

Water Quality Advisory Work Group
Meeting Summary
April 3, 2007

Welcome and Introductions – Sherry Smith, Wastewater Permitting Section

- Kimberly Wilson is the new Team Leader for the Storm Water and Pretreatment Team
- MS4 - in progress and on the Agenda for next week
- H.S. Buddy Garcia is the new Commissioner

Update on Chapter 217 Design Criteria – Louis C. Herrin, III, P.E., Wastewater Permitting Section

- Had 4 stakeholder meetings in December and in January. Handed out the draft and asked for comments.
- Received a number of comments, and now in the process of going through them.
- Stakeholder Meeting set for May 8th
- Revisions should be on the web by April 16th
- We had 5 manufactures come in and talk to us about their recommendations.
- The new draft will be in Microsoft Word
- BOD/CBOD – looking at Table 2 Subchapter B
 - A. There has been very few updates since the 1950's
 - B. Low flows, showers, etc.

Update on General Permits – Yvonna Pierce, Wastewater Permitting Section

- MS4 on Agenda next week, Cindy Hooper is working on this permit
- TXG11 – issued in November 2006. 50 NOI's to be entered.
- TXG34 – Petroleum Bulk Storage and Terminals, Set on Agenda next week – renewal.
- Kim Wilson is working on a general permit for discharges from quarries in the John Graves Scenic Waterways.
- TXG83 – Water Contaminated by Petroleum Product. This permit expires in October and we are working on the renewal. The draft is currently being reviewed by the EPA.
- WQD20 – This permit expires in October and we are working on the renewal.
- Repeal 321 Rules – We are working on a repeal of the 321 Subchapters that have been replaced by General Permits.
- There is discussion about writing a general permit for mobile oil drilling units and carwashes. Some carwashes are using the 210 process for disposal of their wastewater.

Construction General Permits – Valerie Williams, Wastewater Permitting Section

- Issued in March 2003, will expire in 2008
- Currently in the process of renewing, trying to re-issue by the expiration date
- Have gotten many comments

- Strongly encourage to let us know if you have any questions. Would like to deal with issues before expiration and renewal process.
- Will continue outreach
- The draft permit is expected to contain many of the same provisions as the current permit. Some of the changes anticipated are:
 1. Changing the application fee and the annual fee to become one fee. This would eliminate the annual fee billing that is currently being assessed for sites “active” on September 1 of each year.
- May add a requirement related to concrete truck wash out water at construction sites, which is currently described in the wastewater general permit for concrete production facilities, TXG110000.
- Another issue that is currently being evaluated is that the current definition of “construction site operator”.
- We will likely hold a public meeting at the end of the public comment period. We don’t expect to hold a stakeholders meeting on this permit.

Phase II MS4 General Permits – Valerie Williams, Wastewater Permitting Section

- This general permit will authorize the discharge of storm water and certain types of non-storm water from small municipal separate storm sewer systems, or MS4s. MS4s will include cities, towns, counties, special districts, and other governmental entities that operate a separate storm sewer system located completely or partially within an urbanized area as defined by the U.S. Census Bureau.
- We expect approximately 300-500 applications to be submitted. The application deadline is 180 days following permit issuance.
- We made some changes to the draft permit based on public comments and management review:
 1. The draft permit states that the MS4 operator is not required to implement the Storm Water Management Program, or SWMP, until receiving written approval from the TCEQ.
 2. The draft permit clarifies that MS4 operators may implement the optional 7th Minimum Control Measure related to municipal construction activities.

Update on Pretreatment Streamlining Rule – Rebecca Villalba, Wastewater Permitting Section

- Became State Law on October 14, 2005
- Was published by EPA to help streamline the Pretreatment Program
- EPA has 13 required elements
 1. Factsheet 1.0 – Summary of Changes
 2. Factsheet 2.0 – Required Changes
- In Texas, we have 12 required elements since we do not have CSO’s
- Factsheets 3 & 5 are published by EPA with additional guidance on specific topics. Factsheet 4 is not published yet.
- Texas is moving forward with implementation of the Streamlining Rule
 1. Pretreatment Audit reports have been revised to incorporate the required elements

2. TPDES permit pretreatment language and Pretreatment Annual report will soon be finalized
 3. Other documents to be revised: Worksheet 6.0 in TPDES Domestic Permit Application
- Permittees will have 6 months to modify their pretreatment program from issuance of next TPDES permit.

