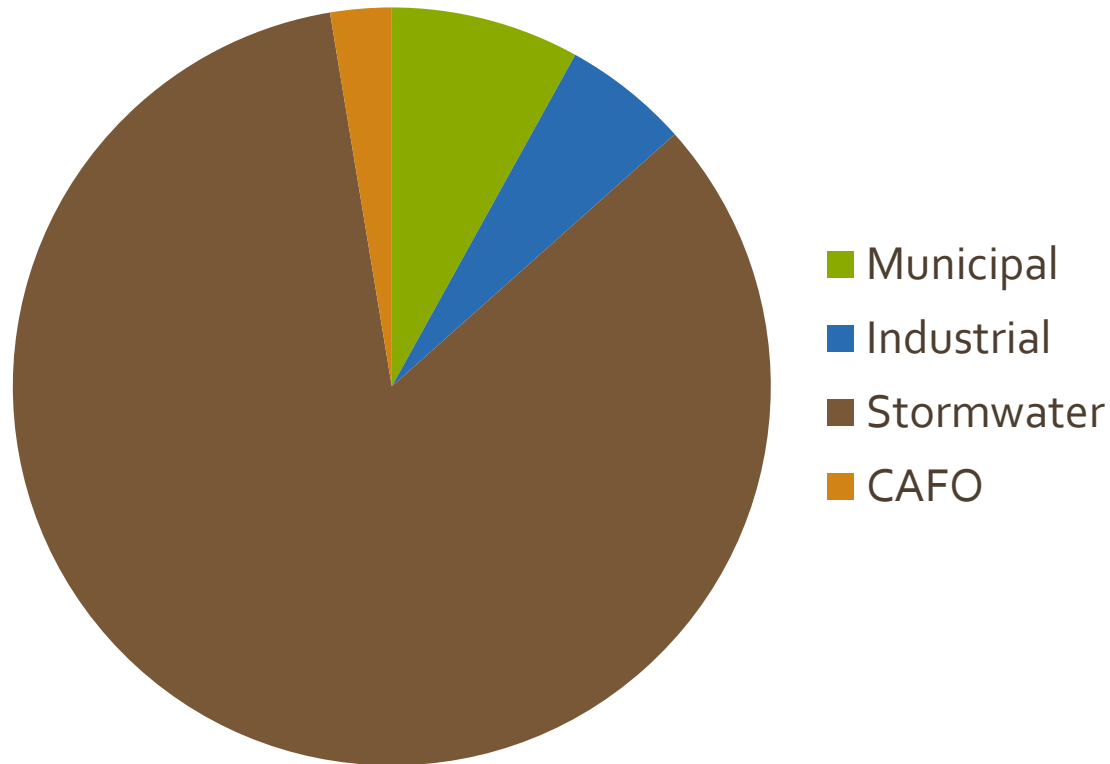
EPA retains oversight and ultimate authority

EPA and TCEQ entered into an MOA that establishes responsibilities and expectations for NPDES permitting under the CWA

