

The Advocate



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

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Construction Storm Water General Permit (TXR150000) Reissued

The general permit to authorize storm water discharges from construction sites was renewed by TCEQ commissioners at the agency's agenda meeting on Feb. 13, and became effective March 5. Current holders of expired permits have 90 days from the effective date in which to submit a new Notice of Intent (NOI). Significant changes to the general permit include:

- permit-fee restructuring that eliminates the annual fee;
- fee and provisional coverage time line incentives for electronic submittal;
- an update on the definition of construction site operator;
- revision of the effective date for provisional authorization to seven days when submitting a paper NOI (NOIs submitted electronically receive immediate authorization); and
- a flow chart as a tool to determine what coverage, if any, is required.

For more information, visit www.tceq.state.tx.us/permitting/water_quality/stormwater/TXR15whattodo.html. ■

New Requirements for Perc Dry Cleaners

The United States Environmental Protection Agency (EPA) now requires new standards for all dry cleaners that use perchloroethylene (perc) as a dry-cleaning solvent. These came as a result of the Clean Air Act requirements to reduce hazardous air pollutants from specific sources. The compliance date for the new standards depends on the date a particular dry-cleaning unit was installed (not the date the machine was made):

- “Existing units”: dry-cleaning units installed after Dec. 9, 1991, and before Dec. 21, 2005, must comply with the new standards by July 27, 2008.
- “New units”: dry-cleaning units installed after Dec. 21, 2005, were required to be in compliance with the new standards by July 27, 2006, or upon startup.

The new requirements include the following:

- Dry cleaning machines installed after Dec. 21, 2005, must be non-venting, and equipped with a refrigerated

- condenser and a secondary carbon adsorber to reduce perc vapors exiting the machine before the door opens;
- transfer machines can no longer be used;
- Dry cleaning machines must undergo monthly leak inspections using a halogenated hydrocarbon leak detector or a perc gas analyzer;
- Checks for perceptible perc leaks while the system is running are required every two weeks (weekly if you purchase more than 140 gallons of perc per year);
- Existing perc dry-cleaning units in residential buildings will completely phase out by Dec. 21, 2020. Co-located dry cleaners that started construction after Dec. 21, 2005, must eliminate perc use by July 27, 2009;
- Dry cleaners must submit a Notification of Compliance Status form to the TCEQ and the EPA by July 27, 2008, certifying compliance with the new and existing rules. The TCEQ is developing a form to satisfy the Notice of Compliance Status requirement. The form will become available on the TCEQ Web site prior to the July 27, 2008, deadline.

If you would like a complete copy of the standards, or if you have questions about the new requirements, please call the Small Business and Local Government Assistance Program at 800-447-2827. Dry cleaners also can participate in the agency's Compliance Commitment program, which is featured in this issue. ■



Get a Free Compliance Commitment (C2) Site Visit

Environmental rules affect: auto-repair and auto body shops, fleet maintenance facilities, dry cleaners, metal finishing facilities, printers, concrete batch plants, surface-coating operations, foundries, and many other small businesses and local government operations.

Do you know which rules affect you or how to comply? Could you use free, confidential help from an environmental professional? Many small businesses and local governments are unaware of state and federal rules intended to minimize pollution. The Texas Commission on Environmental Quality provides FREE site visits through its Small Business and Local Government Assistance section. It's called the Compliance Commitment (C2) Program and it could help you qualify for a one-year exemption from scheduled TCEQ inspections.

Are you eligible?

To participate, the owner of the site or facility must:

- be independently owned and employ a company-wide total of 100 or fewer employees; or
- be operated by a small local government (a county population of 100,000 or fewer or a city population of 50,000 or fewer); or
- be an independent school district (ISD) serving a student population of 100,000 or fewer students; and
- not owe TCEQ fees or penalties; and
- not be involved in a current enforcement action with the TCEQ that involves the facility.

It's easy! Just follow these three simple steps:

Step 1: Call a TCEQ Small Business and Local Government Assistance (SBLGA) representative at 800-447-2827 to request a site visit. Our contracted consultant will call you back to schedule a site visit.

Step 2: During the site visit, the consultant uses a checklist to identify

any compliance problems. After the visit, the consultant mails you a report detailing recommended actions you can take to resolve those problems. Many times, these options can save you money by improving the efficiency of your process or reducing the time you spend on paperwork.

Step 3: You'll have three to six months to correct deficiencies. You'll then be contacted to schedule a follow-up site visit. If you have made all necessary corrections, then you may be eligible for SBLGA's C2 Certificate.

CONFIDENTIAL and at no RISK

- All information from the site visit is confidential: it is not provided to TCEQ enforcement staff. (If imminent threat to human health or the environment is discovered during the site visit, the contractor is required to report this information to the TCEQ.)
- The site visit contractor is completely separate from state environmental field inspectors.
- Site visits will not lead to an inspection or citation.

Rewards

The C2 Certificate will EXEMPT your facility from TCEQ-scheduled inspections for one year. The following programs also recognize the C2 Certificate:

- U.S. Environmental Protection Agency
- City of Corpus Christi, Storm Water Department
- City of Dallas, Air Pollution Control
- City of Dallas, Public Works and Transportation and Storm Water Management
- City of Fort Worth, Department of Environmental Management
- City of Houston, Bureau of Air Quality Control
- City of Houston, Public Works and Engineering
- City of Pasadena, Public Works and Engineering
- El Paso, City-County Health and Environmental District
- Galveston County Health District
- Harris County Public Health and Environmental Services, Pollution Control Division

Call 800-447-2827 to schedule your site visit.

