

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
**AGENDA ITEM REQUEST**  
for Rulemaking Adoption

**AGENDA REQUESTED:** September 7, 2022

**DATE OF REQUEST:** August 19, 2022

**INDIVIDUAL TO CONTACT REGARDING CHANGES TO THIS REQUEST, IF NEEDED:** Gwen Ricco, Rule/Agenda Coordinator, (512) 239-2678

**CAPTION: Docket No. 2021-0310-RUL.** Consideration of the adoption of amended Sections 307.2, 307.3, 307.6, 307.7, and 307.10 of 30 TAC Chapter 307, Texas Surface Water Quality Standards.

The rulemaking adoption will provide a periodic public review and revision of the State's surface water quality standards, as provided for in the Texas Water Code, Section 26.023 and required by the federal Clean Water Act, Section 303(c). The proposed rules were published in the March 25, 2022, issue of the *Texas Register* (47 TexReg 1588). (Debbie Miller, Stefanie Skogen; Rule Project No. 2020-014-307-OW)

*Josalyn McMillen*

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**Copy to CCC Secretary?** NO  YES

# Texas Commission on Environmental Quality

## Interoffice Memorandum

**To:** Commissioners **Date:** August 19, 2022

**Thru:** Laurie Gharis, Chief Clerk  
Toby Baker, Executive Director

**From:** Josalyn McMillon, Acting Director  
Office of Water

**Docket No.:** 2021-0310-RUL

**Subject:** Commission Approval for Rulemaking Adoption  
Chapter 307, Texas Surface Water Quality Standards  
Triennial Revision of the Texas Surface Water Quality Standards  
Rule Project No. 2020-014-307-OW

### **Background and reason(s) for the rulemaking:**

Amendments will be adopted to the Texas Surface Water Quality Standards (TSWQS), 30 Texas Administrative Code (TAC) §§307.2, 307.3, 307.6, 307.7, and 307.10. The adopted revisions are a result of a review of the TSWQS as required on a triennial basis by federal Clean Water Act (CWA), §303(c). The TSWQS were last revised in February 2018, and portions of the 2018 TSWQS were approved by the United States Environmental Protection Agency (EPA) in November 2018, May 2019, January 2020, July 2020, and March 2021.

The revisions to the TSWQS will be adopted to include clarifications, incorporate new information and the results from studies on the appropriate uses and criteria of individual water bodies, incorporate new scientific data on the effects of specific pollutants, and address new provisions in federal regulations and EPA guidance.

Specific adopted changes to the rules include:

- revisions to statewide toxic criteria to incorporate new data on toxicity effects and address revised EPA procedures;
- revisions and additions to site-specific toxic criteria to incorporate local water quality data into criteria for select water bodies;
- revisions and additions to the uses, criteria, and descriptions of individual water bodies based on new data and results of recent use-attainability analyses (UAAs); and
- additions of site-specific recreational uses for select water bodies based on the results of recent recreational UAAs.

### **Scope of the rulemaking:**

#### **A.) Summary of what the rulemaking will do:**

The revisions to the TSWQS include numerous substantive changes and clarifications in all sections of the standards except for 30 TAC §§307.1, 307.4, 307.5, 307.8, and 307.9. The revisions to the TSWQS incorporate new information and studies on the appropriate uses and criteria of individual water bodies, incorporate new scientific data on the effects of specific pollutants, and address new provisions of federal regulations and EPA guidance.

Re: Docket No. 2021-0310-RUL

The revisions in 30 TAC §§307.2, 307.3, 307.6, and 307.7 are changes in the basic numerical and narrative requirements of the TSWQS that apply to all surface water in the state. The numerous revisions and additions to site-specific uses and criteria in the appendices of §307.10 are tailored to individual water bodies. These site-specific revisions are based on studies and evaluations of each water body, and UAAs have been conducted as needed to revise uses or associated numerical criteria.

**B.) Scope required by federal regulations or state statutes:**

The CWA and associated EPA rules require states to review and, if appropriate, revise their water quality standards at least once every three years. The Texas Water Code (TWC) states that the Texas Commission on Environmental Quality (TCEQ, agency, or commission) may amend the standards from time to time.

These amendments will be adopted under TWC, §26.023, which provides TCEQ with the authority to make rules setting TSWQS for all water in the state. These amendments will also be adopted under TWC, §5.103, which authorizes the commission to adopt any rules necessary to carry out its powers and duties under the TWC and other laws of this state. The adopted amendments will satisfy the provision in CWA, §303(c) that requires states to adopt water quality standards and to review and revise those standards from time to time, but at least once each three-year period.

**C.) Additional staff recommendations that are not required by federal rule or state statute:**

- Revisions to the temporary standards provisions in §307.2 will be adopted to improve consistency with federal water quality standards regulations. The adopted revisions will increase flexibility when a temporary standard is adopted for permittees or water bodies, clarify the applicability of temporary standards, and specify requirements for adoption and reevaluation.
- In §307.3, language will be adopted to include a new definition and abbreviations and an amendment to an existing definition.
- In Table 1 of §307.6, revisions to numerical toxic criteria to protect aquatic life are recommended to incorporate updated EPA criteria documents that utilize new EPA data on toxic effects.
- In Table 2 of §307.6, revisions to numerical toxic criteria to protect human health are recommended to incorporate updated EPA guidance procedures for calculating human health criteria and additional EPA data on toxic effects.
- Revisions to §307.7 will be adopted to include the addition of a geometric mean criterion for Enterococci for high saline inland waters with primary contact recreation 2.
- In Appendices A, D, E, and G in §307.10, numerous additions and revisions will be adopted to site-specific uses and numerical criteria. These changes are based on new data and evaluations for individual water bodies. A UAA is required by EPA to support changes that are less stringent than current water quality standards or presumed uses.
- In Appendix B in §307.10, changes will be adopted to add and remove sole-source drinking water supplies.

Re: Docket No. 2021-0310-RUL

- Changes in Appendices A and C in §307.10 will be adopted to include the deletion of a footnote in Appendix A for Mid Cibolo Creek (1913) and revert the segment descriptions in Appendix C for Lower Cibolo Creek (1902), Upper Cibolo Creek (1908), and Mid Cibolo Creek (1913) back to the most recent EPA-approved descriptions located in the 2014 TSWQS due to further data evaluation being necessary.
- A footnote added to Appendix A for Upper North Bosque River (1255) will be adopted to clarify that the portion of the segment from the confluence with Dry Branch upstream to the confluence with the North/South Forks North Bosque River in Erath County is intermittent with perennial pools based on a 1991 UAA. The UAA resulted in the creation of classified Segment 1255, which was adopted as part of the 1992 revisions to the TSWQS and approved by EPA in an action letter dated June 16, 1993.
- Numerous other minor revisions will be adopted throughout Chapter 307 to improve clarity and provide additional specificity.

**Statutory authority:**

TWC, §5.103 and §26.023 and CWA, §303(c).

**Effect on the:**

**A.) Regulated community:**

The TSWQS directly affect permitted wastewater and stormwater dischargers in Texas, including cities, counties, state agencies, water districts, municipal utility districts, investor-owned utilities, river authorities, mobile home parks, recreational vehicle parks, hotels, motels, industries, campgrounds, or any other business or governmental entity with a permit to discharge stormwater or industrial or domestic wastewater.

Revisions to site-specific standards may affect requirements in TCEQ-issued wastewater and stormwater discharge permits and lead to changes at the permitted facilities. Some facilities may need to make changes that may involve alterations or new treatment methods or techniques that can range from best management practices to renovating, expanding, or building new treatment facilities. Upon permit expiration, some permit holders may need to seek permit amendments to adjust treatment criteria to newly adopted standards. Small businesses that discharge wastewater and/or stormwater will also be required to comply with the adopted requirements.

The rulemaking adoption does not create a group of affected entities in the regulated community who were not affected previously. Numerous water quality uses and criteria are revised, but the scope and applicability of the rules or affected permitting actions are not expanded with this adoption.

There will be a fiscal impact to some permitted facilities. Other facilities could benefit from this rulemaking because of cost savings. The adopted amendments have potential cost implications associated with revised criteria for toxic substances to protect human

Re: Docket No. 2021-0310-RUL

health and aquatic life, revised criteria for recreational uses, and revised dissolved oxygen criteria and aquatic life uses for classified and unclassified water bodies. These cost implications are generally associated with chemical screening and monitoring or the additional treatment of wastewater that may be needed to meet the standards for water quality. Dischargers may have to change or employ new wastewater treatment methods or techniques to meet the adopted standards. These changes may range from developing new wastewater processes to building new wastewater treatment facilities.

The adopted changes in dissolved oxygen criteria are anticipated to affect some local governments that operate domestic wastewater facilities. None of the adopted revisions to dissolved oxygen criteria for unclassified water bodies are anticipated to require more stringent treatment by domestic wastewater facilities. However, adopted changes to the dissolved oxygen criteria for three water bodies are less stringent and could facilitate future facility expansion for governmental entities. Including non-governmental dischargers, there are approximately two domestic and one industrial permitted wastewater dischargers on water bodies that could be aided by the adopted revisions.

**B.) Public:**

For each year of the first five years the adopted rules are in effect, the public benefit anticipated from the changes in the adopted rules will be continued protection of public drinking water supplies and aquatic life resources, an improved regulatory process for permitted wastewater discharges, and improved quality of the surface water resources of the state.

The rulemaking adoption does not create a group of affected parties from the general public who were not affected previously.

These adopted revised criteria are protective of human health and provide a public benefit. The adopted revisions more accurately assess water quality in the state and revise requirements to protect human health and water quality. The adopted rules will substantially advance this stated purpose by adopting revised water quality criteria and requirements that are supported by site-specific studies, federal and state research, and statewide monitoring and sampling data. Promulgation and enforcement of these rules will not burden private real property that is the subject of the rules because the amendments revising the TSWQS do not limit or restrict a person's rights in private real property.

**C.) Agency programs:**

Several of the adopted revisions to the site-specific criteria for individual water bodies in §307.10 are intended to address water bodies where recent data shows the current water quality standard is inappropriate. In these cases, the adopted water quality standards can help streamline the water quality management programs of TCEQ by curtailing unnecessary restorative activities, such as establishing total maximum daily loads (TMDLs), and redirecting funds to water bodies where restoration activities are needed. Adopted changes could also result in the removal of water bodies that may appear on the current Texas §303(d) list of impaired water bodies. One of the adopted revisions to

Re: Docket No. 2021-0310-RUL

Appendix G in §307.10 is anticipated to result in the removal of one impairment, which will eliminate the need for one TMDL study. As a result of the adopted change, the agency expects it will reallocate its resources for other water quality management activities and initiatives.

The rulemaking does not create a group of affected agency programs which were not affected previously.

No additional costs are anticipated for TCEQ to implement the revisions to the TSWQS. The revised water quality standards are primarily operational and procedural. The statewide monitoring and assessment of surface water quality data and review of wastewater permit applications may need to incorporate numerous changes and additions.

**Stakeholder meetings:**

One stakeholder meeting was held at the TCEQ complex in Austin on March 9, 2020, and a second stakeholder meeting was held via webinar on June 29, 2020. A third stakeholder meeting was held on June 30, 2020.

Other outreach efforts have included presentations at:

- The TCEQ Environmental Trade Fair and Conference,
- TCEQ Autumn Environmental Conference and Expo, and
- Numerous meetings of specific stakeholder groups.

Approximately 60 people attended the in-person meeting in March, and approximately 100 people attended the webinars in June. Electronic notices of the stakeholder meetings were sent to the Surface Water Quality Standards Advisory Work Group, which is a balanced group of regulated entities, environmental groups, consumers, and professional organization representatives, as well as to individuals interested in local water quality issues. Notices of the meetings were posted on TCEQ's Surface Water Quality Standards Advisory Work Group home page, with completed meeting minutes and follow-up information posted upon completion of each meeting.

Other interested parties or individuals who requested notification of stakeholder meetings were provided an open invitation to the meetings in a written notice provided via an electronic listserv. The adopted revisions were developed with extensive input and involvement from stakeholders through participation in the surface water quality standards work group.

**Public comment:**

The commission held a hybrid virtual and in-person public hearing held at TCEQ complex in Austin on May 2, 2022, and the comment period also closed on May 2, 2022. The commission received 525 comment letters, which represented comments from 555 different organizations, affiliations, and individuals. Two form letters are included in this count: 504 individuals sent one form letter (form letter A), and four individuals sent a second form letter (form letter B). Three attendees provided oral comments at the public

Re: Docket No. 2021-0310-RUL

hearing. Major interests expressed in the comment letters and during oral testimony included:

- support from 41 commenters, which included both form letters A and B in addition to the three oral commenters during the hearing, for the prohibition on the discharge of visible pre-production plastic, with some suggestions to either expand or otherwise improve the definition for pre-production plastic in §307.3(a)(50) and/or the prohibition language in §307.4(b)(8);
- opposition from five commenters regarding the visible pre-production plastic prohibition language in §307.4(b)(8);
- disagreement from 518 commenters, which included form letter A, concerning the recently denied petition for rulemaking regarding the protection of Texas's pristine streams and the agency's slow progress with the development of numeric nutrient criteria, along with a recommendation that the commission take action on numeric nutrient criteria during this triennial review and adopt a new designated use focused on pristine streams and prohibiting wastewater discharges into waters with that designated use;
- a request from 518 commenters, which included form letter A, to consolidate contact recreation categories using more stringent bacteria criteria;
- a suggestion from EPA that the proposed geometric mean Enterococci criterion for primary contact recreation 2 in inland high saline waters, located in §307.7(b)(1)(A)(vi), be revised from 54 colonies per 100 milliliters to 30 or 35 colonies per 100 milliliters; and
- suggestions from EPA and the Texas Parks and Wildlife Department (TPWD) on revisions to improve the proposed language regarding temporary standards in §307.2(g).

**Significant changes from proposal:**

Changes to language in §307.2(g), regarding temporary standards, were proposed to improve consistency with federal rules listed in 40 Code of Federal Regulations (CFR) §131.14. EPA and TPWD expressed general support for the proposed language; however, both commenters also suggested edits for further clarification. EPA commented that the commission should specify that the options listed in §307.2(g)(1) are the only options for a temporary standard and suggested the addition of language to clarify that the interim effluent condition that reflects the greatest pollutant reduction achievable with pollutant control technologies is applicable if no additional feasible pollutant control technology can be identified. Both EPA and TPWD recommended the addition of language to specify that a temporary standard may also be expressed as "the highest attainable interim criterion." These suggested edits were incorporated into §307.2(g)(1), as well as other changes suggested by EPA to further improve consistency with 40 CFR §131.14.

The commission removed both the proposed "pre-production plastic" definition in §307.3 and proposed §307.4(b)(8) that explicitly prohibited the discharge of visible pre-production plastic and provided a compliance mechanism.

EPA recommended a typographical error correction regarding §307.6(c)(1), Table 1, for the chronic criterion for cadmium and a scaling factor correction for chrysene and 1,2-

Re: Docket No. 2021-0310-RUL

dichloropropane in §307.6(d)(1), Table 2. These corrections were incorporated into §307.6(c)(1), Table 1 and §307.6(d)(1), Table 2.

EPA questioned the deletion of Granger Lake (Segment 1247) based on information from TCEQ's Drinking Water Watch database and also recommended the addition of Caldwell and Guadalupe counties to the new entry for San Marcos River (Segment 1808). These suggested edits were incorporated into §307.10(2), Appendix B.

**Potential controversial concerns and legislative interest:**

- Proposed Pre-production Plastic Discharge Prohibition Clarification –
  - Five commenters, all of whom represented industry, were in opposition to the visible pre-production plastic discharge prohibition provision as proposed in §307.4(b)(8). These comments covered the following topics:
    - the commission lacks the legal authority to impose such a prohibition;
    - improper notice under the Texas Administrative Procedure Act (§2001.024 of the Texas Government Code (TGC));
    - the prohibition constitutes a major environmental rule in accordance with TGC, §2001.0225;
    - the first sentence of the newly proposed §307.4(b)(8) is unqualified;
    - the provision is more than a clarification and is a zero-discharge standard akin to numeric toxics criteria, which conflicts with the existing narrative criteria in §307.4(b)(2);
    - the scientific basis behind the prohibition is not justified and the requirements in TWC, §26.023 were not followed regarding the use of quality assured data to develop standards;
    - requests for a more robust stakeholder process;
    - implementation and enforcement issues;
    - allowable length of compliance periods;
    - concern that the prohibition would impose significant costs on stakeholders and the fiscal note in the proposal preamble underestimates the costs to facilities; and
    - concerns that the prohibition is being promulgated in response to a specific court ruling and settlement agreement.
  - Forty-one commenters were in support of the visible pre-production plastic discharge prohibition provision as proposed in §307.4(b)(8). These comments covered the following topics:
    - implementation and enforcement issues;
    - the demonstrated need for the prohibition due to the presence of pollution from pre-production plastics and impacts to marine life, human health, and aesthetics;
    - requests for inclusion of certain requirements derived from House Bill 3814, which was filed in the 87th Legislative Session by Representative Hunter; and
    - requests that the prohibition be expanded to include all sizes of plastic pollution, not just visible.



Re: Docket No. 2021-0310-RUL

- Pristine Streams – Five hundred eighteen commenters noted the recently denied petition for rulemaking regarding pristine streams, recommended the commission take action on numeric nutrient criteria during this triennial review, noted the importance of monitoring nutrient pollution, and commented that monitoring alone is insufficient to protect pristine streams from harmful algal blooms and losses of economic development due to decreases in tourism. Fourteen of these commenters asserted that the TSWQS do not adequately protect the state’s waters from nutrient pollution and that the existing Nutrient Criteria Development Advisory Work Group has not been successful in implementing numeric criteria for nutrient pollution. These 14 commenters also recommended the adoption of a new designated use focused on pristine streams and prohibiting wastewater discharges into waters with that designated use.

**Will this rulemaking affect any current policies or require development of new policies?**

The TSWQS establish state goals and targets for water quality. For individual water bodies, the standards assign water quality-related uses and specify associated numerical criteria to protect the assigned uses. In addition, some narrative and numerical criteria are applied statewide, and the TSWQS include procedures on how water quality standards are applied and assessed. This rulemaking will not require the development of new policies.

**What are the consequences if this rulemaking does not go forward? Are there alternatives to rulemaking?**

The TSWQS establish the instream water quality conditions for surface waters in the state. The TSWQS are the basis for establishing effluent limits in wastewater and stormwater discharge permits, setting instream water quality goals for TMDLs, and providing water quality targets to assess water quality and identify impaired water bodies.

If this rulemaking is not approved, these different TCEQ water programs would be addressing some water quality standards that have been shown to be inappropriate for water in the state and would not represent the most recent scientific basis for setting criteria. This would result in the inappropriate allocation of resources externally and internally.

**Key points in the rulemaking adoption schedule:**

***Texas Register* proposal publication date:** March 25, 2022

**Anticipated *Texas Register* adoption publication date:** September 23, 2022

**Anticipated effective date:** September 29, 2022

**Six-month *Texas Register* filing deadline:** September 25, 2022

**Agency contacts:**

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Commissioners  
Page 9  
August 19, 2022

Re: Docket No. 2021-0310-RUL

**Attachments:**

None.

cc: Chief Clerk, 2 copies  
Executive Director's Office  
Jim Rizk  
Morgan Johnson  
Krista Kyle  
Office of General Counsel  
Debbie Miller  
Stefanie Skogen  
Gwen Ricco

The Texas Commission on Environmental Quality (TCEQ, agency, or commission) adopts amendments to §§307.2, 307.3, 307.6, 307.7, and 307.10.

Amended §§307.2, 307.3, 307.6, and 307.10 are adopted *with changes* to the proposed text as published in the March 25, 2022, issue of the *Texas Register* (47 TexReg 1588) and, therefore, will be republished. Amended §307.7 is adopted *without changes* to the proposed text and will not be republished. Amendments to §307.4 have been withdrawn.

### **Background and Summary of the Factual Basis for the Adopted Rules**

The Federal Water Pollution Control Act, or federal Clean Water Act (CWA), §303 (33 United States Code (USC), §1313) requires all states to adopt water quality standards for surface water. A water quality standard consists of the designated beneficial uses of a water body or a segment of a water body and the water quality criteria that are necessary to protect those uses. Water quality standards are the basis for establishing effluent limits in wastewater permits, setting instream water quality goals for total maximum daily loads (TMDLs), and providing water quality targets used to assess surface water quality monitoring data.

The states are required under the CWA to review their water quality standards at least once every three years and revise them, if appropriate. States review the standards because new scientific and technical data may be available that have a bearing on the review. Environmental changes over time may also warrant the need for a review.

Where the standards do not meet established uses, they must be periodically reviewed to see if uses can be attained. Additionally, water quality standards may have been previously established for the protection and propagation of aquatic life and recreation in and on the water without sufficient data to determine whether the uses were attainable. Finally, changes in the Texas Water Code (TWC), CWA, or regulations issued by the United States Environmental Protection Agency (EPA) may necessitate reviewing and revising standards to ensure compliance with current statutes and regulations.

Following the adoption of revised Texas Surface Water Quality Standards (TSWQS) by the commission, the Governor or their designee must submit the officially adopted standards to the EPA Region 6 Administrator for review. The Regional Administrator reviews the TSWQS to determine compliance with the CWA and implementing regulations. The TSWQS are not applicable to regulatory actions under the CWA until approved by EPA.

The TSWQS were last amended in March 2018. EPA began approving portions of the state's revised standards in November 2018.

Reviews and revisions of the TSWQS address many provisions that apply statewide, such as criteria for toxic pollutants. They also address the water quality uses and criteria that are applicable to individual water bodies. An extensive review of water quality standards for individual water bodies is often initiated when the existing

standards appear to be inappropriate for water bodies that are listed as impaired under the CWA, §303(d) or potentially affected by permitted wastewater discharges or other permitting actions.

States may modify existing designated uses or criteria when it can be demonstrated through a use-attainability analysis (UAA) that attaining the current designated uses or criteria is not appropriate. Most changes in designated uses or criteria are based on a demonstration that natural characteristics of a water body cannot attain the currently designated uses or criteria. Natural characteristics include temperature, pH, dissolved oxygen, diversity of aquatic organisms, amount of streamflow, physical conditions such as depth, and natural background pollutant levels. Conversely, a UAA might demonstrate that the currently designated uses and criteria are appropriate, or even that they should be more stringent.

A UAA can require several years of additional sampling studies, or it may focus on a long-term evaluation of existing historical data. For UAAs on water bodies that are potentially impacted by pollutant loadings above natural background levels, sampling and evaluation are often conducted on similar but relatively unimpacted water bodies to determine reference conditions that can be applied to the water body of concern.

The focus of UAAs depends on the uses and criteria that need to be reevaluated. The applicable aquatic life use is determined by repeatedly sampling fish or invertebrates in relatively unimpacted areas and applying quantitative indices, such as indices of

biotic integrity, to the sampling data of the biological communities. UAAs to assign aquatic recreational uses include assessing physical and hydrological conditions, observing existing recreation, and collecting information on current and historical recreational activities. Dissolved oxygen criteria are evaluated by monitoring dissolved oxygen over numerous (usually ten) 24-hour periods in relatively unimpacted areas. Site-specific criteria for toxic pollutants are evaluated by placing selected small aquatic organisms in water samples from the site and exposing them to different doses of the toxic pollutant of concern.

The commission is adopting editorial revisions as well as substantive changes. Editorial revisions are adopted to improve clarity, make grammatical corrections, and renumber or reletter subdivisions as appropriate.

Numerous revisions of toxic criteria are adopted to incorporate new data on toxicity effects. Another adopted change provides clarity regarding the use of temporary standards. Numerous revisions are also adopted for the uses and criteria of individual water bodies to incorporate new data and the results of recent UAAs.

### **Section by Section Discussion**

#### *§307.2, Description of Standards*

The commission adopts amended §307.2 to include language regarding temporary standards to improve consistency with federal rules listed in 40 Code of Federal Regulations (CFR) §131.14. These revisions allow the expression of the temporary

standard as an interim effluent condition when adopted for permittees or water bodies. Revisions also clarify that a temporary standard must preclude degradation of existing water quality as opposed to impairing an existing use. Other revisions are editorial and adopted to improve overall clarity.

In response to comments regarding §307.2(g), language was modified in §307.2(g)(1) to specify that the options listed therein are the only options for expressing a temporary standard, the interim effluent condition that reflects the greatest pollutant reduction achievable with pollutant control technologies can be used if no additional feasible pollutant control technology can be identified, and a temporary standard can be expressed as the highest attainable interim criterion. Additional §307.2(g) edits were adopted to improve overall clarity.

### *§307.3, Definitions and Abbreviations*

The commission adopts amended §307.3 to include a definition and acronym for "bioaccumulation factor," and the addition of an acronym for "municipal utility district." The definition for "method detection limit" has also been amended to match the current federal definition in 40 CFR Part 136. Other revisions are editorial and adopted to improve overall clarity. The proposed definition for "pre-production plastics" has been removed from this rulemaking for further consideration and, therefore, is not part of adopted §307.3.

*§307.4, General Criteria*

The proposed addition of subsection (b)(8) explicitly prohibiting the discharge of visible pre-production plastic and providing a compliance mechanism has been removed from this rulemaking for further consideration; therefore, the commission does not adopt amendments to §307.4.

*§307.6, Toxic Materials*

The commission adopts amended §307.6(c)(1), Table 1, which lists numeric criteria for the protection of aquatic life, to include revisions to the existing cadmium acute and chronic criteria for both freshwater and saltwater based on EPA's issuance of an updated national criteria document.

In response to comments regarding §307.6(c)(1), Table 1, the freshwater chronic criterion for cadmium was corrected, and the analytical method for free cyanide analysis has been incorporated into footnote 2.

Adopted changes to the human health criteria in §307.6(d)(1), Table 2, include the revision of oral slope factors that led to revised criteria for the following five carcinogens: benzo(*a*)anthracene, benzo(*a*)pyrene, chrysene, 1,2-dichloropropane, and 1,3-dichloropropane. Reference dose updates also led to revisions of criteria for the following two carcinogens: dichloromethane and tetrachloroethylene. Criteria revisions to one carcinogen, dicofol, were based on a revision to the animal body weight used to



calculate the cancer potency factor from the oral slope factor. No criteria changes are adopted for noncarcinogens. Other revisions are editorial and adopted to improve overall clarity.

In response to comments regarding §307.6(d)(1), Table 2, human health criteria for chrysene and 1,2-dichloropropane were corrected, and the analytical method for free cyanide analysis has been incorporated into footnote 3.

*§307.10, Appendices A - E and G*

The commission adopts amended §307.7 to include the addition of a geometric mean criterion for Enterococci of 54 colonies per 100 milliliters (mL) for high saline inland waters with primary contact recreation 2. Other revisions are editorial and adopted to improve overall clarity.

*§307.10, Appendices A - E and G*

The commission adopts amendments to §307.10 to revise Appendices A - E and G. The adopted amendments to §307.10(1), Appendix A, include the addition of a footnote to Brushy Creek (Segment 1244) restricting the public water supply designation to within the Edwards Aquifer zones based on a lack of public water supply intakes. A footnote addition for Upper North Bosque River (Segment 1255) is also adopted to clarify that the portion of the segment from the confluence with Dry Branch upstream to the confluence with the North/South Forks North Bosque River in Erath County is intermittent with perennial pools based on a 1991 UAA. The UAA resulted in the

creation of classified Segment 1255, which was adopted as part of the 1992 revisions to the TSWQS and approved by EPA in an action letter dated June 16, 1993. Adopted changes also include the deletion of a footnote that describes Mid Cibolo Creek (Segment 1913) as being an intermittent stream with perennial pools. This footnote, added in the 2018 revision to the TSWQS, had not been approved by EPA and was removed because further data evaluation is necessary. Additional adopted changes include revising the designated use of primary contact recreation 1 with a corresponding bacteria criterion of 126 colonies per 100 mL to a secondary contact recreation 1 use with a corresponding bacteria criterion of 630 colonies per 100 mL for San Miguel Creek (Segment 2108). This adopted change is based on the results from a recreational UAA. Other revisions are editorial and adopted to improve overall clarity.

The adopted amendments to §307.10(2), Appendix B, include the addition of the San Marcos River (Segment 1808) and Choke Canyon Reservoir (Segment 2116) because they qualify as sole-source drinking water supplies in accordance with TWC, §26.0286. Other adopted changes include the removal of Greenbelt Lake (Segment 0223) and Lake Brownwood (Segment 1418) because they no longer qualify as sole-source drinking water supplies.

In response to comments regarding §307.10(2), Granger Lake (Segment 1247) is no longer being deleted from Appendix B, and Caldwell and Guadalupe counties were added to the “County” column for the new entry, San Marcos River, to better describe

the general location of the water body. Other revisions are editorial and adopted to improve overall clarity.

The adopted amendments to §307.10(3), Appendix C, include reverting the segment descriptions for Lower Cibolo Creek (Segment 1902), Upper Cibolo Creek (Segment 1908), and Mid Cibolo Creek (Segment 1913) back to the most recent EPA-approved descriptions due to further data evaluation being necessary.

The adopted amendments to §307.10(4), Appendix D, include the addition of two water bodies along with their designated aquatic life uses and dissolved oxygen criteria. These additions are due to the results of extensive investigations via UAAs. All the water bodies are tributaries within the listed segment numbers as follows: Piney Creek (Segment 0604) and Little Pine Island Bayou (Segment 0607). A UAA also led to the replacement of an existing Appendix D entry for Buckners Creek (Segment 1402), which was replaced with two new entries for this water body to account for intermittent with pools and perennial flow regimes and to designate aquatic life uses and dissolved oxygen criteria for the two stream reaches based on the UAA. The segment number for the existing entry for County Relief Ditch was changed from Segment 0502 to Segment 0501 due to recent EPA approval of the revised boundaries for both segments in the 2018 TSWQS. Other revisions are editorial and adopted to improve overall clarity.

The adopted amendments to §307.10(5), Appendix E, include the addition of eight new site-specific copper water-effect ratios in the watersheds of Segments 0601, 0604, 0702, 1009, 2429, 2432, and 2441. The results from two site-specific copper biotic ligand models (BLMs) are also adopted for Segments 0202 and 0827. One existing entry for Segment 1001 has been reordered to arrange all table entries in numeric order by segment and permit numbers.

In response to comments for §307.10(5), Appendix E, the phrase "site-specific criteria" has been added to the second and fifth sentences of the introductory paragraph of the appendix for clarification purposes. Footnotes in the "Parameter" column were also revised for two existing entries in the watershed of Segment 0901 for Enterprise Products Operating, LLC (Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0002940000) to clarify that the site-specific criteria are applicable to the area near the outfall as opposed to the entire water body. Other revisions are editorial and adopted to improve overall clarity.

The adopted amendments to §307.10(7), Appendix G, include changing the presumed use of primary contact recreation 1 with a corresponding bacteria criterion of 126 colonies per 100 mL to a secondary contact recreation 1 use with a corresponding bacteria criterion of 630 colonies per 100 mL for South Lilly Creek in the Cypress Creek Basin (Segment 0409). This adopted change is based on the result of a recreational UAA. Due to construction activities that filled in much of Bullhead Bayou in the Brazos River Basin and rerouted the water body into a different watershed,

adopted changes to Bullhead Bayou include delineations of the East and West reaches and updates to segment numbers (from Segment 1245 to Segment 1202) in order to reflect current conditions for both Bullhead Bayou and Unnamed tributary of Bullhead Bayou. Adopted changes also include a revised description of the unnamed tributary of Bullhead Bayou to reflect the delineation of Bullhead Bayou East. Other revisions are editorial and adopted to improve overall clarity.

In response to comments regarding §307.10(7), Appendix G, editorial changes were made to the description of Bullhead Bayou East.

#### **Final Regulatory Impact Determination**

The commission reviewed the adopted rulemaking in light of the regulatory analysis requirements of Texas Government Code (TGC), §2001.0225, and determined the rulemaking is not subject to §2001.0225 because it does not meet any of the four applicability criteria listed in TGC, §2001.0225(a). According to subsection (a), §2001.0225 only applies to a major environmental rule, the result of which is to exceed a standard set by federal law, unless the rule is specifically required by state law; exceed an express requirement of state law, unless the rule is specifically required by federal law; exceed a requirement of a delegation agreement or contract between the state and an agency or representative of the federal government to implement a state and federal program; or adopt a rule solely under the general powers of the agency instead of under a specific state law. This rulemaking does not meet any of these four applicability criteria because it does not exceed a standard set by federal

law; does not exceed an express requirement of state law; does not exceed a requirement of a delegation agreement or contract between the state and an agency or representative of the federal government to implement a state and federal program; and is not adopted solely under the general powers of the agency but, rather, specifically under 33 USC, §1313(c), which requires states to adopt water quality standards and review them at least once every three years; and TWC, §26.023, which requires the commission to set water quality standards and allows the commission to amend them. Therefore, this adopted rulemaking does not fall under any of the applicability criteria in TGC, §2001.0225.

The commission invited public comment regarding the draft regulatory impact analysis determination during the public comment period. Comments were received, and they are addressed in the Response to Comments section.

### **Takings Impact Assessment**

The commission evaluated this adopted rulemaking and performed an analysis of whether it constitutes a taking under TGC, Chapter 2007. The specific purpose of this rulemaking is to incorporate changes to the TSWQS deemed necessary based on the commission's triennial review of the standards, which mainly consist of incorporating new data on toxicity effects and from recent UAAs and clarifying the use of temporary standards. The adopted rulemaking will substantially advance this stated purpose by revising toxic criteria, individual water bodies' uses and criteria, and the temporary standards requirements in Chapter 307 of the commission's rules.

The commission's analysis indicates that TGC, Chapter 2007 will not apply to this adopted rulemaking because this is an action that is reasonably taken to fulfill an obligation mandated by federal law, which is exempt under TGC, §2007.003(b)(4). CWA, §303 requires the State of Texas to adopt water quality standards, review those standards at least once every three years, and revise the standards as necessary based on the review. TWC, §26.023 delegates the responsibility of adopting and revising the standards to the commission.

Nevertheless, the commission further evaluated this adopted rulemaking and performed an assessment of whether it constitutes a taking under TGC, Chapter 2007. Promulgation and enforcement of this adopted rulemaking will be neither a statutory nor constitutional taking of private real property. Specifically, the adopted regulations do not affect a landowner's rights in private real property because this rulemaking does not burden, restrict, or limit an owner's right to property and reduce its value by 25% or more beyond that which will otherwise exist in the absence of the regulations. In other words, this rulemaking makes necessary revisions to the TSWQS without burdening, restricting, or limiting an owner's right to property and reducing its value by 25% or more. Therefore, the adopted rulemaking does not constitute a taking under TGC, Chapter 2007.

### **Consistency with the Coastal Management Program**

The commission reviewed the adopted rulemaking and found that the adoption is subject to the Texas Coastal Management Program (CMP) in accordance with the Coastal Coordination Act, Texas Natural Resources Code, §§33.201 *et seq.*, and therefore must be consistent with all applicable CMP goals and policies. The commission conducted a consistency determination for the adopted rules in accordance with Coastal Coordination Act implementation rules, 31 Texas Administrative Code (TAC) §505.22, and found the adopted rulemaking is consistent with the applicable CMP goals and policies.

CMP goals applicable to the adopted rules include protecting, preserving, restoring, and enhancing the diversity, quality, quantity, functions, and values of coastal natural resources by establishing standards and criteria for instream water quality for Texas streams, rivers, lakes, estuaries, wetlands, and other water bodies. These adopted water quality standards will provide parameters for permitted discharges that will protect, preserve, restore, and enhance the quality, functions, and values of coastal natural resources.

CMP policies applicable to the adopted rules include 31 TAC §501.21. The adopted rulemaking will require wastewater discharge permit applicants to provide information and monitoring data to the commission so the commission may make an informed decision in authorizing a discharge permit, ensuring that the authorized activities in a



wastewater discharge permit comply with all applicable requirements, thus making the rulemaking consistent with the administrative policies of the CMP.

The adopted rulemaking considers information gathered through the biennial assessments of water quality in the commission's Integrated Report of Surface Water Quality to prioritize coastal waters for studies and analysis when reviewing and revising the TSWQS. The TSWQS are established to protect designated uses of coastal waters, including protecting uses for recreational purposes and propagating and protecting terrestrial and aquatic life. The adopted rulemaking is consistent with the CMP's policies for discharges of municipal and industrial wastewater to coastal waters and how they relate to specific activities and coastal natural resource areas.

Promulgation and enforcement of these adopted rules will not violate or exceed any standards identified in the applicable CMP goals and policies because the adopted rules are consistent with these CMP goals and policies, and these adopted rules do not create or have a direct or significant adverse effect on any coastal natural resource areas.

The commission invited public comment regarding the consistency with the CMP during the public comment period. No comments were received regarding the CMP.

### **Public Comment**

The commission held a public hearing on May 2, 2022. The comment period closed on May 2, 2022. The commission received timely public comments from American Chemistry Council (ACC), Bayou City Waterkeeper (BCW), Carrizo/Comecrudo Tribe of Texas (C/C Tribe), Cibolo Creek Municipal Authority (CCMA), City of Round Rock (Round Rock), Coastal Alliance to Protect Our Environment (CAPE), Coastal Bend Council of Governments (CBCG), Coastal Bend Sierra Club Group (CBSCG), Coastal Conservation Association (CCA), Dow Chemical Company (Dow), Environment Texas (ET), Environmental Integrity Project (EIP), EPA, Environmental Stewardship (ES), Friends of the Brazos River (FBR), Friends of Padre (FP), Greater Edwards Aquifer Alliance (GEAA), Gulf Coast Bird Observatory (GCBO), Indivisible TX Lege (ITL), Ingleside on the Bay Coastal Watch Association (IBCWA), Inland Ocean Coalition (IOC), Jacob & Terese Hershey Foundation (JTHF), Lower Brazos Riverwatch (LBR), MesoAM SDG17 Coalition (MesoAM), National Wildlife Federation (NWF), Nurdle Patrol (NP), San Antonio Bay Estuarine Waterkeeper (SABEW), Save Buffalo Bayou (SBB), SPLASh/American Bird Conservancy (SABC), Sierra Club Lone Star Chapter (Sierra Club), Surfrider Foundation Texas Coastal Bend Chapter (Surfrider), Texas Campaign for the Environment (TCE), Texas A&M University—Corpus Christi (TAMUCC), Texans for Clean Water (TCW), Texas Chemical Council (TCC), Texas Industry Project (TIP), Texas Parks and Wildlife Department (TPWD), Turtle Island Restoration Network (TIRN), and 516 individuals.

Comments were also received from Tischler/Kocurek Environmental Engineers (T/K).

## **Response to Comments**

### *General Comments Unrelated to TSWQS Changes*

#### *Comment*

Twelve individuals provided general comments related to a variety of topics, including whether a business owner is allowed to pump out their own business septic tank as opposed to being required to use an approved service; ozone reduction, stronger enforcement on air pollution, and alternative fuels development to combat climate change; the need to better regulate a surface radioactive waste dump in West Texas; the ability to make it illegal to not recycle single-use plastic; the need for the world to stop using plastic; concerns that the state is turning into a desert; the need for infrastructure repairs to remove lead pipes; concerns regarding toxic sunscreen lotions contaminating rivers; the need for more information regarding recycling, along with more places to recycle; the burden placed on homeowners to purchase expensive water filters because municipal water suppliers cannot be trusted; the need to audit the City of Laredo Utilities Department because subdivisions stay without service for weeks; and how a robust plan to recycle plastics would go far to control microplastic pollution in waterways.

#### *Response*

**The commission responds that these topics are outside the scope of this rulemaking.**

*General Comments Related to TSWQS Changes*

*Comment*

Two hundred thirty-eight individuals encouraged the protection of waters in the state by providing general comments related to a variety of topics, including eliminating and cleaning up pollution; leading the way as a state; protecting humans, animals, and the environment; enacting stricter requirements and penalties; planning for the future; enforcing requirements; restoring animal habitat; protecting uses; encouraging wastewater reuse; preventing disease; adhering to federal requirements; protecting the economy; documenting pollution; finding wastewater disposal alternatives; providing environmental protection education; and enacting effective requirements.

*Response*

**The commission acknowledges these comments and notes that, through this rulemaking, it is the commission's intention to strengthen the TSWQS's effectiveness when it comes to protecting human health and the environment.**

*Comment*

ACC noted its deep commitment to creating a circular economy for plastics.

*Response*

**The commission acknowledges this comment.**

*Comment*

Sierra Club, TCE, ET, ITL, TIRN, ES, CAPE, BCW, NWF, C/C Tribe, GEAA, IBCWA, EIP, and FBR commented that the commission needed to extend the comment period for this rulemaking to May 15, 2022, because a correction to the initial publication of the proposed rulemaking was published in the *Texas Register* on April 15, 2022. According to the commenters, the extension was especially needed because the correction included underlining the new pre-production plastics language in §307.4(b)(8).

*Response*

**The commission responds that an extension of the comment period was not necessary for several reasons. First, there is no legal requirement that a state agency extend its rulemaking comment period if it corrects the original *Texas Register* version of the proposed rulemaking. Second, there is no legal requirement that the commission's rulemaking comment period be a certain length. The statute cited by the commenters, TGC, §2001.023, requires thirty days' notice of an agency's intention to adopt a rule before it adopts the rule, not thirty days between the beginning and end of a comment period. The public comment statute, TGC, §2001.029(a), just requires that "a reasonable opportunity" be provided for the public to comment on a proposed rulemaking. And finally, the underlining required by TGC, §2001.024(b)(3) is not a substantive part of a rulemaking; it is a tool used to make it easier for someone to identify new language. Even without the underlining, the public still received notice of the proposed language in §307.4(b)(8) through the preamble, which stated that an explicit prohibition on the discharge of**

**pre-production plastics had been added to §307.4 and referred to facilities subject to the prohibition under §307.4(b)(8). As paragraph (8) was entirely new, there was no question as to what language was new versus old. Also, the underlining in the proposed rule language maintained on TCEQ's website was always correct, so anyone who accessed that version of the rulemaking through the link provided in the preamble and rulemaking notice was able to see the underlining. Therefore, even before the *Texas Register* correction was published, the public received sufficient notice of the proposed language in §307.4(b)(8).**

*Comment*

Sierra Club, TCE, ET, ITL, TIRN, ES, CAPE, BCW, NWF, C/C Tribe, GEAA, IBCWA, EIP, FBR, and 504 individuals noted the recently denied petition for rulemaking regarding pristine streams and recommended the commission take action on numeric nutrient criteria during this triennial review. All 504 individuals noted the importance of monitoring nutrient pollution and commented that monitoring alone is insufficient to protect pristine streams from harmful algal blooms and losses of economic development due to decreases in tourism.

Sierra Club, TCE, ET, ITL, TIRN, ES, CAPE, BCW, NWF, C/C Tribe, GEAA, IBCWA, EIP, and FBR asserted that the TSWQS do not adequately protect the state's waters from nutrient pollution, and the existing Nutrient Criteria Development Advisory Work Group has not been successful in implementing numeric criteria for nutrient pollution. The commenters recommended the adoption of a new designated use focused on

pristine streams and prohibiting wastewater discharges into waters with that designated use. They provided additional recommendations for approaches towards developing criteria, including an example of how the Florida Department of Environmental Protection used the latest EPA guidance and stakeholder input to adopt numeric nutrient criteria for Florida.

***Response***

**The commission responds that, as stated in the April 8, 2022, TCEQ commissioners' order with regard to the denial of the petition for rulemaking, TCEQ already addresses the concerns raised in the petition with a legally adequate program for assessing and protecting stream segments under the TSWQS and the agency's TPDES permitting program. No changes were made in response to these comments.**

***Comment***

Sierra Club, TCE, ET, ITL, TIRN, ES, CAPE, BCW, NWF, C/C Tribe, GEAA, IBCWA, EIP, FBR, and 504 individuals commented that past recreational use category changes were not supported by the Clean Water Act, and the *E. coli* criteria are not sufficient to protect human health and the environment. They requested that the contact categories be consolidated using the more stringent bacteria criteria. Sierra Club, TCE, ET, ITL, TIRN, ES, CAPE, BCW, NWF, C/C Tribe, GEAA, IBCWA, EIP, and FBR also commented that by adding recreational use categories in previous revisions to the TSWQS, TCEQ has allowed additional bacterial contamination, prevented segments from being listed as

impaired, and therefore not moved forward with the subsequently required TMDL action.

***Response***

**The commission responds that it expanded the categories for recreational uses in previous TSWQS revisions to better characterize the different levels of water recreation activities that can occur in Texas. In the late 1980s and 1990s, a contact recreation use was broadly presumed for all surface waters in Texas, with the exception of eight site-specific classified segments, such as ship channels. As a result of these presumptions, there may be numerous water bodies with inappropriate recreational uses. These additional uses provide the commission the ability to better assign appropriate recreational uses to water bodies.**

**Federal regulations in 40 CFR §131.10(c) allow States to "adopt sub-categories of a use and set the appropriate criteria to reflect varying needs of such sub-categories of uses." The sub-categories of recreational uses and associated criteria in the TSWQS, which are protective of the recreational use categories and based on acceptable illness rates, were approved by EPA for Clean Water Act purposes and are based on EPA's 1986 *Ambient Water Quality Criteria for Bacteria*.**

**The commission evaluates water bodies on a site-specific basis to establish the appropriate recreation use following established recreational UAA processes. Some site-specific recreational standards in §307.10(7), Appendix G, of the TSWQS have**



**been approved by EPA and others are pending EPA's review. For the biennial assessments of water quality in the commission's Integrated Report of Surface Water Quality, a water body's presumed, designated, or site-specific recreational use is used in the assessment. The commission continues to develop TMDLs as a management tool to address bacteria impairments in Texas.**

**No changes were made in response to these comments.**

*Comment*

Sierra Club, TCE, ET, ITL, TIRN, ES, CAPE, BCW, NWF, C/C Tribe, GEAA, IBCWA, EIP, and FBR commented that it is not clear that marine bacterial standards are sufficiently protecting human health and requested that the commission evaluate the utility and sufficiency of using Enterococci as an indicator to measure fecal pollution in saline environments and move to adopt standards that are clearly related to protecting human health and the environment.

*Response*

**The commission responds that Enterococci is the EPA-recommended fecal bacteria indicator for marine water. Enterococci was first recommended as the fecal indicator for bacteria in marine water in EPA's 1986 *Ambient Water Quality Criteria for Bacteria*. EPA later conducted the National Epidemiological and Environmental Assessment of Recreational Water (NEEAR) study. Based on the NEEAR study and past studies utilized in developing EPA's 1986 *Ambient Water Quality Criteria for***

***Bacteria*, EPA developed the 2012 Recreational Water Quality Criteria (RWQC) recommendations. In the 2012 recommendations, Enterococci continued to be EPA's recommended fecal indicator bacteria for marine water. EPA also provided a geometric mean of 35 colony forming units per 100 milliliters (cfu/100 mL) for Enterococci as one recommended criterion in the 2012 RWQC, which is considered protective of primary contact recreation in marine waters. The commission's geometric mean criterion for primary contact recreation 1 for saltwater is consistent with this EPA-recommended geometric mean.**

*Comment*

Sierra Club, TCE, ET, ITL, TIRN, ES, CAPE, BCW, NWF, C/C Tribe, GEAA, IBCWA, EIP, and FBR urged TCEQ to rapidly adopt numerical salinity gradient criteria. The commenters stated that establishing a baseline for salinity gradients along the Texas coast is critical because climate change-induced sea level rise and coastal erosion will likely increase the salinity content in the Texas Gulf Coast. They noted that the Texas Gulf Coast has a high biodiversity of species, including the endangered smalltooth sawfish, which may be affected by changes in salinity. The commenters acknowledged the existing provision in §307.4(g)(3) regarding activities completed towards establishing salinity criteria in estuaries, but the commenters expressed concern on the rate of progress for criteria development.

***Response***

**The commission responds that long-term salinity monitoring is still ongoing in accordance with §307.4(g)(3). The commission also notes that impacts to state and federally listed endangered species are considered in the commission's water quality management programs.**

*§307.2, Description of Standards*

*Comment*

TPWD expressed support for the efforts to change language regarding temporary standards to improve consistency with the federal rules listed in 40 CFR §131.14. However, TPWD recommended that the proposed language distinguish how temporary standards are expressed for permittees versus water bodies and provided suggested edits to that effect.

*Response*

**The commission considers the current organizational structure of §307.2(g)(1) to be sufficient. No changes were made in response to this comment.**

*Comment*

EPA recommended revising §307.2(g)(1) from "When a temporary standard is adopted for permittees or water bodies, the temporary standard *may* be expressed as one of the following" to "When a temporary standard is adopted for permittees or water bodies, the temporary standard *must* be expressed as one of the following." This

change would clarify that there are no other allowable options under the federal water quality standard regulation for expressing the highest attainable condition.

EPA and TPWD also recommended the addition of language to §307.2(g)(1) to specify that a temporary standard may be expressed as "the highest attainable interim criterion." EPA stated that although language in the 2018 TSWQS can be interpreted to include this approach, presenting all three options under paragraph (1) would provide clarity for stakeholders.

***Response***

**The commission agrees with these comments, and the recommended changes to the language in §307.2(g)(1) are adopted.**

***Comment***

EPA recommended revising "pollution" in §307.2(g)(1)(A) to "pollutant," which is already included in subparagraph (B).

***Response***

**The commission agrees with the comment, and the recommended change to the language is adopted.**

***Comment***

EPA recommended prefacing §307.2(g)(1)(B) with "If no additional feasible pollutant control technology can be identified," for consistency with the federal water quality standard regulation.

***Response***

**The commission agrees with the comment, and the recommended change to the language is adopted.**

***Comment***

EPA recommended adding clarification in §307.2(g)(1)(B) that the remediation plan would need to be adopted and implemented, noting that the remediation plan would need to meet the requirements of a pollution minimization program under 40 CFR §131.3.

***Response***

**The commission responds that requirements regarding implementation of a remediation plan are specified in the *Procedures to Implement the Texas Surface Water Quality Standards* (RG-194). No changes were made in response to this comment.**

***Comment***

EPA recommended revising the proposed language in §307.2(g)(4) to read "within 30 days of completion, the underlying designated use or criterion will become applicable

and must be used when implementing subsequent federal CWA activities." The proposed language could be misinterpreted as the "existing water quality standards" being the temporary standard.

***Response***

**The commission agrees that additional clarity would be helpful in the rule language. To that end, the word "underlying" has been added before the phrase "water quality standards" in the last sentence of §307.2(g)(4).**

***Comment***

EPA recommended including a reference to the federal regulation at 40 CFR §131.14 to cover any requirements that are not specifically identified in §307.2(g).

***Response***

**The commission responds that inclusion of the federal regulation reference was discussed in a Surface Water Quality Standards Advisory Work Group (SWQSAWG) meeting with stakeholders in preparation for this revision, and the decision was made to not incorporate §131.14 by reference into the rule. No changes were made in response to this comment.**

***§307.3, Definitions and Abbreviations***

***Comment***

TPWD recommended that the term "effluent condition" be defined in §307.3(a).

*Response*

**The commission responds that the term “effluent condition” is not defined in federal regulations. However, for clarity and consistency with federal regulations, the commission revised the provision at §307.2(g)(1)(A) as part of this rulemaking to specify “the interim effluent condition that reflects the greatest pollutant reduction achievable.”**

*Comment*

An individual commented that the proposed definition of "bioaccumulation factor" in §307.3(a)(9) is essentially the same as the existing definition for "bioconcentration factor" in §307.3(a)(10) and may misrepresent actual processes in the aquatic ecosystem by discounting the importance of biomagnification.

*Response*

**The commission responds that unlike the definition for bioconcentration factor, which only accounts for exposure directly from water, the definition for bioaccumulation factor accounts for all routes of exposure, including food sources. No changes were made in response to this comment.**

*Comment*

Surfrider, SABEW, CAPE, LBR, SBB, FP, ET, NP, GCBO, IOC, TAMUCC, SABC, MesoAM, TCW, CBCG, CBSCG, JTHF, TPWD, T/K, and four individuals expressed general support for the definition of "pre-production plastic" in §307.3(a)(50).

***Response***

**The commission acknowledges these comments and notes the proposed definition has been removed from this rulemaking.**

*Comment*

SABEW and one individual recommended revising the definition of pre-production plastic in §307.3(a)(50) to include fragments or broken pieces of a pellet (nurdle).

***Response***

**The commission acknowledges these comments and notes the proposed definition has been removed from this rulemaking.**

*Comment*

Surfrider, SABEW, CAPE, LBR, SBB, FP, ET, NP, GCBO, IOC, TAMUCC, SABC, MesoAM, TCW, CBCG, CBSCG, JTHF, and four individuals recommended revising the proposed definition of pre-production plastic in §307.3(a)(50) by replacing "organic polymers" with "petroleum and biologically derived polymers" since EPA has documented that bioplastics can be designed to be structurally identical to petroleum-based plastics and can last in the environment for the same period of time as petroleum-based plastics.



***Response***

**The commission acknowledges these comments and notes the proposed definition has been removed from this rulemaking.**

*§307.4, General Criteria*

*Comment*

Sierra Club, TCE, ET, ITL, TIRN, ES, CAPE, BCW, NWF, C/C Tribe, GEAA, IBCWA, EIP, FBR, Surfrider, SABEW, LBR, SBB, FP, NP, GCBO, IOC, TAMUCC, SABC, MesoAM, TCW, CBCG, CBSCG, JTHF, EPA, TPWD, CCA, and ten individuals expressed general support for the prohibition on discharging pre-production plastic, which was proposed in §307.4(b)(8). SABEW and one individual asserted that the fact that the rule applies to both stormwater and wastewater discharges is important.

***Response***

**The commission acknowledges these comments and notes that proposed subsection (b)(8) has been removed from this rulemaking.**

*Comment*

CCA noted the presence of pollution from pre-production plastics as a global and local concern, including impacts to marine life and human health. An individual noted the presence of pollution from pre-production plastics as a concern in Texas and nationally, including impacts to aesthetics and bioaccumulative toxins (including

mercury, DDT, and polycyclic aromatic hydrocarbons [PAHs]) adsorbing to plastic pollution. TPWD noted the importance of keeping plastics out of the environment. An individual also noted the prevalence of nurdles collected by the citizen science project Nurdle Patrol from Texas beaches in areas of manufacturing and transportation, such as railroads, nurdle distribution sites, and molding factories. Sierra Club, TCE, ET, ITL, TIRN, ES, CAPE, BCW, NWF, C/C Tribe, GEAA, IBCWA, EIP, and FBR described the risks associated with pre-production plastic pollution, including that pellets can act as vessels for toxic pollutants and cause issues up and down the food chain through bioaccumulation. SABEW and one individual noted that other contaminants in the water column may sorb onto plastics, and plastics may contain additives that have an additional negative effect on the environment.

***Response***

**The commission acknowledges these comments and notes that proposed subsection (b)(8) has been removed from this rulemaking.**

***Comment***

TCC, ACC, TIP, Dow, and T/K opposed the proposed provision in §307.4(b)(8) or urged the commission not to adopt the prohibition on discharges of pre-production plastic detailed in §307.4(b)(8) since there is no federal or state requirement and/or statutory authority to do so. TIP noted it has significant concerns regarding the proposed prohibition and recommended either rewording the proposed language to constitute a

clarification of the existing narrative standard or withdrawing the prohibition from the proposal.

*Response*

**The commission acknowledges these comments and notes that proposed subsection (b)(8) has been removed from this rulemaking.**

*Comment*

ACC and Dow noted their support of the industry stewardship program Operation Clean Sweep. ACC recommended Operation Clean Sweep as an alternative to the prohibition proposed in §307.4(b)(8), which was summarized by ACC as an alternative to zero-discharge regulations. ACC also urged the commission to promote best practices programs, such as Operation Clean Sweep, to help improve water quality.

*Response*

**The commission acknowledges these comments and notes that proposed subsection (b)(8) has been removed from this rulemaking.**

*Comment*

Sierra Club, TCE, ET, ITL, TIRN, ES, CAPE, BCW, NWF, C/C Tribe, GEAA, IBCWA, EIP, FBR, and 504 individuals recommended that the prohibition on the discharge of pre-production plastic, as proposed in §307.4(b)(8), should address all plastic pollution, including other microplastics that may not be visible to the naked eye. Surfrider,

SABEW, CAPE, LBR, SBB, FP, ET, NP, GCBO, IOC, TAMUCC, SABC, MesoAM, TCW, CBCG, CBSCG, JTHF, and eight individuals expressed concern that inclusion of the term "visible" will allow regulated facilities to ignore micro- and nano-plastics, which they note have been proven to be harmful to the environment and human health, including DNA damage, endocrine disruption, cancer, and diabetes when ingested or inhaled. SABEW and one individual also noted that microplastics are harmful to the environment and that plastics can be small enough to be transported by wind and rain into stormwater.

***Response***

**The commission acknowledges these comments and notes that proposed subsection (b)(8) has been removed from this rulemaking.**

***Comment***

Surfrider, SABEW, CAPE, LBR, SBB, FP, ET, NP, GCBO, IOC, TAMUCC, SABC, MesoAM, TCW, CBCG, CBSCG, JTHF, and eight individuals recommended the term "visible" in §307.4(b)(8) to be further defined as "able to see with the naked eye without special equipment, from a distance of three (3) feet. If a person requires prescription eyeglasses or contact lenses to achieve normal vision, those must be worn while monitoring for potential discharges." The commenters also provided recommendations for locating discharged plastics.

***Response***

**The commission acknowledges these comments and notes that proposed subsection (b)(8) has been removed from this rulemaking.**

*Comment*

Regarding the proposed revision in §307.4(b)(8), one individual commented that additional language is needed so that "feasible" does not become "easily done" and suggested a reference to practices for other particulates or practices at other plants around the country. Sierra Club, TCE, ET, ITL, TIRN, ES, CAPE, BCW, NWF, C/C Tribe, GEAA, IBCWA, EIP, FBR, and 504 individuals noted "where determined feasible" should be removed from the prohibition. Sierra Club, TCE, ET, ITL, TIRN, ES, CAPE, BCW, NWF, C/C Tribe, GEAA, IBCWA, EIP, and FBR asserted removal is necessary because determining feasibility, economic practicability, and what is achievable in light of best industry practices are contrary to the public interest.

*Response*

**The commission acknowledges these comments and notes that proposed subsection (b)(8) has been removed from this rulemaking.**

*Comment*

One individual noted the need for assurances that an offending company will not be able to evade responsibility for discharging pre-production plastic just because it sends a note from the plant engineer that complains compliance with the proposed prohibition in §307.4(b)(8) would be hard.

***Response***

**The commission acknowledges these comments and notes that proposed subsection (b)(8) has been removed from this rulemaking.**

***Comment***

SABEW and one individual recommended that proposed §307.4(b)(8) should make it clear that the use of BMPs does not in any way absolve the permittee of the prohibition on discharging pre-production plastic. The commenters also suggested the commission provide specific suggestions for the BMPs to be used by facilities and in permit requirements.

***Response***

**The commission acknowledges these comments and notes that proposed subsection (b)(8) has been removed from this rulemaking.**

***Comment***

Surfrider, SABEW, CAPE, LBR, SBB, FP, ET, NP, GCBO, IOC, TAMUCC, SABC, MesoAM, TCW, CBCG, CBSCG, JTHF, and eight individuals recommended revisions in §307.4(b)(8) to clarify that sweeping or washing plastics into stormwater or wastewater is not a BMP. SABEW and one individual recommended revisions to §307.4(b)(8) to further clarify that BMPs should prohibit permittees from sweeping spilled plastics into stormwater drainage areas unless the structures have mechanisms to remove pre-

production plastic prior to discharge. SABEW and one individual also recommended a separate stormwater system from the normal stormwater system and BMPs such as retention ponds.

***Response***

**The commission acknowledges these comments and notes that proposed subsection (b)(8) has been removed from this rulemaking.**

***Comment***

TCC, ACC, TIP, Dow, and T/K expressed concern that feasible technologies do not currently exist to comply with the proposed pre-production plastic prohibition located in §307.4(b)(8). ACC noted that the proposal would impose significant costs on stakeholders. T/K asserted that the prohibition is a technology-based effluent standard, and if TCEQ is proposing it as such, TCEQ would have to provide technical supporting analyses demonstrating the standard is achievable and estimating the cost for compliance. TCC noted that the costs provided in the rule preamble's fiscal note associated with changes to 30 TAC §307.4 were conservative cost estimates that will likely increase significantly during design and implementation, and there would be ongoing operational and maintenance costs. TCC noted it is not currently aware of any current technology that can assure absolute compliance with this proposed prohibition, and each facility has a unique footprint that will require control technologies tailored to the individual facility. TCC recommended that if TCEQ considers adopting the prohibition, the language should be revised to focus on the

implementation of feasible BMPs as defined in 30 TAC §307.3(a)(7), similar to the guidelines in Operation Clean Sweep practices, instead of a strict no-discharge prohibition of visible pre-production plastic.

***Response***

**The commission acknowledges these comments and notes that proposed subsection (b)(8) has been removed from this rulemaking.**

***Comment***

Surfrider, SABEW, CAPE, LBR, SBB, FP, ET, NP, GCBO, IOC, TAMUCC, SABC, MesoAM, TCW, CBCG, CBSCG, JTHF, and nine individuals recommended that spilled or discharged pre-production plastic must be regulated as a Class 2 industrial solid waste.

***Response***

**The commission acknowledges these comments and notes that proposed subsection (b)(8) has been removed from this rulemaking.**

***Comment***

Surfrider, SABEW, CAPE, LBR, SBB, FP, ET, NP, GCBO, IOC, TAMUCC, SABC, MesoAM, TCW, CBCG, CBSCG, JTHF, and eight individuals provided specific recommendations for requirements derived from House Bill 3814 by Representative Hunter, which was filed during the regular 87th Legislative Session, to be included in conjunction with the



language proposed in §307.4(b)(8). These included requirements for reporting spills to the commission within two days after detection of a discharge or release and ensuring cleanups are completed without harm to the ecosystem; containment systems to be designed and maintained to capture floating and sinking plastics that have a capacity to handle precipitation from 100-year, 24-hour storm events as determined by the National Oceanic and Atmospheric Administration; and, for facilities that discharge stormwater associated with industrial activity, inspecting a facility for eligibility before granting an applicant's Conditional No Exposure Exclusion for TCEQ's MSGP.

*Response*

**The commission acknowledges these comments and notes that proposed subsection (b)(8) has been removed from this rulemaking.**

*Comment*

TPWD supported the prohibition on discharging visible pre-production plastic in §307.4(b)(8), the inclusion of questions in TPDES permit applications to identify facilities that handle plastic, and including prohibitions in final industrial TPDES permits regarding the release of plastic particulates of any size into the environment.

*Response*

**The commission acknowledges these comments and notes that proposed subsection (b)(8) has been removed from this rulemaking.**

*Comment*

TCC, TIP, and Dow asserted the prohibition on discharging pre-production plastic in §307.4(b)(8) is a new, more stringent regulation than what currently exists for floating debris that is pre-production plastic, and the commenters requested that the commission grant compliance schedules for facilities as authorized by §307.2(f). TCC requested that TCEQ not only allow for the full three-year compliance period specified in §307.2(f) but also provide allowances for site-specific schedules for more complex control technologies, which could require a lengthy period of time to implement. Dow asserted that facilities would require significant time to implement control technologies and recommended that, at a minimum, TCEQ allow a multiyear implementation plan and provide a mechanism for evaluating longer-term implementation projects on a case-by-case basis. TCC recommended that TCEQ provide sufficient time to allow for research and development of new control technologies that do not currently exist and for the implementation of these technologies. TIP recommended that if TCEQ proceeds with the prohibition, the agency should adopt an express statement that compliance periods would be available for water quality-based effluent limitations based on the new standard.

*Response*

**The commission acknowledges these comments and notes that proposed subsection (b)(8) has been removed from this rulemaking.**

*Comment*

TCC, TIP, and Dow recommended the commission further clarify the proposed prohibition on discharging pre-production plastic in §307.4(b)(8) by specifying the point of compliance as the final permitted outfall. Dow recommended the commission specify the prohibition only applies to water bodies outside the fence line of affected facilities and provide guidance to ensure consistent application throughout industry. SABEW and one individual commented that plastics should be considered discharged if they leave the final discharge point or outfall gate, even if on the property of the permittee.

***Response***

**The commission acknowledges these comments and notes that proposed subsection (b)(8) has been removed from this rulemaking.**

***Comment***

Surfrider, SABEW, CAPE, LBR, SBB, FP, ET, NP, GCBO, IOC, TAMUCC, SABC, MesoAM, TCW, CBCG, CBSCG, JTHF, and ten individuals expressed concern that §307.4(b)(8) contains no obligations to conduct monitoring or reporting of discharges of pre-production plastic or specifications of punishment for failure to do so. The commenters stated that enforcement penalties issued for violations must be large enough to deter future violations and recommended that TCEQ consider the wealth and size of a violator when calculating the penalty. An individual recommended a strict enforcement policy, including BMPs and meaningful fines appropriate for the size of the company having the violation. An individual also recommended that

permittees should be required to report and clean up any spills inside and outside their fence line within 24 hours after plastics are recorded and make all reporting of plastic pellet, flake, and powder violations, spills, and cleanups open to the public. An individual also noted the utility of auto-sampling devices to monitor wastewater discharges for plastics. SABEW and one individual expressed concern that the proposed rule does not contain sufficient accountability mechanisms to ensure compliance and recommended that permittees that produce, handle, transport, or use microplastics should be required to obtain a permit and monitor outside all their discharge points, including outside their outfalls and at least 50 feet in all directions from the discharge location. SABEW and one individual also recommended that monitoring should be required the day after every 1-year, 1-hour storm event, for a 1-year/24-hour storm event or more, and at least once a month within 24 hours of a discharge, with additional monitoring requirements if plastics are detected. SABEW and one individual also recommended that monthly reports contain specific requirements and be made available to the public within a week of completion and that permittees impounding stormwater behind structural barriers obtain certification twice annually.

***Response***

**The commission acknowledges these comments and notes that proposed subsection (b)(8) has been removed from this rulemaking.**

***Comment***

SABEW and two individuals recommended the commission encourage citizen scientists to monitor around plastic facilities and facilitate the reporting of incidents by citizens using tools such as phone applications or a reporting form. SABEW and one individual recommended articulating standards for accepting citizen monitoring information and compensation for citizen scientists who document unauthorized discharges that result in violations or cleanups and suggested a process to allow the citizen scientists to direct compensation funds toward a local environmental project or the commission.

***Response***

**The commission acknowledges these comments and notes that proposed subsection (b)(8) has been removed from this rulemaking.**

***Comment***

SABEW and one individual expressed concern that the prohibition on discharging pre-production plastic in §307.4(b)(8) does not specify requirements for reporting a discharge, cleaning up the discharge, and providing details about the cleanup. The commenters requested that the prohibition be revised to require documented reporting of discharge events, including the location of the discharge and volume of discharged plastics. The commenters also stated that cleanup reports should be made publicly available and recommended that the use of high-pressure hydraulic flushing of pellets from vegetation should not be allowed without TCEQ approval. The commenters also recommended that §307.4(b)(8) include a requirement that a person conducting monitoring must exercise reasonable efforts to locate discharged plastics

along shorelines and under vegetation that may obscure the person's view of the ground.

***Response***

**The commission acknowledges these comments and notes that proposed subsection (b)(8) has been removed from this rulemaking.**

***Comment***

TCC, TIP, and Dow expressed concern that the prohibition on discharging pre-production plastic proposed in §307.4(b)(8) could be used to penalize existing facilities for historical plastic discharges that may not have been released by the existing facility. TCC suggested the commission adopt, through guidance, a specification that the discharge prohibition is applicable only to new discharges with a direct and traceable link to the facility. T/K asserted the discharge prohibition is unenforceable because finding pellets near a permitted outfall is no guarantee they are present due to a discharge from that outfall.

***Response***

**The commission acknowledges these comments and notes that proposed subsection (b)(8) has been removed from this rulemaking.**

***Comment***

TCC, TIP, and Dow requested that the commission revise the proposal located in §307.4(b)(8) to clarify that a regulated entity will have the opportunity to remediate the release of any visible plastic by cleaning them up before the commission classifies any release as a violation. TCC also recommended that the commission include reasonable and appropriate remediation timelines that take into consideration elements such as property access, waterway access, waterway traffic, and permitting requirements.

***Response***

**The commission acknowledges these comments and notes that proposed subsection (b)(8) has been removed from this rulemaking.**

***Comment***

TCC, TIP, and Dow requested that the commission include in guidance the conditions under which the proposed prohibition on discharging pre-production plastic in §307.4(b)(8) will apply, such as those specified at §§307.4(a) and 307.9(b). Dow requested that the commission include a mechanism for excluding extreme weather conditions from these requirements.

***Response***

**The commission acknowledges these comments and notes that proposed subsection (b)(8) has been removed from this rulemaking.**

***Comment***

SABEW and one individual expressed concern with the commission's enforcement process as it related to historical experiences with the Formosa facility. The commenters recommended that the commission consider the wealth of the violator and costs forgone by violators when assessing fines. The commenters also asserted that fines for violators are grossly underestimated.

***Response***

**The commission acknowledges these comments and notes that proposed subsection (b)(8) has been removed from this rulemaking.**

***Comment***

TCC and Dow expressed concern that the prohibition on discharging pre-production plastic in §307.4(b)(8) would cause confusion rather than clarification, is not a criterion at all, and would be more appropriate as an implementation mechanism. TCC, TIP, and T/K asserted the prohibition is more than a clarification because the no-discharge prohibition is a zero-discharge standard. TIP considered the prohibition to be a new numeric criterion. TCC asserted additional confusion regarding the implementation and applicability of mixing zones and zones of initial dilution due to the prohibition. TIP expressed concern that the prohibition on discharging visible pre-production plastic conflicts with existing narrative criteria in §307.4(b)(2), which do not currently include a zero-discharge standard.

***Response***



**The commission acknowledges these comments and notes that proposed subsection (b)(8) has been removed from this rulemaking.**

*Comment*

TCC, ACC, TIP, Dow, and T/K expressed concern that the zero-discharge standard in §307.4(b)(8) for a non-toxic material has not been scientifically justified, and TCEQ has not followed requirements in TWC, §26.023 regarding the use of quality assured data to develop standards. The commenters requested that TCEQ share the scientific rationale utilized to justify the proposed revision. TCC recommended that TCEQ could have developed a proposal based on the results of a scientific study and taken into account what can be accomplished through enforcement of the existing requirements for floating debris. TIP asserted that TCEQ did not and cannot articulate a sound scientific rationale for the plastics provision to impose a zero-discharge standard. Dow urged TCEQ to reconsider the proposed revisions to ensure that an appropriate administrative record is developed.

*Response*

**The commission acknowledges these comments and notes that proposed subsection (b)(8) has been removed from this rulemaking.**

*Comment*

ACC expressed concern that the prohibition on discharging visible pre-production plastic located in §307.4(b)(8) requires a robust stakeholder process to ensure the

commission gains a deeper understanding of the needs, interests, concerns, and experiences of all stakeholders. ACC urged the commission to initiate a robust stakeholder process to ensure all views and knowledge are taken into account. ACC also noted that the decision-making process should be fully transparent and informed through public engagement and review.

***Response***

**The commission acknowledges these comments and notes that proposed subsection (b)(8) has been removed from this rulemaking.**

***Comment***

TCC, TIP, Dow, and ACC asserted that the discharge prohibition for visible pre-production plastic in §307.4(b)(8) is more than a clarification and requested that the commission explain the rationale for considering the changes as only a clarification. TIP asserted that the existing standard applicable to visible pre-production plastic has been in place for decades; reimagining its meaning by purporting to make a clarification is inconsistent with its plain language and not a sound precedent for how water quality standards have been, or should be, adopted. T/K asserted that the prohibition is not a clarification and that existing §307.4(b)(2) is not a zero-discharge standard. T/K also asserted that if the clarification was applied to existing §307.4(b)(2), it would affect every municipal and industrial discharger in the state, and the "essentially free" specification in the existing regulation provides TCEQ sufficient authority to enforce this rule on plastics. T/K also recommended adding a single

sentence to §307.4(b) stating that the provision applies to pre-production plastic as floating and suspended materials would be a clarification and would not constitute a major environmental rule change.

***Response***

**The commission acknowledges these comments and notes that proposed subsection (b)(8) has been removed from this rulemaking.**

***Comment***

TIP, Dow, and T/K expressed concern that the proposed prohibition in §307.4(b)(8) on discharging pre-production plastic is being promulgated by the commission in response to a specific court ruling and settlement agreement, *San Antonio Bay Estuarine Waterkeeper v. Formosa*. TIP asserted that the court did not purport to remake law, interpret existing permit conditions, or otherwise prescribe the proposed rulemaking. T/K asserted that the existing regulations in §307.4(b)(2) are sufficient for TCEQ to control wastewater discharges of pre-production plastic and need to be adequately enforced.

***Response***

**The commission acknowledges these comments and notes that proposed subsection (b)(8) has been removed from this rulemaking.**

***Comment***

TIP and Dow provided alternative language to further clarify the prohibition language in §307.4(b)(8) by specifying there shall be essentially no discharges of pre-production plastic that are conducive to producing adverse responses in aquatic organisms or putrescible sludge deposits or sediment layers that adversely affect benthic biota or any lawful uses. TIP recommended that the BMP language in proposed §307.4(b)(8) be removed because it may be more appropriate to implement it as a permit condition.

