



TCEQ REGULATORY GUIDANCE

Water Quality Division

RG-517d • Revised May 2020

Wastewater Treatment Plants: Responding to Disasters

If you must act to respond to damage from a hurricane, flood, tornado, fire or other disaster, this information will help you understand relevant environmental rules and decide on a reasonable course of action to follow. If you have any questions, please contact your TCEQ regional office.

Find contact information for the regional office that serves you online at www.tceq.texas.gov/goto/region.

If an unauthorized discharge to Texas waters occurs due solely to flooding associated with a disaster, will I be in violation of my permit?

According to the Texas Water Code, you will not be in violation of your permit if you can demonstrate that an event was caused solely by an act of God or other catastrophe. When possible, take preventative actions to minimize the likelihood of an unauthorized discharge. If your facility causes unauthorized discharges or exceeds permitted effluent limitations due to flooding from a hurricane or other disaster, or if discharges are necessary to prevent damage to storage tanks, containers, or vessels as a result of a disaster you must:

- Review the conditions at the facility as soon as feasible.
- Take actions to minimize and eliminate the potential danger to human health and safety and the environment.
- Limit discharges that may exceed effluent limitations, to the extent feasible.
- Report the unauthorized discharge when it is safe to do so.

If I have an accidental discharge or spill as a result of a disaster, do I need to report it to the TCEQ within 24 hours?

Submit the notification as soon as is it is safe and feasible after discovery. TCEQ will generally not cite a violation if a facility is unable to notify the agency within 24 hours in the event of a hurricane or other major natural disaster. Permittees should include the following:

- a description of the noncompliance (including estimated volume)
- the known or potential danger to human health and the environment

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- the period of noncompliance
- if the noncompliance has not been corrected, the time it is expected to continue
- the steps taken and planned to minimize the discharge and comply with the regulations

Am I required to continue to comply with the effluent-sampling requirements under my water-quality permits after a disaster?

If meeting permit effluent sampling requirements would threaten human health or safety, the permittee may interrupt any required sampling. TCEQ will generally not cite a violation if a facility can demonstrate it was unable to meet its sampling requirements in the event of a hurricane or other major natural disaster. You should reinstate sampling as soon as it is safe and feasible.

If my wastewater-treatment facility suffers damage from a hurricane, tornado, flood or other disaster do I need to contact TCEQ?

Notify your local TCEQ office immediately if the wastewater system sustains major damage or if you need assistance. Report minor damage as soon as feasible after a disaster.

If my facility is damaged or destroyed as a result of a disaster, do I need a permit amendment or an authorization to construct?

You don't need a permit amendment or authorization to construct if you must replace an existing damaged unit or the entire plant to protect human health and the environment, as long as the repair or replacement is consistent with previous TCEQ-approved design specifications. Otherwise, submit your plan for approval to the address below. TCEQ fast-tracks disaster-related approvals within days.

If the plant's normal operations will be affected for more than 30 days, notify, in writing, the TCEQ regional office serving the facility's county. You must also notify the TCEQ Water Quality Division in writing at:

Water Quality Division, MC-148
Texas Commission on Environmental Quality
PO Box 13087
Austin TX 78711-3087

All notifications should describe the location and nature of the work and include the name, address, and telephone number of the permittee's representative.