

## **Update: 2014 TSWQS Temperature Revisions and Current Temperature Related Contract Work**

### *Update on revisions to the Texas Surface Water Quality Standards (TSWQS)*

Temperature revisions were included in the 2014 revision of the TSWQS to address recent concerns regarding thermal provisions in wastewater permits. After public discussion at the August 21, 2013, commissioners' agenda, the commissioners approved the publication of, and hearing on, proposed amendments to Chapter 307, as recommended by the Executive Director.

- Three changes were made to the 2014 TSWQS in regards to temperature:
  - §307.3 – Definitions: Added a definition for “industrial cooling water area” as a designated area associated with a permitted wastewater discharge where numerical temperature criteria are not applicable in accordance with conditions and requirements specified in §307.4(f) of this title (relating to General Criteria) and §307.8(b) of this title (relating to Application of Standards).
  - §307.4 – General Criteria: Changes include adding industrial cooling water areas as surface waters that must be maintained so as to not interfere with reasonable use of such waters. Adopted revisions also specify that numerical temperature criteria are not applicable in designated industrial cooling water areas, and the horizontal boundaries of an industrial cooling water area must be defined in the applicable wastewater permit.
  - §307.8 – Application of Standards: Changes include adding language to more clearly state that different mixing zone sizes may apply to different types of numeric criteria.
- All rule changes were adopted by the Commission on February 12, 2014 and went into effect on March 6, 2014.
- The adopted 2014 revisions were sent to EPA on April 23, 2014 and are pending action.

### *Literature search status and timeline*

The TCEQ currently has temperature maxima criteria that apply to all designated segments and established temperature differentials (rise over ambient) that apply to all water bodies of the state. These differentials are based largely on the 1968 National Technical Advisory Committee’s recommendations (the “Green Book”).

- Purpose of contract: to re-evaluate the temperature differentials by evaluating current and past temperature toxicity data, especially in regards to sublethal effects, to determine if the current differentials and presumptions remain scientifically defensible.
- Additional task: to gather the most current information regarding other state approaches to temperature.
- Contract with Texas Tech University
  - Executed November 14, 2013
  - QAPP approved by EPA March 6, 2014
  - Final report due July 15, 2015