***Response***

**The commission acknowledges these comments and notes that proposed subsection (b)(8) has been removed from this rulemaking.**

***Comment***

EPA recommended amending the prohibition on discharging pre-production plastic in §307.4(b)(8) by including an expression of the desired condition of waters in the state, should the commission intend for the prohibition to be used for all CWA purposes, including assessment under CWA, §303(d).

***Response***

**The commission acknowledges these comments and notes that proposed subsection (b)(8) has been removed from this rulemaking.**

***Comment***

TIP expressed concern that the plastic provisions in §307.4(b)(8) had not been properly noticed under the Texas Administrative Procedure Act, TGC, §2001.024.

*Response*

**The commission acknowledges these comments and notes that proposed subsection (b)(8) has been removed from this rulemaking.**

*Comment*

T/K expressed concern that the prohibition proposed in §307.4(b)(8) is substantially more restrictive than the existing rule and is a major new environmental rule subject to the regulatory analysis requirements of TGC, §2001.0025. TIP asserted that the plastics provision would "exceed a standard set by federal law" and constituted a major environmental rule.

*Response*

**The commission acknowledges these comments and notes that proposed subsection (b)(8) has been removed from this rulemaking.**

*Comment*

TIP asserted that the first sentence of the newly proposed language in §307.4(b)(8) is unqualified.

*Response*

**The commission acknowledges these comments and notes that proposed subsection (b)(8) has been removed from this rulemaking.**

*§307.5, Antidegradation*

*Comment*

Sierra Club, TCE, ET, ITL, TIRN, ES, CAPE, BCW, NWF, C/C Tribe, GEAA, IBCWA, EIP, and FBR commented that provisions regarding Tier 2 in §307.5(b)(2) are inconsistent with federal regulations, and current language undermines the purpose of the Tier 2 review. The commenters recommended that the commission remove or define "de minimis" in §307.5(b)(2) and require a meaningful alternatives analysis in TPDES permitting.

*Response*

**The commission responds that the existing antidegradation policy in §307.5 has been approved by EPA and meets federal requirements at 40 CFR §131.12. The *Procedures to Implement the Texas Surface Water Quality Standards* (RG-194) provide guidance on how the antidegradation policy is implemented in TPDES permits. No changes were made in response to this comment.**

*§307.6, Toxic Materials*

*Comment*

T/K commented on two footnotes in §307.6(c)(1), Table 1. Footnote 2 specifies that compliance with the standard for free cyanide will be determined with the analytical method for available cyanide. T/K noted that there is also an analytical method for free

cyanide approved at 40 CFR Part 136. T/K recommended that footnote 2 include that the method for free cyanide analysis is also acceptable for determining compliance. T/K noted that without this change to footnote 2, the result would be that a method specific for free cyanide would not be authorized to demonstrate compliance.

Regarding footnote 3, T/K questioned whether the current numeric criteria for PCBs, which is based on EPA's Integrated Risk Information System (IRIS) database, justifies the standard being set based on the sum of all congeners, isomers, homologs, or Aroclors. T/K noted that review of the data in IRIS suggests that almost all toxicology data are based on the Aroclors, not on the much longer list of congeners, isomers, and homologs that is now identifiable using EPA's proposed analytical method. Furthermore, T/K noted that EPA's proposed analytical method that would measure dozens or more congeners has never been approved at 40 CFR Part 136. Therefore, T/K recommended that TCEQ reevaluate footnote 3 to determine if it is scientifically justified at this time.

***Response***

**The commission responds that the inclusion of the analytical method for free cyanide analysis has been incorporated into footnote 2 of §307.6(c)(1), Table 1 as well as footnote 3 of §307.6(d)(1), Table 2 for consistency. The commission may consider alterations to footnote 3 of §307.6(c)(1), Table 1, which regards analytical methods for PCBs, in a future revision of the TSWQS.**

*Comment*

EPA expressed support for the adoption of the updated cadmium aquatic life criteria in §307.6(c)(1), Table 1, but noted a typographical error in the formula for the proposed chronic freshwater criterion. EPA commented that for consistency with the current nationally recommended criterion, the slope of the chronic freshwater criterion should be 0.7977 rather than 0.7997 as included in the proposed TSWQS.

*Response*

**The commission agrees with this comment, and the recommendation to correct the typographical error has been incorporated into the adopted aquatic life criteria in §307.6(c)(1), Table 1.**

*Comment*

T/K commented that the language in §307.6(c)(6) includes the following sentence: "There must be no lethality to aquatic organisms that move through a ZID, and the sizes of ZIDs are limited in accordance with §307.8 of this title." T/K noted that in a recent administrative hearing before the State Office of Administrative Hearings (SOAH), the contention was made by protestants to a draft permit that this sentence must be interpreted as zero lethality, which in fact is scientifically impossible to prove. T/K asserted that the quoted sentence directly conflicts with §307.6(e)(1), which states, "Acute total toxicity levels may be exceeded in a ZID, but there must be no significant lethality to aquatic organisms that move through a ZID." T/K noted that when the commissioners acted on SOAH's proposal for decision, they concluded the meaning of



the no lethality provision in §307.6(c)(6) should be interpreted as no significant lethality as specified at §307.6(e)(1). T/K requested that TCEQ revise the no lethality provision in §307.6(c)(6) by adding the word "significant" to make it consistent with §307.6(e)(1) and the commissioners' decision.

***Response***

**The commission responds that the issue decided by the commissioners at their May 19, 2021, agenda with regard to lethality was that the correct standard to apply in the case in question was §307.6(e)(1) rather than §307.6(c)(6) or 307.8(b)(2), not how to interpret §307.6(c)(6). The commissioners actually referred to §307.6(e)(1) as the less stringent standard of the three. The commission also notes that the language in §307.6(c)(6) relates to specific numerical acute criteria for toxic substances, while the language in §307.6(e)(1) addresses total toxicity of permitted dischargers. As such, these two paragraphs of the rule are not discussing the same issue in relation to lethality. No changes were made in response to this comment.**

***Comment***

EPA expressed support for the use of updated toxicity values and bioaccumulation factors (BAFs) for calculating human health criteria in §307.6(d)(1), Table 2.

***Response***

**The commission acknowledges this comment.**

*Comment*

Sierra Club, TCE, ET, ITL, TIRN, ES, CAPE, BCW, NWF, C/C Tribe, GEAA, IBCWA, EIP, and FBR commented that TCEQ should provide sufficient justification for weakening human health numeric criteria for carcinogens in §307.6(d)(1), Table 2, especially if TCEQ can already protect human health with the current numeric standards. The commenters stated that TCEQ explained that proposed changes to the human health criteria for carcinogens are based on a revision of oral slope factors for benzo(a)anthracene, benzo(a)pyrene, chrysene, 1,2-dichloropropane, and 1,3-dichloropropene, but despite these explanations, the concentrations are alarming without adequate justification. The commenters also commented that it remains unclear from both the background and the proposed standards how these changes in method were ascertained, including whether they came from EPA, TCEQ, or elsewhere. The commenters also stated that any change to the oral slope factor in measuring the amount of permissible carcinogenic pollution is intended to be used as a minimum basis, and if TCEQ can regulate such carcinogens at a lower and safer amount (such as at present), the justification to permit more carcinogenic pollution that risks human health should be better reasoned than simply because it is allowable.

*Response*

**The commission responds that triennial revisions of the TSWQS are performed in part to include new scientific data on the effects of chemicals and pollutants, and updates to the human health criteria found in §307.6(d)(1), Table 2, are based on new information and studies on the potential toxic effects of chemicals of concern**

**on human health. Revisions to Table 2 were presented to the SWQSAWG on March 9, 2020. To prepare stakeholders for the March 2020 SWQSAWG meeting, a handout explaining the basis for the changes to Table 2 and a spreadsheet showing all the inputs, equations, and changes to numeric criteria were posted on the agency's SWQSAWG webpage ([www.tceq.texas.gov/waterquality/standards/stakeholders/swqsawg.html](http://www.tceq.texas.gov/waterquality/standards/stakeholders/swqsawg.html)) before the meeting occurred. Both the handout and the spreadsheet remain available on the SWQSAWG webpage. Updates to the factors used for toxic numeric criteria were conducted in accordance with the sources cited in §307.6(d)(3)(A), and it is not unusual for criteria values to be updated based on new data. No changes were made in response to this comment.**

*Comment*

EPA commented that the proposed fish consumption criteria for dichloromethane (75-09-2) and tetrachloroethylene (127-18-4) included in revisions to §307.6(d)(1), Table 2, are based on updated reference doses for non-carcinogenic effects. EPA noted these criteria were calculated using reference doses available in EPA's IRIS and the state's assumptions for childhood exposure factors. EPA published updated procedures for calculating human health criteria in *Methodology for Deriving Ambient Water Quality Criteria for the Protection of Human Health* in 2000. Under CWA, §304(a), EPA published updated human health criteria recommendations in June 2015 based on the 2000 methodology and other information. EPA commented that these updated recommendations include revised cancer slope factors and reference doses (RfDs); use

of relative source contributions (RSCs) in criteria for non-carcinogens to account for other sources of exposure (e.g., food or air); use of BAFs instead of bioconcentration factors; and derivation of BAFs using aquatic trophic levels. EPA noted that several components of the revised human health methodology, such as BAFs and use of a scaling factor of 3/4 to adjust doses in toxicity studies from animal weight to human weight, have been incorporated during previous revisions of the TSWQS. EPA recommended using exposure factors based on updated information located in the 2011 *Exposure Factors Handbook* (with updated chapters available online) to calculate human health criteria. When deriving human health criteria for noncarcinogens and nonlinear carcinogens, EPA recommended including an RSC factor to account for sources of exposure other than drinking water and consumption of fish and shellfish from inland and nearshore waters. EPA noted that using an RSC ensures the level of a chemical allowed by a water quality criterion, when combined with other exposure sources, will not result in exposures that exceed the RfD and helps prevent adverse health effects from exposure to a given chemical over a person's lifetime. EPA noted that chapter four of EPA's 2000 human health methodology includes an approach for determining an appropriate RSC for a given pollutant ranging in value from 0.2 to 0.8 to ensure drinking water and fish consumption alone are not apportioned the entirety of the RfD.

***Response***

**The commission responds that when updating the cancer slope factor and RfD inputs for this revision, the commission used the latest information found in EPA's IRIS assessment in accordance with §307.6(d)(3)(A). The commission supports using information located in IRIS to have a consistent, peer-reviewed source for toxicity factors that can be used throughout the agency and to create consistency among all program areas.**

**The commission began using childhood consumption factors for noncarcinogen criteria calculations and BAFs, where available, for all human health criteria calculations during the 2010 revision of the TSWQS, in accordance with EPA's *Methodology for Deriving Ambient Water Quality Criteria for the Protection of Human Health* (2000). EPA's recommended RSC factors have not been utilized in the human health calculations, and this deviation from federal guidance has been consistently employed by the commission as documented in the EPA-approved 2010, 2014, and 2018 revisions to human health criteria. No changes were made in response to these comments.**

*Comment*

EPA commented that the calculations for chrysene (218-01-9) in TCEQ's 2020 spreadsheet, which was used to derive the revised human health criteria for this substance in §307.6(d)(1), Table 2, included a conversion of the 2/3 scaling factor to the 3/4 scaling factor to adjust doses in toxicity studies from animal weight to human weight. EPA noted this conversion was appropriate for the cancer slope factor

previously used for benzo(*a*)pyrene. However, EPA stated that the updated slope factor for benzo(*a*)pyrene uses the 3/4 scaling. With this change, EPA calculated a water and fish criterion of 9.96 µg/L and fish consumption criterion of 10.26 µg/L.

EPA also commented that a similar error with the scaling factor appears to have occurred in the calculation of human health criteria for 1,2-dichloropropane (78-87-5). With removal of the conversion of the scaling factor for criteria calculations, EPA obtained a water and fish criterion of 9.17 µg/L and a fish consumption criterion of 301.98 µg/L (for carcinogens). However, EPA noted that EPA's maximum criterion level for 1,2-dichloropropane in the current TSWQS is more stringent than EPA's recalculated water and fish criterion of 9.17 µg/L.

***Response***

**The commission agrees with these comments. The scaling factor corrections for chrysene and 1,2-dichloropropane have been made in the calculations, and the revised human health criteria for both chrysene (water and fish criterion and fish consumption criterion) and 1,2-dichloropropane (fish consumption criterion) have been incorporated into §307.6(d)(1), Table 2.**

*§307.7, Site-Specific Uses and Criteria*

***Comment***

EPA commented that in §307.7(b)(1)(A)(vi), an Enterococci criterion of 54 cfu/100 mL (geometric mean) is proposed for application to the primary contact recreation 2 use in

inland high saline waters. EPA recommended that the proposed geometric mean Enterococci criterion for primary contact recreation 2 in inland high saline waters be revised to 30 or 35 cfu/100 mL. EPA also recommended the adoption of a statistical value threshold of either 110 or 130 cfu/100 mL Enterococci for primary contact recreational uses.

***Response***

**The commission responds that the illness rate associated with the geometric mean criterion of 54 cfu/100 mL for primary contact recreation 2 for high saline inland water bodies is consistent with the illness rate associated with the commission's primary contact recreation 2 geometric mean criterion in freshwater, which was approved by EPA. The proposed geometric mean Enterococci criterion of 54 cfu/100 mL was derived using EPA's 1986 guidance, *Ambient Water Quality Criteria for Bacteria*, which is based on an accepted risk of illness of 10/1000, or 1%.**

**The commission has previously adopted single sample criteria for primary contact recreation 1 in freshwater, high saline inland water bodies, and saltwater, including the specified criterion of 130 cfu/100 mL Enterococci for primary contact recreation 1 in saltwater. Under 30 TAC §309.3(h), the commission applies the most stringent criterion, i.e., for primary contact recreation 1, for permitting purposes.**

**No changes were made in response to these comments.**

*§307.10, Appendices A - G*

*Appendix A, Site-specific Uses and Criteria for Classified Segments*

*Comment*

EPA recommended that aquatic life uses be adopted for Segments 1006 and 1007 of the Houston Ship Channel. EPA noted that data have been collected that demonstrate an aquatic life use is justified. In accordance with this recommendation, EPA stated that the dissolved oxygen standards should be reevaluated. Increasing the dissolved oxygen standards from 1.0 mg/L to 2.0 mg/L for Segment 1007 and from 2.0 mg/L to 3.0 mg/L for Segment 1006 are recommended by EPA to protect the actual aquatic life uses. EPA commented that the adoption of uses and revised standards would allow a transition to a dissolved oxygen standard of 4.0 mg/L and aquatic life use of high for Segment 1005. EPA noted there are very few exceedances in Segments 1006 and 1007 in the 2020 Integrated Report and previous reports.

*Response*

**The commission responds that at this time, no recent evaluation of these segments in the form of a UAA has been performed. The comment requesting the reevaluation of both segments is noted and may be considered by the commission for future triennial revisions of the TSWQS. No changes were made in response to this comment.**

*Comment*



Round Rock expressed support of the addition of a footnote to Brushy Creek (Segment 1244) restricting the public water supply use designation to the portions of Brushy Creek within the contributing, recharge, and transition zones of the Edwards Aquifer. Round Rock noted certain water body characteristics, inadequate flows, no known public water supply uses, and lack of proximity to existing public water supply intakes and wells as support for the change.

***Response***

**The commission acknowledges this comment.**

***Comment***

Sierra Club, TCE, ET, ITL, TIRN, ES, CAPE, BCW, NWF, C/C Tribe, GEAA, IBCWA, EIP, and FBR commented that the removal of the public water supply use designation for a large portion of Brushy Creek (Segment 1244) is inappropriate because the removal of this use could make it easier for current or future permitted dischargers to degrade water quality.

***Response***

**The commission responds that there are currently no public water supply intakes or wells under the influence of surface water in this section of Brushy Creek, as described in the footnote. The removal of the public water supply use designation for this section of Brushy Creek does not preclude the possible future use of this section as a public water supply. At such a time that a public water supply use was**

**identified, the public water supply use designation would be placed on the applicable portion of Brushy Creek. No changes were made in response to this comment.**

*Comment*

EPA recommended the adoption of an aquatic life use and corresponding dissolved oxygen criteria for Mid Pecan Bayou (Segment 1431) based on a completed UAA.

*Response*

**The commission responds that it will review the UAA for possible inclusion in a future revision of the TSWQS.**

*Comment*

CCMA expressed support for the removal of the footnote on Mid Cibolo Creek (Segment 1913) in Appendix A and requested that any future study of the watershed be performed with the effects of the Odo J. Riedel Regional Water Reclamation Plant discharge properly considered.

*Response*

**The commission acknowledges this comment and notes it will evaluate site-specific information during any future studies of the watershed.**

*Comment*

EPA commented that it has reviewed the Recreational UAA for San Miguel Creek (Segment 2108) and expressed support for the proposed revision to secondary contact recreation 1 for this water body pending review of any comments submitted during this public comment period and from earlier comment periods.

***Response***

**The commission acknowledges this comment.**

***Comment***

Sierra Club, TCE, ET, ITL, TIRN, ES, CAPE, BCW, NWF, C/C Tribe, GEAA, IBCWA, EIP, and FBR expressed opposition to the recreational use change for San Miguel Creek (Segment 2108) from primary contact recreation 1 to secondary contact recreation 1.

***Response***

**The commission relied on information collected during the recreational UAA for San Miguel Creek to develop the site-specific secondary contact recreation 1 use. This reclassification is appropriate due to the presence of natural, ephemeral, intermittent, or low flow conditions or water levels that prevent attainment of the existing use in accordance with 40 CFR §131.10(g)(2). The average thalweg depth was 18 inches, and there were no substantial pools. Access to the creek was moderate to difficult and limited by private property fencing adjacent to public bridge crossings. No changes were made in response to this comment.**

*Appendix B, Sole-source Surface Drinking Water Supplies*

*Comment*

EPA commented that it generally defers to TCEQ regarding the specific segments that should be included in Appendix B. However, EPA questioned the deletion of Granger Lake (Segment 1247) based on information from TCEQ's Drinking Water Watch database, which appears to indicate that Granger Lake may still be a sole-source drinking water supply. EPA also recommended the addition of Caldwell and Guadalupe counties to the new entry for San Marcos River (Segment 1808).

*Response*

**The commission agrees that Granger Lake should not have been removed from the sole-source list. The commission also agrees that Caldwell and Guadalupe counties should be included in the San Marcos River entry. The §307.10(2), Appendix B entries for Granger Lake and the San Marcos River have been modified as recommended.**

*Appendix C, Segment Descriptions*

*Comment*

CCMA expressed support of the reversion of the segment descriptions for Upper Cibolo Creek (Segment 1908), Mid Cibolo Creek (Segment 1913), and Lower Cibolo Creek (Segment 1902) back to the most recent EPA-approved descriptions included in the 2014 TSWQS. CCMA referred to its review of historic and current aerial photography and water quality data as the basis for its support of this change.

***Response***

**The commission acknowledges this comment.**

*Appendix D, Site-specific Uses and Criteria for Unclassified Water Bodies*

*Comment*

Sierra Club, TCE, ET, ITL, TIRN, ES, CAPE, BCW, NWF, C/C Tribe, GEAA, IBCWA, EIP, and FBR expressed opposition to the aquatic life use change on the portion of Buckners Creek (unclassified stream within the watershed of Segment 1402) that has an intermittent with pools flow regime. The commenters noted that TCEQ's downgrade from a high to intermediate aquatic life use is based on evidence that this portion of the stream is not flowing much of the year. Sierra Club, TCE, ET, ITL, TIRN, ES, CAPE, BCW, NWF, C/C Tribe, GEAA, IBCWA, EIP, and FBR commented that intermittence should not dictate the level of aquatic life use since intermittent parts of a stream do not perform a less important role in aquatic life development.

***Response***

**The commission responds that a two-year UAA was used to reevaluate standards for Buckners Creek. Biological data collected during the UAA indicated that an intermediate aquatic life use is attainable in the intermittent with pools portion of Buckners Creek and is the appropriate aquatic life use. Federal regulations at 40 CFR §131.10(g) list several reasons for a change of use in a water body, which includes natural, ephemeral, intermittent, or low flow conditions or water levels**

**that prevent the attainment of the existing use. Subcategories of aquatic life use do not indicate the relative importance of the aquatic life or stream reach, but rather the natural variability of aquatic communities. No changes were made in response to this comment.**

*Appendix E, Site-specific Toxic Criteria*

*Comment*

EPA noted that during the 2018 TSWQS revision cycle, revisions were adopted in §307.6(c) to clarify that BLM results can be used in the development of site-specific numeric criteria, rather than a multiplier to be used with the statewide freshwater copper criteria. EPA commented that it may be useful to add similar clarification in the second and fifth sentences in the introductory paragraph of Appendix E. EPA recommended inserting the phrase "or site-specific criteria" near the references to "site-specific adjustment factor(s)" in both sentences.

*Response*

**The commission agrees with this comment, and the phrase "site-specific criteria" has been added to the second and fifth sentences of the introductory paragraph of Appendix E.**

*Comment*

EPA recommended revising footnote "3" to footnote "4" for both existing entries for Segment 0901. EPA noted that these two water-effect ratio (WER) studies were

conducted by Enterprise Products Operating, LLC (TPDES Permit No. WQ0002940000), and the WER results are applicable to the area near the outfall as opposed to the entire water body.

***Response***

**The commission agrees with this comment, and the footnotes have been changed from "3" to "4" as recommended in Appendix E.**

***Comment***

EPA commented that, in accordance with §307.6(c)(9)-(10), EPA has previously approved site-specific criteria based on WER studies or BLM results for the following water bodies: unnamed tributary to Smith Creek (within the watershed of Segment 0202), Entergy Canal and tidal marshes (within the watershed of Segment 0601), Taylor Bayou Tidal (within the watershed of Segment 0702), Seals Gully (within the watershed of Segment 1009), Scott Bay (Segment 2429), Mustang Bayou (two studies within the watershed of Segment 2432), and Little Boggy Creek (within the watershed of Segment 2441).

***Response***

**The commission acknowledges this comment and notes that those site-specific criteria were included in the revisions to Appendix E.**

***Comment***

EPA commented that the technical review of the following two studies is complete, and EPA will take action under CWA, §303(c) on the site-specific criteria pending completion of the 2022 revision of the TSWQS: Hurricane Creek (within the watershed of Segment 0604) and Floyd Branch (within the watershed of Segment 0827).

***Response***

**The commission acknowledges this comment and notes that those site-specific criteria were included in the revisions to Appendix E.**

***Comment***

EPA commented that the technical review of several additional studies for site-specific copper criteria have been completed, and if TCEQ's public comment period and EPA's approval under CWA, §303(c) are completed through the TPDES permitting process prior to the adoption of the 2022 TSWQS, it may be appropriate to include one or more of the following site-specific criteria in Appendix E of the adopted 2022 TSWQS: Spring Gully (within the watershed of Segment 1006), tributary to Houston Ship Channel (within the watershed of Segment 1007), and tributary to Chocolate Bayou above Tidal (within the watershed of Segment 1108).

***Response***

**The commission acknowledges this comment, and the above referenced studies will be added to Appendix E during the next revision of the TSWQS after receiving final EPA approval through the TPDES permitting process.**



*Appendix G, Site-specific Recreational Uses and Criteria for Unclassified Water Bodies*

*Comment*

EPA commented that it has reviewed the recreational UAA for South Lilly Creek, which is an unclassified stream within the watershed of Segment 0409. EPA expressed support for the proposed revision to secondary contact recreation 1 for this water body pending review of any comments submitted during this public comment period and from earlier informal comment periods.

Sierra Club, TCE, ET, ITL, TIRN, ES, CAPE, BCW, NWF, C/C Tribe, GEAA, IBCWA, EIP, and FBR expressed opposition to the recreational use change for South Lilly Creek from primary contact recreation 1 to secondary contact recreation 1.

*Response*

**The commission relied on information collected during the recreational UAA for South Lilly Creek to develop the site-specific contact recreation use for this revision. This reclassification is appropriate due to natural, ephemeral, intermittent, or low flow conditions or water levels that prevent the attainment of the existing recreational use in accordance with 40 CFR §131.10(g)(2). The average thalweg depth was 19 inches, and there were no substantial pools. Access to the creek was difficult and limited due to private property. Therefore, the designation of secondary contact recreation 1 is appropriate. No changes were made in response to these comments.**

*Comment*

EPA expressed support for the proposed revision to split Bullhead Bayou into two separate reaches as tributaries of Segment 1202. However, EPA recommended clarification of the eastern boundary of Bullhead Bayou East by revising the description to read "to the Sweetwater Golf Course near Commonwealth Blvd in Fort Bend County."

*Response*

**The commission agrees with this comment, and the description has been revised to the suggested edit for clarification.**

**§§307.2, 307.3, 307.6 307.7, and 307.10**

**Statutory Authority**

The amendments are adopted under the authority of the Texas Water Code (TWC), §5.102, which establishes the commission's general authority necessary to carry out its jurisdiction; TWC, §5.103, which establishes the commission's general authority to adopt rules; TWC, §5.105, which establishes the commission's authority to set policy by rule; TWC, §5.120, which requires the commission to administer the law so as to promote the conservation and protection of the quality of the state's environment and natural resources; TWC, §26.011, which authorizes the commission to establish the level of quality to be maintained in and control the quality of water in the state; TWC, §26.0135, which authorizes the commission to monitor and assess the water quality of each watershed and river basin in the state; TWC, §26.023, which authorizes the commission to set water quality standards for water in the state by rule; TWC, §26.027, which authorizes the commission to issue permits; TWC, §26.121, which provides the commission's authority to prohibit unauthorized discharges; and 33 USC, §1313, which requires states to adopt water quality standards and review them at least once every three years.

The adopted amendments implement TWC, §26.023.

**§307.2. Description of Standards.**

(a) Contents of the Texas Surface Water Quality Standards.

(1) Section 307.1 of this title (relating to General Policy Statement) contains the general standards policy of the commission.

(2) This section lists the major sections of the standards, defines basin classification categories, describes justifications for standards modifications, and provides the effective dates of the rules.

(3) Section 307.3 of this title (relating to Definitions and Abbreviations) defines terms and abbreviations used in the standards.

(4) Section 307.4 of this title (relating to General Criteria) lists the general criteria that are applicable to all surface waters of the state unless specifically excepted in §307.8 of this title (relating to Application of Standards) or §307.9 of this title (relating to Determination of Standards Attainment).

(5) Section 307.5 of this title (relating to Antidegradation) describes the antidegradation policy and implementation procedures.

(6) Section 307.6 of this title (relating to Toxic Materials) establishes criteria and control procedures for specific toxic substances and total toxicity.

(7) Section 307.7 of this title (relating to Site-Specific Uses and Criteria) defines appropriate water uses and supporting criteria for site-specific standards.

(8) Section 307.8 of this title sets forth conditions when portions of the standards do not apply - such as in mixing zones or below critical low-flows.

(9) Section 307.9 of this title describes sampling and analytical procedures to determine standards attainment.

(10) Section 307.10 of this title (relating to Appendices A - G) lists site-specific standards and supporting information for classified segments (Appendices A and C), water bodies that are sole-source surface drinking water supplies (Appendix B), site-specific uses and criteria for unclassified water bodies (Appendix D), site-specific toxic criteria that may be derived for any water in the state (Appendix E), chlorophyll *a* criteria for selected reservoirs (Appendix F), and site-specific recreational uses and criteria for unclassified water bodies (Appendix G). Specific appendices are as follows:

(A) Appendix A - Site-specific Uses and Criteria for Classified Segments;

(B) Appendix B - Sole-source Surface Drinking Water Supplies;

(C) Appendix C - Segment Descriptions;

(D) Appendix D - Site-specific Uses and Criteria for Unclassified Water Bodies;

(E) Appendix E - Site-specific Toxic Criteria;

(F) Appendix F - Site-specific Nutrient Criteria for Selected Reservoirs; and

(G) Appendix G - Site-specific Recreational Uses and Criteria for Unclassified Water Bodies.

(b) Applicability. The Texas Surface Water Quality Standards apply to surface waters in the state - including wetlands.

(c) Classification of surface waters. The major surface waters of the state are classified as segments for purposes of water quality management and designation of site-specific standards. Classified segments are aggregated by basin, and basins are categorized as follows:

(1) River basin waters. Surface inland waters comprising the major rivers and their tributaries, including listed impounded waters and the tidal portion of rivers to the extent that they are confined in channels.

(2) Coastal basin waters. Surface inland waters, including listed impounded waters but exclusive of paragraph (1) of this subsection, discharging, flowing, or otherwise communicating with bays or the gulf, including the tidal portion of streams to the extent that they are confined in channels.

(3) Bay waters. All tidal waters, exclusive of those included in river basin waters, coastal basin waters, and gulf waters.

(4) Gulf waters. Waters that are not included in or do not form a part of any bay or estuary but that are a part of the open waters of the Gulf of Mexico to the limit of the state's jurisdiction.

(d) Modification of standards.

(1) The commission reserves the right to amend these standards following the completion of special studies.

(2) Any errors in water quality standards resulting from clerical errors or errors in data may be corrected by the commission through amendment of the affected standards. Water quality standards not affected by such clerical errors or errors in data remain valid until changed by the commission.

(3) The narrative provisions, presumed uses, designated uses, and numerical criteria of the Texas Surface Water Quality Standards may be amended for a specific water body to account for local conditions. A site-specific standard is an explicit amendment to this chapter, and adoption of a site-specific standard requires the procedures for public notice and hearing established under the Texas Water Code, §26.024 and §26.025. An amendment that establishes a site-specific standard requires a use-attainability analysis that demonstrates that reasonably attainable water-quality related uses are protected. Upon adoption, site-specific amendments to the standards will be listed in §307.10 of this title.

(4) Factors that may justify the development of site-specific standards are described in §307.4 and §§307.6 - 307.8 of this title.

(5) Temporary variance. When scientific information indicates that a site-specific standards amendment is justified, the commission may allow a corresponding temporary variance to the water quality standards in a permit for a discharge of wastewater or stormwater.

(A) A temporary variance is only applicable to an existing permitted discharge.

(B) A permittee may apply for a temporary variance prior to or during the permit application process. The temporary variance request must be



included in a public notice during the permit application process. An opportunity for public comment is provided, and the request may be considered in any public hearing on the permit application.

(C) A temporary variance for a Texas Pollutant Discharge Elimination System permit also requires review and approval by the United States Environmental Protection Agency (EPA) during the permitting process.

(D) The permit must contain effluent limitations that protect existing uses and preclude degradation of existing water quality, and the term of the permit must not exceed three years. Effluent limitations that are needed to meet the existing standards are listed in the permit and are effective immediately as final permit effluent limitations in the succeeding permit, unless the permittee fulfills the requirements of the conditions for the variance in the permit.

(E) When the permittee has complied with the terms of the conditions in the temporary variance, then the succeeding permit may include a permit schedule to meet standards in accordance with subsection (f) of this section. The succeeding permit may also extend the temporary variance in accordance with subsection (f) of this section in order to allow additional time for a site-specific standard to be adopted in this chapter. This extension can be approved by the commission only after a site-specific study that supports a standards change is

completed and the commission agrees the completed study supports a change in the applicable standard(s).

(F) Site-specific standards that are developed under a temporary variance must be expeditiously proposed and publicly considered for adoption at the earliest opportunity.

(e) Standards implementation procedures. Provisions for implementing the water quality standards are described in a document entitled *Procedures to Implement the Texas Surface Water Quality Standards* (RG-194) as amended and approved by the Texas Commission on Environmental Quality and EPA.

(f) Permit schedules to meet standards. Upon permit amendment or permit renewal, the commission may establish interim effluent limitations to allow a permittee time to modify effluent quality in order to attain final effluent limitations. The duration of any interim effluent limitations may not be longer than three years from the effective date of the permit issuance, except in accordance with a temporary variance as described in subsection (d)(5) of this section.

(g) Temporary standards. Where a criterion or designated use is not attained and cannot be attained for one or more of the reasons listed in 40 Code of Federal Regulations (CFR) §131.10(g), or to facilitate restoration or reconfiguration activities that preclude the attainment of the designated use or criterion, then a temporary

standard for specific water bodies or permittees may be adopted in §307.10 of this title as an alternative to changing uses.

(1) A temporary standard identifies the interim numerical criteria or use that applies during the existence of the temporary standard. When a temporary standard is adopted for permittees or water bodies, the temporary standard **must** ~~may~~ be expressed as one of the following:

(A) The interim effluent condition that reflects the greatest **pollutant** ~~pollution~~ reduction achievable; or

(B) **Or if no additional feasible pollutant control technology can be identified, the** ~~The interim effluent condition that reflects the greatest pollutant reduction achievable with the pollutant control technologies installed at the time the temporary standard is adopted, and implementation of a remediation plan as specified in the *Procedures to Implement the Texas Surface Water Quality Standards* (RG-194); or~~

**(C) The highest attainable interim criterion.**

(2) A temporary standard must be adopted in accordance with the provisions of subsection (d)(3) of this section. Once adopted by the commission and approved by EPA, a temporary standard is the applicable standard for the purposes of developing wastewater discharge permit limits and issuing certifications specified in

the federal Clean Water Act, §401 and Chapter 279 of this title (relating to Water Quality Certification).

(3) Specific reasons and additional procedures for justifying a temporary standard are provided in the *Procedures to Implement the Texas Surface Water Quality Standards* (RG-194). A temporary standard must identify the water body or permittee to which the temporary standard applies. A temporary standard does not exempt any discharge from compliance with applicable technology-based effluent limits.

(4) A temporary standard must be reevaluated every five years at a minimum, which may be conducted through the permit process or a triennial review of the Texas Surface Water Quality Standards. If the reevaluation is not submitted to EPA within 30 days of completion, subsequent federal Clean Water Act activities will be evaluated using the applicable existing underlying water quality standards.

(5) The term of a temporary standard is expressed as an interval of time from the date of EPA approval or a specific date cited in the temporary standard. If the continuance of a temporary standard is sufficiently justified, it can be renewed during revisions of the Texas Surface Water Quality Standards. When a temporary standard expires, subsequent discharge permits are issued to meet the applicable existing water quality standards.

(6) A temporary standard must preclude the degradation of existing water quality unless degradation is necessary to facilitate restoration or reconfiguration activities as specified in this section [cannot be established that **would** impair an existing use].

(h) Effective date of standards. Except as provided in 40 CFR §131.21 (EPA review and approval of water quality standards), this chapter becomes effective 20 days after the date the chapter is filed in the Office of the Secretary of State. As to actions covered by 40 CFR §131.21, the rules become effective upon approval by EPA.

(i) Effect of conflict or invalidity of rule.

(1) If any provision of this chapter or its application to any person or circumstances is held invalid, the invalidity does not affect other provisions or applications of the provisions contained in this chapter that can be given effect without the invalid provision or application, and to this end the provisions of this chapter are severable.

(2) To the extent of any irreconcilable conflict between provisions of this chapter and other rules of the commission, the provisions of this chapter supersede.

**§307.3. Definitions and Abbreviations.**

(a) Definitions. The following words and terms, when used in this chapter, have the defined meanings, unless the context clearly indicates otherwise.

(1) Acute toxicity--Toxicity that exerts a stimulus severe enough to rapidly induce an effect. The duration of exposure applicable to acute toxicity is typically 96 hours or less. Tests of total toxicity normally use lethality as the measure of acute impacts. (Direct thermal impacts are excluded from definitions of toxicity.)

(2) Ambient--Refers to the existing water quality in a particular water body.

(3) Aquatic vegetation--Refers to aquatic organisms, i.e., plant life, found in the water and includes phytoplankton; algae, both attached and floating; and vascular and nonvascular plants, both rooted and floating.

(4) Attainable use--A use that can be reasonably achieved by a water body in accordance with its physical, biological, and chemical characteristics whether it is currently meeting that use or not. Guidelines for the determination and review of attainable uses are provided in the standards implementation procedures. The designated use, existing use, or presumed use of a water body may not necessarily be the attainable use.

(5) Background--Refers to the water quality in a particular water body that would occur if that water body were relatively unaffected by human activities.

(6) Bedslope--Stream gradient, or the extent of the drop in elevation encountered as the stream flows downhill. One measure of bedslope is the elevation decline in meters over the stream distance in kilometers.

(7) Best management practices--Schedules of activities, maintenance procedures, and other management practices to prevent or reduce the pollution of water in the state from point and nonpoint sources, to the maximum extent practicable. Best management practices also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

(8) Bioaccumulative--Describes a chemical that is taken up by aquatic organisms from water directly or through the consumption of food containing the chemical.

(9) Bioaccumulation factor—A unitless value describing the degree to which a chemical can be concentrated in the tissues of an organism in the aquatic environment and that is absorbed through all routes of exposure, including the food chain. The bioaccumulation factor is the ratio of the concentration of a chemical in the

tissue of an aquatic organism to the concentration of the chemical dissolved in ambient water at the site of sampling.

(10) [(9)] Bioconcentration factor--A unitless value describing the degree to which a chemical can be concentrated in the tissues of an organism in the aquatic environment and that is absorbed directly from the water. The bioconcentration factor is the ratio of a chemical's concentration in the tissue of an organism compared to that chemical's average concentration in the surrounding water.

(11) [(10)] Biological integrity--The species composition, diversity, and functional organization of a community of organisms in an environment relatively unaffected by pollution.

(12) [(11)] Biotic ligand model--A metal bioavailability model that uses receiving water body characteristics to develop site-specific water quality criteria.

(13) [(12)] Chronic toxicity--Toxicity that continues for a long-term period after exposure to toxic substances. Chronic exposure produces sub-lethal effects, such as growth impairment and reduced reproductive success, but it may also produce lethality. The duration of exposure applicable to the most common chronic toxicity test is seven days or more.



(14) [(13)] Classified--Refers to a water body that is listed and described in Appendices A and C of §307.10 of this title (relating to Appendices A - G). Site-specific uses and criteria for classified water bodies are listed in Appendix A of §307.10 of this title.

(15) [(14)] Coastal recreation waters--Marine coastal waters including oceans, coastal estuaries, and bays designated as primary contact recreation. Waters upstream of an unimpaired natural connection to the open sea or tidal inland waters are not considered coastal recreation waters (e.g., tidal rivers or streams).

(16) [(15)] Commission--Texas Commission on Environmental Quality.

(17) [(16)] Criteria--Water quality conditions that are to be met in order to support and protect desired uses, i.e., existing, designated, attainable, and presumed uses.

(18) [(17)] Critical low-flow--Low-flow condition that consists of the seven-day, two-year low-flow or the alternative low-flows for spring-fed streams as discussed in §307.8(a)(2) of this title (relating to Application of Standards) and below which some standards do not apply.

(19) [(18)] Designated use--A use that is assigned to specific water bodies in Appendix A, D, or G of §307.10 of this title (relating to Appendices A - G). Typical

uses that may be designated for specific water bodies include domestic water supply, categories of aquatic life use, recreation categories, and aquifer protection.

(20) [(19)] Discharge permit--A permit issued by the state or a federal agency to discharge treated effluent or cooling water into waters of the state.

(21) [(20)] Dry weather flows--Sustained or typical dry, warm-weather flows between rainfall events, excluding unusual antecedent conditions of drought or wet weather.

(22) [(21)] EC<sub>50</sub>--The concentration of a toxicant that produces an adverse effect on 50% of the organisms tested in a specified time period.

(23) [(22)] *E. coli*--*Escherichia coli*, a subgroup of fecal coliform bacteria that is present in the intestinal tracts and feces of warm-blooded animals. It is used as an indicator of the potential presence of pathogens.

(24) [(23)] Effluent--Wastewater discharged from any point source prior to entering a water body.

(25) [(24)] Enterococci--A subgroup of fecal streptococci bacteria (mainly *Streptococcus faecalis* and *Streptococcus faecium* that is present in the intestinal tracts

and feces of warm-blooded animals. It is used as an indicator of the potential presence of pathogens.

(26) [(25)] Epilimnion--The upper mixed layer of a lake (including impoundments, ponds, and reservoirs).

(27) [(26)] Existing use--A use that is currently being supported by a specific water body or that was attained on or after November 28, 1975.

(28) [(27)] Fecal coliform--A portion of the coliform bacteria group that is present in the intestinal tracts and feces of warm-blooded animals; heat tolerant bacteria from other sources can sometimes be included. It is used as an indicator of the potential presence of pathogens.

(29) [(28)] Freshwaters--Inland waters that exhibit no measurable elevation changes due to normal tides.

(30) [(29)] Halocline--A vertical gradient in salinity under conditions of density stratification that is usually recognized as the point where salinity exhibits the greatest difference in the vertical direction.

(31) [(30)] Harmonic mean flow--A measure of mean flow in a water course that is calculated by summing the reciprocals of the individual flow

measurements, dividing this sum by the number of measurements, and then calculating the reciprocal of the resulting number.

(32) [(31)] Incidental fishery--A level of fishery that applies to water bodies that are not considered to have a sustainable fishery but do [that] have an aquatic life use of limited, intermediate, high, or exceptional.

(33) [(32)] Industrial cooling impoundment--An impoundment that is owned or operated by, or in conjunction with, the water rights permittee, and that is designed and constructed for the primary purpose of reducing the temperature and removing heat from an industrial effluent.

(34) [(33)] Industrial cooling water area--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).

(35) [(34)] Intermittent stream--A stream that has a period of zero flow for at least one week during most years. Where flow records are available, a stream with a seven-day, two-year low-flow of less than 0.1 cubic feet per second is considered intermittent.

(36) [(35)] Intermittent stream with perennial pools--An intermittent stream that maintains persistent pools even when flow in the stream is less than 0.1 cubic feet per second.

(37) [(36)] LC<sub>50</sub>--The concentration of a toxicant that is lethal (fatal) to 50% of the organisms tested in a specified time period.

(38) [(37)] Main pool station--A monitoring station that is located in the main body of a reservoir near the dam and not located in a cove or in the riverine portion or transition zone of a reservoir.

(39) [(38)] Method detection limit--The minimum concentration of a substance that can be measured and reported with 99% confidence that the analyte concentration is distinguishable from the method blank results [greater than zero] and is determined from analysis of a sample in a given matrix containing the analyte. The method detection limit is estimated in accordance with 40 Code of Federal Regulations Part 136, Appendix B.

(40) [(39)] Minimum analytical level--The lowest concentration that a particular substance can be quantitatively measured with a defined accuracy and precision level using approved analytical methods. The minimum analytical level is not the published method detection limit for a United States Environmental Protection Agency-approved analytical method that is based on laboratory analysis of the

substance in reagent (distilled) water. The minimum analytical level is based on analyses of the analyte in the matrix of concern (e.g., wastewater effluents). The commission establishes general minimum analytical levels that are applicable when information on matrix-specific minimum analytical levels is unavailable.

(41) [(40)] Mixing zone--The area contiguous to a permitted discharge where mixing with receiving waters takes place and where specified criteria, as listed in §307.8(b)(1) of this title (relating to Application of Standards), can be exceeded. Acute toxicity to aquatic organisms is not allowed in a mixing zone, and chronic toxicity to aquatic organisms is not allowed beyond a mixing zone.

(42) [(41)] Noncontact recreation--Activities that do not involve a significant risk of water ingestion, such as those with limited body contact incidental to shoreline activity, including birding, hiking, and biking. Noncontact recreation use may also be assigned where primary and secondary contact recreation activities should not occur because of unsafe conditions, such as ship and barge traffic.

(43) [(42)] Nonpersistent--Describes a toxic substance that readily degrades in the aquatic environment, exhibits a half-life of less than 60 days, and does not have a tendency to accumulate in organisms.

(44) [(43)] Nutrient criteria--Numeric and narrative criteria that are established to protect surface waters from excessive growth of aquatic vegetation.

Nutrient numeric criteria for reservoirs are expressed in terms of chlorophyll *a* concentration per unit volume as a measure of phytoplankton density.

(45) [(44)] Nutrient--A chemical constituent, most commonly a form of nitrogen or phosphorus, that in excess can contribute to the undesirable growth of aquatic vegetation and impact uses as defined in this title.

(46) [(45)] Oyster waters--Waters producing edible species of clams, oysters, or mussels.

(47) [(46)] Persistent--Describes a toxic substance that is not readily degraded and exhibits a half-life of 60 days or more in an aquatic environment.

(48) [(47)] Pollution--The alteration of the physical, thermal, chemical, or biological quality of, or the contamination of, any water in the state that renders the water harmful, detrimental, or injurious to humans, animal life, vegetation, or property or to the public health, safety, or welfare, or impairs the usefulness or the public enjoyment of the water for any lawful or reasonable purpose.

(49) [(48)] Point source--Any discernible, confined and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or

vessel or other floating craft, from which pollutants or wastes are or may be discharged into or adjacent to any water in the state.

~~(50) Pre-production plastic--Pellet (nurdle), powder, flake, and powdered additive forms of pre-consumer plastic resin (virgin and recycled), consisting of organic polymers and additives, which are handled (including, but not limited to, produced, received, or stored) at a regulated facility.~~

**(50)** ~~(51)~~ [(49)] Presumed use--A use that is assigned to generic categories of water bodies (such as perennial streams). Presumed uses are superseded by designated uses for individual water bodies in Appendix A, D, or G of §307.10 of this title (relating to Appendices A - G).

**(51)** ~~(52)~~ [(50)] Primary contact recreation 1--Activities that are presumed to involve a significant risk of ingestion of water (e.g., wading by children, swimming, water skiing, diving, tubing, surfing, handfishing as defined by Texas Parks and Wildlife Code, §66.115, and the following whitewater activities: kayaking, canoeing, and rafting).

**(52)** ~~(53)~~ [(51)] Primary contact recreation 2--Water recreation activities, such as wading by children, swimming, water skiing, diving, tubing, surfing, handfishing as defined by Texas Parks and Wildlife Code, §66.115, and whitewater



kayaking, canoeing, and rafting, that involve a significant risk of ingestion of water but that occur less frequently than for primary contact recreation 1 due to:

(A) physical characteristics of the water body; or

(B) limited public access.

**(53)** ~~(54)~~ [(52)] Protection zone--Any area within the watershed of a sole-source surface drinking water supply that is:

(A) within two miles of the normal pool elevation of a body of surface water that is a sole-source surface drinking water supply;

(B) within two miles of that part of a perennial stream that is:

(i) a tributary of a sole-source surface drinking water supply; and

(ii) within three linear miles upstream of the normal pool elevation of a sole-source surface drinking water supply; or

(C) within two miles of that part of a stream that is a sole-source surface drinking water supply, extending three linear miles upstream from the water supply intake (Texas Water Code, §26.0286).

**(54)** ~~(55)~~ [(53)] Public drinking water supply--A water body designated to provide water to a public water system as defined in Chapter 290 of this title (relating to Public Drinking Water).

**(55)** ~~(56)~~ [(54)] Saltwater--A coastal water that has a measurable elevation change due to normal tides. In the absence of tidal information, saltwater is generally considered to be a coastal water that typically has a salinity of two parts per thousand or greater in a significant portion of the water column.

**(56)** ~~(57)~~ [(55)] Salinity--The total dissolved solids in water after all carbonates have been converted to oxides, all bromide and iodide have been replaced by chloride, and all organic matter has been oxidized. For most purposes, salinity is considered equivalent to total dissolved salt content. Salinity is usually expressed in parts per thousand.

**(57)** ~~(58)~~ [(56)] Seagrass propagation--A water-quality-related existing use that applies to saltwater with significant stands of submerged seagrass.

**(58)** ~~(59)~~ [(57)] Secondary contact recreation 1--Activities that commonly occur but have limited body contact incidental to shoreline activity (e.g. fishing, canoeing, kayaking, rafting, and motor boating). These activities are presumed to pose a less significant risk of water ingestion than primary contact recreation 1 or 2 but more than secondary contact recreation 2.

**(59)** ~~(60)~~ [(58)] Secondary contact recreation 2--Activities with limited body contact incidental to shoreline activity (e.g. fishing, canoeing, kayaking, rafting, and motor boating) that are presumed to pose a less significant risk of water ingestion than secondary contact recreation 1. These activities occur less frequently than secondary contact recreation 1 due to physical characteristics of the water body or limited public access.

**(60)** ~~(61)~~ [(59)] Segment--A water body or portion of a water body that is individually defined and classified in Appendices A and C of §307.10 of this title (relating to Appendices A - G) in the Texas Surface Water Quality Standards. A segment is intended to have relatively homogeneous chemical, physical, and hydrological characteristics. A segment provides a basic unit for assigning site-specific standards and for applying water quality management programs of the agency. Classified segments may include streams, rivers, bays, estuaries, wetlands, lakes, or reservoirs.

**(61)** ~~(62)~~ [(60)] Settleable solids--The volume or weight of material that settles out of a water sample in a specified period of time.

**(62)** ~~(63)~~ [(61)] Seven-day, two-year low-flow (7Q2)--The lowest average stream flow for seven consecutive days with a recurrence interval of two years, as statistically determined from historical data. As specified in §307.8 of this title, some water quality standards do not apply at stream flows that are less than the 7Q2 flow.

**(63)** ~~(64)~~ [(62)] Shellfish--Clams, oysters, mussels, crabs, crayfish, lobsters, and shrimp.

**(64)** ~~(65)~~ [(63)] Sole-source surface drinking water supply--A body of surface water that is identified as a public water supply in rules adopted by the commission under Texas Water Code, §26.023 and is the sole source of supply of a public water supply system, exclusive of emergency water connections (Texas Water Code, §26.0286).

**(65)** ~~(66)~~ [(64)] Standard Methods for the Examination of Water and Wastewater--A document describing sampling and analytical procedures that is published by the American Public Health Association, American Water Works Association, and Water Environment Federation. The most recent edition of this document is to be followed whenever its use is specified by this chapter.

**(66)** ~~(67)~~ [(65)] Standards--Desirable uses (i.e., existing, attainable, designated, or presumed uses as defined in this section) and the narrative and numerical criteria deemed necessary to protect those uses in surface waters.

**(67)** ~~(68)~~ [(66)] Standards implementation procedures--Methods and protocols in the guidance document *Procedures to Implement the Texas Surface Water Quality Standards* (RG-194), as amended and approved by the commission and EPA.

**(68)** ~~(69)~~ [(67)] Stormwater--Rainfall runoff, snow melt runoff, surface runoff, and drainage.

**(69)** ~~(70)~~ [(68)] Stormwater discharge--A point source discharge that is composed entirely of stormwater associated with an industrial activity, a construction activity, a discharge from a municipal separate storm sewer system, or other discharge designated by the agency.

**(70)** ~~(71)~~ [(69)] Stream order--A classification of stream size, where the smallest, unbranched tributaries of a drainage basin are designated first order streams. Where two first order streams join, a second order stream is formed; where two second order streams join, a third order stream is formed, etc. For purposes of water quality standards application, stream order is determined from United States Geological Survey topographic maps with a scale of 1:24,000.

**(71)** ~~(72)~~ [(70)] Surface water in the state--Lakes, bays, ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, wetlands, marshes, inlets, canals, the Gulf of Mexico inside the territorial limits of the state as defined in the Texas Water Code, §26.001, and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, navigable or nonnavigable, and including the beds and banks of all water-courses and bodies of surface water, that are wholly or partially inside or bordering the state or subject to the jurisdiction of the state; except that waters in treatment systems that are authorized by state or federal law, regulation, or permit, and that are created for the purpose of waste treatment are not considered to be water in the state.

**(72)** ~~(73)~~ [(71)] Sustainable Fisheries--Descriptive of water bodies that potentially have sufficient fish production or fishing activity to create significant long-term human consumption of fish. Sustainable fisheries include perennial streams and rivers with a stream order of three or greater; lakes and reservoirs greater than or equal to 150 acre-feet or 50 surface acres; all bays, estuaries, and tidal rivers. Water bodies that are presumed to have sustainable fisheries include all designated segments listed in Appendix A of §307.10 of this title (relating to Appendices A - G) unless specifically exempted.

**(73)** ~~(74)~~ [(72)] Thalweg--The deepest portion of a stream or river channel cross-section.

~~(74)~~ ~~(75)~~ [(73)] Tidal--Descriptive of coastal waters that are subject to the ebb and flow of tides. For purposes of standards applicability, tidal waters are considered to be saltwater. Classified tidal waters include all bays and estuaries with a segment number that begins with 24xx, all streams with the word tidal in the segment name, and the Gulf of Mexico.

~~(75)~~ ~~(76)~~ [(74)] To discharge--Includes to deposit, conduct, drain, emit, throw, run, allow to seep, or otherwise release or dispose of, or to allow, permit, or suffer any of these acts or omissions.

~~(76)~~ ~~(77)~~ [(75)] Total dissolved solids--The amount of material (inorganic salts and small amounts of organic material) dissolved in water and commonly expressed as a concentration in terms of milligrams per liter. The term is equivalent to the term filterable residue, as used in 40 Code of Federal Regulations Part 136 and in previous editions of the publication entitled, *Standard Methods for the Examination of Water and Wastewater*.

~~(77)~~ ~~(78)~~ [(76)] Total maximum daily load (TMDL)--The total amount of a substance that a water body can assimilate and still meet the Texas Surface Water Quality Standards.

~~(78)~~ ~~(79)~~ [(77)] Total suspended solids--Total suspended matter in water, which is commonly expressed as a concentration in terms of milligrams per liter. The

term is equivalent to nonfilterable residue, as used in 40 Code of Federal Regulations Part 136 and in previous editions of the publication entitled, *Standard Methods for the Examination of Water and Wastewater*.

**(79)** ~~(80)~~ [(78)] Total toxicity--Toxicity as determined by exposing aquatic organisms to samples or dilutions of instream water or treated effluent. Also referred to as whole effluent toxicity or biomonitoring.

**(80)** ~~(81)~~ [(79)] Toxic equivalency factor--A factor to describe an order-of-magnitude consensus estimate of the toxicity of a compound relative to the toxicity of 2,3,7,8-tetraclorodibenzo-p-dioxin (2,3,7,8-TCDD). The factor is applied to transform various concentrations of dioxins and furans or dioxin-like polychlorinated biphenyls into equivalent concentrations of 2,3,7,8-TCDD, expressed as a toxic equivalency.

**(81)** ~~(82)~~ [(80)] Toxic equivalency--The sum of the products from the concentration of each dioxin and furan, or dioxin-like polychlorinated biphenyl congener, multiplied by its respective toxic equivalency factor to give a single 2,3,7,8-tetraclorodibenzo-p-dioxin equivalent.

**(82)** ~~(83)~~ [(81)] Toxicity--The occurrence of adverse effects to living organisms due to exposure to toxic materials. Adverse effects caused by conditions of temperature and dissolved oxygen are excluded from the definition of toxicity. With respect to the provisions of §307.6(e) of this title (relating to Toxic Materials), which



concerns total toxicity and biomonitoring requirements, adverse effects caused by concentrations of dissolved salts (such as sodium, potassium, calcium, chloride, carbonate) in source waters are excluded from the definition of toxicity. Source water is defined as surface water or groundwater that is used as a public water supply or industrial water supply (including a cooling-water supply). Source water does not include brine water that is produced during the extraction of oil and gas, or other sources of brine water that are substantially uncharacteristic of surface waters in the area of discharge. In addition, adverse effects caused by concentrations of dissolved salts that are added to source water by industrial processes are not excluded from the requirements of §307.6(e) of this title, except as specifically noted in §307.6(e)(2)(B) of this title, which concerns requirements for toxicity testing of 100% effluent. This definition of toxicity does not affect the standards for dissolved salts in this chapter other than §307.6(e) of this title. The standards implementation procedures contain provisions to protect surface waters from adverse effects of dissolved salts and methods to address the effects of dissolved salts on total toxicity tests.

**(83)** ~~(84)~~ [(82)] Toxicity biomonitoring--The process or act of determining total toxicity. Documents that describe procedures for toxicity biomonitoring are cited in §307.6 of this title (relating to Toxic Materials). Also referred to simply as biomonitoring.

**(84)** ~~(85)~~ [(83)] Water-effect ratio (WER)--The WER is calculated as the toxic concentration ( $LC_{50}$ ) of a substance in water at a particular site, divided by the toxic

concentration of that substance as reported in laboratory dilution water. The WER can be used to establish site-specific acute and chronic criteria to protect aquatic life. The site-specific criterion is equal to the WER times the statewide aquatic life criterion in §307.6(c) of this title.

**(85)** ~~(86)~~ [(84)] Water quality management program--The agency's overall program for attaining and maintaining water quality consistent with state standards, as authorized under the Texas Water Code, the Texas Administrative Code, and the federal Clean Water Act, §§106, 205(j), 208, 303(e) and 314 (33 United States Code, §§1251 *et seq.*).

**(86)** ~~(87)~~ [(85)] Wetland--An area (including a swamp, marsh, bog, prairie pothole, or similar area) having a predominance of hydric soils that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support and that under normal circumstances supports the growth and regeneration of hydrophytic vegetation. The term "hydric soil" means soil that, in its undrained condition, is saturated, flooded, or ponded long enough during a growing season to develop an anaerobic condition that supports the growth and regeneration of hydrophytic vegetation. The term "hydrophytic vegetation" means a plant growing in: water or a substrate that is at least periodically deficient in oxygen during a growing season as a result of excessive water content. The term "wetland" does not include irrigated acreage used as farmland; a man-made wetland of less than one acre; or a man-made wetland where construction or creation commenced on or after August 28,

1989, and that was not constructed with wetland creation as a stated objective, including but not limited to an impoundment made for the purpose of soil and water conservation that has been approved or requested by soil and water conservation districts. If this definition of wetland conflicts with the federal definition in any manner, the federal definition prevails.

**(87)** ~~(88)~~ [(86)] Wetland water quality functions--Attributes of wetlands that protect and maintain the quality of water in the state, which include stormwater storage and retention and the moderation of extreme water level fluctuations; shoreline protection against erosion through the dissipation of wave energy and water velocity, and anchoring of sediments; habitat for aquatic life; and removal, transformation, and retention of nutrients and toxic substances.

**(88)** ~~(89)~~ [(87)] Zone of initial dilution--The small area at the immediate point of a permitted discharge where initial dilution with receiving waters occurs and that may not meet certain criteria applicable to the receiving water. A zone of initial dilution is substantially smaller than a mixing zone.

(b) Abbreviations. The following abbreviations apply to this chapter:

(1) ALU--aquatic life use.

(2) AP--aquifer protection.

(3) AS--agricultural water supply.

(4) ASTER--Assessment Tools for the Evaluation of Risk.

(5) BAF--Bioaccumulation factor.

(6) [(5)] BCF--bioconcentration factor.

(7) [(6)] CASRN--Chemical Abstracts Service Registry number.

(8) [(7)] CFR--Code of Federal Regulations.

(9) [(8)] cfs--cubic feet per second.

(10) [(9)] Cl<sup>-1</sup>--chloride.

(11) [(10)] CR--county road.

(12) [(11)] DO--dissolved oxygen.

(13) [(12)] E--exceptional aquatic life use.

(14) [(13)] EPA--United States Environmental Protection Agency.

(15) [(14)] degrees F--degrees Fahrenheit.

(16) [(15)] FM--Farm to Market Road.

(17) [(16)] ft<sup>3</sup>/s--cubic feet per second.

(18) [(17)] H--high aquatic life use.

(19) [(18)] HEAST--Health Effects Assessment Summary Tables.

(20) [(19)] I--intermediate aquatic life use.

(21) [(20)] IBWC--International Boundary and Water Commission.

(22) [(21)] IH--Interstate Highway.

(23) [(22)] IRIS--Integrated Risk Information System.

(24) [(23)] IS--industrial water supply.

(25) [(24)] km--kilometer.

(26) [(25)] L--limited aquatic life use.

(27) [(26)] M--minimal aquatic life use.

(28) [(27)] m--multiplier.

(29) [(28)] m/km--meters per kilometer.

(30) [(29)] MCL--maximum contaminant level (for public drinking water supplies).

(31) [(30)] MDL--method detection limit.

(32) [(31)] mg/L--milligrams per liter.

(33) [(32)] mi--mile.

(34) [(33)] mL--milliliter.

(35) MUD--municipal utility district.

(36) [(34)] N--navigation.

(37) [(35)] NCR--noncontact recreation.

(38) [(36)] O--oyster waters.

(39) [(37)] PCR--primary contact recreation.

(40) [(38)] PS--public water supply.

(41) [(39)] RfD--reference dose.

(42) [(40)] RR--ranch road.

(43) [(41)] 7Q2--seven-day, two-year low-flow.

(44) [(42)] SCR--secondary contact recreation.

(45) [(43)] SH--state highway.

(46) [(44)]  $\text{SO}_4^{-2}$ --sulfate.

(47) [(45)] SU--standard units.

(48) [(46)] TCEQ--Texas Commission on Environmental Quality.

(49) [(47)] TDS--total dissolved solids.

(50) [(48)] TEF--toxic equivalency factor.

(51) [(49)] TMDL--total maximum daily load.

(52) [(50)] TPDES--Texas Pollutant Discharge Elimination System.

(53) [(51)] TRE--toxicity reduction evaluation.

(54) [(52)] TSS--total suspended solids.

(55) [(53)] US--United States.

(56) [(54)] USFDA--United States Food and Drug Administration.

(57) [(55)] USGS--United States Geological Survey.

(58) [(56)] WER--Water-effect ratio.

(59) [(57)] WF--waterfowl habitat.



(60) [(58)] WQM--water quality management.

(61) [(59)] µg/L--micrograms per liter.

(62) [(60)] ZID--zone of initial dilution.

#### **§307.4. General Criteria.**

(a) Application. The general criteria set forth in this section apply to surface water in the state and specifically apply to substances attributed to waste discharges or human activities. General criteria do not apply to those instances when surface water, as a result of natural phenomena, exhibit characteristics beyond the limits established by this section. General criteria are superseded by specific exemptions stated in this section or in §307.8 of this title (relating to the Application of Standards), or by site-specific water quality standards for classified segments. Provisions of the general criteria remain in effect in mixing zones or below critical low-flow conditions unless specifically exempted in §307.8 of this title.

(b) Aesthetic parameters.

(1) Concentrations of taste and odor producing substances must not interfere with the production of potable water by reasonable water treatment methods,

impart unpalatable flavor to food fish including shellfish, result in offensive odors arising from the waters, or otherwise interfere with the reasonable use of the water in the state.

(2) Surface water must be essentially free of floating debris and suspended solids that are conducive to producing adverse responses in aquatic organisms or putrescible sludge deposits or sediment layers that adversely affect benthic biota or any lawful uses.

(3) Surface waters must be essentially free of settleable solids conducive to changes in flow characteristics of stream channels or the untimely filling of surface water in the state. This provision does not prohibit dredge and fill activities that are permitted in accordance with the Federal Clean Water Act.

(4) Surface waters must be maintained in an aesthetically attractive condition.

(5) Waste discharges must not cause substantial and persistent changes from ambient conditions of turbidity or color.

(6) No foaming or frothing of a persistent nature is permissible.

(7) Surface waters must be maintained so that oil, grease, or related residue do not produce a visible film or sheen of oil or globules of grease on the surface or coat the banks or bottoms of the watercourse; or cause toxicity to man, aquatic life, or terrestrial life in accordance with subsection (d) of this section.

~~(8) There shall be no discharge of visible pre-production plastic. For the purposes of this paragraph, visible means able to be seen by the naked eye without special equipment. This prohibition applies to individual and general TPDES permit authorizations held by plastic manufacturers, formers/molders, and facilities that otherwise handle pre-production plastic. Facilities that handle pre-production plastic must implement best management practices as defined in §307.3(a)(7) to eliminate discharges of visible pre-production plastic in stormwater through the implementation of control measures such as the following, where determined feasible (list not exclusive): minimizing spills, cleaning up spills promptly and thoroughly, sweeping and/or vacuuming thoroughly, and pellet capturing.~~

(c) Radiological substances. Radioactive materials must not be discharged in excess of the amount regulated by Chapter 336 of this title (relating to Radioactive Substance Rules).

(d) Toxic substances. Surface waters must not be toxic to man from ingestion of water, consumption of aquatic organisms, or contact with the skin, or to terrestrial or aquatic life. Additional requirements and criteria for toxic substances are specified in

§307.6 of this title (relating to Toxic Materials). Criteria to protect aquatic life from acute toxicity apply to all surface waters in the state except as specified in §307.8(a)(3) of this title. Criteria to protect aquatic life from chronic toxicity apply to surface waters with an aquatic life use of limited, intermediate, high, or exceptional as designated in §307.10 of this title (relating to Appendices A - G) or as determined on a case-by-case basis in accordance with subsection (l) of this section. Toxic criteria to protect human health for consumption of fish apply to waters with a sustainable or incidental fishery, as described in §307.6(d) of this title. Additional criteria apply to water in the state with a public drinking water supply use, as described in §307.6(d) of this title. The general provisions of this subsection do not change specific provisions in §307.8 of this title for applying toxic criteria.

(e) Nutrients. Nutrients from permitted discharges or other controllable sources must not cause excessive growth of aquatic vegetation that impairs an existing, designated, presumed, or attainable use. Site-specific nutrient criteria, nutrient permit limitations, or separate rules to control nutrients in individual watersheds are established where appropriate after notice and opportunity for public participation and proper hearing. Site-specific numeric criteria related to chlorophyll *a* are listed in Appendix F of §307.10 of this title.

(f) Temperature. Consistent with §307.1 of this title (relating to General Policy Statement) and in accordance with state water rights permits, temperature in industrial cooling impoundments, industrial cooling water areas, and all other surface water in

the state must be maintained so as to not interfere with the reasonable use of such waters. Numerical temperature criteria have not been specifically established for industrial cooling impoundments, which in most areas of the state contribute to water conservation and water quality objectives. In addition, numerical criteria for temperature are not applicable in designated industrial cooling water areas, as defined in §307.3 of this title (relating to Definitions and Abbreviations). The horizontal boundaries of an industrial cooling water area must be defined in the applicable wastewater permit. The following temperature criteria, expressed as a maximum temperature differential (rise over ambient) are established except for industrial cooling impoundments, temperature elevations due to discharges of treated domestic (sanitary) effluent, and temperature elevations within designated mixing zones or industrial cooling water areas. The maximum temperature differentials are:

(1) freshwater streams: 5 degrees Fahrenheit (degrees F);

(2) freshwater lakes and impoundments: 3 degrees F; and

(3) tidal river reaches, bay, and gulf waters: 4 degrees F in fall, winter, and spring, and 1.5 degrees F in summer (June, July, and August).

(4) Additional temperature criteria (expressed as maximum temperatures) for classified segments are specified in Appendix A of §307.10 of this title. These criteria are not applicable within industrial cooling water areas.

(g) Salinity.

(1) Concentrations and the relative ratios of dissolved minerals such as chloride, sulfate, and total dissolved solids must be maintained such that existing, designated, presumed, and attainable uses are not impaired.

(2) Criteria for chloride, sulfate, and total dissolved solids for classified freshwater segments are specified in Appendix A of §307.10 of this title.

(3) Salinity gradients in estuaries must be maintained to support attainable estuarine dependent aquatic life uses. Numerical salinity criteria for Texas estuaries have not been established because of the high natural variability of salinity in estuarine systems, and because long-term studies by state agencies to assess estuarine salinities are still ongoing. Absence of numerical criteria must not preclude evaluations and regulatory actions based on estuarine salinity, and careful consideration must be given to all activities that may detrimentally affect salinity gradients.

(h) Aquatic life uses and dissolved oxygen.

(1) Dissolved oxygen concentrations must be sufficient to support existing, designated, presumed, and attainable aquatic life uses. Aquatic-life use

categories and corresponding dissolved oxygen criteria are described in §307.7(b)(3) of this title (relating to Site-Specific Uses and Criteria).

(2) Aquatic life use categories and dissolved oxygen criteria for classified segments are specified in Appendix A of §307.10 of this title. Aquatic life use categories and dissolved oxygen criteria for other specific water bodies are specified in Appendix D of §307.10 of this title. Where justified by sufficient site-specific information, dissolved oxygen criteria that differ from §307.7(b)(3) of this title may be adopted for a particular water body in §307.10 of this title.

(3) Perennial streams, rivers, lakes, bays, estuaries, and other appropriate perennial waters that are not specifically listed in Appendix A or D of §307.10 of this title are presumed to have a high aquatic life use and corresponding dissolved oxygen criteria. Applicable dissolved oxygen criteria are described in §307.7(b)(3)(A) of this title. Higher uses are protected where they are attainable.

(4) When water is present in the streambed of intermittent streams, a 24-hour dissolved oxygen mean of at least 2.0 mg/L and 24-hour minimum dissolved oxygen concentration of 1.5 mg/L must be maintained. Intermittent streams that are not specifically listed in Appendix A or D of §307.10 of this title are considered to have a minimal aquatic life use except as indicated below in this subsection. For intermittent streams with seasonal aquatic life uses, dissolved oxygen concentrations commensurate with the aquatic life uses must be maintained during the seasons when

the aquatic life uses occur. Unclassified intermittent streams with perennial pools are presumed to have a limited aquatic life use and corresponding dissolved oxygen criteria. Higher uses are protected where they are attainable.

(i) Aquatic life uses and habitat. Vegetative and physical components of the aquatic environment must be maintained or mitigated to protect aquatic life uses. Procedures to protect habitat in permits for dredge and fill are specified in Federal Clean Water Act, §404 and in Chapter 279 of this title (relating to Water Quality Certification).

(j) Aquatic recreation.

(1) Existing, designated, presumed, and attainable uses of aquatic recreation must be maintained, as determined by criteria that indicate the potential presence of pathogens. Categories of recreation and applicable criteria are established in §307.7(b)(1) of this title.

(2) Recreational use categories and criteria for classified segments are specified in Appendix A of §307.10 of this title. Site-specific recreational use categories and criteria for selected unclassified water bodies are specified in Appendix G of §307.10 of this title. Where justified by sufficient site-specific information, recreational uses and criteria that differ from §307.7(b)(1) of this title may be adopted for a particular water body in §307.10 of this title. For water bodies not specifically



listed in Appendix A or Appendix G of §307.10 of this title, the following recreational uses are presumed to apply.

(A) Primary contact recreation 1. Primary contact recreation 1 is presumed for lakes, reservoirs, and tidal water bodies. Primary contact recreation 1 is presumed to apply to intermittent streams, intermittent streams with perennial pools, nontidal wetlands, and perennial freshwater streams and rivers, except where site-specific information indicates that recreational activities that involve a significant risk of ingestion have little to no likelihood of occurring, in accordance with subparagraph (C) of this paragraph.

(B) Primary contact recreation 2. No water body is presumed to have a use of primary contact recreation 2. This use is applicable when designated for an individual water body as listed in Appendix A or G in §307.10 of this title. Primary contact recreation 2 applies to water bodies where water recreation activities that involve a significant risk of ingestion of water occur, but less frequently than for primary contact recreation 1 due to:

(i) physical characteristics of the water body; or

(ii) limited public access.

(C) Secondary contact recreation 1. Secondary contact recreation 1 applies to water bodies where water recreation can occur, but the nature of the recreation does not involve a significant risk of ingestion. Secondary contact recreation 1 applies to intermittent and perennial freshwaters where site-specific information demonstrates that primary contact recreation 1 or 2 have little to no likelihood of occurring. At a minimum, the following characteristics must be demonstrated for a presumed use of secondary contact recreation 1 to apply:

(i) during dry weather flows, the average depth at the thalweg (mid-channel) is less than 0.5 meters and there are not substantial pools with a depth of 1 meter or greater; and

(ii) there are no existing recreational activities that create a significant risk of ingestion or uses for primary contact recreation 1 or 2.

(D) Secondary contact recreation 2. Secondary contact recreation 2 applies to water bodies where water recreation activities do not involve a significant risk of water ingestion and where activities occur less frequently than for secondary contact recreation 1 due to physical characteristics of the water body or limited public access. No water body is presumed to have a use of secondary contact recreation 2. This use is applicable when designated for an individual water body as listed in Appendix A or G in §307.10 of this title.

(E) Noncontact recreation. Noncontact recreation applies to water bodies where recreation activities do not involve a significant risk of water ingestion and where primary and secondary contact recreation uses should not occur because of unsafe conditions. No water body is presumed to have a use of noncontact recreation. This use is applicable when designated for an individual water body as listed in Appendix A or G in §307.10 of this title.

(3) Assigning recreational uses to an unclassified water body.

(A) Applying presumed uses. Recreational uses and associated numerical criteria are assigned to an unclassified water body in accordance with the presumed uses and guidelines established in paragraph (2) of this subsection. To assign uses other than primary contact recreation 1, a reasonable level of inquiry is conducted to determine if a different presumed use is appropriate for a particular water body. A reasonable level of inquiry includes review of available relevant information or completed site surveys.

(B) Assigning presumed uses. Presumed uses of primary contact recreation 1 and secondary contact recreation 1 can be assigned to an individual water body for regulatory action without individually designating the recreational use and criteria in Appendix G in §307.10 of this title. Regulatory action may include issuing Texas Pollutant Discharge Elimination System permits, revising the list of impaired water bodies under federal Clean Water Act, §303(d), or setting and implementing a

total maximum daily load. The presumed secondary contact recreation 1 use is included in the public notice of a regulatory action that could affect recreational water quality, and the assigned recreational uses are subject to applicable public comment and approval by the United States Environmental Protection Agency (EPA). For tracking purposes, presumed recreational uses that have been determined to be less stringent than primary contact recreation 1 are noted in a publicly available list such as the EPA's Water Quality Standards Repository prior to a water quality standards revision. Presumed uses that have been determined for particular water bodies are listed in Appendix G in §307.10 of this title when the water quality standards are revised.

