

Patrick Bayou Total Maximum Daily Load (TMDL) Community Participation Panel

Minutes of Thursday, January 17, 2002 Meeting

The Patrick Bayou Total Maximum Daily Load (TMDL) Community Participation Panel met on Thursday, January 17, 2002 from 2:00 – 5:15 p.m. The meeting was held at the City of Deer Park Battleground Golf Course Meeting Room at 1600 Georgia in Deer Park, Texas. Attendees are listed below. The main purpose of the meeting was to discuss the status of the four TMDLs and the comments the lead organization plans to make about them and other Patrick Bayou listings during the public comment period on the Draft 2000 305(b) Assessment. Patrick Bayou is part of Houston Ship Channel Tidal Segment 1006. To provide background on the regulatory process, Larry Koenig, TNRCC TMDL manager, reviewed Clean Water Act Sections 305(b) and 303(d). The agenda also included consideration and adoption of revisions to the panel groundrules so the panel meets new provisions for TNRCC advisory groups required under HB 2912, 77th Legislature.

The four Patrick Bayou TMDLs were discussed. The lead organization previously submitted requests to delist Patrick Bayou because it is now meeting the water quality standards for copper and for ambient water toxicity. The draft 305(b) assessment shows the bayou as fully supporting the applicable standards. The temperature TMDL is still underway. Scott Hinz of Limno-Tech, Inc. explained the steps being taken to calibrate and validate the temperature models. The lead organization is seeking more information about the regulatory basis for setting site-specific temperature standards.

The status of work on the sediment toxicity TMDL was a major discussion topic. Cindy Howard of the University of Houston – Clear Lake presented results of the October 2001 sampling of the Patrick Bayou macroinvertebrate community. Comparison of Patrick Bayou to other areas in the Galveston Bay system continues. Phyllis Frank of Parsons Engineering Science reviewed the steps that have been taken to determine the cause of the sediment toxicity: benthic studies, chemistry studies, whole sediment toxicity studies, pore water toxicity studies, whole sediment Toxicity Identification Evaluation (TIE), and statistical evaluation. Because toxicity does not show up in the pore water, the TIE must be performed on whole sediments. Without established protocols for doing so, it is not clear how a maximum daily load would be determined and allocated among dischargers. The lead organization outlined for the panel the steps they propose taking next, which they are discussing with TNRCC.

The Patrick Bayou TMDL Community Participation Panel will meet again as needed. For more information about the meeting, contact panel facilitator Diane Sheridan at **DBSheridan@aol.com**. For information about the TMDL, contact TNRCC TMDL Project Manager Larry Koenig at **lkoenig@tnrcc.state.tx.us** or Patrick Bayou TMDL Lead Organization coordinator Louis Brzuzy of Shell Chemical at **lpbrzuzy@shellus.com**

Attendees:**Panel Members (* = *in attendance*)**

Buddy Bishop, Deer Park CAC*
Ted Brenneman, Oxy Vinyls *
Rosalinda Bryan, Rohm and Haas Texas*
Louis Brzuzy, Shell Chemical*
Ben Connelley, City of Deer Park*
Phil Dorn, Equilon LLC/Shell*
Scott Jones, Galv. Bay Estuary Program
Larry Koenig, TNRCC TMDL Manager*
Carl Masterson, Houston – Galveston Area Council*
Karen McCarroll, Deer Park CAC*
Vernon Mensch, Deer Park CAC*
Norman Mollard, Lubrizol*
Pat Pembroke, Praxair *
Michelle Precourt, Deer Park CAC*
Tina Proctor, Galveston Bay Foundation *
Lamoin Scott, Office of Sen. Mike Jackson, DPCAC
Mary Ellen Whitworth, Bayou Preservation Ass'n.*

Observers, Resources*

Linda Broach, TNRCC, Region 12, Houston
Cherry Cang, PBS&J
Phyllis Frank, Parsons Engineering Science
Tracy Hester, Bracewell & Patterson
Scott Hinz, Limno-Tech, Inc.
Jim Horne, PBS&J
Cindy Howard, University of Houston – Clear Lake
Jason Leifester, TNRCC (Austin) TMDL Team
Ed Matuszak, URS; La Porte CAC
Randy Palachek, Parsons Engineering Science
Joe Phillips, Shell Deer Park Refining Company
Dave Ramsden, URS
Pris Weeks, Environmental Institute of Houston
Mark Woodall, Oxy Vinyls

Facilitator*

Diane Sheridan