

# The Advocate



For and about small businesses and local governments affected by environmental regulations

PD-006/13-02

Volume 18, Issue 2 / April - June 2013

## Texas Leads the Way

The Environmental Trade Fair and Conference is Texas' premier environmental educational forum featuring topics such as the drought crisis, oil and gas, air quality, waste management, and many more. One new track this year is Management Tools for Small Water Utilities. Join us April 30–May 1 at the Austin Convention Center. Find more online information at <[www.tceq.texas.gov/goto/etfc](http://www.tceq.texas.gov/goto/etfc)>. At the 2013 ETFC you can:

- Get the latest information on environmental issues.
- Earn continuing education units.
- Visit the exhibit hall for the latest environmental information.
- Attend the Texas Environmental Excellence Awards banquet. See <[www.teea.org](http://www.teea.org)> for details on the categories and past winners. ■

## Have You Started Your Testing for Stage 2 Disinfection Byproducts?

Disinfectants can react with naturally occurring materials in the water to form disinfection byproducts, which may pose health risks. All community and nontransient noncommunity public water systems are affected by the rule, but the testing schedule differs (please see table). Although the number of DBP2 sample-collection sites is based on the water source and the population of your PWS, the schedule to begin testing is based on the population of the largest interconnected system. For example, if your

PWS serves a population of 500 people but interconnects with a PWS serving 30,000 people, your PWS is considered a Group 3 system. Larger systems in group 1 and 2 should already be testing.

For complete information on the DBP2 rule, please visit the U. S. Environmental Protection Agency's website at <[water.epa.gov/lawsregs/rulesregs/sdwa/stage2/compliance.cfm](http://water.epa.gov/lawsregs/rulesregs/sdwa/stage2/compliance.cfm)>, call staff in TCEQ's Drinking Water Section at 512-239-4691, or e-mail your questions to <[DBP@tceq.texas.gov](mailto:DBP@tceq.texas.gov)>. ■

Group Number	Population	Start DBP2 Compliance Monitoring
Group 3	10,000–49,999	Oct 2013
Group 4	Fewer than 10,000	Oct 2013 (Systems required to monitor for Cryptosporidium in 2014)

## Enforcement Criteria Changes for Wastewater Treatment Plants

The TCEQ has updated guidelines for initiating enforcement actions when the effluent from a wastewater treatment plant exceeds limits allowed under its permit for bacteria and

*(continued on next page)*

## CALL ON US

Toll Free & Confidential:

**1-800-447-2827**

Get free, confidential help with questions on air, water, waste, or pollution prevention issues from this special section of the TCEQ. SBLGA works for you by:

- providing local environmental assistance when and where it's needed;
- communicating technical information in plain language; and
- giving small business and local government a voice in TCEQ rule and policy-making.

On the Web at:

**[www.TexasEnviroHelp.org](http://www.TexasEnviroHelp.org)**

*SBLGA is entirely separate from TCEQ's enforcement program.*

# Enforcement Criteria Changes for Wastewater Treatment Plants

(continued)

certain non-bacteria parameters. We will phase in these changes and enforcement will initially focus on discharges that affect impaired water segments. These violations are identified by the TCEQ during regular file reviews of a facility's Discharge Monitoring Reports. During our review, the following conditions may result in formal enforcement, which would include an administrative order with penalties:

- The monthly average bacteria limit is exceeded by 20 percent for two or more months OR by *any amount* for four or more months.
- The monthly average limit for a non-bacteria-based pollutant that is

affecting an impaired water segment is exceeded by 40 percent for two or more months OR by *any amount* for four or more months.

You can find changes to the enforcement criteria online at <[www.tceq.texas.gov/assets/public/agency/eic-rev-14-120112.pdf](http://www.tceq.texas.gov/assets/public/agency/eic-rev-14-120112.pdf)>. If your facility does not yet have bacteria limits included in its permit, now is a good time for you to begin sampling and troubleshooting your system to ensure compliance when the limits go into effect. More information about bacteria limits and testing can be found at <[www.tceq.texas.gov/assistance/water/wastewater/ww-bac-t.html](http://www.tceq.texas.gov/assistance/water/wastewater/ww-bac-t.html)>. ■

## Rule Changes for On-site Sewage Facilities (OSSFs)

The following changes to the OSSF rules became effective Dec. 27, 2012:

- Removing setbacks between OSSF components and drainage easements;
- Clarifying that a permit and approved plan are required to construct, alter, repair, extend, or operate an OSSF;
- Exempting some subdivisions from submitting planning materials when a tract is divided into two 5-acre or larger tracts;
- Allowing the repair or alteration of existing cluster systems under certain conditions; and
- Requiring new or replacement disinfection units be certified by a third party.

New rule language:

- Allows the option to reduce the size of aerobic treatment units when using an equalization tank;
- Includes guidelines for installing equalization tanks;
- Clarifies "emergency repair;"
- Increases cleanout spacing to 100 feet, in compliance with the Uniform Plumbing Code; and
- Requires proper abandonment of out-of-service tanks.

For the complete rule, visit <[www.tceq.texas.gov/rules/indxpdf.html#285](http://www.tceq.texas.gov/rules/indxpdf.html#285)>. ■

## Construction Stormwater Permit Renewed

The recently reissued Construction General Permit - TXR150000 for stormwater discharges became effective March 5, 2013. All authorizations issued under the previous general permit have expired whether or not a Notice of Termination was submitted. Operators of large construction activities previously authorized under the expired general permit have 90 days

to submit a new Notice of Intent and application fee for coverage under the reissued CGP.

Operators may obtain immediate coverage using the State of Texas Environmental Electronic Reporting System for submitting stormwater forms and payment. For information about creating and using a STEERS account, go to <[www3.tceq.texas.gov/steers/](http://www3.tceq.texas.gov/steers/)>.

