



**GALVESTON BAY  
FOUNDATION**

August 10, 2020

Texas Commission on Environmental Quality  
Attn: Standards Implementation Team  
MC-150  
P.O. Box 13087  
Austin, TX 78711-3087  
Submitted via: [IPCOMMNT@tceq.texas.gov](mailto:IPCOMMNT@tceq.texas.gov)

Re: Comments on Prohibition of Plastic Resin Pellets in Wastewater

To Whom It May Concern,

Thank you for the opportunity to submit comments on the prohibition of plastic resin pellets in wastewater on behalf of the Galveston Bay Foundation. The presence of these pre-production plastics in the Bay negatively effects the ecosystem and providing permitting requirements prohibiting their presence in wastewater will make a substantial difference in improving the health of the Bay. Our comments are listed below for each of the five topics described in the plastics presentation.

1. The provided definition of “plastic” has the word “plastic” in it, which can be improved. It may be better for the definition to be of “pre-production plastic”, as this will allow the definition to refer to all types of plastic materials without narrowing down a specific chemical makeup. Further, the definition should be expanded to further indicate the use of the plastic on the supply chain for the manufacturing of other products. Additionally, pre-production plastic pellets are often called “nurdles” and if that can be incorporated into the definition, that might help in general understanding by the public. An alternative definition with these edits is provided below.

*Pre-production plastic: All forms of plastic received, handled, or produced at the permittee's facility utilized in manufacturing other products, including but not limited to: pellets (nurdles), powder, and flakes.*

2. The word “visible” should not be used in the above definition, as some pre-production plastics may not be visible to the naked eye or by all people. Limits on sizes should be part of the permitting language specific to the facility being permitted but should be separate from the definition of general pre-production plastic.
3. Galveston Bay Foundation does not suggest any specific additional Best Management Practices (BMPs); however, we suggest that BMP requirements should be designed similar to the guidance for Health and Safety which requires a variety of BMP methods –

- particularly, a combination of administrative controls, engineering controls, housekeeping measures, and response plans in the case of a release.
4. All of the requirements listed should be included, as well as specifying the method of recovery for released materials and definitions of success in removal. Additionally, facilities should provide detailed descriptions of possible materials that could be released (chemical make-up, color, size, notable markings). This will aid investigators in determining potential sources should a large release occur in the future.
  5. A compliance period will ensure that facilities are able to implement long-term corrective measures to meet permitting requirements. As described, facilities should be required to apply for the compliance period with an application including a construction schedule and should submit quarterly reports. Monitoring and enforcement procedures should be described as part of these requirements to ensure that facilities are held to this agreement.

Again, we appreciate the opportunity to comment on the prohibition of plastic resin pellets in wastewater. Thank you for the work you are doing to ensure a clean and healthy Galveston Bay. If you have any questions, please feel free to contact me at 832-536-2279 or [ccisneros@galvbay.org](mailto:ccisneros@galvbay.org).

Sincerely,



Charlotte Cisneros  
Advocacy Programs Manager  
The Galveston Bay Foundation