

New law may aid mitigation process

By **RICHARD GOLDSMITH**
Environmental Affairs Division

A law now in effect from the 77th Legislature will allow TxDOT more flexibility in meeting project mitigation requirements.

The new law allows TxDOT to work with any appropriate public or private entity to acquire and manage property to mitigate for adverse impacts from transportation projects. The law also includes a "fee in lieu" provision that allows the department to pay an appropriate public or private entity for TxDOT's share of a mitigation project.

Previous to the new law, TxDOT could only work in cooperation with one other entity, the Texas Parks and Wildlife Department (TPWD), to manage property set aside for mitigation. TxDOT often faced providing for long-term management of smaller mitigation sites when TPWD determined that it was not feasible for TPWD to handle it.

Senate Bill 416, signed by Gov. Rick Perry June 14 and effective immediately, creates the new flexibility.

TxDOT must still receive approval from the respective state or federal regulatory agency on the mitigation site and management agreement.

Ken Bohuslav, Deputy Division Director of ENVsaid,

"This bill provides us with a great tool to develop our mitigation and long-term management more efficiently than in the past. It's something we have needed for a long time."

Bohuslav said the bill's provision allowing TxDOT to pay other entities in lieu of the department setting up its own mitigation sites will allow TxDOT to participate in established mitigation banks.

"Our participation can be based on our need at a cost per acre to mitigate for our projects. It can allow TxDOT to meet its mitigation obligation quickly and with greater efficiency," he said. "The opportunity would exist when offered to us by a regulatory agency, primarily the U.S. Corps of Engineers and also possibly the U.S. Fish and Wildlife Department."

As to the management aspect, previously TxDOT was limited to working only with TPWD on offsite mitigation. Because TPWD has limited resources to manage such sites, its focus has been on larger mitigation banks, Bohuslav said. The new law allows TxDOT to partner with other entities such as cities, counties and private organizations, such as the Nature Conservancy, on smaller mitigation sites.

"TxDOT now has the opportunity and flexibility to

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Air quality regulations – new and in the works – effect TxDOT operations

By **WAYNE YOUNG**
Air Quality Specialist
Environmental Affairs Division

An air quality regulation that reduces speed limits in both the Houston/Galveston and the Dallas/Fort Worth areas is taking effect. Other new regulations coming out of the 77th Texas Legislature that impact TxDOT are on the way.

The speed reductions are the result of state implementation plans (SIPs) submitted by the Texas Natural Resource Conservation Commission (TNRCC) in April 2000 for the four-county Dallas/Fort Worth (DFW) ozone non-attainment area and in December 2000 for the eight-county Houston/Galveston (HOU) nonattainment area.

Both SIPs require TxDOT to lower speed limits on roadways under its jurisdiction.

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Interest in geology led Dempsey to hazardous materials profession

By **RICHARD GOLDSMITH**
Environmental Affairs Division

A lifelong interest in geology led Terry Dempsey to undergraduate and advanced degrees in geology. Circumstances led him to ENV.

Dempsey was a rock and fossil hound even as a boy growing up in Pasadena and because of that he majored in geology in college.

Dempsey, with the Hazardous Materials Management Section's (HMM) Project Development Branch, knew when pursuing his degrees at Stephen F. Austin University in Nacogdoches that his career would probably take him to either the oil patch or environmental work. He earned a bachelor of science degree in geology, followed by a master's degree in natural sciences in 1985. The oil patch was depressed when he graduated so he wound up in the environmental field.

"When I graduated, the best opportunities were in environmental work because the oil patch wasn't doing well," he said.

That was despite experience working two summers each at a refinery and a steel mill.

"My father worked hard to line up good summer jobs that helped me pay for college. He was a supervisor in a chemical plant and knew the dangers. He was determined that I get my degree and not go to work in the plants," he said. He also worked a stint on an off-shore oil rig as a "mud logger trainee" for \$5 an hour.

