

# What's New at TCEQ?

**JANUARY 2009**



## OVERVIEW

This Regulatory Bulletin highlights some recent events and guidance from the TCEQ, focusing on Remediation, Permitting, and Enforcement Programs.

## TCEQ On the Move

Remediation Division move to OCE effective October 2008, with Brent Wade as Acting Division Director

The TCEQ has reorganized to shift the Remediation Division from the Office of Permitting & Registration into the Office of Compliance & Enforcement (OCE). **Figure 1** on the next page shows the current organization of the OCE.



Moving the Remediation Division into OCE may improve coordination between TCEQ Central Office and Regional personnel responsible for spill response and remediation activities, as the Remediation, Enforcement, and Field Operations personnel will now be housed within the same office, under the same Deputy Director. For example, oversight of spill cleanups (i.e., those being completed within 180 days from the date of release) is managed by Regional office staff. Cases are referred to the Remediation Division in the Central Office if the cleanups exceed 180 days. Under the new organization, there may be opportunities to shift workload, and maintain oversight of these projects in the Regional offices.

Similarly, with Remediation and Enforcement now residing in the same Office, there are new opportunities for improved coordination of enforcement-directed remediation projects, including greater involvement of remediation staff in negotiating orders, streamlining compliance tracking, and on-site oversight of remediation projects in the regions.

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No direct impacts on individual remediation cases are anticipated as a result of this reorganization. However, greater involvement of Field Operations personnel in management of remediation cases may be anticipated in the future.

Proposed Rule Change for PST Cleanups:  
*Comments Due 5 January 2009*

The commission approved proposal of a rule package to **remove LPST site cleanups from the Texas Risk Reduction Program (TRRP, 30 TAC Chapter 350)**, as required under House Bill (HB) 3554. This action would **restore the past regulatory requirements of 30 TAC Chapter 334** for risk-based cleanups of PST sites. If adopted, this rule change will cover parties responsible for LPST releases reported since 1 September 2003. In the meantime, until the rule-making process is completed, these sites will continue to be assessed and remediated under TRRP.



A summary of the proposed rule can be found at <http://www.tceq.state.tx.us/rules/prop.html#09003>

The proposed rule language has been published in the Texas Register (<http://www.sos.state.tx.us/texreg/pdf/backview/1121/1121prop.pdf>). Public comments, due 5 Jan 2009, can be submitted electronically at <http://www5.tceq.state.tx.us/rules/ecommnts/>.

TRRP-10 Guidance Issued re:  
Selection of COCs for Remediation Sites



This guidance for **Selecting Target Chemicals of Concern** outlines a process for selecting appropriate chemicals for analysis when responding to TRRP. The guidance can be found at [http://www.tceq.state.tx.us/files/rg-366\\_trrp\\_10.pdf\\_4376590.pdf](http://www.tceq.state.tx.us/files/rg-366_trrp_10.pdf_4376590.pdf)

See <http://www.gsi-net.com/UsefulTools/RegBulletins.asp> for a GSI Regulatory Bulletin on this and other remediation and permitting topics.

## Online Commenting for Draft Permits

In its ongoing efforts to enhance public participation, the TCEQ has expanded the options for submitting comments on permitting actions. A summary of the public participation process is available at [http://www.tceq.state.tx.us/comm\\_exec/opa/pub\\_part.html](http://www.tceq.state.tx.us/comm_exec/opa/pub_part.html). Online comment submittal makes it easier and faster to provide input. This electronic comment option has been available for rulemaking efforts, but is new to the permitting process. See <http://www5.tceq.state.tx.us/ecmnts/index.cfm> for the online comment form and instructions.



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## Milestones

The next legislative session convenes on 13 January 2009.

