**TCEQ Water Quality Advisory Work Group (WQAWG)**

**Stakeholder Meeting**

April 15, 2025 @ 2:30 PM

Building F, Room 2210

**MEETING SUMMARY**

**Moderator:** Gregg Easley

Welcome and Introductions

**Permitting Program-Specific Updates:**

Oil and Gas Extraction General Permit (TXG310000) and Cole Gray

Oil and Gas Outer Continental Shelf General Permit (WQG280000)

Background Information

* TCEQ was transferred permitting authority for discharges into surface water in the state for oil and gas extraction facilities and gas plants by House Bill 2771 during the 2018 legislative session.
* TCEQ obtained TPDES authorization from EPA on January 2021 via a revised Memorandum of Agreement (MOA).
* Initially, TCEQ did not obtain authority for land application or reuse under House Bill 2771. At present, these remain under the Texas Railroad Commission (RRC).
  + However, House Bill 2584 and Senate Bill 1145 will transfer jurisdiction to TCEQ.
* Directly in response to HB 2771:
  + The General Permit (GP) for Hydrostatic Discharges (TXG670000) was amended and re-issued to include crude oil and natural gas hydrostatic test discharges.
  + TCEQ developed two general permits for oil and gas extraction facilities’ discharges into surface waters of the state.
    - TXG310000 under the Texas Pollutant Discharge Elimination System (TPDES) program.
    - WQG280000 under state-only authority.
  + TXG310000 replaces EPA’s general permits [TXG260000 (TXG two hundred and sixty thousand) and TXG330000 (TXG three hundred and thirty thousand)] and individual Railroad Commission authorizations.
  + WQG280000 replaces individual Railroad Commission permit authorizations.
  + TCEQ developed an administrative report specific to oil and gas dischargers (Form 20893) and added a section for oil and gas dischargers to the Industrial Wastewater Technical Report (Form 10055).

Implementation Activities

* TXG310000 (Onshore Stripper Well Facilities, Coastal Facilities, and Territorial Seas Facilities within 3-miles of the Texas Coastline)
  + Combines and replaces NPDES GP No. TXG260000 and TXG330000, both of which were administratively continued.
  + TCEQ shared the draft GP with stakeholders for review/comments, and TCEQ reviewed all comments received.
  + TCEQ submitted the draft GP to EPA Region 6 for a 90-day review on August 2, 2022.
  + EPA completed its review on November 14, 2022.
    - TCEQ received no-objections and minor suggestions.
    - EPA approved TCEQ for issuance of the GP.
  + State-wide public notice in the Texas Register and state-wide circulation in newspapers occurred on May 12, 2023, with a formal 30-day comment period.
  + The public comment period ended on June 12, 2023.
  + Development of TXG310000 NOI, NOC, and NOT forms was completed.
  + The Commission adopted and issued the permit on January 10, 2024
  + WQG280000 [Outer Continental Shelf Facilities (between 3 and 10.2 miles off the Texas coastline). Note: TCEQ does not have authority to regulate these discharges under the federal TPDES program. A separate federal authorization for these facilities is required from EPA under GMG290000 GP.
  + The TCEQ state-only GP authorizes discharges between 3 and 10.2 miles off the Texas coastline
  + WQG280000 was drafted/developed in coordination with EPA Region 6’s renewal of their equivalent permit, NPDES GMG290000.
  + Timeline for this GP is paired up with TXG31 since the state-only GP is not subject to EPA review and approval.
    - Released for stakeholder input – December 2022 via the Water Quality Advisory Work Group.
    - The informal comment period ended on January 18, 2023.
    - Development of GMG280000 NOI, NOC, and NOT forms were completed.
    - The Commission adopted and issued the permit on January 10, 2024.
  + Oil and gas authorizations issued or pending
  + Issued and active:
    - 78 general permits for hydrostatic test discharges (TXG670000)
    - 25 general permits for oil and gas extraction discharges (TXG310000)
    - 5 general permits for oil and gas outer continental shelf discharges (WQG280000)
    - 9 individual oil and gas TPDES permits
  + Pending: 10 individual oil and gas TPDES permit applications.

Homeland Security Annual Contact Information Update Maria Benitez

As we approach hurricane season, the Water Quality Division's Emergency Preparedness Systems Team is counting on your assistance to ensure we're prepared. Recently, we sent out reminder notices to facilities that have not yet completed their updates, with an extended due date of April 25, 2025.