Fresh out of college he took a temporary job as an inspector in a rice processing plant in Houston. The job was less than fascinating – the highlight of his day was cooking up a pot of rice twice a day — so when a job as an inspector with the Harris County Pollution Control Department was offered, he jumped at the opportunity.

His job with the county was to investigate pollution problems and monitor environmental conditions in the Houston area, including landfills and refineries. After five years, Dempsey moved to a job with an environmental consulting firm in Humble. The work mostly involved consulting for trucking companies to manage hazardous wastes, facility compliance and environmental



Terry Dempsey at work in ENV's HMM Section.

Photo by Richard Goldsmith

site assessments.

After five years, Dempsey's company "downsized" and he was among those without a job. That led him to a job with ENV.

"I had some friends in Austin and I saw the job posting on the web." He was also drawn to the local music scene and the Hill Country because his hobbies include hiking and mountain biking. Dempsey is also a trip leader with the local chapter of the Sierra Club and he still goes rock and fossil hunting with the Central Texas Paleontological Society

Dempsey is a Certified Hazardous Materials Manager and enjoys working with district and division personnel to address hazmat compliance issues related to project development, as well as his role as a trainer in ENV's training program.

"Although we are the 'haz-mat' section, I get to help people throughout TxDOT with a range of solid waste and pollution problems. People are especially appreciative when you can help with their contamination issues," Dempsey said.

David Boswell, director of HMM, said, "Terry is very knowledgeable about environmental rules and regulations relating to contamination, as well as TxDOT's project development process. His ability to use this knowledge to find workable solutions to the many challenges posed by contamination in roadway

projects makes him a valuable asset for the department. Terry is also reliable and has a great work ethic. When Terry tackles an issue, I can always count on him to do a thorough job."

One of the most common problems encountered on TxDOT projects are leaking underground storage tanks, both from service stations and dry cleaners, which often result in unseen contamination in subsurface soils and groundwater.

That was the issue on the Doniphan Drive Project in the El Paso District. Dempsey worked closely with the district and a consultant to come up with an innovative solution to handle excavation for a storm water drain. The drain had to go in below the water table in that area, only three to four feet below ground level near the Rio Grande. Also in the area were two dry cleaners and several other leaking underground service station tanks. To keep the contamination from migrating, a method called "jet grouting" was used to inject a concrete like barrier into the soil before excavation began.

Dempsey also helped with a project he's proud of in the Atlanta District in which bridge piers had to penetrate through a layer of soil contaminated with creosote. The Bridge Division helped to come up with a method using steel casing to prevent mixing contaminated soil with uncontaminated as the piers were drilled. The creosote-tainted soil from the drilling was managed as contaminated waste.

Dempsey also handles asbestos issues that crop up when TxDOT acquires structures in the right of way.

Dempsey married in 1999. "I married a residential architect who is constantly coming up with home improvement projects so I have a whole new hobby," he said.

Speed: Limits reduced to fight ozone

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These controls were included in both SIPs to reduce oxides of nitrogen (NOx) and to bring both areas into attainment with the one-hour ozone standard by Nov. 15, 2007. Reducing speed limits has the potential to lower NOx emissions during non-peak travel hours.

The DFW SIP requires on-system speed limits to be lowered 5 mph in Dallas, Denton, Tarrant and Collin counties. Current 70 mph speeds will be lowered to 65, and 65 mph zones will be lowered to 60. Speeds will not be reduced to 55 mph on any roadways under TxDOT jurisdiction. TNRCC has submitted a list of roadways where speeds will be changed to the Traffic Operations Division and the Texas Transportation Commission has approved the changes.

The SIP requires that the new speed

zones take effect by Sept. 1, 2001. Personnel in the Dallas and Fort Worth districts have completed speed changes in Dallas, Tarrant, and Denton counties. Signs are now being changed in Collin County and the four counties will be ready by Sept. 1.