(C) Assigning a use less stringent than presumed use. A recreational use that is less stringent than the applicable presumed use can only be assigned to an individual water body for a regulatory action after that use is approved by the EPA and designated in Appendix A or G in §307.10 of this title. Support for designating a use less stringent than an applicable presumed use requires a use-attainability analysis (UAA). 40 Code of Federal Regulations §131.10(g) [§131.1(g)] lists six reasons for a change in use in a water body. At least one of these reasons must be included in the UAA.

(k) Antidegradation. Nothing in this section is intended to be construed or otherwise used to supersede the requirements of §307.5 of this title (relating to Antidegradation).

(l) Assessment of unclassified waters for aquatic life uses. Waters that are not specifically listed in Appendices A or D of §307.10 of this title are assigned the specific uses that are attainable or characteristic of those waters. Upon administrative or regulatory action by the commission that affects a particular unclassified water body, the characteristics of the affected water body must be reviewed by the commission to determine which aquatic life uses are appropriate. Additional uses so determined must be indicated in public notices for discharge applications. Uses that are not applicable throughout the year in a particular unclassified water body are assigned and protected for the seasons where such uses are attainable. Initial determinations of use are considered preliminary, and in no way preclude redeterminations of use in public hearings conducted under the provisions of the Texas Water Code. For unclassified waters where the presumed minimum uses or criteria specified in this section are inappropriate, site-specific standards may be developed in accordance with §307.2(d) of this title (relating to Description of Standards). Uses and criteria are assigned in accordance with this section and with §307.7(b)(3) of this title. Procedures for assigning uses and criteria are described in the standards implementation procedures.

(m) pH. Consistent with §307.1 of this title, pH levels in all surface water in the state must be maintained so as to not interfere with the reasonable use of such waters.

**§307.6. Toxic Materials.**

(a) Application. The toxic criteria set forth in this section apply to surface water in the state and specifically apply to substances attributed to waste discharges or human activity. With the exception of numeric human health criteria, toxic criteria do not apply to those instances where surface water, solely as a result of natural phenomena, exhibit characteristics beyond the limits established by this section. Standards and procedures set forth in this section are applied in accordance with §307.8 of this title (relating to Application of Standards) and §307.9 of this title (relating to Determination of Standards Attainment).

(b) General provisions.

(1) Water in the state must not be acutely toxic to aquatic life in accordance with §307.8 of this title.

(2) Water in the state with designated or existing aquatic life uses of limited or greater must not be chronically toxic to aquatic life, in accordance with §307.8 of this title.

(3) Water in the state must be maintained to preclude adverse toxic effects on human health resulting from contact recreation, consumption of aquatic organisms, consumption of drinking water or any combination of the three. Water in

the state with sustainable fisheries or public drinking water supply uses must not exceed applicable human health toxic criteria, in accordance with subsection (d) of this section and §307.8 of this title.

(4) Water in the state must be maintained to preclude adverse toxic effects on aquatic life, terrestrial life, livestock, or domestic animals, resulting from contact, consumption of aquatic organisms, consumption of water, or any combination of the three.

(c) Specific numerical aquatic life criteria.

(1) Numerical criteria are established in Table 1 of this paragraph for those specific toxic substances where adequate toxicity information is available and that have the potential for exerting adverse impacts on water in the state.

**Figure: 30 TAC §307.6(c)(1)**

**[Figure: 30 TAC §307.6(c)(1)]**

TABLE 1  
 Criteria in Water for Specific Toxic Materials  
 AQUATIC LIFE PROTECTION

(All values are listed or calculated in micrograms per liter)  
 (Hardness concentrations are input as milligrams per liter)

Parameter	CASRN	Freshwater Acute Criteria	Freshwater Chronic Criteria	Saltwater Acute Criteria	Saltwater Chronic Criteria
Acrolein	107-02-8	3.0	3.0	---	---
Aldrin	309-00-2	3.0	---	1.3	---
Aluminum (d)	7429-90-5	991w	---	---	---
Arsenic (d)	7440-38-2	340w	150w	149w	78w



Parameter	CASRN	Freshwater Acute Criteria	Freshwater Chronic Criteria	Saltwater Acute Criteria	Saltwater Chronic Criteria
Cadmium (d)	7440-43-9	$\frac{(1.136672 - (\ln(\text{hardness})(0.041838)))}{(we^{(0.9789(\ln(\text{hardness}))-3.866)})}$ $[(1.136672 - (\ln(\text{hardness})(0.041838))) (we^{(1.0166(\ln(\text{hardness}))-2.4743})] ]$	$\frac{(1.101672 - (\ln(\text{hardness})(0.041838)))}{(we^{(0.7977(\ln(\text{hardness}))-3.909)})}$ $[(1.101672 - (\ln(\text{hardness})(0.041838))) (we^{(0.7997(\ln(\text{hardness}))-3.909)})]$ $[(1.101672 - (\ln(\text{hardness})(0.041838))) (we^{(0.7409(\ln(\text{hardness}))-4.719})] ]$	33w [40.0w]	7.9w [8.75w]
Carbaryl	63-25-2	2.0	2.0	1.6	---
Chlordane	57-74-9 and 12789-03-6	2.4	0.004	0.09	0.004
Chlorpyrifos	2921-88-2	0.083	0.041	0.011	0.006
Chromium (Tri)(d)	16065-83-1	$0.316w e^{(0.8190(\ln(\text{hardness}))+3.7256)}$	$0.860w e^{(0.8190(\ln(\text{hardness}))+0.6848)}$	---	---
Chromium (Hex)(d)	18540-29-9	15.7w	10.6w	1,090w	49.6w
Copper (d) <sup>1</sup>	7440-50-8	$0.960m e^{(0.9422(\ln(\text{hardness}))-1.6448)}$	$0.960m e^{(0.8545(\ln(\text{hardness}))-1.6463)}$	13.5w	3.6w

Parameter	CASRN	Freshwater Acute Criteria	Freshwater Chronic Criteria	Saltwater Acute Criteria	Saltwater Chronic Criteria
Cyanide <sup>2</sup> (free)	57-12-5	45.8	10.7	5.6	5.6
4,4'-DDT	50-29-3	1.1	0.001	0.13	0.001
Demeton	8065-48-3	---	0.1	---	0.1
Diazinon	333-41-5	0.17	0.17	0.819	0.819
Dicofol	115-32-2	59.3	19.8	---	---
Dieldrin	60-57-1	0.24	0.002	0.71	0.002
Diuron	330-54-1	210	70	---	---
Endosulfan I ( <i>alpha</i> )	959-98-8	0.22	0.056	0.034	0.009
Endosulfan II ( <i>beta</i> )	33213-65-9	0.22	0.056	0.034	0.009
Endosulfan sulfate	1031-07-8	0.22	0.056	0.034	0.009
Endrin	72-20-8	0.086	0.002	0.037	0.002

Parameter	CASRN	Freshwater Acute Criteria	Freshwater Chronic Criteria	Saltwater Acute Criteria	Saltwater Chronic Criteria
Guthion	86-50-0	---	0.01	---	0.01
Heptachlor	76-44-8	0.52	0.004	0.053	0.004
Hexachloro-cyclohexane ( <i>gamma</i> )(Lindane)	58-89-9	1.126	0.08	0.16	---
Lead (d)	7439-92-1	$(1.46203 - (\ln(\text{hardness})(0.145712))) (we^{(1.273(\ln(\text{hardness}))-1.460)})$	$(1.46203 - (\ln(\text{hardness})(0.145712))) (we^{(1.273(\ln(\text{hardness}))-4.705)})$	133w	5.3w
Malathion	121-75-5	---	0.01	---	0.01
Mercury	7439-97-6	2.4	1.3	2.1	1.1
Methoxychlor	72-43-5	---	0.03	---	0.03
Mirex	2385-85-5	---	0.001	---	0.001
Nickel (d)	7440-02-0	$0.998we[e]^{[(0.8460(\ln(\text{hardness}))+2.255)]}$	$0.997we[e]^{[(0.8460(\ln(\text{hardness}))+0.0584)]}$	118w	13.1w

Parameter	CASRN	Freshwater Acute Criteria	Freshwater Chronic Criteria	Saltwater Acute Criteria	Saltwater Chronic Criteria
Nonylphenol	84852-15-3 and 25154-52-3	28	6.6	7	1.7
Parathion (ethyl)	56-38-2	0.065	0.013	---	---
Pentachlorophenol	87-86-5	$e^{(1.005(\text{pH})-4.869)}$	$e^{(1.005(\text{pH})-5.134)}$	15.1	9.6
Phenanthrene	85-01-8	30	30	7.7	4.6
Polychlorinated Biphenyls (PCBs) <sup>3</sup>	1336-36-3	2.0	0.014	10	0.03
Selenium	7782-49-2	20	5	564	136
Silver, as free ion	7440-22-4	0.8w	---	2w	---
Toxaphene	8001-35-2	0.78	0.0002	0.21	0.0002
Tributyltin (TBT)	688-73-3	0.13	0.024	0.24	0.0074
2,4,5 Trichlorophenol	95-95-4	136	64	259	12

Parameter	CASRN	Freshwater Acute Criteria	Freshwater Chronic Criteria	Saltwater Acute Criteria	Saltwater Chronic Criteria
Zinc (d)	7440-66-6	$0.978we^{(0.8473(\ln(\text{hardness}))+0.884)}$	$0.986we^{(0.8473(\ln(\text{hardness}))+0.884)}$	92.7w	84.2w

- 1 In designated oyster waters, an acute saltwater copper criterion of 3.6w micrograms per liter applies outside of the mixing zone of permitted discharges[,] and specified mixing zones for copper do not encompass oyster reefs containing live oysters.
- 2 Compliance will be determined using **an** ~~the~~ analytical method for **free or** available cyanide.
- 3 These criteria apply to the sum of all congener or all isomer or homolog or Aroclor [Arochlor] analysis.
- (d) Indicates that the criteria for a specific parameter are for the dissolved portion in water. All other criteria are for total recoverable concentration, except where noted.
- e The mathematical constant that is the basis of the natural logarithm. When rounded to four decimal points, *e* is equal to 2.7183.
- m Indicates that a criterion may be multiplied by a water-effect ratio (WER) or based on a biotic ligand model result in order to incorporate the effects of local water chemistry on toxicity. The WER multiplier is equal to 1 except where sufficient data is available to establish a site-specific multiplier. WER multipliers and criteria based on biotic ligand models for individual water bodies are listed in Appendix E of §307.10 of this title when standards are revised. The number preceding the m in the freshwater equation is an EPA conversion factor. The biotic ligand model is based on the dissolved portion of copper, and the equation is not used in this case.
- w Indicates that a criterion is multiplied by a WER in order to incorporate the effects of local water chemistry on toxicity. The WER is equal to 1 except where sufficient data is available to establish a site-specific WER. WERs for individual water bodies are listed in Appendix E of §307.10 of this title when standards are revised. The number preceding the w in the freshwater criterion equation is an EPA conversion factor.

(2) Numerical criteria are based on ambient water quality criteria documents published by the EPA. EPA guidance criteria have been appropriately recalculated to eliminate the effects of toxicity data for aquatic organisms that are not native to Texas, in accordance with procedures in the EPA guidance documents entitled *Guidelines for Deriving Numerical Site-specific Water Quality Criteria* (EPA 600/3-84-099) and *Revised Deletion Process for the Site-Specific Recalculation Procedure for Aquatic Life Criteria* (EPA-823-R-13-001). Additional EPA guidelines that may be used to establish aquatic life criteria are detailed in the guidance documents.

(3) Specific numerical acute aquatic life criteria are applied as 24-hour averages, and specific numerical chronic aquatic life criteria are applied as seven-day averages.

(4) Ammonia and chlorine toxicity are addressed by total toxicity (biomonitoring) requirements in subsection (e) of this section.

(5) Specific numerical aquatic life criteria for metals and metalloids in Table 1 of paragraph (1) of this subsection apply to dissolved concentrations where noted. Dissolved concentrations can be estimated by filtration of samples prior to analysis, or by converting from total recoverable measurements in accordance with procedures approved by the commission in the standards implementation procedures

(RG-194) as amended. Specific numerical aquatic life criteria for non-metallic substances in Table 1 of paragraph (1) of this subsection apply to total recoverable concentrations unless otherwise noted.

(6) Specific numerical acute criteria for toxic substances are applicable to all water in the state except for small zones of initial dilution (ZIDs) at discharge points. Acute criteria may be exceeded within a ZID and below extremely low streamflow conditions (one-fourth of critical low-flow conditions) in accordance with §307.8 of this title. There must be no lethality to aquatic organisms that move through a ZID, and the sizes of ZIDs are limited in accordance with §307.8 of this title. Specific numerical chronic criteria are applicable to all water in the state with designated or existing aquatic life uses of limited or greater, except inside mixing zones and below critical low-flow conditions, in accordance with §307.8 of this title.

(7) For toxic materials where specific numerical criteria are not listed in Table 1 of paragraph (1) of this subsection, the appropriate criteria for aquatic life protection may be derived in accordance with current EPA guidelines for deriving site-specific water quality criteria. When insufficient data are available to use EPA guidelines, the following provisions are applied in accordance with this section and §307.8 of this title. The LC<sub>50</sub> data used in the subsequent calculations are typically obtained from traditional laboratory studies; however, if LC<sub>50</sub> data are unavailable or

incomplete, other methodologies (such as quantitative structure-activity relationships) may be used:

(A) acute criteria are calculated as 0.3 of the  $LC_{50}$  of the most sensitive aquatic species;  $LC_{50} \times (0.3) =$  acute criteria;

(B) concentrations of nonpersistent toxic materials must not exceed concentrations that are chronically toxic as determined from appropriate chronic toxicity data obtained in accordance with procedures in the EPA guidance document entitled *Guidelines for Deriving Numerical National Water Quality Criteria for the Protection of Aquatic Life and Their Uses* (EPA 822-R-85-100) or calculated as 0.1 of acute  $LC_{50}$  values to the most sensitive aquatic species;  $LC_{50} \times (0.1) =$  chronic criteria;

(C) concentrations of persistent toxic materials that do not bioaccumulate shall not exceed concentrations that are chronically toxic as determined from appropriate chronic toxicity data obtained in accordance with procedures in the EPA guidance document entitled *Guidelines for Deriving Numerical National Water Quality Criteria for the Protection of Aquatic Life and Their Uses* (EPA 822-R-85-100) or calculated as 0.05 of  $LC_{50}$  values to the most sensitive aquatic species;  $LC_{50} \times (0.05) =$  chronic criteria; and



(D) concentrations of toxic materials that bioaccumulate must not exceed concentrations that are chronically toxic as determined from appropriate chronic toxicity data obtained in accordance with procedures in the EPA guidance document entitled *Guidelines for Deriving Numerical National Water Quality Criteria for the Protection of Aquatic Life and Their Uses* (EPA 822-R-85-100) or calculated as 0.01 of LC<sub>50</sub> values to the most sensitive aquatic species;  $LC_{50} \times (0.01) = \text{chronic criteria}$ .

(8) For toxic substances where the relationship of toxicity is defined as a function of pH or hardness, numerical criteria are presented as an equation based on this relationship. Site-specific values for each segment are given in the standards implementation procedures (RG-194) as amended.

(9) Criteria for most metals are multiplied by a water-effect ratio (WER) in order to incorporate the effects of local water chemistry on toxicity. The WER is assumed to be equal to one except where sufficient site-specific data are available to determine the WER for a particular water body or portion of a water body. A WER is only applicable to those portions of a water body that are adequately addressed by site-specific data. WERs that have been determined for particular water bodies are listed in Appendix E of §307.10 of this title (relating to Appendices A - G) when standards are revised. A site-specific WER that affects an effluent limitation in a wastewater discharge permit, and that has not been incorporated into Appendix E of

§307.10 of this title, must be noted in a public notice during the permit application process. An opportunity for public comment must be provided, and the WER may be considered in any public hearing on the permit application.

(10) Freshwater copper aquatic-life criteria include a multiplier (m) to incorporate effects of local water chemistry on toxicity. Site-specific criteria may be based on either a WER or a biotic ligand model. The WER multiplier is assumed to be equal to one except where sufficient site-specific data are available to determine the multiplier for a particular water body or portion of a water body. The WER multiplier or biotic ligand model result is only applicable to those portions of a water body that are adequately addressed by site-specific data. The biotic ligand model is based on the dissolved portion of copper, and the freshwater equation is not used in this case. As WER multipliers and criteria based on biotic ligand models are determined for particular water bodies, they are listed in Appendix E of §307.10 of this title when standards are revised. A site-specific WER multiplier or biotic ligand model result that affects an effluent limitation in a wastewater discharge permit, and that has not been incorporated into Appendix E of §307.10 of this title, is noted in a public notice during the permit application process. An opportunity for public comment must be provided, and the WER multiplier or biotic ligand model result may be considered in any public hearing on the permit application.

(11) Additional site-specific factors may indicate that the numerical criteria listed in Table 1 of paragraph (1) of this subsection are inappropriate for a particular water body. These factors are applied as a site-specific standards modification in accordance with §307.2(d) of this title (relating to Description of Standards). The application of a site-specific standard must not impair an existing, attainable, or designated use. Factors that may justify a temporary variance or site-specific standards amendment include the following:

(A) background concentrations of specific toxics of concern in receiving waters, sediment, or indigenous biota;

(B) persistence and degradation rate of specific toxic materials;

(C) synergistic, additive, or antagonistic interactions of toxic substances with other toxic or nontoxic materials;

(D) measurements of total effluent toxicity;

(E) indigenous aquatic organisms, which may have different responses to particular toxic materials;

(F) technological or economic limits of treatability for specific toxic materials;

(G) bioavailability of specific toxic substances of concern, as determined by WER tests or other analyses approved by the commission; and

(H) new information concerning the toxicity of a particular substance.

(d) Specific numerical human health criteria.

(1) Numerical human health criteria are established in Table 2 of this paragraph.

**Figure: 30 TAC §307.6(d)(1)**

**[Figure: 30 TAC §307.6(d)(1)]**

TABLE 2  
 Criteria in Water for Specific Toxic Materials  
 HUMAN HEALTH PROTECTION

(All values are listed or calculated in micrograms per liter unless otherwise noted)

Parameter	CASRN	A	B
		Water and Fish [µg/L]	Fish Only [µg/L]
Acrylonitrile	107-13-1	1.0	115
Aldrin	309-00-2	1.146E-05	1.147E-05
Anthracene	120-12-7	1,109	1,317
Antimony	7440-36-0	6 <sup>1</sup>	1,071
Arsenic (d)	7440-38-2	10 <sup>1</sup>	---
Barium (d)	7440-39-3	2,000 <sup>1</sup>	---
Benzene	71-43-2	5 <sup>1</sup>	581
Benzidine	92-87-5	0.0015	0.107
Benzo(a)anthracene	56-55-3	<u>0.100</u> [0.024]	<u>0.103</u> [0.025]
Benzo(a)pyrene	50-32-8	<u>0.0100</u> [0.0025]	<u>0.0103</u> [0.0025]
Bis(chloromethyl)ether	542-88-1	0.0024	0.2745
Bis(2-chloroethyl)ether	111-44-4	0.60	42.83
Bis(2-ethylhexyl)phthalate	117-81-7	6 <sup>1</sup>	7.55

Parameter	CASRN	A	B
		Water and Fish [µg/L]	Fish Only [µg/L]
Bromodichloromethane	75-27-4	10.2	275
Bromoform	75-25-2	66.9	1,060
Cadmium (d)	7440-43-9	5 <sup>1</sup>	---
Carbon Tetrachloride	56-23-5	4.5	46
Chlordane	12789-03-6	0.0025	0.0025
Chlorobenzene	108-90-7	100 <sup>1</sup>	2,737
Chlorodibromomethane	124-48-1	7.5	183
Chloroform	67-66-3	70 <sup>1</sup>	7,697
Chromium (Hex) (d)	18540-29-9	62	502
Chrysene	218-01-9	9.96 <del>17.88</del> [2.45]	10.26 <del>18.40</del> [2.52]
Cresols <sup>2</sup>	[ <sup>2</sup> ]	1,041	9,301
<u><i>m</i>-Cresol</u>	<u>108-39-4</u>		
<u><i>o</i>-Cresol</u>	<u>95-48-7</u>		
<u><i>p</i>-Cresol</u>	<u>106-44-5</u>		
Cyanide (free) <sup>3</sup>	57-12-5	200 <sup>1</sup>	---
4,4'-DDD	72-54-8	0.002	0.002
4,4'-DDE	72-55-9	0.00013	0.00013

Parameter	CASRN	A	B
		Water and Fish [µg/L]	Fish Only [µg/L]
4,4'-DDT	50-29-3	0.0004	0.0004
2,4-D	94-75-7	70 <sup>1</sup>	---
Danitol	39515-41-8	262	473
1,2-Dibromoethane	106-93-4	0.17	4.24
<i>m</i> -Dichlorobenzene	541-73-1	322	595
<i>o</i> -Dichlorobenzene	95-50-1	600 <sup>1</sup>	3,299
<i>p</i> -Dichlorobenzene	106-46-7	75 <sup>1</sup>	---
3,3'-Dichlorobenzidine	91-94-1	0.79	2.24
1,2-Dichloroethane	107-06-2	5 <sup>1</sup>	364
1,1-Dichloroethylene	75-35-4	7 <sup>1</sup>	55,114
Dichloromethane	75-09-2	5 <sup>1</sup>	<u>10,714</u> [13,333]
1,2-Dichloropropane	78-87-5	5 <sup>1</sup>	<b>301.98</b> <del>470</del> [259]
1,3-Dichloropropene	542-75-6	<u>3.4</u> [2.8]	<u>145</u> [119]
Dicofol	115-32-2	<u>0.35</u> [0.30]	<u>0.35</u> [0.30]
Dieldrin	60-57-1	2.0E-5	2.0E-5
2,4-Dimethylphenol	105-67-9	444	8,436
Di- <i>n</i> -Butyl Phthalate	84-74-2	88.9	92.4

Parameter	CASRN	A	B
		Water and Fish [µg/L]	Fish Only [µg/L]
Dioxins/Furans (TCDD Equivalents)	1746-01-6	7.80E-8	7.97E-8
Congener/Isomer		<u>TEF [Toxic Equivalency Factor]</u>	<u>TEF [Toxic Equivalency Factor]</u>
2,3,7,8 TCDD		<u>1</u>	<u>1</u>
1,2,3,7,8 PeCDD		<u>1</u>	<u>1</u>
2,3,7,8 HxCDDs		<u>0.1</u>	<u>0.1</u>
1,2,3,4,6,7,8 HpCDD		<u>0.01</u>	<u>0.01</u>
2,3,7,8 TCDF		<u>0.1</u>	<u>0.1</u>
1,2,3,7,8 PeCDF		<u>0.03</u>	<u>0.03</u>
2,3,4,7,8 PeCDF		<u>0.3</u>	<u>0.3</u>
2,3,7,8 HxCDFs		<u>0.1</u>	<u>0.1</u>
2,3,4,7,8 HpCDFs		<u>0.01</u>	<u>0.01</u>
OCDD		<u>0.0003</u>	<u>0.0003</u>
OCDF		<u>0.0003</u>	<u>0.0003</u>
PCB 77		<u>0.0001</u>	<u>0.0001</u>
PCB 81		<u>0.0003</u>	<u>0.0003</u>
PCB126		<u>0.1</u>	<u>0.1</u>



Parameter	CASRN	A	B
		Water and Fish [µg/L]	Fish Only [µg/L]
PCB 169		<u>0.03</u>	<u>0.03</u>
Endrin	72-20-8	0.02	0.02
Epichlorohydrin	106-89-8	53.5	2,013
Ethylbenzene	100-41-4	700 <sup>1</sup>	1,867
Ethylene Glycol	107-21-1	46,744	1.68E7
Fluoride	16984-48-8	4,000 <sup>1</sup>	---
Heptachlor	76-44-8	8.0E-5	0.0001
Heptachlor Epoxide	1024-57-3	0.00029	0.00029
Hexachlorobenzene	118-74-1	0.00068	0.00068
Hexachlorobutadiene	87-68-3	0.21	0.22
Hexachlorocyclohexane ( <i>alpha</i> )	319-84-6	0.0078	0.0084
Hexachlorocyclohexane ( <i>beta</i> )	319-85-7	0.15	0.26
Hexachlorocyclohexane ( <i>gamma</i> ) (Lindane)	58-89-9	0.2 <sup>1</sup>	0.341
Hexachlorocyclopentadiene	77-47-4	10.7	11.6
Hexachloroethane	67-72-1	1.84	2.33
Hexachlorophene	70-30-4	2.05	2.90
4,4'-Isopropylidenediphenol (bisphenol A)	80-05-7	1,092	15,982

Parameter	CASRN	A	B
		Water and Fish [µg/L]	Fish Only [µg/L]
Lead (d)	7439-92-1	1.15	3.83
Mercury in freshwater <sup>4</sup>	7439-97-6	0.0122	0.0122
Mercury in saltwater <sup>5</sup>	7439-97-6	---	0.0250
Methoxychlor	72-43-5	2.92	3.0
Methyl Ethyl Ketone	78-93-3	13,865	9.92E+5
Methyl <i>tert</i> -butyl ether (MTBE)	1634-04-4	15 <sup>7</sup>	10,482
Nickel (d)	7440-02-0	332	1140
Nitrate-Nitrogen as total Nitrogen	14797-55-8	10,000 <sup>1</sup>	---
Nitrobenzene	98-95-3	45.7	1,873
<i>N</i> -Nitrosodiethylamine	55-18-5	0.0037	2.1
<i>N</i> -Nitroso-di- <i>n</i> -Butylamine	924-16-3	0.119	4.2
Pentachlorobenzene	608-93-5	0.348	0.355
Pentachlorophenol	87-86-5	0.22	0.29
Polychlorinated Biphenyls (PCBs) <sup>6</sup>	1336-36-3	6.4E-4	6.4E-4
Pyridine	110-86-1	23	947
Selenium	7782-49-2	50 <sup>1</sup>	---
1,2,4,5-Tetrachlorobenzene	95-94-3	0.23	0.24
1,1,2,2-Tetrachloroethane	79-34-5	1.64	26.35

Parameter	CASRN	A	B
		Water and Fish [µg/L]	Fish Only [µg/L]
Tetrachloroethylene	127-18-4	5 <sup>1</sup>	<u>237</u> [280]
Thallium	7440-28-0	0.12	0.23
Toluene	108-88-3	1,000 <sup>1</sup>	---
Toxaphene	8001-35-2	0.011	0.011
2,4,5-TP (Silvex)	93-72-1	50 <sup>1</sup>	369
1,1,1-Trichloroethane	71-55-6	200 <sup>1</sup>	784,354
1,1,2-Trichloroethane	79-00-5	5 <sup>1</sup>	166
Trichloroethylene	79-01-6	5 <sup>1</sup>	71.9
2,4,5 Trichlorophenol	95-95-4	1,039	1,867
TTHM (Sum of total trihalomethanes)	---	80 <sup>1</sup>	---
bromodichloromethane	75-27-4		---
dibromochloromethane	124-48-1		---
tribromomethane (bromoform)	75-25-2		---
trichloromethane (chloroform)	67-66-3		---
Vinyl Chloride	75-01-4	0.23	16.5

- 1 Based on Maximum Contaminant Levels (MCLs) specified in 30 TAC Chapter 290 (relating to Public Drinking Water).
- 2 The criteria are identical and independently applied to *m*-, *o*-, and *p*-Cresol.  
 [Consists of *m*, *o*, and *p* Cresols. The criteria are the same for all three, and the

criteria are applied independently to each form of cresol. CASRNs for cresols are 95-48-7 for *o*-Cresol, 108-39-4 for *m*-Cresol, and 106-44-5 for *p*-Cresol.]

- 3 Compliance will be determined using ~~an~~ the analytical method for ~~free or~~ available cyanide.
  - 4 Consumption rate for fish and shellfish was estimated as 10 grams per person per day.
  - 5 Consumption rate for fish and shellfish was estimated as 15 grams per person per day.
  - 6 Until Method 1668 or equivalent method to measure PCB congeners is approved in 40 Code of Federal Regulations Part 136, compliance with PCB criteria is determined using Aroclor [Arochlor] data or any alternate method listed in a TCEQ-approved Quality Assurance Plan.
  - 7 Based on aesthetics criteria in the 1998 Oxygenated Fuels Association study Taste and Odor Properties of Methyl Tertiary-Butyl Ether and Implications for Setting a Secondary MCL.
- (d) Indicates that the criteria for a specific parameter are for the dissolved fraction in water. All other criteria are for total recoverable concentrations, except where noted.

(2) Categories of human health criteria.

(A) Concentration criteria to prevent contamination of drinking water, fish, and other aquatic life to ensure that they are safe for human consumption. These criteria apply to surface waters that are designated or used for public drinking water supplies, including all water bodies identified as having a public drinking water supply use in Appendix A of §307.10 of this title or as a sole-source surface drinking water supply in Appendix B of §307.10 of this title. (Column A in Table 2 of paragraph (1) of this subsection.)

(B) Concentration criteria to prevent contamination of fish and other aquatic life to ensure that they are safe for human consumption. These criteria apply to surface waters that have sustainable fisheries and that are not designated or used for public water supply or as a sole-source surface drinking water supply.

(Column B in Table 2 of paragraph (1) of this subsection.)\_[]

(3) Specific assumptions and procedures (except where noted in Table 2 of paragraph (1) of this subsection).

(A) Sources for the toxicity factors to calculate criteria were derived from EPA's IRIS database; EPA's *National Recommended Water Quality Criteria: 2002, Human Health Criteria Calculation Matrix* (EPA-822-R-02-012); EPA inputs for calculating the 2015 updated national recommended human health criteria; EPA Health Effects Assessment Summary Tables (HEAST); Assessment Tools for the Evaluation of Risk (ASTER); EPA's QSAR Toxicity Estimation Software Tool, version 4.1; and the computer program, CLOGP3.

(B) For known or suspected carcinogens (as identified in EPA's IRIS database), an incremental cancer risk level of  $10^{-5}$  (1 in 100,000) was used to derive

criteria. An RfD (reference dose) was determined for carcinogens and noncarcinogens where the EPA has not derived cancer slope factors.

(C) Consumption rates of fish and shellfish were estimated as 17.5 grams per person per day, unless otherwise specified in Table 2 of paragraph (1) of this subsection.

(D) Drinking water consumption rates were estimated as 2.0 liters per person per day.

(E) For carcinogens, a body-weight scaling factor of  $3/4$  power was used to convert data on laboratory test animals to human scale. Reported weights of laboratory test animals are used, and an average weight of 70 kilograms is assumed for humans.

(F) Childhood exposure was considered for all noncarcinogens. Consumption rates for fish and shellfish were estimated as 5.6 grams per child per day and drinking water consumption rates were estimated as 0.64 liters per child per day. A child body weight was estimated at 15 kilograms. Both the water consumption rate and body weight are age-adjusted for a six-year-old child. The consumption rate for

fish and shellfish for children is from Table 10-61 of EPA's 1997 Exposure Factors Handbook (EPA/600/P-95/002Fa-c).

(G) Numerical human health criteria were derived in accordance with the general procedures and calculations in the EPA guidance documents entitled *Technical Support Document for Water Quality-based Toxics Control* (EPA/505/2-90-001); *Guidance Manual for Assessing Human Health Risks from Chemically Contaminated Fish and Shellfish* (EPA/503/8-89-002); and *Methodology for Deriving Ambient Water Quality Criteria for the Protection of Human Health* (2000) (EPA-822-B-00-004).

(H) If a calculated criterion to prevent contamination of drinking water and fish to ensure they are safe for human consumption (Column A in Table 2 of paragraph (1) of this subsection) was greater than the applicable maximum contaminant level (MCL) in Chapter 290 of this title (relating to Public Drinking Water), then the MCL was used as the criterion.

(I) If the concentration of a substance in fish tissue used for these calculations was greater than the applicable United States Food and Drug Administration Action Level for edible fish and shellfish tissue, then the acceptable concentration in fish tissue was lowered to the Action Level for calculation of criteria.

(4) Human health criteria for additional toxic materials are adopted by the commission as appropriate.

(5) Specific human health concentration criteria for water are applicable to water in the state that has sustainable fisheries or designation or use as a public drinking water supply or as a sole-source drinking water supply except within mixing zones and below stream flow conditions as specified in §307.8 of this title. The following waters are considered to have sustainable fisheries:

(A) all designated segments listed in Appendix A of §307.10 of this title, unless specifically exempted;

(B) perennial streams and rivers with a stream order of three or greater, as defined in §307.3 of this title (relating to Definitions and Abbreviations);

(C) lakes and reservoirs greater than or equal to 150 acre-feet or 50 surface acres;

(D) all bays, estuaries, and tidal rivers; and



(E) any other waters that potentially have sufficient fish production or fishing activity to create significant long-term human consumption of fish.

(6) Waters that are not considered to have a sustainable fishery, but that have an aquatic life use of limited or greater, are considered to have an incidental fishery. Consumption rates assumed for incidental fishery waters are 1.75 grams per person per day. Therefore, numerical criteria applicable to incidental fishery waters are ten times the criteria listed in Column B in Table 2 of paragraph (1) of this subsection.

(7) Specific human health criteria are applied as long term average exposure criteria designed to protect populations over a life time. Attainment measures for human health are addressed in §307.9 of this title.

(8) For toxic materials of concern where specific human health criteria are not listed in Table 2 of paragraph (1) of this subsection, the following provisions apply:

(A) For known or suspected carcinogens (as identified in EPA's IRIS database), a cancer risk of  $10^{-5}$  (1 in 100,000) is applied to the most recent numerical criteria adopted by the EPA and published in the Federal Register. If an MCL or equivalent agency guideline for protection of drinking water sources is less than the

resulting criterion, then the MCL applies to public drinking water supplies in accordance with paragraph (3)(H) of this subsection.

(B) For toxic materials not defined as carcinogens, the most recent numerical criteria adopted by the EPA and published in the Federal Register are applicable. If an MCL or equivalent agency guideline for protection of drinking water sources is less than the resulting criterion, then the MCL applies to public drinking water supplies in accordance with paragraph (3)(H) of this subsection.

(C) In the absence of available criteria, numerical criteria may be derived from technically valid information and calculated in accordance with the provisions of paragraph (3) of this subsection.

(9) Numerical criteria for bioconcentratable pollutants are derived in accordance with the general procedures in the EPA guidance document entitled *Assessment and Control of Bioconcentratable Contaminants in Surface Water* (March 1991). The commission may develop discharge permit limits in accordance with the provisions of this section.

(10) Numerical human health criteria are expressed as total recoverable concentrations for nonmetals and selenium and as dissolved concentrations for other metals and metalloids.

(11) Additional site-specific factors may indicate that the numerical human health criteria listed in Table 2 of paragraph (1) of this subsection are inappropriate for a particular water body. These factors are applied as a site-specific standards modification in accordance with §307.2(d) of this title. The application of site-specific criteria must not impair an existing, attainable, presumed, or designated use or affect human health. Factors that may justify a temporary variance or site-specific standards amendment include the following:

(A) background concentrations of specific toxics of concern in receiving waters, sediment, or indigenous biota;

(B) persistence and degradation rate of specific toxic materials;

(C) synergistic or antagonistic interactions of toxic substances with other toxic or nontoxic materials;

(D) technological or economic limits of treatability for specific toxic materials;

(E) bioavailability of specific toxic substances of concern;

(F) local water chemistry and other site-specific conditions that may alter the bioconcentration, bioaccumulation, or toxicity of specific toxic substances;

(G) site-specific differences in the bioaccumulation responses of indigenous, edible aquatic organisms to specific toxic materials;

(H) local differences in consumption patterns of fish and shellfish or drinking water, but only if any changes in assumed consumption rates are protective of the local population that frequently consumes fish, shellfish, or drinking water from a particular water body; and

(I) new information concerning the toxicity of a particular substance.

(e) Total toxicity.

(1) Total (whole-effluent) toxicity of permitted discharges, as determined from biomonitoring of effluent samples at appropriate dilutions, must be sufficiently controlled to preclude acute total toxicity in all water in the state with the exception of small ZIDs at discharge points and at extremely low streamflow conditions (one-fourth of critical low-flow conditions) in accordance with §307.8 of this title. Acute total toxicity levels may be exceeded in a ZID, but there must be no significant lethality to aquatic organisms that move through a ZID, and the sizes of ZIDs are limited in accordance with §307.8 of this title. Chronic total toxicity, as determined from biomonitoring of effluent samples at appropriate dilutions, must be sufficiently controlled to preclude chronic toxicity in all water in the state with an existing or designated aquatic life use of limited or greater except in mixing zones at discharge points and at flows less than critical low-flows, in accordance with §307.8 of this title. Chronic toxicity levels may be exceeded in a mixing zone, but there must be no significant sublethal toxicity to aquatic organisms that move through the mixing zone.

(2) General provisions for controlling total toxicity.

(A) Dischargers whose effluent has a significant potential for exerting toxicity in receiving waters as described in the Procedures to Implement the

Texas Surface Water Quality Standards (RG-194) as amended are required to conduct whole effluent toxicity biomonitoring at appropriate dilutions.

(B) In addition to the other requirements of this section, the effluent of discharges to water in the state must not be acutely toxic to sensitive species of aquatic life, as demonstrated by effluent toxicity tests. Toxicity testing for this purpose is conducted on samples of 100% effluent, and the criterion for acute toxicity is mortality of 50% or more of the test organisms after 24 hours of exposure. This provision does not apply to mortality that is a result of an excess, deficiency, or imbalance of dissolved inorganic salts (such as sodium, calcium, potassium, chloride, or carbonate) that are in the effluent and are not listed in Table 1 of subsection (c)(1) of this section or that are in source waters.

(C) The latest revisions of the following EPA publications provide methods for appropriate biomonitoring procedures: Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms, Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms, Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms, and the Technical Support Document for Water Quality-based Toxics Control. The use of other procedures approved by the agency and the EPA is also acceptable. Toxicity tests must

be conducted using representative, sensitive aquatic organisms as approved by the agency, and any such testing must adequately determine if toxicity standards are being attained.

(D) If toxicity biomonitoring results indicate that a discharge is not sufficiently controlled to preclude acute or chronic toxicity as described in this subsection, then the permittee will be required to eliminate sources of toxicity and may be required to conduct a toxicity reduction evaluation (TRE) in accordance with the permitting procedures of the commission. In accordance with the standards implementation procedures (RG-194), permits are amended to include appropriate provisions to eliminate toxicity. Such provisions may include total toxicity limits, chemical-specific limits, best management practices, or other actions (such as moving a discharge location) designed to reduce or eliminate toxicity. Where sufficient to attain and maintain applicable numeric and narrative state water quality standards, a chemical-specific limit, best management practices, or other actions designed to reduce or eliminate toxicity rather than a total toxicity limit may be established in the permit. Where conditions may be necessary to prevent or reduce effluent toxicity, permits must include a reasonable schedule for achieving compliance with such additional conditions.

(E) Discharge permit limits based on total toxicity may be established in consideration of site-specific factors, but the application of such factors must not result in impairment of an existing, attainable, presumed, or designated use. These factors are applied as a site-specific standards modification in accordance with §307.2(d) of this title. A demonstration that uses are protected may consist of additional effluent toxicity testing, instream monitoring requirements, or other necessary information as determined by the agency. Factors that may justify a temporary variance or site-specific standards amendment include the following:

- (i) background toxicity of receiving waters;
- (ii) persistence and degradation rate of principal toxic materials that are contributing to the total toxicity of the discharge;
- (iii) site-specific variables that may alter the impact of toxicity in the discharge;
- (iv) indigenous aquatic organisms that may have different levels of sensitivity than the species used for total toxicity testing; and



(v) technological, economic, or legal limits of treatability or control for specific toxic material.

**§307.7. Site-Specific Uses and Criteria.**

(a) Uses and numerical criteria are established on a site-specific basis in Appendices A, B, D, E, F, and G of §307.10 of this title (relating to Appendices A - G). Site-specific uses and numerical criteria may also be applied to unclassified waters in accordance with §307.4 of this title (relating to General Criteria) and §307.5(c) of this title (relating to Antidegradation). Site-specific criteria apply specifically to substances attributed to waste discharges or human activity. Site-specific criteria do not apply to those instances when surface waters exceed criteria due to natural phenomena. The application of site-specific uses and criteria is described in §307.8 of this title (relating to the Application of Standards) and §307.9 of this title (relating to the Determination of Standards Attainment).

(b) Appropriate uses and criteria for site-specific standards are defined as follows.

(1) Recreation. Recreational use consists of five categories--primary contact recreation 1, primary contact recreation 2, secondary contact recreation 1,

secondary contact recreation 2, and noncontact recreation waters. Classified segments are designated for primary contact recreation 1 unless sufficient site-specific information demonstrates that elevated concentrations of indicator bacteria frequently occur due to sources of pollution that cannot be reasonably controlled by existing regulations, wildlife sources of bacteria are unavoidably high and there is limited aquatic recreational potential, or primary or secondary contact recreation is considered unsafe for other reasons such as ship or barge traffic. In a classified segment where contact recreation is considered unsafe for reasons unrelated to water quality, a designated use of noncontact recreation may be assigned either noncontact recreation criteria or criteria normally associated with primary contact recreation. A designation of primary or secondary contact recreation is not a guarantee that the water so designated is completely free of disease-causing organisms. Indicator bacteria, although not generally pathogenic, are indicative of potential contamination by feces of warm-blooded [warm blooded] animals. Recreational criteria are based on these indicator bacteria rather than direct measurements of pathogens. Criteria are expressed as the number of bacteria per 100 milliliters (mL) of water (in terms of colony forming units, most probable number, or other applicable reporting measures). Even where the concentration of indicator bacteria is less than the criteria for primary or secondary contact recreation, there is still some risk of contracting waterborne diseases. Additional guidelines on minimum data requirements and procedures for

evaluating standards attainment are specified in the *TCEQ Guidance for Assessing and Reporting Surface Water Quality in Texas*, as amended.

(A) Freshwater.

(i) Primary contact recreation 1. The geometric mean criterion for *E. coli* is 126 per 100 mL. In addition, the single sample criterion for *E. coli* is 399 per 100 mL.

(ii) Primary contact recreation 2. The geometric mean criterion for *E. coli* is 206 per 100 mL.

(iii) Secondary contact recreation 1. The geometric mean criterion for *E. coli* is 630 per 100 mL.

(iv) Secondary contact recreation 2. The geometric mean criterion for *E. coli* is 1,030 per 100 mL.

(v) Noncontact recreation. The geometric mean criterion for *E. coli* is 2,060 per 100 mL.

(vi) For high saline inland water bodies where Enterococci is the designated recreational indicator in Appendix A of §307.10 of this title, Enterococci is the applicable recreational indicator for instream bacteria sampling at all times for the classified water body and for the unclassified water bodies that are within the watershed of that classified segment, unless it is demonstrated that an unclassified water body is not high saline. *E. coli* is the applicable recreational indicator for instream bacteria sampling at all times for unclassified water bodies where conductivity values indicate that the water bodies are not high saline. For high saline inland waters with primary contact recreation 1, the geometric mean criterion for Enterococci is 33 per 100 mL and the single sample criterion is 78 per 100 mL. For high saline inland waters with primary contact recreation 2, the geometric mean criterion for Enterococci is 54 per 100 mL. For high saline inland waters with secondary contact recreation 1, the geometric mean criterion for Enterococci is 165 per 100 mL. For high saline inland waters with secondary contact recreation 2, the geometric mean criterion for Enterococci is 270 per 100 mL. For high saline inland water bodies with noncontact recreation, the geometric mean criterion for Enterococci is 540 per 100 mL.

(B) Saltwater.

(i) Primary contact recreation 1. The geometric mean criterion for Enterococci is 35 per 100 mL. In addition, the single sample criterion for Enterococci is 130 per 100 mL.

(ii) Secondary contact recreation 1. A secondary contact recreation 1 use for tidal streams and rivers can be established on a site-specific basis in §307.10 of this title if justified by a use-attainability analysis and the water body is not a coastal recreation water as defined in the Beaches Environmental Assessment and Coastal Health Act of 2000 (BEACH Act). The geometric mean criterion for Enterococci is 175 per 100 mL.

(iii) Noncontact recreation. A noncontact recreation use for tidal streams and rivers can be established on a site-specific basis in §307.10 of this title if justified by a use-attainability analysis and the water body is not a coastal recreation water, as defined in §307.3 of this title (relating to Definitions and Abbreviations). The geometric mean criterion for Enterococci is 350 per 100 mL.

(C) Swimming advisory programs. For areas where local jurisdictions or private property owners voluntarily provide public notice or closure based on water quality, the use of any single-sample or short-term indicators of recreational suitability are selected at the discretion of the local managers of aquatic

recreation. Guidance for single-sample bacterial indicators is available in the EPA documents entitled *Recreational Water Quality Criteria* (EPA-820-F-12-058) and *Ambient Water Quality Criteria for Bacteria - 1986* (EPA 440/5-84-002). Other short-term indicators to assess water quality suitability for recreation - such as measures of streamflow, turbidity, or rainfall - may also be appropriate.

(2) Domestic water supply.

(A) Use categories. Domestic water supply consists of three use subcategories - public water supply, sole-source surface drinking water supply, and aquifer protection.

(i) Public water supply. Segments designated for public water supply are those known to be used or exhibit characteristics that would allow them to be used as the supply source for public water systems as defined by Chapter 290 of this title (relating to Public Drinking Water).

(ii) Sole-source surface drinking water supplies and their protection zones. Water bodies that are sole-source surface drinking water supplies are listed in Appendix B of §307.10 of this title. Sole-source surface drinking water

supplies and their protection zones are addressed in Chapter 321, Subchapter B of this title (relating to Concentrated Animal Feeding Operations).

(iii) Aquifer protection. Segments designated for aquifer protection are capable of recharging the Edwards Aquifer. The principal purpose of this use designation is to protect the quality of water infiltrating into and recharging the aquifer. The designation for aquifer protection applies only to those portions of the segments so designated that are on the recharge zone, transition zone, or contributing zone as defined in Chapter 213 of this title (relating to the Edwards Aquifer). Chapter 213 of this title establishes provisions for activities in the watersheds of segments that are designated for aquifer protection.

(B) Use criteria. The following use criteria apply to all domestic water supply use subcategories.

(i) Radioactivity associated with dissolved minerals in the freshwater portions of river basin and coastal basin waters should not exceed levels established by drinking water standards as specified in Chapter 290 of this title unless the conditions are of natural origin.

(ii) Surface waters utilized for domestic water supply must not exceed toxic material concentrations that prevent them from being treated by conventional surface water treatment to meet drinking water standards as specified in Chapter 290 of this title.

(iii) Chemical and microbiological quality of surface waters used for domestic water supply should conform to drinking water standards as specified in Chapter 290 of this title.

(3) Aquatic life. The establishment of numerical criteria for aquatic life is highly dependent on desired use, sensitivities of aquatic communities, and local physical and chemical characteristics. Six subcategories of aquatic life use are established. They include minimal, limited, intermediate, high, and exceptional aquatic life and oyster waters. Aquatic life use subcategories designated for segments listed in Appendix A of §307.10 of this title recognize the natural variability of aquatic community requirements and local environmental conditions.

(A) Dissolved oxygen.

(i) The characteristics and associated dissolved oxygen criteria for limited, intermediate, high, and exceptional aquatic life use subcategories



are indicated in Table 3 of this clause. This table also includes dissolved oxygen criteria for a minimal aquatic life use subcategory that applies to intermittent streams without perennial pools as indicated in §307.4(h)(4) of this title.

**Figure: 30 TAC §307.7(b)(3)(A)(i) (No change to the figure as it currently exists in TAC.)**

TABLE 3  
 Aquatic Life Use Subcategories

Aquatic Life Use Subcategory	Dissolved Oxygen	Dissolved Oxygen	Dissolved Oxygen	Aquatic Life Attributes	Aquatic Life Attributes	Aquatic Life Attributes	Aquatic Life Attributes	Aquatic Life Attributes	Aquatic Life Attributes
	Freshwater mean/minimum	Freshwater in Spring mean/minimum	Saltwater mean/minimum	Habitat Characteristics	Species Assemblage	Sensitive species	Diversity	Species Richness	Trophic Structure
Exceptional	6.0/4.0	6.0/5.0	5.0/4.0	Outstanding natural variability	Exceptional or unusual	Abundant	Exceptionally high	Exceptionally high	Balanced
High	5.0/3.0	5.5/4.5	4.0/3.0	Highly diverse	Usual association of regionally expected species	Present	High	High	Balanced to slightly imbalanced

Aquatic Life Use Subcategory	Dissolved Oxygen	Dissolved Oxygen	Dissolved Oxygen	Aquatic Life Attributes	Aquatic Life Attributes	Aquatic Life Attributes	Aquatic Life Attributes	Aquatic Life Attributes	Aquatic Life Attributes
	Freshwater mean/minimum	Freshwater in Spring mean/minimum	Saltwater mean/minimum	Habitat Characteristics	Species Assemblage	Sensitive species	Diversity	Species Richness	Trophic Structure
Intermediate	4.0/3.0	5.0/4.0	3.0/2.0	Moderately diverse	Some expected species	Very low in abundance	Moderate	Moderate	Moderately imbalanced
Limited	3.0/2.0	4.0/3.0		Uniform	Most regionally expected species absent	Absent	Low	Low	Severely imbalanced
Minimal	2.0/1.5								

- Dissolved oxygen means are applied as a minimum average over a 24-hour period.
- 24-hour minimum dissolved oxygen concentrations are not to extend beyond eight hours per 24-hour day. Lower dissolved oxygen minima may apply on a site-specific basis, when natural daily fluctuations below the mean are greater than the difference between the mean and minima of the appropriate criteria.

- Spring criteria to protect fish spawning periods are applied during that portion of the first half of the year when water temperatures are 63.0°F to 73.0°F.
- Procedures to support aquatic life attributes are described in the standards implementation procedures (RG-194) chapter "Determining Water Quality Uses and Criteria" as amended.
- Dissolved oxygen analyses and computer models to establish effluent limits for permitted discharges are normally applied to mean criteria at steady-state, critical conditions.
- Determination of standards attainment for dissolved oxygen criteria is specified in §307.9(e)(6) of this title (relating to Determination of Standards Attainment).
- Minimal aquatic life use has been historically known as no significant aquatic life use. Typically, the classification of a water body as supporting a minimal aquatic life use is based on flow characteristics (intermittent stream without perennial pools), as set forth in §304.4(h)(4) of this title, and not on aquatic life attributes.

(ii) Critical low-flow values associated with the bedslopes and dissolved oxygen criteria in Table 4 of this clause apply to streams that have limited, intermediate, high, or exceptional aquatic life uses and to streams that are specifically listed in Appendix A or D of §307.10 of this title. The critical low-flow values in Table 4 of this clause apply to streams in Texas that are east of a line defined by Interstate Highways 35 and 35W from the Red River to the community of Moore in Frio County, and by US Highway 57 from the community of Moore to the Rio Grande. Table 4 of this clause does not apply where specifically superseded by the equation that is listed in footnote 3 in the Cypress Creek Basin in Appendix A and in footnote 1 [2] in Appendix D of §307.10 of this title. The critical low-flow values in Table 4 of this clause (at the appropriate stream bedslope) are utilized as headwater flows when the flows are larger than applicable seven-day, two-year low-flows in order to determine discharge effluent limits necessary to achieve dissolved oxygen criteria. For streams that have bedslopes less than the minimum bedslopes in Table 4 of this clause, the flows listed for the minimum bedslope of 0.1 meters per kilometer (m/km) are applicable. For streams that have bedslopes greater than the maximum bedslope in Table 4 of this clause, the flows listed for the maximum bedslope of 2.4 m/km are applicable. The required effluent limits are those necessary to achieve each level of dissolved oxygen (as defined in Table 3 of clause (i) of this subparagraph) at or below an assigned, designated, or presumed aquatic life use. Presumed aquatic life uses must

be in accordance with those required by §307.4(h) of this title. The critical low-flow values in Table 4 of this clause do not apply to tidal streams.

**Figure: 30 TAC §307.7(b)(3)(A)(ii) (No change to the figure as it currently exists in TAC.)**

TABLE 4

Critical low-flow values for dissolved oxygen for the eastern and southern Texas ecoregions as described in §307.7(b)(3)(A)(ii).

Bedslope (m/km)	6.0 DO (cfs)	5.0 DO (cfs)	4.0 DO (cfs)	3.0 DO (cfs)
0.1	*	18.3	3.0	0.5
0.2	*	7.7	1.3	0.2
0.3	28.6	4.7	0.8	0.1
0.4	20.0	3.3	0.5	0.1
0.5	15.2	2.5	0.4	0.1
0.6	12.1	2.0	0.3	0.1
0.7	10.0	1.6	0.3	0.0
0.8	8.4	1.4	0.2	0.0
0.9	7.3	1.2	0.2	0.0
1.0	6.4	1.0	0.2	0.0
1.1	5.7	0.9	0.2	0.0
1.2	5.1	0.8	0.1	0.0
1.3	4.6	0.8	0.1	0.0
1.4	4.2	0.7	0.1	0.0
1.5	3.9	0.6	0.1	0.0

Bedslope (m/km)	6.0 DO (cfs)	5.0 DO (cfs)	4.0 DO (cfs)	3.0 DO (cfs)
1.6	3.6	0.6	0.1	0.0
1.7	3.3	0.5	0.1	0.0
1.8	3.1	0.5	0.1	0.0
2.1	2.5	0.4	0.1	0.0
2.4	2.2	0.4	0.1	0.0

- \* Flows are beyond the observed data used in the regression equation.
- Dissolved oxygen criteria in this table are in mg/L and apply as 24-hour averages; associated minimum criteria are listed in Table 3 of clause (i) of this subparagraph.
- Dissolved oxygen criteria in this table apply at all stream flows at or above the indicated stream flow for each category.



(iii) The critical low-flow values in Table 4 of clause (ii) of this subparagraph for limited, intermediate, high, and exceptional aquatic life uses are based upon data from the commission's least impacted stream study (Texas Aquatic Ecoregion Project). Results of this study indicate a strong dependent relationship for average summertime background dissolved oxygen concentrations and several hydrologic and physical stream characteristics - particularly bedslope (stream gradient) and stream flow. The critical low-flow values in Table 4 of clause (ii) of this subparagraph are derived from a multiple regression equation for the eastern portion of Texas as defined in clause (ii) of this subparagraph. Further explanation of the development of the regression equation and its application are contained in the standards implementation procedures as amended.

(iv) The critical low-flow values in Table 4 of clause (ii) of this subparagraph may be adjusted based on site-specific data relating dissolved oxygen concentrations to factors such as flow, temperature, or hydraulic conditions in accordance with the standards implementation procedures as amended. Site-specific, critical low-flow values require approval by the commission. The EPA must review any site-specific, critical low-flow values that could affect permits or other regulatory actions that are subject to approval by EPA. Critical low-flow values that have been determined for particular streams are listed in the standards implementation procedures.

(B) Oyster waters.

(i) A 1,000 foot buffer zone, measured from the shoreline at ordinary high tide, is established for all bay and gulf waters except those contained in river or coastal basins as defined in §307.2 of this title (relating to Description of Standards). Recreational criteria for indicator bacteria, as specified in §307.7(b)(1) of this title (relating to Site-Specific Uses and Criteria), are applicable within buffer zones.

(ii) The criteria for median fecal coliform concentration in bay and gulf waters, exclusive of buffer zones, are 14 colonies per 100 mL with not more than 10% of all samples exceeding 43 colonies per 100 mL.

(iii) Oyster waters should be maintained so that concentrations of toxic materials do not cause edible species of clams, oysters, and mussels to exceed accepted guidelines for the protection of public health. Guidelines are provided by the United States Food and Drug Administration Action Levels for molluscan shellfish, but additional information related to human health protection may also be considered in determining acceptable toxic concentrations.

(4) Additional criteria.

(A) Chemical parameters. Site-specific criteria for chloride, sulfate, and total dissolved solids are established as averages over an annual period for either a single sampling point or multiple sampling points.

(B) pH. Site-specific numerical criteria for pH are established as absolute minima and maxima.

(C) Temperature. Site-specific temperature criteria are established as absolute maxima.

(D) Toxic materials. Criteria for toxic materials are established in §307.6 of this title (relating to Toxic Materials).

(E) Nutrient criteria. Numeric and narrative criteria to preclude excessive growth of aquatic vegetation are intended to protect multiple uses such as primary, secondary, and noncontact recreation, aquatic life, and public water supplies. Nutrient numeric criteria for specific reservoirs, expressed as concentrations of chlorophyll a in water, are listed in Appendix F of §307.10 of this title.

(5) Additional uses. Other basic uses, such as navigation, agricultural water supply, industrial water supply, seagrass propagation, and wetland water quality functions must be maintained and protected for all water in the state where these uses can be achieved.

**§307.10. Appendices A - G.**

(a) The following appendices are integral components of this chapter of the Texas Surface Water Quality Standards.

(1) Appendix A - Site-specific Uses and Criteria for Classified Segments:

**Figure: 30 TAC §307.10(1)**

**[Figure: 30 TAC §307.10(1)]**

**Appendix A - Site-specific Uses and Criteria for Classified Segments**

The following tables identify the water uses and supporting numerical criteria for each of the state's classified segments. The tables are ordered by basin with the segment number and segment name given for each classified segment. Marine segments are those that are specifically titled as "tidal" in the segment name, plus all bays, estuaries and the Gulf of Mexico. The following descriptions denote how each numerical criterion is used subject to the provisions in §307.7 of this title (relating to Site-Specific Uses and Criteria), §307.8 of this title (relating to Application of Standards), and §307.9 of this title (relating to Determination of Standards Attainment).

Segments that include reaches that are dominated by springflow are footnoted in this appendix and have critical low-flows calculated according to §307.8(a)(2) of this title. These critical low-flows apply at or downstream of the spring(s) providing the flows. Critical low-flows upstream of these springs may be considerably smaller. Critical low-flows used in conjunction with [the] TCEQ regulatory actions (such as discharge permits) may be adjusted based on the relative location of a discharge to a gauging station.

The criteria for  $\text{Cl}^{-1}$  (chloride),  $\text{SO}_4^{-2}$  (sulfate), and TDS (total dissolved solids) are listed in this appendix as maximum annual averages for the segment.

Dissolved oxygen criteria are listed as minimum 24-hour means at any site within the segment. Absolute minima and seasonal criteria are listed in §307.7 of this title unless otherwise specified in this appendix. Dissolved oxygen criteria of 1.0 mg/L in this appendix will be considered minimum values at any time.

The pH criteria are listed as minimum and maximum values expressed in standard units at any site within the segment.

The freshwater indicator bacteria for recreation is *E. coli*. Enterococci is the indicator bacteria for recreation in saltwater and certain high saline inland water bodies with typical high conductivity values. The appropriate bacterial criteria are listed in the appendix under the Indicator Bacteria column and are applied as specified in §307.7(b)(1) of this title. The indicator bacteria for suitability for oyster waters is fecal coliform. The fecal coliform criteria for oyster waters is 14 colonies per 100 mL as specified in §307.7(b)(3)(B) of this title.

The criteria for temperature are listed as maximum values at any site within the segment except as noted in §307.4(h) of this title (relating to General Criteria) and §307.8(b) of this title.

Footnotes are defined at the end of each basin or bay and estuary table, as appropriate.

Canadian River Basin Designated Uses and Numeric Criteria

Segment No.	Canadian River Basin Segment Names	Recreation Use	Aquatic Life Use	Domestic Water Supply Use	Other Uses	Cl <sup>-1</sup> (mg/L)	SO <sub>4</sub> <sup>-2</sup> (mg/L)	TDS (mg/L)	Dissolved Oxygen (mg/L)	pH Range (SU)	Indicator Bacterial #/100 mL	Temperature (degrees F)
0101	Canadian River Below Lake Meredith	PCR1	H			1,975	760	5,000	5.0	6.5-9.0	126	95
0102	Lake Meredith	PCR1	E	PS		400	350	1,300	6.0	6.5-9.0	126	85
0103	Canadian River Above Lake Meredith	PCR1	H			1,050	540	4,500	5.0	6.5-9.0	126	95
0104	Wolf Creek	PCR1	H			420	125	1,125	5.0	6.5-9.0	126	93
0105	Rita Blanca Lake	NCR	L		WF <sup>2</sup>	200	200	1,000	3.0	6.5-9.0	126	85

- 1 The indicator bacteria for freshwater is *E. coli*.
- 2 The segment is designated as high quality waterfowl habitat.

Red River Basin Designated Uses and Numeric Criteria

Segment No.	Red River Basin Segment Names	Recreation Use	Aquatic Life Use	Domestic Water Supply Use	Other Uses	Cl <sup>1</sup> (mg/L)	SO <sub>4</sub> <sup>-2</sup> (mg/L)	TDS (mg/L)	Dissolved Oxygen (mg/L)	pH Range (SU)	Indicator Bacteria <sup>1</sup> #/100 mL	Temperature (degrees F)
0201	Lower Red River	PCR1	H	PS		375	250	1,100	5.0	6.5-9.0	126	93
0202	Red River Below Lake Texoma	PCR1	H	PS		375	250	1,100	5.0	6.5-9.0	126	93
0203	Lake Texoma	PCR1	H	PS		600	300	1,500	5.0	6.5-9.0	126	92
0204	Red River Above Lake Texoma	PCR1	H			2,000	1,200	6,000	5.0	6.5-9.0	33	93
0205	Red River Below Pease River	PCR1	H			5,000	2,000	10,000	5.0	6.5-9.0	33	93
0206	Red River Above Pease River	PCR1	H			12,000	4,000	25,000	5.0	6.5-9.0	33	93
0207	Lower Prairie Dog Town Fork Red River	PCR1	H			37,000	5,300	46,200	5.0	6.5-9.0	33	93
0208	Lake Crook	PCR1	H	PS		75	150	350	5.0	6.5-9.0	126	90
0209	Pat Mayse Lake	PCR1	H	PS		100	175	350	5.0	6.5-9.0	126	90
0210	Farmers Creek Reservoir	PCR1	H	PS		200	60	550	5.0	6.5-9.0	126	93
0211	Little Wichita River	PCR1	H	PS		450	250	500	3.0 <sup>2</sup>	6.5-9.0	126	91
0212	Lake Arrowhead	PCR1	H	PS		250	50	500	5.0	6.5-9.0	126	93

Texas Commission on Environmental Quality  
Chapter 307 - Texas Surface Water Quality Standards  
Rule Project No. 2020-014-307-OW

Segment No.	Red River Basin Segment Names	Recreation Use	Aquatic Life Use	Domestic Water Supply Use	Other Uses	Cl <sup>1</sup> (mg/L)	SO <sub>4</sub> <sup>2</sup> (mg/L)	TDS (mg/L)	Dissolved Oxygen (mg/L)	pH Range (SU)	Indicator Bacteria <sup>1</sup> #/100 mL	Temperature (degrees F)
0213	Lake Kickapoo	PCR1	H	PS		100	50	400	5.0	6.5-9.0	126	90
0214	Wichita River Below Diversion Lake	PCR1	H			1,800	800	5,000	5.0	6.5-9.0	126	90
0215	Diversion Lake	PCR1	H			1,800	1,100	5,000	5.0	6.5-9.0	126	90
0216	Wichita River Below Lake Kemp	PCR1	H			1,925	960	5,000	5.0	6.5-9.0	126	90
0217	Lake Kemp <sup>3</sup>	PCR1	H			7,000	2,500	15,000	5.0	6.5-9.0	33	93
0218	Wichita/North Fork Wichita River <sup>4</sup>	PCR1	H			7,500	2,800	16,250	5.0	6.5-9.0	33	93
0219	Lake Wichita	PCR1	H			1,000	400	1,800	5.0	6.5-9.0	126	90
0220	Upper Pease/North Fork Pease River	PCR1	H			12,000	3,500	30,000	5.0	6.5-9.0	33	91
0221	Middle Fork Pease River	PCR1	H			870	1,400	2,800	5.0	6.5-9.0	126	91
0222	Salt Fork Red River	PCR1	H			400	1,400	3,000	5.0	6.5-9.0	126	93
0223	Greenbelt Lake	PCR1	H	PS		250	200	750	5.0	6.5-9.0	126	93
0224	North Fork Red River	PCR1	H			800	1,200	2,500	5.0	6.5-9.0	126	91
0225	McKinney Bayou	PCR1	L	PS		60	90	400	3.0	6.0-8.5	126	93
0226	South Fork Wichita River <sup>3</sup>	PCR1	H			12,000	3,650	31,000	5.0	6.5-9.0	33	93



Segment No.	Red River Basin Segment Names	Recreation Use	Aquatic Life Use	Domestic Water Supply Use	Other Uses	Cl <sup>1</sup> (mg/L)	SO <sub>4</sub> <sup>2</sup> (mg/L)	TDS (mg/L)	Dissolved Oxygen (mg/L)	pH Range (SU)	Indicator Bacteria <sup>1</sup> #/100 mL	Temperature (degrees F)
0227	South Fork Pease River	PCR1	H			270	200	1,000	5.0	6.5-9.0	126	91
0228	Mackenzie Reservoir	PCR1	H	PS		50	200	500	5.0	6.5-9.0	126	90
0229	Upper Prairie Dog Town Fork Red River	PCR1	H			350	675	2,000	5.0	6.5-9.0	126	93
0230	Pease River	PCR1	I			12,000	3,500	30,000	4.0	6.5-9.0	33	91

- 1 The indicator bacteria for freshwater is *E. coli*. The indicator bacteria for Segments 0204, 0205, 0206, 0207, 0217, 0218, 0220, 0226, and 0230 is Enterococci.
- 2 The 24-hour minimum dissolved oxygen criterion is 2.0 mg/L.
- 3 It is anticipated that inorganic chemical quality should improve following completion and as a result of the operation of salinity control projects.
- 4 The critical low-flow is calculated according to §307.8(a)(2)(B) of this title.

Sulphur River Basin Designated Uses and Numeric Criteria

Segment No.	Sulphur River Basin Segment Names	Recreation Use	Aquatic Life Use	Domestic Water Supply Use	Other Uses	Cl-1 (mg/L)	SO4-2 (mg/L)	TDS (mg/L)	Dissolved Oxygen (mg/L)	pH Range (SU)	Indicator Bacterial #/100 mL	Temperature (degrees F)
0301	Sulphur River Below Wright Patman Lake	PCR1	H			120	100	500	5.0	6.0-8.5	126	90
0302	Wright Patman Lake	PCR1	H	PS		75	75	400	5.0	6.5-9.5	126	90
0303	Sulphur/South Sulphur River	PCR1	H			80	180	600	5.0	6.0-8.5	126	93
0304	Days Creek	PCR1	I			525	75	850	4.0	6.0-8.5	126	90
0305	North Sulphur River <sup>2,3</sup>	PCR1	I <sup>2</sup>			190	475	1,320	5.0	6.0-8.5	126	93
0306	Upper South Sulphur River	PCR1	I			80	180	600	4.0	6.5-9.0	126	93
0307	Jim L. Chapman Lake	PCR1	H	PS		50	50	225	5.0	6.5-9.0	126	93

- 1 The indicator bacteria for freshwater is *E. coli*.
- 2 For the purpose of assessment, the intermediate aquatic life use applies only to the fish community. The benthic community is to be assessed using a limited aquatic life use.
- 3 The segment is an intermittent stream with perennial pools.

Cypress Creek Basin Designated Uses and Numeric Criteria

Segment No.	Cypress Creek Basin Segment Names	Recreation Use	Aquatic Life Use	Domestic Water Supply Use	Other Uses	Cl-1 (mg/L)	SO4-2 (mg/L)	TDS (mg/L)	Dissolved Oxygen (mg/L)	pH Range (SU)	Indicator Bacterial #/100 mL	Temperature (degrees F)
0401	Caddo Lake	PCR1	H	PS		50	50	200	5.0	5.5-9.0	126	90
0402	Big Cypress Creek Below Lake O' the Pines	PCR1	H	PS		100	50	300	5.0	5.5-8.0	126	93
0403	Lake O' the Pines	PCR1	H	PS		80	50	300	5.0	6.0-8.5	126	93
0404	Big Cypress Creek Below Lake Bob Sandlin	SCR1	I			100	100	500	4.0	6.0-8.5	630	90
0405	Lake Cypress Springs	PCR1	H	PS		100	100	500	5.0	6.0-8.5	126	93
0406	Black Bayou <sup>2</sup>	PCR1	H	PS		80	50	300	≤5.0 <sup>3</sup>	5.5-8.0	126	90
0407	<u>James</u> [James'] Bayou <sup>2</sup>	PCR1	H	PS		100	50	300	≤5.0 <sup>3</sup>	5.5-8.0	126	90
0408	Lake Bob Sandlin	PCR1	H	PS		50	65	150	5.0	6.5-9.0	126	90
0409	Little Cypress Bayou (Creek)	PCR1	H	PS		100	50	300	≤5.0 <sup>3</sup>	5.5-8.5	126	90
0410	Black Cypress Bayou (Creek)	PCR1	H			50	50	200	≤5.0 <sup>3</sup>	5.5-8.0	126	90

- 1 The indicator bacteria for freshwater is *E. coli*.
- 2 The segment is an intermittent stream with perennial pools.

- 3 A 24-hour average dissolved oxygen criterion of 5.0 mg/L is the upper bounds if the following indicated dissolved oxygen equation predicts dissolved oxygen values that are higher than 5.0 mg/L. When the 24-hour average dissolved oxygen is predicted to be lower than 1.5 mg/L, then the dissolved oxygen criterion is set at 1.5 mg/L. When the 24-hour dissolved oxygen criterion is greater than 2.0 mg/L, the corresponding 24-hour minimum dissolved oxygen criterion should be 1.0 mg/L less than the calculated 24-hour average. When the 24-hour dissolved oxygen criterion is less than or equal to 2.0 mg/L, the corresponding 24-hour minimum dissolved oxygen criterion should be 0.5 mg/L less than the calculated 24-hour average criterion.

When stream flow is below 0.1 cfs, then 0.1 cfs is the presumed flow that should be used in the equation. This equation supersedes Table 4 in §307.7(b)(3)(A) of this title.

$DO = 12.11 - 0.309T + 1.05 \log Q - 1.02 \log WS$  where DO = 24-hour average dissolved oxygen criterion

T = temperature in degrees Celsius

Q = flow in cfs

WS = watershed size in square km (up to 1000 km)

Sabine River Basin Designated Uses and Numeric Criteria

Segment No.	Sabine River Basin Segment Names	Recreation Use	Aquatic Life Use	Domestic Water Supply Use	Other Uses	Cl <sup>1</sup> (mg/L)	SO <sub>4</sub> <sup>-2</sup> (mg/L)	TDS (mg/L)	Dissolved Oxygen (mg/L)	pH Range (SU)	Indicator Bacteria <sup>1</sup> #/100 mL	Temperature (degrees F)
0501	Sabine River Tidal	PCR1	H						4.0	6.0-8.5	35	95
0502	Sabine River Above Tidal	PCR1	H	PS		50	50	200	5.0	6.0-8.5	126	91
0503	Sabine River Above Caney Creek	PCR1	H	PS		50	50	200	5.0	6.0-8.5	126	91
0504	Toledo Bend Reservoir	PCR1	H	PS		70	50	240	5.0	6.0-8.5	126	93
0505	Sabine River Above Toledo Bend Reservoir	PCR1	H	PS		175	100	400	5.0	6.0-8.5	126	93
0506	Sabine River Below Lake Tawakoni	PCR1	H	PS		200	100	500	5.0	6.0-8.5	126	90
0507	Lake Tawakoni	PCR1	H	PS		75 <sup>2</sup>	75 <sup>2</sup>	400 <sup>2</sup>	5.0	6.0-9.0	126	93
0508	Adams Bayou Tidal	PCR1	H						4.0	6.0-8.5	35	95
0509	Murvaul Lake	PCR1	H	PS		150	75	500	5.0	6.5-9.0	126	92
0510	Lake Cherokee	PCR1	H	PS		75	50	250	5.0	6.0-8.5	126	95
0511	Cow Bayou Tidal	PCR1	H						4.0	6.0-8.5	35	95
0512	Lake Fork Reservoir	PCR1	H	PS		50	50	200	5.0	6.5-9.0	126	95

Segment No.	Sabine River Basin Segment Names	Recreation Use	Aquatic Life Use	Domestic Water Supply Use	Other Uses	Cl <sup>1</sup> (mg/L)	SO <sub>4</sub> <sup>-2</sup> (mg/L)	TDS (mg/L)	Dissolved Oxygen (mg/L)	pH Range (SU)	Indicator Bacteria <sup>1</sup> #/100 mL	Temperature (degrees F)
0513	Big Cow Creek	PCR1	H	PS		75	50	300	5.0	5.5-8.5	126	90
0514	Big Sandy Creek	PCR1	H	PS		75	50	300	5.0	6.0-8.5	126	90
0515	Lake Fork Creek	PCR1	H	PS		100	75	400	5.0	6.0-8.5	126	90

- 1 The indicator bacteria for freshwater is *E. coli* and for saltwater is Enterococci.
- 2 This criterion will be reviewed upon the next water quality standards revision and is contingent upon the continuation and progress of a water reuse project. The original criteria (TDS of 200, Cl<sup>1</sup> of 50, and SO<sub>4</sub><sup>-2</sup> of 50) may be appropriate if the water reuse project is not pursued.

