



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6
1445 ROSS AVENUE
DALLAS, TEXAS 75202-2733

MAY 04 2012

Mr. David Galindo, Director
Water Quality Division Director (MC-145)
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

Re: Implementation of Texas Surface Water Quality Standards pH Criteria
Texas Pollutant Discharge Elimination System Permits (TPDES)

Dear Mr. Galindo:

Thank you for the opportunity to review the Texas Commission on Environmental Quality (TCEQ) proposed procedures for establishing pH limits in TPDES permits forwarded to us by Mr. Charles Maguire.

The procedures propose three different actions based on selected situations which includes 1) TPDES minor domestic and general permits, 2) TPDES major domestic and industrial permits, and, 3) discharges to unclassified waters. We offer the following comments for your consideration as you move forward in the development of these procedures.

TPDES Minor Domestic and General Permits:

The proposed technology based approach assumes that Texas Surface Water Quality Standards (TSWQS) are met because of the relatively small nature of the discharges. However, without the use of site specific data to conduct reasonable potential analysis, it is unclear how compliance with the TSWQS can be assured for all segments.

Major Domestic and Industrial Permits:

TCEQ proposes to conduct reasonable potential analysis using two mixing zone models, DESCONE and CO2SYS. EPA recommends that TCEQ utilize ambient stream characteristics for temperature, pH and alkalinity obtained during low-flow conditions. EPA acknowledges the additional resources required to model these discharges and applauds TCEQ's efforts to ensure compliance with TSWQS.

Discharges to Unclassified Waters:

TCEQ proposes that all discharges to unclassified, intermittent waters, or intermittent waters with perennial pools would meet technology-based pH limits of 6.0 to 9.0 s.u. Again, without the use of site specific data to conduct reasonable potential analysis, it is unclear how compliance with the TSWQS can be assured for all segments.

We note that because the proposed models assume no interference with adjacent mixing zones TCEQ may need additional information and/or procedures when assessing reasonable potential in congested areas such as the Houston Ship Channel, certain bays, harbors, rivers, and streams where there are several dischargers within close proximity. Conversely, discharges to streams with zero low flow as well as those impaired for pH would be required to meet the TSWQS at end-of-pipe.

EPA stands ready to work with TCEQ as we move forward to address this issue. If you have any questions, please call me at (214) 665-7170, or have your staff contact Larry Giglio at (214) 665-6639, via fax at (214) 665-2191 or email [giglio.larry@epa.gov.]

Sincerely,



Claudia V. Hosch
Associate Director
Water Quality Protection Division
NPDES Permits and TMDL Branch

cc (electronic): Water Quality Division, TCEQ