The HOU SIP requires that speed limits be lowered to 55 mph in the eight county nonattainment area by May 2002. "Before" speed studies are now being conducted in Harris, Montgomery, Galveston, Fort Bend, Brazoria, Liberty, Chambers, and Waller counties and new signs will be in place by May 2002. A list of affected roadways is expected from TNRCC in the near future.

Environmental speed limits are projected to reduce NOx emissions at least 5.42 tons per day in DFW and 12.33 tons per day in the Houston nonattainment

area. The Traffic Operations Division is overseeing implementation of the environmental speed limit rule.

Senate Bill 5 passed by the 77th Legislature and signed by Governor Rick Perry on June 15 requires TNRCC to repeal the **Construction Shift and Accelerated Off-Road Equipment Purchases** rules for both the DFW and HOU nonattainment areas. The Construction Shift rule banned the use of diesel construction equipment from 6 a.m. to 10 a.m. in DFW and from 6 a.m. to noon in the HOU nonattainment area. The Accelerated Purchase Rule required early replacement of off-road diesel equipment in both areas and would have required the replacement of all pre-2001 model year off-road equipment. Both rules are being repealed and will be replaced with

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What Happened to 8-Hour Ozone Standard?

WAYNE YOUNG

Air Quality Specialist

Environmental Affairs Division

The Environmental Protection Agency (EPA) promulgated a new ozone standard on Dec. 9, 1997. The new standard established more stringent standards than the current one-hour ozone standard and was expected to double the number of nonattainment areas in the United States. In Texas, the new standard was expected to impact the Dallas-Fort Worth, Houston-Galveston, Beaumont, Austin, San Antonio and Tyler-Longview areas. The sole nonattainment area expected to avoid being nonattainment for the new standard is El Paso.

States were required to submit a list of potential nonattainment counties to EPA by June 2000. Texas listed the current one-hour nonattainment counties in Dallas-Fort Worth, Houston-Galveston, and Beaumont as potential nonattainment counties. The Austin, San Antonio, and Tyler-Longview counties were listed as unclassifiable and the remainder of the state was listed as attainment. EPA countered that the unclassifiable classification was not valid and published their list of potential nonattainment counties in January 2001. Under the EPA classification, Texas could have as many as 37 nonattainment counties for the eight-hour ozone standard. (We have 16 counties listed as nonattainment for the one-hour ozone standard).



The American Trucking Association sued EPA over their authority to establish the standard and on the issue of considering costs when setting a new standard. The U.S. Supreme Court heard the case on Election Day, Nov. 11, 2000.

Late in 2000, the U.S. Congress placed riders on the EPA Appropriations Bill that:

(1) prohibited EPA from designating areas as nonattainment for the eight-hour standard before June 2001 or before the Supreme Court made its decision on the case; and

(2) established a one-year conformity grace period for new nonattainment areas.

On Feb. 27, 2001, the Supreme Court ruled that EPA had the authority to establish new standards and that standards should be set solely on health effects without consideration of costs. The court also ruled that EPA will need to determine

how to implement the standard consistent with the Court's opinion.

Although EPA won the case and has the authority to implement an eight-hour ozone standard, it must work out several implementation issues through the U.S. Circuit Court of Appeals. These issues deal primarily with timeline issues between

the one and eight-hour standards and the lack of a classification tier for the eight-hour standard. The one-hour standard establishes tiers (Marginal, Moderate, Serious, Severe, and Extreme) based on ozone concentrations and established attainment dates and control strategies for each of the tiers. The eight-hour standard lacks these features and has potential conflicts with the one-hour attainment dates and controls.

EPA now has the authority to promulgate the eight-hour standard. The major questions remaining are what counties will be designated nonattainment and when the designations will occur.

EPA Region 6 contacts in Dallas have indicated that designations in 2001 are very unlikely. This is due to timelines required to (1) rewrite the eight-hour ozone standard rules and (2) complete the public hearing process.