Please double-check the existing information in your WQ EPS record and revise as needed. It's crucial to:

1. Review and update emergency contact information to ensure accurate and reliable communication from participating emergency response partners.

2. Provide precise facility front gate latitude and longitude coordinates. Contact [homeland@tceq.texas.gov](mailto:homeland@tceq.texas.gov) if you need assistance with this.

You can submit additional updates throughout the year via the WQ EPS module in STEERS, including annual contacts and other relevant information. To avoid returned mail, please ensure that your contact information is up-to-date and accurate.

Given the predicted active hurricane season, it's essential to:

- Ensure generators are accounted for and in working condition.

- Have personnel trained and prepared for emergencies.

If you have any questions or concerns, please don't hesitate to reach out. We're looking forward to a high level of participation, with 81% of facilities having already submitted updates.

Thank you for your cooperation and attention to this matter.

**General Permit Updates:**

Quarries in Certain Water Quality Protection Areas General Permit Jesse Gress-Alamilla

(TXG500000) 2025 Renewal

* In early 2023, TCEQ started the renewal process for the general permit, TXG500000, previously known as the John Graves Quarries general permit.
  + The renewed 2025 general permit was presented and adopted at the Commissioners Agenda on January 16, 2025, and was issued with affective date of January 23, 2025.
  + Existing permittees that are on administrative continuance have 90 days from the effective date of the general permit to submit their application for permit renewal. **The renewal deadline is April 23, 2025**.
  + The renewed 2025 general permit regulates stormwater and wastewater discharges from quarries in the John Graves Scenic Riverway and now also the Coke Stevenson Scenic Riverway.
  + The general permit implement HB1688, 88th Regular Legislative Session, which amended TWC Chapter 26, Subchapter M (Water Quality Protection Areas) by expanding the pilot program, originally established for the John Graves Scenic Riverway (Brazos River Basin) to include the new “Coke Stevenson Scenic Riverway” (Colorado River Basin). The Coke Stevenson Scenic Riverway is defined in the bill as the South Llano River in Kimble County, located upstream of the river’s confluence with the North Llano River at the City of Junction.
  + The major changes to this general permit include:
    - Renaming the general permit to the “Quarries in Certain Water Quality Protection Areas General Permit”.
    - Adding a definition for “Coke Stevenson Scenic Riverway,” and modify the existing definition of “Water Quality Protection Areas” to encompass the new water quality protection areas of the Coke Stevenson Scenic Riverway.
    - Modifying permit applicability language to encompass quarries within the new water quality protection areas of the “Coke Stevenson Scenic Riverway” and expand the permitting and financial assurance requirements for those quarries.
    - Modifying permit expiration language to explain since the Pilot Program is extended two years and now expires on September 1, 2027.

Multi-Sector General Permit (TXR050000) 2025 Amendment Hannah Cobos

* This general permit regulates stormwater discharges from industrial activities and expires on August 14, 2026.
* TCEQ initiated an amendment without renewal to the permit to address two items:
  + Implement HB 1688 from the 88th Regular Legislative Session, effective September 1, 2023, to prohibit quarries located within water quality protection areas from obtaining stormwater coverage under this general permit; and
  + Implement HB 2771 from the 86th Regular Legislative Session, effective January 15, 2021, to expand the applicability for non-exempt oil and gas activities. Currently, the general permit excludes stormwater runoff from industrial activities associated with the exploration, development, or production of oil or gas or geothermal resources, including transportation of crude oil or natural gas by pipeline. This revision is in response to the transfer of *state and federal regulatory authority to TCEQ for discharges associated with crude oil and natural gas exploration, development, and production facilities.*
* *The purpose of the amendment is to:* 
  + *prohibit quarries located in the new Coke Stevenson Scenic Riverway from obtaining stormwater coverage under the MSGP;*
  + *include in the general permit applicable non-exempt stormwater discharges from industrial activities associated with crude oil and natural gas exploration, development, and production; and*
  + *replace the EPA-issued NPDES MSGP TXR05F000, effective September 29, 2021, and expires February 28, 2026.*
* *Proposed changes include:*
  + *Revise Limitations on Permit Coverage to include that quarries located in the new Coke Stevenson Scenic Riverway are not authorized the discharge of stormwater runoff described in the state statute under TWC §26.553.*
  + *Expansion of the applicability of the general permit to include non-exempt stormwater discharges from industrial activities associated with crude oil and natural gas exploration, development, and production.*
  + *Operators with active authorizations under the existing general permit (effective August 14, 2021) will not be required to submit new or renewal NOIs and are authorized to continue to discharge under the terms and conditions of the existing general permit.*
  + *Operators authorized under the EPA-issued NPDES Multi-Sector General Permit will be required to obtain authorization under TCEQ’s amended general permit within 90 days of the effective date of the amended general permit.*
* *TCEQ sent the draft general permit documents to EPA for their review on April 22, 2024, and received EPA’s approval on June 23, 2024. No comments were received.*
* *TCEQ published the public notice in the Texas Register and Houston Chronicle on October 11, 2024, for the 30-day public comment period that ended on November 11, 2024. No comments were received.*
* *We are scheduled to take the amended general permit to Commissioners Agenda on May 1, 2025, and will be issued a few days after.*
* *Please note that this permit amendment will not have any impact on existing permittees. The expiration date will not change.* 
  + *Existing permittees will continue to operate under the terms and conditions of TCEQ’s 2021 MSGP.*

