

20101203 TCEQ Press Release

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TCEQ's response to EPA news release on Texas water issues

In an apparent attempt to undermine the ongoing progress made between TCEQ and EPA staff on a very complicated scientific issue (lethal and sublethal toxicity limits in Texas Pollutant Discharge Elimination System [TPDES] permits), EPA Regional Administrator Al Armendariz issued a news release late yesterday proclaiming EPA's concern that expired permits continue to authorize toxic discharges, and "taking a stand for clean water." Interestingly, EPA took nine years to approve all of the 2000 Texas Surface Water Quality Standards, the foundation for water quality protection in the state, even though the Clean Water Act deadline is 60 days to approve and 90 days to disapprove.

It's perplexing to the TCEQ that after so many months and years of progress on this issue, a news release is the communication tool of choice.

For many of the permits referenced, TCEQ is proposing other, more restrictive permit requirements, which have not yet been implemented because of EPA's unwillingness to work cooperatively on an effective solution for toxicity requirements.

Currently the EPA has in house, at its offices in Dallas, proposed toxicity limits for several permits subject to renewal. These draft solutions for toxicity limits were forwarded to EPA and are pending review and approval by EPA. The EPA and TCEQ staff have been working closely on this toxicity issue for many years and are in the final stages of agreeing on permit language. With respect to other permits included on EPA's list of objections, we believe it is important to not blindly accept comments received from EPA but to carefully consider the technical merits of each one and work together to develop protective permits.

In FY 2010 TCEQ issued 600 wastewater discharge TPDES permits and have issued a total of 2932 TPDES individual permits. These permits are protective of human health and the environment. Texas is our home, and we take a stand for clean water every day. We are anxious to receive approval so that any permits in question may be expeditiously processed.