

Overview of Major Revisions to the Texas Surface Water Quality Standards Adopted as a State Rule on February 7, 2018

Background:

The Texas Surface Water Quality Standards (TSWQS) (Title 30, Chapter 307 of the Texas Administrative Code) describe the chemical, physical, and biological conditions to be attained in the surface waters of Texas. Authority for adopting and revising water quality standards is contained in §26.023 of the Texas Water Code (TWC) and in §303(c) of the Federal Clean Water Act. Standards are periodically revised to adjust uses and criteria of individual water bodies, to incorporate new scientific data on the effects of specific chemicals and pollutants, and to address new provisions in the TWC, federal regulations, and EPA guidance. The guidance document *Procedures to Implement the Texas Surface Water Quality Standards* (RG-194) details the procedures used by the Texas Commission on Environmental Quality (TCEQ) to develop wastewater discharge permits in accordance with the water quality standards.

Status:

After coordination with stakeholders and advisory workgroup meetings, the TCEQ adopted revisions to the standards on February 7, 2018. The proposed standards were published in the Texas Register on September 8, 2017, and a public hearing was conducted on October 16, 2017. The adopted TSWQS revisions were published in the Texas Register on February 23, 2018, and the revised rules have an effective date of March 1, 2018. The adopted standards revisions have been submitted to Environmental Protection Agency (EPA) for review and approval.

Revisions to Temporary Standards Provisions:

- Revisions include adding restoration and reconfiguration activities, a five year re-evaluation period, and expands the applicability of temporary standards to include multiple permittees and water bodies.

Revisions to Bacteria Criteria on the Texas Coast:

- The BEACH Act, an amendment to the Clean Water Act, required that new recreational criteria be adopted for coastal recreation waters.
- A single sample criterion for bacteria (130 cfu) was added for coastal recreation waters.
- A definition was added defining coastal recreation waters.

Aquatic Life Criteria (Table 1):

- Addition of the freshwater acute and chronic criteria for Acrolein based on new national criteria.
- Addition of the freshwater chronic criterion and a revision for the saltwater acute criterion for Carbaryl based on updated national criteria.

Human Health Criteria (Table 2):

- Revisions to 55 existing criteria based on updated toxicity information.
- Criteria proposed for four new parameters: Epichlorohydrin, Ethylene Glycol, Bisphenol A, Methyl tert-butyl ether.

Appendix A – Site-Specific Uses and Criteria for Classified Segments:

- Change to dissolved oxygen criteria based on a Use-Attainability Analysis (UAA) for one segment, Spring Creek (1008).
- Creation of one new segment, Blind Oso Bay (2486), with seasonal dissolved oxygen criteria.
- Change to recreational criterion based on a Recreational Use-Attainability Analysis (RUAA) for one segment, Big Cypress Creek (0404).
- Removal of the public water supply use for Cedar Bayou Above Tidal (0902).
- Addition of a footnote for Mid Cibolo Creek (1913) to indicate that it is intermittent with perennial pools based on the results of a UAA.

Appendix C –Segment Descriptions:

- Revisions to segment description for Sabine River Tidal (0501), Sabine River Above Tidal (0502), Lower Cibolo Creek (1902), Mid Cibolo Creek (1913), Upper Cibolo Creek (1908), and Oso Bay (2485).
- Addition of a description for newly created segment, Blind Oso Bay (2486), which was created from a portion of the current segment, Oso Bay (2485).

Appendix D – Site-specific Uses and Criteria for Unclassified Water Bodies:

- Addition of eight new water bodies based on results from Receiving Water Assessments and UAAs.
- Changes to dissolved oxygen criteria in Appendix D for one unclassified water body due to a UAA.

Appendix E – Site-specific Toxic Criteria:

- Addition of eight new water bodies based on results of water-effect ratio studies.

Appendix G – Site-specific Recreational Uses and Criteria for Unclassified Water Bodies:

- Addition of 51 new water bodies based on results from recreational UAAs.

Other Adopted Changes of Note:

- Addition of language to clarify that numeric chlorophyll *a* criteria for reservoirs will be assessed by evaluating multiple uses; and to limit the applicability of numeric threshold values to assessment purposes only, and not wastewater permitting.