Multi-Sector General Permit (TXR050000) 2026 Renewal Jesse Gress-Alamilla

* This general permit regulates stormwater discharges from industrial activities and expires on August 14, 2026.
* TCEQ has initiated the 2026 renewal of the general permit and is currently in the Concept or development phase of the general permit renewal process.
* TCEQ held a Stakeholder meeting to discuss the upcoming renewal on November 6, 2024, and received comments from 8 stakeholders until November 20, 2024.
* TCEQ is scheduled to send the draft general permit for EPA review in early May 2025, for their 90-day review.
* Major Proposed Changes include:
  + Moved the tables listing the regulated SIC codes and North American Industrial Classification System (NAICS) codes from Part II of the 2021 MSGP to Appendix A. This change will allow the reader to access the permit requirements immediately instead of scrolling through over 70 pages of tables
  + Added the definition of High-Level Radioactive Waste in Part I, added Part II.B.17 to include the provision to prohibit authorization of discharges associated with the operation of a facility that is licensed for the storage of high-level radioactive waste by the United States Nuclear Regulatory Commission (USNRC) under 10 CFR Part 72 based on Texas Health Code, §401.0525, and added language in Part II.E.8(h) to require that the NOI include confirmation that the facility is not licensed for the storage of high-level radioactive waste by the USNRC.
  + Removed SIC code 1231 for Anthracite Mining from Sector H and the SIC/NAICS codes tables because it is not applicable in Texas. The Occupational Health and Safety Administration’s SIC Manual description of this SIC code only includes facilities located in Pennsylvania
  + Revised the Part II.C.3(a) application deadlines to include an authorization renewal period.
  + Clarified in Part II.D.9 that applications must be submitted to any municipal separate storm sewer system (MS4) receiving discharges whether the MS4 is regulated by TCEQ or not.
  + Added in Part II.A the option for preparing and maintaining an electronic SWP3 for consistency with the Construction General Permit No. TXR150000.
  + Added in Part II.D.2(b) that substantially similar outfalls may not be established for Water Quality Monitoring Requirements of Part III.B.4
  + Changed six benchmark values based on data collected and analyzed during the current permit term:
    - Sector C: Lowered Phosphorus from 1.25 milligrams per liter (mg/L) to 0.78 mg/L.
    - Sectors K and S: Lowered Ammonia Nitrogen from 1.7 mg/L to 1.0 mg/L
    - Sectors C, E-H, L, M-O, Q, and AA: Lowered Iron from 1.3 mg/L to 1.0 mg/L.
    - Sector K: Lowered Cyanide from 0.02 mg/L to 0.01 mg/L.
    - Sectors C, G, J, U, and AA: Lowered Nitrate+Nitrite Nitrogen from 0.68 mg/L to 0.60 mg/L.
    - Sectors A, C, F, H, N, Q, Y, and AA: Lowered Zinc from 0.16 mg/L to 0.12 mg/L.
* Please note, this renewal is to address the expiration of the general permit and is separate from the amendment to the general permit that is in progress as mentioned earlier.
* The general permit is tentatively scheduled for public comment in December 2025.

Aquaculture General Permit (TXG130000) Shannon Gibson

TCEQ is proposing to renew and amend the Aquaculture General Permit TXG130000, which authorizes discharges from an aquaculture facility or a related aquaculture activity. The renewal will replace the current permit when it expires on April 18, 2026.

The draft permit was sent to Texas Parks and Wildlife for their 45-day review on January 6, 2025, and to the Unites States Environmental Protection Agency (EPA) for review on March 19, 2025. TCEQ anticipates publication of the public notice in September 2025.