## For More Information

TCEQ web address: <http://www.tceq.state.tx.us/>

**Please feel free to contact us at GSI Environmental Inc. (GSI)** with any questions you may have regarding this regulatory bulletin. *Visit our website:* [www.gsi-net.com](http://www.gsi-net.com)

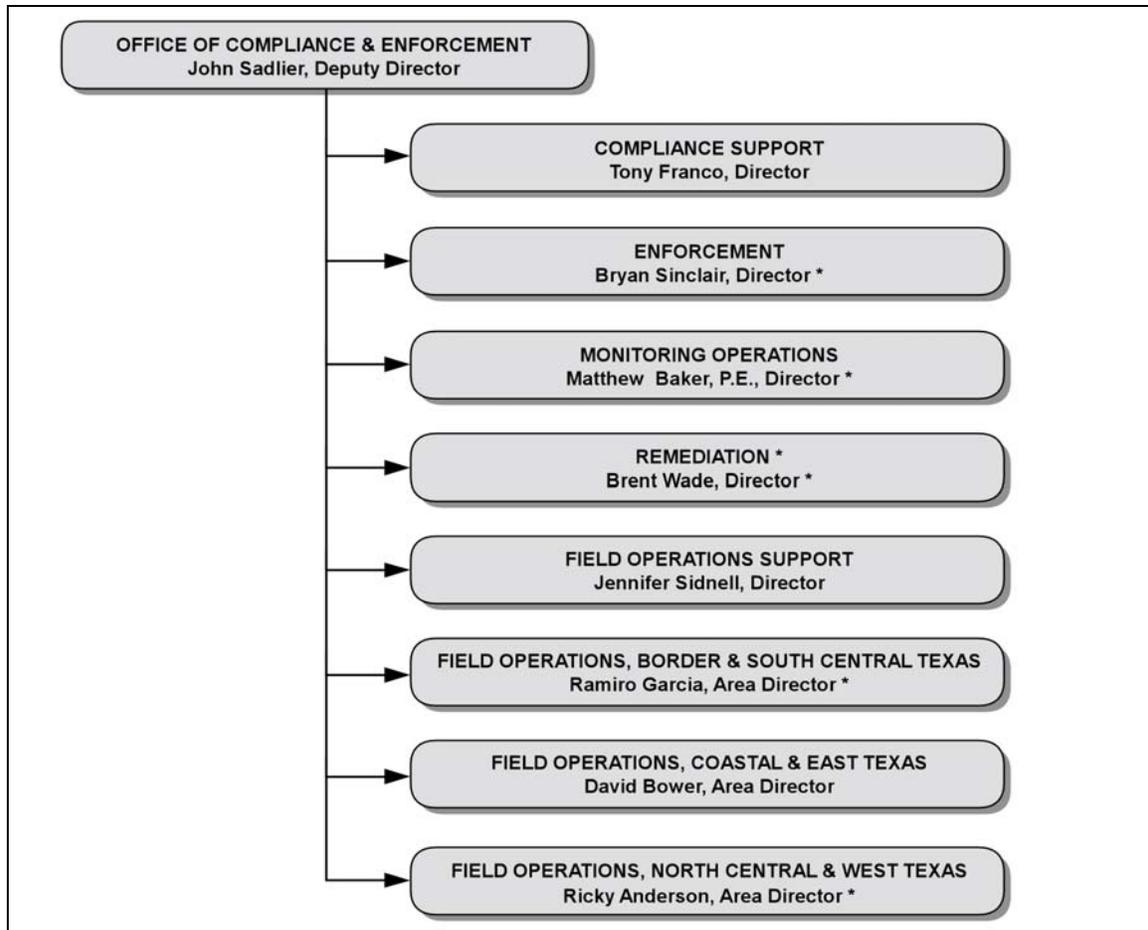


FIGURE 1: TCEQ Office of Compliance and Enforcement Organization. Asterisks (\*) note changes since Summer 2008.

**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.

**Lila M. Beckley, P.G.**  
Geologist  
[lbeckley@gsi-net.com](mailto:lbeckley@gsi-net.com)

**John A. Connor, P.E., P.G., B.C.E.E.**  
President  
[jaconnor@gsi-net.com](mailto:jaconnor@gsi-net.com)

## About GSI

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.