Neches River Basin Designated Uses and Numeric Criteria

Segment No.	Neches River Basin Segment Names	Recreation Use	Aquatic Life Use	Domestic Water Supply Use	Other Uses	Cl <sup>1</sup> (mg/L)	SO <sub>4</sub> <sup>-2</sup> (mg/L)	TDS (mg/L)	Dissolved Oxygen (mg/L)	pH Range (SU)	Indicator Bacteria <sup>1</sup> #/100 mL	Temperature (degrees F)
0601	Neches River Tidal	PCR1	I						3.0	6.0-8.5	35	95
0602	Neches River Below B. A. Steinhagen Lake	PCR1	H	PS		50	50	200	5.0	6.0-8.5	126	91
0603	B. A. Steinhagen Lake	PCR1	H	PS		50	50	200	5.0	6.0-8.5	126	93
0604	Neches River Below Lake Palestine	PCR1	H	PS		50	50	200	5.0	6.0-8.5	126	91
0605	Lake Palestine	PCR1	H	PS		50	50	200	5.0	6.5-9.0	126	90
0606	Neches River Above Lake Palestine	PCR1	I	PS		100	50	300	4.0	6.0-8.5	126	95
0607	Pine Island Bayou	PCR1	H	PS		150	50	300	3.0	6.0-8.5	126	95
0608	Village Creek	PCR1	H	PS		150	75	300	5.0	5.5-8.0	126	90
0609	Angelina River Below Sam Rayburn Reservoir	PCR1	H	PS		70	50	250	5.0	6.0-8.5	126	90
0610	Sam Rayburn Reservoir	PCR1	H	PS		100	100	400	5.0	6.0-8.5	126	93
0611	Angelina River Above Sam Rayburn Reservoir	PCR1	H	PS		125	50	250	5.0	6.0-8.5	126	90
0612	Attoyac Bayou	PCR1	H	PS		75	50	200	5.0	6.0-8.5	126	90

Segment No.	Neches River Basin Segment Names	Recreation Use	Aquatic Life Use	Domestic Water Supply Use	Other Uses	Cl <sup>1</sup> (mg/L)	SO <sub>4</sub> <sup>-2</sup> (mg/L)	TDS (mg/L)	Dissolved Oxygen (mg/L)	pH Range (SU)	Indicator Bacteria <sup>1</sup> #/100 mL	Temperature (degrees F)
0613	Lake Tyler/Lake Tyler East	PCR1	H	PS		50	50	200	5.0	6.5-9.0	126	93
0614	Lake Jacksonville	PCR1	H	PS		50	75	750	5.0	6.5-9.0	126	93
0615	Angelina River/Sam Rayburn Reservoir	PCR1	H	PS		150	100	500	5.0	6.5-9.0	126	93

1 The indicator bacteria for freshwater is *E. coli* and for saltwater is Enterococci.



Neches-Trinity Coastal Basin Designated Uses and Numeric Criteria

Segment No.	Neches-Trinity Coastal Basin Segment Names	Recreation Use	Aquatic Life Use	Domestic Water Supply Use	Other Uses	Cl <sup>1</sup> (mg/L)	SO <sub>4</sub> <sup>-2</sup> (mg/L)	TDS (mg/L)	Dissolved Oxygen (mg/L)	pH Range (SU)	Indicator Bacteria <sup>1</sup> #/100 mL	Temperature (degrees F)
0701	Taylor Bayou Above Tidal	PCR1	I			400	100	1,100	4.0	6.5-9.0	126	95
0702	Intracoastal Waterway Tidal	PCR1	H						4.0	6.5-9.0	35	95
0703	Sabine-Neches Canal Tidal	PCR1	H						4.0	6.5-9.0	35	95
0704	Hillebrandt Bayou	PCR1	I			250	100	600	4.0 <sup>2</sup>	6.5-9.0	126	95

1 The indicator bacteria for freshwater is *E. coli* and for saltwater is Enterococci.

2 The 24-hour minimum dissolved oxygen criterion is 2.5 mg/L.

Trinity River Basin Designated Uses and Numeric Criteria

Segment No.	Trinity River Basin Segment Names	Recreation Use	Aquatic Life Use	Domestic Water Supply Use	Other Uses	Cl <sup>1</sup> (mg/L)	SO <sub>4</sub> <sup>-2</sup> (mg/L)	TDS (mg/L)	Dissolved Oxygen (mg/L)	pH Range (SU)	Indicator Bacteria <sup>1</sup> #/100 mL	Temperature (degrees F)
0801	Trinity River Tidal	PCR1	H						4.0	6.5-9.0	35	95
0802	Trinity River Below Lake Livingston	PCR1	H	PS		125	100	600	5.0	6.5-9.0	126	93
0803	Lake Livingston	PCR1	H	PS		150	60	500	5.0	6.5-9.0	126	93
0804	Trinity River Above Lake Livingston	PCR1	H			150	150	600	5.0	6.5-9.0	126	93
0805	Upper Trinity River	PCR1	H			175	175	850	5.0 <sup>2</sup>	6.5-9.0	126	95
0806	West Fork Trinity River Below Lake Worth	PCR1	H	PS		100	100	500	5.0	6.5-9.0	126	93
0807	Lake Worth	PCR1	H	PS		100	100	500	5.0	6.5-9.0	126	91
0808	West Fork Trinity River Below Eagle Mountain Reservoir	PCR1	H	PS		100	100	500	5.0	6.5-9.0	126	91
0809	Eagle Mountain Reservoir	PCR1	H	PS		75	75	300	5.0	6.5-9.0	126	94
0810	West Fork Trinity River Below Bridgeport Reservoir	PCR1	H	PS		100	100	500	5.0	6.5-9.0	126	90
0811	Bridgeport Reservoir	PCR1	H	PS		75	75	300	5.0	6.5-9.0	126	90

Texas Commission on Environmental Quality  
Chapter 307 - Texas Surface Water Quality Standards  
Rule Project No. 2020-014-307-OW

Segment No.	Trinity River Basin Segment Names	Recreation Use	Aquatic Life Use	Domestic Water Supply Use	Other Uses	Cl <sup>1</sup> (mg/L)	SO <sub>4</sub> <sup>-2</sup> (mg/L)	TDS (mg/L)	Dissolved Oxygen (mg/L)	pH Range (SU)	Indicator Bacteria <sup>1</sup> #/100 mL	Temperature (degrees F)
0812	West Fork Trinity River Above Bridgeport Reservoir <sup>3</sup>	PCR1	I	PS		190	200	800	3.0 <sup>4</sup>	6.5-9.0	126	88
0813	Houston County Lake	PCR1	H	PS		75	75	300	5.0	6.5-9.0	126	93
0814	Chambers Creek Above Richland-Chambers Reservoir	PCR1	H	PS		90	160	500	5.0	6.5-9.0	126	90
0815	Bardwell Reservoir	PCR1	H	PS		50	50	300	5.0	6.5-9.0	126	91
0816	Lake Waxahachie	PCR1	H	PS		50	50	300	5.0	6.5-9.0	126	91
0817	Navarro Mills Lake	PCR1	H	PS		50	75	300	5.0	6.5-9.0	126	90
0818	Cedar Creek Reservoir	PCR1	H	PS		50	100	200	5.0	6.5-9.0	126	93
0819	East Fork Trinity River	PCR1	I			100	100	500	4.0	6.5-9.0	126	91
0820	Lake Ray Hubbard	PCR1	H	PS		100	100	500	5.0	6.5-9.0	126	93
0821	Lavon Lake	PCR1	H	PS		100	100	500	5.0	6.5-9.0	126	93
0822	Elm Fork Trinity River Below Lewisville Lake	PCR1	H	PS		80	60	500	5.0	6.5-9.0	126	90
0823	Lewisville Lake	PCR1	H	PS		80	60	500	5.0	6.5-9.0	126	90

Texas Commission on Environmental Quality  
 Chapter 307 - Texas Surface Water Quality Standards  
 Rule Project No. 2020-014-307-OW

Segment No.	Trinity River Basin Segment Names	Recreation Use	Aquatic Life Use	Domestic Water Supply Use	Other Uses	Cl <sup>1</sup> (mg/L)	SO <sub>4</sub> <sup>-2</sup> (mg/L)	TDS (mg/L)	Dissolved Oxygen (mg/L)	pH Range (SU)	Indicator Bacteria <sup>1</sup> #/100 mL	Temperature (degrees F)
0824	Elm Fork Trinity River Above Ray Roberts Lake	PCR1	H	PS <sup>5</sup>		110	90	700	5.0	6.5-9.0	126	90
0825	Denton Creek	PCR1	H	PS		80	60	500	5.0	6.5-9.0	126	90
0826	Grapevine Lake	PCR1	H	PS		80	60	500	5.0	6.5-9.0	126	93
0827	White Rock Lake	PCR1	H			100	100	400	5.0	6.5-9.0	126	93
0828	Lake Arlington	PCR1	H	PS		100	100	300	5.0	6.5-9.0	126	95
0829	Clear Fork Trinity River Below Benbrook Lake	PCR1	H	PS		100	100	500	5.0	6.5-9.0	126	93
0830	Benbrook Lake	PCR1	H	PS		75	75	300	5.0	6.5-9.0	126	93
0831	Clear Fork Trinity River Below Lake Weatherford	PCR1	H	PS		100	100	500	5.0 <sup>6</sup>	6.5-9.0	126	90
0832	Lake Weatherford	PCR1	H	PS		100	100	500	5.0	6.5-9.0	126	93
0833	Clear Fork Trinity River Above Lake Weatherford <sup>7</sup>	PCR1	I	PS		125	125	750	4.0 <sup>8</sup>	6.5-9.0	126	95
0834	Lake Amon G. Carter	PCR1	H	PS		150	150	400	5.0	6.5-9.0	126	93

Segment No.	Trinity River Basin Segment Names	Recreation Use	Aquatic Life Use	Domestic Water Supply Use	Other Uses	Cl <sup>1</sup> (mg/L)	SO <sub>4</sub> <sup>-2</sup> (mg/L)	TDS (mg/L)	Dissolved Oxygen (mg/L)	pH Range (SU)	Indicator Bacteria <sup>1</sup> #/100 mL	Temperature (degrees F)
0835	Richland Creek Below Richland-Chambers Reservoir	PCR1	H	PS		145	170	500	5.0	6.5-9.0	126	90
0836	Richland-Chambers Reservoir	PCR1	H	PS		75	110	400	5.0	6.5-9.0	126	91
0837	Richland Creek Above Richland-Chambers Reservoir	PCR1	H	PS		145	170	500	5.0	6.5-9.0	126	90
0838	Joe Pool Lake	PCR1	H	PS		100	250	500	5.0	6.5-9.0	126	90
0839	Elm Fork Trinity River Below Ray Roberts Lake	PCR1	H	PS		80	60	500	5.0	6.5-9.0	126	90
0840	Ray Roberts Lake	PCR1	H	PS		80	60	500	5.0	6.5-9.0	126	90
0841	Lower West Fork Trinity River	PCR1	I			175	175	850	4.0 <sup>9</sup>	6.5-9.0	126	95

- 1 The indicator bacteria for freshwater is *E. coli* and for saltwater is Enterococci.
- 2 The dissolved oxygen criterion is 3.5 mg/L when headwater flow at USGS Gaging Station 08048000 (located on the West Fork Trinity River in Fort Worth) is less than 80 cfs.
- 3 The segment is an intermittent stream with perennial pools.
- 4 The 24-hour minimum dissolved oxygen criterion is 2.0 mg/L.
- 5 The public water supply use does not apply from a point 9.5 km (5.9 mi) downstream of the confluence of Pecan Creek in Cooke County up to FM 373 in Cooke County.

- 6 A 24-hour average dissolved oxygen criterion of 3.0 mg/L and minimum dissolved oxygen criterion of 2.0 mg/L applies from the confluence with an unnamed tributary approximately 1.0 mi downstream of Weatherford Dam upstream to Weatherford Dam.
- 7 The segment is an intermittent stream with perennial pools.
- 8 The 24-hour minimum dissolved oxygen criterion is 2.0 mg/L. A 24-hour average dissolved oxygen criterion of 2.0 mg/L and a 24-hour minimum dissolved oxygen criterion of 1.0 mg/L apply when flows are less than 1.0 cfs.
- 9 The dissolved oxygen criterion is 2.5 mg/L when headwater flow at USGS Gaging Station 08048000 (located on the West Fork Trinity River in Fort Worth) is less than 80.0 cfs. Trinity-San Jacinto Coastal Basin Designated Uses and Numeric Criteria

Trinity-San Jacinto Coastal Basin Segment Names

Segment No.	Trinity-San Jacinto Coastal Basin Segment Names	Recreation Use	Aquatic Life Use	Domestic Water Supply Use	Other Uses	Cl <sup>1</sup> (mg/L)	SO <sub>4</sub> <sup>-2</sup> (mg/L)	TDS (mg/L)	Dissolved Oxygen (mg/L)	pH Range (SU)	Indicator Bacteria <sup>1</sup> #/100 mL	Temperature (degrees F)
0901	Cedar Bayou Tidal	PCR1	H						4.0	6.5-9.0	35	95
0902	Cedar Bayou Above Tidal	PCR1	H			200	150	700	5.0	6.5-9.0	126	90

1 The indicator bacteria for freshwater is *E. coli* and for saltwater is Enterococci.

San Jacinto River Basin Designated Uses and Numeric Criteria

Segment No.	San Jacinto River Basin Segment Names	Recreation Use	Aquatic Life Use	Domestic Water Supply Use	Other Uses	Cl <sup>-1</sup> (mg/L)	SO <sub>4</sub> <sup>-2</sup> (mg/L)	TDS (mg/L)	Dissolved Oxygen (mg/L)	pH Range (SU)	Indicator Bacteria <sup>1</sup> #/100 mL	Temperature (degrees F)
1001	San Jacinto River Tidal	PCR1	H						4.0	6.5-9.0	35	95
1002	Lake Houston	PCR1	H	PS		100	50	400	5.0	6.5-9.0	126	90
1003	East Fork San Jacinto River	PCR1	H	PS		80	50	400	5.0	6.0-8.5	126	91
1004	West Fork San Jacinto River	PCR1	H	PS		100	50	400	5.0	6.5-9.0	126	95
1005	Houston Ship Channel/San Jacinto River Tidal	NCR	H						4.0	6.5-9.0	35	95
1006 <sup>2</sup>	Houston Ship Channel Tidal				N/IS				2.0	6.5-9.0	168	95
1007 <sup>2</sup>	Houston Ship Channel/Buffalo Bayou Tidal				N/IS				1.0	6.5-9.0	168	95
1008	Spring Creek	PCR1	H	PS		100	50	450	5.0 <sup>3</sup>	6.5-9.0	126	90
1009	Cypress Creek	PCR1	H	PS		100	50	600	5.0	6.5-9.0	126	90
1010	Caney Creek	PCR1	H	PS		50	50	300	5.0	6.0-8.5	126	90
1011	Peach Creek	PCR1	H	PS		50	50	300	5.0	6.0-8.5	126	90
1012	Lake Conroe	PCR1	H	PS		50	50	300	5.0	6.5-9.0	126	90



Segment No.	San Jacinto River Basin Segment Names	Recreation Use	Aquatic Life Use	Domestic Water Supply Use	Other Uses	Cl <sup>1</sup> (mg/L)	SO <sub>4</sub> <sup>-2</sup> (mg/L)	TDS (mg/L)	Dissolved Oxygen (mg/L)	pH Range (SU)	Indicator Bacteria <sup>1</sup> #/100 mL	Temperature (degrees F)
1013	Buffalo Bayou Tidal	PCR1	I						3.0	6.5-9.0	35	92
1014	Buffalo Bayou Above Tidal	PCR1	L			110	65	600	3.0	6.5-9.0	126	92
1015	Lake Creek	PCR1	H	PS		80	50	300	5.0	6.0-8.5	126	90
1016	Greens Bayou Above Tidal	PCR1	L			150	150	1,000	3.0	6.5-9.0	126	92
1017	Whiteoak Bayou Above Tidal	PCR1	L			110	65	600	3.0	6.5-9.0	126	92

- 1 The indicator bacteria for freshwater is *E. coli* and for saltwater is Enterococci.
- 2 Chronic numerical toxic criteria, chronic total toxicity requirements, and numerical toxic criteria applicable to sustainable fisheries apply to the segment.
- 3 A 24-hour average dissolved oxygen criterion of 4.0 mg/L and a 24-hour minimum dissolved oxygen criterion of 3.0 mg/L apply from the confluence with Mill Creek immediately downstream of Neidigk Lake, upstream to the confluence with Kickapoo Creek from July through September.

San Jacinto-Brazos Coastal Basin Designated Uses and Numeric Criteria

Segment No.	San Jacinto-Brazos Coastal Basin Segment Names	Recreation Use	Aquatic Life Use	Domestic Water Supply Use	Other Uses	Cl <sup>1</sup> (mg/L)	SO <sub>4</sub> <sup>-2</sup> (mg/L)	TDS (mg/L)	Dissolved Oxygen (mg/L)	pH Range (SU)	Indicator Bacteria <sup>1</sup> #/100 mL	Temperature (degrees F)
1101	Clear Creek Tidal	PCR1	H						4.0	6.5-9.0	35	95
1102	Clear Creek Above Tidal	PCR1	H			200	100	600	5.0	6.5-9.0	126	95
1103	Dickinson Bayou Tidal	PCR1	H						4.0	6.5-9.0	35	95
1104	Dickinson Bayou Above Tidal	PCR1	I			200	100	600	4.0	6.5-9.0	126	90
1105	Bastrop Bayou Tidal	PCR1	H						4.0	6.5-9.0	35	95
1107	Chocolate Bayou Tidal	PCR1	H						4.0	6.5-9.0	35	95
1108	Chocolate Bayou Above Tidal	PCR1	H			200	100	900	5.0	6.5-9.0	126	90
1109	Oyster Creek Tidal	PCR1	H						4.0	6.5-9.0	35	95
1110	Oyster Creek Above Tidal	PCR1	H			300	150	750	5.0	6.5-9.0	126	90
1111	Old Brazos River Channel Tidal	PCR1	H						4.0	6.5-9.0	35	95
1113	Armand Bayou Tidal	PCR1	H						4.0	6.5-9.0	35	95

1 The indicator bacteria for freshwater is *E. coli* and for saltwater is Enterococci.

Brazos River Basin Designated Uses and Numeric Criteria

Segment No.	Brazos River Basin Segment Names	Recreation Use	Aquatic Life Use	Domestic Water Supply Use	Other Uses	Cl <sup>1</sup> (mg/L)	SO <sub>4</sub> <sup>-2</sup> (mg/L)	TDS (mg/L)	Dissolved Oxygen (mg/L)	pH Range (SU)	Indicator Bacteria <sup>1</sup> #/100 mL	Temperature (degrees F)
1201	Brazos River Tidal	PCR1	H	PS <sup>2</sup>					4.0	6.5-9.0	35	95
1202	Brazos River Below Navasota River	PCR1	H	PS		300	200	750	5.0	6.5-9.0	126	95
1203	Whitney Lake	PCR1	H	PS		670	320	1,500	5.0	6.5-9.0	126	93
1204	Brazos River Below Lake Granbury	PCR1	H			750	380	1,600	5.0	6.5-9.0	126	91
1205	Lake Granbury	PCR1	H	PS		1,000	600	2,500	5.0	6.5-9.0	126	93
1206	Brazos River Below Possum Kingdom Lake	PCR1	H			1,036	595	2,325	5.0	6.5-9.0	126	90
1207	Possum Kingdom Lake	PCR1	H	PS		1,200	500	3,500	5.0	6.5-9.0	126	93
1208	Brazos River Above Possum Kingdom Lake	PCR1	H			5,000	2,000	12,000	5.0	6.5-9.0	33	95
1209	Navasota River Below Lake Limestone	PCR1	H	PS		140	100	600	5.0	6.5-9.0	126	93
1210	Lake Mexia	PCR1	H	PS		100	50	400	5.0	6.5-9.0	126	90
1211	Yegua Creek	PCR1	H	PS		140	130	640	5.0	6.5-9.0	126	91
1212	Somerville Lake	PCR1	H	PS		100	100	400	5.0	6.5-9.0	126	93

Texas Commission on Environmental Quality  
Chapter 307 - Texas Surface Water Quality Standards  
Rule Project No. 2020-014-307-OW

Segment No.	Brazos River Basin Segment Names	Recreation Use	Aquatic Life Use	Domestic Water Supply Use	Other Uses	Cl <sup>1</sup> (mg/L)	SO <sub>4</sub> <sup>2</sup> (mg/L)	TDS (mg/L)	Dissolved Oxygen (mg/L)	pH Range (SU)	Indicator Bacteria <sup>1</sup> #/100 mL	Temperature (degrees F)
1213	Little River	PCR1	H	PS		75	75	400	5.0	6.5-9.0	126	90
1214	San Gabriel River	PCR1	H	PS		50	45	550	5.0	6.5-9.0	126	91
1215	Lampasas River Below Stillhouse Hollow Lake	PCR1	H	PS		100	75	500	5.0	6.5-9.0	126	91
1216	Stillhouse Hollow Lake	PCR1	E	PS		100	75	500	6.0	6.5-9.0	126	93
1217	Lampasas River Above Stillhouse Hollow Lake	PCR1	H			500	100	1,200	5.0	6.5-9.0	126	91
1218	Nolan Creek/South Nolan Creek	PCR1	H			100	75	500	5.0	6.5-9.0	126	93
1219	Leon River Below Belton Lake	PCR1	H	PS		150	75	500	5.0	6.5-9.0	126	91
1220	Belton Lake	PCR1	H	PS		100	75	500	5.0	6.5-9.0	126	93
1221	Leon River Below Proctor Lake	PCR1	H	PS		150	100	900	5.0	6.5-9.0	126	90
1222	Proctor Lake	PCR1	H	PS		200	75	500	5.0	6.5-9.0	126	93
1223	Leon River Below Leon Reservoir	PCR1	H	PS		480	130	1,240	5.0	6.5-9.0	126	93
1224	Leon Reservoir	PCR1	H	PS		150	75	500	5.0	6.5-9.0	126	93
1225	Waco Lake	PCR1	H	PS		60	60	400	5.0	6.5-9.0	126	93

Texas Commission on Environmental Quality  
 Chapter 307 - Texas Surface Water Quality Standards  
 Rule Project No. 2020-014-307-OW

Segment No.	Brazos River Basin Segment Names	Recreation Use	Aquatic Life Use	Domestic Water Supply Use	Other Uses	Cl <sup>1</sup> (mg/L)	SO <sub>4</sub> <sup>2</sup> (mg/L)	TDS (mg/L)	Dissolved Oxygen (mg/L)	pH Range (SU)	Indicator Bacteria <sup>1</sup> #/100 mL	Temperature (degrees F)
1226	North Bosque River	PCR1	H	PS		100	100	540	5.0	6.5-9.0	126	91
1227	Nolan River	PCR1	I			372	320	1,383	4.0	6.5-9.0	126	95
1228	Lake Pat Cleburne	PCR1	H	PS		100	100	300	5.0	6.5-9.0	126	93
1229	Paluxy River/North Paluxy River	PCR1	H	PS		50	100	500	5.0	6.5-9.0	126	91
1230	Lake Palo Pinto	PCR1	H	PS		100	100	450	5.0	6.5-9.0	126	93
1231	Lake Graham	PCR1	H	PS		200	75	500	5.0	6.5-9.0	126	95
1232	Clear Fork Brazos River	PCR1	H			1,250	2,200	4,900	5.0	6.5-9.0	126	93
1233	Hubbard Creek Reservoir	PCR1	H	PS		350	150	900	5.0	6.5-9.0	126	93
1234	Lake Cisco	PCR1	H	PS		75	75	350	5.0	6.5-9.0	126	93
1235	Lake Stamford	PCR1	H	PS		580	400	2,100	5.0	6.5-9.0	126	93
1236	Fort Phantom Hill Reservoir	PCR1	H	PS		130	150	550	5.0	6.5-9.0	126	93
1237	Lake Sweetwater	PCR1	H	PS		250	225	730	5.0	6.5-9.0	126	93
1238	Salt Fork Brazos River	PCR1	H			28,060	3,470	54,350	5.0	6.5-9.0	33	93
1239	White River	PCR1	H	PS		100	100	500	5.0	6.5-9.0	126	92

Texas Commission on Environmental Quality  
Chapter 307 - Texas Surface Water Quality Standards  
Rule Project No. 2020-014-307-OW

Segment No.	Brazos River Basin Segment Names	Recreation Use	Aquatic Life Use	Domestic Water Supply Use	Other Uses	Cl <sup>-1</sup> (mg/L)	SO <sub>4</sub> <sup>-2</sup> (mg/L)	TDS (mg/L)	Dissolved Oxygen (mg/L)	pH Range (SU)	Indicator Bacteria <sup>1</sup> #/100 mL	Temperature (degrees F)
1240	White River Lake	PCR1	H	PS		190	90	780	5.0	6.5-9.0	126	89
1241	Double Mountain Fork Brazos River	PCR1	H			2,630	2,400	5,500	5.0	6.5-9.0	33	95
1242	Brazos River Above Navasota River	PCR1	H	PS		350	200	1,000	5.0	6.5-9.0	126	95
1243	Salado Creek <sup>3</sup>	PCR1	H	PS/AP <sup>4</sup>		50	50	400	5.0	6.5-9.0	126	90
1244	Brushy Creek	PCR1	H	PS <sup>5</sup> /AP <sup>4</sup>		200	150	800	5.0	6.5-9.0	126	91
1245	Upper Oyster Creek	PCR1	I	PS <sup>6</sup> (5)		140	75	1,070	4.0 <sup>2</sup> (6)	6.5-9.0	126	95
1246	Middle Bosque/South Bosque River	PCR1	H			50	260	700	5.0	6.5-9.0	126	91
1247	Granger Lake	PCR1	H	PS		50	50	400	5.0	6.5-9.0	126	90
1248	San Gabriel/North Fork San Gabriel River	PCR1	H	PS/AP <sup>4</sup>		50	50	400	5.0	6.5-9.0	126	95
1249	Lake Georgetown	PCR1	H	PS/AP <sup>4</sup>		50	50	350	5.0	6.5-9.0	126	90
1250	South Fork San Gabriel River	PCR1	H	PS/AP <sup>4</sup>		50	50	350	5.0	6.5-9.0	126	95
1251	North Fork San Gabriel River	PCR1	H	PS/AP <sup>4</sup>		50	50	400	5.0	6.5-9.0	126	91
1252	Lake Limestone	PCR1	H	PS		50	50	300	5.0	6.5-9.0	126	90

Segment No.	Brazos River Basin Segment Names	Recreation Use	Aquatic Life Use	Domestic Water Supply Use	Other Uses	Cl <sup>1</sup> (mg/L)	SO <sub>4</sub> <sup>2</sup> (mg/L)	TDS (mg/L)	Dissolved Oxygen (mg/L)	pH Range (SU)	Indicator Bacteria <sup>1</sup> #/100 mL	Temperature (degrees F)
1253	Navasota River Below Lake Mexia	PCR1	H	PS		440	150	1,350	5.0	6.5-9.0	126	93
1254	Aquilla Reservoir	PCR1	H	PS		110	310	600	5.0	6.5-9.0	126	90
1255	Upper North Bosque River <sup>3</sup>	PCR1	I			200	150	1,000	4.0	6.5-9.0	126	91
1256	Brazos River/Lake Brazos	PCR1	H	PS		400	200	1,150	5.0	6.5-9.0	126	95
1257	Brazos River Below Whitney Lake	PCR1	H	PS		450	250	1,450	5.0	6.5-9.0	126	95
1258	Middle Oyster Creek	PCR1	H			300	150	750	5.0	6.5-9.0	126	95
1259	Leon River Above Belton Lake	PCR1	H	PS		150	100	900	5.0	6.5-9.0	126	90

- 1 The indicator bacteria for freshwater is *E. coli* and for saltwater is Enterococci. The indicator bacteria for Segments 1208, 1238, and 1241 is Enterococci.
- 2 The public water supply designation only applies from the upstream boundary to 300 meters (330 yards) downstream of SH 332 in Brazoria County.
- 3 The critical low-flow is calculated according to §307.8(a)(2)(B) of this title.
- 4 The aquifer protection use applies to the contributing, recharge, and transition zones of the Edwards Aquifer.
- 5 The public water supply use only applies within the contributing, recharge, and transition zones of the Edwards Aquifer.

- 6 [5] The public water supply use does not apply from Steep Bank Creek/Brazos River confluence upstream to Dam #3 approximately 0.4 mi downstream from the confluence of the American Canal.
- 7 [6] A 24-hour minimum dissolved oxygen criterion of 1.0 mg/L applies from the confluence with Steep Bank Creek/Brazos River upstream to Dam #3.
- 8 The portion of the segment from the confluence with Dry Branch upstream to the confluence with the North/South Forks North Bosque River in Erath County is intermittent with perennial pools.



Brazos-Colorado Coastal Basin Designated Uses and Numeric Criteria

Segment No.	Brazos-Colorado Coastal Basin Segment Names	Recreation Use	Aquatic Life Use	Domestic Water Supply Use	Other Uses	Cl <sup>1</sup> (mg/L)	SO <sub>4</sub> <sup>-2</sup> (mg/L)	TDS (mg/L)	Dissolved Oxygen (mg/L)	pH Range (SU)	Indicator Bacteria <sup>1</sup> #/100 mL	Temperature (degrees F)
1301	San Bernard River Tidal	PCR1	H						4.0	6.5-9.0	35	95
1302	San Bernard River Above Tidal	PCR1	H	PS		200	100	500	5.0	6.5-9.0	126	90
1304	Caney Creek Tidal	PCR1	H						4.0	6.5-9.0	35	95
1305	Caney Creek Above Tidal	PCR1	H			200	75	1,000	5.0 <sup>2</sup>	6.5-9.0	126	90

- 1 The indicator bacteria for freshwater is *E. coli* and for saltwater is Enterococci.
- 2 A 24-hour average dissolved oxygen criterion of 4.0 mg/L and a 24-hour minimum dissolved oxygen criterion of 3.0 mg/L applies from the confluence with Hardeman Slough upstream to the confluence with Water Hole Creek. A 24-hour average dissolved oxygen criterion 2.5 mg/L and a 24-hour minimum dissolved oxygen criterion of 2.0 mg/L applies from the confluence with Hardeman Slough upstream to the confluence with Water Hole Creek from March 15 - October 31 when flows are less than 5.0 cfs.

Colorado River Basin Designated Uses and Numeric Criteria

Segment No.	Colorado River Basin Segment Names	Recreation Use	Aquatic Life Use	Domestic Water Supply Use	Other Uses	Cl <sup>1</sup> (mg/L)	SO <sub>4</sub> <sup>-2</sup> (mg/L)	TDS (mg/L)	Dissolved Oxygen (mg/L)	pH Range (SU)	Indicator Bacteria <sup>1</sup> #/100 mL	Temperature (degrees F)
1401	Colorado River Tidal	PCR1	H						4.0	6.5-9.0	35	95
1402	Colorado River Below La Grange	PCR1	H	PS		100	100	500	5.0	6.5-9.0	126	95
1403	Lake Austin	PCR1	H	PS		100	75	400	5.0	6.5-9.0	126	90
1404	Lake Travis	PCR1	E	PS		100	75	400	6.0	6.5-9.0	126	90
1405	Marble Falls Lake	PCR1	H	PS		125	75	500	5.0	6.5-9.0	126	94
1406	Lake Lyndon B. Johnson	PCR1	H	PS		125	75	500	5.0	6.5-9.0	126	94
1407	Inks Lake	PCR1	H	PS		150	100	600	5.0	6.5-9.0	126	90
1408	Lake Buchanan	PCR1	H	PS		150	100	600	5.0	6.5-9.0	126	90
1409	Colorado River Above Lake Buchanan	PCR1	H	PS		200	200	900	5.0	6.5-9.0	126	91
1410	Colorado River Below O. H. Ivie Reservoir	PCR1	H	PS		500	455	1,475	5.0	6.5-9.0	126	91
1411	E. V. Spence Reservoir	PCR1	H	PS		440	360	1,630	5.0	6.5-9.0	126	93
1412	Colorado River Below Lake J. B. Thomas	PCR1	H			4,740	1,570	9,210	5.0	6.5-9.0	33	93

Texas Commission on Environmental Quality  
Chapter 307 - Texas Surface Water Quality Standards  
Rule Project No. 2020-014-307-OW

Segment No.	Colorado River Basin Segment Names	Recreation Use	Aquatic Life Use	Domestic Water Supply Use	Other Uses	Cl <sup>1</sup> (mg/L)	SO <sub>4</sub> <sup>-2</sup> (mg/L)	TDS (mg/L)	Dissolved Oxygen (mg/L)	pH Range (SU)	Indicator Bacteria <sup>1</sup> #/100 mL	Temperature (degrees F)
1413	Lake J. B. Thomas	PCR1	H	PS		140	250	520	5.0	6.5-9.0	126	90
1414	Pedernales River	PCR1	H	PS		125	75	525	5.0	6.5-9.0	126	91
1415	Llano River <sup>2</sup>	PCR1	H	PS		50	50	350	5.0	6.5-9.0	126	91
1416	San Saba River	PCR1	H	PS		50	50	425	5.0	6.5-9.0	126	90
1417	Lower Pecan Bayou	PCR1	H			310	120	1,025	5.0	6.5-9.0	126	90
1418	Lake Brownwood	PCR1	H	PS		150	100	500	5.0	6.5-9.0	126	90
1419	Lake Coleman	PCR1	H	PS		150	100	500	5.0	6.5-9.0	126	93
1420	Pecan Bayou Above Lake Brownwood	PCR1	H	PS		500	500	1,500	5.0	6.5-9.0	126	90
1421	Concho River	PCR1	H	PS		610	420	1,730	5.0	6.5-9.0	126	90
1422	Lake Nasworthy	PCR1	H	PS		450	400	1,500	5.0	6.5-9.0	126	93
1423	Twin Buttes Reservoir	PCR1	H	PS		200	100	700	5.0	6.5-9.0	126	90
1424	Middle Concho/South Concho River <sup>3</sup>	PCR1	H	PS		150	150	700	5.0	6.5-9.0	126	90
1425	O. C. Fisher Lake	PCR1	H	PS		150	150	700	5.0	6.5-9.0	126	90

Segment No.	Colorado River Basin Segment Names	Recreation Use	Aquatic Life Use	Domestic Water Supply Use	Other Uses	Cl <sup>1</sup> (mg/L)	SO <sub>4</sub> <sup>-2</sup> (mg/L)	TDS (mg/L)	Dissolved Oxygen (mg/L)	pH Range (SU)	Indicator Bacteria <sup>1</sup> #/100 mL	Temperature (degrees F)
1426	Colorado River Below E.V. Spence Reservoir	PCR1	H	PS		1,000	1,100	1,770	5.0	6.5-9.0	126	91
1427	Onion Creek	PCR1	H	PS/AP <sup>4</sup>		100 <sup>5</sup>	100 <sup>5</sup>	500 <sup>5</sup>	5.0	6.5-9.0	126	90
1428	Colorado River Below Lady Bird Lake/Town Lake	PCR1	E	PS		100	100	500	6.0 <sup>6</sup>	6.5-9.0	126	95
1429	Lady Bird Lake/Town Lake <sup>7</sup>	PCR1	H	PS		75	75	400	5.0	6.5-9.0	126	90
1430	Barton Creek <sup>8</sup>	PCR1	H	AP <sup>4</sup>		50	50	500	5.0	6.5-9.0	126	90
1431	Mid Pecan Bayou	PCR1				410	120	1,100	2.0	6.5-9.0	126	90
1432	Upper Pecan Bayou	PCR1	H	PS		200	150	800	5.0	6.5-9.0	126	90
1433	O. H. Ivie Reservoir	PCR1	H	PS		430	330	1,520	5.0	6.5-9.0	126	93
1434	Colorado River Above La Grange	PCR1	E	PS		100	100	500	6.0	6.5-9.0	126	95

- 1 The indicator bacteria for freshwater is *E. coli* and for saltwater is Enterococci. The indicator bacteria for Segment 1412 is Enterococci.
- 2 The critical low-flow for the South Llano River portion of the segment is calculated according to §307.8(a)(2)(B) of this title.

- 3 The critical low-flow for the South Concho River portion of the segment is calculated according to §307.8(a)(2)(B) of this title.
- 4 The aquifer protection use applies to the contributing, recharge, and transition zones of the Edwards Aquifer.
- 5 The aquifer protection reach is assigned the following criteria: 50 mg/L for  $\text{Cl}^{-1}$ , 50 mg/L for  $\text{SO}_4^{-2}$ , 400 mg/L for TDS.
- 6 Dissolved oxygen criterion of 6.0 mg/L only applies at stream flows greater than or equal to 150 cfs as measured at USGS Gauging Station 08158000 located in Travis County upstream from US Highway 183. A dissolved oxygen criterion of 5.0 mg/L applies to stream flows less than 150 cfs and greater than or equal to the 7Q2 for the segment.
- 7 While the segment exhibits quality characteristics that would make it suitable for primary recreation, the use is prohibited by local regulation for reasons unrelated to water quality.
- 8 The critical low-flow is calculated according to §307.8(a)(2)(A) of this title.

Colorado-Lavaca Coastal Basin Designated Uses and Numeric Criteria

Segment No.	Colorado-Lavaca Coastal Basin Segment Names	Recreation Use	Aquatic Life Use	Domestic Water Supply Use	Other Uses	Cl <sup>1</sup> (mg/L)	SO <sub>4</sub> <sup>-2</sup> (mg/L)	TDS (mg/L)	Dissolved Oxygen (mg/L)	pH Range (SU)	Indicator Bacteria <sup>1</sup> #/100 mL	Temperature (degrees F)
1501	Tres Palacios Creek Tidal	PCR1	E						5.0	6.5-9.0	35	95
1502	Tres Palacios Creek Above Tidal	PCR1	H			250	100	800	5.0	6.5-9.0	126	90

1 The indicator bacteria for freshwater is *E. coli* and for saltwater is Enterococci.

Lavaca River Basin Designated Uses and Numeric Criteria

Segment No.	Lavaca River Basin Segment Names	Recreation Use	Aquatic Life Use	Domestic Water Supply Use	Other Uses	Cl <sup>1</sup> (mg/L)	SO <sub>4</sub> <sup>-2</sup> (mg/L)	TDS (mg/L)	Dissolved Oxygen (mg/L)	pH Range (SU)	Indicator Bacteria <sup>1</sup> #/100 mL	Temperature (degrees F)
1601	Lavaca River Tidal	PCR1	H						4.0	6.5-9.0	35	95
1602	Lavaca River Above Tidal	PCR1	H	PS		200	100	700	5.0	6.5-9.0	126	91
1603	Navidad River Tidal	PCR1	H						4.0	6.5-9.0	35	91
1604	Lake Texana	PCR1	H	PS		100	50	500	5.0	6.5-9.0	126	93
1605	Navidad River Above Lake Texana	PCR1	H	PS		100	50	550	5.0	6.5-9.0	126	91

1 The indicator bacteria for freshwater is *E. coli* and for saltwater is Enterococci.

Lavaca-Guadalupe Coastal Basin Designated Uses and Numeric Criteria

Segment No.	Lavaca-Guadalupe Coastal Basin Segment Names	Recreation Use	Aquatic Life Use	Domestic Water Supply Use	Other Uses	Cl <sup>1</sup> (mg/L)	SO <sub>4</sub> <sup>-2</sup> (mg/L)	TDS (mg/L)	Dissolved Oxygen (mg/L)	pH Range (SU)	Indicator Bacteria <sup>1</sup> #/100 mL	Temperature (degrees F)
1701	Victoria Barge Canal Tidal	NCR	H						4.0	6.5-9.0	35	95

1 The indicator bacteria for freshwater is *E. coli* and for saltwater is Enterococci.



Guadalupe River Basin Designated Uses and Numeric Criteria

Segment No.	Guadalupe River Basin Segment Names	Recreation Use	Aquatic Life Use	Domestic Water Supply Use	Other Uses	Cl <sup>1</sup> (mg/L)	SO <sub>4</sub> <sup>-2</sup> (mg/L)	TDS (mg/L)	Dissolved Oxygen (mg/L)	pH Range (SU)	Indicator Bacteria <sup>1</sup> #/100 mL	Temperature (degrees F)
1801	Guadalupe River Tidal	PCR1	E						5.0	6.5-9.0	35	95
1802	Guadalupe River Below San Antonio River	PCR1	H	PS		150	100	700	5.0	6.5-9.0	126	93
1803	Guadalupe River Below San Marcos River	PCR1	H	PS		100	100	500	5.0	6.5-9.0	126	93
1804	Guadalupe River Below Comal River	PCR1	H	PS/AP <sup>2</sup>		100	50	400	5.0	6.5-9.0	126	90
1805	Canyon Lake	PCR1	E	PS/AP <sup>2</sup>		50	50	400	6.0	6.5-9.0	126	90
1806	Guadalupe River Above Canyon Lake	PCR1	E	PS/AP <sup>2</sup>		50	50	400	6.0	6.5-9.0	126	90
1807	Coleta Creek	PCR1	H	PS		250	100	500	5.0	6.5-9.0	126	93
1808	Lower San Marcos River <sup>3</sup>	PCR1	H	PS		60	50	400	5.0	6.5-9.0	126	90
1809	Lower Blanco River	PCR1	H	PS/AP <sup>2</sup>		50	50	400	5.0	6.5-9.0	126	92
1810	Plum Creek	PCR1	H	AP <sup>2</sup>		350	150	1,120	5.0	6.5-9.0	126	90
1811	Comal River <sup>4</sup>	PCR1	H	PS/AP <sup>2</sup>		50	50	400	5.0	6.5-9.0	126	80 <sup>5</sup>
1812	Guadalupe River Below Canyon Dam	PCR1	E	PS/AP <sup>2</sup>		50	50	400	6.0	6.5-9.0	126	90

Segment No.	Guadalupe River Basin Segment Names	Recreation Use	Aquatic Life Use	Domestic Water Supply Use	Other Uses	Cl <sup>1</sup> (mg/L)	SO <sub>4</sub> <sup>-2</sup> (mg/L)	TDS (mg/L)	Dissolved Oxygen (mg/L)	pH Range (SU)	Indicator Bacteria <sup>1</sup> #/100 mL	Temperature (degrees F)
1813	Upper Blanco River <sup>3</sup>	PCR1	E	PS/AP <sup>2</sup>		50	50	400	6.0	6.5-9.0	126	92
1814	Upper San Marcos River <sup>4</sup>	PCR1	E	AP <sup>2</sup>		50	50	400	6.0	6.5-9.0	126	80 <sup>6</sup>
1815	Cypress Creek	PCR1	E	PS/AP <sup>2</sup>		50	50	400	6.0	6.5-9.0	126	86
1816	Johnson Creek	PCR1	E	PS		50	50	400	6.0	6.5-9.0	126	86
1817	North Fork Guadalupe River <sup>3</sup>	PCR1	E	PS		50	50	400	6.0	6.5-9.0	126	86
1818	South Fork Guadalupe River	PCR1	E	PS		50	50	400	6.0	6.5-9.0	126	86

- 1 The indicator bacteria for freshwater is *E. coli* and for saltwater is Enterococci.
- 2 The aquifer protection use applies to the contributing, recharge, and transition zones of the Edwards Aquifer.
- 3 The critical low-flow is calculated according to §307.8(a)(2)(B) of this title.
- 4 The critical low-flow is calculated according to §307.8(a)(2)(A) of this title.
- 5 A temperature criterion of 78°F applies from the Landa Lake Park Dam immediately upstream of Landa Park Drive upstream to Klingemann Street in New Braunfels in Comal County (excludes the western channel at Spring Island, the eastern channel at Pecan Island, and Blieders Creek arm of Landa Lake upstream of the springs in the upper spring run reach).

- 6 A temperature criterion of 78°F applies from the confluence with Sessom's Creek approximately 1.5 km (0.9 mi) upstream of Rio Vista Dam upstream to a point 0.7 km (0.4 mi) upstream of Loop 82 in San Marcos in Hays County (excludes the slough arm of Spring Lake).

San Antonio River Basin Designated Uses and Numeric Criteria

Segment No.	San Antonio River Basin Segment Names	Recreation Use	Aquatic Life Use	Domestic Water Supply Use	Other Uses	Cl <sup>1</sup> (mg/L)	SO <sub>4</sub> <sup>-2</sup> (mg/L)	TDS (mg/L)	Dissolved Oxygen (mg/L)	pH Range (SU)	Indicator Bacteria <sup>1</sup> #/100 mL	Temperature (degrees F)
1901	Lower San Antonio River	PCR1	H			180	140	750	5.0	6.5-9.0	126	90
1902	Lower Cibolo Creek	PCR1	H			170	275	900	5.0	6.5-9.0	126	90
1903	Medina River Below Medina Diversion Lake	PCR1	H	PS <sup>2</sup> /AP <sup>3</sup>		120	120	700	5.0	6.5-9.0	126	90
1904	Medina Lake	PCR1	H	PS/AP <sup>3</sup>		80	75	350	5.0	6.5-9.0	126	88
1905	Medina River Above Medina Lake <sup>4</sup>	PCR1	E	PS		50	150	400	6.0	6.5-9.0	126	88
1906	Lower Leon Creek	PCR1	H	PS <sup>5</sup>		120	120	700	5.0	6.5-9.0	126	95
1907	Upper Leon Creek	PCR1	H	PS/AP <sup>3</sup>		55	240	550	5.0	6.5-9.0	126	95
1908	Upper Cibolo Creek	PCR1	H	PS/AP <sup>3</sup>		50	100	600	5.0	6.5-9.0	126	90
1909	Medina Diversion Lake	PCR1	H	PS/AP <sup>3</sup>		50	75	400	5.0	6.5-9.0	126	90
1910	Salado Creek	PCR1	H	PS/AP <sup>3</sup>		140	200	600	5.0	6.5-9.0	126	90
1911	Upper San Antonio River	PCR1	H			150	150	750	5.0	6.5-9.0	126	90
1912	Medio Creek	PCR1	I			150	150	750	4.0	6.5-9.0	126	95

Segment No.	San Antonio River Basin Segment Names	Recreation Use	Aquatic Life Use	Domestic Water Supply Use	Other Uses	Cl <sup>1</sup> (mg/L)	SO <sub>4</sub> <sup>-2</sup> (mg/L)	TDS (mg/L)	Dissolved Oxygen (mg/L)	pH Range (SU)	Indicator Bacteria <sup>1</sup> #/100 mL	Temperature (degrees F)
1913	Mid Cibolo Creek <sup>[6]</sup>	PCR1	L			150	150	750	3.0	6.5-9.0	126	90

- 1 The indicator bacteria for freshwater is *E. coli*.
- 2 The public water supply designation does not apply from the confluence of the San Antonio River in Bexar County upstream to a point 2.5 km (1.5 mi) upstream of the confluence of Leon Creek.
- 3 The aquifer protection use applies to the contributing, recharge, and transition zones of the Edwards Aquifer.
- 4 The critical low-flow is calculated according to §307.8(a)(2)(B) of this title.
- 5 The public water supply designation does not apply from the confluence of the Medina River in Bexar County to a point 4.8 km (3.0 mi) upstream.
- [6 The segment is an intermittent stream with perennial pools.]

San Antonio-Nueces Coastal Basin Designated Uses and Numeric Criteria

Segment No.	San Antonio-Nueces Coastal Basin Segment Names	Recreation Use	Aquatic Life Use	Domestic Water Supply Use	Other Uses	Cl <sup>1</sup> (mg/L)	SO <sub>4</sub> <sup>-2</sup> (mg/L)	TDS (mg/L)	Dissolved Oxygen (mg/L)	pH Range (SU)	Indicator Bacteria <sup>1</sup> #/100 mL	Temperature (degrees F)
2001	Mission River Tidal	PCR1	H						4.0	6.5-9.0	35	95
2002	Mission River Above Tidal	PCR1	H			850	100	2,000	5.0	6.5-9.0	126	95
2003	Aransas River Tidal	PCR1	H						4.0	6.5-9.0	35	95
2004	Aransas River Above Tidal	PCR1	H			450	100	1,700	5.0	6.5-9.0	126	95

1 The indicator bacteria for freshwater is *E. coli* and for saltwater is Enterococci.

Nueces River Basin Designated Uses and Numeric Criteria

Segment No.	Nueces River Basin Segment Names	Recreation Use	Aquatic Life Use	Domestic Water Supply Use	Other Uses	Cl <sup>-1</sup> (mg/L)	SO <sub>4</sub> <sup>-2</sup> (mg/L)	TDS (mg/L)	Dissolved Oxygen (mg/L)	pH Range (SU)	Indicator Bacteria <sup>1</sup> #/100 mL	Temperature (degrees F)
2101	Nueces River Tidal	PCR1	H						4.0	6.5-9.0	35	95
2102	Nueces River Below Lake Corpus Christi	PCR1	H	PS		250	250	500	5.0	6.5-9.0	126	91
2103	Lake Corpus Christi	PCR1	H	PS		250	250	750	5.0	6.5-9.0	126	93
2104	Nueces River Above Frio River	PCR1	H	PS		700	300	1,500	5.0	6.5-9.0	126	90
2105	Nueces River Above Holland Dam	PCR1	H	PS		200	200	900	5.0	6.5-9.0	126	90
2106	Nueces/Lower Frio River	PCR1	H	PS		285 <sup>2</sup>	145 <sup>2</sup>	735 <sup>2</sup>	5.0	6.5-9.0	126	90
2107	Lower Atascosa River	PCR1	H	PS		400	300	1,650	4.0	6.5-9.0	126	90
2108	San Miguel Creek	<u>SCR 1</u> [PCR1]	H	PS		700	700	2,000	5.0	6.5-9.0	<u>630</u> [126]	95
2109	Leona River <sup>3</sup>	PCR1	H	PS/AP <sup>4</sup>		650	500	2,000	5.0	6.5-9.0	126	90
2110	Lower Sabinal River	PCR1	H	PS		200	100	700	5.0	6.5-9.0	126	90
2111	Upper Sabinal River	PCR1	H	PS/AP <sup>4</sup>		50	75	500	5.0	6.5-9.0	126	90
2112	Upper Nueces River	PCR1	H	PS/AP <sup>4</sup>		50	50	400	5.0	6.5-9.0	126	90

Segment No.	Nueces River Basin Segment Names	Recreation Use	Aquatic Life Use	Domestic Water Supply Use	Other Uses	Cl <sup>-1</sup> (mg/L)	SO <sub>4</sub> <sup>-2</sup> (mg/L)	TDS (mg/L)	Dissolved Oxygen (mg/L)	pH Range (SU)	Indicator Bacteria <sup>1</sup> #/100 mL	Temperature (degrees F)
2113	Upper Frio River <sup>3</sup>	PCR1	E	PS/AP <sup>4</sup>		50	50	400	6.0	6.5-9.0	126	90
2114	Hondo Creek	PCR1	H	PS/AP <sup>4</sup>		50	100	400	5.0	6.5-9.0	126	90
2115	Seco Creek	PCR1	H	PS/AP <sup>4</sup>		50	70	400	5.0	6.5-9.0	126	90
2116	Choke Canyon Reservoir	PCR1	H	PS		250	250	720	5.0	6.5-9.0	126	90
2117	Frio River Above Choke Canyon Reservoir	PCR1	H	PS/AP <sup>4</sup>		620	380	1,700	5.0	6.5-9.0	126	90
2118	Upper Atascosa River	PCR1	I			350	700	1,550	4.0	6.5-9.0	126	90

- 1 The indicator bacteria for freshwater is *E. coli* and for saltwater is Enterococci.
- 2 A TDS criterion of 735 mg/L, a Cl<sup>-1</sup> criterion of 285 mg/L, and a SO<sub>4</sub><sup>-2</sup> criterion of 145 mg/L will apply for the Frio River portion of the segment from the confluence of the Nueces River upstream to Choke Canyon Dam. A TDS criterion of 950 mg/L, a Cl<sup>-1</sup> criterion of 350 mg/L, and a SO<sub>4</sub><sup>-2</sup> criterion of 165 mg/L will apply for the Nueces River portion of the segment from a point 100 meters upstream of US 59 in Live Oak County upstream to the confluence of the Frio River. A site-specific conversion factor of 0.58 was used to calculate the TDS criteria.
- 3 The critical low-flow is calculated in accordance with §307.8(a)(2)(B) of this title.
- 4 The aquifer protection use applies to the contributing, recharge, and transition zones of the Edwards Aquifer.



Nueces-Rio Grande Coastal Basin Designated Uses and Numeric Criteria

Segment No.	Nueces-Rio Grande Coastal Basin Segment Names	Recreation Use	Aquatic Life Use	Domestic Water Supply Use	Other Uses	Cl <sup>-1</sup> (mg/L)	SO <sub>4</sub> <sup>-2</sup> (mg/L)	TDS (mg/L)	Dissolved Oxygen (mg/L)	pH Range (SU)	Indicator Bacteria <sup>1</sup> #/100 mL	Temperature (degrees F)
2201	Arroyo Colorado Tidal	PCR1	H						4.0	6.5-9.0	35	95
2202	Arroyo Colorado Above Tidal	PCR1	I			1,200	1,000	4,000	4.0	6.5-9.0	126	95
2203	Petronila Creek Tidal	PCR1	H						4.0	6.5-9.0	35	95
2204	Petronila Creek Above Tidal <sup>2</sup>	PCR1	I			1,500	500	4,000	4.0	6.5-9.0	126	95

- 1 The indicator bacteria for freshwater is *E. coli* and for saltwater is Enterococci.
- 2 High concentrations of Cl<sup>-1</sup>, SO<sub>4</sub><sup>-2</sup>, and TDS are due to past brine discharges that were halted effective January 10, 1987 by order of the Texas Railroad Commission. Water quality is expected to improve as residual brines are flushed from the system. These estimated criteria are subject to modification as improvement in water quality is documented.

Rio Grande Basin Designated Uses and Numeric Criteria

Segment No.	Rio Grande Basin Segment Names	Recreation Use	Aquatic Life Use	Domestic Water Supply Use	Other Uses	Cl <sup>-1</sup> (mg/L)	SO <sub>4</sub> <sup>-2</sup> (mg/L)	TDS (mg/L)	Dissolved Oxygen (mg/L)	pH Range (SU)	Indicator Bacteria <sup>1</sup> #/100 mL	Temperature (degrees F)
2301	Rio Grande Tidal	PCR1	E						5.0	6.5-9.0	35	95
2302	Rio Grande Below Falcon Reservoir	PCR1	H	PS		270	350	880	5.0	6.5-9.0	126	90
2303	International Falcon Reservoir	PCR1	H	PS		200	300	1,000	5.0	6.5-9.0	126	93
2304	Rio Grande Below Amistad Reservoir	PCR1	H	PS		200	300	1,000	5.0	6.5-9.0	126	95
2305	International Amistad Reservoir	PCR1	H	PS		150	270	800	5.0	6.5-9.0	126	88
2306	Rio Grande Above Amistad Reservoir	PCR1	H	PS		200	450	1,400	5.0	6.5-9.0	126	93
2307	Rio Grande Below Riverside Diversion Dam	PCR1	H	PS		300	550	1,500	5.0	6.5-9.0	126	93
2308	Rio Grande Below International Dam	NCR	L			250	450	1,400	3.0	6.5-9.0	605	95
2309	Devils River <sup>2</sup>	PCR1	E	PS		50	50	300	6.0	6.5-9.0	126	90
2310	Lower Pecos River	PCR1	H	PS		1,700	1,000	4,000	5.0	6.5-9.0	126	92
2311	Upper Pecos River	PCR1	L			7,000	3,500	15,000	5.0 <sup>3</sup>	6.5-9.0	33	92
2312	Red Bluff Reservoir	PCR1	H			3,200	2,200	9,400	5.0	6.5-9.0	33	90

Segment No.	Rio Grande Basin Segment Names	Recreation Use	Aquatic Life Use	Domestic Water Supply Use	Other Uses	Cl <sup>-1</sup> (mg/L)	SO <sub>4</sub> <sup>-2</sup> (mg/L)	TDS (mg/L)	Dissolved Oxygen (mg/L)	pH Range (SU)	Indicator Bacteria <sup>1</sup> #/100 mL	Temperature (degrees F)
2313	San Felipe Creek <sup>2</sup>	PCR1	H	PS		50	50	400	5.0	6.5-9.0	126	90
2314	Rio Grande Above International Dam	PCR1	H	PS		340	600	1,800	5.0	6.5-9.0	126	92
2315	Rio Grande Below Rio Conchos	PCR1	H			450	750	2,100	5.0	6.5-9.0	126	93

- 1 The indicator bacteria for freshwater is *E. coli* and for saltwater is Enterococci. The indicator bacteria for Segments 2311 and 2312 is Enterococci.
- 2 The critical low-flow is calculated in accordance with §307.8(a)(2)(A) of this title.
- 3 The 24-hour minimum dissolved oxygen criterion is 1.0 mg/L.

Bays and Estuaries Uses and Numeric Criteria

Segment No.	Bays and Estuaries Segment Names	Recreation Use	Aquatic Life Use	Domestic Water Supply Use	Other Uses	Cl <sup>-1</sup> (mg/L)	SO <sub>4</sub> <sup>-2</sup> (mg/L)	TDS (mg/L)	Dissolved Oxygen (mg/L)	pH Range (SU)	Indicator Bacteria <sup>1</sup> #/100 mL	Temperature (degrees F)
2411	Sabine Pass	PCR1	E/O						5.0	6.5-9.0	35/14	95
2412	Sabine Lake	PCR1	H/O						4.0	6.5-9.0	35/14	95
2421	Upper Galveston Bay	PCR1	H/O						4.0	6.5-9.0	35/14	95
2422	Trinity Bay	PCR1	H/O						4.0	6.5-9.0	35/14	95
2423	East Bay	PCR1	H/O						4.0	6.5-9.0	35/14	95
2424	West Bay	PCR1	H/O						4.0	6.5-9.0	35/14	95
2425	Clear Lake	PCR1	H						4.0	6.5-9.0	35	95
2426	Tabbs Bay	PCR1	H						4.0	6.5-9.0	35	95
2427	San Jacinto Bay	PCR1	H						4.0	6.5-9.0	35	95
2428	Black Duck Bay	PCR1	H						4.0	6.5-9.0	35	95
2429	Scott Bay	PCR1	H						4.0	6.5-9.0	35	95
2430	Burnet Bay	PCR1	H						4.0	6.5-9.0	35	95
2431	Moses Lake	PCR1	H						4.0	6.5-9.0	35	95

Texas Commission on Environmental Quality  
Chapter 307 - Texas Surface Water Quality Standards  
Rule Project No. 2020-014-307-OW

Segment No.	Bays and Estuaries Segment Names	Recreation Use	Aquatic Life Use	Domestic Water Supply Use	Other Uses	Cl <sup>1</sup> (mg/L)	SO <sub>4</sub> <sup>-2</sup> (mg/L)	TDS (mg/L)	Dissolved Oxygen (mg/L)	pH Range (SU)	Indicator Bacteria <sup>1</sup> #/100 mL	Temperature (degrees F)
2432	Chocolate Bay	PCR1	H/O						4.0	6.5-9.0	35/14	95
2433	Bastrop Bay/Oyster Lake	PCR1	H/O						4.0	6.5-9.0	35/14	95
2434	Christmas Bay	PCR1	H/O						4.0	6.5-9.0	35/14	95
2435	Drum Bay	PCR1	H/O						4.0	6.5-9.0	35/14	95
2436	Barbours Cut	PCR1	H						4.0	6.5-9.0	35	95
2437	Texas City Ship Channel	NCR	H						4.0	6.5-9.0	35	95
2438	Bayport Channel	NCR	H						4.0	6.5-9.0	35	95
2439	Lower Galveston Bay	PCR1	H/O						4.0	6.5-9.0	35/14	95
2441	East Matagorda Bay	PCR1	E/O						5.0	6.5-9.0	35/14	95
2442	Cedar Lakes	PCR1	H/O						4.0	6.5-9.0	35/14	95
2451	Matagorda Bay/Powderhorn Lake	PCR1	E/O						5.0	6.5-9.0	35/14	95
2452	Tres Palacios/Turtle Bay	PCR1	E/O						5.0	6.5-9.0	35/14	95
2453	Lavaca Bay/Chocolate Bay	PCR1	E/O						5.0	6.5-9.0	35/14	95
2454	Cox Bay	PCR1	E/O						5.0	6.5-9.0	35/14	95

Texas Commission on Environmental Quality  
Chapter 307 - Texas Surface Water Quality Standards  
Rule Project No. 2020-014-307-OW

Segment No.	Bays and Estuaries Segment Names	Recreation Use	Aquatic Life Use	Domestic Water Supply Use	Other Uses	Cl <sup>1</sup> (mg/L)	SO <sub>4</sub> <sup>-2</sup> (mg/L)	TDS (mg/L)	Dissolved Oxygen (mg/L)	pH Range (SU)	Indicator Bacteria <sup>1</sup> #/100 mL	Temperature (degrees F)
2455	Keller Bay	PCR1	E/O						5.0	6.5-9.0	35/14	95
2456	Carancahua Bay	PCR1	E/O						5.0	6.5-9.0	35/14	95
2461	Espiritu Santo Bay	PCR1	E/O						5.0	6.5-9.0	35/14	95
2462	San Antonio Bay/Hynes Bay/Guadalupe Bay/Mission Lake	PCR1	E/O						5.0	6.5-9.0	35/14	95
2463	Mesquite Bay/Carlos Bay/Ayres Bay	PCR1	E/O						5.0	6.5-9.0	35/14	95
2471	Aransas Bay	PCR1	E/O						5.0	6.5-9.0	35/14	95
2472	Copano Bay/Port Bay/Mission Bay	PCR1	E/O						5.0	6.5-9.0	35/14	95
2473	St. Charles Bay	PCR1	E/O						5.0	6.5-9.0	35/14	95
2481	Corpus Christi Bay	PCR1	E/O						5.0	6.5-9.0	35/14	95
2482	Nueces Bay <sup>2</sup>	PCR1	E/O						5.0	6.5-9.0	35/14	95
2483	Redfish Bay	PCR1	E/O						5.0	6.5-9.0	35/14	95
2484	Corpus Christi Inner Harbor	NCR	I						3.0	6.5-9.0	35	95
2485	Oso Bay	PCR1	E/O						4.5 <sup>3</sup>	6.5-9.0	35/14	95

Segment No.	Bays and Estuaries Segment Names	Recreation Use	Aquatic Life Use	Domestic Water Supply Use	Other Uses	Cl <sup>1</sup> (mg/L)	SO <sub>4</sub> <sup>-2</sup> (mg/L)	TDS (mg/L)	Dissolved Oxygen (mg/L)	pH Range (SU)	Indicator Bacteria <sup>1</sup> #/100 mL	Temperature (degrees F)
2486	Blind Oso Bay	PCR1	E/O						4.5 <sup>4</sup>	6.5-9.0	35/14	95
2490	Upper Laguna Madre	PCR1	E/O						4.5 <sup>3</sup>	6.5-9.0	35/14	95
2491	Lower Laguna Madre	PCR1	E/O						5.0	6.5-9.0	35/14	95
2492	Baffin Bay/Alazan Bay/Cayo del Grullo/Laguna Salada	PCR1	H/O						4.0	6.5-9.0	35/14	95
2493	South Bay	PCR1	E/O						5.0	6.5-9.0	35/14	95
2494	Brownsville Ship Channel	NCR	E						5.0	6.5-9.0	35	95

- 1 The indicator bacteria for recreational suitability in saltwater is Enterococci. The indicator bacteria for oyster water use is fecal coliform.
- 2 For assessment purposes only, the acute aquatic life criterion for zinc is 29 µg/L. This is based on the zinc TMDL approved November 1, 2006, and the Implementation Plan approved October 24, 2007.
- 3 The 24-hour minimum dissolved oxygen criteria is 3.5 mg/L.
- 4 A 24-hour average dissolved oxygen criterion of 4.0 mg/L and a 24-hour minimum dissolved oxygen criterion of 1.5 mg/L apply from March 15 to October 15. During the remainder of the year, a 24-hour minimum dissolved oxygen criterion of 3.5 mg/L applies to the segment.

Gulf of Mexico Uses and Numeric Criteria

Segment No.	Gulf of Mexico Segment Names	Recreation Use	Aquatic Life Use	Domestic Water Supply Use	Other Uses	Cl <sup>1</sup> (mg/L)	SO <sub>4</sub> <sup>-2</sup> (mg/L)	TDS (mg/L)	Dissolved Oxygen (mg/L)	pH Range (SU)	Indicator Bacteria <sup>1</sup> #/100 mL	Temperature (degrees F)
2501	Gulf of Mexico	PCR1	E/O						5.0	6.5-9.0	35/14	95

1 The indicator bacteria for recreational suitability in saltwater is Enterococci. The indicator bacteria for oyster water use is fecal coliform.



(2) Appendix B - Sole-source Surface Drinking Water Supplies:

**Figure: 30 TAC §307.10(2)**

**[Figure: 30 TAC §307.10(2)]**

**Appendix B - Sole-source Surface Drinking Water Supplies**

This table contains sole-source surface drinking water supplies as provided by the TCEQ Drinking Water Protection Team. This table is current as of **July 27, 2020** ~~February 11, 2016~~. Where a water body has been identified as a sole-source surface drinking water supply but is not included in this appendix yet, the same level of protection may be applied. If designations of sole-source surface drinking water supplies change, those designations can be changed by laws or regulations that address sole-source surface drinking water supplies. Sole-source protection zones of sole-source surface drinking water supplies are defined in §307.3 of this title (relating to Definitions and Abbreviations).

The listed county names provide the general location of these drinking water supplies. The segment numbers listed below are only provided to help in finding the general location of a sole-source water body and are associated with classified segments as listed in Appendices A and C of this section. Segment numbers in parentheses ( ) indicate that the water body is in close proximity to the segment listed, but not a part of the segment. For a current list and the precise location of a sole-source surface drinking water supply, contact the TCEQ Drinking Water Protection Team.

Water Body Name	County	Segment No.
Lake Texoma	Grayson	0203
Lake Arrowhead	Clay	0212
Lake Kickapoo	Archer	0213
[Greenbelt Lake]	[Donley]	[0223]
Mackenzie Reservoir	Briscoe	0228

Water Body Name	County	Segment No.
Wright Patman Lake	Cass	0302
Big Creek Lake	Delta	(0303)
Big Cypress Creek Below Lake O' the Pines	Harrison	0402
Lake O' the Pines	Marion	0403
Lake Cypress Springs	Franklin	0405
Lake Bob Sandlin	Camp, Titus	0408
Toledo Bend Reservoir	Sabine, Shelby	0504
Lake Tawakoni	Hunt, Rains, Van Zandt, Kaufman	0507
Lake Murvaul	Panola	0509
Lake Fork Reservoir	Wood	0512
Big Sandy Creek	Upshur	0514
Lower Neches Valley Authority Canal	Hardin, Jefferson	(0602)
Neches River Below Lake Palestine	Anderson	0604
Lake Palestine	Smith	0605
Lake Livingston	Polk, Trinity	0803
Trinity River Above Lake Livingston	Walker	0804
Eagle Mountain Reservoir	Tarrant	0809
Bridgeport Reservoir	Wise	0811

Water Body Name	County	Segment No.
Houston County Lake	Houston	0813
Bardwell Reservoir	Ellis	0815
Cedar Creek Reservoir	Kaufman, Henderson	0818
Elm Fork Trinity River Below Lewisville Lake	Dallas	0822
Lake Grapevine	Denton, Tarrant	0826
Lake Arlington	Tarrant	0828
Richland-Chambers Reservoir	Navarro	0836
Lake Houston	Harris	1002
Lake Granbury	Hood	1205
Possum Kingdom Lake	Palo Pinto	1207
Navasota River Below Lake Limestone	Brazos, Grimes, Leon, Madison, Robertson	1209
Somerville Lake	Washington	1212
Little River	Milam	1213
Leon River Below Belton Lake	Bell	1219
Belton Lake	Bell	1220
Proctor Lake	Comanche	1222
Leon Reservoir	Eastland	1224
Waco Lake	McLennan	1225
Lake Palo Pinto	Palo Pinto	1230

Water Body Name	County	Segment No.
Lake Graham/Lake Eddleman	Young	1231
Hubbard Creek Reservoir	Stephens	1233
Lake Cisco	Eastland	1234
<b>Granger Lake</b> [Granger Lake]	<b>Williamson</b> [Williamson]	<b>1247</b> [1247]
Navasota River Below Lake Mexia	Limestone	1253
Aquilla Reservoir	Hill	1254
Lake Austin	Travis	1403
Lake Travis	Burnet, Travis	1404
Marble Falls Lake	Burnet	1405
Lake Lyndon B. Johnson	Burnet, Llano	1406
Inks Lake	Burnet, Llano	1407
Lake Buchanan	Llano	1408
Pedernales River	Blanco	1414
South Llano River (part of Llano River)	Kimble	1415
Llano City Lake (part of Llano River)	Llano	1415
[Lake Brownwood]	[Brown]	[1418]
Lake Coleman	Coleman	1419
Lake Dunlap (part of Guadalupe River Below Comal River)	Guadalupe	1804
Canyon Lake	Comal	1805

Water Body Name	County	Segment No.
<u>San Marcos River</u>	<u>Caldwell, Gonzales, Guadalupe, Hays</u>	<u>1808</u>
Guadalupe River Below Canyon Dam	Comal	1812
Lake Corpus Christi	San Patricio, Live Oak	2103
<u>Choke Canyon Reservoir</u>	<u>Live Oak, McMullen</u>	<u>2116</u>
Rio Grande Below Falcon Reservoir	Starr	2302
International Falcon Reservoir	Starr, Zapata	2303
Rio Grande Below Amistad Reservoir	Maverick, Webb	2304

(3) Appendix C - Segment Descriptions:

**Figure: 30 TAC §307.10(3)**

**[Figure: 30 TAC §307.10(3)]**

**Appendix C - Segment Descriptions**

The following descriptions define the geographic extent of the state's classified segments. Boundaries of bay and estuary segments have not been precisely defined.