TMDL Update – Faith Hambleton

- FY07 – lots of TMDL's to be adopted by EPA
- Future adoptions – Houston area, Trinity
- Contractors going to the Trinity River for PCBs
- Bays on 2004 lists for bacteria impairments in oysters - more data needs to be collected
- Water Quality Standards Stakeholder Group Meeting to be held on May 16th, will discuss the many issues with Bacteria
- Working closely with Monitoring Division on Internal Subcategories of draft 2006 303dList
- 2008 Assessment – only classified segments will be assessed
- New category – EPA approved 5M – Mercury reduction plans in lieu of TMDL's

Update on Water Quality Standards – Jim Davenport, Water Quality Assessment Section

- Pending EPA approval from the year 2000 standards revisions:
 1. revisions to toxic criteria to protect aquatic life
 2. applying E. Tx. D.O./ streamflow relationship to classified segments
 3. site-specific toxic criteria for 5 water bodies (4 for selenium)
- For the upcoming revisions, the next workgroup meeting set for May 16th
- Nutrient criteria for chlorophyll *a* are drafted for up 100 reservoirs
- Phosphorus and nitrogen are also evaluated – to relate to chlorophyll *a*
- Considering new EPA guidance on calculating toxic criteria to protect human health
- Mercury
 1. criterion would be as a fish tissue concentration, rather than a water concentration
 2. this approach would facilitate the use of site-specific bioaccumulation factors
- Revising or deleting provisions for addressing whole-effluent toxicity due to diazinon, since EPA phased out diazinon for lawn and garden use.
- Evaluating new EPA WET policy:
 1. to consider sublethal toxicity in addition to lethal toxicity
 2. to require WET limits for a “reasonable potential” for toxicity

Legislative Update – Beth Seaton, Water Quality Division

- **SB 359** – expand John Graves Scenic Riverway Pilot Project to portions of East Fork and West Fork of the San Jacinto River. Also expands applicability of reclamation for quarry operations in these areas.
- **SB 2929** – expand John Graves Scenic Riverway Pilot Project to include portions of Spring Creek. Extends pilot program to 2007.

- **SB 712** – new permitting for quarries after September 2007.
- **HB 3570** – Establishes operating distance requirements for rock crushers located over a sole source aquifer for which an air permit application was received on or before 7/1/03 and not issued before 9/1/05. Can't operate less than 1 mile from a residential area, school, or church. Establishes new permitting program for quarries located over sole source aquifer for which an air permit application was received on or before 7/1/03 and not issued before 9/1/05.
- **HB 3631**– Requires Department of Transportation to develop rules prohibiting a new quarry or expanding quarry within 2 miles of a residential structure in a county with a population greater than 3.3 million.
- **HB 1037** – Create program for evaporation pits utilized to evaporate water and collect residual salts and minerals for commercial production.
- **HB 2306** – Requires proof of a Storm Water Permit to get a TXDOT Salvage Vehicle Dealer license for facilities that salvage 3 or more vehicles per year.
- **SB 1677** – Property Owner process to file suit over conservation easements on their property.
- **HB 3039** – restrictions on permits authorizing discharges of treated wastewater into or adjacent to any water in the contributing or recharge zone of the Barton Springs segment of the Edwards Aquifer.

Next Meeting and Suggested Topics

- Continue to talk about topics on current list
- Legislative Update

Water Quality Advisory Work Group
April 3, 2007
Austin, Texas

****PLEASE PRINT****

Name	Organization/Agency
Jaron Bergin	Calpine Corp.
Michael Bloom	PBS&J (TxDOT)
Samuel Helmle	CPS Energy
Richard Eyster	TDA
Cathy Wingert	Wingert H2O Systems
Faith Hambleton	TCEQ
Norm King	TxDOT
Catherine Elliott	HCFC
Janelle Taylor	TPWD
David Ham	TxDOT
Mary Etter	LCRA
Brooke Thomas	RMT
Mark Lowery	TCB
Valerie Williams	TCEQ
Lial Tischler	Tischler/Kosurek
Walid Samarneh	City of Houston
Isaac Jackson	TCEQ
Glen Lewis	IU/SCOT

Jackson Lamb	HCFCD
Cindy Contreras	TPWD
Trent Marti	Harris County
Pat Radloff	TPWD
Martin Miller	SAWS
Tiffany Morgan	BRA
Mahendra Mohite	Malcolm Pirnie
Chris Linendoll	TCEQ
John Broch	Southwest Water
Sherry Smith	TCEQ
Sara Burgin	Baker Botts
Clyde Bohmfalk	TCEQ
Antonella Georgeson	City of Houston
Michelle Smith	Llloyd Gosselink
Raj Bhattarai	City of Austin
Rex Hunt	Alan Plummer Assoc.
Alicia Reinmund	LCRA