USACE honors erosion control effort

By **JIM DOBBINS**

Environmental Affairs Division

Habitat for the endangered Whooping crane was restored and a portion of the Gulf Intracoastal Waterway (GIWW) survived the threat of closure in a project recognized by the U.S. Army Corps of Engineers (USACE) with an honor award in the Chief of Engineers Design and Environmental Award Program.

Serious bank erosion problems threatened the Aransas National Wildlife Refuge, where Whooping cranes spend their winters. About two acres of refuge were being lost each year due to GIWW vessel traffic and wind-generated waves. Because of this threat to the critical habitat of the federally protected bird, the closure of that portion of the GIWW was possible. In 1995, almost 27 million tons of cargo – the equivalent of about 754,000 semi-trailer loads – was transported on that 31-mile stretch.

The project created 1,600 acres of marsh habitat for the Whooping crane through the use of dredged materials, and added spill containment booms on the GIWW for use by the U.S. Coast Guard. Plans call for the creation of an additional 1,600 acres of prime habitat. The project was completed in three years, with work taking place each April 15 through October 15 to avoid disturbing the endangered waterfowl.

Erosion control was addressed through the use of articulated concrete mats and geotextile tubes. The articulated concrete mats mold to more than 73,000 feet of shoreline, and allow vegetation to grow through the mats. The

geotextile tubes were used to create a breakwater that protects 1,500 feet of shoreline. This feature allows seagrass close to shore to remain intact and provides additional erosion protection.

An interagency coordination team was formed in the late 1980s to evaluate the project's impacts to natural resources. Agencies represented include TxDOT, Texas Parks and Wildlife Department, Texas General Land Office, Texas Water Development Board, U.S. Fish and Wildlife Department, U.S. Coast Guard, Aransas National Wildlife Refuge, National Marine Fisheries Service, Environmental Protection Agency and USACE.

TxDOT also served as the project's non-federal sponsor, and aided the

undertaking by lining up support in Congress.

Tonia Ramirez, a federal legislative analyst in the Legislative Affairs Office, worked behind the scenes on the project.

"TxDOT served as an advocate for this project, lining up support from Texas' congressional delegation," Ramirez said. "Congressman Chet Edwards was very supportive of this project, as were Senators Phil Gramm and Kay Bailey Hutchison. Without their support, this project may never have been funded."

A ceremony was held in Austwell in late March, when the award was presented to USACE Galveston District. As the project's non-federal sponsor, TxDOT received a copy of the award.

Volunteers, concrete bought time to save Whooping crane habitat

By **JIM DOBBINS**

Environmental Affairs Division

The erosion problems addressed by the award-winning USACE project was not the first effort at saving this Whooping crane habitat.

In 1989, the Gulf Intracoastal Waterway Advisory Committee, a multi-agency group that included TxDOT, planned and implemented a volunteer effort to shore up the erosion prone shoreline of the canal that runs through Aransas National Wildlife Refuge.

Jim Randall, then a waterway planning engineer and now deputy director of Transportation Planning and Programming Division, represented TxDOT at the advisory committee meetings.

"As TxDOT's representative at the advisory committee, I was 'volunteered' for the erosion control effort," Randall said. "Several hundred volunteers, including such groups as the Boy Scouts, Conoco employees, and the Audobon Society, met at the refuge for a weekend in 1989. Eighty-pound bags of concrete were laid on the shoreline between the waterway and the shallow pools where the Whooping cranes feed. Rebar was then driven through the sacks to hold the concrete in place, which, it was hoped, would then harden. The concrete and rebar was designed to hold the remaining beach in place. This effort was repeated again in 1990. It was hard work but was very satisfying."



Compost Use and Watershed Protection

By **BARRIE COGBURN**
Design Division

TxDOT, the Texas Natural Resource Conservation Commission, and the Texas State Soil and Water Conservation Board recently initiated a project – with \$5.1 million in funds secured through a Clean Water Act Section 319 grant from the U.S. Environmental Protection Agency – to encourage TxDOT's use of compost made from dairy manure from farms in two watersheds.