SEGMENT	DESCRIPTION
0101	Canadian River Below Lake Meredith - from the Oklahoma State Line in Hemphill County to Sanford Dam in Hutchinson County
0102	Lake Meredith - from Sanford Dam in Hutchinson County to a point immediately upstream of the confluence of Camp Creek in Potter County, up to the normal pool elevation of 2936.5 feet (impounds Canadian River)
0103	Canadian River Above Lake Meredith - from a point immediately upstream of the confluence of Camp Creek in Potter County to the New Mexico State Line in Oldham County
0104	Wolf Creek - from the Oklahoma State Line in Lipscomb County to a point 2.0 km (1.2 mi) upstream of FM 3045 in Ochiltree County
0105	Rita Blanca Lake - from Rita Blanca Dam in Hartley County up to the normal pool elevation of 3860 feet (impounds Rita Blanca Creek)
0201	Lower Red River - from the Arkansas State Line in Bowie County to the Arkansas-Oklahoma State Line in Bowie County
0202	Red River Below Lake Texoma - from the Arkansas-Oklahoma State Line in Bowie County to Denison Dam in Grayson County
0203	Lake Texoma - from Denison Dam in Grayson County to a point immediately upstream of the confluence of Sycamore Creek in Cooke County, up to the normal pool elevation of 617 feet (impounds Red River)

- 0204 Red River Above Lake Texoma - from a point immediately upstream of the confluence of Sycamore Creek in Cooke County to the confluence of the Wichita River in Clay County
- 0205 Red River Below Pease River - from the confluence of the Wichita River in Clay County to the confluence of the Pease River in Wilbarger County
- 0206 Red River Above Pease River - from the confluence of the Pease River in Wilbarger County to a point immediately upstream of the confluence of Buck Creek in Hardeman County
- 0207 Lower Prairie Dog Town Fork Red River - from a point immediately upstream of the confluence of Buck Creek in Hardeman County to a point 100 meters (110 yards) upstream of the confluence of Salt Fork Creek in Armstrong County
- 0208 Lake Crook - from Lake Crook Dam in Lamar County up to the normal pool elevation of 476 feet (impounds Pine Creek)
- 0209 Pat Mayse Lake - from Pat Mayse Dam in Lamar County up to the normal pool elevation of 451 feet (impounds Sanders Creek)
- 0210 Farmers Creek Reservoir (also known as Lake Nocona) - from Farmers Creek Dam in Montague County up to the normal pool elevation of 827.5 feet (impounds Farmers Creek)
- 0211 Little Wichita River - from the confluence with the Red River in Clay County to Lake Arrowhead Dam in Clay County
- 0212 Lake Arrowhead - from Lake Arrowhead Dam in Clay County up to the normal pool elevation of 926 feet (impounds the Little Wichita River)
- 0213 Lake Kickapoo - from Kickapoo Dam in Archer County up to the normal pool elevation of 1045 feet (impounds North Fork Little Wichita River)
- 0214 Wichita River Below Diversion Lake - from the confluence with the Red River in Clay County to Diversion Dam in Archer County
- 0215 Diversion Lake - from Diversion Dam in Archer County to a point 1.5 km (0.9 mi) downstream of the confluence of Cottonwood Creek in Baylor

- County, up to the normal pool elevation of 1052 feet (impounds Wichita River)
- 0216 Wichita River Below Lake Kemp - from a point 1.5 km (0.9 mi) downstream of the confluence of Cottonwood Creek in Baylor County to Lake Kemp Dam in Baylor County
- 0217 Lake Kemp - from Lake Kemp Dam in Baylor County to a point 9.4 km (5.8 mi) downstream of the confluence of Crooked Creek in Baylor County, up to the normal pool elevation of 1144 feet (impounds Wichita River)
- 0218 Wichita/North Fork Wichita River - from a point 9.4 km (5.8 mi) downstream of the confluence of Crooked Creek in Baylor County to a point 8.5 km (5.3 mi) downstream of the most upstream crossing of FM 193 in Dickens County
- 0219 Lake Wichita - from Lake Wichita Dam in Wichita County up to the normal pool elevation of 980.5 feet (impounds Holliday Creek)
- 0220 Upper Pease/North Fork Pease River - from the confluence with Canal Creek at the Hardeman-Foard county line to 6.0 km (3.7 mi) upstream of the confluence of Dick Moore Canyon in Floyd County
- 0221 Middle Fork Pease River - from the confluence with the North Fork Pease River in Cottle County to the confluence of Boggy Creek and Mott Creek in Motley County
- 0222 Salt Fork Red River - from the Oklahoma State Line in Collingsworth County to Greenbelt Dam in Donley County
- 0223 Greenbelt Lake - from Greenbelt Dam in Donley County up to the normal pool elevation of 2664 feet (impounds Salt Fork Red River)
- 0224 North Fork Red River - from the Oklahoma State Line in Wheeler County to a point 4.0 km (2.5 mi) upstream of FM 2300 in Gray County
- 0225 McKinney Bayou - from the Arkansas State Line in Bowie County to a point 100 meters (110 yards) upstream of the most upstream crossing of FM 1397 near King Lake in Bowie County



- 0226 South Fork Wichita River - from the confluence with the North Fork Wichita River in Knox County to a point 15.0 km (9.3 mi) upstream of US 82 in Dickens County
- 0227 South Fork Pease River - from the confluence with the Middle Fork Pease River in Cottle County to the confluence of Wolf Creek and Rustler Creek in Motley County
- 0228 Mackenzie Reservoir - from Mackenzie Dam in Briscoe County up to the normal pool elevation of 3100 feet (impounds Tule Creek)
- 0229 Upper Prairie Dog Town Fork Red River - from a point 100 meters (110 yards) upstream of the confluence of Salt Fork Creek in Armstrong County to Lake Tanglewood Dam in Randall County
- 0230 Pease River - from the confluence with the Red River in Wilbarger County upstream to the confluence with Canal Creek at the Hardeman-Foard county line
- 0301 Sulphur River Below Wright Patman Lake - from the Arkansas State Line in Bowie/Cass County to Wright Patman Lake Dam in Bowie/Cass County
- 0302 Wright Patman Lake - from Wright Patman Lake Dam in Bowie/Cass County to a point 1.5 km (0.9 mi) downstream of Bassett Creek in Bowie/Cass County, up to the normal pool elevation of 226.4 feet (impounds the Sulphur River)
- 0303 Sulphur/South Sulphur River - from a point 1.5 km (0.9 mi) downstream of Bassett Creek in Bowie/Cass County to Jim L. Chapman Dam (formerly Cooper Lake dam) in Delta/Hopkins County
- 0304 Days Creek - from the Arkansas State Line in Bowie County to the confluence of Swampoodle Creek and Nix Creek in Bowie County
- 0305 North Sulphur River - from the confluence with the South Sulphur River in Lamar County to a point 6.7 km (4.2 mi) upstream of FM 68 in Fannin County
- 0306 Upper South Sulphur River - from a point 1.0 km (0.7 mi) upstream of SH 71 in Delta/Hopkins County to SH 78 in Fannin County

- 0307 Jim L. Chapman Lake (formerly Cooper Lake) - from Jim L. Chapman Dam in Delta/Hopkins County to a point 1.0 km (0.7 mi) upstream of SH 71 on the South Sulphur River arm in Delta/Hopkins County and 300 meters (275 yards) below the confluence of Barnett Creek on the Middle Sulphur River arm in Delta County, up to a conservation pool elevation of 440 feet (impounds the Middle Sulphur/South Sulphur River)
- 0401 Caddo Lake - from the Louisiana State Line in Harrison/Marion County to a point 12.3 km (7.6 mi) downstream of SH 43 in Harrison/Marion County, up to the normal pool elevation of 168.5 feet (impounds Big Cypress Creek)
- 0402 Big Cypress Creek Below Lake O' the Pines - from a point 12.3 km (7.6 mi) downstream of SH 43 in Harrison/Marion County to Ferrell's Bridge Dam in Marion County
- 0403 Lake O' the Pines - from Ferrell's Bridge Dam in Marion County to a point 1.0 km (0.6 mi) downstream of US 259 in Morris/Upshur County, up to the normal pool elevation of 228.5 feet (impounds Big Cypress Creek)
- 0404 Big Cypress Creek Below Lake Bob Sandlin - from a point 1.0 km (0.6 mi) downstream of US 259 in Morris/Upshur County to Fort Sherman Dam in Camp/Titus County
- 0405 Lake Cypress Springs - from Franklin County Dam in Franklin County up to the normal pool elevation of 378 feet (impounds Big Cypress Creek)
- 0406 Black Bayou - from the Louisiana State Line in Cass County to FM 96 in Cass County
- 0407 James [James'] Bayou - from the Louisiana State Line in Marion County to Club Lake Road northwest of Linden in Cass County
- 0408 Lake Bob Sandlin - from Fort Sherman Dam in Camp/Titus County to Franklin County Dam in Franklin County, up to the normal pool elevation of 337.5 feet (impounds Big Cypress Creek)
- 0409 Little Cypress Bayou (Creek) - from the confluence with Big Cypress Creek in Harrison County to a point 1.0 km (0.6 mi) upstream of FM 2088 in Wood County

- 0410 Black Cypress Bayou (Creek) - from the confluence with Big Cypress Creek in Marion County to the confluence with Kelly Creek in Cass County
- 0501 Sabine River Tidal - from the confluence with Sabine Lake in Orange County to Morgans Bluff in Orange County
- 0502 Sabine River Above Tidal - from Morgans Bluff in Orange County to the confluence with Caney Creek in Newton County
- 0503 Sabine River Above Caney Creek - from a point immediately upstream of the confluence with Caney Creek in Newton County up to Toledo Bend Dam in Newton County
- 0504 Toledo Bend Reservoir - from Toledo Bend Dam in Newton County to a point immediately upstream of the confluence of Murvaul Creek in Panola County, up to the normal pool elevation of 172 feet (impounds Sabine River)
- 0505 Sabine River Above Toledo Bend Reservoir - from a point immediately upstream of the confluence of Murvaul Creek in Panola County to a point 100 meters (110 yards) downstream of US 271 in Gregg County
- 0506 Sabine River Below Lake Tawakoni - from a point 100 meters (110 yards) downstream of US 271 in Gregg County to Iron Bridge Dam in Rains County
- 0507 Lake Tawakoni - from Iron Bridge Dam in Rains County up to the normal pool elevation of 437.5 feet (impounds Sabine River)
- 0508 Adams Bayou Tidal - from the confluence with the Sabine River in Orange County to a point 1.1 km (0.7 mi) upstream of IH 10 in Orange County
- 0509 Murvaul Lake - from Murvaul Dam in Panola County up to the normal pool elevation of 265.3 feet (impounds Murvaul Bayou)
- 0510 Lake Cherokee - from Cherokee Dam in Gregg/Rusk County up to the normal pool elevation of 280 feet (impounds Cherokee Bayou)
- 0511 Cow Bayou Tidal - from the confluence with the Sabine River in Orange County to a point 4.8 km (3.0 mi) upstream of IH 10 in Orange County

- 0512 Lake Fork Reservoir - from Lake Fork Dam in Wood County up to the normal pool elevation of 403 feet (impounds Lake Fork Creek)
- 0513 Big Cow Creek - from the confluence with the Sabine River in Newton County to a point 4.6 km (2.9 mi) upstream of Recreational Road 255 in Newton County
- 0514 Big Sandy Creek - from the confluence with the Sabine River in Upshur County to a point 2.6 km (1.6 mi) upstream of SH 11 in Hopkins County
- 0515 Lake Fork Creek - from the confluence with the Sabine River in Wood County to Lake Fork Dam in Wood County
- 0601 Neches River Tidal - from the confluence with Sabine Lake in Orange County to the Neches River Saltwater Barrier, which is at a point 0.8 km (0.5 mi) downstream of the confluence of Pine Island Bayou, in Orange County
- 0602 Neches River Below B. A. Steinhagen Lake - from the Neches River Saltwater Barrier, which is at a point 0.8 km (0.5 mi) downstream of the confluence of Pine Island Bayou, in Orange County to Town Bluff Dam in Jasper/Tyler County
- 0603 B. A. Steinhagen Lake - from Town Bluff Dam in Jasper/Tyler County to a point immediately upstream of the confluence of Hopson Mill Creek on the Neches River Arm in Jasper/Tyler County and to a point immediately upstream of the confluence of Indian Creek on the Angelina River Arm in Jasper County, up to the normal pool elevation of 83 feet (impounds Neches River)
- 0604 Neches River Below Lake Palestine - from a point immediately upstream of the confluence of Hopson Mill Creek in Jasper/Tyler County to Blackburn Crossing Dam in Anderson/Cherokee County
- 0605 Lake Palestine - from Blackburn Crossing Dam in Anderson/Cherokee County to a point 6.7 km (4.2 mi) downstream of FM 279 in Henderson/Smith County, up to the normal pool elevation of 345 feet (impounds Neches River)

- 0606 Neches River Above Lake Palestine - from a point 6.7 km (4.2 mi) downstream of FM 279 in Henderson/Smith County to Rhine Lake Dam in Van Zandt County before it was breached in 2001
- 0607 Pine Island Bayou - from the confluence with the Neches River in Hardin/Jefferson County to the confluence with Willow Creek in Hardin/Jefferson County
- 0608 Village Creek - from the confluence with the Neches River in Hardin County to the confluence of Big Sandy Creek and Kimball Creek in Hardin County
- 0609 Angelina River Below Sam Rayburn Reservoir - from a point immediately upstream of the confluence of Indian Creek in Jasper County to Sam Rayburn Dam in Jasper County
- 0610 Sam Rayburn Reservoir - from Sam Rayburn Dam in Jasper County to a point 5.6 km (3.5 mi) upstream of Marion's Ferry on the Angelina River Arm in Angelina/Nacogdoches County and to a point 3.9 km (2.4 mi) downstream of Curry Creek on the Attoyac Bayou Arm in Nacogdoches/San Augustine County, up to the normal pool elevation of 164.4 feet (except on the Angelina River Arm) (impounds Angelina River and Attoyac Bayou)
- 0611 Angelina River Above Sam Rayburn Reservoir - from the aqueduct crossing 1.0 km (0.6 mi) upstream of the confluence of Paper Mill Creek in Angelina/Nacogdoches County to the confluence of Barnhardt Creek and Mill Creek at FM 225 in Rusk County
- 0612 Attoyac Bayou - from a point 3.9 km (2.4 mi) downstream of Curry Creek in Nacogdoches/San Augustine County to FM 95 in Rusk County
- 0613 Lake Tyler/Lake Tyler East - from Whitehouse Dam and Mud Creek Dam in Smith County up to the normal pool elevation of 375.38 feet (impounds Prairie Creek and Mud Creek)
- 0614 Lake Jacksonville - from Buckner Dam in Cherokee County up to the normal pool elevation of 422 feet (impounds Gum Creek)
- 0615 Angelina River/Sam Rayburn Reservoir - the riverine portion of Sam Rayburn Reservoir from a point 5.6 km (3.5 miles) upstream of Marion's

- Ferry to the aqueduct crossing 1.0 km (0.6 mi) upstream of the confluence of Paper Mill Creek
- 0701 Taylor Bayou Above Tidal - from the salt water lock 7.7 km (4.8 mi) downstream of SH 73 in Jefferson County to the Lower Neches Valley Authority Canal crossing of North Fork Taylor Bayou in Jefferson County
- 0702 Intracoastal Waterway Tidal - from the confluence with Galveston Bay at Port Bolivar in Galveston County to the confluence with the Sabine-Neches/Port Arthur Canal in Jefferson County (including Taylor Bayou Tidal from the confluence with the Intracoastal Waterway up to the salt water lock 7.7 km (4.8 mi) downstream of SH 73 in Jefferson County)
- 0703 Sabine-Neches Canal Tidal - from the confluence with Sabine Pass at the southern tip of Pleasure Island in Jefferson County to the Sabine Lake seawall at the northern tip of Pleasure Island in Jefferson County
- 0704 Hillebrandt Bayou - from the confluence of Taylor Bayou in Jefferson County to a point 100 meters (110 yards) upstream of SH 124 in Jefferson County
- 0801 Trinity River Tidal - from the saltwater barrier, which is 5.5 km (3.4 mi) downstream of IH 10, in Chambers County to a point 3.1 km (1.9 mi) downstream of US 90 in Liberty County
- 0802 Trinity River Below Lake Livingston - from a point 3.1 km (1.9 mi) downstream of US 90 in Liberty County to Livingston Dam in Polk/San Jacinto County
- 0803 Lake Livingston - from Livingston Dam in Polk/San Jacinto County to a point 1.8 km (1.1 mi) upstream of Boggy Creek in Houston/Leon County, up to the normal pool elevation of 131 feet (impounds Trinity River)
- 0804 Trinity River Above Lake Livingston - from a point 1.8 km (1.1 mi) upstream of Boggy Creek in Houston/Leon County to a point immediately upstream of the confluence of the Cedar Creek Reservoir discharge canal in Henderson/Navarro County
- 0805 Upper Trinity River - from a point immediately upstream of the confluence of the Cedar Creek Reservoir discharge canal in

Henderson/Navarro County to a point immediately upstream of the confluence of Elm Fork Trinity River in Dallas County

- 0806 West Fork Trinity River Below Lake Worth - from a point immediately upstream of the confluence of Village Creek in Tarrant County to Lake Worth Dam in Tarrant County
- 0807 Lake Worth - from Lake Worth Dam in Tarrant County to a point 4.0 km (2.5 mi) downstream of Eagle Mountain Dam in Tarrant County, up to the normal pool elevation of 594 feet (impounds West Fork Trinity River)
- 0808 West Fork Trinity River Below Eagle Mountain Reservoir - from a point 4.0 km (2.5 mi) downstream of Eagle Mountain Dam in Tarrant County to Eagle Mountain Dam in Tarrant County
- 0809 Eagle Mountain Reservoir - from Eagle Mountain Dam in Tarrant County to a point 0.6 km (0.4 mi) downstream of the confluence of Oates Branch in Wise County up to the normal pool elevation of 649.1 feet (impounds West Fork Trinity River)
- 0810 West Fork Trinity River Below Bridgeport Reservoir - from a point 0.6 km (0.4 mi) downstream of the confluence of Oates Branch in Wise County to Bridgeport Dam in Wise County
- 0811 Bridgeport Reservoir - from Bridgeport Dam in Wise County to a point immediately upstream of the confluence of Bear Hollow in Jack County, up to the normal pool elevation of 836 feet (impounds West Fork Trinity River)
- 0812 West Fork Trinity River Above Bridgeport Reservoir - from a point immediately upstream of the confluence of Bear Hollow in Jack County to SH 79 in Archer County
- 0813 Houston County Lake - from Houston County Dam in Houston County up to the normal pool elevation of 260 feet (impounds Little Elkhart Creek)
- 0814 Chambers Creek Above Richland-Chambers Reservoir - from a point 4.0 km (2.5 mi) downstream of Tupelo Branch in Navarro County to the confluence of North Fork Chambers Creek and South Fork Chambers Creek

- 0815 Bardwell Reservoir - from Bardwell Dam in Ellis County up to the normal pool elevation of 421 feet (impounds Waxahachie Creek)
- 0816 Lake Waxahachie - from South Prong Dam in Ellis County up to the normal pool elevation of 531.5 feet (impounds South Prong Creek)
- 0817 Navarro Mills Lake - from Navarro Mills Dam in Navarro County up to the normal pool elevation of 424.5 feet (impounds Richland Creek)
- 0818 Cedar Creek Reservoir - from Joe B. Hoggsett Dam in Henderson County up to the normal pool elevation of 322 feet (impounds Cedar Creek)
- 0819 East Fork Trinity River - from the confluence with the Trinity River in Kaufman County to Rockwall-Forney Dam in Kaufman County
- 0820 Lake Ray Hubbard - from Rockwall-Forney Dam in Kaufman County to Lavon Dam in Collin County, up to the normal pool elevation of 435.5 feet (impounds East Fork Trinity River)
- 0821 Lavon Lake - from Lavon Dam in Collin County up to the normal pool elevation of 492 feet (impounds East Fork Trinity River)
- 0822 Elm Fork Trinity River Below Lewisville Lake - from the confluence with the West Fork Trinity River in Dallas County to Lewisville Dam in Denton County
- 0823 Lewisville Lake - from Lewisville Dam in Denton County to a point 200 meters (220 yards) upstream of FM 428 in Denton County, up to the normal pool elevation of 522 feet (impounds Elm Fork Trinity River)
- 0824 Elm Fork Trinity River Above Ray Roberts Lake - from a point 9.5 km (5.9 mi) downstream of the confluence of Pecan Creek in Cooke County to US 82 in Montague County
- 0825 Denton Creek - from the confluence with the Elm Fork Trinity River in Dallas County to Grapevine Dam in Tarrant County
- 0826 Grapevine Lake - from Grapevine Dam in Tarrant County up to the normal pool elevation of 535 feet (impounds Denton Creek)



- 0827 White Rock Lake - from White Rock Dam in Dallas County up to the normal pool elevation of 458 feet (impounds White Rock Creek)
- 0828 Lake Arlington - from Arlington Dam in Tarrant County up to the normal pool elevation of 550 feet (impounds Village Creek)
- 0829 Clear Fork Trinity River Below Benbrook Lake - from the confluence with the West Fork Trinity River in Tarrant County to Benbrook Dam in Tarrant County
- 0830 Benbrook Lake - from Benbrook Dam in Tarrant County to a point 200 meters (220 yards) downstream of US 377 in Tarrant County, up to the normal pool elevation of 694 feet (impounds Clear Fork Trinity River)
- 0831 Clear Fork Trinity River Below Lake Weatherford - from a point 200 meters (220 yards) downstream of US 377 in Tarrant County to Weatherford Dam in Parker County
- 0832 Lake Weatherford - from Weatherford Dam in Parker County to a point 3.1 km (1.9 mi) upstream of FM 730 in Parker County, up to the normal pool elevation of 896 feet (impounds Clear Fork Trinity River)
- 0833 Clear Fork Trinity River Above Lake Weatherford - from a point 3.1 km (1.9 mi) upstream of FM 730 in Parker County to the confluence with Strickland Creek approximately 8 km (5 mi) upstream of FM 51 in Parker County
- 0834 Lake Amon G. Carter - from Amon G. Carter Dam in Montague County up to the normal pool elevation of 920 feet (impounds Big Sandy Creek)
- 0835 Richland Creek Below Richland-Chambers Reservoir - from the confluence with the Trinity River in Freestone County to Richland-Chambers Dam in Freestone County
- 0836 Richland-Chambers Reservoir - from Richland-Chambers Dam in Freestone County to a point immediately upstream of the confluence of Pin Oak Creek on the Richland Creek Arm in Navarro County and to a point 4.0 km (2.5 mi) downstream of Tupelo Branch on the Chambers Creek Arm in Navarro County, up to the normal pool elevation of 315 feet (impounds Richland and Chambers Creeks)

- 0837 Richland Creek Above Richland-Chambers Reservoir - from a point immediately upstream of the confluence of Pin Oak Creek in Navarro County to Navarro Mills Dam in Navarro County
- 0838 Joe Pool Lake - from Joe Pool Dam in Dallas County up to the normal pool elevation of 522 feet (impounds Mountain Creek)
- 0839 Elm Fork Trinity River Below Ray Roberts Lake - from a point 200 meters (220 yards) upstream of FM 428 in Denton County to Ray Roberts Dam in Denton County
- 0840 Ray Roberts Lake - from Ray Roberts Dam in Denton County to a point 9.5 km (5.9 mi) downstream of the confluence of Pecan Creek in Cooke County, up to the normal pool elevation of 632.5 feet (impounds Elm Fork Trinity River)
- 0841 Lower West Fork Trinity River - from a point immediately upstream of the confluence of the Elm Fork Trinity River in Dallas County to a point immediately upstream of the confluence of Village Creek in Tarrant County
- 0901 Cedar Bayou Tidal - from the confluence with Galveston Bay 1.0 km (0.6 mi) downstream of Tri-City Beach Road in Chambers County to a point 2.2 km (1.4 mi) upstream of IH 10 in Chambers/Harris County
- 0902 Cedar Bayou Above Tidal - from a point 2.2 km (1.4 mi) upstream of IH 10 in Chambers/Harris County to a point 7.4 km (4.6 mi) upstream of FM 1960 in Liberty County
- 1001 San Jacinto River Tidal - from a point 100 meters (110 yards) downstream of IH 10 in Harris County to Lake Houston Dam in Harris County
- 1002 Lake Houston - from Lake Houston Dam in Harris County to the confluence of Spring Creek on the West Fork San Jacinto Arm in Harris/Montgomery County and to the confluence of Caney Creek on the East Fork San Jacinto Arm in Harris County, up to the normal pool elevation of 44.5 feet (impounds San Jacinto River)
- 1003 East Fork San Jacinto River - from the confluence of Caney Creek in Harris County to US 190 in Walker County

- 1004 West Fork San Jacinto River - from the confluence of Spring Creek in Harris/Montgomery County to Conroe Dam in Montgomery County
- 1005 Houston Ship Channel/San Jacinto River Tidal - from the confluence with Galveston Bay at Morgan's Point in Harris/Chambers County to a point 100 meters (110 yards) downstream of IH 10 in Harris County
- 1006 Houston Ship Channel Tidal - from the confluence with the San Jacinto River in Harris County to a point immediately upstream of Greens Bayou in Harris County, including tidal portions of tributaries and Old River
- 1007 Houston Ship Channel/Buffalo Bayou Tidal - from a point immediately upstream of Greens Bayou in Harris County to a point 100 meters (110 yards) upstream of US 59 in Harris County, including tidal portions of tributaries
- 1008 Spring Creek - from the confluence with the West Fork San Jacinto River in Harris/Montgomery County to the confluence with Kickapoo Creek in Harris/Waller County
- 1009 Cypress Creek - from the confluence with Spring Creek in Harris County to the confluence of Snake Creek and Mound Creek in Waller County
- 1010 Caney Creek - from the confluence with the East Fork San Jacinto River in Harris County to SH 150 in Walker County
- 1011 Peach Creek - from the confluence with Caney Creek in Montgomery County to SH 150 in Walker County
- 1012 Lake Conroe - from Conroe Dam in Montgomery County up to the normal pool elevation of 201 feet (impounds West Fork San Jacinto River)
- 1013 Buffalo Bayou Tidal - from a point 100 meters (110 yards) upstream of US 59 in Harris County to a point 400 meters (440 yards) upstream of Shepherd Drive in Harris County including the tidal portion of tributaries
- 1014 Buffalo Bayou Above Tidal - from a point 400 meters (440 yards) upstream of Shepherd Drive in Harris County to SH 6 in Harris County

- 1015 Lake Creek - from the confluence with the West Fork San Jacinto River in Montgomery County to a point 4.0 km (2.5 mi) upstream of SH 30 in Grimes County
- 1016 Greens Bayou Above Tidal - from a point 0.7 km (0.4 mi) upstream of the confluence of Halls Bayou in Harris County, to a point 100 meters (110 yards) upstream of FM 1960 in Harris County
- 1017 Whiteoak Bayou Above Tidal - from a point immediately upstream of the confluence of Little Whiteoak Bayou in Harris County to a point 3.0 km (1.9 mi) upstream of FM 1960 in Harris County
- 1101 Clear Creek Tidal - from the confluence with Clear Lake at a point 3.2 km (2.0 mi) downstream of El Camino Real in Galveston/Harris County to a point 100 meters (110 yards) upstream of FM 528 in Galveston/Harris County
- 1102 Clear Creek Above Tidal - from a point 100 meters (110 yards) upstream of FM 528 in Galveston/Harris County to Rouen Road in Fort Bend County
- 1103 Dickinson Bayou Tidal - from the confluence with Dickinson Bay 2.1 km (1.3 mi) downstream of SH 146 in Galveston County to a point 4.0 km (2.5 mi) downstream of FM 517 in Galveston County
- 1104 Dickinson Bayou Above Tidal - from a point 4.0 km (2.5 mi) downstream of FM 517 in Galveston County to FM 528 in Galveston County
- 1105 Bastrop Bayou Tidal - from the confluence with Bastrop Bay 1.1 km (0.7 mi) downstream of the Intracoastal Waterway in Brazoria County to a point 8.6 km (5.3 mi) upstream of Business 288 at Lake Jackson in Brazoria County
- 1107 Chocolate Bayou Tidal - from the confluence with Chocolate Bay 1.4 km (0.9 mi) downstream of FM 2004 in Brazoria County to the salt water barrier (immediately downstream of the Chocolate Bayou Rice Canal) 5.2 km (3.2 mi) downstream of SH 35 in Brazoria County
- 1108 Chocolate Bayou Above Tidal - from the salt water barrier (immediately downstream of the Chocolate Bayou Rice Canal) 5.2 km (3.2 mi) downstream of SH 35 in Brazoria County to SH 6 in Brazoria County

- 1109 Oyster Creek Tidal - from the confluence with the Intracoastal Waterway in Brazoria County to a point 100 meters (110 yards) upstream of FM 2004 in Brazoria County
- 1110 Oyster Creek Above Tidal - from a point 100 meters (110 yards) upstream of FM 2004 in Brazoria County to a point 4.3 km (2.7 mi) upstream of Scanlan Road in Fort Bend County
- 1111 Old Brazos River Channel Tidal - from the confluence with the Intracoastal Waterway in Brazoria County to SH 288 in Brazoria County
- 1113 Armand Bayou Tidal - from the confluence with Clear Lake (at the NASA Road 1 bridge) in Harris County to a point 0.8 km (0.5 mi) downstream of Genoa-Red Bluff Road in Pasadena in Harris County (includes Mud Lake)
- 1201 Brazos River Tidal - from the confluence with the Gulf of Mexico in Brazoria County to a point 100 meters (110 yards) upstream of SH 332 in Brazoria County
- 1202 Brazos River Below Navasota River - from a point 100 meters (110 yards) upstream of SH 332 in Brazoria County to a point immediately upstream of the confluence of the Navasota River in Grimes County
- 1203 Whitney Lake - from Whitney Dam in Bosque/Hill County to a point immediately upstream of the confluence of Camp Creek on the Brazos River Arm in Bosque/Johnson County and to a point immediately upstream of the confluence of Rock Creek on the Nolan River Arm in Hill County, up to the normal pool elevation of 533 feet (impounds Brazos River)
- 1204 Brazos River Below Lake Granbury - from a point immediately upstream of the confluence of Camp Creek in Bosque/Johnson County to De Cordova Bend Dam in Hood County
- 1205 Lake Granbury - from De Cordova Bend Dam in Hood County to a point 100 meters (110 yards) upstream of FM 2580 in Parker County, up to the normal pool elevation of 693 feet (impounds Brazos River)
- 1206 Brazos River Below Possum Kingdom Lake - from a point 100 meters (110 yards) upstream of FM 2580 in Parker County to Morris Sheppard Dam in Palo Pinto County

- 1207 Possum Kingdom Lake - from Morris Sheppard Dam in Palo Pinto County to a point immediately upstream of the confluence of Cove Creek at Salem Bend in Young County, up to the normal pool elevation of 1000 feet (impounds Brazos River)
- 1208 Brazos River Above Possum Kingdom Lake - from a point immediately upstream of the confluence of Cove Creek at Salem Bend in Young County to the confluence of the Double Mountain Fork Brazos River and the Salt Fork Brazos River in Stonewall County
- 1209 Navasota River Below Lake Limestone - from the confluence with the Brazos River in Grimes County to Sterling C. Robertson Dam in Leon/Robertson County
- 1210 Lake Mexia - from Bistone Dam in Limestone County up to the normal pool elevation of 448.3 feet (impounds Navasota River)
- 1211 Yegua Creek - from the confluence with the Brazos River in Burleson/Washington County to Somerville Dam in Burleson/Washington County
- 1212 Somerville Lake - from Somerville Dam in Burleson/Washington County up to the normal pool elevation of 238 feet (impounds Yegua Creek)
- 1213 Little River - from the confluence with the Brazos River in Milam County to the confluence of the Leon River and the Lampasas River in Bell County
- 1214 San Gabriel River - from the confluence with the Little River in Milam County to Granger Lake Dam in Williamson County
- 1215 Lampasas River Below Stillhouse Hollow Lake - from the confluence with the Leon River in Bell County to Stillhouse Hollow Dam in Bell County
- 1216 Stillhouse Hollow Lake - from Stillhouse Hollow Dam in Bell County to a point immediately upstream of the confluence of Rock Creek in Bell County, up to the normal pool elevation of 622 feet (impounds Lampasas River)

- 1217 Lampasas River Above Stillhouse Hollow Lake - from a point immediately upstream of the confluence of Rock Creek in Bell County to FM 2005 in Hamilton County
- 1218 Nolan Creek/South Nolan Creek - from the confluence with the Leon River in Bell County to a point 100 meters (110 yards) upstream of the most upstream crossing of US 190 near the intersection of US 190 and Loop 172 in Bell County
- 1219 Leon River Below Belton Lake - from the confluence with the Lampasas River in Bell County to Belton Dam in Bell County
- 1220 Belton Lake - from Belton Dam in Bell County to a point 100 meters (110 yards) upstream of FM 236 in Coryell County, up to the normal pool elevation of 594 feet (impounds Leon River)
- 1221 Leon River Below Proctor Lake - from a point immediately upstream of the confluence of Plum Creek in Coryell County to Proctor Dam in Comanche County
- 1222 Proctor Lake - from Proctor Dam in Comanche County to a point immediately upstream of the confluence of Mill Branch in Comanche County, up to the normal pool elevation of 1162 feet (impounds Leon River)
- 1223 Leon River Below Leon Reservoir - from a point immediately upstream of the confluence of Mill Branch in Comanche County to Leon Dam in Eastland County
- 1224 Leon Reservoir - from Leon Dam in Eastland County up to the normal pool elevation of 1375 feet (impounds Leon River)
- 1225 Waco Lake - from Waco Lake Dam in McLennan County to a point immediately upstream of the confluence of Long Branch on the North Bosque River Arm in McLennan County; and on the South Bosque River Arm in McLennan County, to a point on the Middle Bosque River 1.64 km (1.02 mi) upstream of the confluence of the Middle Bosque and South Bosque rivers and to a point on the South Bosque River, 1.35 km (0.84 mi) upstream of the confluence of the Middle Bosque and South Bosque

- rivers, up to the normal pool elevation of 462 feet (impounds the Bosque River)
- 1226       North Bosque River - from a point immediately upstream of the confluence of Long Branch in McLennan County to a point immediately upstream of the confluence of Indian Creek in Erath County
- 1227       Nolan River - from a point immediately upstream of the confluence of Rock Creek in Hill County to Cleburne Dam in Johnson County
- 1228       Lake Pat Cleburne - from Cleburne Dam in Johnson County up to the normal pool elevation of 733.5 feet (impounds Nolan River)
- 1229       Paluxy River/North Paluxy River - from the confluence with the Brazos River in Somervell County to the confluence of Rough Creek in Erath County
- 1230       Lake Palo Pinto - from Palo Pinto Creek Dam in Palo Pinto County up to the normal pool elevation of 867.3 feet (impounds Palo Pinto Creek)
- 1231       Lake Graham - from Graham Dam and Eddleman Dam in Young County up to the normal pool elevation of 1075 feet (impounds Salt Creek and Flint Creek)
- 1232       Clear Fork Brazos River - from the confluence with the Brazos River in Young County to the most upstream crossing of US 180 in Fisher County
- 1233       Hubbard Creek Reservoir - from Hubbard Creek Dam in Stephens County up to the normal pool elevation of 1183 feet (impounds Hubbard Creek)
- 1234       Lake Cisco - from Williamson Dam in Eastland County up to the normal pool elevation of 1496 feet (impounds Sandy Creek)
- 1235       Lake Stamford - from Stamford Dam in Haskell County up to the normal pool elevation of 1416.8 feet (impounds Paint Creek)
- 1236       Fort Phantom Hill Reservoir - from Fort Phantom Hill Dam in Jones County up to the normal pool elevation of 1635.9 feet (impounds Elm Creek)



- 1237 Lake Sweetwater - from Sweetwater Dam in Nolan County up to the normal pool elevation of 2116.5 feet (impounds Bitter Creek)
- 1238 Salt Fork Brazos River - from the confluence of the Double Mountain Fork Brazos River in Stonewall County to the most upstream crossing of SH 207 in Crosby County
- 1239 White River - from the confluence with the Salt Fork Brazos River in Kent County to White River Dam in Crosby County
- 1240 White River Lake - from White River Dam in Crosby County up to the normal pool elevation of 2372.2 feet (impounds White River)
- 1241 Double Mountain Fork Brazos River - from the confluence with the Salt Fork Brazos River in Stonewall County to the confluence of the North Fork Double Mountain Fork Brazos River in Kent County
- 1242 Brazos River Above Navasota River - from a point immediately upstream of the confluence of the Navasota River in Brazos/Grimes/Washington County to the low water dam forming Lake Brazos in McLennan County
- 1243 Salado Creek - from the confluence with the Lampasas River in Bell County to the confluence of North Salado Creek and South Salado Creek in Williamson County
- 1244 Brushy Creek - from the confluence with the San Gabriel River in Milam County to the confluence of South Brushy Creek in Williamson County
- 1245 Upper Oyster Creek - from Steep Bank Creek/Brazos River confluence in Fort Bend County to pumping station on Jones Creek at Brazos River in Fort Bend County (includes portions of Steep Bank Creek, Flat Bank Creek, Flat Bank Creek Diversion Channel, and Jones Creek)
- 1246 Middle Bosque/South Bosque River - for the Middle Bosque River from a point 1.64 km (1.02 mi) from the confluence with the South Bosque River in McLennan County to the confluence of Cave Creek and Middle Bosque Creek in Coryell County and for the South Bosque River from a point 1.35 km (0.84 mi) from the confluence of the Middle Bosque River in McLennan County to FM 2671 in McLennan County

- 1247 Granger Lake - from Granger Dam in Williamson County to a point 1.9 km (1.2 mi) downstream of SH 95 in Williamson County, up to the normal pool elevation of 504 feet (impounds San Gabriel River)
- 1248 San Gabriel/North Fork San Gabriel River - from a point 1.9 km (1.2 mi) downstream of SH 95 in Williamson County to North San Gabriel Dam in Williamson County
- 1249 Lake Georgetown - from North San Gabriel Dam in Williamson County to a point 6.6 km (4.1 mi) downstream of US 183 in Williamson County, up to the normal pool elevation of 791 feet (impounds North Fork San Gabriel River)
- 1250 South Fork San Gabriel River - from the confluence with the North Fork San Gabriel River in Williamson County to the most upstream crossing of SH 29 in Burnet County
- 1251 North Fork San Gabriel River - from a point 6.6 km (4.1 mi) downstream of US 183 in Williamson County to the confluence of Allen Branch in Burnet County
- 1252 Lake Limestone - from Sterling C. Robertson Dam in Leon/Robertson County to a point 2.3 km (1.4 mi) downstream of SH 164 in Limestone County, up to the normal pool elevation of 363 feet (impounds Navasota River)
- 1253 Navasota River Below Lake Mexia - from a point 2.3 km (1.4 mi) downstream of SH 164 in Limestone County to Bistone Dam in Limestone County
- 1254 Aquilla Reservoir - from Aquilla Dam in Hill County up to the normal pool elevation of 537.5 feet (impounds Aquilla Creek)
- 1255 Upper North Bosque River - from a point immediately upstream of the confluence of Indian Creek in Erath County to the confluence of the North Fork and South Fork of the North Bosque River in Erath County
- 1256 Brazos River/Lake Brazos - from the low water dam forming Lake Brazos in McLennan County to a point immediately upstream of the confluence of Aquilla Creek in McLennan County (includes the Bosque River arm to the Waco Lake Dam)

- 1257 Brazos River Below Whitney Lake - from a point immediately upstream of the confluence of Aquilla Creek in McLennan County to Whitney Dam in Bosque/Hill County
- 1258 Middle Oyster Creek - from the confluence with the Brazos River to the Flat Bank diversion channel in Fort Bend County
- 1259 Leon River Above Belton Lake - from a point 100 meters (110 yards) upstream of FM 236 in Coryell County to a point immediately upstream of the confluence with Plum Creek in Coryell County
- 1301 San Bernard River Tidal - from the confluence with the Intracoastal Waterway in Brazoria County to a point 3.2 km (2.0 mi) upstream of SH 35 in Brazoria County
- 1302 San Bernard River Above Tidal - from a point 3.2 km (2.0 mi) upstream of SH 35 in Brazoria County to the county road southeast of New Ulm in Austin County
- 1304 Caney Creek Tidal - from the confluence with the Intracoastal Waterway in Matagorda County to a point 1.9 km (1.2 mi) upstream of the confluence of Linnville Bayou in Matagorda County
- 1305 Caney Creek Above Tidal - from a point 1.9 km (1.2 mi) upstream of the confluence of Linnville Bayou in Matagorda County to the confluence of Water Hole Creek in Matagorda County
- 1401 Colorado River Tidal - from the confluence with Matagorda Bay due to a diversion channel in Matagorda County to a point 2.1 km (1.3 mi) downstream of the Missouri-Pacific Railroad in Matagorda County
- 1402 Colorado River Below La Grange - from a point 2.1 km (1.3 mi) downstream of the Missouri-Pacific Railroad in Matagorda County to a point 100 meters (110 yards) downstream of Business SH 71 at La Grange in Fayette County
- 1403 Lake Austin - from Tom Miller Dam in Travis County to Mansfield Dam in Travis County, up to the normal pool elevation of 492.8 feet (impounds Colorado River)

- 1404 Lake Travis - from Mansfield Dam in Travis County to Max Starcke Dam on the Colorado River Arm in Burnet County and to a point immediately upstream of the confluence of Fall Creek on the Pedernales River Arm in Travis County, up to the normal pool elevation of 681.6 feet (impounds Colorado River)
- 1405 Marble Falls Lake - from Max Starcke Dam in Burnet County to Alvin Wirtz Dam in Burnet County, up to the normal pool elevation of 738 feet (impounds Colorado River)
- 1406 Lake Lyndon B. Johnson - from Alvin Wirtz Dam in Burnet County to Roy Inks Dam on the Colorado River Arm in Burnet/Llano County and to a point immediately upstream of the confluence of Honey Creek on the Llano River Arm in Llano County, up to the normal pool elevation of 825.6 feet (impounds Colorado River)
- 1407 Inks Lake - from Roy Inks Dam in Burnet/Llano County to Buchanan Dam in Burnet/Llano County, up to the normal pool elevation of 888 feet (impounds Colorado River)
- 1408 Lake Buchanan - from Buchanan Dam in Burnet/Llano County to a point immediately upstream of the confluence of Yancey Creek, up to the normal pool elevation of 1020.5 feet (impounds Colorado River)
- 1409 Colorado River Above Lake Buchanan - from a point immediately upstream of the confluence of Yancey Creek in Burnet/San Saba/Lampasas County to the confluence of the San Saba River in San Saba County
- 1410 Colorado River Below O. H. Ivie Reservoir - from the confluence of the San Saba River in San Saba County to S. W. Freese Dam in Coleman/Concho County
- 1411 E. V. Spence Reservoir - from Robert Lee Dam in Coke County to a point immediately upstream of the confluence of Little Silver Creek in Coke County, up to the normal pool elevation of 1898 feet (impounds Colorado River)

- 1412 Colorado River Below Lake J. B. Thomas - from a point immediately upstream of the confluence of Little Silver Creek in Coke County to Colorado River Dam in Scurry County
- 1413 Lake J. B. Thomas - from Colorado River Dam in Scurry County up to the normal pool elevation of 2258 feet (impounds Colorado River)
- 1414 Pedernales River - from a point immediately upstream of the confluence of Fall Creek in Travis County to FM 385 in Kimble County
- 1415 Llano River - from a point immediately upstream of the confluence of Honey Creek in Llano County to FM 864 on the North Llano River in Sutton County and to SH 55 on the South Llano River in Edwards County
- 1416 San Saba River - from the confluence with the Colorado River in San Saba County to the confluence of the North Valley Prong and the Middle Valley Prong in Schleicher County
- 1417 Lower Pecan Bayou - from the confluence with the Colorado River in Mills County to a point immediately upstream of the confluence of Mackinnally Creek in Brown County
- 1418 Lake Brownwood - from Lake Brownwood Dam in Brown County to a point 100 meters (110 yards) upstream of FM 2559 in Brown County, up to the normal pool elevation of 1425 feet (impounds Pecan Bayou)
- 1419 Lake Coleman - from Coleman Dam in Coleman County up to the normal pool elevation of 1717.5 feet (impounds Jim Ned Creek)
- 1420 Pecan Bayou Above Lake Brownwood - from a point 100 meters (110 yards) upstream of FM 2559 in Brown County to the confluence of the North Prong Pecan Bayou and the South Prong Pecan Bayou in Callahan County
- 1421 Concho River - from a point 2.0 km (1.2 mi) upstream of the confluence of Fuzzy Creek in Concho County to San Angelo Dam on the North Concho River in Tom Green County and to Nasworthy Dam on the South Concho River in Tom Green County

- 1422 Lake Nasworthy - from Nasworthy Dam in Tom Green County to Twin Buttes Dam in Tom Green County, up to the normal pool elevation of 1872.2 feet (impounds South Concho River)
- 1423 Twin Buttes Reservoir - from Twin Buttes Dam in Tom Green County to a point 100 meters (110 yards) upstream of US 67 on the Middle Concho River Arm in Tom Green County and to a point 4.0 km (2.5 mi) downstream of FM 2335 on the South Concho River Arm in Tom Green County, up to the normal pool elevation of 1940.2 feet (impounds the Middle Concho River and the South Concho River)
- 1424 Middle Concho/South Concho River - from a point 4.0 km (2.5 mi) downstream of FM 2335 in Tom Green County to the confluence of Bois d'Arc Draw on the South Concho River in Tom Green County and from a point 100 meters (110 yards) upstream of US 67 in Tom Green County to the confluence of Three Bluff Draw and Indian Creek on the Middle Concho River in Reagan County
- 1425 O. C. Fisher Lake - from San Angelo Dam in Tom Green County up to the normal pool elevation of 1908 feet (impounds North Concho River)
- 1426 Colorado River Below E. V. Spence Reservoir - from a point 3.7 km (2.3 mi) downstream of the confluence of Mustang Creek in Runnels County to Robert Lee Dam in Coke County
- 1427 Onion Creek - from the confluence with the Colorado River in Travis County to the most upstream crossing of FM 165 in Blanco County
- 1428 Colorado River Below Lady Bird Lake (formerly Town Lake) - from a point 100 meters (110 yards) upstream of FM 969 near Utley in Bastrop County to Longhorn Dam in Travis County
- 1429 Lady Bird Lake (formerly Town Lake) - from Longhorn Dam in Travis County to Tom Miller Dam in Travis County, up to the normal pool elevation of 429 feet (impounds Colorado River)
- 1430 Barton Creek - from the confluence with Lady Bird Lake (formerly Town Lake) in Travis County to FM 12 in Hays County

- 1431 Mid Pecan Bayou - from a point immediately upstream of the confluence of Mackinally Creek in Brown County to a point immediately upstream of Willis Creek in Brown County
- 1432 Upper Pecan Bayou - from a point immediately upstream of the confluence of Willis Creek in Brown County to Lake Brownwood Dam in Brown County
- 1433 O. H. Ivie Reservoir - from S. W. Freese Dam in Coleman/Concho County to a point 3.7 km (2.3 mi) downstream of the confluence of Mustang Creek on the Colorado River Arm in Runnels County and to a point 2.0 km (1.2 mi) upstream of the confluence of Fuzzy Creek on the Concho River Arm in Concho County, up to the conservation pool level of 1551.5 feet (impounds Colorado River)
- 1434 Colorado River Above La Grange - from a point 100 meters (110 yards) downstream of Business SH 71 at La Grange in Fayette County to a point 100 meters (110 yards) upstream of FM 969 near Utley in Bastrop County
- 1501 Tres Palacios Creek Tidal - from the confluence with Tres Palacios Bay in Matagorda County to a point 1.6 km (1.0 mi) upstream of the confluence of Wilson Creek in Matagorda County
- 1502 Tres Palacios Creek Above Tidal - from a point 1.6 km (1.0 mi) upstream of the confluence of Wilson Creek in Matagorda County to State Route 525 (Old US 59) in Wharton County
- 1601 Lavaca River Tidal - from the confluence with Lavaca Bay in Calhoun/Jackson County to a point 8.6 km (5.3 mi) downstream of US 59 in Jackson County
- 1602 Lavaca River Above Tidal - from a point 8.6 km (5.3 mi) downstream of US 59 in Jackson County to the confluence of Campbell Branch west of Hallettsville in Lavaca County
- 1603 Navidad River Tidal - from the confluence with the Lavaca River in Jackson County to Palmetto Bend Dam in Jackson County
- 1604 Lake Texana - from Palmetto Bend Dam in Jackson County to a point 100 meters (110 yards) downstream of FM 530 in Jackson County, up to the normal pool elevation of 44 feet (impounds Navidad River)

- 1605 Navidad River Above Lake Texana - from a point 100 meters (110 yards) downstream of FM 530 in Jackson County to the confluence of the East Navidad River and the West Navidad River in Colorado/Lavaca County
- 1701 Victoria Barge Canal Tidal - from the confluence with San Antonio Bay in Calhoun County to Victoria Turning Basin in Victoria County
- 1801 Guadalupe River Tidal - from the confluence with Guadalupe Bay in Calhoun/Refugio County to the Guadalupe-Blanco River Authority Salt Water Barrier 0.7 km (0.4 mi) downstream of the confluence of the San Antonio River in Calhoun/Refugio County
- 1802 Guadalupe River Below San Antonio River - from the Guadalupe-Blanco River Authority Salt Water Barrier 0.7 km (0.4 mi) downstream of the confluence of the San Antonio River in Calhoun/Refugio County to a point immediately upstream of the confluence of the San Antonio River in Calhoun/Refugio/Victoria County
- 1803 Guadalupe River Below San Marcos River - from a point immediately upstream of the confluence of the San Antonio River in Calhoun/Refugio/Victoria County to a point immediately upstream of the confluence of the San Marcos River in Gonzales County
- 1804 Guadalupe River Below Comal River - from a point immediately upstream of the confluence of the San Marcos River in Gonzales County to a point immediately upstream of the confluence of the Comal River in Comal County
- 1805 Canyon Lake - from Canyon Dam in Comal County to a point 2.7 km (1.7 mi) downstream of Rebecca Creek Road in Comal County, up to the normal pool elevation of 909 feet (impounds Guadalupe River)
- 1806 Guadalupe River Above Canyon Lake - from a point 2.7 km (1.7 mi) downstream of Rebecca Creek Road in Comal County to the confluence of the North Fork Guadalupe River and the South Fork Guadalupe River in Kerr County
- 1807 Coletto Creek - from the confluence with the Guadalupe River in Victoria County to the confluence of Fifteenmile Creek and Twelvemile Creek in Goliad/Victoria County, including Coletto Creek Reservoir



- 1808 Lower San Marcos River - from the confluence with the Guadalupe River in Gonzales County to a point 1.0 km (0.6 mi) upstream of the confluence of the Blanco River in Hays County
- 1809 Lower Blanco River - from the confluence with the San Marcos River in Hays County to a point 0.3 km (0.2 mi) upstream of Limekiln Road in Hays County
- 1810 Plum Creek - from the confluence with the San Marcos River in Caldwell County to FM 2770 in Hays County
- 1811 Comal River - from the confluence with the Guadalupe River in Comal County to Klingemann Street at New Braunfels in Comal County
- 1812 Guadalupe River Below Canyon Dam - from a point immediately upstream of the confluence of the Comal River in Comal County to Canyon Dam in Comal County
- 1813 Upper Blanco River - from a point 0.3 km (0.2 mi) upstream of Limekiln Road in Hays County to the confluence of Meier Creek in Kendall County
- 1814 Upper San Marcos River - from a point 1.0 km (0.6 mi) upstream of the confluence of the Blanco River in Hays County to a point 0.7 km (0.4 mi) upstream of Loop 82 in San Marcos in Hays County (includes Spring Lake)
- 1815 Cypress Creek - from the confluence with the Blanco River in Hays County to a point 6.4 km (4.0 mi) upstream of the most upstream unnamed county road crossing in Hays County
- 1816 Johnson Creek - from the confluence with the Guadalupe River in Kerr County to a point 1.2 km (0.7 mi) upstream of the most upstream crossing of SH 41 in Kerr County
- 1817 North Fork Guadalupe River - from the confluence with the Guadalupe River in Kerr County to a point 18.2 km (11.3 mi) upstream of Boneyard Draw in Kerr County
- 1818 South Fork Guadalupe River - from the confluence with the Guadalupe River in Kerr County to a point 4.8 km (3.0 mi) upstream of FM 187 in Kerr County

- 1901 Lower San Antonio River - from the confluence with the Guadalupe River in Refugio/Victoria County to a point 600 meters (660 yards) downstream of FM 791 at Mays Crossing near Falls City in Karnes County
- 1902 Lower Cibolo Creek - from the confluence with the San Antonio River in Karnes County to a point 100 meters (110 yards) downstream of IH 10 [FM 78] in Bexar/Guadalupe County
- 1903 Medina River Below Medina Diversion Lake - from the confluence with the San Antonio River in Bexar County to Medina Diversion Dam in Medina County
- 1904 Medina Lake - from Medina Lake Dam in Medina County to a point immediately upstream of the confluence of Red Bluff Creek in Bandera County, up to the normal pool elevation of 1072 feet (impounds Medina River)
- 1905 Medina River Above Medina Lake - from a point immediately upstream of the confluence of Red Bluff Creek in Bandera County to the confluence of the North Prong Medina River and the West Prong Medina River in Bandera County
- 1906 Lower Leon Creek - from the confluence with the Medina River in Bexar County to a point 100 meters (110 yards) upstream of SH 16 northwest of San Antonio in Bexar County
- 1907 Upper Leon Creek - from a point 100 meters (110 yards) upstream of SH 16 northwest of San Antonio in Bexar County to a point 9.0 km (5.6 mi) upstream of Scenic Loop Road north of Helotes in Bexar County
- 1908 Upper Cibolo Creek - from the Missouri-Pacific Railroad bridge west of Bracken in Comal [confluence with Balcones Creek in Kendall/Bexar] County to a point 1.5 km (0.9 mi) upstream of the confluence of Champee Springs in Kendall County
- 1909 Medina Diversion Lake - from Medina Diversion Dam in Medina County to Medina Lake Dam in Medina County, up to the normal pool elevation of 926.5 feet (impounds Medina River)
- 1910 Salado Creek - from the confluence with the San Antonio River in Bexar County to the confluence of Beitel Creek in Bexar County

- 1911 Upper San Antonio River - from a point 600 meters (660 yards) downstream of FM 791 at Mays Crossing near Falls City in Karnes County to a point 100 meters (110 yards) upstream of Hildebrand Avenue at San Antonio in Bexar County
- 1912 Medio Creek - from the confluence with the Medina River in Bexar County to a point 1.0 km (0.6 mi) upstream of IH 35 at San Antonio in Bexar County
- 1913 Mid Cibolo Creek - from a point 100 meters (110 yards) downstream of IH 10 [FM 78] in Bexar/Guadalupe County to the Missouri-Pacific Railroad bridge west of Bracken in Comal [confluence with Balcones Creek in Kendall/Bexar] County
- 2001 Mission River Tidal - from the confluence with Mission Bay in Refugio County to a point 7.4 km (4.6 mi) downstream of US 77 in Refugio County
- 2002 Mission River Above Tidal - from a point 7.4 km (4.6 mi) downstream of US 77 in Refugio County to the confluence of Blanco Creek and Medio Creek in Refugio County
- 2003 Aransas River Tidal - from the confluence with Copano Bay in Aransas/Refugio County to a point 1.6 km (1.0 mi) upstream of US 77 in Refugio/San Patricio County
- 2004 Aransas River Above Tidal - from a point 1.6 km (1.0 mi) upstream of US 77 in Refugio/San Patricio County to the confluence of Poesta Creek and Aransas Creek in Bee County
- 2101 Nueces River Tidal - from the confluence with Nueces Bay in Nueces County to Calallen Dam 1.7 km (1.1 mi) upstream of US 77/IH 37 in Nueces/San Patricio County
- 2102 Nueces River Below Lake Corpus Christi - from Calallen Dam 1.7 km (1.1 mi) upstream of US 77/IH 37 in Nueces/San Patricio County to Wesley E. Seale Dam in Jim Wells/San Patricio County
- 2103 Lake Corpus Christi - from Wesley E. Seale Dam in Jim Wells/San Patricio County to a point 100 meters (110 yards) upstream of US 59 in Live Oak County, up to the normal pool elevation of 94.0 feet (impounds Nueces River)

- 2104 Nueces River Above Frio River - from the confluence of the Frio River in Live Oak County to Holland Dam in LaSalle County
- 2105 Nueces River Above Holland Dam - from Holland Dam in LaSalle County to a point 100 meters (110 yards) upstream of FM 1025 in Zavala County
- 2106 Nueces/Lower Frio River - from a point 100 meters (110 yards) upstream of US 59 in Live Oak County to Choke Canyon Dam in Live Oak County
- 2107 Lower Atascosa River - from the confluence with the Frio River in Live Oak County to the confluence with Borrego Creek in Atascosa County
- 2108 San Miguel Creek - from a point immediately upstream of the confluence of Mustang Branch in McMullen County to the confluence of San Francisco Perez Creek and Chacon Creek in Frio County
- 2109 Leona River - from the confluence with the Frio River in Frio County to US 83 in Uvalde County
- 2110 Lower Sabinal River - from the confluence with the Frio River in Uvalde County to a point 100 meters (110 yards) upstream of SH 127 in Uvalde County
- 2111 Upper Sabinal River - from a point 100 meters (110 yards) upstream of SH 127 in Uvalde County to the most upstream crossing of FM 187 in Bandera County
- 2112 Upper Nueces River - from a point 100 meters (110 yards) upstream of FM 1025 in Zavala County to the confluence of the East Prong Nueces River and Hackberry Creek in Edwards County
- 2113 Upper Frio River - from a point 100 meters (110 yards) upstream of US 90 in Uvalde County to the confluence of the West Frio River and the East Frio River in Real County
- 2114 Hondo Creek - from the confluence with the Frio River in Frio County to FM 470 in Bandera County
- 2115 Seco Creek - from the confluence with Hondo Creek in Frio County to the confluence of West Seco Creek in Bandera County

- 2116 Choke Canyon Reservoir - from Choke Canyon Dam in Live Oak County to a point 4.2 km (2.6 mi) downstream of SH 16 on the Frio River Arm in McMullen County and to a point 100 meters (110 yards) upstream of the confluence of Mustang Branch on the San Miguel Creek Arm in McMullen County, up to the normal pool elevation of 220.5 feet (impounds Frio River)
- 2117 Frio River Above Choke Canyon Reservoir - from a point 4.2 km (2.6 mi) downstream of SH 16 in McMullen County to a point 100 meters (110 yards) upstream of US 90 in Uvalde County
- 2118 Upper Atascosa River - from the confluence with Borrego Creek to the confluence with Galvan Creek in Atascosa County
- 2201 Arroyo Colorado Tidal - from the confluence with Laguna Madre in Cameron/Willacy County to a point 100 meters (110 yards) downstream of Cemetery Road south of Port Harlingen in Cameron County
- 2202 Arroyo Colorado Above Tidal - from a point 100 meters (110 yards) downstream of Cemetery Road south of Port Harlingen in Cameron County to FM 2062 in Hidalgo County (includes La Cruz Resaca, Llano Grande Lake, and the Main Floodway)
- 2203 Petronila Creek Tidal - from the confluence of Chiltipin Creek in Kleberg County to a point 1 km (0.6 mi) upstream of private road crossing near Laureles Ranch in Kleberg County
- 2204 Petronila Creek Above Tidal - from a point 1 km (0.6 mi) upstream of private road crossing near Laureles Ranch in Kleberg County to the confluence of Agua Dulce and Banquete Creeks in Nueces County
- 2301 Rio Grande Tidal - from the confluence with the Gulf of Mexico in Cameron County to a point 10.8 km (6.7 mi) downstream of the International Bridge in Cameron County
- 2302 Rio Grande Below Falcon Reservoir - from a point 10.8 km (6.7 mi) downstream of the International Bridge in Cameron County to Falcon Dam in Starr County
- 2303 International Falcon Reservoir - from Falcon Dam in Starr County to a point 0.66 km (0.41 mi) upstream of the confluence of the Arroyo El Lobo

- (Mexico) in Webb County, up to the normal pool elevation of 301.1 feet (impounds Rio Grande)
- 2304 Rio Grande Below Amistad Reservoir - from a point 0.66 km (0.41 mi) upstream of the confluence of the Arroyo El Lobo (Mexico) in Webb County to Amistad Dam in Val Verde County
- 2305 International Amistad Reservoir - from Amistad Dam in Val Verde County to a point 1.8 km (1.1 mi) downstream of the confluence of Ramsey Canyon on the Rio Grande Arm in Val Verde County and to a point 0.7 km (0.4 mi) downstream of the confluence of Painted Canyon on the Pecos River Arm in Val Verde County and to a point 0.6 km (0.4 mi) downstream of the confluence of Little Satan Creek on the Devils River Arm in Val Verde County, up to the normal pool elevation of 1117 feet (impounds Rio Grande)
- 2306 Rio Grande Above Amistad Reservoir - from a point 1.8 km (1.1 mi) downstream of the confluence of Ramsey Canyon in Val Verde County to the confluence of Cow Canyon in Brewster County
- 2307 Rio Grande Below Riverside Diversion Dam - from the confluence of the Rio Conchos (Mexico) in Presidio County to Riverside Diversion Dam in El Paso County
- 2308 Rio Grande Below International Dam - from the Riverside Diversion Dam in El Paso County to International Dam in El Paso County
- 2309 Devils River - from a point 0.6 km (0.4 mi) downstream of the confluence of Little Satan Creek in Val Verde County to the confluence of Dry Devils River in Sutton County
- 2310 Lower Pecos River - from a point 0.7 km (0.4 mi) downstream of the confluence of Painted Canyon in Val Verde County to a point immediately upstream of the confluence of Independence Creek in Crockett/Terrell County
- 2311 Upper Pecos River - from a point immediately upstream of the confluence of Independence Creek in Crockett/Terrell County to Red Bluff Dam in Loving/Reeves County

- 2312 Red Bluff Reservoir - from Red Bluff Dam in Loving/Reeves County to the New Mexico State Line in Loving/Reeves County, up to the normal pool elevation of 2842 feet (impounds Pecos River)
- 2313 San Felipe Creek - from the confluence with the Rio Grande in Val Verde County to a point 4.0 km (2.5 mi) upstream of US 90 in Val Verde County
- 2314 Rio Grande Above International Dam - from International Dam in El Paso County to the New Mexico State Line in El Paso County
- 2315 Rio Grande Below Rio Conchos - from the confluence of Cow Canyon in Brewster County to the confluence of the Rio Conchos (Mexico) in Presidio County
- 2411 Sabine Pass \* - from the end of the jetties at the Gulf of Mexico to SH 82
- 2412 Sabine Lake \*
- 2421 Upper Galveston Bay \*
- 2422 Trinity Bay \*
- 2423 East Bay \*
- 2424 West Bay \*
- 2425 Clear Lake \*
- 2426 Tabbs Bay \*
- 2427 San Jacinto Bay \*
- 2428 Black Duck Bay \*
- 2429 Scott Bay \*
- 2430 Burnet Bay \*
- 2431 Moses Lake \*
- 2432 Chocolate Bay \*

- 2433 Bastrop Bay/Oyster Lake \*
- 2434 Christmas Bay \*
- 2435 Drum Bay \*
- 2436 Barbours Cut \*
- 2437 Texas City Ship Channel \*
- 2438 Bayport Channel \*
- 2439 Lower Galveston Bay \*
- 2441 East Matagorda Bay \*
- 2442 Cedar Lakes \*
- 2451 Matagorda Bay/Powderhorn Lake \*
- 2452 Tres Palacios Bay/Turtle Bay \*
- 2453 Lavaca Bay/Chocolate Bay \*
- 2454 Cox Bay \*
- 2455 Keller Bay \*
- 2456 Carancahua Bay \*
- 2461 Espiritu Santo Bay \*
- 2462 San Antonio Bay/Hynes Bay/Guadalupe Bay/Mission Lake \*
- 2463 Mesquite Bay/Carlos Bay/Ayres Bay \*
- 2471 Aransas Bay \*
- 2472 Copano Bay/Port Bay/Mission Bay \*
- 2473 St. Charles Bay \*



- 2481 Corpus Christi Bay \*
- 2482 Nueces Bay \*
- 2483 Redfish Bay \*
- 2484 Corpus Christi Inner Harbor \* - from US 181 to Viola Turning Basin
- 2485 Oso Bay \* - portion of the bay southeast of a line drawn from a point 550 meters west-northwest of the mouth of Oso Bay to the northern terminus of Shangrila Lane
- 2486 Blind Oso Bay \* - portion of the bay northwest of a line drawn from a point 550 meters west-northwest of the mouth of Oso Bay to the northern terminus of Shangrila Lane
- 2490 Upper Laguna Madre \* - upper portion of bay north of the Saltillo Flats
- 2491 Lower Laguna Madre \* - lower portion of the bay south of the Saltillo Flats
- 2492 Baffin Bay/Alazan Bay/Cayo del Grullo/Laguna Salada \*
- 2493 South Bay \*
- 2494 Brownsville Ship Channel \*
- 2501 Gulf of Mexico \* - from the Gulf shoreline to the limit of Texas' jurisdiction between Sabine Pass and the mouth of the Rio Grande

\* The segment boundaries are considered to be the mean high tide line.

(4) Appendix D - Site-specific Uses and Criteria for Unclassified Water Bodies:

**Figure: 30 TAC §307.10(4)**

**[Figure: 30 TAC §307.10(4)]**

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

Water bodies listed in this appendix are those waters that are not designated segments listed in Appendix A of this section. The water bodies are included because a regulatory action has been taken or is anticipated to be taken by the commission or because sufficient information exists to provide an aquatic life use designation. The segment numbers listed refer to the designated segments as defined in Appendix C of this section. The county listed is the primary location where the use designation is. The water body is a tributary within the drainage basin of the listed segment. The aquatic life use (ALU) designations and dissolved oxygen (DO) criterion are the same as defined in §307.4(h) and §307.7(b)(3)(A) of this title (relating to General Criteria and Site-Specific Uses and Criteria, respectively). The description defines the specific area where the aquatic life use designation pertains. Recreational uses as defined in §307.4(j) of this title are assigned to the waters listed. Generally, there is not sufficient data on these waters to develop other conventional criteria and those criteria are the same as for the segment where the water body is located unless further site-specific information is obtained.

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
0101	Carson, Hutchinson	Dixon Creek	I	4.0	Intermittent stream with perennial pools from the confluence with the Canadian River in Hutchinson County upstream to the confluence with Middle and East Dixon creeks in Carson County	The 24-hour minimum DO criterion is 2.0 mg/L.
0101	Hutchinson	Rock Creek	L	3.0	Perennial stream from the confluence with the Canadian River upstream to SH 136 in the City of Borger	
0201	Bowie	Jones Creek	I	4.0	Intermittent stream with perennial pools from the confluence with Barkman Creek upstream to the western most crossing of FM 1398 near the City of Hooks	
0202	Fannin	Bois d'Arc Creek	H	5.0	Intermittent stream with perennial pools from the confluence with Sandy Creek near Davy Crockett Lake upstream to the confluence with Sandy Creek north of the City of Dodd City	
0202	Fannin	Bois d'Arc Creek	I	4.0	Intermittent stream with perennial pools from the confluence with Sandy Creek north of the City of Dodd City upstream to the confluence with Pace Creek	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
0202	Grayson	Corneliason Creek	L	3.0	Intermittent stream with perennial pools from the confluence with Mill Creek upstream to FM 1897 in the City of Bells	
0202	Lamar	Pine Creek	I	4.0	Perennial and intermittent stream from the confluence with the Red River upstream to the dam forming Lake Crook	
0203	Grayson	Big Mineral Creek	I	4.0	Intermittent stream with perennial pools from the normal pool elevation of Lake Texoma upstream to the confluence with an unnamed second order tributary on North Branch 2.4 km upstream of US 377 and upstream to the confluence with an unnamed second order tributary on South Branch 1.1 km upstream of US 377 north of the City of Whitesboro	
0203	Grayson	Little Mineral Creek	I	4.0	Intermittent stream with perennial pools from the normal pool elevation of Lake Texoma upstream to the confluence with an unnamed tributary approximately 0.7 km upstream of Reeves Road	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
0204	Montague	Ritchie Creek	L	3.0	Intermittent stream with perennial pools from the confluence with Salt Creek upstream to SH 59 east of the City of Montague	
0302	Bowie	Big Creek	I	4.0	Intermittent stream with perennial pools from FM 2149 upstream to 1.3 km south of US 82 southeast of the City of New Boston	
0302	Bowie	Anderson Creek	I	4.0	Intermittent stream with perennial pools from the confluence with an unnamed tributary approximately 4.2 km downstream of SH 992 upstream to the confluence with an unnamed tributary approximately 2.2 km upstream of CR 4320	
0303	Franklin, Hopkins, Morris, Titus	White Oak Creek	I	4.0	Perennial stream from the confluence with the Sulphur River north of the City of Naples in Morris County upstream approximately 0.26 km upstream of FM 900 in northeast Hopkins County	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
0303	Red River	Morrison Branch	I	4.0	Intermittent stream with perennial pools from the confluence with Little Mustang Creek upstream to approximately 0.7 km south of FM 909 southeast of the City of Bogata	
0304	Bowie	Wagner Creek	I	4.0	Perennial stream from the confluence with Days Creek upstream to a point 1.5 km upstream of IH 30	
0400	Harrison	Cross Bayou	H	5.0	Perennial stream from the Texas/Louisiana border upstream to the headwaters approximately 0.2 km south of the cemetery at Stricklen Springs	
0401	Harrison	Harrison Bayou	H	≤5.0	Intermittent stream with perennial pools from the confluence with Caddo Lake within the Caddo Lake National Wildlife Refuge (also known as the Longhorn Ordinance Works facility) east of the City of Karnack upstream to FM 1998 east of the City of Marshall	See footnote 1.

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
0402	Cass	Hughes Creek	H	5.0	Perennial stream from the confluence with Black Cypress Creek upstream to the confluence with an unnamed first order tributary approximately 0.5 km downstream of FM 250	
0403	Marion, Upshur	Meddlin Creek	H	5.0	Perennial stream from the confluence with Lake O' the Pines in Marion County upstream to US 259 in Upshur County	
0404	Camp	Dry Creek	I	4.0	Perennial stream from the confluence with Big Cypress Creek upstream to the confluence of Mile Branch and Little Creek	
0404	Camp	Sparks Branch	I	4.0	Perennial stream from the confluence with Dry Creek upstream to US 271	
0404	Morris	Brutons Creek	I	4.0	Perennial stream from the headwaters of Ellison Reservoir upstream to SH 49 near the City of Daingerfield	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
0404	Morris	Unnamed tributary of Okry Creek	I	4.0	Perennial stream from the confluence with Okry Creek upstream to a point 0.26 km upstream of US 259 south of the City of Omaha	
0404	Titus	Hart Creek	H	5.0	Perennial stream from the confluence with Big Cypress Creek upstream to 0.2 km upstream of FM 1402	
0404	Titus	Tankersley Creek	H	5.0	Perennial stream from the confluence with Big Cypress Creek upstream to the confluence with an unnamed tributary 250 meters upstream of IH 30	
0407	Cass	Beach Creek	I	4.0	Perennial stream from Iron Ore Lake upstream to the confluence with an unnamed tributary 0.48 km upstream of Hwy 59	
0409	Upshur	Walnut Creek	H	5.0	Perennial stream from the confluence with Little Cypress Creek upstream to the confluence with Little Walnut Creek	



Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
0410	Cass	Black Cypress Creek/Bayou	H	≤5.0	Intermittent stream with perennial pools from the confluence with Kelly Creek upstream to FM 250 north of the City of Hughes Springs	See footnote 1.
<u>0501</u> [0502]	Orange	County Relief Ditch	L	3.0	Perennial ditch from the confluence with the Sabine River upstream to SH 87	
0502	Newton	Caney Creek	H	5.0	Perennial stream from the Sabine River upstream to the confluence with Martin Branch	
0502	Newton	Unnamed tributary of Dempsey Creek	I	4.0	Perennial stream from the confluence with Dempsey Creek to a headwater swamp near the City of Bon Weir	
0504	Shelby	Unnamed tributary of Flat Fork Creek	L	3.0	Intermittent stream with perennial pools from the confluence of an unnamed tributary 1.0 km upstream of FM 1645 upstream to 0.4 km upstream of SH 87	
0504	Shelby	Prairie Creek	H	5.0	Perennial stream from the confluence with Cedar Creek upstream to SH 7	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
0505	Gregg	Grace Creek	I	4.0	Perennial stream from the confluence with the Sabine River upstream to FM 1844	
0505	Gregg	Hawkins Creek	L	3.0	Perennial stream from the confluence with the Sabine River upstream to FM 2605 in the City of White Oak	
0505	Gregg	Rocky Creek	H	5.0	Intermittent stream with perennial pools from the confluence with Prairie Creek upstream to the confluence with an unnamed first order tributary 0.6 km west of SH 135	
0505	Gregg, Rusk	Rabbit Creek	I	4.0	Perennial stream from the confluence with the Sabine River in Gregg County upstream to the confluence with Little Rabbit Creek in Rusk County	See footnote 2.
0505	Gregg	Campbells Creek	I	4.0	Intermittent stream with perennial pools from the confluence with Moody Creek upstream to the dam forming Lake Devernia	
0505	Harrison	Eightmile Creek	I	4.0	Perennial stream from the confluence with the Sabine River upstream to SH 31	A 24-hour average DO criterion of 3.0 mg/L applies from June through October.

