

Overview of Major Revisions to the Texas Surface Water Quality Standards

Adopted as a State Rule on September 7, 2022

Background:

The Texas Surface Water Quality Standards (TSWQS) (Title 30, Chapter 307 of the Texas Administrative Code) describe the chemical, physical, and biological conditions to be attained in the surface waters of Texas. Authority for adopting and revising water quality standards is contained in §26.023 of the Texas Water Code (TWC) and in §303(c) of the Federal Clean Water Act. Standards are periodically revised to adjust uses and criteria of individual water bodies, to incorporate new scientific data on the effects of specific chemicals and pollutants, and to address new provisions in the TWC, federal regulations, and EPA guidance. The guidance document *Procedures to Implement the Texas Surface Water Quality Standards* (RG-194) details the procedures used by the Texas Commission on Environmental Quality (TCEQ) to develop wastewater discharge permits in accordance with the TSWQS.

Status:

After coordination with stakeholders and advisory workgroup meetings, TCEQ adopted revisions to the TSWQS on September 7, 2022. The proposed TSWQS were published in the *Texas Register* on March 25, 2022, and a public hearing was conducted on May 2, 2022. The adopted TSWQS revisions were published in the *Texas Register* on September 23, 2022, and the revised rules have an effective date of September 29, 2022. The adopted standards revisions have been submitted to the Environmental Protection Agency (EPA) for review and approval.

§307.2(g) – Temporary Standards Provision

- Revisions to clarify that the options listed are the only alternatives for expressing a temporary standard.
- Addition of language to allow the expression of the temporary standard as an interim effluent condition or highest attainable interim criterion when adopted for permittees or water bodies.
- Revisions to clarify that a temporary standard must preclude degradation of existing water quality as opposed to impairing an existing use.

§307.3 – Definitions and Abbreviations

- Addition of a definition for "bioaccumulation factor" and a revised definition for "method detection limit."
- Addition of abbreviations for "bioaccumulation factor" and "municipal utility district."

Table 1 – Aquatic Life Criteria:

- Revisions to the existing cadmium acute and chronic criteria for both freshwater and saltwater.

Table 2 – Human Health Criteria:

- Revisions to 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.
- Revisions to reference doses that led to revised criteria for the following two carcinogens: dichloromethane and tetrachloroethylene.

§307.7 – Site-Specific Uses and Criteria:

- Addition of a geometric mean criterion for Enterococci for high saline inland waters with primary contact recreation 2.

Appendix A – Site-specific Uses and Criteria for Classified Segments:

- Removal of the public water supply use for a portion of Brushy Creek (Segment 1244).
- Addition of a footnote for Upper North Bosque River (Segment 1255) to indicate that a portion of the segment is intermittent with perennial pools.
- Deletion of a footnote that describes Mid Cibolo Creek (Segment 1913) as being an intermittent stream with perennial pools.
- Change to the recreational criterion for San Miguel Creek (Segment 2108) from primary contact recreation 1 to secondary contact recreation 1.

Appendix B –Sole-source Drinking Water Supplies:

- Addition of the San Marcos River (Segment 1808) and Choke Canyon Reservoir (Segment 2116).
- Removal of Greenbelt Lake (Segment 0223) and Lake Brownwood (Segment 1418).

Appendix C –Segment Descriptions:

- Reverted the segment descriptions for Lower Cibolo Creek (Segment 1902), Upper Cibolo Creek (Segment 1908), and Mid Cibolo Creek (Segment 1913) to the most recent EPA-approved descriptions, which are found in the 2014 version of the TSWQS.

Appendix D – Site-specific Uses and Criteria for Unclassified Water Bodies:

- Addition of two new water bodies, Piney Creek (tributary of Segment 0604) and Little Pine Island Bayou (tributary of Segment 0607).
- Replacement of an existing entry for Buckners Creek (tributary of Segment 1402) with two new entries.
- Revision of the segment number for the existing entry for County Relief Ditch, which was changed from Segment 0502 to Segment 0501.

Appendix E – Site-specific Toxic Criteria:

- Addition of eight new site-specific copper water-effect ratios in the watersheds of Segments 0601, 0604, 0702, 1009, 2429, 2432, and 2441.
- Addition of two new site-specific copper biotic ligand model results in the watersheds of Segments 0202 and 0827.

Appendix G – Site-specific Recreational Uses and Criteria for Unclassified Water Bodies:

- Addition of one new water body, South Lilly Creek (tributary of Segment 0409).
- Replacement of an existing entry for Bullhead Bayou with two new entries for Bullhead Bayou East and Bullhead Bayou West and revised the segment number (1245 to 1202) for both new entries.
- Revised the existing description and segment number (1245 to 1202) for Unnamed tributary of Bullhead Bayou.