Because of the high concentration of dairies in the Bosque and Leon River watersheds, land application of manure has saturated much of the land's ability to absorb nutrients. As a result, the nutrient runoff has led to increased bacteria and algae downstream in Lake Waco.

Composting the manure serves several purposes. Pathogens are killed during



Compost is spread along U.S. 377 east of Dublin in the Fort Worth district. Photo by James Parker/Fort Worth District

the composting process and the volume is reduced by half. This results in a product that is more easily transported and is a valuable resource, because it is a rich source of organic matter. Compost is proven to establish grass cover more quickly on highway construction and maintenance projects. It greatly reduces

erosion and runoff, and it greatly increases the soil's ability to hold moisture, so less watering is needed. Because TxDOT is the agency using the most compost through this grant, TxDOT is the key to the overall success of this program.

The goal of the TxDOT Compost Incentive Program is

to use 200,000 cubic yards of compost over a three-year period. Eligible TxDOT districts will receive a subsidy of \$5 per cubic yard to help cover costs of transporting finished compost to the construction and maintenance projects. Because transportation is a significant factor in the price of compost, eligibility in the program is limited to those districts within a 150-mile radius of the watersheds. Eligible districts include Abilene, Austin, Brownwood, Dallas, Fort Worth, Waco and Wichita Falls.

To find out more about the program including the forms necessary for documentation, visit this crossroads website: <http://crossroads.dot.state.tx.us/org/des/ld/topsoil/incentive.htm>

Project scientific services contract amended

Two two-year scientific services contracts that were originally in place for producing only project environmental assessments (EAs) that could lead to a Finding of No Significant Impact (FONSI) are currently being amended to also produce categorical exclusions (CEs). The amendments focus on collecting data, producing reports on the results of the analysis, and summarizing the decisionmaking process with appropriate documentation.

The two contracts for \$1 million each are in place with two Houston-based consulting firms: Michael Baker Jr., Inc. and Berg Oliver Associates, Inc. ENV received 11 proposals.

Tom Bruechert, with ENV's Project Management Section, said the contracts will now cover "anything we would do for documentation" on all types of projects, except environmental

impact statements (EISs).

The contracts will be useful to free TxDOT district or ENV staff for other projects, or for when a project has a short time frame. Each \$1-million contract should be enough for quite a few documents, depending on the projects' complexity," Bruechert said.

If the contracts are successful, additional contracts could be negotiated as district demand warrants it, he said.

It can take five to nine months to set up a professional engineering contract. With the scientific services contracts in place, it takes only a matter of weeks to get a work authorization initiated. The first project under the new contract will be for the Tyler District's SH 135 in Gregg County.

Mitigation: New law allows flexibility

(Continued from Page 1) approach a mitigation effort from the most efficient method," Bohuslav said.

Jeff Casbeer, director of ENV's Natural Resource Management Section, said, "The new law gives us more options. We still have to

follow procedures – to avoid, minimize and then follow the resource agency preference for on-site/in-kind mitigation before we can move to a fee in lieu program."

"Where you have the impact is where resource agencies prefer the mitigation. But that is not

always possible, or the most effective way to mitigate," Casbeer said.

"Senate Bill 416 allows TxDOT to be part of a win-win situation. For instance, we might be able to provide the funding to manage property acquired by an organization such as the

Nature Conservancy as habitat. We would get the mitigation and they would get the funding to manage the land," Bohuslav said "We now have the opportunity to develop these relationships and we will develop them when they are to TxDOT's benefit."

Houston District finds bridge solution

By JIM DOBBINS

Environmental Affairs Division

If, to paraphrase Plato, necessity is the mother of invention, then a bridge replacement project in the Houston District is a shining example of that aphorism.

The FM 526 bridge over Greens Bayou in eastern Harris County was in need of replacement. The challenging aspect of the project was presented by the meandering nature of the bayou – the channel shifts periodically, threatening the stability of bridges (and their approach roads) that span the waterway. The staff of the Houston District recognized these issues early in the project and set up a team effort to resolve the complex problems presented at the site. A number of methods were considered and rejected, among them constructing a concrete channel for the bayou and using bioengineering erosion controls, before a solution was reached.

