

# The Advocate



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

PD-006/07-04

Volume 12, Issue 4 / October–December 2007

## Drive a Clean Machine—AirCheckTexas

Coming this December, up to 1.9 million households may qualify for vouchers to replace or repair their car or truck. Individuals could qualify for up to \$3,500 towards replacing a vehicle. Replacement assistance is available on the following:

- \$3,000 for a car, current model year or up to three model years old
- \$3,000 for a truck, current model year or up to two model years old
- \$3,500 for a hybrid vehicle of the current or previous model year

Repair assistance is available for up to \$600 for emissions-related repairs performed by DPS-recognized emission repair facilities.

Your vehicle must meet these conditions:

- Failed an emissions test, and
- Registered in your program area for at least 12 months preceding your replacement application

OR

- At least 10 years old and gasoline powered,
- Registered in your program area for at least 12 months preceding your replacement application, and

**You must meet these 2007 net income requirements (These income amounts change annually in February.)**

| Size of Household | Maximum Net Income Per Year          |
|-------------------|--------------------------------------|
| 1                 | \$30,630                             |
| 2                 | \$41,070                             |
| 3                 | \$51,510                             |
| 4                 | \$61,950                             |
| 5                 | \$72,390                             |
| 6                 | \$82,830                             |
| 7                 | \$93,270                             |
| 8                 | \$103,710                            |
| Over 8            | Add \$10,400 for each add'tl. member |

- Passed a DPS motor-vehicle safety inspection or safety and emissions inspection within 15 months of your replacement application

Call (toll-free) 800-913-3321 to the AirCheckTexas Repair & Replacement Assistance program to find out if you are eligible. Also visit [www.driveacleanmachine.org](http://www.driveacleanmachine.org). ■

**Your vehicle must be registered in one of these participating counties:**

### Austin Program Area:

Travis                      Williamson

### Dallas-Fort Worth Program Area:

Collin                      Kaufman  
 Dallas                      Parker  
 Denton                      Rockwall  
 Ellis                          Tarrant  
 Johnson

### Houston-Galveston-Brazoria Program Area:

Brazoria                      Harris  
 Fort Bend                      Montgomery  
 Galveston

## TCEQ Lab Accreditation— What does NELAC mean for you?

Are you a laboratory that generates analytical data for the TCEQ? If so, you'll need to meet NELAC accreditation standards soon. If you are a small business or local government that hires a laboratory to do environmental analysis, you will need to begin verifying your lab's accreditation. Analytical data generated on or after July 1, 2008, must come from an accredited lab. Accredited laboratories must meet National Environmental Laboratory Accreditation Conference (NELAC) standards under the Texas Laboratory Accreditation Program unless the lab or

project meets one of the exemptions described below.

Exemptions exist for in-house and on-site labs that:

- are periodically inspected by the TCEQ,
- are in another state and are accredited or inspected by that state,
- perform work for another company with a unit located on the same site, and
- perform pro bono work for a governmental agency or charitable organization.

*Continued on page 3*

## Same Newsletter... New Look

Have you noticed the new logo gracing the front of *The Advocate*?

The newsletter now participates in the TCEQ's new Take Care of Texas program, a personal responsibility campaign that encourages individuals to make a personal commitment to do their part to protect the Texas environment—and save money at the same time. Visit [www.takecareoftexas.org](http://www.takecareoftexas.org).

**Take Care of Texas—  
It's the only one we've got.**

# 2008 Due Dates to Remember

The TCEQ requires a number of reports, plans, and fees at different times throughout the year. To give small businesses and local governments a handy guide, the following list gives due dates for common TCEQ reports and fees. Please remember that this list may not be all-inclusive; also, these items will not be applicable to all entities.