## Local Compliance Assistance Specialists are Ready to Help You!

You have free, confidential help right in your backyard.

### Region 1 - Amarillo

Patty Avery,  
806-468-0505

### Region 2 - Lubbock

Celeste Hoehne,  
806-796-7642

### Region 3 - Abilene

Diana Steele,  
325-481-8061

### Region 4 - Dallas-Ft. Worth

John Aquilino,  
817-588-5836

Kathryn Bazan,  
817-588-5827

### Region 5 - Tyler

Jack Holsomback,  
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### Region 14 - Corpus Christi

Call 361-825-3421

### Region 15 - Harlingen

Imelda Peña,  
956-389-7427

### Region 16 - Laredo

Carmen Ramirez,  
956-721-8457

## Standard Permit for Concrete Batch Plants Amended

The amendment to the air quality standard permit for concrete batch plants became effective on Dec. 21, 2012. This amendment requires CBPs to comply with the updated 2006 AP-42 emission factors, meet engine authorization requirements, and follow up-to-date filter and record-keeping requirements.

The timeline for registration for the 2012 CBP standard permit is:

- New or modified CBPs will register for the 2012 amended CBP standard permit, or if you as an owner or operator cannot meet the conditions of the standard permit, you must register for an air quality New Source Review (NSR) permit.
- Current permit holders will not be required to submit any information as a result of this amendment until their next permit renewal is due.
- Owners or operators with renewals issued between Dec. 21, 2012, and

Dec. 22, 2014, will register for the 2012 amended CBP standard permit, but you will not be required to comply with the new CBP standard permit requirements until Dec. 22, 2014.

- Owners or operators of permit renewals issued after Dec. 22, 2014, must register and comply with the 2012 amended CBP standard permit.
- All existing CBPs that operate under a former standard exemption or permit by rule may continue to do so if there are no increases in production, or changes in emission characteristics, or no equipment modifications are made.

For the entire summary, analysis of comments, and the final amendments to the CBP standard permit, please visit [www.tceq.texas.gov/permitting/air/newsourcereview/mechanical/cbp.html](http://www.tceq.texas.gov/permitting/air/newsourcereview/mechanical/cbp.html). ■

## TCEQ Amends Permit by Rule to Include Medium-Sized Batch Mixers

On Feb. 13, 2013, the TCEQ adopted rules expanding 30 Texas Administrative Code §106.141 to include batch mixer operations up to 27 cubic feet in capacity. The rule became effective on March 7, 2013. The rule requires the operator to:

- Limit any internal combustion engine used to power the mixer to 25 horsepower or less;
- Clean up spilled raw materials, waste products, or finished products daily; and
- Control dust in the transfer system, stockpiles, work areas, storage, and truck unloading areas.

The rule does not require registration.

For more information please visit the TCEQ website at: [www.tceq.texas.gov/permitting/air/permitbyrule/subchapter-e/batch\\_mixers.html](http://www.tceq.texas.gov/permitting/air/permitbyrule/subchapter-e/batch_mixers.html). ■

## UPCOMING EVENTS

### EnviroMentor Annual Meeting

April 29, 2–5 p.m., TCEQ Campus  
12100 Park 35 Circle  
Bldg. F, Room 2210, Austin 78753  
Contact: Jane Scheidler,  
512-239-3545

### Dam Safety Workshops

June 27, 8 a.m.–1:30 p.m., Holiday Inn  
5701 South Broadway Avenue  
Tyler 75703  
Contact: Kimberly Ferraro,  
512-239-3143

Aug. 1, 8 a.m.–1:30 p.m.  
4-H Conference Center  
5600 FM 3021  
Brownwood 76801

Contact: Kimberly Ferraro,  
512-239-3143

## Requirements for Used and Scrap Tire Generators

As a generator, you must:

- Monitor tires stored outdoors every two weeks to prevent health hazards such as fires, insects, flies, mosquitoes, rodents, and snakes.
- Use a scrap-tire manifest system to document the removal of scrap tires or pieces.
- Use a registered tire transporter to manifest and deliver tires to an authorized facility.
- Manifest each load even if hauling your own scrap tires and deliver them to an authorized facility.
- Obtain the completed manifest within 60 days after the scrap tires or pieces were transported off-site.
- Notify the appropriate TCEQ regional office if a transporter or

scrap-tire facility alters the generator portion of the manifest or fails to complete or return the manifest within three months after the off-site transportation.

- Keep copies of manifests for three years.

Good used tires intended for sale must be sorted, marked, classified, and organized or they will be considered scrap tires that must meet all requirements. To locate a Registered Tire Transporter or for more information, please call 512-239-2515, e-mail [tires@tceq.texas.gov](mailto:tires@tceq.texas.gov), or visit [www.tceq.texas.gov/compliance/tires](http://www.tceq.texas.gov/compliance/tires). You can also contact TCEQ's Small Business & Local Government Assistance Program by phone at 800-447-2827 or online at [www.TexasEnviroHelp.org](http://www.TexasEnviroHelp.org). ■



SMALL BUSINESS AND ENVIRONMENTAL  
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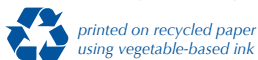
**How is our customer service? Fill out our online customer-satisfaction survey at <[www.tceq.texas.gov/customersurvey](http://www.tceq.texas.gov/customersurvey)>.**

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**Disclaimer:** This regulatory guidance publication does not take the place of the full, official TCEQ rules. It is intended only as a general explanation about selected parts of the rules. If you have questions about any information contained in this periodical, contact us at 800-447-2827.

*The Advocate is published quarterly by the Small Business and Local Government Assistance (SBLGA) Program of the Texas Commission on Environmental Quality (TCEQ).*



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