Wastewater Permits

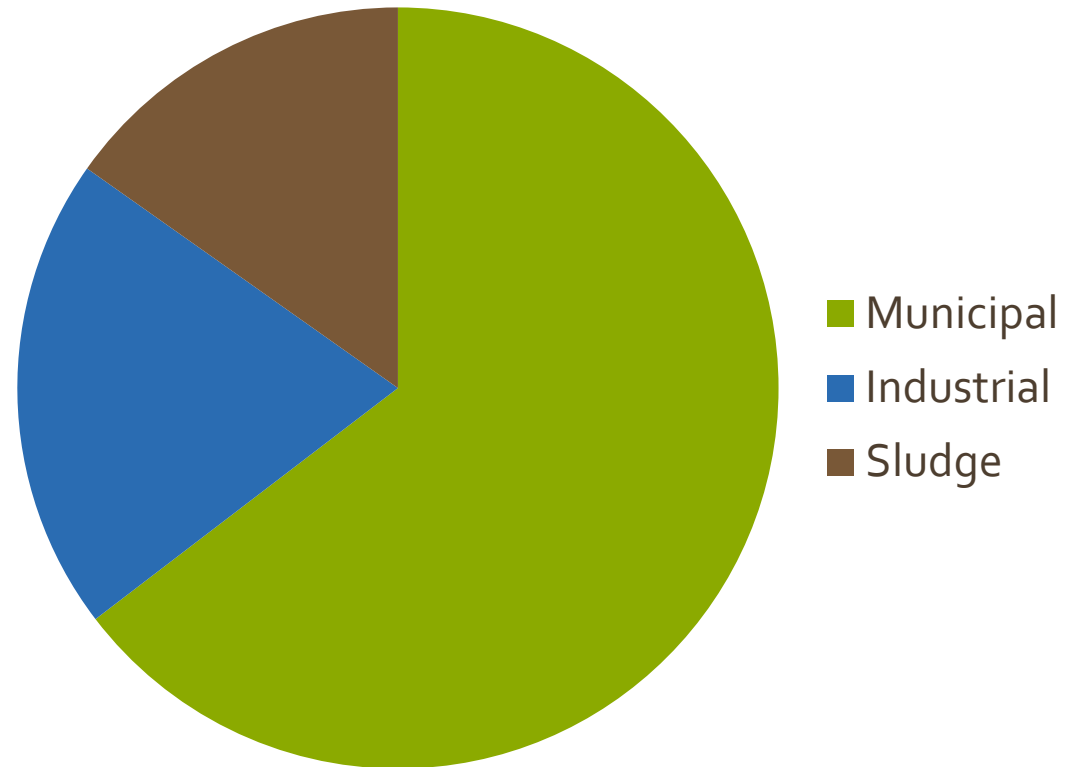
Texas Pollutant Discharge Elimination System (TPDES) Permits

Issued to facilities that discharge directly to surface water.



Texas Land Application Permit (TLAP)

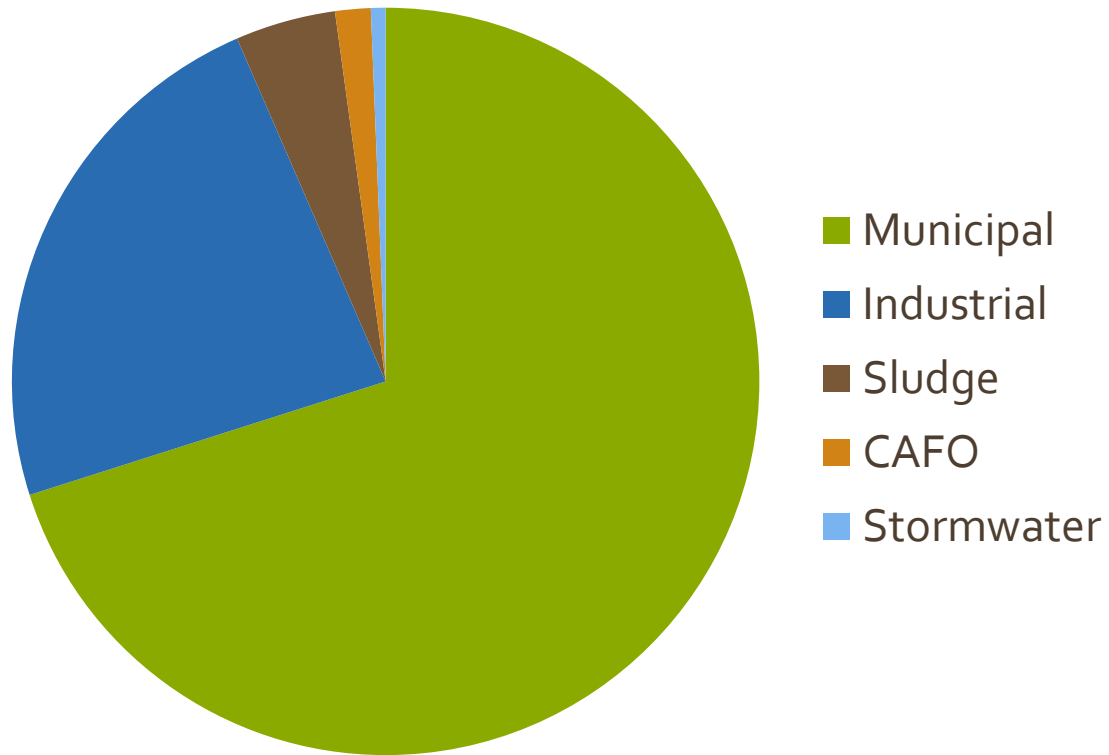
Issued to facilities that discharge adjacent to surface water via evaporation or land application.



