

Overview of Major Revisions to the Texas Surface Water Quality Standards Adopted as a State Rule on February 12, 2014

Background:

The Texas Surface Water Quality Standards (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 details the procedures used by the TCEQ to develop wastewater discharge permits in accordance with the water quality standards.

Status:

After extensive coordination with stakeholders and an advisory workgroup, the TCEQ adopted revisions to the standards on February 12, 2014. The proposed standards were published in the Texas Register on February 28, 2014, and a public hearing was conducted on October 17, 2013. The adopted standards revisions were published in the Texas Register on February 28, 2014 and the revised rules have an effective date of March 6, 2014. The adopted standards revisions have been submitted to EPA for review and approval.

Revisions Related to Recreation Standards and Bacteria Criteria:

- A new category of contact recreation, primary contact recreation 2, with a corresponding criterion of 206 cfu was added to the rule. This category cannot be assumed for any water body and can only be applied based on the results of a recreational use-attainability analysis.

Revisions Related to Temperature:

- Revisions include adding a definition of “industrial cooling water areas” and clarification that sizes of mixing zones can be different for different parameters.

Human Health Criteria (Table 2):

- Revisions to 38 existing criteria based on updated toxicity information.
- Tissue-based criteria for mercury, dioxins, PCBS, and DDT and its metabolites were revised and are now based on water column concentrations.
- The last EPA approved mercury criteria, as found in the 2000 revision of the rule, are adopted. These include separate criteria for freshwater and saltwater fisheries.

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

- Changes to dissolved oxygen and aquatic life criteria based on Use Attainability Analyses (UAAs) for eight segments.
- Changes to dissolved minerals criteria based on new calculations using updated information for six segments.
- Changes to pH range criteria for three segments.
- Creation of five new segments: Middle Oyster Creek (1258), Leon River Above Belton Lake (1259), Upper Atascosa River (2118), Rio Grande Below Rio Conchos (2315), and Upper Laguna Madre (2490).

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 and/or aquatic life criteria for nine unclassified water bodies due to UAAs.

Appendix E – Site-specific Toxic Criteria:

- Addition of six new water bodies based on results of water-effect ratio studies.
- Revisions to two existing site-specific criteria based on updated information.

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

- Based on the results of RUAAs, recreational uses that are different from primary contact recreation are assigned to 11 unclassified streams.

Other Adopted Changes of Note:

- Changes to standards attainment provisions that clarify attainment of dissolved minerals criteria.
- Changes to standards attainment provisions that specifically allow considerations of statistical variability to reduce uncertainty in attainment determinations.
- Changes and additions to Appendix B, Sole-source Surface Drinking Water Supplies, to incorporate the latest available information from the TCEQ Drinking Water Protection Team.
- Removal of provisions throughout Chapter 307 as a result of EPA action on the 2010 triennial revision.