

TEXAS STATE BREAKOUT SESSION



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ)
35TH ANNUAL RVIPA WORKSHOP, DENTON, TEXAS

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TCEQ PRETREATMENT AUDITS – UPDATES

Updates to TCEQ Audit Process:

- Pre-audit electronic IU file requests
- Location should have internet accessibility to TCEQ staff
- Additional TCEQ auditors – please be aware some audits may have additional auditors present to provide training opportunities for newer staff
- Recommendations to Control Authorities (CA) to conduct screening or monitoring procedures to determine if Table V pollutants are present. (40 CFR Part 122 Appendix D)



FY2019 AUDITS RECAP – STRENGTHS

1. CAs provides oversight of facilities that are classified as non-significant IUs (NSIUs), even though this is not required under the approved pretreatment program or federal regulations.
2. CAs are proactive in educating their IUs regarding general pretreatment reporting and monitoring requirements.
3. CA coordination with external POTW personnel and have developed internal processes for collection system staff to report issues to pretreatment staff. CAs are able to conduct investigations of commercial and industrial facilities in the vicinity of where POTW issues are reported.
4. Numerous programs have excellent pretreatment webpages. These websites provide important information to IUs and the general public on wastewater and the pretreatment program.

FY2019 AUDITS RECAP – STRENGTHS

5. CA implements pollution prevention (P2) activities to actively reduce pollutant loadings to the POTWs from permitted IUs.
6. CAs have proactively identified dental users by utilizing multiple sources of data, to ensure compliance with the new Dental Rule.
7. Several programs use the LINKO software to implement multiple facets of their pretreatment program. LINKO is used to generate SIU permits, COC forms, schedule annual IU inspections, schedule compliance monitoring activities, track the admission of IU reports, etc.
8. Many programs are regularly involved in various public education and outreach activities to raise pollution prevention awareness in the community.

FY2019 AUDITS RECAP – COMMON VIOLATIONS

1. Failure to evaluate SNC for all SIUs as required by 40 CFR §403.8(f)(2)(viii) (A) – (H)
2. Failure to follow the approved program's Enforcement Response Plan/Guide (ERP/ERG)
3. Failure to conduct WWTP influent and effluent monitoring as required by TPDES permit
4. Failure to review with sufficient care to chain of custody (COC) forms
5. Failure to sample and/or inspect all SIUs at least once per year
6. Failure to include all applicable effluent limits in the IU permit (categorical standards, local limits, etc.)
7. Failure to notify or document 24 hour notification from SIU
8. Failure to submit modifications to TCEQ
9. Failure to maintain a complete industrial waste survey (IWS)
10. Failure to ensure all reports submitted by IUs contain the required certification statements and signatures from authorized representatives

TCEQ IMPLEMENTATION – DENTAL AMALGAM RULE

2019 TCEQ FAQ

- Identify dental facilities within the approved program service area
- Maintain copies of One-Time Compliance Reports (OTCRs) submitted by dental facilities, in accordance with the approved pretreatment program
- Enforce against dental dischargers that are determined to be out of compliance with 40 CFR Part 441



TCEQ IMPLEMENTATION – DENTAL AMALGAM RULE

During a pretreatment audit or PCI, the TCEQ would expect to see the following:

- A determination of whether or not the dental facility has to complete an Industrial User Survey for the Master IU Inventory,
- Master IU Inventory to include a list of dentists (and addresses) that have been identified,
- One-Time Compliance Reports (OTCRs) submitted by dental dischargers,
- Documentation of enforcement actions taken, if needed, and quarterly evaluation of dental dischargers to determine if in SNC.