Wastewater Permits

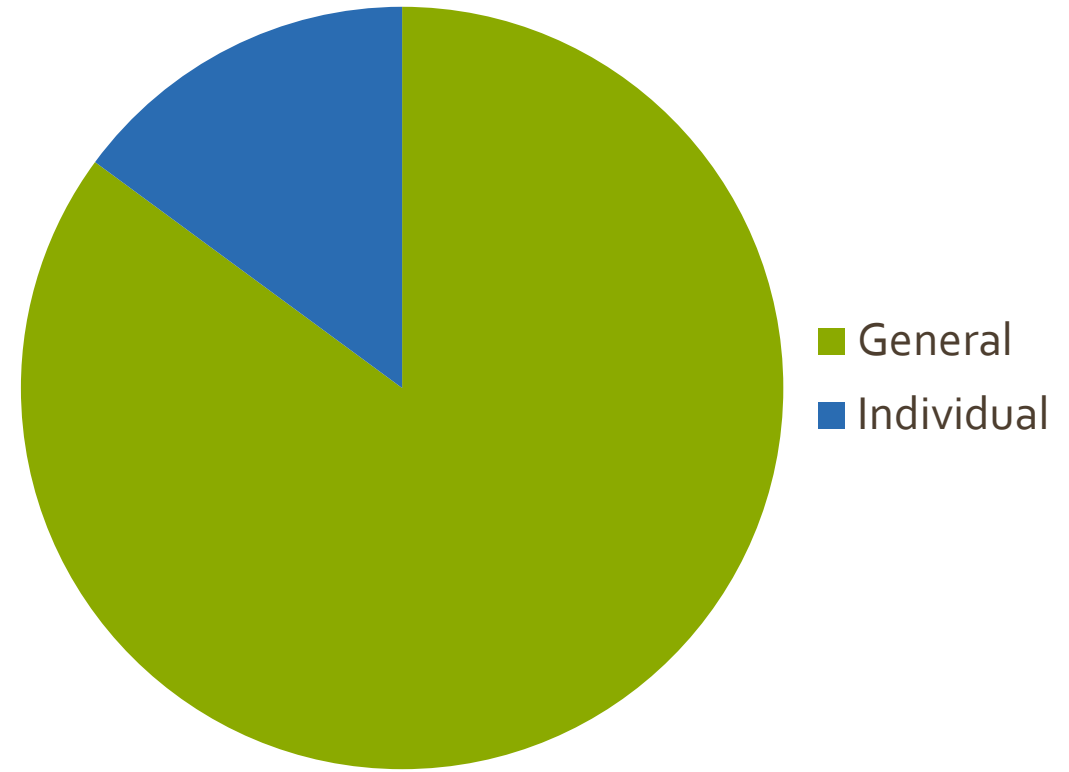
Individual Authorizations

Site-specific and technical review of the regulated activity



General Permits

One state-wide permit for similar types of activities; operate under terms and conditions of the general permit



Permitting/Rules Updates

Permitting

Rules



MS4 Phase II General Permit

Municipal Separate Storm Sewer System Phase II General Permit.