## January

- 1 • Waste Reduction Policy Act (WRPA) plan
- 10 • Disinfectant Level Quarterly Operating Report (DLQOR) due to the TCEQ for groundwater or purchased water systems
- 18 • Texas Emission Reduction Plan (TERP) usage reports for grant recipients
- 25 • Industrial and hazardous waste annual summary report (paper filers)
  - Used oil collection center report and re-registration
- 26 • Drinking water state-revolving fund packets due to Texas Water Development Board
- 30 • Water and wastewater investor-owned utilities, districts, water supply corporations, and affected counties regulatory assessment fees
  - Dry cleaner: quarterly registration fee
- 31 • Stage II vapor recovery exemption confirmation form

## February

- 15 • Concentrated Animal Feeding Operations (CAFO) annual report

## March

- 1 • Water rights holder: annual water use report
- Scrap-tire transporter: annual activity report
- Scrap tire and storage site combined: annual activity report
- Industrial and hazardous waste: annual summary report (electronic filers)
- Medical waste transporter and self transporter: annual waste report
- Report for on-site treatment of medical waste on mobile vehicles
- Tier II reports
- 31 • Multi-sector general permit for discharges from industrial activities
  - Benchmark monitoring summary
  - Numeric effluent limit (annual hazardous metals) discharge monitoring reports (DMRs)
  - DMRs on sector-specific, numeric effluent limits
  - Construction storm water general permit
  - DMRs for concrete batch plants
  - Air Emissions Inventory
  - Annual report on air emissions events

## April

- 1 • Investor-owned or privately owned water and wastewater: annual report
- Initial Distribution System Evaluation (IDSE) sample plan or waiver for community public water systems serving 50,000 to 99,999 people
- Any system providing water to a community water system shall deliver the applicable Consumer Confidence Report (CCR) information required by 30 TAC §290.272 to the receiving systems
- 10 • DLQOR due to the TCEQ for groundwater or purchased water systems
  - Nomination form for public drinking water recognition program
- 30 • Dry cleaner: quarterly registration fee

## June

- 30 • Semiannual report for categorical industrial users that discharge to a publicly owned treatment works without an approved pretreatment program

## July

- 1 • Toxics Release Inventory
- Liquid waste transporter: annual summary
- Water systems: CCR to customers and Certificate of Delivery to TCEQ
- Waste Reduction Policy Act: annual progress report
- Analytical data generated by a non-exempt laboratory—must get accredited by the National Environmental Laboratory Accreditation Conference to submit to the TCEQ
- 10 • DLQOR due to the TCEQ for groundwater or purchased water systems
- 18 • TERP usage reports for grant recipients
- 30 • Dry cleaner: quarterly registration fee

## August

- 1 • Dry cleaner: annual renewal registration form

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### Petroleum Delivery Certificate Renewal Schedule

| If Owner # Ends In: | Certificate Expires: | Renewal Date: | Renewed Delivery Certificate Posted By: |
|---------------------|----------------------|---------------|---|
| 1                   | January 31           | January 2     | February 1                              |
| 2                   | February 29          | January 31    | March 1                                 |
| 3                   | March 31             | March 2       | April 1                                 |
| 4                   | April 30             | April 1       | May 1                                   |
| 5                   | May 31               | May 2         | June 1                                  |
| 6                   | June 30              | June 1        | July 1                                  |
| 7                   | July 31              | July 2        | August 1                                |
| 8                   | August 31            | August 2      | September 1                             |
| 9                   | September 30         | September 1   | October 1                               |
| 0                   | October 31           | October 2     | November 1                              |

## 2008 Due Dates to Remember (continued)

### September

- Liquid waste transporter fee
- Storm water general permit: annual water-quality fees assessed
- Annual reports for land application of sludge (or as otherwise established in the authorization)

### October

- IDSE sample plan or waiver for community public water systems serving 10,000 to 49,999 people
- DLQOR due to TCEQ for ground-water or purchased water systems
- Dry cleaner: quarterly registration fee
- Petroleum storage tank fee

### December

- Public health service fee for all public drinking water systems
- Semiannual report for categorical industrial users that discharge to a publicly owned treatment works without an approved pretreatment program

### Water District Only

- Financial report due within 45 days of the end of your fiscal year
- Audit report & annual filing affidavit due within 135 days of the end of your fiscal year ■

## TCEQ Lab Accreditation (continued)

Exemptions are also in place for labs that:

- are accredited under federal law,
- generate data needed for emergency-response activities when a laboratory accredited under the Texas Laboratory Accreditation Program is not available, and
- supply data for which the TCEQ does not offer accreditation.

This new requirement will affect data that is submitted to all agency programs, including data used for commission decisions on permits or other authorizations, compliance matters, enforcement actions, or corrective actions.