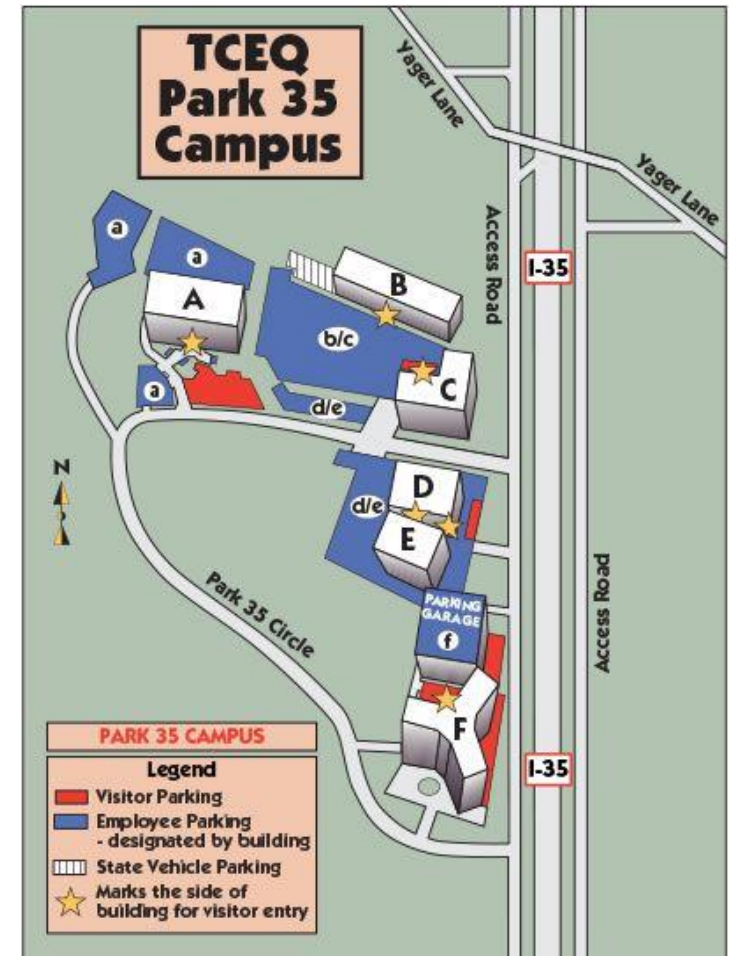
TCEQ IMPLEMENTATION – METHOD UPDATE RULE (MUR)

Clean Water Act (CWA) Methods Update Rule

- Changes to analytical test procedures used to analyze wastewater and other environmental samples
- TCEQ is offering fields of accreditation for analytes listed in the updated methods EPA 608.3, 624.1, and 625.1
- Four new pollutants in 30 TAC Ch 307 (TSWQS)
- Labs: recalculate MDLs and submit data to TCEQ for NELAP certification for analyte-media-revised method
- Stakeholder meeting held on June 27, 2019 to gather input on impacts

SEPTEMBER 2019 STAKEHOLDER MEETING

- Pretreatment Stakeholder Meeting
 - September 19, 2019 1:00 pm – 4:00 pm
 - TCEQ Campus – Building F, Room 2210
 - 12100 Park 35 Circle, Austin, TX 78753
- Additional information at https://www.tceq.texas.gov/permitting/wastewater/pretreatment/pretreatment_stakeholder_group.html



SEPTEMBER 2019 STAKEHOLDER MEETING

Discussion Topics

- Dental Amalgam Rule requirements and WQD expectations
- Discussion over boilerplate pretreatment language in TPDES permits
- Discussion over CA's regulation of all industrial users as required in 40 CFR §403.8(f)(2)(v) and definition of an "industrial user"
- Discussion over the use of EPA guidance: 1993 Region VI memo vs. 2004 National guidance manual
- E-Reporting Rule requirements
- Issues associated with CAs sampling in lieu of their industrial users
- Plan for addressing backlog of pending program modifications
- Updates to the TCEQ auditing process and potential areas of focus for future audits (e.g. IWS and regulation of all IUs)
- TCEQ's sampling plan reviews and checklists

TCEQ PRETREATMENT AUDITS – NEW FOCUS AREAS

- SNC evaluations shall be documented for all SIUs. This includes evaluations for SIUs who are compliant. SNC evaluations should include quarterly evaluations of all of the criteria listed in 40 CFR §403.8(f)(2)(viii)(A) through (H).
- Influent/Effluent sampling according TPDES permit requirements
- Randomly sample and analyze effluent from IUs. Auditors will look for documentation demonstrating IUs in the service area, including non-significant IUs, are sampled and analyzed randomly to ensure all wastewater contribution is properly characterized. Industrial waste surveys (IWS) should include consideration of all non-domestic sources.

PRETREATMENT PROGRAM CONTACTS

Austin Headquarters

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