- The permit was renewed on January 24, 2019
- Renewal period ended July 24, 2019

Currently reviewing renewal applications



CAFO General Permit (TXG920000)

Renewal of the Concentrated Animal Feeding Operation (CAFO) General Permit.

Currently in the renewal period

- General permit expired on July 20, 2019
- 180 day renewal period ends on **January 16, 2020**



Total Dissolved Solids

Coalition members from WEAT, TACWA, and Water Reuse Texas

Changes to how dissolved solids are regulated in water quality programs.

- Recommendations for state water quality standards and implementation procedures for wastewater permitting
- Meetings and interactions in 2018 and 2019
- TCEQ currently evaluating proposed changes to the TDS screening procedures

NPDES Updates Rule

EPA finalized specific revisions to clarify and update the permit application.

- Industrial Classification Codes – Requires both SIC and NAICS codes on applications
- Revised definition of pesticide discharges to waters of the US and pesticide residue consistent with court's decision
- Provides flexibility for web-based public notices

Rule effective: June 12, 2019

Implementation timeline: **July 2020**



Rulemaking Discharge for Marine Desalination Plants

TPWD and GLO developed recommended discharge zones in the Gulf of Mexico for marine seawater desalination discharges.

TCEQ is required to adopt rules for discharge zones by 2020.

- Scheduled for Commission Agenda on November 6, 2019 to request approval to publish for public comment



Rulemaking for Beneficial Reuse Credits

Considering rulemaking to allow permittees to rely on the beneficial reuse of treated wastewater.

- May reduce the amount of effluent storage and the amount of land required for disposal of wastewater
- Public Hearing was held on July 25, 2019 and the comment period ended
- Scheduled for Commission Agenda for consideration of adoption on December 18, 2019

Chapter 312 Rulemaking

Sludge Use, Disposal, and Transportation

Administrative and technical changes to clarify existing requirements and remove inconsistencies.

- Requested Commission approval for rulemaking on October 9, 2019
- Will publish proposed changes in the Texas Register and seek additional comments during a 30 day public comment period
- Public hearing will be held on **November 19, 2019** at 10:00 a.m.

HB 2771 Delegation

Directed TCEQ to seek delegation of authority by EPA and amended Texas Water Code § 26.131.

Upon delegation of authority by EPA, TCEQ may issue discharge permits from certain oil and gas activities:

- Produced water
- Hydrostatic test water
- Gas plant effluent

HB 2771 Requirements

HB 2771 indicates:

- Deadline for TCEQ to submit the petition requesting delegation to EPA is **September 01, 2021**
- Powers, duties, functions, programs, and activities related to the three types of discharges are transferred to TCEQ
- Changes in agency oversight apply to applications that are pending on or after the effective date of delegation by EPA

HB 2771 Delegation Application

TCEQ will prepare a delegation petition to be submitted to EPA that includes:

- Governor's letter
- MOA with EPA
- Program description
- Attorney General statement of legal authority
- Underlying statutes and regulations

HB 2771 Application Review

EPA has the following deadlines to review and approve the application:

- 30 days to determine if the application is complete
- If complete, EPA has 90 days to approve or deny
- Deadline can be extended by agreement

HB 2771 Public Comment Process

The EPA public comment process includes:

- Publish a notice of petition in Federal Register and largest newspapers in the state
- Allow a comment period on the petition
- Allow an option for a public hearing after notice published in the Federal Register

HB 2771 Preliminary Schedule

7/1/2019 10/9/2019 1/17/2020 4/26/2020 8/4/2020 11/12/2020 2/20/2021 5/31/2021



Timeframes can change if elements can be completed sooner or in parallel.

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www.tceq.texas.gov/about/organization/water.html