

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

July 15, 2025 @ 1:30 PM  
Building F, Room 4118

**Meeting Summary**

**Moderator:**

Welcome and Introductions

Gregg Easley

**Permitting Program Updates:**

Water Quality Division Staffing Update

Gregg Easley

- There have been two recent changes at leadership levels in the division. First, Dania Grundman is now Assistant Deputy Director of the division, moving up from her previous role as division Special assistant. The Assistant Deputy Director position was previously held by Erika Crespo.
- Secondly, the division has a new leader of the Pretreatment Team. Jessica Alcoser was previously a team member and recently stepped up to the team leader level to replace the previous leader, Colleen Cook.

89<sup>th</sup> Texas Legislative Regular Session Update

Gregg Easley  
Shannon Gibson  
Rebecca Villalba

- Working on Implementation Plan for legislative bills from this session.
  - During the course of the 89<sup>th</sup> Legislative Session, the Water Quality Division was involved in the analysis of 120 bill, which is nearly double the number analyzed in the previous session. Of the 120 bill, the division was the lead program coordinator for 26 bills. Six of those 26 bills passed, and the following are summaries of each bill.
- **House Bill 3333**, *effective September 1, 2025*: adds Texas Water Code section 26.0275 which prohibits TCEQ from issuing a new permit for any domestic or industrial wastewater treatment facility to discharge into the Devils River or any other water bodies in its drainage area within Val Verde County.
  - The bill will not affect the issuance of general or individual permits for municipal separate storm sewer systems or of general permits for stormwater and associated non-stormwater discharges. The statute applies to permit applications submitted to the TCEQ on or after the September 1 effective date.
  - The bill does not require the TCEQ to initiate rulemaking or any other related activity, however the Water Quality Division may add the discharge prohibition to existing agency watershed protection rules in Chapter 311 of the Texas Administrative Code and/or its permitting guidance document, the *Procedures to Implement the Texas Surface Water Quality Standards*, to increase awareness of the legislation.
- **House Bill 4112**, *effective September 1, 2025*: Adds the new prohibition for facilities licensed for the *disposal* of high-level radioactive waste by the United States Nuclear Regulatory Commission.
  - We will need to revise the 2023 Construction General Permit (CGP, TXR150000) to include this new prohibition in the current provision already prohibiting applicants from obtaining general permit coverage for *storage* of this waste.
  - We will need to revise the Multi-Sector General Permit (MSGP, TXR050000) to include this new prohibition in the proposed provision included in the draft 2026

MSGP renewal to prohibit applicants from obtaining general permit coverage for *storage* of this waste.

- In addition, the stormwater modules in the ePermits system for these two general permits will also need to be updated to prevent applicants with high-level radioactive waste *disposal* at their facility from obtaining general permit coverage.
- **Senate Bill 1302, effective September 1, 2025:** Prohibits TCEQ from using an automatic process to authorize a general permit for entities whose authorization was ever denied or suspended due to an Unsatisfactory Compliance History Rating. TCEQ will need to manually review and process an application under a general permit if it meets the bill requirements.
  - We will need to complete rulemaking to amend 30 TAC Chapter 205 (General Permit for Waste Discharges) to implement this bill.
  - We will also need to amend or revise the stormwater general permits (CGP, MSGP, MS4 Phase II GP, Quarries GP) in addition to most of the other 13 GPs administered by the WQ Division.
  - Additionally, the general permit modules in the ePermits system will need to be updated to prevent automatic authorization approval of permit applications from applicants that have been denied or suspended due to the entity's Compliance History Rating being Unsatisfactory in the current and past years.
- **House Bill 609, effective September 1, 2025:** Allows cleaning of a structure used to grow oysters for cultivated oyster mariculture over a water in the state.
  - General Permit No. TXG130000 will be revised to allow for cleaning of oyster mariculture growth structure over water in the state.
  - The bill does not require TCEQ to conduct rulemakings.
- **Senate Bill 1145, effective September 1, 2025:** Transfers authority from the Railroad Commission of Texas (RRC) to TCEQ to issue permits for the land application of water produced from certain mining and oil and gas extraction operations.
  - The bill requires TCEQ to establish a new permitting program and application review process. To support the new program, TCEQ will develop application forms, SOPs, and regulatory guidance.
  - We will be required to conduct rulemaking to implement the requirements of this bill.
- **Senate Bill 2037, effective September 1, 2025:** Establishes expedited permit application review and contested case procedures for environmental permits involving a project to construct or modify a liquefied natural gas export terminal; authorizing a fee.
  - The bill requires TCEQ to establish a new expedited permitting program and application review process. To support the new program, we will develop application forms, SOPs, and regulatory guidance.
  - We will be required to conduct rulemaking to implement the requirements of this bill.