Tom Bruechert, now a field area supervisor in ENV's Project Management Section, worked on the project when he was a water quality specialist in the Natural Resource Management Section's Water Resources Management Branch.

"The bridge over Greens Bayou was a complex problem from the start," Bruechert said. "The Corps of Engineers was opposed to



The old bridge approach, where concrete remains, was abandoned in favor of a higher elevation approach 30 feet over. (Houston District photo)

the rechannelization of the bayou, which, combined with mitigation, would have cost more than the eventual solution, which was to construct a bridge that spanned the anticipated meander path of the waterway. That allows the bayou to meander without threatening the bridge or approach roads. The design also left most vegetation undisturbed and did not impact any jurisdictional waters, which were significant factors. I am impressed with the team effort and results of the project, because I know that many different approaches were considered. This project exemplifies the benefits of the NEPA process."

Lucio Ortiz, an engineer in the Houston District's East Harris County Area Office researched various options and designed the bridge.

"With the challenges presented by Greens Bayou, we finally decided to raise the bridge higher and make it longer than originally planned to avoid erosion," Ortiz said. "We only had to offset the new bridge by 30 feet, which leaves it within the limits of future main lanes. We have had many sizeable rainfalls since the project was completed in 1999, and the banks remain stable."

The quality of the design was made evident recently when the bridge came through Tropical Storm Allison's floodwaters unscathed.

A safe, workable solution was achieved with minimal environmental impact – a conclusion that we think that Plato himself (not to mention area commuters!) would be pleased with.

Three new faces grace ENV

The **Natural Resource Management Section (NRM)** has two new staffers this quarter and a new archeologist has joined the **Cultural Resource Management Section (CRM)**.

Kathleen Darnaby joined NRM June 14 as the specialist for storm water management and NPDES issues. She will also be conducting some Storm Water Advisory Team (SWAT) inspections. Before coming to ENV, Darnaby was with a small Austin-based consulting firm. Before that she spent five months with the Legislative Reference Library at the Capitol during the 76th Legislative Session, an interesting and fun experience, she says.

Darnaby's family moved often. She went to high school in Dallas, junior high in Atlanta, Ga., but she calls Memphis, Tenn. "home." She has been in Austin for eight years now.

She has a bachelor's degree in botany from the University of Texas at Austin with a minor in chemistry.

She has two dogs, two cats and gardens for fun.

Carla Kartman joined NRM March 21. Before ENV, Kartman was with the Austin consulting firm of Parsons Brinckerhoff.

She earned a bachelor's degree in environmental science from Texas A&M at Corpus Christi with a major in biology and a minor in chemistry. While in school, she was also among the first group of recruits into Americorps. Her Americorps assignment was to work for the U.S. Fish and Wildlife Service examining endangered species issues related to NAFTA.

Kartman said she was after a degree in marine biology when she entered school in Corpus Christi.

"I wanted a degree in marine biology because I wanted to get paid for fishing," she said. In the process, she fell in love with wetland ecology and pursued that instead. Coastal fishing remains one of her favorite hobbies.

She grew up in Houston and biology is her second career. She worked for 14 years as a specialist in the parts departments of several dealerships for GMC and Peterbilt trucks.

Kartman will conduct wetland delineations and review U.S. Army Corps of Engineers permits.

Cindy Tennis joined CRM April 16 as an archeologist. Her experience is mostly with Spanish Colonial and historical period archeology.

Tennis came to ENV after 10 years with the Center for Archeological Research at the University of Texas in San Antonio (UTSA). She was the project archeologist for the award winning U.S. 77/Refugio mission excavation. Tennis also excavated the grave site of Texas Revolutionary hero Ben Milam at a San Antonio park, her first major project. The remains were examined at the Smithsonian and then re-interred in the park. Tennis said the remains confirmed historical accounts that Milam, killed at the Battle of Bexar just prior to the siege of the Alamo, was killed by a sniper's bullet to his head.