Major changes to the general permit include:

* exclusion of level V (oyster mariculture) facilities from the prohibition from cleaning system components in or over water in the state;
* revision of the definition of wastewater to include water from the washdown, cleaning, and flushing of sorters and tumblers, types of processing equipment now commonly used in oyster mariculture; and
* clarifying that submerged cage systems are included in the allowable systems that may be used in oyster mariculture.

Hydrostatic Test General Permit (TXG670000)

TCEQ recently renewed and updated the Hydrostatic Test Water General Permit TXG670000, which authorizes the discharge of hydrostatic test water from new vessels; vessels which contained raw water, potable water, or elemental gases; or vessels which contained petroleum substances or waste related to petroleum substances. The renewal replaced the current permit when it expired on April 5, 2025. Existing permittees have 90 days to submit a new notice of intent under the reissued general permit through TCEQ’s online e-permitting system (STEERS).

Evaporation Pond General Permit (WQG100000)

TCEQ is proposing to renew and amend the Evaporation Pond General Permit WQG100000, which authorizes disposal of wastewater from industrial or water treatment facilities by evaporation adjacent to water in the state. The renewal will replace the current permit when it expires on September 15, 2025.

This is a state-only permit that does not require EPA review. TCEQ published notice in the Texas Register and the Houston Chronicle on February 7, 2025 and held a public meeting on March 10, 2025. No public comments were received.

Major changes to the general permit include updates to the liner requirements for ponds constructed on or after the reissued general permit. These amendments will not impact existing permittees.

Conventional Water Treatment Plant General Permit (TXG640000)

TCEQ is proposing to renew and update the Conventional Water Treatment Plant General Permit TXG640000, which authorizes the discharge of wastewater generated as a result of convention water treatment at water treatment facilities. The renewal will replace the current permit when it expires on October 12, 2025.

EPA reviewed and approved the GP on December 19, 2024. TCEQ published Notice in the Texas Register and the Houston Chronicle on March 7, 2025, and held a public meeting on April 7, 2025. Public comments were received and a response to public comments is under development.

The major change to the draft permit is the addition of a requirement for discharges to be dechlorinated to less than 0.1 mg/L total chlorine residual prior to discharge, when using chlorination for disinfection purposes.

**Rule Updates:**

Dairy Waste Rules (HB 692 Implementation) – Proposed 30 TAC Chapter Brian Sierant

321, Subchapter Q and Chapter 321, Subchapter B Amendment

The rulemaking implements changes to the Texas Water Code and the Texas Health and Safety Code made by House Bill 692 from the 88th Regular Legislative Session and will amend 30 TAC Chapter 321, Subchapter B, by adding new Sections 321.48 and 321.49, which would allow CAFO and unpermitted AFO operations to directly land apply dairy waste under emergency conditions to land application areas and dispose of dairy waste in a retention control structure and irrigate land application areas with dairy waste from the retention control structure.

The rulemaking also adds new Subchapter Q, titled Land Application of Dairy Waste Authority, which would allow entities to land apply dairy waste, under emergency conditions, on agricultural land that is not associated with an animal feeding operation or any other TCEQ authorization.

In addition, 30 TAC Chapter 335 is being amended (specifically 335.2 and §335.6) to exempt these activities from the permitting and notification requirements in Chapter 335.

We conducted a public hearing on the rules on March 31st which was also the end of the public comment period. No comments were received at this hearing or during the comment period. The next step is proposal for adoption of the rules at Commission Agenda on July 9th

SB 1289 Implementation: Proposed 30 TAC Chapter 321, Subchapter Shannon Gibson

and Chapter 210 Rule Amendments

TCEQ adopted the rulemaking to implement changes to the Texas Water Code made by Senate Bill 1289 from the 88th Regular Legislative Session.

The adopted rules amend Title 30 of the Texas Administrative Code Chapter 321, Subchapter P, to allow for the alternate means of disposing unused domestic reclaimed water through the collection system of an associated wastewater treatment facility without requiring a permit. In order to do this, the owners of a reclaimed water production facility must obtain consent from the owners and operators of the associated wastewater treatment facility and collection system.

The adopted rules also amend 30 TAC Chapter 210, Subchapter A, to clarify regulatory citations associated with the general provisions for the use of reclaimed water.

**Questions & Answers** Gregg Easley

**Announcements:**

* The next WQAWG Meeting will be held on July 15, 2025 @ 1:30 or 2:30 p.m. (TBA)