The accreditation process requires that labs are certified for each individual matrix (water, waste, soil, biologic material, and air), method, and analyte combination. For example, a total suspended solids test for wastewater would require the lab to be certified for wastewater (media) and the filter test (EPA Method 160.2.)

The Texas Laboratory Accreditation Program uses quality control checklists to verify that labs conform to NELAC standards and advises laboratory management to use these checklists to assess their quality systems and documentation before signing the certification of compliance and submitting an application for accreditation. Each laboratory receives a unique certification number from the Texas Laboratory Accreditation Program. To meet the July 1, 2008, deadline, in-house laboratories that are not exempt should begin applying immediately for accreditation. Others should review the exemptions above to make sure your in-house labs meet the requirements.

The TCEQ's Web site has useful resources on accreditation, finding a certified lab, and applicable rules. For more information, visit <[www.tceq.state.tx.us/compliance/compliance\\_support/qa/env\\_lab\\_accreditation.html](http://www.tceq.state.tx.us/compliance/compliance_support/qa/env_lab_accreditation.html)>. ■

## Meet the New Small Business Ombudsman

### Welcome

### Grace Montgomery Faulkner

There's a new face representing small business and local government issues at the TCEQ. Luckily, this new face is an old hand around the TCEQ!

Grace Montgomery Faulkner was appointed Director of the Small Business and Environmental Assistance Division (SBEA) on July 1, 2007. She comes to SBEA with an abundance of experience and knowledge after 22 years with the TCEQ and its predecessor agencies. SBEA's mission targets its services to small businesses, local governments, large industry, and Texans who need assistance with regulatory, pollution-prevention, and conservation issues.

Before coming to SBEA, Ms. Montgomery Faulkner served as deputy director of the Office of Administrative Services, supporting the agency and its environmental mission through internal support of administrative functions. She also previously served as a field investigator, enforcement coordinator, corrective action team leader, section manager, and director of the Registration, Review & Reporting Division. In these capacities, she came face-to-face with the issues that small businesses and local governments must overcome to achieve compliance with state environmental regulations.

In addition, she served 24 years in the U.S. Air Force Reserve where she worked in civil engineering, military personnel, and logistics careers.

Ms. Montgomery Faulkner grew up in San Antonio enjoying the local culture and food, and then went on to root for her alma mater's football team at Southwest Texas State University, now Texas State.

Now returning to the roots of her education as a science major in environmental management, Ms. Montgomery Faulkner will focus on environmental and customer-focused programs in the areas of pollution prevention, conservation, and compliance. She is dedicated to working with small businesses and local governments, using innovation to advance the agency's mission of a clean, sustainable environment in Texas. ■

## UPCOMING EVENTS

### SEMINARS, WORKSHOPS, AND CONFERENCES

#### Pollution Prevention Workshops

University of Texas at Arlington, Nov. 1–2, Fort Worth  
MCM Elegante Hotel, Nov. 8–9, Beaumont

#### Small Business Advisory Committee (SBAC) Meetings

Golden Triangle SBAC, Nov. 6 • Contact Lori Palmer, 409-899-8789  
Houston SBAC, Dec. 19 • Contact Clarence Gray, 713-767-3582

For more information, or to receive notices of workshops, send an e-mail to <[ppc@tceq.state.tx.us](mailto:ppc@tceq.state.tx.us)> or call 512-239-3100.

# Occupational Licensing Rule Changes May Affect You

Occupational licensing rules found in Chapter 30 of Texas Administrative Code were revised in September. These rules affect a wide range of operators including municipal solid waste, water treatment, wastewater, and on-site sewage, as well as landscape installers, leaking petroleum tanks project managers, and backflow prevention assembly testers.

The majority of revisions focus on municipal solid waste facility supervisors. The revisions address provisional letters,

type of license needed based on facility, exemptions, renewals, training, and training providers. Supervisors have until September 2009 to obtain or renew their required license.

For further information on what type of license a municipal solid waste facility operator must have, see [www.tceq.state.tx.us/nav/rules/current.html](http://www.tceq.state.tx.us/nav/rules/current.html), Title 30 Texas Administrative Code, Chapter 30, Subchapter F, or call the Compliance Support Division at 512-239-6300. ■

## 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](http://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](http://www.tceq.state.tx.us/comm_exec/forms_pubs/pubs/pd/pd-006.html).*

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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 SBLGA 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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