Tennis is a native of San Antonio where she lives with her husband of 35 years.

Visit ENV on the internet or intranet

The Environmental Affairs Division (ENV) has one of the largest internet sites among TxDOT divisions and also has a substantial site on the department's intranet page, "Crossroads."

The address for ENV's internet site is: **"http://www.dot.state.tx.us/insdtdot/orgchart/env/index.htm"**

The internet site holds descriptions of what each section of ENV does, a directory of staff personnel, an archive of publications and links to other transportation/environmental related sites. It also has pages devoted to Ozone Action Days and the department's environmental streamlining effort.

ENV's Crossroads site is found at: **"http://crossroads.org/env/"**

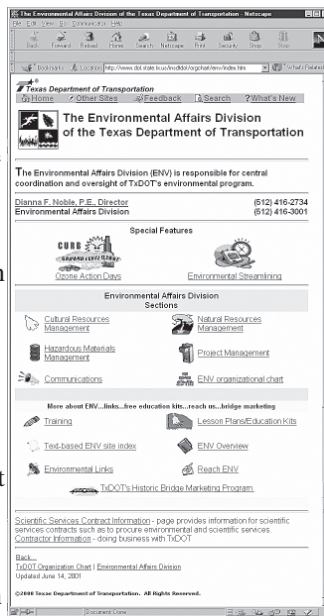
Unlike the internet site, Crossroads is available only to those within TxDOT. ENV's Crossroads site contains a staff phone directory, district assignments, a manual to the Environmental Tracking System (ETS), extensive guidance on water quality regulations and a comprehensive guide to hazardous materials management.

The ETS manual is due to be revamped this summer with the rollout of

a new version of the software.

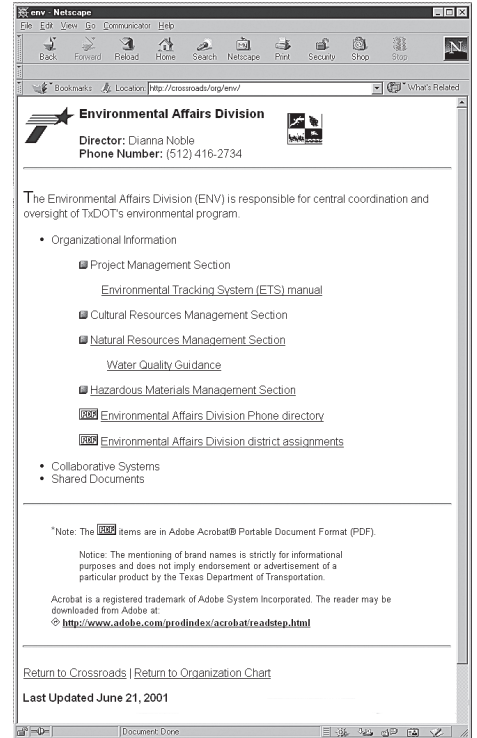
The Water Quality page, with material from ENV's Natural Resource Management Section (NRM), contains guidance for districts on Section 404 wetlands, the National Pollution Discharge Elimination System (NPDES), the Edwards Aquifer, the Rivers and Harbors Act, and Communication in the Permitting Process.

ENV's Hazardous Materials Management Section (HMM) has posted guidance on Hazardous Materials in Project Development, Guidance for



ENV's Crossroads site (above right) and its internet site (above).

Environmental Compliance at TxDOT Facilities, Universal Waste Management, and Spill Prevention Control and Countermeasures Guidance. The 2001-2002 Environmental Compliance Survey Schedule by District is also posted on the



site.

Legislature: Some air rules changed

(Continued from Page 3)

incentive purchase programs for off-road equipment, heavy on-road equipment, cleaner light duty cars and trucks and energy efficient appliances. The incentive program is currently under development by TNRCC.