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
0505	Harrison	Mason Creek	L	3.0	Intermittent stream with perennial pools from the confluence with a swamp 3.1 km downstream of IH 20 upstream to 0.2 km above IH 20 near the intersection with FM 968	
0505	Harrison	Wards Creek	I	4.0	Intermittent stream with perennial pools from the confluence with Sewell Creek upstream to the confluence with an unnamed second order tributary approximately 0.6 km upstream of US 80	
0505	Panola	Wall Branch	I	4.0	Perennial stream from the confluence with Irons Bayou upstream to the confluence with an unnamed tributary 400 meters upstream of the City of Beckville wastewater treatment plant	
0505	Rusk	Little Rabbit Creek	I	4.0	Perennial stream from the confluence with Rabbit Creek upstream to the confluence with an unnamed tributary 0.15 km upstream of FM 850 east of the City of Overton	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
0505	Rusk	Unnamed tributary of Sabine River	I	4.0	Perennial stream from the confluence with the Sabine River upstream 0.7 km above the Santa Fe Railroad crossing in the City of Easton	
0506	Rains	Sandy Creek	H	5.0	Perennial stream from the confluence of Glade Creek upstream to the confluence of an unnamed tributary 0.3 km below SH 19	
0506	Smith	Wiggins Creek	H	5.0	Perennial stream from the confluence with Harris Creek upstream to the dam impounding an unnamed reservoir located approximately 3.8 km upstream of FM 2015 northeast of the City of Tyler	
0506	Smith	Mill Creek	H	5.0	Spring-fed perennial stream from the confluence with the Old Sabine River Channel upstream to the spring source at or above FM 2710	
0506	Van Zandt	Giladon Creek	I	4.0	Perennial stream from the confluence with Mill Creek upstream to the confluence with an unnamed tributary approximately 0.4 km upstream of FM 859 near the City of Edgewood	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
0506	Van Zandt	Unnamed tributary of Grand Saline Creek	I	3.0	Perennial stream from the confluence with Grand Saline Creek upstream to the confluence with an unnamed tributary approximately 0.2 km downstream of US 80	A 24-hour average DO criterion of 3.0 mg/L applies due to low ambient levels of DO upstream of the City of Grand Saline discharge point.
0506	Wood	Unnamed tributary of Sabine River (Ninemile Creek)	H	5.0	Perennial stream from the confluence with the Sabine River upstream to the confluence with an unnamed tributary immediately upstream of US 80 southeast of the City of Mineola	
0506	Wood	No. 5 Branch	H	5.0	Intermittent stream with perennial pools from the confluence with Simpkins Creek upstream to US 69	
0507	Hunt	West Caddo Creek	L	3.0	Intermittent stream with perennial pools from the confluence with Brushy Creek upstream to the confluence of Middle Caddo Creek northwest of Caddo Mills	
0510	Rusk	Adaway Creek	I	4.0	Intermittent stream with perennial pools from the confluence with Mill Creek upstream to the confluence with an unnamed tributary 0.36 km upstream of FM 782 north of the City of Henderson	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
0510	Rusk	Mill Creek	I	4.0	Perennial stream from the confluence with Beaver Run upstream to the confluence with an unnamed tributary 50 meters upstream of FM 2276 north of the City of Henderson	
0511	Orange	Coon Bayou	H	4.0	From the confluence with Cow Bayou upstream to the extent of tidal limits	
0511	Orange	Unnamed tributary of Cow Bayou	H	4.0	From the confluence with Cow Bayou (north bank approximately 1.6 km from the Sabine River confluence) upstream to the extent of tidal limits	
0513	Newton, Jasper	Trout Creek	H	5.0	Perennial stream from the confluence with Big Cow Creek in Newton County upstream to the confluence with Boggy Creek and Davis Creek in Jasper County	
0601	Orange	Tiger Creek	L	3.0	Perennial stream from the confluence with Meyer Bayou upstream to the confluence of Caney Creek near the City of Vidor	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
0602	Hardin	Unnamed tributary (Booger Branch) of Massey Lake Slough	L	3.0	Perennial stream from Massey Lake Slough upstream to the Santa Fe Railroad crossing south of the City of Silsbee	
0603	Jasper	Sandy Creek	H	5.0	Perennial stream from the confluence with B. A. Steinhagen Lake upstream to 0.5 km below FM 776 east of the City of Jasper	
0604	Anderson, Henderson	Caddo Creek	H	5.0	Perennial stream from the confluence with the Neches River below Lake Palestine in Anderson County upstream to the dam of Caddo Creek Lake in Henderson County	
0604	Anderson	Unnamed tributary of Caddo Creek	H	5.0	Perennial stream from the confluence with Caddo Creek approximately 1 km south of SH 175 upstream to its headwaters 0.6 km north of SH 175	
0604	Angelina	Cedar Creek	I	4.0	Perennial stream from the confluence with Jack Creek upstream to the confluence with an unnamed tributary adjacent to SH Loop 287	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
0604	Jasper, Angelina	Graham Creek	H	5.0	Perennial stream from the confluence with the Neches River in Jasper County upstream to the confluence with Mill Creek in Angelina County	
0604	Angelina	Hurricane Creek	I	4.0	Perennial stream from the confluence with Cedar Creek upstream to the confluence of two unnamed tributaries 100 meters upstream of SH Loop 287 in the City of Lufkin	
<u>0604</u>	<u>Trinity, Houston</u>	<u>Piney Creek</u>	<u>I</u>	<u>1.5</u>	<u>Intermittent with pools stream from the confluence with Mossy Creek in Trinity County upstream to the confluence with an unnamed tributary in Houston County 0.75 km west of FM 2781</u>	<u>The 24-hour minimum DO criterion is 1.0 mg/L.</u>
<u>0604</u>	<u>Polk, Trinity</u>	<u>Piney Creek</u>	<u>H</u>	<u>3.0</u>	<u>Intermittent with pools stream from the confluence with the Neches River in Polk County upstream to the confluence with Mossy Creek in Trinity County</u>	



Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
0604	Angelina	Sandy Creek	H	5.0	Perennial stream from the confluence with Shawnee Creek upstream to the confluence with an unnamed tributary approximately 0.5 km upstream of US 69	
0604	Angelina	Shawnee Creek	I	4.0	Intermittent stream with perennial pools from the confluence with Dry Creek upstream to the headwaters just downstream of the railroad line southeast of the City of Huntington	
0604	Cherokee	Alto Branch	H	5.0	Perennial stream from the confluence of Larrison Creek upstream to FM 851 north of the City of Alto	
0604	Cherokee	Larrison Creek	H	5.0	Perennial stream from US 69 southeast of the City of Alto upstream to 1.0 km above SH 21 east of Alto	
0604	Cherokee	One Eye Creek	I	4.0	Perennial stream from the confluence with McCann Creek upstream to the confluence with College Creek	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
0604	Polk	Dabbs Creek	H	5.0	Perennial stream from the confluence of Caney Creek upstream to the confluence of Dabbs Branch approximately 4.5 km above FM 942	
0605	Henderson	Little Duncan Branch	I	4.0	Perennial stream from the confluence with Big Duncan Branch upstream to the dam impounding Jackson Lake	
0606	Smith	Black Fork Creek	L	3.0	Intermittent stream with perennial pools from a point 0.4 km downstream of FM 14 upstream to a point 0.2 km upstream of SH 31 in the City of Tyler	
0606	Smith	Black Fork Creek	H	5.0	Perennial stream from the confluence with Prairie Creek upstream to a point 0.4 km downstream of FM 14 in the City of Tyler	A 24-hour average DO criterion of 4.0 mg/L applies from May through October.
0606	Smith	Prairie Creek	H	5.0	Perennial stream from the confluence with the Neches River to a point immediately upstream of the confluence of Caney Creek	A 24-hour average DO criterion of 3.0 mg/L applies from May through October.

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
0606	Smith	Prairie Creek	H	5.0	Perennial stream from a point immediately upstream of the confluence with Caney Creek upstream to the confluence with an unnamed tributary approximately 0.6 km downstream of the US 69 bridge crossing, which is located approximately 0.6 km south of the City of Lindale	
0607	Hardin	Boggy Creek	H	1.5	Intermittent stream with perennial pools from the confluence with Pine Island Bayou upstream to the confluence with an unnamed tributary 4.0 km downstream of the crossing of the Southern Pacific Railroad	The 24-hour minimum DO criterion is 0.5 mg/L.
0607	Jefferson	Cotton Creek	I	4.0	Intermittent stream with perennial pools from the confluence with Pine Island Bayou upstream to the confluence of an unnamed tributary 1.2 km south of the Southern Pacific Railroad	
<u>0607</u>	<u>Hardin</u>	<u>Little Pine Island Bayou</u>	I	<u>2.0</u>	<u>Intermittent with pools stream from the confluence with an unnamed tributary 1.1 km southeast of the intersection of FM 770 and FM 787 upstream to the confluence with Doe Pond Creek</u>	<u>The 24-hour minimum DO criterion is 1.5 mg/L.</u>

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
<u>0607</u>	<u>Hardin</u>	<u>Little Pine Island Bayou</u>	<u>H</u>	<u>3.0</u>	<u>Intermittent with pools stream from the confluence with Pine Island Bayou at the Hardin/Jefferson County border upstream to an unnamed tributary 1.1 km southeast of the intersection of FM 770 and FM 787</u>	
0607	Hardin	Pine Island Bayou	I	1.5	Intermittent stream with perennial pools from the confluence with Willow Creek upstream to FM 787	The 24-hour minimum DO criterion is 1.0 mg/L.
0607	Jefferson, Liberty	Willow Creek	I	3.0	Intermittent stream with perennial pools from the confluence with Pine Island Bayou in Jefferson County upstream to the confluence with Bull Tongue Creek in Liberty County	A 24-hour average DO criterion of 2.0 mg/L and 24-hour minimum DO criterion of 1.5 mg/L apply for the months of June through September.
0608	Hardin	Cypress Creek	I	2.5	Intermittent stream with perennial pools from the confluence with Village Creek upstream to the confluence of Bad Luck Creek	The 24-hour minimum DO criterion is 2.0 mg/L.
0608	Tyler	Turkey Creek	H	5.0	Perennial stream from the confluence with Village Creek upstream to 1.6 km above US 69 north of the City of Woodville	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
0610	Sabine	Little Sandy Creek	I	4.0	Intermittent stream with perennial pools from the confluence with Pomponaugh Creek upstream to 0.5 km above FM 83 north of the City of Pineland	
0610	San Augustine	Ayish Bayou	H	5.0	Perennial stream from the headwaters of Sam Rayburn Reservoir upstream to the dam impounding Bland Lake approximately 0.1 km upstream of FM 1279 near the City of San Augustine	
0611	Cherokee	Keys Creek	H	5.0	Perennial stream from the confluence with Mud Creek upstream to the confluence of Barber Branch east of the City of Jacksonville	
0611	Cherokee, Smith	Mud Creek	H	5.0	Perennial stream from the confluence with the Angelina River in Cherokee County upstream to a point immediately upstream of the confluence of Prairie Creek in Smith County	
0611	Cherokee	Ragsdale Creek	I	4.0	Perennial stream from the confluence with Keys Creek upstream to the confluence of an unnamed tributary 250 meters upstream of Canada Street in the City of Jacksonville	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
0611	Nacogdoches	Bayou La Nana	I	4.0	Perennial stream from the confluence with the Angelina River upstream to FM 1878 in the City of Nacogdoches	
0611	Rusk	Unnamed tributary of Johnson Creek	L	3.0	Perennial stream from the confluence with Johnson Creek upstream to 2.4 km upstream of the confluence, which is 0.8 km south of SH 64 west of the City of Joinerville	
0611	Smith	Blackhawk Creek	I	4.0	Perennial stream from the confluence with Mud Creek upstream to the confluence of an unnamed tributary 120 meters upstream of SH 110 south of the City of Whitehouse	
0611	Smith	Henshaw Creek	H	5.0	Perennial stream from the confluence with West Mud Creek upstream to FM 2813	
0611	Cherokee, Smith	West Mud Creek	L	3.0	Perennial stream from the confluence with Mud Creek in Cherokee County upstream to the confluence of an unnamed tributary 300 meters upstream of the most northern crossing of US 69 (approximately 2.25 km south of the intersection of Loop 323) in the City of Tyler	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
0615	Angelina	Unnamed tributary of Mill Creek	L	3.0	Intermittent stream with perennial pools from the confluence with Mill Creek upstream to 1.0 km above FM 2251 north of the City of Lufkin	
0615	Angelina	Mill Creek	H	5.0	Perennial stream from the confluence with Paper Mill Creek upstream to 1.0 km upstream of FM 2251 north of the City of Lufkin	
0701	Jefferson	Green Pond Gully	I	4.0	Perennial stream from the confluence with North Fork Taylor Bayou upstream to the confluence with an unnamed tributary approximately 2.4 km downstream of US 90 near the City of China	
0701	Jefferson	Mayhan Gully	I	4.0	Perennial stream from the confluence with Green Pond Gully upstream 6.0 km to the confluence with an unnamed tributary near the City of China	
0701	Jefferson	Rhodair Gully	I	4.0	Perennial stream from the confluence with Taylor Bayou upstream to US 69 near the City of Nederland	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
0702	Jefferson	Main Canal D, Canal A, Canal B, Canal C	I	3.0	All perennial canals in Jefferson County Drainage District No. 7 that eventually drain into the tidal portion of Taylor Bayou at the pump house gate	The 24-hour average DO criterion is 3.0 mg/L.
0704	Jefferson	Willow Marsh Bayou	I	4.0	Perennial stream from the confluence with Hillebrandt Bayou upstream to the confluence with an unnamed tributary immediately upstream of Old Sour Lake Road	
0801	Liberty	Linney Creek	H	5.0	Intermittent stream with perennial pools from the confluence with Spring Branch upstream to its confluence with French Creek	
0801	Liberty	Spring Branch	H	5.0	Intermittent stream with perennial pools from the confluence with Day Lake Slough upstream to the confluence with Big Bayou approximately 425 meters downstream of US 90	
0802	Polk	Choates Creek	H	5.0	Perennial stream from the confluence with Long King Creek upstream to the confluence with an unnamed tributary approximately 3.0 km upstream of SH 146 near the City of Livingston	



Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
0802	Polk	Long King Creek	H	5.0	Perennial stream from the confluence with the Trinity River upstream to the confluence with an unnamed tributary approximately 1.2 km upstream of FM 350 near the City of Livingston	
0802	Polk	Crooked Creek	H	5.0	Perennial spring-fed stream from the confluence with Long King Creek upstream to the headwaters	
0802	Polk	Unnamed tributary of Crooked Creek	H	5.0	Perennial spring-fed stream from the confluence with Crooked Creek upstream to the headwaters	
0802	San Jacinto	Unnamed tributary of Coley Creek	H	5.0	Perennial stream from the confluence with Coley Creek upstream to its origin at the culvert leading from Lake Run-Amuck at Wright Road	
0803	Walker	Harmon Creek	H	5.0	Perennial stream from the confluence with the normal pool elevation of Lake Livingston upstream to the confluence of East Fork Creek	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
0803	Walker	Parker Creek	I	4.0	Perennial stream from the confluence with Harmon Creek upstream to the confluence with Town Branch	
0803	Walker	Turkey Creek	I	4.0	Perennial stream from the normal pool elevation of Lake Livingston upstream to the confluence with an unnamed tributary 2.85 km downstream of FM 980	
0804	Anderson	Box Creek	I	4.0	Perennial stream from the confluence of Elkhart Creek upstream to the Elkhart Lake dam northeast of the City of Elkhart	
0804	Anderson, Henderson	Catfish Creek	H	4.0	Perennial stream from the confluence with Trinity River upstream to the confluence with Wolf Creek	A 24-hour average DO criterion of 3.0 mg/L and 24-hour minimum DO criterion of 2.0 mg/L apply for the months of May through September.
0804	Anderson	Keechi Creek	H	5.0	Perennial stream from the confluence with the Trinity River upstream to a point 0.05 km upstream of FM 645	
0804	Anderson	<u>Basset</u> [Bassett] Creek	H	5.0	Perennial stream from the confluence with Town Creek upstream to Blue Lake	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
0804	Anderson	Town Creek	H	5.0	Perennial stream from the confluence with Keechi Creek upstream to SH 256	
0804	Freestone	Mims Creek	I	4.0	Perennial stream from the confluence with Upper Keechi Creek upstream to the confluence of an unnamed tributary approximately 2.1 km upstream of FM 1580 near the City of Fairfield	
0804	Henderson	Walnut Creek	H	5.0	Intermittent stream with perennial pools from the confluence with an unnamed tributary approximately 0.5 km upstream of FM 753 upstream to FM 2494 in the City of Athens	
0804	Leon	Toms Creek	H	5.0	Perennial stream from the confluence with the Trinity River upstream to the Missouri Pacific Railroad crossing near the City of Oakwood	
0804	Leon	Unnamed tributary (Northwest Branch)	H	5.0	Perennial stream from the confluence with Toms Creek upstream to a point 0.3 km upstream of FM 831	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
0809	Tarrant, Parker	Ash Creek	H	5.0	Intermittent stream with perennial pools from Eagle Mountain Lake in Tarrant County upstream to its confluence with Mill Branch in Parker County	
0815	Ellis	Waxahachie Creek	I	4.0	Perennial stream from the confluence with the normal pool elevation of Bardwell Reservoir upstream to the confluence with North Prong Creek	
0818	Henderson	One Mile Creek	I	4.0	Perennial stream from the confluence with Valley View Reservoir upstream to the confluence with an unnamed tributary 0.8 km upstream of SH 19	
0819	Kaufman, Dallas	Duck Creek	I	4.0	Perennial stream from the confluence with the East Fork Trinity River in Kaufman County upstream to the confluence of an unnamed tributary 0.6 km upstream of Jupiter Road in Dallas County	
0819	Rockwall	Buffalo Creek	L	3.0	Perennial stream from the confluence with the East Fork Trinity River upstream to 0.6 km above the confluence with Little Buffalo Creek	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
0820	Collin	Cottonwood Creek	L	3.0	Perennial stream from the confluence with Rowlett Creek upstream to SH 5 (near Greenville Road)	
0820	Collin	Rowlett Creek	I	4.0	Perennial stream from the normal pool elevation of Lake Ray Hubbard upstream to the Parker Road crossing	
0821	Collin	Pilot Grove Creek	L	3.0	Perennial stream from the confluence of Desert Creek upstream to FM 121 approximately five mi north of the City of Blue Ridge	
0823	Collin, Grayson	Little Elm Creek	I	4.0	Perennial stream from FM 455 in Collin County upstream to 1.4 km above FM 121 in Grayson County near the City of Gunter	
0826	Denton	Denton Creek	H	5.0	Perennial stream from the headwaters of Grapevine Lake upstream to the confluence of Trail Creek near the City of Justin	
0826	Denton	Trail Creek	H	5.0	Perennial stream from the confluence with Denton Creek upstream to 2.1 km upstream of SH 156 in the City of Justin	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
0827	Dallas	Cottonwood Creek	I	4.0	Perennial stream from the confluence with White Rock Creek upstream to the confluence with an unnamed tributary approximately 0.25 km upstream of Campbell Road in the City of Richardson	
0827	Dallas	White Rock Creek	I	4.0	Perennial stream from the headwaters of White Rock Lake upstream to the confluence with McKamy Branch east of the City of Addison	
0831	Parker	Town Creek	I	4.0	Perennial stream from the confluence with Willow Creek to form the headwaters of South Fork Trinity River upstream to the confluence of an unnamed tributary 2.0 km (1.2 mi) upstream of US Highway 180	
0836	Limestone, Hill	Pin Oak Creek	I	4.0	Perennial stream from the confluence with the North Fork of Pin Oak Creek in Limestone County upstream to the confluence with Pin Oak Creek and an unnamed tributary flowing from the west approximately 2.8 km downstream of SH 171 near the City of Hubbard	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
0840	Cooke	Spring Creek	H	5.0	Perennial stream from the confluence with Pecan Creek upstream to the confluence with John's Branch	
0901	Harris	Concrete lined and maintained channelized ditches and streams	L	3.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, whether concrete lined or earthen, and are maintained by the district	
0901	Harris	Unmaintained channelized ditches and streams	I	4.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, are earthen, and are not maintained by the district	
0902	Harris	Concrete lined and maintained channelized ditches and streams	L	3.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, whether concrete lined or earthen, and are maintained by the district	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
0902	Harris	Unmaintained channelized ditches and streams	I	4.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, are earthen, and are not maintained by the district	
1001	Harris	Concrete lined and maintained channelized ditches and streams	L	3.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, whether concrete lined or earthen, and are maintained by the district	
1001	Harris	Unmaintained channelized ditches and streams	I	4.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, are earthen, and are not maintained by the district	
1001	Harris	Bear Lake	H	4.0	Encompasses the entire tidal portion of the bay (tributary bay of San Jacinto River Tidal)	



Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
1001	Harris	Gum Gully	H	5.0	Perennial stream from the confluence with Jackson Bayou upstream to the confluence with an unnamed tributary approximately 0.4 km downstream of Huffman-Crosby Road	
1001	Harris	Jackson Bayou	H	5.0	Perennial stream from a point immediately upstream of the tidal portion of Jackson Bayou upstream to the confluence with Gum Gully	
1001	Harris	Rickett Creek	L	3.0	Intermittent stream with perennial pools from San Jacinto River Tidal upstream to US 90	
1002	Harris	Concrete lined and maintained channelized ditches and streams	L	3.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, whether concrete lined or earthen, and are maintained by the district	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
1002	Harris	Unmaintained channelized ditches and streams	I	4.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, are earthen, and are not maintained by the district	
1002	Liberty	Tarkington Bayou	I	4.0	Perennial stream from the confluence with Luce Bayou upstream to the confluence of Little Tarkington Bayou near the City of Cleveland	
1003	Harris	Concrete lined and maintained channelized ditches and streams	L	3.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, whether concrete lined or earthen, and are maintained by the district	
1003	Harris	Unmaintained channelized ditches and streams	I	4.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, are earthen, and are not maintained by the district	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
1004	Montgomery	East Fork White Oak Creek	I	4.0	Perennial stream from the confluence with White Oak Creek upstream to the confluence with an unnamed tributary approximately 0.4 km upstream of League Line Road in the City of Panorama Village	
1004	Montgomery	Unnamed Tributary	I	4.0	Perennial stream from the confluence of the West Fork San Jacinto River upstream to the Missouri-Pacific Railroad bridge crossing located east of IH 45 and north of Needham Road approximately 10 km south of the City of Conroe	
1004	Montgomery	West Fork White Oak Creek	H	5.0	Perennial stream from the confluence with White Oak Creek upstream to an on-channel impoundment on West Fork White Oak Creek 1.2 km upstream of League Line Road	
1004	Montgomery	Unnamed tributary of Woodsons Gully	H	5.0	Perennial stream from the confluence with Woodsons Gully upstream to the headwaters	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
1004	Montgomery	Woodsons Gully	H	5.0	Perennial stream from the confluence with West Fork San Jacinto River upstream to the confluence with an unnamed tributary approximately 1.9 km upstream from Riley-Fussel Road	
1005	Harris	Concrete lined and maintained channelized ditches and streams	L	3.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, whether concrete lined or earthen, and are maintained by the district	
1005	Harris	Unmaintained channelized ditches and streams	I	4.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, are earthen, and are not maintained by the district	
1006	Harris	Concrete lined and maintained channelized ditches and streams	L	3.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, whether concrete lined or earthen, and are maintained by the district	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
1006	Harris	Unmaintained channelized ditches and streams	I	4.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, are earthen, and are not maintained by the district	
1006	Harris	Carpenters Bayou	I	4.0	Perennial stream from 9.0 km upstream of the Houston Ship Channel upstream to 0.8 km upstream of Wallisville Road	
1006	Harris	Carpenters Bayou	L	3.0	Perennial stream from 0.8 km upstream of Wallisville Road upstream to Sheldon Reservoir	
1006	Harris	Halls Bayou	I	4.0	Perennial stream from the confluence with Greens Bayou upstream to US 59	
1006	Harris	Halls Bayou	L	3.0	Perennial stream from US 59 upstream to Frick Road	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
1007	Harris	Concrete lined and maintained channelized ditches and streams	L	3.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, whether concrete lined or earthen, and are maintained by the district	
1007	Harris	Unmaintained channelized ditches and streams	I	4.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, are earthen, and are not maintained by the district	
1007	Harris	Berry Bayou Above Tidal	L	3.0	Perennial stream from 2.4 km upstream from the confluence with Sims Bayou upstream to the southern city limits of South Houston	
1007	Harris	Brays Bayou Above Tidal	L	3.0	Perennial stream from 11.5 km upstream from the confluence with the Houston Ship Channel upstream to SH 6	
1007	Harris	Keegans Bayou	L	3.0	Perennial stream from the confluence with Brays Bayou upstream to the Harris County line	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
1007	Harris	Sims Bayou Above Tidal	L	3.0	Perennial stream from 11.0 km upstream of the confluence with the Houston Ship Channel upstream to Hiram Clark Drive	
1007	Harris	Willow Waterhole Bayou	L	3.0	Perennial stream from the confluence with Brays Bayou upstream to South Garden (in the City of Missouri City)	
1008	Harris	Concrete lined and maintained channelized ditches and streams	L	3.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, whether concrete lined or earthen, and are maintained by the district	
1008	Harris	Unmaintained channelized ditches and streams	I	4.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, are earthen, and are not maintained by the district	
1008	Harris	Metzler Creek	L	3.0	Intermittent stream with perennial pools from the confluence of Cannon Gully upstream to 0.2 km below Kuykendahl Road	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
1008	Montgomery, Grimes	Mill Creek	I	4.0	Perennial stream from the normal pool elevation of Neidigk Lake in Montgomery County upstream to the confluence with Hurricane Creek and Kickapoo Creek in Grimes County	
1008	Montgomery	Panther Branch	L	3.0	Intermittent stream with perennial pools from the normal pool elevation of 125 feet of Lake Woodlands upstream to the confluence with Bear Branch	
1008	Montgomery	Panther Branch	I	4.0	Perennial stream from the confluence with Spring Creek upstream to the dam impounding Lake Woodlands	
1008	Montgomery	Arnold Branch	I	4.0	Intermittent stream with perennial pools from the confluence with Mink Branch upstream to the headwaters just upstream of FM 1774	
1008	Montgomery	Mink Branch	H	5.0	Perennial stream from the confluence with Walnut Creek upstream to the confluence with an unnamed tributary approximately 1.0 km upstream of Nichols-Sawmill Road	



Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
1008	Montgomery	Sulphur Branch	H	5.0	Intermittent stream with perennial pools from an unnamed reservoir, known locally as Lake Apache, upstream to FM 1774. The unnamed reservoir impounds Sulphur Branch approximately 0.8 km upstream of the confluence with Walnut Creek.	
1009	Harris	Concrete lined and maintained channelized ditches and streams	L	3.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, whether concrete lined or earthen, and are maintained by the district	
1009	Harris	Unmaintained channelized ditches and streams	I	4.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, are earthen, and are not maintained by the district	
1009	Harris	Dry Creek	I	4.0	Perennial stream from the confluence with Cypress Creek upstream to the beginning of channelization at Jarvis Road, 0.6 km upstream from the confluence with Cypress Creek north of US 290	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
1009	Harris	Dry Creek	L	3.0	Perennial stream from the point where channelization begins at Jarvis Road, which is 0.6 km upstream of the confluence with Cypress Creek, upstream to Harris County Flood Control District ditch K145-01-00, 0.29 km upstream of Spring Cypress Road north of US 290	
1009	Harris	Dry Gully	I	4.0	Perennial stream from its confluence with Cypress Creek upstream 3.2 km, which is approximately 1 km upstream of Louetta Road	
1009	Harris	Dry Gully	L	3.0	Perennial stream from a point 1.0 km upstream of Louetta Road upstream to Spring Cypress Road	
1009	Waller	Mound Creek	H	5.0	Perennial stream from the confluence with Snake Creek, which together form Cypress Creek, upstream to an unnamed tributary 1.95 km upstream of FM 362	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
1010	Harris	Concrete lined and maintained channelized ditches and streams	L	3.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, whether concrete lined or earthen, and are maintained by the district	
1010	Harris	Unmaintained channelized ditches and streams	I	4.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, are earthen, and are not maintained by the district	
1010	Montgomery	Dry Creek	I	4.0	Intermittent stream with perennial pools from Caney Creek upstream to the confluence with an unnamed tributary approximately 3.6 km upstream of SH 242	
1010	Montgomery	White Oak Creek	H	5.0	Perennial stream from the confluence with Caney Creek upstream to the confluence with an unnamed tributary approximately 2.08 km upstream of US 59	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
1012	Montgomery	Town Creek	I	4.0	Perennial stream from the confluence with Atkins Creek upstream to the confluence with Carwile Creek	
1012	Walker	Robinson Creek	I	4.0	Perennial stream from the confluence with the West Fork San Jacinto River upstream to the confluence with an unnamed second order tributary approximately 0.1 km upstream of Bethel Road	
1013	Harris	Concrete lined and maintained channelized ditches and streams	L	3.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, whether concrete lined or earthen, and are maintained by the district	
1013	Harris	Unmaintained channelized ditches and streams	I	4.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, are earthen, and are not maintained by the district	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
1013	Harris	Little Whiteoak Bayou	I	4.0	Perennial stream from the confluence with Whiteoak Bayou upstream to the railroad tracks north of IH 610	
1013	Harris	Little Whiteoak Bayou	L	3.0	Perennial stream from the railroad tracks north of IH 610 upstream to Yale Street	
1014	Harris	Concrete lined and maintained channelized ditches and streams	L	3.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, whether concrete lined or earthen, and are maintained by the district	
1014	Harris	Unmaintained channelized ditches and streams	I	4.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, are earthen, and are not maintained by the district	
1014	Harris	Bear Creek	I	4.0	Perennial stream from the confluence with South Mayde Creek upstream to the confluence with an unnamed tributary 1.24 km north of Longenbaugh Road	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
1014	Harris, Fort Bend	Buffalo Bayou	I	4.0	Perennial stream from SH 6 in Harris County upstream to the confluence with Willow Fork Buffalo Bayou in Fort Bend County	
1014	Harris	Dinner Creek	L	3.0	Perennial stream from the confluence with Langham Creek upstream to Frey Road	
1014	Harris	Horsepen Creek	L	3.0	Perennial stream from 0.62 km north of FM 529 upstream to a point 2.4 km upstream of SH 6	
1014	Harris	Horsepen Creek	I	4.0	Perennial stream from the confluence with Langham Creek upstream to where channelization begins, which is 0.62 km north of FM 529	
1014	Harris	Langham Creek	L	3.0	Perennial stream from the confluence with Dinner Creek upstream to FM 529	
1014	Harris	Langham Creek	I	4.0	Perennial stream from the confluence with Bear Creek upstream to the confluence with Dinner Creek	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
1014	Harris	Mason Creek	I	4.0	Perennial stream from the confluence with Buffalo Bayou upstream to channelization, which is 1.55 km south of Franz Road	
1014	Harris	South Mayde Creek	L	3.0	Perennial stream from an unnamed tributary 1.3 km west of Barker-Cypress Road upstream to an unnamed tributary 1.05 km south of Clay Road	
1014	Harris	South Mayde Creek	I	4.0	Perennial stream in the Addicks Reservoir flood pool area from the confluence with Buffalo Bayou upstream to the confluence with an unnamed tributary 1.3 km (0.8 mi) west of Barker-Cypress Road	
1014	Harris	Turkey Creek	I	4.0	Perennial stream from the confluence with South Mayde Creek upstream to a point 0.16 km south of Clay Road	
1014	Fort Bend, Waller	Willow Fork Buffalo Bayou	I	4.0	Intermittent stream with perennial pools from the confluence with Buffalo Bayou in Fort Bend County upstream to 1.0 km above US 90 in Waller County	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
1015	Montgomery	Mound Creek	H	5.0	Perennial stream from the confluence with Lake Creek upstream to the confluence with an unnamed tributary approximately 0.75 km downstream of Rabon-Chapel Road	
1016	Harris	Concrete lined and maintained channelized ditches and streams	L	3.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, whether concrete lined or earthen, and are maintained by the district	
1016	Harris	Unmaintained channelized ditches and streams	I	4.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, are earthen, and are not maintained by the district	
1016	Harris	Garners Bayou	L	3.0	Perennial stream from the confluence with Greens Bayou Above Tidal upstream to 1.5 km north of Atascocita Road	



Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
1017	Harris	Concrete lined and maintained channelized ditches and streams	L	3.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, whether concrete lined or earthen, and are maintained by the district	
1017	Harris	Unmaintained channelized ditches and streams	I	4.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, are earthen, and are not maintained by the district	
1017	Harris	Brickhouse Gully/Bayou	L	3.0	Perennial stream from the confluence with Whiteoak Bayou upstream to Gessner Road	
1017	Harris	Cole Creek	L	3.0	Perennial stream from the confluence with Whiteoak Bayou upstream to Flintlock Street	
1017	Harris	Vogel Creek	L	3.0	Perennial stream from the confluence with Whiteoak Bayou upstream to a point 3.2 km upstream of the confluence with Whiteoak Bayou	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
1101	Harris	Concrete lined and maintained channelized ditches and streams	L	3.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, whether concrete lined or earthen, and are maintained by the district	
1101	Harris	Unmaintained channelized ditches and streams	I	4.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, are earthen, and are not maintained by the district	
1101	Galveston	Magnolia Creek	I	4.0	Intermittent stream with perennial pools from the confluence with Clear Creek upstream to 0.8 km upstream of the confluence with the second unnamed tributary	
1102	Harris	Concrete lined and maintained channelized ditches and streams	L	3.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, whether concrete lined or earthen, and are maintained by the district	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
1102	Harris	Unmaintained channelized ditches and streams	I	4.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, are earthen, and are not maintained by the district	
1102	Galveston, Brazoria	Cowart Creek	L	3.0	Intermittent stream with perennial pools from the confluence with Clear Creek in Galveston County upstream to SH 35 in Brazoria County	
1102	Brazoria	Mary's Creek/North Fork Mary's Creek	I	4.0	Perennial stream from the confluence with Clear Creek upstream to the confluence with North Fork Mary's Creek and South Fork Mary's Creek near FM 1128, approximately 5 km southwest of the City of Pearland. Includes perennial portions of North Fork Mary's Creek from the confluence of Mary's Creek to the confluence of an unnamed tributary approximately 3.2 km upstream of FM 1128.	
1105	Brazoria	Flores Bayou	I	4.0	Perennial stream from a point 2.6 km downstream of County Road 171 upstream to SH 35	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
1111	Brazoria	Flag Lake Drainage Canal	I	4.0	Perennial water body from the seaward pump station near the confluence with East Union Bayou upstream to the inland pump station near the confluence with the Brazos River	
1113	Harris	Concrete lined and maintained channelized ditches and streams	L	3.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, whether concrete lined or earthen, and are maintained by the district	
1113	Harris	Unmaintained channelized ditches and streams	I	4.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, are earthen, and are not maintained by the district	
1202	Fort Bend	Rabbs Bayou	L	3.0	Perennial stream from Smithers Lake upstream to the confluence with an unnamed tributary below HW 59	
1202	Fort Bend	Unnamed oxbow slough	L	3.0	An unnamed oxbow slough immediately north of the intersection of US 90A and SH 6 at the head of Ditch H	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
1202	Fort Bend	Big Creek	I	4.0	Intermittent stream with perennial pools from the confluence with an unnamed tributary 2.1 km downstream of FM 2977 upstream to the confluence of Cottonwood Creek and Coon Creek	
1202	Grimes	Beason Creek	I	4.0	Perennial stream from the confluence with the Brazos River upstream to the confluence with an unnamed tributary 2.8 km upstream of FM 362	
1202	Waller	Brookshire Creek	L	3.0	Perennial stream from the confluence of an unnamed tributary located 0.2 km downstream of SH 359 upstream to 500 meters upstream of US 90	
1202	Waller	Bessies Creek	I	4.0	Intermittent stream with perennial pools from the confluence with Bessies Bayou upstream to the confluence with an unnamed tributary approximately 0.7 km upstream of FM 359 northwest of the City of Pattison	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
1202	Waller	Clear Creek	H	5.0	Perennial stream from the confluence with the Brazos River upstream to the confluence with an unnamed tributary approximately 0.2 km upstream of FM 1488	
1202	Washington	Hog Branch	I	4.0	Perennial stream from the confluence with Little Sandy Creek upstream to Loop 318 in the City of Brenham	
1202	Washington	Little Sandy Creek	I	4.0	Perennial stream from the confluence with New Year Creek to a point 100 meters upstream of SH 36	
1202	Washington	New Year Creek	I	4.0	Perennial stream from the confluence with Woodward Creek upstream to the confluence of Big Sandy Creek	
1203	Bosque	Steele Creek	H	5.0	Perennial stream from the confluence with Whitney Lake upstream to 2.4 km above the confluence of Cox Branch	
1205	Hood	McCarthy Branch	L	3.0	Intermittent stream with perennial pools from the confluence with Lake Granbury upstream to FM 208	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
1206	Parker, Hood, Erath	Kickapoo Creek	I	4.0	Intermittent stream with perennial pools from the confluence with the Brazos River in Parker County upstream to Bailey's Lake at the Hood-Erath county line near the City of Lipan	
1206	Parker	Rock Creek	I	4.0	Intermittent stream with perennial pools from the confluence with Dry Creek upstream to the confluence with an unnamed second order tributary approximately 0.7 km downstream of Lake Mineral Wells	
1206	Parker	Unnamed tributary of Rock Creek	I	4.0	Intermittent stream with perennial pools from the confluence with Rock Creek upstream to the confluence with an unnamed first order tributary approximately 0.2 km upstream of Hood Road, west of Lake Mineral Wells	
1209	Brazos	Carters Creek	I	4.0	Perennial stream from the confluence with the Navasota River upstream to the confluence of an unnamed tributary 0.5 km upstream of FM 158	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
1209	Brazos	Wickson Creek	L	3.0	Perennial stream from the confluence with an unnamed first order tributary (approximately 1.3 km upstream of Reliance Road crossing) upstream to the confluence with an unnamed first order tributary approximately 15 meters upstream of Dilly Shaw Road	
1209	Brazos	Wolfpen Creek	L	3.0	Intermittent stream with perennial pools from the confluence with Carter Creek upstream to near Bizzell Street in the City of College Station	
1211	Burleson	Davidson Creek	I	4.0	Intermittent stream with perennial pools from the confluence with Yegua Creek upstream to 0.2 km above SH 21 near the City of Caldwell	
1217	Burnet	North Fork Rocky Creek	I	4.0	Intermittent stream with perennial pools from the confluence with South Rocky Creek upstream to its headwaters approximately 11 km west of US 183	A 24-hour average DO criterion of 2.0 mg/L and a 24-hour minimum DO criterion of 1.0 mg/L apply when stream flows are below 1.5 cfs.
1217	Lampasas	Sulphur Creek	H	5.0	Perennial stream from the confluence with the Lampasas River upstream to the spring source located in the City of Lampasas	



Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
1221	Comanche	Indian Creek	I	4.0	Perennial stream from the confluence with Armstrong Creek approximately 1.5 km downstream of SH 36 upstream to the confluence with an unnamed tributary approximately 0.1 km upstream of US 377	
1221	Hamilton	Pecan Creek	I	4.0	Perennial stream from the confluence with the Leon River upstream to the confluence with an unnamed tributary approximately 3.5 km upstream of SH 36 near the City of Hamilton	
1224	Eastland	Leon River Above Leon Reservoir	H	5.0	From the headwaters of Leon Reservoir upstream to the confluence of the North Fork Leon River and the South Fork Leon River (includes Lake Olden)	
1224	Eastland	South Fork Leon River	H	5.0	From the confluence of the North Fork Leon River upstream to the confluence of the Middle Fork Leon River	
1227	Johnson	Buffalo Creek	L	3.0	Intermittent stream with perennial pools from the confluence with the Nolan River upstream to the confluence of East Buffalo Creek and West Buffalo Creek	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
1227	Johnson	Mustang Creek	I	4.0	Intermittent stream with perennial pools from the confluence with the Nolan River upstream to FM 916 near Rio Vista	
1230	Eastland	Palo Pinto Creek	H	5.0	Perennial stream from the confluence with the normal pool elevation of Lake Palo Pinto which is near the confluence with an unnamed tributary at the Texas and Pacific Railroad crossing upstream to the dam forming Hagaman Lake	
1232	Stephens	Gonzales Creek	H	5.0	Perennial stream from the confluence with Hubbard Creek upstream to the confluence with Brown Branch approximately 1.2 km upstream of Elliott Street in the City of Breckenridge	
1241	Lubbock	North Fork Double Mountain Fork Brazos River	L	3.0	Perennial stream from the confluence with Double Mountain Fork Brazos River upstream to the dam forming Lake Ransom Canyon	
1242	Brazos	Cottonwood Branch	I	4.0	Intermittent stream with perennial pools from the confluence with Still Creek upstream 0.95 km to the confluence with an unnamed tributary	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
1242	Brazos	Still Creek	H	5.0	Perennial stream from the confluence with Thompsons Creek upstream to the confluence with Cottonwood Branch	
1242	Brazos	Thompsons Creek	H	5.0	Perennial stream from the confluence with the Brazos River upstream to the confluence with Still Creek	
1242	Brazos	Thompsons Creek	I	4.0	Intermittent stream with perennial pools from the confluence with Still Creek upstream to the confluence with Thompsons Branch, north of FM 1687	A 24-hour average DO criterion of 2.0 mg/L and a 24-hour minimum DO criterion of 1.0 mg/L apply from June to September.
1242	Brazos	Unnamed tributary of Cottonwood Branch	I	4.0	Intermittent stream with perennial pools from the confluence with Cottonwood Branch upstream to the headwaters	
1242	Milam, Falls	Pond Creek	L	3.0	Perennial stream from the confluence with the Brazos River in Milam County, upstream to the confluence with Live Oak Creek in Falls County	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
1242	Falls	Deer Creek	H	5.0	Perennial stream from the confluence with the Brazos River upstream to the confluence with Dog Branch	
1242	McLennan	Tradinghouse Reservoir	H	5.0	Encompasses the entire reservoir up to the normal pool elevation of 447 feet	
1242	Brazos, Robertson	Little Brazos River	H	5.0	Perennial stream from the confluence with the Brazos River in Brazos County upstream to the confluence of Walnut Creek in Robertson County west of the City of Calvert	
1244	Williamson	Brushy Creek	H	5.0	Perennial stream from the confluence of South Brushy Creek upstream to the confluence of North Fork Brushy Creek and South Fork Brushy Creek	
1244	Williamson	Mustang Creek	I	4.0	Perennial stream from the confluence with Brushy Creek upstream to the confluence of North Fork Mustang Creek	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
1244	Williamson	Cluck Creek	H	5.0	Perennial stream from the confluence with South Brushy Creek upstream to the confluence with an unnamed tributary 0.6 km downstream of US 183	
1245	Fort Bend	Red Gully	I	4.0	Perennial stream from the confluence with Oyster Creek upstream to 1.7 km upstream of Old Richmond Road	
1246	McLennan	Comanche Springs Spring Brook	H	5.0	Spring-fed intermittent stream with perennial pools from the confluence with Harris Creek upstream to and including Comanche Springs approximately 2.1 km upstream of US 84 west of the City of McGregor	
1246	McLennan	Harris Creek	H	5.0	Spring-fed intermittent stream with perennial pools from the confluence with South Bosque River upstream to the confluence with an unnamed tributary approximately 1.19 km upstream of US 84 west of the City of McGregor	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
1246	McLennan	Tonk Creek	H	5.0	Intermittent stream with perennial pools from the confluence with Middle Bosque/South Bosque River upstream to the confluence with an unnamed tributary 1.0 km upstream of FM 185 near Tonkawa Falls Park	
1246	McLennan	Unnamed tributary of South Bosque River (Sheep Creek)	I	4.0	Perennial stream from the confluence with the South Bosque River upstream to 1.0 km above SH 317 south of the City of McGregor	
1248	Williamson	Berry Creek	H	5.0	Perennial stream from the confluence with the San Gabriel River upstream to the confluence of Stapp Branch southwest of the City of Florence	
1304	Matagorda, Brazoria	Linnville Bayou	L	3.0	Intermittent stream with perennial pools from a point 1.1 km above the confluence with Caney Creek in Matagorda County upstream to a point 0.1 km above SH 35 in Brazoria/Matagorda counties	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
1305	Matagorda	Hardeman Slough	I	4.0	Perennial stream from the confluence with Caney Creek upstream to the confluence with an unnamed tributary approximately 1.9 km downstream of FM 3156 near the City of Van Vleck	
1402	Colorado	Cummins Creek	E	6.0	Perennial stream from the confluence with the Colorado River upstream to the confluence of Boggy Creek at FM 1291	
1402	Fayette	Allen Creek	I	4.0	Intermittent stream with perennial pools from the confluence of Pool Branch upstream to its headwaters south of the City of Fayetteville	
<u>1402</u>	<u>Fayette</u>	<u>Buckners Creek</u>	I	<u>3.0</u>	<u>Intermittent with pools stream from the confluence with Pin Oak Creek upstream to the confluence with Live Oak Creek</u>	
<u>1402</u>	<u>Fayette</u>	<u>Buckners Creek</u>	<u>H</u>	<u>5.0</u>	<u>Perennial stream from the confluence with the Colorado River upstream to the confluence with Pin Oak Creek</u>	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
[1402]	[Fayette]	[Buckners Creek]	[H]	[5.0]	[Perennial stream from the confluence with the Colorado River upstream to the confluence with Chandler Branch 1.6 km upstream of FM 154]	
1402	Fayette	Cedar Creek Reservoir/Lake Fayette	H	5.0	Encompasses the entire reservoir up to the normal pool elevation of 390 feet	
1402	Fayette	Cedar Creek	H	5.0	Perennial stream from the confluence with the Colorado River upstream to the dam forming Cedar Creek Reservoir/Lake Fayette	
1402	Colorado	Skull Creek	H	5.0	Perennial stream from the confluence with the Colorado River Below La Grange, upstream approximately 48 km (30 mi) to its headwaters	A 24-hour average DO criterion of 3.0 mg/L and a 24-hour minimum DO criterion of 2.0 mg/L apply from March 15 to October 15.
1404	Burnet	Hamilton Creek	I	4.0	Perennial stream from the confluence with Delaware Creek upstream to the confluence with an unnamed tributary in the City of Burnet 1.1 km upstream of the Southern Pacific Railroad	



Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
1412	Mitchell, Howard	Beals Creek	L	3.0	Intermittent stream with perennial pools from the confluence with the Colorado River in Mitchell County upstream to the confluence of Mustang Draw and Sulphur Springs Draw in Howard County	
1412	Mitchell	North Fork Champion Creek	L	3.0	Intermittent stream with perennial pools from the confluence with an unnamed tributary approximately 2.3 km upstream of IH 20 to its headwaters north of the City of Loraine	
1412	Scurry	Deep Creek	I	4.0	Perennial stream from the confluence with Hell Roaring Hollow Creek upstream to the confluence with an unnamed first order tributary approximately 0.07 km downstream of RR 1605	
1414	Gillespie	Barons Creek	H	5.0	Perennial stream from the confluence with the Pedernales River upstream to the most northern crossing of US 87 northwest of the City of Fredericksburg	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
1415	Kimble	Johnson Fork Creek	H	5.0	Perennial stream from the confluence with the Llano River upstream to source springs (Rio Bonito Springs) south of the City of Segovia	
1415	Mason	Comanche Creek	L	3.0	Intermittent stream with perennial pools from the confluence with the Llano River upstream to the confluence of West Comanche Creek near the City of Mason	
1416	McCulloch	Brady Creek	I	4.0	Perennial stream and intermittent stream with perennial pools from the confluence with an unnamed tributary approximately 5.0 km east of FM 2309 east of the City of Brady upstream to Brady Lake dam	
1418	Coleman	Hord Creek	I	4.0	Perennial stream from the confluence with an unnamed second order tributary approximately 0.7 km downstream of Live Oak Street crossing upstream to the confluence with Bachelor Prong Creek	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
1420	Callahan	Kaiser Creek	L	3.0	Intermittent stream with perennial pools from the confluence with North Prong Pecan Bayou upstream to 0.5 km upstream of FM 2700 south of the City of Clyde	
1420	Brown, Callahan	Turkey Creek	H	5.0	From the confluence with Pecan Bayou in Brown County upstream to SH 36 in Callahan County	
1426	Runnels	Elm Creek	H	5.0	Perennial stream from the confluence with the Colorado River upstream to the dam approximately 300 meters downstream of US Highway 67	
1427	Travis	Slaughter Creek	I	3.0	Intermittent stream with perennial pools from the confluence with Granada Hills Tributary upstream to the headwaters above US 290 west of the City of Austin	The 24-hour minimum DO criterion is 2.0 mg/L.
1427	Travis	Slaughter Creek	M	2.0	Intermittent stream from the confluence with an unnamed tributary 0.25 km upstream of FM 2304 upstream to the confluence with Granada Hills Tributary	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
1427	Travis	Slaughter Creek	H	5.0	Perennial stream from the confluence with Onion Creek upstream to the confluence with an unnamed tributary 0.25 km upstream of FM 2304	
1428	Travis	Gilleland Creek	H	5.0	Perennial stream from the confluence with the Colorado River upstream to an unnamed tributary 0.39 km downstream of Edgemere Drive	
1428	Travis	Gilleland Creek	H	5.0	Intermittent stream with perennial pools from the confluence with an unnamed tributary 0.39 km downstream of Edgemere Drive upstream to the spring source (Ward Spring) northwest of the City of Pflugerville	
1428	Bastrop	Dry Creek	H	5.0	Perennial stream from the mouth of the Colorado River upstream to 150 meters upstream of the confluence with Cottonwood Creek	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
1428	Bastrop, Travis	Dry Creek	L	3.0	Intermittent stream with perennial pools from 150 meters upstream of the confluence with Cottonwood Creek in Bastrop County upstream to just below the confluence with an unnamed tributary located approximately 2.73 km upstream of Wolf Lane in Travis County. Channel topography in this reach is a braided to anastomosing channel, and all channels within the reach are intermittent with perennial pools.	
1428	Travis	Dry Creek	E	6.0	Perennial stream from just below the confluence with an unnamed tributary located approximately 2.73 km upstream of Wolf Lane upstream to the confluence of North Fork Dry Creek and Dry Creek	
1428	Travis	Dry Creek	L	3.0	Intermittent stream with perennial pools from the confluence with North Fork Dry Creek upstream to US 183 south of Pilot Knob	
1428	Travis	Harris Branch	H	5.0	Perennial stream from the confluence with Gilleland Creek upstream to the confluence with an unnamed tributary approximately 2.6 km downstream of Gregg Lane	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
1428	Travis	Unnamed tributary of Harris Branch	L	3.0	Intermittent stream with perennial pools from the confluence with Harris Branch upstream to the confluence with an unnamed tributary approximately 0.7 km downstream of the Old Railroad grade	
1434	Travis	Wilbarger Creek	H	5.0	Perennial stream from the confluence of an unnamed tributary approximately 2.3 km (1.4 mi) upstream of US 290 upstream to the confluence of an unnamed tributary 2.3 km (1.4 mi) upstream of Cameron Road	
1434	Travis	Wilbarger Creek	H	5.0	Intermittent stream with perennial pools from the confluence of an unnamed tributary approximately 2.3 km (1.4 mi) upstream of Cameron Road upstream to the confluence of an unnamed tributary approximately 3.7 km (2.3 mi) downstream of FM 685	
1434	Travis	Unnamed tributary of Wilbarger Creek	H	5.0	Perennial stream from the confluence with Wilbarger Creek approximately 2.3 km (1.4 mi) upstream of the Cameron Road crossing of Wilbarger Creek upstream to the confluence of two forks of the tributary downstream of Jesse Bohls Road	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
1434	Bastrop	Cedar Creek	H	5.0	Perennial stream from the confluence with the Colorado River upstream to the confluence of an unnamed tributary at FM 535	
1434	Bastrop	Gazley Creek	I	4.0	Perennial stream from the confluence with the Colorado River above the City of La Grange upstream to the confluence with an unnamed tributary approximately 3.25 km upstream of the southern-most crossing of the Missouri-Kansas-Texas Railroad south of the City of Smithville	
1434	Bastrop, Travis	Maha Creek	I	4.0	Intermittent stream with perennial pools from the confluence with Cedar Creek in Bastrop County upstream to the confluence with an unnamed tributary approximately 0.25 km upstream of US 183 in Travis County	
1501	Matagorda	Wilson Creek	H	5.0	Perennial stream from the confluence with the Tres Palacios River upstream to the confluence with the first tributary south of SH 35	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
1602	Lavaca, DeWitt	Big Brushy Creek	H	5.0	Perennial stream from the confluence with Clarks Creek in Lavaca County upstream to the confluence with an unnamed tributary just downstream of the Loop 51 (US Highway B77) bridge crossing in DeWitt County south of the City of Yoakum	
1602	Lavaca	Rocky Creek	H	5.0	Perennial stream from the confluence with the Lavaca River upstream to 1.0 km above FM 533 west of the City of Shiner	
1602	Lavaca	Lavaca River	H	5.0	Intermittent stream with perennial pools from the confluence of Campbells Creek west of the City of Hallettsville upstream to the confluence with West Prong Lavaca River downstream of the City of Moulton	A 24-hour average DO criterion of 3.0 mg/L and a 24-hour minimum DO criterion of 2.0 mg/L apply from March 15 through October 15.
1604	Wharton	East Mustang Creek	I	4.0	Intermittent stream with perennial pools from the confluence with Middle Mustang Creek upstream to the confluence with an unnamed tributary approximately 4.2 km upstream of US 59 northeast of the City of Louise	



Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
1605	Lavaca, Fayette	West Navidad River	H	5.0	Intermittent stream with perennial pools from the confluence with the Navidad River above Lake Texana in Lavaca County upstream to the confluence with Walker Branch approximately 0.5 km upstream of IH 10 in Fayette County	
1803	Gonzales, Karnes, Wilson	Elm Creek	I	3.0	Perennial stream from the confluence with Sandies Creek in Gonzales County upstream to the headwaters in Wilson County	
1803	DeWitt, Gonzales, Guadalupe	Sandies Creek	I	3.0	Perennial stream from the confluence with Guadalupe River in DeWitt County upstream to the headwaters in Guadalupe County	
1806	Kerr	Camp Meeting Creek	H	5.0	Intermittent stream with perennial pools from the confluence with the Guadalupe River upstream to an unnamed impoundment, located downstream of Ranchero Road in the City of Kerrville.	A 24-hour average DO criterion of 4.0 mg/L and a 24-hour minimum DO criterion of 2.0 mg/L apply from July 1 to September 30.

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
1806	Kerr	Camp Meeting Creek	H	5.0	Intermittent stream with perennial pools from an unnamed impoundment located downstream of Ranchero Road upstream to the dam of an unnamed impoundment approximately 0.65 km upstream of Tree Lane in the City of Kerrville.	A 24-hour average DO criterion of 2.0 mg/L and a 24-hour minimum DO criterion of 1.0 mg/L apply from July 1 to September 30.
1810	Caldwell	Town Branch	H	5.0	Perennial stream from the confluence with Plum Creek upstream to US 183 in the City of Lockhart	
1902	Bexar	Martinez Creek	I	4.0	Perennial stream from the confluence with Escondido Creek upstream to Binz-Engleman Road	
1903	Medina	Polecat Creek	H	5.0	Perennial stream from 6.4 km above the confluence with the Medina River upstream to the spring source 1.3 km above FM 2790 southeast of the City of LaCoste	
1910	Bexar	Salado Creek	L	4.0	Intermittent stream with perennial pools from the confluence with Beitel Creek upstream to Nacogdoches Road	The 24-hour minimum DO criterion is 3.0 mg/L.

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
2108	Frio, Medina	Chacon Creek	I	4.0	Perennial stream from the confluence with San Francisco Perez Creek in Frio County upstream to the confluence of an unnamed tributary approximately 0.8 km north of SH 132 in Medina County	
2108	Medina	Fort Ewell Creek	I	4.0	Perennial stream from the confluence with Chacon Creek upstream to the confluence of the Natalia Canal approximately 0.8 km north of SH 132	
2118	Atascosa	Atascosa River	L	3.0	Intermittent stream with perennial pools from the confluence with Galvan Creek upstream to the confluence with Palo Alto Creek	
2118	Atascosa	West Prong Atascosa River	I	4.0	Intermittent stream with perennial pools from the confluence with the Atascosa River upstream to the confluence with an unnamed tributary at IH 35	
2201	Cameron, Hidalgo, Willacy	Drainage Ditches	L	3.0	Perennial freshwater drainage ditches that flow into the segment in the counties listed	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
2202	Cameron, Hidalgo	Drainage Ditches	L	3.0	Perennial freshwater drainage ditches that flow into the segment in the counties listed	
2304	Val Verde	Cienegas Creek	H	5.0	Perennial stream from the confluence with the Rio Grande River upstream to the headwater spring source (Cienegas Springs) approximately 0.8 km north of Cienega Lane west of the City of Del Rio	
2310	Terrell	Independence Creek	E	6.0	Perennial stream from the confluence with the Pecos River upstream to the mouth of Surveyor Canyon (upstream of FM 2400)	
2421	Harris	Concrete lined and maintained channelized ditches and streams	L	3.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, whether concrete lined or earthen, and are maintained by the district	
2421	Harris	Unmaintained channelized ditches and streams	I	4.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, are earthen, and are not maintained by the district	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
2422	Chambers	Anahuac Ditch	I	4.0	Perennial stream from the confluence with the West Fork Double Bayou upstream to FM 563 near the City of Anahuac	
2425	Harris	Concrete lined and maintained channelized ditches and streams	L	3.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, whether concrete lined or earthen, and are maintained by the district	
2425	Harris	Unmaintained channelized ditches and streams	I	4.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, are earthen, and are not maintained by the district	
2425	Harris	Taylor Lake	H	4.0	Encompasses the entire tidal portion of the bay (tributary bay of Clear Lake) including Taylor Bayou Tidal	
2426	Harris	Goose Creek	I	4.0	Perennial stream from Baker Street upstream to the confluence of an unnamed tributary from Highlands Reservoir	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
2426	Harris	Goose Creek	L	3.0	Perennial stream from the confluence with East Fork Goose Creek upstream to Baker Street	
2427	Harris	Concrete lined and maintained channelized ditches and streams	L	3.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, whether concrete lined or earthen, and are maintained by the district	
2427	Harris	Unmaintained channelized ditches and streams	I	4.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, are earthen, and are not maintained by the district	
2428	Harris	Concrete lined and maintained channelized ditches and streams	L	3.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, whether concrete lined or earthen, and are maintained by the district	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
2428	Harris	Unmaintained channelized ditches and streams	I	4.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, are earthen, and are not maintained by the district	
2429	Harris	Concrete lined and maintained channelized ditches and streams	L	3.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, whether concrete lined or earthen, and are maintained by the district	
2429	Harris	Unmaintained channelized ditches and streams	I	4.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, are earthen, and are not maintained by the district	
2430	Harris	Concrete lined and maintained channelized ditches and streams	L	3.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, whether concrete lined or earthen, and are maintained by the district	

Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
2430	Harris	Unmaintained channelized ditches and streams	I	4.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, are earthen, and are not maintained by the district	
2432	Brazoria	Mustang Bayou	I	4.0	Perennial stream from CR 166 upstream to the confluence with an unnamed tributary 0.3 km upstream of SH 35	
2437	Galveston	Hurricane Levee Canal	I	3.0	Man-made tidal ditch from the confluence with the south shore of the Texas City Ship Channel upstream to the Texas City Hurricane Levee pump station 0.23 km upstream of Loop 197 South	
2438	Harris	Concrete lined and maintained channelized ditches and streams	L	3.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, whether concrete lined or earthen, and are maintained by the district	



Segment	County	Water Body	ALU	DO	Description	Additional Site-Specific Factors
2438	Harris	Unmaintained channelized ditches and streams	I	4.0	Perennial (including effluent-dominated) freshwater Harris County Flood Control District ditches that have been channelized into trapezoidal channels, are earthen, and are not maintained by the district	
2453	Jackson, Victoria	Garcitas Creek	H	4.0	Perennial tidal stream from the confluence with Lavaca Bay in Jackson/Victoria County upstream to the confluence with <u>Marcado</u> [Mercado] Creek in Victoria County	A 24-hour average DO criterion of 3.0 mg/L and a 24-hour minimum DO criterion of 2.0 mg/L apply from June to September.
2491	Cameron, Hidalgo	Drainage Ditches	L	3.0	Perennial freshwater drainage ditches that flow into the segment in the counties listed	
2494	Cameron	Drainage Ditches	L	3.0	Perennial freshwater drainage ditches that flow into the segment in the counties listed	

- The following site-specific multiple regression equation is used to determine the 24-hour average and minimum DO criteria. A 24-hour average DO criterion of 5 mg/L is the upper bounds if the indicated DO equation predicts DO values that are higher than 5.0 mg/L. When the 24-hour average DO is predicted to be lower than 1.5 mg/L, then the DO criterion is set as 1.5 mg/L. When the 24-hour average DO criterion is greater than 2.0 mg/L, the corresponding 24-hour minimum DO criterion should be 1.0 mg/L less than the calculated 24-hour average criterion. When the 24-hour average DO criterion is less than or equal to 2.0 mg/L, the corresponding 24-hour minimum DO criterion should be 0.5 mg/L less than the calculated 24-hour average criterion. When stream flow is

below 0.1 cfs, then 0.1 cfs is the presumed flow that should be used in the equation. This equation supersedes Table 4 of §307.7(b)(3)(A) of this title.

$$DO = 12.11 - 0.309 T + 1.05 \log Q - 1.02 \log WS$$

where: DO = 24-hour average DO criterion

T = temperature in degrees Celsius (C)

Q = flow in cubic feet per second cfs

WS = watershed size in square km (up to 1000 km<sup>2</sup>)

- 2 A site-specific low-flow of 5.95 cfs applies to achieve the 4.0 mg/L DO 24-hour average criterion at the critical summer-time temperatures of 29.7°C. A site-specific DO criterion of 3.0 mg/L as a 24-hour average applies from May to October when flows are  $\geq 1.2$  ft<sup>3</sup>/s and  $< 5.95$  cfs. The following site-specific multiple regression equation relating DO averages, flow, and temperature may be used to determine appropriate headwater flows:

$$Q = e^{(0.253T - 10.4 + DO)/0.625}$$

where: Q = flow in cfs

T = temperature in degrees Celsius

DO = 24-hour average DO

(5) Appendix E - Site-specific Toxic Criteria:

**Figure: 30 TAC §307.10(5)**

**[Figure: 30 TAC §307.10(5)]**

**Appendix E - Site-specific Toxic Criteria**

The water bodies found in this appendix have a site-specific standard for the chemical parameter listed. The procedures for obtaining a site-specific standard are specified in §307.2(d) of this title (relating to Description of Standards) and result in **site-specific criteria or a** site-specific adjustment factor (such as a water-effect ratio (WER), multiplier, etc.). For most of the chemical parameters listed, this factor is used along with hardness in the formulas listed in Table 1 of §307.6(c)(1) of this title (relating to Toxic Materials) to calculate the dissolved portion of the parameter. The newly calculated criteria from Table 1 of §307.6(c)(1) of this title are then used to calculate discharge limits for permitted facilities. To calculate discharge limits, use **site-specific criteria or** the site-specific adjustment factors listed in this appendix in accordance with the *Procedures to Implement the Texas Surface Water Quality Standards* (RG-194) as amended. If a smaller portion of a water body has a separate and different site-specific adjustment factor, this factor supersedes any other factor specified for the larger water body that includes the smaller water body. In establishing Texas Pollutant Discharge Elimination System (TPDES) permit conditions, the site-specific criteria only apply to the referenced facility except where otherwise noted in footnote 3 of this appendix.

Segment	Site Description	TPDES	Permittee [Facility]	Parameter	Site-Specific Adjustment Factor	Additional Site- Specific Considerations
0202	<u>Unnamed tributary from the edge of the mixing zone with Smith Creek upstream to Outfall 001 in Lamar County</u>	03021-000	<u>Paris Generation, LP</u>	<u>Copper<sup>4,5</sup></u>	<u>Acute Criterion = 37.28 µg/L</u>	
0301	Remnant channel of Baker Slough from the edge of the mixing zone in Segment 0301 upstream to the [permitted] outfall in Cass County	01339-000	International Paper Co.	Aluminum <sup>1,4</sup>	6.39	
0303	River Crest Reservoir <u>in Red River County</u>	00945-000	Luminant Generation Co.	Copper <sup>1,3</sup>	3.4	
0305	Unnamed tributary of Cottonwood Branch from the edge of the mixing zone with an unnamed NRCS reservoir upstream to [permitted] Outfall 001 in Lamar County	04127-000	La Frontera Holdings, LLC	Copper <sup>1,4</sup>	3.98	
0403	Johnson Creek Reservoir in Marion County	01331-000	SWEPCO	Copper <sup>1,3</sup>	5.15	Hardness = 20 mg/L TSS = 4 mg/L

Segment	Site Description	TPDES	Permittee [Facility]	Parameter	Site-Specific Adjustment Factor	Additional Site- Specific Considerations
0404	Big Cypress Creek in Camp, Titus, and Morris Counties	00348-000	U.S. Steel Tubular Products, Inc.	Lead <sup>2,3</sup>	Acute Criterion = 38.3 µg/L Chronic Criterion = 5.3 µg/L	Hardness = 40.1 mg/L Criteria listed in the "Site-Specific Adjustment Factor" column include a correction factor of 0.924152
0404	Welsh Reservoir in Titus County	01811-000	SWEPCO	Aluminum <sup>1,3</sup>	10	
0404	Unnamed tributary of Hart Creek from the edge of the mixing zone in Hart Creek upstream to the [permitted] outfall in Titus County	10575-004	City of Mount Pleasant	Copper <sup>1,4</sup>	7.16	
0409	Sugar Creek from the edge of the mixing zone in Segment 0409 upstream to the [permitted] outfall in Upshur County	10457-001	City of Gilmer	Copper <sup>1,4</sup>	6.83	
0501	Sabine River Tidal in Orange County	00475-000	E.I. DuPont de Nemours	Copper <sup>1,4</sup>	1.9	

Segment	Site Description	TPDES	Permittee [Facility]	Parameter	Site-Specific Adjustment Factor	Additional Site- Specific Considerations
0505	Sabine River from the confluence with Brandy Branch approximately 1 mi (1.6 km) upstream from Highway 43 in Harrison County upstream to SH 149 in Gregg County	00471-000	Eastman Chemical Co.	Copper <sup>1,4</sup>	6.7	Hardness = 40 mg/L
0506	Mill Creek from CR 1106 upstream to the [permitted] outfall in Van Zandt County	10399-002	City of Canton	Copper <sup>1,4</sup>	7.71	
0510	Mill Creek from the edge of the mixing zone in Segment 0510 upstream to the confluence with Adaway Creek in Rusk County	10187-002	City of Henderson	Copper <sup>1,4</sup>	4.95	
0511	Unnamed tidal drainage ditch from the edge of the mixing zone in Segment 0511 upstream to the [permitted] outfall in Orange County	00454-000	Firestone Polymers, Inc.	Copper <sup>1,4</sup>	2.54	

Segment	Site Description	TPDES	Permittee [Facility]	Parameter	Site-Specific Adjustment Factor	Additional Site- Specific Considerations
0511	Unnamed tidal drainage ditch from the edge of the mixing zone in Segment 0511 upstream to the [permitted] outfall in Orange County	00670-000	Honeywell, Inc.	Copper <sup>1,4</sup>	2.39	
<u>0601</u>	<u>From the edge of the mixing zone in the tidal marshes and Entergy Canal tidal upstream to Outfall 001 in Orange County</u>	<u>00336-000</u>	<u>Entergy Texas, Inc.</u>	<u>Copper<sup>1,4</sup></u>	<u>2.3</u>	<u>Based on total copper - a partitioning coefficient will not be used to calculate permit limits (assume 100% is in dissolved form)</u>
0601	The entirety of the mixing zone for [permitted] Outfall 001 within the Neches River Tidal <u>in Jefferson County</u>	00462-000	ExxonMobil	Zinc <sup>1,4</sup>	2.89	
0601	All non-tidally influenced ditches upstream of Star Lake Canal upstream to [permitted] Outfall 001 in Jefferson County	04731-000	INEOS Calabrian Corp.	Copper <sup>1,4</sup>	3.26	

Segment	Site Description	TPDES	Permittee [Facility]	Parameter	Site-Specific Adjustment Factor	Additional Site- Specific Considerations
0603	Sandy Creek from the edge of the mixing zone in Segment 0603 upstream to the [permitted] outfall in Jasper County	10197-001	City of Jasper	Copper <sup>1,4</sup>	4.67	
0604	Buck Creek from the confluence with Clayton Creek upstream to the confluence with the unnamed tributary receiving the discharge from the [permitted] outfall in Angelina County	01268-000	Lufkin Industries, LLC	Copper <sup>1,4</sup>	7.94	
0604	Unnamed tributary of Bear Creek from the edge of the zone of initial dilution in Bear Creek upstream to the [permitted] outfall in Polk County	01902-000	International Paper - Corrigan	Aluminum <sup>1,4</sup>	5.58	
<u>0604</u>	<u>Hurricane Creek from the edge of the mixing zone with Cedar Creek upstream to Outfall 001 in Angelina County</u>	<u>10214-001</u>	<u>City of Lufkin</u>	<u>Copper<sup>1,4</sup></u>	<u>4.43</u>	



Segment	Site Description	TPDES	Permittee [Facility]	Parameter	Site-Specific Adjustment Factor	Additional Site- Specific Considerations
0604	One-eye Creek from the edge of the mixing zone in Box Creek upstream to the [permitted] outfall in Cherokee County	10447-001	City of Rusk	Copper <sup>1,4</sup>	4.3	Hardness = 40 mg/L
0611	Lake <u>Striker</u> [Stryker] <u>in Cherokee County</u>	00946-000	Luminant	Aluminum <sup>1,3</sup>	3.7	
0611	Ragsdale Creek from the edge of the mixing zone in Keys Creek upstream to the [permitted] outfall in Cherokee County	10693-001	City of Jacksonville	Copper <sup>1,4</sup>	4.6	Hardness = 48 mg/L
0615	Papermill Creek from the edge of the zone of initial dilution in Segment 0615 upstream to the [permitted] outfall in Angelina County	00368-000	Abitibi Consolidated	Aluminum <sup>1,4</sup>	8.39	
<u>0702</u>	<u>Taylor Bayou Tidal within the zone of initial dilution and the mixing zone of Outfall 001 in Segment 0702 in Jefferson County</u>	<u>00309-000</u>	<u>The Premcor Refining Group, Inc.</u>	<u>Copper<sup>1,4</sup></u>	<u>2.95</u>	

Segment	Site Description	TPDES	Permittee [Facility]	Parameter	Site-Specific Adjustment Factor	Additional Site- Specific Considerations
0805	Forney Branch from the edge of the mixing zone in White Rock Creek upstream to the [permitted] outfall in Dallas County	01251-000	Luminant Generation Co.	Copper <sup>1,4</sup>	3.9	
0806	West Fork Trinity River in Tarrant County	00555-000	Luminant Generation Co.	Copper <sup>1,4</sup>	2.5	
0820	Muddy Creek from the edge of the mixing zone with Segment 0820 upstream to [permitted] Outfall 001 in Dallas County	14216-001	North Texas Municipal Water Dist.	Copper <sup>1,4</sup>	4.98	
0823	Cantrell Slough from the edge of the mixing zone in Segment 0823 upstream to [permitted] Outfall 001 in Denton County	14323-001	UTRWD	Copper <sup>1,4</sup>	6.43	
[1001]	[San Jacinto River Tidal in Harris County]	[NA]	[NA]	[Copper <sup>1,3</sup> ]	[1.8]	

Segment	Site Description	TPDES	Permittee [Facility]	Parameter	Site-Specific Adjustment Factor	Additional Site- Specific Considerations
<u>0827</u>	<u>Floyd Branch from the edge of the mixing zone with Cottonwood Creek upstream to Outfall 001 in Dallas County</u>	<u>10257-001</u>	<u>North Texas Municipal Water Dist.</u>	<u>Copper<sup>4,5</sup></u>	<u>Acute Criterion = 32.13 µg/L</u> <u>Chronic Criterion = 19.95 µg/L</u>	
0901	Unnamed tributary from the edge of the mixing zone with Segment 0901 upstream to [permitted] Outfall 001 in Chambers County	02940-000	Enterprise Products Operating, LLC - Mont Belvieu	Copper <sup>1, #</sup>	6.314	
0901	Unnamed tributary from the edge of the mixing zone with Segment 0901 upstream through an unnamed ditch to [permitted] Outfall 002 in Chambers County	02940-000	Enterprise Products Operating, LLC - Mont Belvieu	Copper <sup>1, #</sup>	3.247	
<u>1001</u>	<u>San Jacinto River Tidal in Harris County</u>	<u>NA</u>	<u>NA</u>	<u>Copper<sup>1, 3</sup></u>	<u>1.8</u>	
1005	Houston Ship Channel/San Jacinto River Tidal in Harris County	NA	NA	Copper <sup>1, 3</sup>	1.8	

Segment	Site Description	TPDES	Permittee [Facility]	Parameter	Site-Specific Adjustment Factor	Additional Site- Specific Considerations
1005	Phillips Ditch and Santa Anna Bayou: Phillips Ditch from the edge of the mixing zone in Santa Anna Bayou upstream to [permitted] Outfall 001 in Harris County	01539-000	Oxy Vinyls	Nickel <sup>1,4</sup>	1.13	
1005	The Houston Ship Channel/San Jacinto River tidal from the edge of the mixing zone in Segment 2421 upstream to the confluence with Santa Anna Bayou in Harris County	02097-000	Oxy Vinyls	Copper <sup>1,4</sup>	1.8	
1005	Santa Anna Bayou from the edge of the mixing zone in Segment 1005 upstream to [permitted] Outfall 001 in Harris County	04119-000	Akzo Nobel Chemicals LLC and Akzo Nobel Functional Chemicals LLC	Zinc <sup>1,4</sup>	1.82	Based on total zinc - a partitioning coefficient will not be used to calculate permit limits (assume 100% is in dissolved form)
1005	Phillips Ditch from the edge of the MZ in Santa Anna Bayou upstream to [permitted] Outfall 001 in Harris County	04119-000	Akzo Nobel Chemicals LLC and Akzo Nobel Functional Chemicals LLC	Aluminum <sup>1,4</sup>	3.93	

Segment	Site Description	TPDES	Permittee [Facility]	Parameter	Site-Specific Adjustment Factor	Additional Site- Specific Considerations
1006	Houston Ship Channel Tidal in Harris County	NA	NA	Copper <sup>1,3</sup>	1.8	
1006	Greens Bayou Tidal from the edge of the mixing zone in the Houston Ship Channel upstream to the confluence with Spring Gully in Harris County	01031-000	NRG Texas Power LLC	Copper <sup>1,4</sup>	2.4	TSS = 14.75 mg/L Dissolved Fraction Available = 87%
1006	Tucker Bayou from the edge of the mixing zone in Segment 1006 upstream to the [permitted] outfall in Harris County	01429-000	Safety-Kleen	Copper <sup>1,4</sup>	2.3	
1007	Houston Ship Channel/Buffalo Bayou Tidal in Harris County	NA	NA	Copper <sup>1,3</sup>	1.8	
1008	Montgomery County Drainage District No. 6 Channel IIDF from the confluence with Spring Creek, Segment 1008, upstream to the [permitted] outfall in <u>Montgomery County</u>	12030-001	Rayford Road MUD	Copper <sup>1,4</sup>	6.82	

Segment	Site Description	TPDES	Permittee [Facility]	Parameter	Site-Specific Adjustment Factor	Additional Site- Specific Considerations
1008	Panther Branch from the edge of the mixing zone in Lake Woodlands upstream to the [permitted] outfall in Montgomery County	12597-001	San Jacinto River Authority	Copper <sup>1,4</sup>	6.45	
1009	Faulkey Gully from the mixing zone with Segment 1009 upstream to [permitted] Outfall 001 <u>in Harris County</u>	11832-001	Faulkey Gully MUD	Copper <sup>1,4</sup> [1, 3]	3.997	
<u>1009</u>	<u>Seals Gully from the confluence with HCFC D K142-02-00 upstream to Outfall 001 in Harris County</u>	<u>11835-001</u>	<u>Bridgestone MUD</u>	<u>Copper<sup>1,4</sup></u>	<u>3.19</u>	
1009	Cypress Creek and Harris County Flood Control District Ditch K159-00-00 from the edge of the mixing zone in Cypress Creek upstream to the [permitted] outfall in Harris County	13296-002	Harris County MUD No. 358	Copper <sup>1,4</sup>	8.47	
1013	Buffalo Bayou Tidal in Harris County	NA	NA	Copper <sup>1,3</sup>	1.8	

Segment	Site Description	TPDES	Permittee [Facility]	Parameter	Site-Specific Adjustment Factor	Additional Site- Specific Considerations
1014	Willow Fork Bayou from the edge of the mixing zone with Segment 1014 in Fort Bend County upstream to [permitted] Outfall 001 in Waller County	02229-000	Igloo Products Corp.	Aluminum <sup>1,4</sup>	5.43	
1014	Unnamed ditch and Harris County Flood Control ditch W167-01-00 from the edge of the mixing zone in Turkey Creek upstream to the outfall in Harris County	03994-000	National Oilwell Varco, L.P.	Zinc <sup>1,4</sup>	5.24	
1014	Turkey Creek from the edge of the mixing zone with Segment 1014 upstream through Harris County Flood Control District W167-04-00 and a series of unnamed ditches to [permitted] Outfall 001 in Harris County	04760-000	Weatherford U.S. L.P.	Copper <sup>1,4</sup>	4.55	
1014	Horsepen Creek in Harris County	12726-001	Harris Co. MUD No. 155	Copper <sup>1,4</sup>	4.65	

Segment	Site Description	TPDES	Permittee [Facility]	Parameter	Site-Specific Adjustment Factor	Additional Site- Specific Considerations
1014	Willow Fork Drainage Dist. Lateral Ditch VA1 from the edge of the mixing zone in Segment 1014 upstream to the [permitted] outfall in Fort Bend County	13558-001	Cinco MUD No. 1	Copper <sup>1,4</sup>	7.26	
1113	Horsepen Bayou in Harris County	10539-001	City of Clear Lake Water Authority	Copper <sup>1,4</sup>	2.74	
1201	Segment 1201 in Brazoria County	00007-000	Dow Chemical	Copper <sup>1,4</sup>	1.6	
1209	Unnamed ditch from the edge of the zone of initial dilution of the unnamed ditch in Gibbons Creek Reservoir upstream to [the permitted] Outfall 001 in Grimes County	02120-000	Texas Municipal Power Agency	Aluminum <sup>1,4</sup>	6.81	
1209	Unnamed tributary of Sulphur Creek from the edge of the mixing zone with Sulphur Creek upstream to the [permitted] outfall <u>in Grimes County</u>	03996-000	Tenaska Frontier Partners, LTD.	Copper <sup>1,4</sup>	2.64	



Segment	Site Description	TPDES	Permittee [Facility]	Parameter	Site-Specific Adjustment Factor	Additional Site- Specific Considerations
1236	Ft. Phantom Hill Reservoir in Jones County	01422-000	AEP North Texas	Aluminum <sup>1,3</sup>	2.9	
1242	Lake Creek Reservoir in McClennan County	00954-000	Luminant Generation Co.	Copper <sup>1,3</sup>	2.4	
1412	Red Draw Reservoir in Howard County	01768-000	ALON USA	Selenium	Acute Criterion = 219 µg/L Chronic Criterion = 7.5 µg/L	
1701	Victoria Barge Canal in Calhoun County	00447-000	Dow Chemical	Copper <sup>1,4</sup>	1.81	
1701	Victoria Barge Canal in Victoria County	03943-000	Air Liquide	Copper <sup>1,4</sup>	2.55	
2427	San Jacinto Bay in Harris County	NA	NA	Copper <sup>1,3</sup>	1.8	
<u>2429</u>	<u>Scott</u> <del>Scotts</del> Bay in Harris County	<u>NA</u>	<u>NA</u>	<u>Copper<sup>1,3</sup></u>	<u>1.8</u>	

Segment	Site Description	TPDES	Permittee [Facility]	Parameter	Site-Specific Adjustment Factor	Additional Site- Specific Considerations
2431	Moses Bayou from the edge of the mixing zone in Segment 2431 upstream to the drainage ditches receiving the discharge from the [permitted] outfall in Galveston County	01263-000	ISP Technologies	Copper <sup>1,4</sup>	1.88	
<u>2432</u>	<u>From the edge of the mixing zone in Mustang Bayou upstream to Outfall 001 in Fort Bend County</u>	<u>04306-000</u>	<u>Nalco Production LLC</u>	<u>Copper<sup>1,4</sup></u>	<u>3.11</u>	
<u>2432</u>	<u>From the edge of the mixing zone in Mustang Bayou upstream to Outfall 002 in Fort Bend County</u>	<u>04306-000</u>	<u>Nalco Production LLC</u>	<u>Copper<sup>1,4</sup></u>	<u>4.00</u>	
<u>2441</u>	<u>From the edge of the mixing zone of the tidal portion of Little Boggy Creek upstream to Outfall 002 in Matagorda County</u>	<u>02481-000</u>	<u>Equistar Chemicals, LP</u>	<u>Copper<sup>1,4</sup></u>	<u>2.43</u>	<u>Based on total copper - a partitioning coefficient will not be used to calculate permit limits (assume 100% is in dissolved form)</u>

Segment	Site Description	TPDES	Permittee [Facility]	Parameter	Site-Specific Adjustment Factor	Additional Site- Specific Considerations
2453	Saltwater portion of Lynn Bayou below the facility's outfall <u>in Calhoun County</u> [.]	10251-001	City of Port Lavaca	Copper <sup>1,4</sup>	1.57	
2481	Kinney Bayou tidal/Jewel Fulton Canal from the edge of the mixing zone in Ingleside Cove upstream to the [permitted] outfall in San Patricio County	10422-001	City of Ingleside	Copper <sup>1,4</sup>	2.0	
2481	Kinney Bayou tidal/Jewel Fulton Canal from the edge of the mixing zone in Ingleside Cove upstream to the [permitted] outfall in San Patricio County	10422-001	City of Ingleside	Zinc <sup>1,4</sup>	1.14	
2484	Tidal portion of concrete lined ditches receiving effluent from the [permitted] outfall from the edge of the mixing zone with the Tule Lake portion of Segment 2484 upstream to the end of tidal influence <u>in Nueces County</u>	03137-000	MarkWest Javelina Company, L.L.C.	Copper <sup>1,4</sup>	4.13	Based on total copper - a partitioning coefficient will not be used to calculate permit limits (assume 100% is in dissolved form)

Segment	Site Description	TPDES	Permittee [Facility]	Parameter	Site-Specific Adjustment Factor	Additional Site- Specific Considerations
2485	La Volla Creek from the edge of the mixing zone in Oso Creek upstream to the [permitted] outfall in Nueces County	10401-003	City of Corpus Christi	Copper <sup>1, 4</sup>	2.07	
2494	Vadia Ancha from the edge of the mixing zone in Segment 2494 upstream to the tidal mud flats receiving the discharge from the [permitted] outfall in Cameron County	10350-001	Laguna Madre Water District	Copper <sup>1, 4</sup>	2.52	

- 1 Results based on a water-effect ratio study.
- 2 The equation used for acute criterion calculation is  $e^{(1.273(\ln \text{hardness})-0.9744)}$ , and the equation used for chronic criterion calculation is  $e^{(1.273(\ln \text{hardness})-2.958)}$ .
- 3 Site-specific criteria apply to the entire water body listed under the "Site Description" column. If the site described is a designated segment, the boundaries of the segment are given in Appendix C of §307.10 of this title.
- 4 Site-specific criteria may only be used in the evaluation of permit limits for the facility listed under the "TPDES" and "Facility" columns.
- 5 Results based on a biotic ligand model.