### **General Permit Updates:**

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 completed an amendment without renewal to the MSGP to address two items:
  - Implement HB 1688 from the 88<sup>th</sup> 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 86<sup>th</sup> Regular Legislative Session, effective January 15, 2021, to expand the applicability for non-exempt oil and gas activities. 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 amendment revisions:
  - prohibit quarries located in the new Coke Stevenson Scenic Riverway from obtaining stormwater coverage under the MSGP;
  - expand the applicability to include the 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.
- The proposed MSGP amendment was presented at Commissioners Agenda on May 1, 2025, and received approval for adoption. The amendment without renewal was made effective on May 7, 2025.
- However, due to formatting issues with the Table of Contents, we had to complete an Endorsement to the amendment without renewal to correct these items. We anticipate providing the updated signed permit by the end of this month or sooner.
- Please note that this permit amendment does not have an impact on existing permittees. The expiration date did 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.
  - Please note, this renewal is to address the expiration of the general permit and is separate from the amendment to the MSGP effective May 7, 2025, as mentioned earlier.
- TCEQ held a Stakeholder meeting to discuss the upcoming renewal on November 6, 2024, and received comments from stakeholders until November 20, 2024.
- On May 21, 2025, TCEQ sent the draft MSGP to EPA for their 90-day review and is expected to be returned to TCEQ by August 19, 2025.
- 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.
  - The 2017 NAICS codes were updated in 2022 by the NAICS Association. TCEQ updated the SIC/NAICS codes tables to reflect these changes in the MSGP.
  - 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. This revision implements House Bill 7 from the second special session of the 87th Legislature, 2021.
  - 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.
  - 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.
- As a result of House Bill 4112 from the 89<sup>th</sup> Legislative Session, we have revised the MSGP to also include the prohibition of discharges associated with the operation of a facility that is licensed for the *disposal* of high-level radioactive. TCEQ is working on sending the revised draft MSGP to EPA to include this additional change as a result of state legislation.
- The general permit is tentatively scheduled for public notice and 30-day public comment in January 2026.

#### Aquaculture General Permit (TXG130000)

Shannon Gibson

- TCEQ is proposing to renew and amend the Aquaculture General Permit No. 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.
- EPA reviewed the draft permit package and provided approval in a letter dated May 27, 2025.
- We anticipate the notice of the proposed general permit will be published in the Texas Register and the Houston Chronicle this upcoming August.
- Significant changes to the general permit include:
  - Revise 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.
  - Revise Part III to allow level V facilities (i.e., oyster maricultures) to clean system components in or over water in the state.

#### Hydrostatic Test General Permit (TXG670000)

- TCEQ reissued the Hydrostatic Test Water General Permit No. TXG670000, with an effective date of April 5, 2025. Existing permittees were required to submit an NOI under the reissued permit within 90 days of the effective date to maintain coverage.