Want information about other SBLGA services? Call us or visit <www.sblga.info>. ■

Public Water Systems - Compliance Deadline Approaching

Consumer Confidence Reports - Due July 1

The Consumer Confidence Report (CCR) is part of the 1996 Safe Drinking Water Act Amendment and requires all community water systems to provide their customers with an annual, water-quality report.

Texas is the only state that provides a template to the public water systems based on data reported in the previous year. The templates based on 2007 data will become available on TCEQ's Web site by May 1. The public water systems must distribute the information to their customers, and submit their completed Consumer Confidence Report and a signed **certificate of delivery to the TCEQ** by July 1.

Systems serving fewer than 500 customers that have no outstanding violations do not need to mail the CCR to their customers; they can simply inform their customers that it is available on request. These systems still must submit the completed CCR and Certificate of Delivery to the TCEQ by July 1. ■

EPA Announces New Rules on National Emission Standards for Hazardous Air Pollutants

On Jan. 9, the EPA published in the Federal Register the final rule on National Emission Standards for Hazardous Air Pollutants: Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources. This rule applies to paint stripping operations, auto body shops, and miscellaneous surface coating of plastic and metal parts.

Many businesses affected by these new rules are authorized in Texas by Title 30 of the Texas Administrative Code, Chapter 106, §106.433 (surface coating) and §106.436 (auto-body refinishing). The new federal rules are in addition to, and are more stringent than, state requirements and may cause Texas air rules to change in the future.

Coating operations exempt from the new rule are:

- hand application of coatings with brushes or rollers;
- facility maintenance of stationary structures/process equipment;
- hobbyists; and
- individuals who apply surface coating on their personal vehicles, property, or

possessions without compensation, unless coating two or more cars or pieces of mobile equipment per year.

Paint stripping operations that use methylene chloride (MeCl) must develop and implement management practices that minimize its evaporation. If the operation consumes more than 1 ton per year of MeCl, they must develop and implement a plan to reduce MeCl consumption.

Facilities that offer spray coating services (including body shops) must implement equipment and management practices that minimize coating usage and capture toxic particulates, such as cadmium, chromium, lead, manganese, and nickel (target hazardous air pollutants). Practices include: confining spray operations in a filtered booth/preparation station; using high-volume, low-pressure guns or equivalent, and cleaning spray guns manually or in an enclosed gun washer. Training and certification of painters is required initially and every five years thereafter.

Miscellaneous surface coaters that discontinue all uses of target hazardous air pollutants will not have to comply. Auto body refinishing shops that petition the EPA and certify that they do not use the hazardous air pollutant coatings will not have to comply.

New sources must comply upon startup and send an initial notification to the EPA by July 7, 2008, or within 180 days after startup, whichever is later. Existing sources must comply by Jan. 10, 2011, and send initial notification to the EPA by Jan. 10, 2010.

If you own or operate a paint stripping, miscellaneous surface-coating facility, or auto body shop, you may visit the EPA Federal Register Web site to review the rule at <www.epa.gov/fedrgstr/EPA-AIR/2008/January/Day-09/a24718.pdf>, or call the TCEQ Small Business and Local Government Assistance hotline at 800-447-2827 to obtain confidential compliance assistance information. ■

UPCOMING EVENTS

SEMINARS, WORKSHOPS, AND CONFERENCES

Small Business Advisory Committee (SBAC) Meetings

Golden Triangle SBAC - May 6 - Lori Palmer, 409-899-8789

Dallas SBAC - July 23 - Lori Rose, 817-588-5836

Fort Worth SBAC - July 23 - Tasha Burns, 817-588-5868

TCEQ Environmental Trade Fair and Conference

April 29–May 1, Austin Convention Center, Austin - 512-239-3150

Wastewater Record-Keeping and Reporting Workshops

June 24, Hill College, Hillsboro

June 25, Killeen Community Center, Killeen

To register, call 512-239-3150

The 10th Annual MS4 Operator's Conference

EPA Region 6 (Texas, New Mexico, Oklahoma, Arkansas, and Louisiana)

July 14–July 17, Waco

For more information, please visit the conference Web site at <www.epa.gov/region6/6wq/npdes/sw/ms4/conference.htm>

Air Curtain Incinerator Compliance Workshop

July 22, Spring Branch Community Center, Houston from 1pm-4pm

For more information, please contact Becky Southard, 512-239-1638

Guidance, Please!

Do you need help understanding environmental rules and regulations? You can get started by reading TCEQ publications that are easy to understand, in straightforward language, such as the following:

Steps to Obtain Construction Permits for Storm Water Discharges (RG-436)

Due Dates and Monitoring Tip Sheet for TPDES Domestic Wastewater Permittees (RG-448)

Complying with Rules on Surface Preparation (RG-413)

Waste from Grease Traps, Grit Traps, and Septic Tanks: Questions and Answers (RG-389)

To order these publications, call 512-239-0028 or visit <www.tceq.state.tx.us> and under the site navigation bar, click on the link "Forms and Publications." ■

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.sblga.info

SBLGA is entirely separate from TCEQ's enforcement program.

*You are currently on our subscription list to receive the quarterly rules update, *The Advocate*. Instead of receiving the paper copy in the mail, you have the option of receiving e-mails from us when we post the latest issue in PDF format on our Web site at www.tceq.state.tx.us/comm_exec/forms_pubs/pubs/pd/pd-006.html.*

If you would prefer e-mail instead of the printed copy, please e-mail us at sbap@tceq.state.tx.us. Be sure to let us know the name your subscription is under and the e-mail address you would prefer us to send to, if different from the one you use to contact us.

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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RETURN SERVICE REQUESTED

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