(6) Appendix F - Site-specific Nutrient Criteria for Selected Reservoirs:

**Figure: 30 TAC §307.10(6) (No change.)**

(7) Appendix G - Site-specific Recreational Uses and Criteria for Unclassified Water Bodies:

**Figure: 30 TAC §307.10(7)**

**[Figure: 30 TAC §307.10(7)]**

#### **Appendix G - Site-specific Recreational Uses and Criteria for Unclassified Water Bodies**

The water bodies listed in this appendix are those waters that are not designated segments listed in Appendix A of this section. The water bodies are included because a regulatory action has been taken or is anticipated to be taken by the commission or because sufficient information exists to provide a recreational use designation. The segment numbers listed refer to the designated segments as defined in Appendix C of this section. The county listed is the primary location where the use designation is assigned. The water body is a tributary within the drainage basin of the listed segment. The recreation use designations and bacteria indicator criteria are the same as defined in §307.4(j) of this title (relating to General Criteria) and §307.7(b) of this title (relating to Site-Specific Uses and Criteria). The description defines the specific area where the recreation use designation applies. Generally, there is not sufficient data on these waters to develop other conventional criteria and those criteria are the same as for the segment where the water body is located unless further site-specific information is obtained.

Segment	County	Water Body	Use	Geometric Mean Colonies/100 mL	Indicator Bacteria	Description
0101	Hutchinson, Carson	Dixon Creek	SCR 1	630	<i>E. coli</i>	From the confluence with the Canadian River in Hutchinson County upstream to the confluence of [the] Middle [, West,] and East Dixon creeks in Carson County
0201	Bowie	Mud Creek	SCR 1	630	<i>E. coli</i>	From the confluence with the Red River upstream to the headwaters near the intersection of US 82 and CR 3403
0202	Grayson, Fannin	Bois d' Arc Creek	SCR 1	630	<i>E. coli</i>	From the confluence with the Red River in Fannin County upstream to the headwaters northwest of the City of Whitewright in Grayson County
0202	Grayson, Fannin	Choctaw Creek	SCR 1	630	<i>E. coli</i>	From the confluence with the Red River east of the City of Denison in Fannin County to the upstream perennial portion near the intersection of SH 56 and SH 289 in Grayson County
0202	Lamar	Smith Creek	SCR 1	630	<i>E. coli</i>	From the confluence with Pine Creek upstream to the confluence of two unnamed streams south of Loop 286 in the City of Paris

Segment	County	Water Body	Use	Geometric Mean Colonies/100 mL	Indicator Bacteria	Description
0202	Grayson	Iron Ore Creek	SCR 1	630	<i>E. coli</i>	From the confluence with Choctaw Creek upstream to the headwaters near FM 120 west of the City of Denison
0214	Wichita	Buffalo Creek	SCR 1	630	<i>E. coli</i>	From the confluence with the Wichita River upstream to the headwaters east of the City of Electra
0230	Wilbarger, Foard	Paradise Creek	SCR 1	630	<i>E. coli</i>	From the confluence with the Pease River east of the City of Vernon in Wilbarger County upstream to the headwaters 0.5 km west of the intersection of US 70 and CR 233 in Foard County
0404	Titus	Tankersley Creek	SCR 1	630	<i>E. coli</i>	From the confluence with Big Cypress Creek upstream to the confluence with an unnamed tributary 0.25 km upstream of IH 30
0404	Titus	Hart Creek	SCR 1	630	<i>E. coli</i>	From the confluence with Big Cypress Creek upstream to 0.2 km upstream of FM 1402

Segment	County	Water Body	Use	Geometric Mean Colonies/100 mL	Indicator Bacteria	Description
<u>0409</u>	<u>Upshur, Wood, Camp</u>	<u>South Lilly Creek</u>	<u>SCR 1</u>	<u>630</u>	<u><i>E. coli</i></u>	<u>From the confluence with Lilly Creek upstream to approximately 2 miles west of FM 1647</u>
0502	Jasper, Newton	Nichols Creek	SCR 1	630	<i>E. coli</i>	From the confluence with the Sabine River in Newton County upstream to the headwaters at FM 1013 northwest of the City of Kirbyville in Jasper County
0505	Gregg	Grace Creek	SCR 1	630	<i>E. coli</i>	From the confluence with the Sabine River upstream to the headwaters at FM 1844
0507	Hunt, Rockwall	South Fork of Sabine River	SCR 1	630	<i>E. coli</i>	From the confluence with Lake Tawakoni in Hunt County upstream to the confluence of Parker and Sabine creeks in Rockwall County
0512	Hopkins, Wood	Running Creek	SCR 1	630	<i>E. coli</i>	From the confluence with Lake Fork at the Hopkins/Wood County line upstream to the headwaters 0.4 km south of SH 11, southeast of the City of Sulphur Springs, excluding Elberta Lake, in Hopkins County



Segment	County	Water Body	Use	Geometric Mean Colonies/100 mL	Indicator Bacteria	Description
0512	Hopkins, Rains	Elm Creek	SCR 1	630	<i>E. coli</i>	From the confluence with Lake Fork in Rains County upstream to the headwaters at CR 1110 southwest of the City of Sulphur Springs in Hopkins County
0606	Smith	Prairie Creek	SCR 1	630	<i>E. coli</i>	From the confluence with the Neches River upstream to an unnamed tributary approximately 0.6 km downstream of US 69
0611	Smith, Cherokee	Mud Creek	SCR 1	630	<i>E. coli</i>	From the confluence with the Angelina River in Cherokee County upstream to the confluence with Prairie Creek in Smith County
0615	Angelina	Paper Mill Creek	SCR 1	630	<i>E. coli</i>	From the confluence with Angelina River/Sam Rayburn Reservoir upstream to the confluence with Mill Creek
0810	Wise	Big Sandy Creek	SCR 1	630	<i>E. coli</i>	From the confluence with Waggoner Creek to FM 1810 west of the City of Alvord

Segment	County	Water Body	Use	Geometric Mean Colonies/100 mL	Indicator Bacteria	Description
0810	Wise	Garrett Creek	SCR 1	630	<i>E. coli</i>	From the confluence with Salt Creek upstream to Wise County Road approximately 22.5 km upstream of SH 114
0810	Wise	Salt Creek	SCR 1	630	<i>E. coli</i>	From the confluence with Garrett Creek to a point 17.7 km upstream
0838	Tarrant, Johnson	Walnut Creek	SCR 1	630	<i>E. coli</i>	From the confluence with Joe Pool Lake in Tarrant County upstream to the headwaters at Spring Street in the City of Burleson in Johnson County
1017	Harris	Brickhouse Gully/Bayou	SCR 1	630	<i>E. coli</i>	From the confluence with Whiteoak Bayou Above Tidal upstream to the headwaters 1.1 km upstream of Gessner Road
1017	Harris	Unnamed tributary of Whiteoak Bayou	SCR 1	630	<i>E. coli</i>	From the confluence with Whiteoak Bayou Above Tidal downstream of TC Jester Blvd upstream to Hempstead Hwy north of US Hwy 290

Segment	County	Water Body	Use	Geometric Mean Colonies/100 mL	Indicator Bacteria	Description
1017	Harris	Unnamed tributary of Whiteoak Bayou	SCR 1	630	<i>E. coli</i>	From the confluence with Whiteoak Bayou Above Tidal near W 11th Street upstream to a point immediately upstream of W 26th Street south of Loop 610 W
1202	Austin	Allens Creek	SCR 1	630	<i>E. coli</i>	From the confluence with the Brazos River upstream to the headwaters 1.6 km north of IH 10
<u>1202</u>	<u>Fort Bend</u>	<u>Bullhead Bayou East</u>	<u>SCR 1</u>	<u>630</u>	<u><i>E. coli</i></u>	<u>From Lexington Blvd to the Sweetwater Golf Course near Commonwealth Blvd in Fort Bend County</u>
<u>1202</u>	<u>Fort Bend</u>	<u>Bullhead Bayou West</u>	<u>SCR 1</u>	<u>630</u>	<u><i>E. coli</i></u>	<u>From the confluence with Fort Bend County Drainage District Ditch H to the headwaters in the City of Pecan Grove</u>
<u>1202</u>	<u>Fort Bend</u>	<u>Unnamed tributary of Bullhead Bayou</u>	<u>SCR 1</u>	<u>630</u>	<u><i>E. coli</i></u>	<u>From the confluence with Bullhead Bayou East upstream to the headwaters</u>

Segment	County	Water Body	Use	Geometric Mean Colonies/100 mL	Indicator Bacteria	Description
1209	Brazos	Wickson Creek	SCR 1	630	<i>E. coli</i>	From the confluence with an unnamed first order tributary approximately 1.3 km upstream of Reliance Road crossing upstream to the confluence with an unnamed first order tributary approximately 15 meters upstream of Dilly Shaw Road
1209	Robertson, Brazos	Cedar Creek	SCR 1	630	<i>E. coli</i>	From the confluence with the Navasota River in Brazos County upstream to the confluence with Moores Branch and Rocky Branch in Robertson County
1209	Robertson	Duck Creek	SCR 1	630	<i>E. coli</i>	From the confluence with the Navasota River upstream to Twin Oak Reservoir dam excluding Twin Oak Reservoir
1209	Grimes	Gibbons Creek	SCR 1	630	<i>E. coli</i>	From the confluence with the Navasota River upstream to SH 90, excluding Gibbons Creek Reservoir
1209	Madison	Shepherd Creek	SCR 1	630	<i>E. coli</i>	From the confluence with the Navasota River upstream to a point 1.1 km upstream of FM 1452

Segment	County	Water Body	Use	Geometric Mean Colonies/100 mL	Indicator Bacteria	Description
1209	Limestone, Robertson	Steele Creek	SCR 1	630	<i>E. coli</i>	From the confluence with Navasota River in Robertson County upstream to a point 3.8 km upstream of FM 147 in Limestone County
1210	Hill, Limestone	Navasota River Above Lake Mexia	SCR 1	630	<i>E. coli</i>	From the confluence with the headwaters of Lake Mexia in Limestone County to a point 2.0 km upstream of SH 31 in Hill County
1212	Burleson, Lee, Milam	East Yegua Creek	SCR 1	630	<i>E. coli</i>	From the confluence with Middle Yegua and Yegua creeks southeast of the City of Dime Box in Lee County to the upstream portion of the stream south of Alcoa Lake in Milam County
1221	Comanche, Erath	Resley Creek	SCR 2	1030	<i>E. coli</i>	From the confluence of the Leon River east of the City of Gustine in Comanche County to the headwaters 3.3 km upstream of SH 6 in Erath County
1221	Comanche	South Leon River	SCR 1	630	<i>E. coli</i>	From the confluence of the Leon River south of the City of Gustine to the upstream perennial portion of the stream south of the City of Comanche

Segment	County	Water Body	Use	Geometric Mean Colonies/100 mL	Indicator Bacteria	Description
1221	Comanche	Indian Creek	SCR 2	1030	<i>E. coli</i>	From confluence with Leon River upstream to the confluence with Armstrong Creek
1221	Comanche, Erath	Walnut Creek	SCR 2	1030	<i>E. coli</i>	From the confluence with Leon River in Comanche County upstream to the headwaters 3.8 km west of the City of Dublin in Erath County
1222	Comanche	Duncan Creek	SCR 1	630	<i>E. coli</i>	From the confluence with Proctor Lake northeast of the City of Comanche to the upstream perennial portion of the stream west of the City of Comanche
1223	Erath, Comanche	Armstrong Creek	SCR 2	1030	<i>E. coli</i>	From the confluence with the Leon River downstream of Leon Reservoir in Comanche County upstream to the headwaters 9.9 km east of SH 16 in Erath County
1226	Erath	Indian Creek	SCR 1	630	<i>E. coli</i>	From the confluence with the North Bosque River upstream to the headwaters 5.6 km east of the City of Stephenville

Segment	County	Water Body	Use	Geometric Mean Colonies/100 mL	Indicator Bacteria	Description
1226	Erath	Sims Creek	SCR 1	630	<i>E. coli</i>	From the confluence with the North Bosque River upstream to the headwaters 5.6 km southeast of the City of Stephenville, excluding reservoir UB19
1226	Erath	Alarm Creek	SCR 1	630	<i>E. coli</i>	From the confluence with the North Bosque River upstream to the headwaters 4.8 km west of the City of Stephenville, excluding reservoir UB17
1226	Erath	Little Green Creek	SCR 1	630	<i>E. coli</i>	From the confluence with Green Creek upstream to the confluence with the North Fork and South Fork of Little Green Creek 3.8 km south of SH 6
1242	Brazos	Cottonwood Branch	SCR 1	630	<i>E. coli</i>	From the confluence with Still Creek upstream 0.95 km to the confluence with an unnamed tributary
1242	Brazos	Thompsons Creek	SCR 1	630	<i>E. coli</i>	From the confluence with the Brazos River upstream to the confluence with Thompsons Branch north of FM 1687

Segment	County	Water Body	Use	Geometric Mean Colonies/100 mL	Indicator Bacteria	Description
1242	Robertson	Campbells Creek	SCR 1	630	<i>E. coli</i>	From the confluence with the Little Brazos River upstream to the headwaters 1.6 km west of Old San Antonio Road
1242	Robertson	Mud Creek	SCR 1	630	<i>E. coli</i>	From the confluence with the Little Brazos River upstream to the confluence with Touchstone Branch and Wolf Den Branch
1242	Robertson	Pin Oak Creek	SCR 1	630	<i>E. coli</i>	From the confluence with the Little Brazos River upstream to the headwaters 3.3 km south of the City of Franklin
1242	Robertson	Spring Creek	SCR 1	630	<i>E. coli</i>	From the confluence with the Little Brazos River upstream to the headwaters 2.4 km north of FM 391
1242	Robertson	Walnut Creek	SCR 1	630	<i>E. coli</i>	From the confluence with the Little Brazos River upstream to the headwaters 1.6 km south of the City of White Rock



Segment	County	Water Body	Use	Geometric Mean Colonies/100 mL	Indicator Bacteria	Description
1242	Falls, McLennan, Limestone	Big Creek	SCR 1	630	<i>E. coli</i>	From the confluence with the Little Brazos River upstream to the confluence with unnamed creeks near the northeast corner of the City of Mart
[1245]	[Fort Bend]	[Bullhead Bayou]	[SCR 1]	[630]	[ <i>E. coli</i> ]	[From the confluence with Steep Bank Creek in the City of First Colony upstream to the headwaters in the City of Pecan Grove]
[1245]	[Fort Bend]	[Unnamed tributary of Bullhead Bayou]	[SCR 1]	[630]	[ <i>E. coli</i> ]	[From the confluence with Bullhead Bayou upstream to the headwaters]
1246	Coryell, McLennan	Wasp Creek	SCR 1	630	<i>E. coli</i>	From the confluence with Tonk Creek in the City of Crawford in McLennan County upstream to the headwaters in Coryell County 0.24 km east of FM 185
1247	Williamson	Willis Creek	SCR 1	630	<i>E. coli</i>	From the confluence with the headwaters of Granger Lake upstream to CR 313

Segment	County	Water Body	Use	Geometric Mean Colonies/100 mL	Indicator Bacteria	Description
1255	Erath	Goose Branch	SCR 2	1030	<i>E. coli</i>	From the confluence with the South Fork of the North Bosque River 4.0 km west of the City of Stephenville upstream to the headwaters 0.8 km north of FM 8, excluding Goose Branch Reservoir
1255	Erath	North Fork Upper North Bosque River	SCR 2	1030	<i>E. coli</i>	From the confluence with the South Fork of the Upper North Bosque River in the City of Stephenville upstream to the headwaters 3.2 km north of FM 219, excluding reservoirs UB1 and UB2
1255	Erath	Scarborough Creek	SCR 2	1030	<i>E. coli</i>	From the confluence with the North Fork of the Upper North Bosque River upstream to the headwaters 0.2 km southeast of FM 219, excluding Scarborough Creek Reservoir
1255	Erath	Unnamed Tributary of Goose Branch	SCR 2	1030	<i>E. coli</i>	From the confluence with Goose Branch upstream to the headwaters 0.3 km southeast of the intersection of FM 8 and FM 219
1255	Erath	Unnamed Tributary of Scarborough Creek	SCR 1	630	<i>E. coli</i>	From the confluence with Scarborough Creek 1.6 km west of SH 108 upstream to the headwaters 0.48 km north of FM 219

Segment	County	Water Body	Use	Geometric Mean Colonies/100 mL	Indicator Bacteria	Description
1255	Erath	Woodhollow Branch	SCR 2	1030	<i>E. coli</i>	From the confluence with the South Fork of the North Bosque River 9.65 km northwest of the City of Stephenville upstream to the headwaters 2.4 km north of FM 219
1255	Erath	Dry Branch	SCR 1	630	<i>E. coli</i>	From the confluence with the Upper North Bosque River upstream to the headwaters 3.7 km east of SH 106, excluding reservoir UB6
1302	Colorado, Wharton	Gum Tree Branch	SCR 1	630	<i>E. coli</i>	From the confluence with West Bernard Creek near CR 252 in Wharton County upstream approximately 24.1 km to the headwaters near RR 102
2004	Bee	Aransas Creek	SCR 1	630	<i>E. coli</i>	From the confluence with the Aransas River upstream approximately 10 km to the headwaters upstream of US 59

(2) contains information about a license holder's real estate brokerage services; and

(3) the content of the website is controlled by the license holder.

(d) For purposes of providing the link required under subsection (b)(2) on a social media platform, the link may be located on:

(1) the account holder profile; or

(2) a separate page or website through a direct link from the social media platform or account holder profile.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

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Texas Real Estate Commission

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For further information, please call: (512) 936-3057



## TITLE 30. ENVIRONMENTAL QUALITY

### PART 1. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

#### CHAPTER 307. TEXAS SURFACE WATER QUALITY STANDARDS

##### 30 TAC §§307.2 - 307.4, 307.6, 307.7, 307.10

*(Editor's note: In accordance with Texas Government Code, §2002.014, which permits the omission of material which is "cumbersome, expensive, or otherwise inexpedient," the figures in 30 TAC §§307.6, 307.7, and 307.10 are not included in the print version of the Texas Register. The figures are available in the on-line version of the March 25, 2022, issue of the Texas Register.)*

The Texas Commission on Environmental Quality (TCEQ, agency, or commission) proposes amendments to §§307.2 - 307.4, 307.6, 307.7, and 307.10.

Background and Summary of the Factual Basis for the Proposed Rules

The Federal Water Pollution Control Act, or federal Clean Water Act (CWA), §303 (33 United States Code (USC), §1313) requires all states to adopt water quality standards for surface water. A water quality standard consists of the designated beneficial uses of a water body or a segment of a water body and the water quality criteria that are necessary to protect those uses. Water quality standards are the basis for establishing effluent limits in wastewater permits, setting instream water quality goals for total maximum daily loads (TMDLs), and providing water quality targets used to assess surface water quality monitoring data.

The states are required under the CWA to review their water quality standards at least once every three years and revise them, if appropriate. States review the standards because new scientific and technical data may be available that have a bear-

ing on the review. Environmental changes over time may also warrant the need for a review. Where the standards do not meet established uses, they must be periodically reviewed to see if uses can be attained. Additionally, water quality standards may have been previously established for the protection and propagation of aquatic life and recreation in and on the water without sufficient data to determine whether the uses were attainable. Finally, changes in the Texas Water Code (TWC), CWA, or regulations issued by the United States Environmental Protection Agency (EPA) may necessitate reviewing and revising standards to ensure compliance with current statutes and regulations.

Following adoption of revised Texas Surface Water Quality Standards (TSWQS) by the commission, the Governor or their designee must submit the officially adopted standards to EPA Region 6 Administrator for review. The Regional Administrator reviews the TSWQS to determine compliance with the CWA and implementing regulations. TSWQS are not applicable to regulatory actions under the CWA until approved by EPA.

The TSWQS were last amended in March 2018. The EPA began approving portions of the state's revised standards in November 2018.

Reviews and revisions of the TSWQS address many provisions that apply statewide, such as criteria for toxic pollutants. They also address the water quality uses and criteria that are applicable to individual water bodies. An extensive review of water quality standards for individual water bodies is often initiated when the existing standards appear to be inappropriate for water bodies that are listed as impaired under the CWA, §303(d) or potentially affected by permitted wastewater discharges or other permitting actions.

States may modify existing designated uses or criteria when it can be demonstrated through a use-attainability analysis (UAA) that attaining the current designated uses or criteria is not appropriate. Most changes in designated uses or criteria are based on a demonstration that natural characteristics of a water body cannot attain the currently designated uses or criteria. Natural characteristics include temperature, pH, dissolved oxygen, diversity of aquatic organisms, amount of streamflow, physical conditions such as depth, and natural background pollutant levels. Conversely, an UAA might demonstrate that the currently designated uses and criteria are appropriate, or even that they should be more stringent.

An UAA can require several years of additional sampling studies, or they may focus on a long-term evaluation of existing historical data. For UAAs on water bodies that are potentially impacted by pollutant loadings above natural background levels, sampling and evaluation are often conducted on similar but relatively unimpacted water bodies to determine reference conditions that can be applied to the water body of concern.

The focus of UAAs depends on the uses and criteria that need to be reevaluated. The applicable aquatic life use is determined by repeatedly sampling fish or invertebrates in relatively unimpacted areas and applying quantitative indices, such as indices of biotic integrity, to the sampling data of the biological communities. UAAs to assign aquatic recreational uses include assessing physical and hydrological conditions, observing existing recreation, and collecting information on current and historical recreational activities. Dissolved oxygen criteria are evaluated by monitoring dissolved oxygen over numerous (usually ten) 24-hour periods in relatively unimpacted areas. Site-specific criteria for toxic pollutants are evaluated by placing selected

small aquatic organisms in water samples from the site and exposing them to different doses of the toxic pollutant of concern.

The commission is proposing editorial revisions as well as substantive changes. Editorial revisions would be adopted to improve clarity, make grammatical corrections, and renumber or re-letter subdivisions as appropriate.

Numerous revisions of toxic criteria are proposed to incorporate new data on toxicity effects. Other proposed revisions include a clarification regarding the prohibition of the discharge of visible pre-production plastic into surface water in the state and provide clarity regarding the use of temporary standards. Numerous revisions are also proposed for the uses and criteria of individual water bodies to incorporate new data and the results of recent UAAs.

#### Section by Section Discussion

##### *§307.2, Description of Standards*

The proposed changes to §307.2 include language regarding temporary standards to improve consistency with federal rules listed in 40 Code of Federal Regulations (CFR) §131.14. These revisions allow the expression of the temporary standard as an interim effluent condition when adopted for permittees or water bodies. Revisions also clarify that a temporary standard must preclude degradation of existing water quality as opposed to impairing an existing use. Other revisions are editorial and proposed to improve overall clarity.

##### *§307.3, Definitions and Abbreviations*

Proposed changes to §307.3 include the addition of a definition for "Pre-production plastic." The intent behind this definition is to differentiate pre-production plastic, or primary plastic manufactured for a variety of uses, from secondary plastic, such as degraded particles, bottles, containers, packaging, or bags. Proposed changes also include a definition and acronym for "Bioaccumulation factor," and the addition of an acronym for "municipal utility district." The definition for "method detection limit" has also been amended to match the current federal definition in 40 CFR Part 136. Other revisions are editorial and proposed to improve overall clarity.

##### *§307.4, General Criteria*

To clarify existing regulations, a proposed change to §307.4 includes the addition of a statement explicitly prohibiting the discharge of visible pre-production plastic. The prohibition on discharging visible pre-production plastics from facilities subject to §307.4(b)(8) applies to all wastewater and stormwater discharges. For the purposes of implementing this prohibition, a control measure would be infeasible if it were not technologically possible or not economically practicable and achievable in light of best industry practices. Other revisions are editorial and proposed to improve overall clarity.

##### *§307.6, Toxic Materials*

Section 307.6(c)(1), Table 1, which lists numeric criteria for the protection of aquatic life, includes proposed revisions to the existing cadmium acute and chronic criteria for both freshwater and saltwater based on EPA's issuance of an updated national criteria document.

Proposed changes to the human health criteria in Table 2, §307.6(d)(1), include the revision of oral slope factors that led to revised criteria for the following five carcinogens: benzo(a)anthracene, benzo(a)pyrene, chrysene, 1,2-dichloro-

propane, and 1,3-dichloropropene. Reference dose updates also led to revisions of criteria for the following two carcinogens: dichloromethane and tetrachloroethylene. Criteria revisions to one carcinogen, dicofol, were based on a revision to the animal body weight used to calculate the cancer potency factor from the oral slope factor. No criteria changes are proposed for noncarcinogens. Other revisions are editorial and proposed to improve overall clarity.

##### *§307.7, Site-Specific Uses and Criteria*

The proposed changes to §307.7 include the addition of a geometric mean criterion for Enterococci of 54 colonies per 100 milliliters (mL) for high saline inland waters with primary contact recreation 2. Other revisions are editorial and proposed to improve overall clarity.

##### *§307.10, Appendices A - E and G*

Proposed changes to Appendix A include the addition of a footnote to Brushy Creek (1244) restricting the public water supply designation to within the Edwards Aquifer zones based on lack of public water supply intakes. A footnote addition for Upper North Bosque River (1255) is also proposed to clarify that the portion of the segment from the confluence with Dry Branch upstream to the confluence with the North/South Forks North Bosque River in Erath County is intermittent with perennial pools based on a 1991 UAA. The UAA resulted in the creation of classified Segment 1255, which was adopted as part of the 1992 revisions to the TSWQS and approved by EPA in an action letter dated June 16, 1993. Proposed changes also include the deletion of a footnote that describes Mid Cibolo Creek (1913) as being an intermittent stream with perennial pools. This footnote, added in the 2018 Revision to the TSWQS, has not yet been approved by EPA and is being removed because further data evaluation is necessary. Additional proposed changes include revising the designated use of primary contact recreation 1 with a corresponding criterion of 126 colonies per 100 mL to a secondary contact recreation 1 use with a corresponding criterion of 630 colonies per 100 mL for San Miguel Creek (2108). This proposed change is based on the results from a recreational UAA. Other revisions are editorial and proposed to improve overall clarity.

Proposed changes to Appendix B include the addition of the San Marcos River (1808) and Choke Canyon Reservoir (2116). Other proposed changes include the removal of Greenbelt Lake (0223), Granger Lake (1247), and Lake Brownwood (1418).

Proposed changes to Appendix C include reverting the segment descriptions for Lower Cibolo Creek (1902), Upper Cibolo Creek (1908), and Mid Cibolo Creek (1913) back to the most recent EPA-approved descriptions due to further data evaluation being necessary. Other revisions are editorial and proposed to improve overall clarity.

Proposed changes to Appendix D include new entries for three water bodies based on UAA analyses. All the water bodies are tributaries within the listed segment numbers as follows: Piney Creek (0604); Little Pine Island Bayou (0607); and Buckners Creek (1402). An existing entry for Buckners Creek is replaced with two new entries for this water body. Proposed additions also include two new entries for both Piney Creek and Little Pine Island Bayou. The segment number for the existing entry for County Relief Ditch is changed from Segment 0502 to Segment 0501 due to recent EPA approval of the revised boundaries for both segments. Other revisions are editorial and proposed to improve overall clarity.

Proposed changes to Appendix E include the addition of eight new site-specific copper water-effect ratios in the watersheds of segments 0601, 0604, 0702, 1009, 2429, 2432, and 2441. The results from two site-specific copper biotic ligand models are also proposed for segments 0202 and 0827. One existing entry for Segment 1001 has been reordered to arrange all table entries in numeric order by segment and permit number.

Proposed revisions to Appendix G include changing the presumed use of primary contact recreation 1 with a corresponding criterion of 126 colonies per 100 mL to a secondary contact recreation 1 use with a corresponding criterion of 630 colonies per 100 mL for South Lilly Creek in the Cypress Creek Basin (0409). This proposed change is based on the result of a recreational UAA. Due to construction activities that filled in much of Bullhead Bayou and re-routed the water body into a different watershed, proposed revisions to Bullhead Bayou include delineations of the East and West reaches, and updates to segment numbers in order to reflect current conditions for both Bullhead Bayou and Unnamed tributary of Bullhead Bayou. Other revisions are editorial and proposed to improve overall clarity.

#### Fiscal Note: Costs to State and Local Government

Jené Bearse, Analyst in the Budget and Planning Division, has determined that for the first five-year period the proposed rules are in effect, fiscal implications are anticipated for the agency as a result of administration or enforcement of the proposed rules.

The agency estimates the implementation of the proposed rules in §307.10 could result in a cost savings for the agency in three of the five years after implementation. The agency anticipates the proposed rules would result in the addition of one water body to Appendix G, which designates site-specific contact recreation criteria for unclassified water bodies, and the removal of one contact recreation impairment for one assessment unit from a water body currently found on the 303(d) list of impaired waters. The removal of water bodies that are listed for contact recreation impairments may also eliminate the need for a study to define a TMDL for these water bodies, and the removal of this impaired assessment unit is estimated to be a savings of between \$33,333 to \$83,333 in the second, third, and fourth year after implementation.

The following state agencies may be affected by the proposed rules because each of them operates a permitted domestic wastewater discharge facility: Texas Department of Criminal Justice, Texas Parks and Wildlife Department, Texas Department of Transportation, and university and educational facilities. However, TCEQ does not anticipate a fiscal implication for these other agencies.

Approximately 290 units of local government have permits issued annually under the Texas Pollutant Discharge Elimination System. Although they may be impacted by the proposed rules relating to dissolved oxygen criteria, no significant fiscal implications are anticipated.

At least one unit of local government, the Neches Valley Authority's North Regional Treatment Plant, may experience fiscal implications from proposed §307.4(b)(8). According to the plant's Standard Industrial Classification code, it treats wastewater and stormwater from industries which may manufacture pre-production plastic. If this unit of local government would need to change or employ new wastewater treatment screening, monitoring, or treatment methods to comply with the TSWQS for water quality, costs may be incurred.

#### Public Benefits and Costs

Ms. Bearse determined that for each year of the first five years the proposed rules are in effect, the public benefit anticipated would be increased protection of public drinking water supplies and aquatic life resources, an improved regulatory process for permitted wastewater discharges, and potentially improved quality of the surface water resources of the state.

The proposed rulemaking may result in fiscal implications for businesses or individuals who own or operate wastewater discharge facilities. Where applicable, the costs associated with compliance with the proposed toxic standards would be determined by the size and current condition of the treatment facility, the extent of the current controls, and the nature of the wastewater and receiving waters. Because of the variability in receiving waters, the number of toxic substances, and the current condition of treatment facilities, an engineering study and design may be required to determine the extent of any required changes to comply with the proposed rulemaking. This variability precludes calculation of specific costs associated with implementation.

Regarding the proposed rule in §307.4(b)(8), relating to pre-production plastic, regulated entities who will be required to comply with the proposed rule will develop and implement Best Management Practices (BMPs) to prevent the discharge of pre-production plastic. According to agency research and a survey conducted of the Texas Chemical Council members, the cost for implementing BMPs varies and may include significant one-time expenses. As an example, an entity may require facility or equipment upgrades, such as the construction of berms or curbing in loading areas or the installation of screens and filters. An example of a smaller, reoccurring cost could be related to employee training.

Of the Texas Chemical Council respondents who reported costs, their estimates ranged from \$2,000 to \$25 million in the first year of implementation. The higher end of that range was for those who determined that facility or equipment upgrades may be needed. Of that subset, the costs ranged from \$322,000 to \$25 million in the first year, with a median cost of \$3.7 million. Because the cost for facility or equipment upgrades was most significant in the first year, the respondents projected second year costs ranging from \$0 to \$245,000. By year five, these costs were estimated to range from \$0 to \$117,000, with a median cost of \$1,000. Other reported costs included site audits, improvement of employee training and procedures, site inspections, and enforcement procedures. The costs provided through this research are based on costs reported by manufacturers and may not be representative of costs for handlers, molders, and formers.

Because of existing requirements in the Stormwater Multi-Sector General Permit, the agency expects that holders of that permit already have BMPs in place as part of their Stormwater Pollution Prevention Plan; therefore, the proposed rule relating to pre-production plastic is not anticipated to have a fiscal impact on those regulated entities.

#### Local Employment Impact Statement

The commission reviewed this proposed rulemaking and determined that a Local Employment Impact Statement is not required because the proposed rulemaking does not adversely affect a local economy in a material way for the first five years the proposed rules would be in effect.

#### Rural Communities Impact Assessment

The commission reviewed this proposed rulemaking and determined that the proposed rulemaking does not adversely affect rural communities in a material way for the first five years that the proposed rules are in effect. The amendments would apply statewide and have the same effect in rural communities as in urban communities.

#### Small Business and Micro-Business Assessment

No adverse fiscal implications are anticipated for small businesses or micro-businesses due to the implementation or administration of the proposed rules for the first five-year period the proposed rules would be in effect.

#### Small Business Regulatory Flexibility Analysis

The commission reviewed this proposed rulemaking and determined that a Small Business Regulatory Flexibility Analysis is not required because the proposed rules does not adversely affect a small businesses or micro-business in a material way for the first five years the proposed rules would be in effect.

#### Government Growth Impact Statement

The commission prepared a Government Growth Impact Statement assessment for this proposed rulemaking. The proposed rulemaking does not create or eliminate a government program and will not require an increase or decrease in future legislative appropriations to the agency. The proposed rulemaking does not require the creation of new employee positions, eliminate current employee positions, or require an increase or decrease in fees paid to the agency. The proposed rulemaking does clarify an existing regulation relating to the discharge of pre-production plastic. The proposed rulemaking does not increase or decrease the number of individuals subject to its applicability. During the first five years, the proposed rules should not impact the state's economy positively or negatively.

#### Draft Regulatory Impact Analysis Determination

The commission reviewed the proposed rulemaking in light of the regulatory analysis requirements of Texas Government Code, §2001.0225 and determined the rulemaking would not subject to §2001.0225 because it would not meet any of the four applicability criteria listed in Texas Government Code, §2001.0225(a). According to subsection (a), §2001.0225 only applies to a major environmental rule, the result of which is to exceed a standard set by federal law, unless the rule is specifically required by state law; exceed an express requirement of state law, unless the rule is specifically required by federal law; exceed a requirement of a delegation agreement or contract between the state and an agency or representative of the federal government to implement a state and federal program; or adopt a rule solely under the general powers of the agency instead of under a specific state law. This rulemaking would not meet any of these four applicability criteria because it would not exceed a standard set by federal law; would not exceed an express requirement of state law; would not exceed a requirement of a delegation agreement or contract between the state and an agency or representative of the federal government to implement a state and federal program; and is not proposed solely under the general powers of the agency but, rather, specifically under 33 USC, §1313(c), which requires states to adopt water quality standards and review them at least once every three years; and TWC, §26.023, which requires the commission to set water quality standards and allows the commission to amend them. Therefore, this proposed rulemaking would not fall under any of the applicability criteria in Texas Government Code, §2001.0225.

Written comments on the Draft Regulatory Impact Analysis Determination may be submitted to the contact person at the address listed under the Submittal of Comments section of this preamble.

#### Takings Impact Assessment

The commission evaluated this proposed rulemaking and performed an analysis of whether it constitutes a taking under Texas Government Code, Chapter 2007. The specific purpose of this rulemaking is to incorporate changes to the TSWQS deemed necessary based on the commission's triennial review of the standards, which mainly consist of incorporating new data on toxicity effects and from recent UAAs, prohibiting the discharge of visible pre-production plastic, and clarifying the use of temporary standards. The proposed rulemaking would substantially advance this stated purpose by revising toxic criteria, individual water bodies' uses and criteria, and the temporary standards requirements and adding a plastic discharge prohibition in Chapter 307 of the commission's rules.

The commission's analysis indicates that Texas Government Code, Chapter 2007 would not apply to this proposed rulemaking because this is an action that is reasonably taken to fulfill an obligation mandated by federal law, which is exempt under Texas Government Code, §2007.003(b)(4). CWA, §303 requires the State of Texas to adopt water quality standards, review those standards at least once every three years, and revise the standards as necessary based on the review. TWC, §26.023 delegates the responsibility of adopting and revising the standards to the commission.

Nevertheless, the commission further evaluated this proposed rulemaking and performed an assessment of whether it constitutes a taking under Texas Government Code, Chapter 2007. Promulgation and enforcement of this proposed rulemaking would be neither a statutory nor a constitutional taking of private real property. Specifically, the proposed regulations would not affect a landowner's rights in private real property because this rulemaking would not burden, restrict, or limit an owner's right to property and reduce its value by 25% or more beyond that which would otherwise exist in the absence of the regulations. In other words, this rulemaking makes necessary revisions to the TSWQS without burdening, restricting, or limiting an owner's right to property and reducing its value by 25% or more. Therefore, the proposed rulemaking would not constitute a taking under Texas Government Code, Chapter 2007.

#### Consistency with the Coastal Management Program

The commission reviewed the proposed rulemaking and found that the proposal is subject to the Texas Coastal Management Program (CMP) in accordance with the Coastal Coordination Act, Texas Natural Resources Code, §§33.201 *et seq.*, and therefore must be consistent with all applicable CMP goals and policies. The commission conducted a consistency determination for the proposed rules in accordance with Coastal Coordination Act implementation rules, 31 TAC §505.22 and found the proposed rulemaking is consistent with the applicable CMP goals and policies.

CMP goals applicable to the proposed rules include protecting, preserving, restoring, and enhancing the diversity, quality, quantity, functions, and values of coastal natural resources by establishing standards and criteria for instream water quality for Texas streams, rivers, lakes, estuaries, wetlands, and other water bodies. These proposed water quality standards would provide parameters for permitted discharges that would protect, preserve,

restore, and enhance the quality, functions, and values of coastal natural resources.

CMP policies applicable to the proposed rules include 31 TAC §501.21. The proposed rulemaking would require wastewater discharge permit applicants to provide information and monitoring data to the commission so the commission may make an informed decision in authorizing a discharge permit and ensuring the authorized activities in a wastewater discharge permit comply with all applicable requirements, thus making the rulemaking consistent with the administrative policies of the CMP.

The proposed rulemaking considers information gathered through the biennial assessments of water quality in the commission's Integrated Report of Surface Water Quality to prioritize coastal waters for studies and analysis when reviewing and revising the TSWQS. The TSWQS are established to protect designated uses of coastal waters, including protecting uses for recreational purposes and propagating and protecting terrestrial and aquatic life. The proposed rulemaking is consistent with the CMP's policies for discharges of municipal and industrial wastewater to coastal waters and how they relate to specific activities and coastal natural resource areas.

Promulgation and enforcement of these rules would not violate or exceed any standards identified in the applicable CMP goals and policies because the proposed rules are consistent with these CMP goals and policies, because these rules do not create or have a direct or significant adverse effect on any coastal natural resource areas, and because the proposed rules do not create or have a direct or significant adverse effect on any coastal natural resource areas.

Written comments on the consistency of this rulemaking may be submitted to the contact person at the address listed under the Submittal of Comments section of this preamble.

#### Announcement of Hearing

The commission will hold a hybrid in-person and virtual public hearing on this proposal in Austin on May 2, 2022, at 10:00 a.m. in Building E, Room 201S, at the commission's central office located at 12100 Park 35 Circle. The hearing is structured for the receipt of oral or written comments by interested persons. Individuals may present oral statements when called upon in order of registration. Open discussion will not be permitted during the hearing; however, commission staff members will be available to discuss the proposal 30 minutes prior to the hearing.

Individuals who plan to attend the hearing virtually and want to provide oral comments and/or want their attendance on record must *register by April 29, 2022*. To register for the hearing, please email [Rules@tceq.texas.gov](mailto:Rules@tceq.texas.gov) and provide the following information: your name, your affiliation, your email address, your phone number, and whether or not you plan to provide oral comments during the hearing. Instructions for participating in the hearing will be sent on *April 29, 2022*, to those who register for the hearing.

Members of the public who do not wish to provide oral comments but would like to view the hearing virtually may do so at no cost at:

[https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_Mm-U1NjMzOTAtYzdIMC00MGRkLTk2NGItOWNmOTZIOTdhZWYy%40thread.v2/0?context=%7b%22Tid%22%3a%22871a83a4-a1ce-4b7a-8156-3bcd93a08fba%22%2c%22Oid%22%3a%22e74a40ea-69d4-469d-a8ef-06f2c9ac2a80%22%2c%22Is-BroadcastMeeting%22%3a%22true%7d&btype=a&role=a](https://teams.microsoft.com/l/meetup-join/19%3ameeting_Mm-U1NjMzOTAtYzdIMC00MGRkLTk2NGItOWNmOTZIOTdhZWYy%40thread.v2/0?context=%7b%22Tid%22%3a%22871a83a4-a1ce-4b7a-8156-3bcd93a08fba%22%2c%22Oid%22%3a%22e74a40ea-69d4-469d-a8ef-06f2c9ac2a80%22%2c%22Is-BroadcastMeeting%22%3a%22true%7d&btype=a&role=a)

Persons who have special communication or other accommodation needs who are planning to attend the hearing should contact Sandy Wong, Office of Legal Services, at (512) 239-1802 or 1-800-RELAY-TX (TDD). Requests should be made as far in advance as possible.

#### Submittal of Comments

Written comments may be submitted to Gwen Ricco, MC 205, Office of Legal Services, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087, or faxed to (512) 239-4808. Electronic comments may be submitted at: <https://www6.tceq.texas.gov/rules/ecomments/>. File size restrictions may apply to comments being submitted via the eComments system. All comments should reference Rule Project Number 2020-014-307-OW. The comment period closes on May 2, 2022. Copies of the proposed rulemaking can be obtained from the commission's website at [https://www.tceq.texas.gov/rules/propose\\_adopt.html](https://www.tceq.texas.gov/rules/propose_adopt.html). For further information, please contact Debbie Miller, Monitoring and Assessment Section, at (512) 239-1703.

#### Statutory Authority

The amendments are proposed under the authority of Texas Water Code (TWC), §5.102, which establishes the commission's general authority necessary to carry out its jurisdiction; TWC, §5.103, which establishes the commission's general authority to adopt rules; TWC, §5.105, which establishes the commission's authority to set policy by rule; TWC, §5.120, which requires the commission to administer the law so as to promote the conservation and protection of the quality of the state's environment and natural resources; TWC, §26.011, which authorizes the commission to establish the level of quality to be maintained in and control the quality of water in the state; TWC, §26.0135, which authorizes the commission to monitor and assess the water quality of each watershed and river basin in the state; TWC, §26.023, which authorizes the commission to set water quality standards for water in the state by rule; TWC, §26.027, which authorizes the commission to issue permits; TWC, §26.121, which provides the commission's authority to prohibit unauthorized discharges; and 33 United States Code, §1313, which requires states to adopt water quality standards and review them at least once every three years.

The proposed amendments implement TWC, §26.023.

#### §307.2. Description of Standards.

##### (a) Contents of the Texas Surface Water Quality Standards.

(1) Section 307.1 of this title (relating to General Policy Statement) contains the general standards policy of the commission.

(2) This section lists the major sections of the standards, defines basin classification categories, describes justifications for standards modifications, and provides the effective dates of the rules.

(3) Section 307.3 of this title (relating to Definitions and Abbreviations) defines terms and abbreviations used in the standards.

(4) Section 307.4 of this title (relating to General Criteria) lists the general criteria that are applicable to all surface waters of the state unless specifically excepted in §307.8 of this title (relating to Application of Standards) or §307.9 of this title (relating to Determination of Standards Attainment).

(5) Section 307.5 of this title (relating to Antidegradation) describes the antidegradation policy and implementation procedures.



(6) Section 307.6 of this title (relating to Toxic Materials) establishes criteria and control procedures for specific toxic substances and total toxicity.

(7) Section 307.7 of this title (relating to Site-Specific Uses and Criteria) defines appropriate water uses and supporting criteria for site-specific standards.

(8) Section 307.8 of this title sets forth conditions when portions of the standards do not apply - such as in mixing zones or below critical low-flows.

(9) Section 307.9 of this title describes sampling and analytical procedures to determine standards attainment.

(10) Section 307.10 of this title (relating to Appendices A - G) lists site-specific standards and supporting information for classified segments (Appendices A and C), water bodies that are sole-source surface drinking water supplies (Appendix B), site-specific uses and criteria for unclassified water bodies (Appendix D), site-specific toxic criteria that may be derived for any water in the state (Appendix E), chlorophyll *a* criteria for selected reservoirs (Appendix F), and site-specific recreational uses and criteria for unclassified water bodies (Appendix G). Specific appendices are as follows:

(A) Appendix A - Site-specific Uses and Criteria for Classified Segments;

(B) Appendix B - Sole-source Surface Drinking Water Supplies;

(C) Appendix C - Segment Descriptions;

(D) Appendix D - Site-specific Uses and Criteria for Unclassified Water Bodies;

(E) Appendix E - Site-specific Toxic Criteria;

(F) Appendix F - Site-specific Nutrient Criteria for Selected Reservoirs; and

(G) Appendix G - Site-specific Recreational Uses and Criteria for Unclassified Water Bodies.

(b) Applicability. The Texas Surface Water Quality Standards apply to surface waters in the state - including wetlands.

(c) Classification of surface waters. The major surface waters of the state are classified as segments for purposes of water quality management and designation of site-specific standards. Classified segments are aggregated by basin, and basins are categorized as follows:

(1) River basin waters. Surface inland waters comprising the major rivers and their tributaries, including listed impounded waters and the tidal portion of rivers to the extent that they are confined in channels.

(2) Coastal basin waters. Surface inland waters, including listed impounded waters but exclusive of paragraph (1) of this subsection, discharging, flowing, or otherwise communicating with bays or the gulf, including the tidal portion of streams to the extent that they are confined in channels.

(3) Bay waters. All tidal waters, exclusive of those included in river basin waters, coastal basin waters, and gulf waters.

(4) Gulf waters. Waters that are not included in or do not form a part of any bay or estuary but that are a part of the open waters of the Gulf of Mexico to the limit of the state's jurisdiction.

(d) Modification of standards.

(1) The commission reserves the right to amend these standards following the completion of special studies.

(2) Any errors in water quality standards resulting from clerical errors or errors in data may be corrected by the commission through amendment of the affected standards. Water quality standards not affected by such clerical errors or errors in data remain valid until changed by the commission.

(3) The narrative provisions, presumed uses, designated uses, and numerical criteria of the Texas Surface Water Quality Standards may be amended for a specific water body to account for local conditions. A site-specific standard is an explicit amendment to this chapter, and adoption of a site-specific standard requires the procedures for public notice and hearing established under the Texas Water Code, §26.024 and §26.025. An amendment that establishes a site-specific standard requires a use-attainability analysis that demonstrates that reasonably attainable water-quality related uses are protected. Upon adoption, site-specific amendments to the standards will be listed in §307.10 of this title.

(4) Factors that may justify the development of site-specific standards are described in §307.4 and §§307.6 - 307.8 of this title.

(5) Temporary variance. When scientific information indicates that a site-specific standards amendment is justified, the commission may allow a corresponding temporary variance to the water quality standards in a permit for a discharge of wastewater or stormwater.

(A) A temporary variance is only applicable to an existing permitted discharge.

(B) A permittee may apply for a temporary variance prior to or during the permit application process. The temporary variance request must be included in a public notice during the permit application process. An opportunity for public comment is provided, and the request may be considered in any public hearing on the permit application.

(C) A temporary variance for a Texas Pollutant Discharge Elimination System permit also requires review and approval by the United States Environmental Protection Agency (EPA) during the permitting process.

(D) The permit must contain effluent limitations that protect existing uses and preclude degradation of existing water quality, and the term of the permit must not exceed three years. Effluent limitations that are needed to meet the existing standards are listed in the permit and are effective immediately as final permit effluent limitations in the succeeding permit, unless the permittee fulfills the requirements of the conditions for the variance in the permit.

(E) When the permittee has complied with the terms of the conditions in the temporary variance, then the succeeding permit may include a permit schedule to meet standards in accordance with subsection (f) of this section. The succeeding permit may also extend the temporary variance in accordance with subsection (f) of this section in order to allow additional time for a site-specific standard to be adopted in this chapter. This extension can be approved by the commission only after a site-specific study that supports a standards change is completed and the commission agrees the completed study supports a change in the applicable standard(s).

(F) Site-specific standards that are developed under a temporary variance must be expeditiously proposed and publicly considered for adoption at the earliest opportunity.

(e) Standards implementation procedures. Provisions for implementing the water quality standards are described in a document entitled *Procedures to Implement the Texas Surface Water Quality Standards* (RG-194) as amended and approved by the Texas Commission on Environmental Quality and EPA.

(f) Permit schedules to meet standards. Upon permit amendment or permit renewal, the commission may establish interim effluent limitations to allow a permittee time to modify effluent quality in order to attain final effluent limitations. The duration of any interim effluent limitations may not be longer than three years from the effective date of the permit issuance, except in accordance with a temporary variance as described in subsection (d)(5) of this section.

(g) Temporary standards. Where a criterion or designated use is not attained and cannot be attained for one or more of the reasons listed in 40 Code of Federal Regulations (CFR) §131.10(g), or to facilitate restoration or reconfiguration activities that preclude the attainment of the designated use or criterion, then a temporary standard for specific water bodies or permittees may be adopted in §307.10 of this title as an alternative to changing uses.

(1) A temporary standard identifies the interim numerical criteria or use that applies during the existence of the temporary standard. When a temporary standard is adopted for permittees or water bodies, the temporary standard may be expressed as one of the following:

(A) The interim effluent condition that reflects the greatest pollution reduction achievable; or

(B) The interim effluent condition that reflects the greatest pollutant reduction achievable with the pollutant control technologies installed at the time the temporary standard is adopted, and implementation of a remediation plan as specified in the Procedures to Implement the Texas Surface Water Quality Standards (RG-194).

(2) A temporary standard must be adopted in accordance with the provisions of subsection (d)(3) of this section. Once adopted by the commission and approved by EPA, a temporary standard is the applicable standard for the purposes of developing wastewater discharge permit limits and issuing certifications specified in the federal Clean Water Act, §401 and Chapter 279 of this title (relating to Water Quality Certification).

(3) Specific reasons and additional procedures for justifying a temporary standard are provided in the *Procedures to Implement the Texas Surface Water Quality Standards* (RG-194). A temporary standard must identify the water body or permittee to which the temporary standard applies. A temporary standard does not exempt any discharge from compliance with applicable technology-based effluent limits.

(4) A temporary standard must be reevaluated every five years at a minimum, which may be conducted through the permit process or a triennial review of the Texas Surface Water Quality Standards. If the reevaluation is not submitted to EPA within 30 days of completion, subsequent federal Clean Water Act activities will be evaluated using the applicable existing water quality standards.

(5) The term of a temporary standard is expressed as an interval of time from the date of EPA approval or a specific date cited in the temporary standard. If the continuance of a temporary standard is sufficiently justified, it can be renewed during revisions of the Texas Surface Water Quality Standards. When a temporary standard expires, subsequent discharge permits are issued to meet the applicable existing water quality standards.

(6) A temporary standard must preclude the degradation of existing water quality unless degradation is necessary to facilitate restoration or reconfiguration activities as specified in this section [cannot be established that would impair an existing use].

(h) Effective date of standards. Except as provided in 40 CFR §131.21 (EPA review and approval of water quality standards), this

chapter becomes effective 20 days after the date the chapter is filed in the Office of the Secretary of State. As to actions covered by 40 CFR §131.21, the rules become effective upon approval by EPA.

(i) Effect of conflict or invalidity of rule.

(1) If any provision of this chapter or its application to any person or circumstances is held invalid, the invalidity does not affect other provisions or applications of the provisions contained in this chapter that can be given effect without the invalid provision or application, and to this end the provisions of this chapter are severable.

(2) To the extent of any irreconcilable conflict between provisions of this chapter and other rules of the commission, the provisions of this chapter supersede.

### §307.3. Definitions and Abbreviations.

(a) Definitions. The following words and terms, when used in this chapter, have the defined meanings, unless the context clearly indicates otherwise.

(1) Acute toxicity--Toxicity that exerts a stimulus severe enough to rapidly induce an effect. The duration of exposure applicable to acute toxicity is typically 96 hours or less. Tests of total toxicity normally use lethality as the measure of acute impacts. (Direct thermal impacts are excluded from definitions of toxicity.)

(2) Ambient--Refers to the existing water quality in a particular water body.

(3) Aquatic vegetation--Refers to aquatic organisms, i.e., plant life, found in the water and includes phytoplankton; algae, both attached and floating; and vascular and nonvascular plants, both rooted and floating.

(4) Attainable use--A use that can be reasonably achieved by a water body in accordance with its physical, biological, and chemical characteristics whether it is currently meeting that use or not. Guidelines for the determination and review of attainable uses are provided in the standards implementation procedures. The designated use, existing use, or presumed use of a water body may not necessarily be the attainable use.

(5) Background--Refers to the water quality in a particular water body that would occur if that water body were relatively unaffected by human activities.

(6) Bedslope--Stream gradient, or the extent of the drop in elevation encountered as the stream flows downhill. One measure of bedslope is the elevation decline in meters over the stream distance in kilometers.

(7) Best management practices--Schedules of activities, maintenance procedures, and other management practices to prevent or reduce the pollution of water in the state from point and nonpoint sources, to the maximum extent practicable. Best management practices also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

(8) Bioaccumulative--Describes a chemical that is taken up by aquatic organisms from water directly or through the consumption of food containing the chemical.

(9) Bioaccumulation factor--A unitless value describing the degree to which a chemical can be concentrated in the tissues of an organism in the aquatic environment and that is absorbed through all routes of exposure, including the food chain. The bioaccumulation factor is the ratio of the concentration of a chemical in the tissue of an aquatic organism to the concentration of the chemical dissolved in ambient water at the site of sampling.

(10) [(9)] Bioconcentration factor--A unitless value describing the degree to which a chemical can be concentrated in the tissues of an organism in the aquatic environment and that is absorbed directly from the water. The bioconcentration factor is the ratio of a chemical's concentration in the tissue of an organism compared to that chemical's average concentration in the surrounding water.

(11) [(10)] Biological integrity--The species composition, diversity, and functional organization of a community of organisms in an environment relatively unaffected by pollution.

(12) [(11)] Biotic ligand model--A metal bioavailability model that uses receiving water body characteristics to develop site-specific water quality criteria.

(13) [(12)] Chronic toxicity--Toxicity that continues for a long-term period after exposure to toxic substances. Chronic exposure produces sub-lethal effects, such as growth impairment and reduced reproductive success, but it may also produce lethality. The duration of exposure applicable to the most common chronic toxicity test is seven days or more.

(14) [(13)] Classified--Refers to a water body that is listed and described in Appendices A and C of §307.10 of this title (relating to Appendices A - G). Site-specific uses and criteria for classified water bodies are listed in Appendix A of §307.10 of this title.

(15) [(14)] Coastal recreation waters--Marine coastal waters including oceans, coastal estuaries, and bays designated as primary contact recreation. Waters upstream of an unimpaired natural connection to the open sea or tidal inland waters are not considered coastal recreation waters (e.g., tidal rivers or streams).

(16) [(15)] Commission--Texas Commission on Environmental Quality.

(17) [(16)] Criteria--Water quality conditions that are to be met in order to support and protect desired uses, i.e., existing, designated, attainable, and presumed uses.

(18) [(17)] Critical low-flow--Low-flow condition that consists of the seven-day, two-year low-flow or the alternative low-flows for spring-fed streams as discussed in §307.8(a)(2) of this title (relating to Application of Standards) and below which some standards do not apply.

(19) [(18)] Designated use--A use that is assigned to specific water bodies in Appendix A, D, or G of §307.10 of this title (relating to Appendices A - G). Typical uses that may be designated for specific water bodies include domestic water supply, categories of aquatic life use, recreation categories, and aquifer protection.

(20) [(19)] Discharge permit--A permit issued by the state or a federal agency to discharge treated effluent or cooling water into waters of the state.

(21) [(20)] Dry weather flows--Sustained or typical dry, warm-weather flows between rainfall events, excluding unusual antecedent conditions of drought or wet weather.

(22) [(21)] EC<sub>50</sub>--The concentration of a toxicant that produces an adverse effect on 50% of the organisms tested in a specified time period.

(23) [(22)] *E. coli*--*Escherichia coli*, a subgroup of fecal coliform bacteria that is present in the intestinal tracts and feces of warm-blooded animals. It is used as an indicator of the potential presence of pathogens.

(24) [(23)] Effluent--Wastewater discharged from any point source prior to entering a water body.

(25) [(24)] Enterococci--A subgroup of fecal streptococci bacteria (mainly *Streptococcus faecalis* and *Streptococcus faecium* that is present in the intestinal tracts and feces of warm-blooded animals. It is used as an indicator of the potential presence of pathogens.

(26) [(25)] Epilimnion--The upper mixed layer of a lake (including impoundments, ponds, and reservoirs).

(27) [(26)] Existing use--A use that is currently being supported by a specific water body or that was attained on or after November 28, 1975.

(28) [(27)] Fecal coliform--A portion of the coliform bacteria group that is present in the intestinal tracts and feces of warm-blooded animals; heat tolerant bacteria from other sources can sometimes be included. It is used as an indicator of the potential presence of pathogens.

(29) [(28)] Freshwaters--Inland waters that exhibit no measurable elevation changes due to normal tides.

(30) [(29)] Halocline--A vertical gradient in salinity under conditions of density stratification that is usually recognized as the point where salinity exhibits the greatest difference in the vertical direction.

(31) [(30)] Harmonic mean flow--A measure of mean flow in a water course that is calculated by summing the reciprocals of the individual flow measurements, dividing this sum by the number of measurements, and then calculating the reciprocal of the resulting number.

(32) [(31)] Incidental fishery--A level of fishery that applies to water bodies that are not considered to have a sustainable fishery but do [that] have an aquatic life use of limited, intermediate, high, or exceptional.

(33) [(32)] Industrial cooling impoundment--An impoundment that is owned or operated by, or in conjunction with, the water rights permittee, and that is designed and constructed for the primary purpose of reducing the temperature and removing heat from an industrial effluent.

(34) [(33)] Industrial cooling water area--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).

(35) [(34)] Intermittent stream--A stream that has a period of zero flow for at least one week during most years. Where flow records are available, a stream with a seven-day, two-year low-flow of less than 0.1 cubic feet per second is considered intermittent.

(36) [(35)] Intermittent stream with perennial pools--An intermittent stream that maintains persistent pools even when flow in the stream is less than 0.1 cubic feet per second.

(37) [(36)] LC<sub>50</sub>--The concentration of a toxicant that is lethal (fatal) to 50% of the organisms tested in a specified time period.

(38) [(37)] Main pool station--A monitoring station that is located in the main body of a reservoir near the dam and not located in a cove or in the riverine portion or transition zone of a reservoir.

(39) [(38)] Method detection limit--The minimum concentration of a substance that can be measured and reported with 99% confidence that the analyte concentration is distinguishable from the method blank results [greater than zero] and is determined from analysis of a sample in a given matrix containing the analyte. The method

detection limit is estimated in accordance with 40 Code of Federal Regulations Part 136, Appendix B.

(40) [(39)] Minimum analytical level--The lowest concentration that a particular substance can be quantitatively measured with a defined accuracy and precision level using approved analytical methods. The minimum analytical level is not the published method detection limit for a United States Environmental Protection Agency-approved analytical method that is based on laboratory analysis of the substance in reagent (distilled) water. The minimum analytical level is based on analyses of the analyte in the matrix of concern (e.g., wastewater effluents). The commission establishes general minimum analytical levels that are applicable when information on matrix-specific minimum analytical levels is unavailable.

(41) [(40)] Mixing zone--The area contiguous to a permitted discharge where mixing with receiving waters takes place and where specified criteria, as listed in §307.8(b)(1) of this title (relating to Application of Standards), can be exceeded. Acute toxicity to aquatic organisms is not allowed in a mixing zone, and chronic toxicity to aquatic organisms is not allowed beyond a mixing zone.

(42) [(41)] Noncontact recreation--Activities that do not involve a significant risk of water ingestion, such as those with limited body contact incidental to shoreline activity, including birding, hiking, and biking. Noncontact recreation use may also be assigned where primary and secondary contact recreation activities should not occur because of unsafe conditions, such as ship and barge traffic.

(43) [(42)] Nonpersistent--Describes a toxic substance that readily degrades in the aquatic environment, exhibits a half-life of less than 60 days, and does not have a tendency to accumulate in organisms.

(44) [(43)] Nutrient criteria--Numeric and narrative criteria that are established to protect surface waters from excessive growth of aquatic vegetation. Nutrient numeric criteria for reservoirs are expressed in terms of chlorophyll *a* concentration per unit volume as a measure of phytoplankton density.

(45) [(44)] Nutrient--A chemical constituent, most commonly a form of nitrogen or phosphorus, that in excess can contribute to the undesirable growth of aquatic vegetation and impact uses as defined in this title.

(46) [(45)] Oyster waters--Waters producing edible species of clams, oysters, or mussels.

(47) [(46)] Persistent--Describes a toxic substance that is not readily degraded and exhibits a half-life of 60 days or more in an aquatic environment.

(48) [(47)] Pollution--The alteration of the physical, thermal, chemical, or biological quality of, or the contamination of, any water in the state that renders the water harmful, detrimental, or injurious to humans, animal life, vegetation, or property or to the public health, safety, or welfare, or impairs the usefulness or the public enjoyment of the water for any lawful or reasonable purpose.

(49) [(48)] Point source--Any discernible, confined and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants or wastes are or may be discharged into or adjacent to any water in the state.

(50) Pre-production plastic--Pellet (nurdle), powder, flake, and powdered additive forms of pre-consumer plastic resin (virgin and recycled), consisting of organic polymers and additives, which are handled (including, but not limited to, produced, received, or stored) at a regulated facility.

(51) [(49)] Presumed use--A use that is assigned to generic categories of water bodies (such as perennial streams). Presumed uses are superseded by designated uses for individual water bodies in Appendix A, D, or G of §307.10 of this title (relating to Appendices A - G).

(52) [(50)] Primary contact recreation 1--Activities that are presumed to involve a significant risk of ingestion of water (e.g., wading by children, swimming, water skiing, diving, tubing, surfing, handfishing as defined by Texas Parks and Wildlife Code, §66.115, and the following whitewater activities: kayaking, canoeing, and rafting).

(53) [(51)] Primary contact recreation 2--Water recreation activities, such as wading by children, swimming, water skiing, diving, tubing, surfing, handfishing as defined by Texas Parks and Wildlife Code, §66.115, and whitewater kayaking, canoeing, and rafting, that involve a significant risk of ingestion of water but that occur less frequently than for primary contact recreation 1 due to:

- (A) physical characteristics of the water body; or
- (B) limited public access.

(54) [(52)] Protection zone--Any area within the watershed of a sole-source surface drinking water supply that is:

(A) within two miles of the normal pool elevation of a body of surface water that is a sole-source surface drinking water supply;

(B) within two miles of that part of a perennial stream that is:

(i) a tributary of a sole-source surface drinking water supply; and

(ii) within three linear miles upstream of the normal pool elevation of a sole-source surface drinking water supply; or

(C) within two miles of that part of a stream that is a sole-source surface drinking water supply, extending three linear miles upstream from the water supply intake (Texas Water Code, §26.0286).

(55) [(53)] Public drinking water supply--A water body designated to provide water to a public water system as defined in Chapter 290 of this title (relating to Public Drinking Water).

(56) [(54)] Saltwater--A coastal water that has a measurable elevation change due to normal tides. In the absence of tidal information, saltwater is generally considered to be a coastal water that typically has a salinity of two parts per thousand or greater in a significant portion of the water column.

(57) [(55)] Salinity--The total dissolved solids in water after all carbonates have been converted to oxides, all bromide and iodide have been replaced by chloride, and all organic matter has been oxidized. For most purposes, salinity is considered equivalent to total dissolved salt content. Salinity is usually expressed in parts per thousand.

(58) [(56)] Seagrass propagation--A water-quality-related existing use that applies to saltwater with significant stands of submerged seagrass.

(59) [(57)] Secondary contact recreation 1--Activities that commonly occur but have limited body contact incidental to shoreline activity (e.g. fishing, canoeing, kayaking, rafting, and motor boating). These activities are presumed to pose a less significant risk of water ingestion than primary contact recreation 1 or 2 but more than secondary contact recreation 2.

(60) [(58)] Secondary contact recreation 2--Activities with limited body contact incidental to shoreline activity (e.g. fishing, canoeing, kayaking, rafting, and motor boating) that are presumed to pose a less significant risk of water ingestion than secondary contact recreation 1. These activities occur less frequently than secondary contact recreation 1 due to physical characteristics of the water body or limited public access.