The Legislature also changed the implementation date for **cleaner diesel fuel**. The SIPs required the use of cleaner diesel fuel in both on-road and off-road equipment by May 1, 2002. The implementation date has been changed to May 1, 2006. The General Services Division (GSD) will implement this rule.

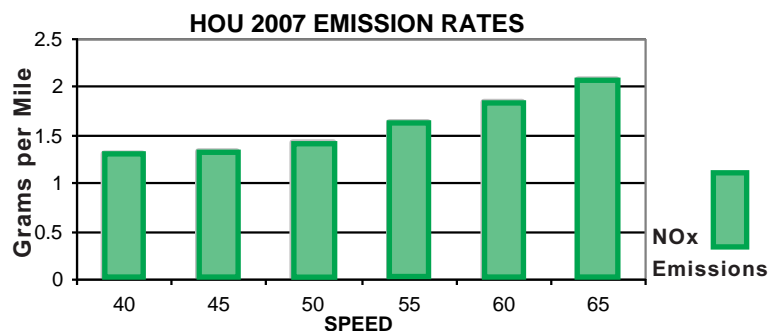
California standard off-road diesel equipment will still be required statewide beginning on May 1, 2004. Vehicle inspection/maintenance program requirements were not changed and begin on May 1, 2002. GSD will also handle

implementation of this rule

The **Vehicle Idling Ban** in Houston began April 1. Trucks weighing more than 14,000 lbs. are banned from idling more than 5 minutes. This does not apply to vehicles stuck in traffic. The Houston and Beaumont districts are responsible for their areas.

The **Lawn and Garden Equipment Usage Ban** in Houston was not changed and is scheduled to start on May 1, 2004.

This rule prohibits commercial users from operating gasoline powered lawn and garden equipment less than 25 horsepower from 6 a.m. to noon in Harris, Galveston, Brazoria, Fort Bend, and Montgomery counties from April 1 through Oct. 31. The rule allows commercial operators to submit alternative emission reduction plans in place of the usage ban. This rule may affect maintenance operations.



This chart shows that on-road NOx emissions increase with vehicle speed.



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Address correction requested



State to sponsor air quality campaign

TxDOT and the Texas Natural Resource Conservation Commission (TNRCC) in partnership with the Texas Transportation Institute are developing a comprehensive statewide outreach campaign designed to motivate Texans to bring about a meaningful improvement in air quality, particularly in non-attainment and near non-attainment areas of the state.

The program is aimed at creating a statewide campaign comparable in scope to the successful Don't Mess With Texas anti-litter campaign. In the same way that Don't Mess With Texas changed public attitudes and behavior to clean up the roadside, the proposed air quality campaign will be designed to shift public attitudes and behavior to clean up the air.

TxDOT and the TNRCC are working to guide the state in an effort to comply with federal air quality standards and more generally to improve air quality in Texas.

This program will include both public education and outreach components. It will complement and be coordinated with local programs already under way or soon to begin. The statewide program will be oriented mainly toward building awareness of the Texas air quality problem, transportation-related causes, and promoting actions that need to be taken to improve air quality. The program launch is scheduled for March 2002.

Development of the planned 10-year campaign will initially be handled by Austin-based Sherry Matthews Advertising and Public Relations, Inc., under a six-month contract.

For additional information, contact Jean Beeman, TxDOT, Environmental Affairs Division, (512) 416-3171, (jbeema0@dot.state.tx.us) or Israel Anderson, TNRCC, (512) 239-5318 (ianderso@tnrcc.state.tx.us).

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We welcome ideas for stories and standing features. Submit those to the above address, attention Richard Goldsmith, phone 512.416.2743; via

GroupWise to "rgoldsmi" within TxDOT; "rgoldsmi@dot.state.tx.us" for e-mail from outside TxDOT.

Does ENVision reach the right person within your organization? Contact us to correct an address or to suggest additions to the mailing list.



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