#### Evaporation Pond General Permit (WQG100000)

- TCEQ is proposing to renew and amend the Evaporation Pond General Permit No. 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 and EPA review is not required.
- TCEQ published notice of the proposed general permit in the Texas Register and the Houston Chronicle. The comment period closed on March 10, 2025.
- Adoption is proposed at the Commissioner's Agenda on August 6, 2025.

#### Conventional Water Treatment Plant General Permit (TXG640000)

- TCEQ is proposing to renew and update the Conventional Water Treatment Plant General Permit No. 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 the draft permit package and provided approval in a letter dated December 19, 2024.
- Notice of the proposed general permit was published in the Texas Register and the Houston Chronicle. The comment period closed on May 27, 2025.
- Adoption is proposed at the Commissioner's Agenda on September 10, 2025.
- Significant changes to the general permit include:
  - Addition of a daily maximum effluent limitation requiring that discharges be dechlorinated to less than 0.1 mg/L total chlorine residual prior to discharge, when using chlorination for disinfection purposes.

#### Concrete Batch General Permit (TXG110000)

- TCEQ is proposing to renew the Concrete Batch General Permit, TXG110000, which Authorizes discharges from ready-mixed concrete plants, concrete products plants, and their associated facilities. The amendment with renewal will replace the current permit when it expires on November 7, 2026.
- The draft permit is under development but we are accepting informal comments through our Outreach inbox. Please include "TXG110000" in subject line.

#### **Rule Updates:**

Dairy Waste Rules (HB 692 Implementation) – 30 TAC Chapter 321,  
Subchapter Q and Chapter 321, Subchapter B Amendment

Brian Sierant

- The rulemaking will implement 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.
- Add new Subchapter Q, titled Land Application of Dairy Waste Authority, which allows 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.
- Amends 30 TAC Chapter 335.2 and 335.6 to exempt these activities from the permitting and notification requirements in Chapter 335.
- The rulemaking was adopted by the Commissioners during the July 9<sup>th</sup> Commission Agenda and will become effective July 31<sup>st</sup>.
- Link to adopted rules: <https://www.tceq.texas.gov/rules/adopt.html>

Design Criteria Rules – Proposed 30 TAC Chapters 217 and  
222 Amendment

Shannon Gibson

- TCEQ is currently making revisions to the design criteria requirements for wastewater treatment systems in 30 TAC Chapter 217.
- WQD held a kickoff meeting in November 2020, and we received initial comments for consideration from stakeholders in November 2021.
- Stakeholder meetings were held on:
  - January 23, 2023 – Collection systems and alternative collection systems
  - February 13, 2023 – Activated Sludge
  - March 13, 2023 – Disinfection and Safety
  - April 24, 2023 – Preliminary treatment, natural treatment units, sludge processing, and subsurface drip irrigation
  - June 5, 2023 – Completed draft revisions
  - April 25, 2024 – Completed draft revisions (Spanish)

- Comments from each of these stakeholder meetings will be considered.
- The proposed revisions that our division-level engineers are currently working on include:
  - making changes to Subchapter C for collections system requirements, particularly expanding the section on reclaimed water distribution systems
  - updating the emergency power requirements for critical components of both the collection systems and the wastewater treatment facilities
  - adding new requirements for nutrient removal
  - moving Chapter 222, subchapter D for SADDs to Chapter 217 as new subchapter I, and repealing Chapter 222, subchapter D

## **Questions & Answers**

Gregg Easley

Reminder of SB 1289 (88<sup>th</sup> Session) Implementation, in response to a question:

### **SB 1289 Implementation: Proposed 30 TAC Chapter 321, Subchapter 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.

The adopted rules became effective March 5, 2025 and can be viewed through the [Texas Administrative Code - Online](#).

Agenda Adoption documents can be viewed on the TCEQ's [Commissioner's Integrated Database](#). Please use TCEQ ID Number 2023-137-321-OW to locate the closed item and select filing dated February 7, 2025.

## **Announcements:**

- The next WQAWG Meeting will be held on October 14, 2025 @ 1:30 (location TBA)