(61) [(59)] Segment--A water body or portion of a water body that is individually defined and classified in Appendices A and C of §307.10 of this title (relating to Appendices A - G) in the Texas Surface Water Quality Standards. A segment is intended to have relatively homogeneous chemical, physical, and hydrological characteristics. A segment provides a basic unit for assigning site-specific standards and for applying water quality management programs of the agency. Classified segments may include streams, rivers, bays, estuaries, wetlands, lakes, or reservoirs.

(62) [(60)] Settleable solids--The volume or weight of material that settles out of a water sample in a specified period of time.

(63) [(61)] Seven-day, two-year low-flow (7Q2)--The lowest average stream flow for seven consecutive days with a recurrence interval of two years, as statistically determined from historical data. As specified in §307.8 of this title, some water quality standards do not apply at stream flows that are less than the 7Q2 flow.

(64) [(62)] Shellfish--Clams, oysters, mussels, crabs, crayfish, lobsters, and shrimp.

(65) [(63)] Sole-source surface drinking water supply--A body of surface water that is identified as a public water supply in rules adopted by the commission under Texas Water Code, §26.023 and is the sole source of supply of a public water supply system, exclusive of emergency water connections (Texas Water Code, §26.0286).

(66) [(64)] Standard Methods for the Examination of Water and Wastewater--A document describing sampling and analytical procedures that is published by the American Public Health Association, American Water Works Association, and Water Environment Federation. The most recent edition of this document is to be followed whenever its use is specified by this chapter.

(67) [(65)] Standards--Desirable uses (i.e., existing, attainable, designated, or presumed uses as defined in this section) and the narrative and numerical criteria deemed necessary to protect those uses in surface waters.

(68) [(66)] Standards implementation procedures--Methods and protocols in the guidance document *Procedures to Implement the Texas Surface Water Quality Standards* (RG-194), as amended and approved by the commission and EPA.

(69) [(67)] Stormwater--Rainfall runoff, snow melt runoff, surface runoff, and drainage.

(70) [(68)] Stormwater discharge--A point source discharge that is composed entirely of stormwater associated with an industrial activity, a construction activity, a discharge from a municipal separate storm sewer system, or other discharge designated by the agency.

(71) [(69)] Stream order--A classification of stream size, where the smallest, unbranched tributaries of a drainage basin are designated first order streams. Where two first order streams join, a second order stream is formed; where two second order streams join, a third order stream is formed, etc. For purposes of water quality standards application, stream order is determined from United States Geological Survey topographic maps with a scale of 1:24,000.

(72) [(70)] Surface water in the state--Lakes, bays, ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, wetlands, marshes, inlets, canals, the Gulf of Mexico inside the territorial limits of the state as defined in the Texas Water Code, §26.001, and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, navigable or nonnavigable, and including the beds and banks of all water-courses and bodies of surface water, that are wholly or partially inside or bordering the state or subject to the jurisdiction of the state; except that waters in treatment systems that are authorized by state or federal law, regulation, or permit, and that are created for the purpose of waste treatment are not considered to be water in the state.

(73) [(71)] Sustainable Fisheries--Descriptive of water bodies that potentially have sufficient fish production or fishing activity to create significant long-term human consumption of fish. Sustainable fisheries include perennial streams and rivers with a stream order of three or greater; lakes and reservoirs greater than or equal to 150 acre-feet or 50 surface acres; all bays, estuaries, and tidal rivers. Water bodies that are presumed to have sustainable fisheries include all designated segments listed in Appendix A of §307.10 of this title (relating to Appendices A - G) unless specifically exempted.

(74) [(72)] Thalweg--The deepest portion of a stream or river channel cross-section.

(75) [(73)] Tidal--Descriptive of coastal waters that are subject to the ebb and flow of tides. For purposes of standards applicability, tidal waters are considered to be saltwater. Classified tidal waters include all bays and estuaries with a segment number that begins with 24xx, all streams with the word tidal in the segment name, and the Gulf of Mexico.

(76) [(74)] To discharge--Includes to deposit, conduct, drain, emit, throw, run, allow to seep, or otherwise release or dispose of, or to allow, permit, or suffer any of these acts or omissions.

(77) [(75)] Total dissolved solids--The amount of material (inorganic salts and small amounts of organic material) dissolved in water and commonly expressed as a concentration in terms of milligrams per liter. The term is equivalent to the term filterable residue, as used in 40 Code of Federal Regulations Part 136 and in previous editions of the publication entitled, *Standard Methods for the Examination of Water and Wastewater*.

(78) [(76)] Total maximum daily load (TMDL)--The total amount of a substance that a water body can assimilate and still meet the Texas Surface Water Quality Standards.

(79) [(77)] Total suspended solids--Total suspended matter in water, which is commonly expressed as a concentration in terms of milligrams per liter. The term is equivalent to nonfilterable residue, as used in 40 Code of Federal Regulations Part 136 and in previous editions of the publication entitled, *Standard Methods for the Examination of Water and Wastewater*.

(80) [(78)] Total toxicity--Toxicity as determined by exposing aquatic organisms to samples or dilutions of instream water or treated effluent. Also referred to as whole effluent toxicity or biomonitoring.

(81) [(79)] Toxic equivalency factor--A factor to describe an order-of-magnitude consensus estimate of the toxicity of a compound relative to the toxicity of 2,3,7,8-tetrachlorodibenzo-p-dioxin (2,3,7,8-TCDD). The factor is applied to transform various concentrations of dioxins and furans or dioxin-like polychlorinated biphenyls into equivalent concentrations of 2,3,7,8-TCDD, expressed as a toxic equivalency.

(82) [(80)] Toxic equivalency--The sum of the products from the concentration of each dioxin and furan, or dioxin-like polychlorinated biphenyl congener, multiplied by its respective toxic equivalency factor to give a single 2,3,7,8-tetrachlorodibenzo-p-dioxin equivalent.

(83) [(81)] Toxicity--The occurrence of adverse effects to living organisms due to exposure to toxic materials. Adverse effects caused by conditions of temperature and dissolved oxygen are excluded from the definition of toxicity. With respect to the provisions of §307.6(e) of this title (relating to Toxic Materials), which concerns total toxicity and biomonitoring requirements, adverse effects caused by concentrations of dissolved salts (such as sodium, potassium, calcium, chloride, carbonate) in source waters are excluded from the definition of toxicity. Source water is defined as surface water or groundwater that is used as a public water supply or industrial water supply (including a cooling-water supply). Source water does not include brine water that is produced during the extraction of oil and gas, or other sources of brine water that are substantially uncharacteristic of surface waters in the area of discharge. In addition, adverse effects caused by concentrations of dissolved salts that are added to source water by industrial processes are not excluded from the requirements of §307.6(e) of this title, except as specifically noted in §307.6(e)(2)(B) of this title, which concerns requirements for toxicity testing of 100% effluent. This definition of toxicity does not affect the standards for dissolved salts in this chapter other than §307.6(e) of this title. The standards implementation procedures contain provisions to protect surface waters from adverse effects of dissolved salts and methods to address the effects of dissolved salts on total toxicity tests.

(84) [(82)] Toxicity biomonitoring--The process or act of determining total toxicity. Documents that describe procedures for toxicity biomonitoring are cited in §307.6 of this title (relating to Toxic Materials). Also referred to simply as biomonitoring.

(85) [(83)] Water-effect ratio (WER)--The WER is calculated as the toxic concentration (LC<sub>50</sub>) of a substance in water at a particular site, divided by the toxic concentration of that substance as reported in laboratory dilution water. The WER can be used to establish site-specific acute and chronic criteria to protect aquatic life. The site-specific criterion is equal to the WER times the statewide aquatic life criterion in §307.6(c) of this title.

(86) [(84)] Water quality management program--The agency's overall program for attaining and maintaining water quality consistent with state standards, as authorized under the Texas Water Code, the Texas Administrative Code, and the federal Clean Water Act, §§106, 205(j), 208, 303(e) and 314 (33 United States Code, §§1251 *et seq.*).

(87) [(85)] Wetland--An area (including a swamp, marsh, bog, prairie pothole, or similar area) having a predominance of hydric soils that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support and that under normal circumstances supports the growth and regeneration of hydrophytic vegetation. The term "hydric soil" means soil that, in its undrained condition, is saturated, flooded, or ponded long enough during a growing season to develop an anaerobic condition that supports the growth and regeneration of hydrophytic vegetation. The term "hydrophytic vegetation" means a plant growing in: water or a substrate that is at least periodically deficient in oxygen during a growing season as a result of excessive water content. The term "wetland" does not include irrigated acreage used as farmland; a man-made wetland of less than one acre; or a man-made wetland where construction or creation commenced on or after August 28, 1989, and that was not constructed with wetland creation as a stated objective, including but not limited to an impoundment made for the purpose of soil and water conservation that has been

approved or requested by soil and water conservation districts. If this definition of wetland conflicts with the federal definition in any manner, the federal definition prevails.

(88) [(86)] Wetland water quality functions--Attributes of wetlands that protect and maintain the quality of water in the state, which include stormwater storage and retention and the moderation of extreme water level fluctuations; shoreline protection against erosion through the dissipation of wave energy and water velocity, and anchoring of sediments; habitat for aquatic life; and removal, transformation, and retention of nutrients and toxic substances.

(89) [(87)] Zone of initial dilution--The small area at the immediate point of a permitted discharge where initial dilution with receiving waters occurs and that may not meet certain criteria applicable to the receiving water. A zone of initial dilution is substantially smaller than a mixing zone.

(b) Abbreviations. The following abbreviations apply to this chapter:

- (1) ALU--aquatic life use.
- (2) AP--aquifer protection.
- (3) AS--agricultural water supply.
- (4) ASTER--Assessment Tools for the Evaluation of Risk.
- (5) BAF--Bioaccumulation factor.
- (6) [(5)] BCF--bioconcentration factor.
- (7) [(6)] CASRN--Chemical Abstracts Service Registry number.
- (8) [(7)] CFR--Code of Federal Regulations.
- (9) [(8)] cfs--cubic feet per second.
- (10) [(9)] Cl<sup>-</sup>--chloride.
- (11) [(10)] CR--county road.
- (12) [(11)] DO--dissolved oxygen.
- (13) [(12)] E--exceptional aquatic life use.
- (14) [(13)] EPA--United States Environmental Protection Agency.
- (15) [(14)] degrees F--degrees Fahrenheit.
- (16) [(15)] FM--Farm to Market Road.
- (17) [(16)] ft<sup>3</sup>/s--cubic feet per second.
- (18) [(17)] H--high aquatic life use.
- (19) [(18)] HEAST--Health Effects Assessment Summary Tables.
- (20) [(19)] I--intermediate aquatic life use.
- (21) [(20)] IBWC--International Boundary and Water Commission.
- (22) [(21)] IH--Interstate Highway.
- (23) [(22)] IRIS--Integrated Risk Information System.
- (24) [(23)] IS--industrial water supply.
- (25) [(24)] km--kilometer.
- (26) [(25)] L--limited aquatic life use.
- (27) [(26)] M--minimal aquatic life use.
- (28) [(27)] m--multiplier.

- (29) [(28)] m/km--meters per kilometer.
- (30) [(29)] MCL--maximum contaminant level (for public drinking water supplies).
- (31) [(30)] MDL--method detection limit.
- (32) [(31)] mg/L--milligrams per liter.
- (33) [(32)] mi--mile.
- (34) [(33)] mL--milliliter.
- (35) MUD--municipal utility district.
- (36) [(34)] N--navigation.
- (37) [(35)] NCR--noncontact recreation.
- (38) [(36)] O--oyster waters.
- (39) [(37)] PCR--primary contact recreation.
- (40) [(38)] PS--public water supply.
- (41) [(39)] RfD--reference dose.
- (42) [(40)] RR--ranch road.
- (43) [(41)] 7Q2--seven-day, two-year low-flow.
- (44) [(42)] SCR--secondary contact recreation.
- (45) [(43)] SH--state highway.
- (46) [(44)] SO<sub>4</sub><sup>-2</sup>--sulfate.
- (47) [(45)] SU--standard units.
- (48) [(46)] TCEQ--Texas Commission on Environmental Quality.
- (49) [(47)] TDS--total dissolved solids.
- (50) [(48)] TEF--toxic equivalency factor.
- (51) [(49)] TMDL--total maximum daily load.
- (52) [(50)] TPDES--Texas Pollutant Discharge Elimination System.
- (53) [(51)] TRE--toxicity reduction evaluation.
- (54) [(52)] TSS--total suspended solids.
- (55) [(53)] US--United States.
- (56) [(54)] USFDA--United States Food and Drug Administration.
- (57) [(55)] USGS--United States Geological Survey.
- (58) [(56)] WER--Water-effect ratio.
- (59) [(57)] WF--waterfowl habitat.
- (60) [(58)] WQM--water quality management.
- (61) [(59)] µg/L--micrograms per liter.
- (62) [(60)] ZID--zone of initial dilution.

§307.4. *General Criteria.*

(a) Application. The general criteria set forth in this section apply to surface water in the state and specifically apply to substances attributed to waste discharges or human activities. General criteria do not apply to those instances when surface water, as a result of natural phenomena, exhibit characteristics beyond the limits established by this section. General criteria are superseded by specific exemptions stated in this section or in §307.8 of this title (relating to the Application of Standards), or by

site-specific water quality standards for classified segments. Provisions of the general criteria remain in effect in mixing zones or below critical low-flow conditions unless specifically exempted in §307.8 of this title.

(b) Aesthetic parameters.

(1) Concentrations of taste and odor producing substances must not interfere with the production of potable water by reasonable water treatment methods, impart unpalatable flavor to food fish including shellfish, result in offensive odors arising from the waters, or otherwise interfere with the reasonable use of the water in the state.

(2) Surface water must be essentially free of floating debris and suspended solids that are conducive to producing adverse responses in aquatic organisms or putrescible sludge deposits or sediment layers that adversely affect benthic biota or any lawful uses.

(3) Surface waters must be essentially free of settleable solids conducive to changes in flow characteristics of stream channels or the untimely filling of surface water in the state. This provision does not prohibit dredge and fill activities that are permitted in accordance with the Federal Clean Water Act.

(4) Surface waters must be maintained in an aesthetically attractive condition.

(5) Waste discharges must not cause substantial and persistent changes from ambient conditions of turbidity or color.

(6) No foaming or frothing of a persistent nature is permissible.

(7) Surface waters must be maintained so that oil, grease, or related residue do not produce a visible film or sheen of oil or globules of grease on the surface or coat the banks or bottoms of the watercourse; or cause toxicity to man, aquatic life, or terrestrial life in accordance with subsection (d) of this section.

(8) There shall be no discharge of visible pre-production plastic. For the purposes of this paragraph, visible means able to be seen by the naked eye without special equipment. This prohibition applies to individual and general TPDES permit authorizations held by plastic manufacturers, formers/molders, and facilities that otherwise handle pre-production plastic. Facilities that handle pre-production plastic must implement best management practices as defined in §307.3(a)(7) to eliminate discharges of visible pre-production plastic in stormwater through the implementation of control measures such as the following, where determined feasible (list not exclusive): minimizing spills, cleaning up spills promptly and thoroughly, sweeping and/or vacuuming thoroughly, and pellet capturing.

(c) Radiological substances. Radioactive materials must not be discharged in excess of the amount regulated by Chapter 336 of this title (relating to Radioactive Substance Rules).

(d) Toxic substances. Surface waters must not be toxic to man from ingestion of water, consumption of aquatic organisms, or contact with the skin, or to terrestrial or aquatic life. Additional requirements and criteria for toxic substances are specified in §307.6 of this title (relating to Toxic Materials). Criteria to protect aquatic life from acute toxicity apply to all surface waters in the state except as specified in §307.8(a)(3) of this title. Criteria to protect aquatic life from chronic toxicity apply to surface waters with an aquatic life use of limited, intermediate, high, or exceptional as designated in §307.10 of this title (relating to Appendices A - G) or as determined on a case-by-case basis in accordance with subsection (l) of this section. Toxic criteria to protect human health for consumption of fish apply to waters with a sustainable or incidental fishery, as described in §307.6(d) of this title.

Additional criteria apply to water in the state with a public drinking water supply use, as described in §307.6(d) of this title. The general provisions of this subsection do not change specific provisions in §307.8 of this title for applying toxic criteria.

(e) Nutrients. Nutrients from permitted discharges or other controllable sources must not cause excessive growth of aquatic vegetation that impairs an existing, designated, presumed, or attainable use. Site-specific nutrient criteria, nutrient permit limitations, or separate rules to control nutrients in individual watersheds are established where appropriate after notice and opportunity for public participation and proper hearing. Site-specific numeric criteria related to chlorophyll *a* are listed in Appendix F of §307.10 of this title.

(f) Temperature. Consistent with §307.1 of this title (relating to General Policy Statement) and in accordance with state water rights permits, temperature in industrial cooling impoundments, industrial cooling water areas, and all other surface water in the state must be maintained so as to not interfere with the reasonable use of such waters. Numerical temperature criteria have not been specifically established for industrial cooling impoundments, which in most areas of the state contribute to water conservation and water quality objectives. In addition, numerical criteria for temperature are not applicable in designated industrial cooling water areas, as defined in §307.3 of this title (relating to Definitions and Abbreviations). The horizontal boundaries of an industrial cooling water area must be defined in the applicable wastewater permit. The following temperature criteria, expressed as a maximum temperature differential (rise over ambient) are established except for industrial cooling impoundments, temperature elevations due to discharges of treated domestic (sanitary) effluent, and temperature elevations within designated mixing zones or industrial cooling water areas. The maximum temperature differentials are:

- (1) freshwater streams: 5 degrees Fahrenheit (degrees F);
- (2) freshwater lakes and impoundments: 3 degrees F; and
- (3) tidal river reaches, bay, and gulf waters: 4 degrees F in fall, winter, and spring, and 1.5 degrees F in summer (June, July, and August).

(4) Additional temperature criteria (expressed as maximum temperatures) for classified segments are specified in Appendix A of §307.10 of this title. These criteria are not applicable within industrial cooling water areas.

(g) Salinity.

(1) Concentrations and the relative ratios of dissolved minerals such as chloride, sulfate, and total dissolved solids must be maintained such that existing, designated, presumed, and attainable uses are not impaired.

(2) Criteria for chloride, sulfate, and total dissolved solids for classified freshwater segments are specified in Appendix A of §307.10 of this title.

(3) Salinity gradients in estuaries must be maintained to support attainable estuarine dependent aquatic life uses. Numerical salinity criteria for Texas estuaries have not been established because of the high natural variability of salinity in estuarine systems, and because long-term studies by state agencies to assess estuarine salinities are still ongoing. Absence of numerical criteria must not preclude evaluations and regulatory actions based on estuarine salinity, and careful consideration must be given to all activities that may detrimentally affect salinity gradients.

(h) Aquatic life uses and dissolved oxygen.

(1) Dissolved oxygen concentrations must be sufficient to support existing, designated, presumed, and attainable aquatic life uses. Aquatic-life use categories and corresponding dissolved oxygen criteria are described in §307.7(b)(3) of this title (relating to Site-Specific Uses and Criteria).

(2) Aquatic life use categories and dissolved oxygen criteria for classified segments are specified in Appendix A of §307.10 of this title. Aquatic life use categories and dissolved oxygen criteria for other specific water bodies are specified in Appendix D of §307.10 of this title. Where justified by sufficient site-specific information, dissolved oxygen criteria that differ from §307.7(b)(3) of this title may be adopted for a particular water body in §307.10 of this title.

(3) Perennial streams, rivers, lakes, bays, estuaries, and other appropriate perennial waters that are not specifically listed in Appendix A or D of §307.10 of this title are presumed to have a high aquatic life use and corresponding dissolved oxygen criteria. Applicable dissolved oxygen criteria are described in §307.7(b)(3)(A) of this title. Higher uses are protected where they are attainable.

(4) When water is present in the streambed of intermittent streams, a 24-hour dissolved oxygen mean of at least 2.0 mg/L and 24-hour minimum dissolved oxygen concentration of 1.5 mg/L must be maintained. Intermittent streams that are not specifically listed in Appendix A or D of §307.10 of this title are considered to have a minimal aquatic life use except as indicated below in this subsection. For intermittent streams with seasonal aquatic life uses, dissolved oxygen concentrations commensurate with the aquatic life uses must be maintained during the seasons when the aquatic life uses occur. Unclassified intermittent streams with perennial pools are presumed to have a limited aquatic life use and corresponding dissolved oxygen criteria. Higher uses are protected where they are attainable.

(i) Aquatic life uses and habitat. Vegetative and physical components of the aquatic environment must be maintained or mitigated to protect aquatic life uses. Procedures to protect habitat in permits for dredge and fill are specified in Federal Clean Water Act, §404 and in Chapter 279 of this title (relating to Water Quality Certification).

(j) Aquatic recreation.

(1) Existing, designated, presumed, and attainable uses of aquatic recreation must be maintained, as determined by criteria that indicate the potential presence of pathogens. Categories of recreation and applicable criteria are established in §307.7(b)(1) of this title.

(2) Recreational use categories and criteria for classified segments are specified in Appendix A of §307.10 of this title. Site-specific recreational use categories and criteria for selected unclassified water bodies are specified in Appendix G of §307.10 of this title. Where justified by sufficient site-specific information, recreational uses and criteria that differ from §307.7(b)(1) of this title may be adopted for a particular water body in §307.10 of this title. For water bodies not specifically listed in Appendix A or Appendix G of §307.10 of this title, the following recreational uses are presumed to apply.

(A) Primary contact recreation 1. Primary contact recreation 1 is presumed for lakes, reservoirs, and tidal water bodies. Primary contact recreation 1 is presumed to apply to intermittent streams, intermittent streams with perennial pools, nontidal wetlands, and perennial freshwater streams and rivers, except where site-specific information indicates that recreational activities that involve a significant risk of ingestion have little to no likelihood of occurring, in accordance with subparagraph (C) of this paragraph.

(B) Primary contact recreation 2. No water body is presumed to have a use of primary contact recreation 2. This use is applicable when designated for an individual water body as listed in Ap-



pendix A or G in §307.10 of this title. Primary contact recreation 2 applies to water bodies where water recreation activities that involve a significant risk of ingestion of water occur, but less frequently than for primary contact recreation 1 due to:

- (i) physical characteristics of the water body; or
- (ii) limited public access.

(C) Secondary contact recreation 1. Secondary contact recreation 1 applies to water bodies where water recreation can occur, but the nature of the recreation does not involve a significant risk of ingestion. Secondary contact recreation 1 applies to intermittent and perennial freshwaters where site-specific information demonstrates that primary contact recreation 1 or 2 have little to no likelihood of occurring. At a minimum, the following characteristics must be demonstrated for a presumed use of secondary contact recreation 1 to apply:

(i) during dry weather flows, the average depth at the thalweg (mid-channel) is less than 0.5 meters and there are not substantial pools with a depth of 1 meter or greater; and

(ii) there are no existing recreational activities that create a significant risk of ingestion or uses for primary contact recreation 1 or 2.

(D) Secondary contact recreation 2. Secondary contact recreation 2 applies to water bodies where water recreation activities do not involve a significant risk of water ingestion and where activities occur less frequently than for secondary contact recreation 1 due to physical characteristics of the water body or limited public access. No water body is presumed to have a use of secondary contact recreation 2. This use is applicable when designated for an individual water body as listed in Appendix A or G in §307.10 of this title.

(E) Noncontact recreation. Noncontact recreation applies to water bodies where recreation activities do not involve a significant risk of water ingestion and where primary and secondary contact recreation uses should not occur because of unsafe conditions. No water body is presumed to have a use of noncontact recreation. This use is applicable when designated for an individual water body as listed in Appendix A or G in §307.10 of this title.

(3) Assigning recreational uses to an unclassified water body.

(A) Applying presumed uses. Recreational uses and associated numerical criteria are assigned to an unclassified water body in accordance with the presumed uses and guidelines established in paragraph (2) of this subsection. To assign uses other than primary contact recreation 1, a reasonable level of inquiry is conducted to determine if a different presumed use is appropriate for a particular water body. A reasonable level of inquiry includes review of available relevant information or completed site surveys.

(B) Assigning presumed uses. Presumed uses of primary contact recreation 1 and secondary contact recreation 1 can be assigned to an individual water body for regulatory action without individually designating the recreational use and criteria in Appendix G in §307.10 of this title. Regulatory action may include issuing Texas Pollutant Discharge Elimination System permits, revising the list of impaired water bodies under federal Clean Water Act, §303(d), or setting and implementing a total maximum daily load. The presumed secondary contact recreation 1 use is included in the public notice of a regulatory action that could affect recreational water quality, and the assigned recreational uses are subject to applicable public comment and approval by the United States Environmental Protection Agency (EPA). For tracking purposes, presumed recreational uses that have been determined to be less stringent than primary contact recreation

1 are noted in a publicly available list such as the EPA's Water Quality Standards Repository prior to a water quality standards revision. Presumed uses that have been determined for particular water bodies are listed in Appendix G in §307.10 of this title when the water quality standards are revised.

(C) Assigning a use less stringent than presumed use. A recreational use that is less stringent than the applicable presumed use can only be assigned to an individual water body for a regulatory action after that use is approved by the EPA and designated in Appendix A or G in §307.10 of this title. Support for designating a use less stringent than an applicable presumed use requires a use-attainability analysis (UAA). 40 Code of Federal Regulations ~~§131.10(g)~~ ~~§131.11(g)~~ lists six reasons for a change in use in a water body. At least one of these reasons must be included in the UAA.

(k) Antidegradation. Nothing in this section is intended to be construed or otherwise used to supersede the requirements of §307.5 of this title (relating to Antidegradation).

(l) Assessment of unclassified waters for aquatic life uses. Waters that are not specifically listed in Appendices A or D of §307.10 of this title are assigned the specific uses that are attainable or characteristic of those waters. Upon administrative or regulatory action by the commission that affects a particular unclassified water body, the characteristics of the affected water body must be reviewed by the commission to determine which aquatic life uses are appropriate. Additional uses so determined must be indicated in public notices for discharge applications. Uses that are not applicable throughout the year in a particular unclassified water body are assigned and protected for the seasons where such uses are attainable. Initial determinations of use are considered preliminary, and in no way preclude redeterminations of use in public hearings conducted under the provisions of the Texas Water Code. For unclassified waters where the presumed minimum uses or criteria specified in this section are inappropriate, site-specific standards may be developed in accordance with §307.2(d) of this title (relating to Description of Standards). Uses and criteria are assigned in accordance with this section and with §307.7(b)(3) of this title. Procedures for assigning uses and criteria are described in the standards implementation procedures.

(m) pH. Consistent with §307.1 of this title, pH levels in all surface water in the state must be maintained so as to not interfere with the reasonable use of such waters.

#### §307.6. Toxic Materials.

(a) Application. The toxic criteria set forth in this section apply to surface water in the state and specifically apply to substances attributed to waste discharges or human activity. With the exception of numeric human health criteria, toxic criteria do not apply to those instances where surface water, solely as a result of natural phenomena, exhibit characteristics beyond the limits established by this section. Standards and procedures set forth in this section are applied in accordance with §307.8 of this title (relating to Application of Standards) and §307.9 of this title (relating to Determination of Standards Attainment).

(b) General provisions.

(1) Water in the state must not be acutely toxic to aquatic life in accordance with §307.8 of this title.

(2) Water in the state with designated or existing aquatic life uses of limited or greater must not be chronically toxic to aquatic life, in accordance with §307.8 of this title.

(3) Water in the state must be maintained to preclude adverse toxic effects on human health resulting from contact recreation, consumption of aquatic organisms, consumption of drinking water or

any combination of the three. Water in the state with sustainable fisheries or public drinking water supply uses must not exceed applicable human health toxic criteria, in accordance with subsection (d) of this section and §307.8 of this title.

(4) Water in the state must be maintained to preclude adverse toxic effects on aquatic life, terrestrial life, livestock, or domestic animals, resulting from contact, consumption of aquatic organisms, consumption of water, or any combination of the three.

(c) Specific numerical aquatic life criteria.

(1) Numerical criteria are established in Table 1 of this paragraph for those specific toxic substances where adequate toxicity information is available and that have the potential for exerting adverse impacts on water in the state.

Figure: 30 TAC §307.6(c)(1)  
[Figure: 30 TAC §307.6(c)(1)]

(2) Numerical criteria are based on ambient water quality criteria documents published by the EPA. EPA guidance criteria have been appropriately recalculated to eliminate the effects of toxicity data for aquatic organisms that are not native to Texas, in accordance with procedures in the EPA guidance documents entitled *Guidelines for Deriving Numerical Site-specific Water Quality Criteria* (EPA 600/3-84-099) and *Revised Deletion Process for the Site-Specific Recalculation Procedure for Aquatic Life Criteria* (EPA-823-R-13-001). Additional EPA guidelines that may be used to establish aquatic life criteria are detailed in the guidance documents.

(3) Specific numerical acute aquatic life criteria are applied as 24-hour averages, and specific numerical chronic aquatic life criteria are applied as seven-day averages.

(4) Ammonia and chlorine toxicity are addressed by total toxicity (biomonitoring) requirements in subsection (e) of this section.

(5) Specific numerical aquatic life criteria for metals and metalloids in Table 1 of paragraph (1) of this subsection apply to dissolved concentrations where noted. Dissolved concentrations can be estimated by filtration of samples prior to analysis, or by converting from total recoverable measurements in accordance with procedures approved by the commission in the standards implementation procedures (RG-194) as amended. Specific numerical aquatic life criteria for non-metallic substances in Table 1 of paragraph (1) of this subsection apply to total recoverable concentrations unless otherwise noted.

(6) Specific numerical acute criteria for toxic substances are applicable to all water in the state except for small zones of initial dilution (ZIDs) at discharge points. Acute criteria may be exceeded within a ZID and below extremely low streamflow conditions (one-fourth of critical low-flow conditions) in accordance with §307.8 of this title. There must be no lethality to aquatic organisms that move through a ZID, and the sizes of ZIDs are limited in accordance with §307.8 of this title. Specific numerical chronic criteria are applicable to all water in the state with designated or existing aquatic life uses of limited or greater, except inside mixing zones and below critical low-flow conditions, in accordance with §307.8 of this title.

(7) For toxic materials where specific numerical criteria are not listed in Table 1 of paragraph (1) of this subsection, the appropriate criteria for aquatic life protection may be derived in accordance with current EPA guidelines for deriving site-specific water quality criteria. When insufficient data are available to use EPA guidelines, the following provisions are applied in accordance with this section and §307.8 of this title. The  $LC_{50}$  data used in the subsequent calculations are typically obtained from traditional laboratory studies; however, if  $LC_{50}$  data are unavailable or incomplete, other methodologies (such as quantitative structure-activity relationships) may be used:

(A) acute criteria are calculated as 0.3 of the  $LC_{50}$  of the most sensitive aquatic species;  $LC_{50} \times (0.3) =$  acute criteria;

(B) concentrations of nonpersistent toxic materials must not exceed concentrations that are chronically toxic as determined from appropriate chronic toxicity data obtained in accordance with procedures in the EPA guidance document entitled *Guidelines for Deriving Numerical National Water Quality Criteria for the Protection of Aquatic Life and Their Uses* (EPA 822-R-85-100) or calculated as 0.1 of acute  $LC_{50}$  values to the most sensitive aquatic species;  $LC_{50} \times (0.1) =$  chronic criteria;

(C) concentrations of persistent toxic materials that do not bioaccumulate shall not exceed concentrations that are chronically toxic as determined from appropriate chronic toxicity data obtained in accordance with procedures in the EPA guidance document entitled *Guidelines for Deriving Numerical National Water Quality Criteria for the Protection of Aquatic Life and Their Uses* (EPA 822-R-85-100) or calculated as 0.05 of  $LC_{50}$  values to the most sensitive aquatic species;  $LC_{50} \times (0.05) =$  chronic criteria; and

(D) concentrations of toxic materials that bioaccumulate must not exceed concentrations that are chronically toxic as determined from appropriate chronic toxicity data obtained in accordance with procedures in the EPA guidance document entitled *Guidelines for Deriving Numerical National Water Quality Criteria for the Protection of Aquatic Life and Their Uses* (EPA 822-R-85-100) or calculated as 0.01 of  $LC_{50}$  values to the most sensitive aquatic species;  $LC_{50} \times (0.01) =$  chronic criteria.

(8) For toxic substances where the relationship of toxicity is defined as a function of pH or hardness, numerical criteria are presented as an equation based on this relationship. Site-specific values for each segment are given in the standards implementation procedures (RG-194) as amended.

(9) Criteria for most metals are multiplied by a water-effect ratio (WER) in order to incorporate the effects of local water chemistry on toxicity. The WER is assumed to be equal to one except where sufficient site-specific data are available to determine the WER for a particular water body or portion of a water body. A WER is only applicable to those portions of a water body that are adequately addressed by site-specific data. WERs that have been determined for particular water bodies are listed in Appendix E of §307.10 of this title (relating to Appendices A - G) when standards are revised. A site-specific WER that affects an effluent limitation in a wastewater discharge permit, and that has not been incorporated into Appendix E of §307.10 of this title, must be noted in a public notice during the permit application process. An opportunity for public comment must be provided, and the WER may be considered in any public hearing on the permit application.

(10) Freshwater copper aquatic-life criteria include a multiplier (m) to incorporate effects of local water chemistry on toxicity. Site-specific criteria may be based on either a WER or a biotic ligand model. The WER multiplier is assumed to be equal to one except where sufficient site-specific data are available to determine the multiplier for a particular water body or portion of a water body. The WER multiplier or biotic ligand model result is only applicable to those portions of a water body that are adequately addressed by site-specific data. The biotic ligand model is based on the dissolved portion of copper, and the freshwater equation is not used in this case. As WER multipliers and criteria based on biotic ligand models are determined for particular water bodies, they are listed in Appendix E of §307.10 of this title when standards are revised. A site-specific WER multiplier or biotic ligand model result that affects an effluent limitation in a wastewater discharge permit, and that has not been incorporated into Appendix E of §307.10 of this title, is noted in a public notice during the permit

application process. An opportunity for public comment must be provided, and the WER multiplier or biotic ligand model result may be considered in any public hearing on the permit application.

(11) Additional site-specific factors may indicate that the numerical criteria listed in Table 1 of paragraph (1) of this subsection are inappropriate for a particular water body. These factors are applied as a site-specific standards modification in accordance with §307.2(d) of this title (relating to Description of Standards). The application of a site-specific standard must not impair an existing, attainable, or designated use. Factors that may justify a temporary variance or site-specific standards amendment include the following:

- (A) background concentrations of specific toxics of concern in receiving waters, sediment, or indigenous biota;
- (B) persistence and degradation rate of specific toxic materials;
- (C) synergistic, additive, or antagonistic interactions of toxic substances with other toxic or nontoxic materials;
- (D) measurements of total effluent toxicity;
- (E) indigenous aquatic organisms, which may have different responses to particular toxic materials;
- (F) technological or economic limits of treatability for specific toxic materials;
- (G) bioavailability of specific toxic substances of concern, as determined by WER tests or other analyses approved by the commission; and
- (H) new information concerning the toxicity of a particular substance.

(d) Specific numerical human health criteria.

(1) Numerical human health criteria are established in Table 2 of this paragraph.

~~Figure: 30 TAC §307.6(d)(1)~~  
~~[Figure: 30 TAC §307.6(d)(1)]~~

(2) Categories of human health criteria. [?]

(A) Concentration [~~concentration~~] criteria to prevent contamination of drinking water, fish, and other aquatic life to ensure that they are safe for human consumption. These criteria apply to surface waters that are designated or used for public drinking water supplies, including all water bodies identified as having a public drinking water supply use in Appendix A of §307.10 of this title or as a sole-source surface drinking water supply in Appendix B of §307.10 of this title. (See Column A in Table 2 of paragraph (1) of this subsection.)[?]

(B) Concentration [~~concentration~~] criteria to prevent contamination of fish and other aquatic life to ensure that they are safe for human consumption. These criteria apply to surface waters that have sustainable fisheries and that are not designated or used for public water supply or as a sole-source surface drinking water supply. (See Column B in Table 2 of paragraph (1) of this subsection.)[?]

(3) Specific assumptions and procedures (except where noted in Table 2 of paragraph (1) of this subsection).

(A) Sources for the toxicity factors to calculate criteria were derived from EPA's IRIS database; EPA's *National Recommended Water Quality Criteria: 2002, Human Health Criteria Calculation Matrix* (EPA-822-R-02-012); EPA inputs for calculating the 2015 updated national recommended human health criteria; EPA Health Effects As-

essment Summary Tables (HEAST); Assessment Tools for the Evaluation of Risk (ASTER); EPA's QSAR Toxicity Estimation Software Tool, version 4.1; and the computer program, CLOGP3.

(B) For known or suspected carcinogens (as identified in EPA's IRIS database), an incremental cancer risk level of  $10^{-5}$  (1 in 100,000) was used to derive criteria. An RfD (reference dose) was determined for carcinogens and noncarcinogens where the EPA has not derived cancer slope factors.

(C) Consumption rates of fish and shellfish were estimated as 17.5 grams per person per day, unless otherwise specified in Table 2 of paragraph (1) of this subsection.

(D) Drinking water consumption rates were estimated as 2.0 liters per person per day.

(E) For carcinogens, a body-weight scaling factor of  $3/4$  power was used to convert data on laboratory test animals to human scale. Reported weights of laboratory test animals are used, and an average weight of 70 kilograms is assumed for humans.

(F) Childhood exposure was considered for all noncarcinogens. Consumption rates for fish and shellfish were estimated as 5.6 grams per child per day and drinking water consumption rates were estimated as 0.64 liters per child per day. A child body weight was estimated at 15 kilograms. Both the water consumption rate and body weight are age-adjusted for a six-year-old child. The consumption rate for fish and shellfish for children is from Table 10-61 of EPA's 1997 Exposure Factors Handbook (EPA/600/P-95/002Fa-c).

(G) Numerical human health criteria were derived in accordance with the general procedures and calculations in the EPA guidance documents entitled *Technical Support Document for Water Quality-based Toxics Control* (EPA/505/2-90-001); *Guidance Manual for Assessing Human Health Risks from Chemically Contaminated Fish and Shellfish* (EPA/503/8-89-002); and *Methodology for Deriving Ambient Water Quality Criteria for the Protection of Human Health* (2000) (EPA-822-B-00-004).

(H) If a calculated criterion to prevent contamination of drinking water and fish to ensure they are safe for human consumption (Column A in Table 2 of paragraph (1) of this subsection) was greater than the applicable maximum contaminant level (MCL) in Chapter 290 of this title (relating to Public Drinking Water), then the MCL was used as the criterion.

(I) If the concentration of a substance in fish tissue used for these calculations was greater than the applicable United States Food and Drug Administration Action Level for edible fish and shellfish tissue, then the acceptable concentration in fish tissue was lowered to the Action Level for calculation of criteria.

(4) Human health criteria for additional toxic materials are adopted by the commission as appropriate.

(5) Specific human health concentration criteria for water are applicable to water in the state that has sustainable fisheries or designation or use as a public drinking water supply or as a sole-source drinking water supply except within mixing zones and below stream flow conditions as specified in §307.8 of this title. The following waters are considered to have sustainable fisheries:

(A) all designated segments listed in Appendix A of §307.10 of this title, unless specifically exempted;

(B) perennial streams and rivers with a stream order of three or greater, as defined in §307.3 of this title (relating to Definitions and Abbreviations);

(C) lakes and reservoirs greater than or equal to 150 acre-feet or 50 surface acres;

(D) all bays, estuaries, and tidal rivers; and

(E) any other waters that potentially have sufficient fish production or fishing activity to create significant long-term human consumption of fish.

(6) Waters that are not considered to have a sustainable fishery, but that have an aquatic life use of limited or greater, are considered to have an incidental fishery. Consumption rates assumed for incidental fishery waters are 1.75 grams per person per day. Therefore, numerical criteria applicable to incidental fishery waters are ten times the criteria listed in Column B in Table 2 of paragraph (1) of this subsection.

(7) Specific human health criteria are applied as long term average exposure criteria designed to protect populations over a life time. Attainment measures for human health are addressed in §307.9 of this title.

(8) For toxic materials of concern where specific human health criteria are not listed in Table 2 of paragraph (1) of this subsection, the following provisions apply:

(A) For known or suspected carcinogens (as identified in EPA's IRIS database), a cancer risk of  $10^{-5}$  (1 in 100,000) is applied to the most recent numerical criteria adopted by the EPA and published in the *Federal Register*. If an MCL or equivalent agency guideline for protection of drinking water sources is less than the resulting criterion, then the MCL applies to public drinking water supplies in accordance with paragraph (3)(H) of this subsection.

(B) For toxic materials not defined as carcinogens, the most recent numerical criteria adopted by the EPA and published in the *Federal Register* are applicable. If an MCL or equivalent agency guideline for protection of drinking water sources is less than the resulting criterion, then the MCL applies to public drinking water supplies in accordance with paragraph (3)(H) of this subsection.

(C) In the absence of available criteria, numerical criteria may be derived from technically valid information and calculated in accordance with the provisions of paragraph (3) of this subsection.

(9) Numerical criteria for bioconcentratable pollutants are derived in accordance with the general procedures in the EPA guidance document entitled *Assessment and Control of Bioconcentratable Contaminants in Surface Water* (March 1991). The commission may develop discharge permit limits in accordance with the provisions of this section.

(10) Numerical human health criteria are expressed as total recoverable concentrations for nonmetals and selenium and as dissolved concentrations for other metals and metalloids.

(11) Additional site-specific factors may indicate that the numerical human health criteria listed in Table 2 of paragraph (1) of this subsection are inappropriate for a particular water body. These factors are applied as a site-specific standards modification in accordance with §307.2(d) of this title. The application of site-specific criteria must not impair an existing, attainable, presumed, or designated use or affect human health. Factors that may justify a temporary variance or site-specific standards amendment include the following:

(A) background concentrations of specific toxics of concern in receiving waters, sediment, or indigenous biota;

(B) persistence and degradation rate of specific toxic materials;

(C) synergistic or antagonistic interactions of toxic substances with other toxic or nontoxic materials;

(D) technological or economic limits of treatability for specific toxic materials;

(E) bioavailability of specific toxic substances of concern;

(F) local water chemistry and other site-specific conditions that may alter the bioconcentration, bioaccumulation, or toxicity of specific toxic substances;

(G) site-specific differences in the bioaccumulation responses of indigenous, edible aquatic organisms to specific toxic materials;

(H) local differences in consumption patterns of fish and shellfish or drinking water, but only if any changes in assumed consumption rates are protective of the local population that frequently consumes fish, shellfish, or drinking water from a particular water body; and

(I) new information concerning the toxicity of a particular substance.

(e) Total toxicity.

(1) Total (whole-effluent) toxicity of permitted discharges, as determined from biomonitoring of effluent samples at appropriate dilutions, must be sufficiently controlled to preclude acute total toxicity in all water in the state with the exception of small ZIDs at discharge points and at extremely low streamflow conditions (one-fourth of critical low-flow conditions) in accordance with §307.8 of this title. Acute total toxicity levels may be exceeded in a ZID, but there must be no significant lethality to aquatic organisms that move through a ZID, and the sizes of ZIDs are limited in accordance with §307.8 of this title. Chronic total toxicity, as determined from biomonitoring of effluent samples at appropriate dilutions, must be sufficiently controlled to preclude chronic toxicity in all water in the state with an existing or designated aquatic life use of limited or greater except in mixing zones at discharge points and at flows less than critical low-flows, in accordance with §307.8 of this title. Chronic toxicity levels may be exceeded in a mixing zone, but there must be no significant sublethal toxicity to aquatic organisms that move through the mixing zone.

(2) General provisions for controlling total toxicity.

(A) Dischargers whose effluent has a significant potential for exerting toxicity in receiving waters as described in the *Procedures to Implement the Texas Surface Water Quality Standards (RG-194)* as amended are required to conduct whole effluent toxicity biomonitoring at appropriate dilutions.

(B) In addition to the other requirements of this section, the effluent of discharges to water in the state must not be acutely toxic to sensitive species of aquatic life, as demonstrated by effluent toxicity tests. Toxicity testing for this purpose is conducted on samples of 100% effluent, and the criterion for acute toxicity is mortality of 50% or more of the test organisms after 24 hours of exposure. This provision does not apply to mortality that is a result of an excess, deficiency, or imbalance of dissolved inorganic salts (such as sodium, calcium, potassium, chloride, or carbonate) that are in the effluent and are not listed in Table 1 of subsection (c)(1) of this section or that are in source waters.

(C) The latest revisions of the following EPA publications provide methods for appropriate biomonitoring procedures: *Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms*, *Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters*

to Freshwater Organisms, Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms, and the Technical Support Document for Water Quality-based Toxics Control. The use of other procedures approved by the agency and the EPA is also acceptable. Toxicity tests must be conducted using representative, sensitive aquatic organisms as approved by the agency, and any such testing must adequately determine if toxicity standards are being attained.

(D) If toxicity biomonitoring results indicate that a discharge is not sufficiently controlled to preclude acute or chronic toxicity as described in this subsection, then the permittee will be required to eliminate sources of toxicity and may be required to conduct a toxicity reduction evaluation (TRE) in accordance with the permitting procedures of the commission. In accordance with the standards implementation procedures (RG-194), permits are amended to include appropriate provisions to eliminate toxicity. Such provisions may include total toxicity limits, chemical-specific limits, best management practices, or other actions (such as moving a discharge location) designed to reduce or eliminate toxicity. Where sufficient to attain and maintain applicable numeric and narrative state water quality standards, a chemical-specific limit, best management practices, or other actions designed to reduce or eliminate toxicity rather than a total toxicity limit may be established in the permit. Where conditions may be necessary to prevent or reduce effluent toxicity, permits must include a reasonable schedule for achieving compliance with such additional conditions.

(E) Discharge permit limits based on total toxicity may be established in consideration of site-specific factors, but the application of such factors must not result in impairment of an existing, attainable, presumed, or designated use. These factors are applied as a site-specific standards modification in accordance with §307.2(d) of this title. A demonstration that uses are protected may consist of additional effluent toxicity testing, instream monitoring requirements, or other necessary information as determined by the agency. Factors that may justify a temporary variance or site-specific standards amendment include the following:

- (i) background toxicity of receiving waters;
- (ii) persistence and degradation rate of principal toxic materials that are contributing to the total toxicity of the discharge;
- (iii) site-specific variables that may alter the impact of toxicity in the discharge;
- (iv) indigenous aquatic organisms that may have different levels of sensitivity than the species used for total toxicity testing; and
- (v) technological, economic, or legal limits of treatability or control for specific toxic material.

#### §307.7. Site-Specific Uses and Criteria.

(a) Uses and numerical criteria are established on a site-specific basis in Appendices A, B, D, E, F, and G of §307.10 of this title (relating to Appendices A - G). Site-specific uses and numerical criteria may also be applied to unclassified waters in accordance with §307.4 of this title (relating to General Criteria) and §307.5(c) of this title (relating to Antidegradation). Site-specific criteria apply specifically to substances attributed to waste discharges or human activity. Site-specific criteria do not apply to those instances when surface waters exceed criteria due to natural phenomena. The application of site-specific uses and criteria is described in §307.8 of this title (relating to the Application of Standards) and §307.9 of this title (relating to the Determination of Standards Attainment).

(b) Appropriate uses and criteria for site-specific standards are defined as follows.

(1) Recreation. Recreational use consists of five categories--primary contact recreation 1, primary contact recreation 2, secondary contact recreation 1, secondary contact recreation 2, and noncontact recreation waters. Classified segments are designated for primary contact recreation 1 unless sufficient site-specific information demonstrates that elevated concentrations of indicator bacteria frequently occur due to sources of pollution that cannot be reasonably controlled by existing regulations, wildlife sources of bacteria are unavoidably high and there is limited aquatic recreational potential, or primary or secondary contact recreation is considered unsafe for other reasons such as ship or barge traffic. In a classified segment where contact recreation is considered unsafe for reasons unrelated to water quality, a designated use of noncontact recreation may be assigned either noncontact recreation criteria or criteria normally associated with primary contact recreation. A designation of primary or secondary contact recreation is not a guarantee that the water so designated is completely free of disease-causing organisms. Indicator bacteria, although not generally pathogenic, are indicative of potential contamination by feces of warm-blooded [~~warm blooded~~] animals. Recreational criteria are based on these indicator bacteria rather than direct measurements of pathogens. Criteria are expressed as the number of bacteria per 100 milliliters (mL) of water (in terms of colony forming units, most probable number, or other applicable reporting measures). Even where the concentration of indicator bacteria is less than the criteria for primary or secondary contact recreation, there is still some risk of contracting waterborne diseases. Additional guidelines on minimum data requirements and procedures for evaluating standards attainment are specified in the *TCEQ Guidance for Assessing and Reporting Surface Water Quality in Texas*, as amended.

#### (A) Freshwater.

(i) Primary contact recreation 1. The geometric mean criterion for *E. coli* is 126 per 100 mL. In addition, the single sample criterion for *E. coli* is 399 per 100 mL.

(ii) Primary contact recreation 2. The geometric mean criterion for *E. coli* is 206 per 100 mL.

(iii) Secondary contact recreation 1. The geometric mean criterion for *E. coli* is 630 per 100 mL.

(iv) Secondary contact recreation 2. The geometric mean criterion for *E. coli* is 1,030 per 100 mL.

(v) Noncontact recreation. The geometric mean criterion for *E. coli* is 2,060 per 100 mL.

(vi) For high saline inland water bodies where Enterococci is the designated recreational indicator in Appendix A of §307.10 of this title, Enterococci is the applicable recreational indicator for instream bacteria sampling at all times for the classified water body and for the unclassified water bodies that are within the watershed of that classified segment, unless it is demonstrated that an unclassified water body is not high saline. *E. coli* is the applicable recreational indicator for instream bacteria sampling at all times for unclassified water bodies where conductivity values indicate that the water bodies are not high saline. For high saline inland waters with primary contact recreation 1, the geometric mean criterion for Enterococci is 33 per 100 mL and the single sample criterion is 78 per 100 mL. For high saline inland waters with primary contact recreation 2, the geometric mean criterion for Enterococci is 54 per 100 mL. For high saline inland waters with secondary contact recreation 1, the geometric mean criterion for Enterococci is 165 per 100 mL. For high saline inland waters with secondary contact recreation 2, the geometric mean criterion for Ente-

rococci is 270 per 100 mL. For high saline inland water bodies with noncontact recreation, the geometric mean criterion for Enterococci is 540 per 100 mL.

(B) Saltwater.

(i) Primary contact recreation 1. The geometric mean criterion for Enterococci is 35 per 100 mL. In addition, the single sample criterion for Enterococci is 130 per 100 mL.

(ii) Secondary contact recreation 1. A secondary contact recreation 1 use for tidal streams and rivers can be established on a site-specific basis in §307.10 of this title if justified by a use-attainability analysis and the water body is not a coastal recreation water as defined in the Beaches Environmental Assessment and Coastal Health Act of 2000 (BEACH Act). The geometric mean criterion for Enterococci is 175 per 100 mL.

(iii) Noncontact recreation. A noncontact recreation use for tidal streams and rivers can be established on a site-specific basis in §307.10 of this title if justified by a use-attainability analysis and the water body is not a coastal recreation water, as defined in §307.3 of this title (relating to Definitions and Abbreviations). The geometric mean criterion for Enterococci is 350 per 100 mL.

(C) Swimming advisory programs. For areas where local jurisdictions or private property owners voluntarily provide public notice or closure based on water quality, the use of any single-sample or short-term indicators of recreational suitability are selected at the discretion of the local managers of aquatic recreation. Guidance for single-sample bacterial indicators is available in the EPA documents entitled *Recreational Water Quality Criteria* (EPA-820-F-12-058) and *Ambient Water Quality Criteria for Bacteria - 1986* (EPA 440/5-84-002). Other short-term indicators to assess water quality suitability for recreation - such as measures of streamflow, turbidity, or rainfall - may also be appropriate.

(2) Domestic water supply.

(A) Use categories. Domestic water supply consists of three use subcategories - public water supply, sole-source surface drinking water supply, and aquifer protection.

(i) Public water supply. Segments designated for public water supply are those known to be used or exhibit characteristics that would allow them to be used as the supply source for public water systems as defined by Chapter 290 of this title (relating to Public Drinking Water).

(ii) Sole-source surface drinking water supplies and their protection zones. Water bodies that are sole-source surface drinking water supplies are listed in Appendix B of §307.10 of this title. Sole-source surface drinking water supplies and their protection zones are addressed in Chapter 321, Subchapter B of this title (relating to Concentrated Animal Feeding Operations).

(iii) Aquifer protection. Segments designated for aquifer protection are capable of recharging the Edwards Aquifer. The principal purpose of this use designation is to protect the quality of water infiltrating into and recharging the aquifer. The designation for aquifer protection applies only to those portions of the segments so designated that are on the recharge zone, transition zone, or contributing zone as defined in Chapter 213 of this title (relating to the Edwards Aquifer). Chapter 213 of this title establishes provisions for activities in the watersheds of segments that are designated for aquifer protection.

(B) Use criteria. The following use criteria apply to all domestic water supply use subcategories.

(i) Radioactivity associated with dissolved minerals in the freshwater portions of river basin and coastal basin waters should not exceed levels established by drinking water standards as specified in Chapter 290 of this title unless the conditions are of natural origin.

(ii) Surface waters utilized for domestic water supply must not exceed toxic material concentrations that prevent them from being treated by conventional surface water treatment to meet drinking water standards as specified in Chapter 290 of this title.

(iii) Chemical and microbiological quality of surface waters used for domestic water supply should conform to drinking water standards as specified in Chapter 290 of this title.

(3) Aquatic life. The establishment of numerical criteria for aquatic life is highly dependent on desired use, sensitivities of aquatic communities, and local physical and chemical characteristics. Six subcategories of aquatic life use are established. They include minimal, limited, intermediate, high, and exceptional aquatic life and oyster waters. Aquatic life use subcategories designated for segments listed in Appendix A of §307.10 of this title recognize the natural variability of aquatic community requirements and local environmental conditions.

(A) Dissolved oxygen.

(i) The characteristics and associated dissolved oxygen criteria for limited, intermediate, high, and exceptional aquatic life use subcategories are indicated in Table 3 of this clause. This table also includes dissolved oxygen criteria for a minimal aquatic life use subcategory that applies to intermittent streams without perennial pools as indicated in §307.4(h)(4) of this title.  
Figure: 30 TAC §307.7(b)(3)(A)(i) (No change.)

(ii) Critical low-flow values associated with the bed-slopes and dissolved oxygen criteria in Table 4 of this clause apply to streams that have limited, intermediate, high, or exceptional aquatic life uses and to streams that are specifically listed in Appendix A or D of §307.10 of this title. The critical low-flow values in Table 4 of this clause apply to streams in Texas that are east of a line defined by Interstate Highways 35 and 35W from the Red River to the community of Moore in Frio County, and by US Highway 57 from the community of Moore to the Rio Grande. Table 4 of this clause does not apply where specifically superseded by the equation that is listed in footnote 3 in the Cypress Creek Basin in Appendix A and in footnote 1 [2] in Appendix D of §307.10 of this title. The critical low-flow values in Table 4 of this clause (at the appropriate stream bed-slope) are utilized as headwater flows when the flows are larger than applicable seven-day, two-year low-flows in order to determine discharge effluent limits necessary to achieve dissolved oxygen criteria. For streams that have bed-slopes less than the minimum bed-slopes in Table 4 of this clause, the flows listed for the minimum bed-slope of 0.1 meters per kilometer (m/km) are applicable. For streams that have bed-slopes greater than the maximum bed-slope in Table 4 of this clause, the flows listed for the maximum bed-slope of 2.4 m/km are applicable. The required effluent limits are those necessary to achieve each level of dissolved oxygen (as defined in Table 3 of clause (i) of this subparagraph) at or below an assigned, designated, or presumed aquatic life use. Presumed aquatic life uses must be in accordance with those required by §307.4(h) of this title. The critical low-flow values in Table 4 of this clause do not apply to tidal streams.

Figure: 30 TAC §307.7(b)(3)(A)(ii) (No change.)

(iii) The critical low-flow values in Table 4 of clause (ii) of this subparagraph for limited, intermediate, high, and exceptional aquatic life uses are based upon data from the commission's least impacted stream study (Texas Aquatic Ecoregion Project). Results of this study indicate a strong dependent relationship for average summertime

background dissolved oxygen concentrations and several hydrologic and physical stream characteristics - particularly bedslope (stream gradient) and stream flow. The critical low-flow values in Table 4 of clause (ii) of this subparagraph are derived from a multiple regression equation for the eastern portion of Texas as defined in clause (ii) of this subparagraph. Further explanation of the development of the regression equation and its application are contained in the standards implementation procedures as amended.

(iv) The critical low-flow values in Table 4 of clause (ii) of this subparagraph may be adjusted based on site-specific data relating dissolved oxygen concentrations to factors such as flow, temperature, or hydraulic conditions in accordance with the standards implementation procedures as amended. Site-specific, critical low-flow values require approval by the commission. The EPA must review any site-specific, critical low-flow values that could affect permits or other regulatory actions that are subject to approval by EPA. Critical low-flow values that have been determined for particular streams are listed in the standards implementation procedures.

(B) Oyster waters.

(i) A 1,000 foot buffer zone, measured from the shoreline at ordinary high tide, is established for all bay and gulf waters except those contained in river or coastal basins as defined in §307.2 of this title (relating to Description of Standards). Recreational criteria for indicator bacteria, as specified in §307.7(b)(1) of this title (relating to Site-Specific Uses and Criteria), are applicable within buffer zones.

(ii) The criteria for median fecal coliform concentration in bay and gulf waters, exclusive of buffer zones, are 14 colonies per 100 mL with not more than 10% of all samples exceeding 43 colonies per 100 mL.

(iii) Oyster waters should be maintained so that concentrations of toxic materials do not cause edible species of clams, oysters, and mussels to exceed accepted guidelines for the protection of public health. Guidelines are provided by the United States Food and Drug Administration Action Levels for molluscan shellfish, but additional information related to human health protection may also be considered in determining acceptable toxic concentrations.

(4) Additional criteria.

(A) Chemical parameters. Site-specific criteria for chloride, sulfate, and total dissolved solids are established as averages over an annual period for either a single sampling point or multiple sampling points.

(B) pH. Site-specific numerical criteria for pH are established as absolute minima and maxima.

(C) Temperature. Site-specific temperature criteria are established as absolute maxima.

(D) Toxic materials. Criteria for toxic materials are established in §307.6 of this title (relating to Toxic Materials).

(E) Nutrient criteria. Numeric and narrative criteria to preclude excessive growth of aquatic vegetation are intended to protect multiple uses such as primary, secondary, and noncontact recreation, aquatic life, and public water supplies. Nutrient numeric criteria for specific reservoirs, expressed as concentrations of chlorophyll a in water, are listed in Appendix F of §307.10 of this title.

(5) Additional uses. Other basic uses, such as navigation, agricultural water supply, industrial water supply, seagrass propagation, and wetland water quality functions must be maintained and protected for all water in the state where these uses can be achieved.

§307.10. *Appendices A - G.*

The following appendices are integral components of this chapter of the Texas Surface Water Quality Standards.

(1) Appendix A - Site-specific Uses and Criteria for Classified Segments:

Figure: 30 TAC §307.10(1)

[Figure: 30 TAC §307.10(1)]

(2) Appendix B - Sole-source Surface Drinking Water Supplies:

Figure: 30 TAC §307.10(2)

[Figure: 30 TAC §307.10(2)]

(3) Appendix C - Segment Descriptions:

Figure: 30 TAC §307.10(3)

[Figure: 30 TAC §307.10(3)]

(4) Appendix D - Site-specific Uses and Criteria for Unclassified Water Bodies:

Figure: 30 TAC §307.10(4)

[Figure: 30 TAC §307.10(4)]

(5) Appendix E - Site-specific Toxic Criteria:

Figure: 30 TAC §307.10(5)

[Figure: 30 TAC §307.10(5)]

(6) Appendix F - Site-specific Nutrient Criteria for Selected Reservoirs:

Figure: 30 TAC §307.10(6) (No change.)

(7) Appendix G - Site-specific Recreational Uses and Criteria for Unclassified Water Bodies:

Figure: 30 TAC §307.10(7)

[Figure: 30 TAC §307.10(7)]

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on March 11, 2022.

TRD-202200872

Charmaine Backens

Deputy Director, Environmental Law Division

Texas Commission on Environmental Quality

Earliest possible date of adoption: April 24, 2022

For further information, please call: (512) 239-2678

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**TITLE 37. PUBLIC SAFETY AND CORRECTIONS**

**PART 5. TEXAS BOARD OF PARDONS AND PAROLES**

**CHAPTER 145. PAROLE**  
**SUBCHAPTER A. PAROLE PROCESS**

**37 TAC §145.19**

The Texas Board of Pardons and Paroles proposes a new rule in 37 TAC Chapter 145, Subchapter A, Parole Process by adding §145.19 Action Upon Review; Early Release on Parole. The new rule is necessary to implement changes made to Government Code, Chapter 508, by House Bill (H.B.) 2372, 87th Legislature, Regular Session.

OF FACILITY: public water supply; RULE VIOLATED: 30 TAC §290.46(n)(3), by failing to keep on file copies of well completion data as defined in 30 TAC §290.41(c)(3)(A) for as long as the wells remain in service; PENALTY: \$50; ENFORCEMENT COORDINATOR: Ronica Rodriguez, (361) 825-3425; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(9) COMPANY: JANOOB, INCORPORATED dba Snappy Foods 14; DOCKET NUMBER: 2021-1041-PST-E; IDENTIFIER: RN105011027; LOCATION: Corpus Christi, Nueces County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.10(b)(2), by failing to assure that all underground storage tank (UST) recordkeeping requirements are met; and 30 TAC §334.50(b)(2) and TWC, §26.3475(a), by failing to provide release detection for the pressurized piping associated with the UST system; PENALTY: \$3,799; ENFORCEMENT COORDINATOR: Karolyn Kent, (512) 239-2536; REGIONAL OFFICE: 6300 Ocean Drive, Suite 1200, Corpus Christi, Texas 78412-5839, (361) 825-3100.

(10) COMPANY: LANTERN RV & CABINS INC; DOCKET NUMBER: 2021-1195-PWS-E; IDENTIFIER: RN109164327; LOCATION: Seminole, Gaines County; TYPE OF FACILITY: public water supply; RULE VIOLATED: 30 TAC §290.41(c)(3)(A), by failing to submit well completion data for review and approval prior to placing the facility's public drinking water well into service; PENALTY: \$500; ENFORCEMENT COORDINATOR: Miles Wehner, (512) 239-2813; REGIONAL OFFICE: 9900 West IH-20, Suite 100, Midland, Texas 79706, (432) 570-1359.

(11) COMPANY: Red River Authority of Texas; DOCKET NUMBER: 2021-0893-MWD-E; IDENTIFIER: RN101718955; LOCATION: Wichita Falls, Clay County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §305.125(1), TWC, §26.121(a)(1), and Texas Pollutant Discharge Elimination System Permit Number WQ0011445001, Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limitations; PENALTY: \$14,625; ENFORCEMENT COORDINATOR: Ellen Ojeda, (512) 239-2581; REGIONAL OFFICE: 1977 Industrial Boulevard, Abilene, Texas 79602-7833, (325) 698-9674.

(12) COMPANY: SAAHEL, INCORPORATED dba Snappy Foods 18; DOCKET NUMBER: 2021-1042-PST-E; IDENTIFIER: RN102012465; LOCATION: Portland, San Patricio County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.10(b)(2), by failing to assure that all underground storage tank (UST) recordkeeping requirements are met; 30 TAC §334.49(c)(4)(C) and TWC, §26.3475(d), by failing to inspect and test the corrosion protection system for operability and adequacy of protection at a frequency of at least once every three years; and 30 TAC §334.50(b)(2)(A) and TWC, §26.3475(a), by failing to provide release detection for the pressurized piping associated with the UST system; PENALTY: \$8,024; ENFORCEMENT COORDINATOR: Karolyn Kent, (512) 239-2536; REGIONAL OFFICE: 6300 Ocean Drive, Suite 1200, Corpus Christi, Texas 78412-5839, (361) 825-3100.

(13) COMPANY: SKMD BUSINESS LLC dba Calder Food Mart; DOCKET NUMBER: 2021-1024-PST-E; IDENTIFIER: RN102432291; LOCATION: Beaumont, Jefferson County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and (d)(9)(A)(iii) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks in a manner which will detect a release at a frequency of at least once every 30 days, and failing to take appropriate steps to assure that a statistical inventory reconciliation (SIR) analysis report is received from the vendor in no more than 15 calendar days following the last day of the 30-day period for which the SIR analysis is performed;

PENALTY: \$4,878; ENFORCEMENT COORDINATOR: Alain Elegbe, (512) 239-6924; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

(14) COMPANY: Texas Department of Transportation; DOCKET NUMBER: 2021-0135-MWD-E; IDENTIFIER: RN102075470; LOCATION: Sinton, San Patricio County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §305.65 and TWC, §26.121(a)(1), by failing to maintain authorization to discharge wastewater into or adjacent to any water in the state; PENALTY: \$12,500; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$10,000; ENFORCEMENT COORDINATOR: Ellen Ojeda, (512) 239-2581; REGIONAL OFFICE: 6300 Ocean Drive, Suite 1200, Corpus Christi, Texas 78412-5839, (361) 825-3100.

(15) COMPANY: Williamson-Travis Counties Municipal Utility District 1; DOCKET NUMBER: 2021-0784-WQ-E; IDENTIFIER: RN105624159; LOCATION: Cedar Park, Williamson County; TYPE OF FACILITY: small municipal separate storm sewer system; RULES VIOLATED: 30 TAC §281.25(a)(4), TWC, §26.121, and 40 Code of Federal Regulations §122.26(a)(9)(i)(A), by failing to maintain authorization to discharge stormwater under a Texas Pollutant Discharge Elimination System General Permit for a small municipal separate storm sewer system; PENALTY: \$938; ENFORCEMENT COORDINATOR: Alyssa Loveday, (512) 239-5504; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 339-2929.

TRD-202201184

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: April 5, 2022

#### Correction of Error

*(Editor's note: In accordance with Texas Government Code, §2002.014, which permits the omission of material which is "cumbersome, expensive, or otherwise inexpedient," the figures in this correction of error are not included in the print version of the Texas Register. The figures are available in the on-line version of the April 15, 2022, issue of the Texas Register.)*

In the March 25, 2022, issue of the *Texas Register* (47 TexReg 1588), the Texas Commission on Environmental Quality (commission) proposed amendments to 30 TAC §§307.3, 307.4, and 307.6.

Due to a publication error by the *Texas Register*, the text for 30 TAC §307.3(a)(39) and (86) and §307.6(d)(3)(A) omitted underlining indicating new language to the rules. The figures included in 30 TAC §307.10(1), Appendix A, and 30 TAC §307.10(5), Appendix E, also contained errors in the graphics.

Section 307.4(b)(8) did not contain underlining indicating new language. The error is as submitted by the commission.

The proposed amendments to 30 TAC §§307.3(a)(39) and (86), 307.4(b)(8), and 307.6(d)(3)(A) should read as follows:

§307.3(a)

(39) [(38)] Method detection limit--The minimum concentration of a substance that can be measured and reported with 99% confidence that the analyte concentration is distinguishable from the method blank results [greater than zero] and is determined from analysis of a sample in a given matrix containing the analyte. The method detection limit is estimated in accordance with 40 Code of Federal Regulations Part 136, Appendix B.



(86) [(84)] Water quality management program--The agency's overall program for attaining and maintaining water quality consistent with state standards, as authorized under the Texas Water Code, the Texas Administrative Code, and the federal Clean Water Act, §§106, 205(j), 208, 303(e) and 314 (33 United States Code, §§1251 *et seq.*).

§307.4(b)

(8) There shall be no discharge of visible pre-production plastic. For the purposes of this paragraph, visible means able to be seen by the naked eye without special equipment. This prohibition applies to individual and general TPDES permit authorizations held by plastic manufacturers, formers/molders, and facilities that otherwise handle pre-production plastic. Facilities that handle pre-production plastic must implement best management practices as defined in §307.3(a)(7) to eliminate discharges of visible pre-production plastic in stormwater through the implementation of control measures such as the following, where determined feasible (list not exclusive): minimizing spills, cleaning up spills promptly and thoroughly, sweeping and/or vacuuming thoroughly, and pellet capturing.

§307.6(d)(3)

(A) Sources for the toxicity factors to calculate criteria were derived from EPA's IRIS database; EPA's *National Recommended Water Quality Criteria: 2002, Human Health Criteria Calculation Matrix* (EPA-822-R-02-012); EPA inputs for calculating the 2015 updated national recommended human health criteria; EPA Health Effects Assessment Summary Tables (HEAST); Assessment Tools for the Evaluation of Risk (ASTER); EPA's QSAR Toxicity Estimation Software Tool, version 4.1; and the computer program, CLOGP3.

TRD-202201273



#### Enforcement Orders

An agreed order was adopted regarding Ifkhar Ali dba Food Stop, Docket No. 2019-1020-PST-E on April 5, 2022 assessing \$2,626 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Ben Warms, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Lilbert-Looneyville Water Supply Corporation, Docket No. 2021-0077-PWS-E on April 5, 2022 assessing \$3,419 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Clayton Smith, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

TRD-202201265

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: April 6, 2022



#### Notice of Correction to Agreed Order Number 9

In the December 24, 2021, issue of the *Texas Register* (46 TexReg 9114), the Texas Commission on Environmental Quality (commission) published notice of Agreed Orders, specifically Item Number 9, for Tippins, Alma E, Docket Number 2021-1548-WQ-E. The error is as submitted by the commission.

The reference to the Docket Number should be corrected to read: "2021-1548-OSI-E."

For questions concerning these errors, please contact Michael Parrish at (512) 239-2548.

TRD-202201185

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: April 5, 2022



#### Notice of District Petition

Notice issued March 31, 2022

TCEQ Internal Control No. D-02252022-039; SVAG Investments, LLC, a Texas limited liability company, and Willis Waukegan Development, LLC, a Texas limited liability company (Petitioners) filed an amended petition (petition) for creation of Montgomery County Municipal Utility District No. 212 (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, §59 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ. The petition states that: (1) the Petitioners hold title to a majority in value of the land in the proposed District; (2) there is one lienholder, Plains State Bank, on the property to be included in the proposed District and the aforementioned entity has consented to the petition; (3) the proposed District will contain approximately 61.659 acres located within Montgomery County, Texas; and (4) all of the land within the proposed district is located within the extraterritorial jurisdiction of the City of Cut and Shoot. By Resolution No. 100, passed and adopted on December 9, 2021, the City of Cut and Shoot, Texas, gave its consent to the creation of the proposed District, pursuant to Texas Water Code §54.016. The petition further states that the work proposed to be done by the District at the present time is the purchase, design, construction, acquisition, maintenance, ownership, operation, repair, improvement and extension of a waterworks and sanitary sewer system for residential and commercial purposes and construction, acquisition, improvement, extension, maintenance and operation of works, improvements, facilities, plants, equipment and appliances helpful or necessary to provide more adequate drainage for the District, and control, abate, and amend local storm waters or other harmful excesses of waters, all as more particularly described in an engineer's report filed simultaneously with the filing of this petition, to which reference is hereby made for more detailed description, and such other purchase, construction, acquisition, maintenance, ownership, operation, repair, improvement and extension of such additional facilities, including roads, parks and recreation facilities, systems, plants and enterprises as shall be consistent with all of the purposes for which the District is created and permitted under state law. According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioners that the cost of said project will be approximately \$15,705,000 (including \$11,665,000 for water, wastewater, and drainage plus \$3,215,000 for roads and \$825,000 for park and recreational facilities).

#### INFORMATION SECTION

To view the complete issued notice, view the notice on our website at [www.tceq.texas.gov/agency/cc/pub\\_notice.html](http://www.tceq.texas.gov/agency/cc/pub_notice.html) or call the Office of the Chief Clerk at (512) 239-3300 to obtain a copy of the complete notice. When searching the website, type in the issued date range shown at the top of this document to obtain search results.

The TCEQ may grant a contested case hearing on the petition if a written hearing request is filed within 30 days after the newspaper publication of the notice. To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an

# Texas Commission on Environmental Quality



## ORDER ADOPTING AMENDED RULES

**Docket No. 2021-0310-RUL**

**Rule Project No. 2020-014-307-OW**

On September 7, 2022, the Texas Commission on Environmental Quality (Commission) adopted amended rules in 30 Texas Administrative Code Chapter 307, concerning the Texas Surface Water Quality Standards. The proposed rules were published for comment in the March 25, 2022, issue of the *Texas Register* (47 TexReg 1588).

IT IS THEREFORE ORDERED BY THE COMMISSION that the amended rules are hereby adopted. The Commission further authorizes staff to make any non-substantive revisions to the rules necessary to comply with *Texas Register* requirements. The adopted rules and the preamble to the adopted rules are incorporated by reference in this Order as if set forth at length verbatim in this Order.

This Order constitutes the Order of the Commission required by the Administrative Procedure Act, Tex. Gov't Code Ann., Chapter 2001 (West 2016).

If any portion of this Order is for any reason held to be invalid by a court of competent jurisdiction, the invalidity of any portion shall not affect the validity of the remaining portions.

TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

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Jon Niermann, Chairman

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Date Signed