

Proposed TRRP Rule Modifications, July 2005

**TCEQ PROPOSES
40 MINOR EDITS AND
YOU CAN, TOO!**



In July 2005, the Texas Commission on Environmental Quality (TCEQ) issued a list of 40 proposed modifications to the Texas Risk Reduction Program rule (TRRP; 30 TAC Chapter 350), which was originally issued in September 1999 and established

comprehensive site investigation and remediation procedures for corrective action sites in Texas. The full list of the proposed rule changes is available on the TCEQ TRRP web page at:

<http://www.tnrcc.state.tx.us/permitting/trrp.htm>.

On August 17, 2005, from 9:00 a.m. to 4:00 p.m., the TCEQ will host a public meeting at TCEQ Headquarters in Austin to explain the proposed changes and hear public comments. Until September 1, 2005, the agency will accept written comments on the proposed TCEQ rule changes. In addition, they invite your suggestions on additional changes to the TRRP rule. GSI's summary of the proposed TCEQ rule changes is provided in the table below along with our suggestions for additional changes that could serve to make the TCEQ corrective action program more efficient and economical.

Summary of TCEQ Proposal Issued July 14, 2005 for
Revisions to Current TRRP Rule (30 TAC Chapter 350)
with Additional Recommendations by GSI

Category of Proposed TRRP Change	Number of Changes in Category	TCEQ Change Numbers ⁽²⁾	General Description of Proposed Change(s)	Impact Anticipated by GSI	Overall Effect on Regulated Community
Changes to TRRP Rule Proposed by TCEQ					
<i>Typos/ Clarifications</i>	31	1, 2, 4-8, 10, 11, 13-22, 24-30, 33, 37-40	Corrections of typos or minor clarifications of the rule that will have little or no impact on the majority of sites.	Will improve the rule by eliminating confusion over a number of minor issues.	↑
<i>Ecological Risk/ Surface Water Guidance</i>	6	3, 12, 23, 34-36	Changes relate to ecological risk assessment or evaluation of surface water and sediment. In general, these changes serve to make the rule more consistent with current TCEQ policies and guidance (i.e., RG-263, Ecological Risk Assessment Guidance and TRRP-24, Surface Water Guidance).	These changes are consistent with current agency practice and therefore, will have little impact on TRRP implementation at corrective action sites. However, could serve to reduce flexibility by codifying current agency practice.	↔
<i>Chemical – Specific Criteria</i>	2	31, 32	Proposed changes address specific chemicals (No. 31: Lead and No. 32: PCBs). For lead, change would allow the use of the USEPA IEUBK model to establish PCLs for residential land use. For PCBs, change would require congener analysis, rather than analysis of Arochlor mixtures.	Change may allow for higher lead PCLs for residential soils on a site-specific basis. However, analytical costs for PCBs would be increased, and it is unclear whether the agency would continue to accept historical Arochlor analyses.	↔
<i>Surface Soil Definition</i>	1	9	Change would redefine surface soil for residential land use as 0 to 5 ft bgs (identical to commercial land use) rather than the current 0 to 15 ft bgs.	Would simplify the rule and moderately decrease site assessment costs. Possible significant decrease in remediation costs at a residential property where the soil direct contact pathway drives the remediation.	↑
↑ = IMPROVED EFFICIENCY ↔ = NO SIGNIFICANT CHANGE ↓ = STRICTER STANDARDS					
NOTES: 1) Table provides summary of proposed changes listed on Table "Proposed TRRP (30 TAC 350) Rule Changes, July 14, 2005" available at www.tnrcc.state.tx.us/permitting/trrp.htm 2) Change number from TCEQ Table. 3) COC = Chemical of Concern; GW = Groundwater; SPLP = Synthetic Precipitation Leaching Procedure; PCL = Protective Concentration Limit					

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GSI REGULATORY UPDATE BULLETIN: PROPOSED CHANGES TO TRRP

ISSUED: JULY, 2005

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GSI Proposal	TRRP Rule Citation	TRRP Rule Change Proposed by GSI	Impact Anticipated by GSI
Changes to TRRP Rule Proposed by GSI			
<i>Vertical Soil Delineation</i>	30 TAC 350.51(e)	For metals, allow use of SPLP test to demonstrate no potential impact to GW in place of vertical delineation soils to background.	Simplify site assessment requirements for metals in soils.
<i>Hazardous Environmental Media</i>	30 TAC 350.32(a)(2)	Eliminate requirement to remove characteristically hazardous environmental media to achieve a Standard A remedy.	Make rule consistent with USEPA policy by removing language that requires environmental media to be considered hazardous waste even if left in place.
<i>Tier 1 PCLs for Soil-to-GW-to-Air Pathway</i>	30 TAC 350.75(b)	Eliminate Soil-to-GW-to-Air PCLs from the Tier 1 Look-Up tables.	Simplify PCL tables by removing pathway that never controls cleanup actions.
<i>Cumulative Risk Adjustment</i>	30 TAC 350.72(b)	Eliminate requirement for cumulative risk adjustment for sites with more than 10 COCs.	Simplify PCL development by eliminating additional step that never controls cleanup actions.
<i>Class 3 Groundwater Classification</i>	30 TAC 350.52(3)	Increase well yield threshold for definition of Class 3 groundwater resource from <150 gpd to <500 gpd.	Apply more practical yield limit to identify potentially usable vs. unusable groundwater-bearing unit, i.e., Class 3. More consistent with other states.
<i>Default Exposure Pathways</i>	30 TAC 350.71(c)(5)	Eliminate Soil Leaching to GW as a default exposure pathway.	Make rule more reality-based and cost-effective by eliminating hypothetical pathway that controls most soils cleanups but does not, in fact, represent actual threat to groundwater.

For More Information ■ Please feel free to contact us at Groundwater Services, Inc. (GSI) with any questions you may have regarding this issue. Visit our website: www.gsi-net.com



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■ GSI WILL CONTINUE TO PROVIDE periodic updates regarding important regulatory developments in Texas. Should you have any questions regarding these or other upcoming issues, please feel free to contact us at 713-522-6300.

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About GSI

GROUNDWATER SERVICES, INC., dba GSI Environmental Inc. (GSI), is an environmental engineering consulting company located in Houston, Texas, which specializes in the management of environmental risk. Since 1986, GSI, has been providing industry with innovative solutions to soil, groundwater, surface water, and air pollution problems.

G S I R e g u l a t o r y U p d a t e B u l l e t i n

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