Senate Bill 912 – Reporting Requirements for Accidental Spills Implementation

Presented by
Tiffany Morgan
Environmental Services Manager

Meeting Date: April 14, 2016
SB 912

- Passed by Texas Legislature in 2015
- Provided volume based exemptions from reporting requirements for accidental discharges of treated or untreated wastewater from wastewater treatment plants (WWTP)
- Necessitates revisions of:
  - Texas Administrative Code (TAC) Chapters 305 and 327
  - Boilerplate language in municipal wastewater permits
  - Revision of Regulatory Guidance 395
- Requires development of new Noncompliance Notification Form

Meeting Date: April 14, 2016
30 TAC §305.132(b) – Qualifying Spills

• Allows for monthly reporting, instead of immediate reporting of accidental spills from WWTPs or collections systems owned by a local government, if spill is:
  – 1,000 gallons or less
  – Not associated with another larger spill or discharge (e.g. if you also have a spill of another type at the same time, you must report both immediately)
  – Spill must be controlled or removed before it enters waters of the state or adversely affects a drinking water source

• Does not alleviate WWTP operator from any local government requirements or specific watershed protection regulations
Applies

Meeting Date: April 14, 2016

Does Not Apply
30 TAC §305.132(c) – Reporting

- Monthly report summarizing discharges meeting above requirements due to TCEQ the 20th day of the following month (same as Discharge Monitoring Report schedule)
- Report must include:
  - Location
  - Volume
  - Method used to calculate spill volume
  - Content
  - Description of cause
  - Date and Time
  - Steps take to prevent recurrence of similar spill
30 TAC §305.132(d) – Acceptable Methods of Determining Spill Volumes

- One of the following must be used to calculate spill volume:
  - Visual Estimates
  - Measured Volume
  - Duration and Flow
- Detailed methods for each included in this chapter
30 TAC §305.132(e) – Record Keeping

• Records of all accidental spills or discharges on-site for three years
• Must be presented to TCEQ staff, immediately, when requested

30 TAC §305.132(f) – More Frequent Reporting

• May be required based on compliance record
30 TAC §327.1 – Spill Prevention and Control

- Amended to be consistent with Chapter 305 revisions
Implementation

• Not clear when rule changes will be effective
• Must revise boilerplate municipal wastewater permit language
• Must create new Noncompliance Notification form for reporting
• Regulatory Guidance, either:
  – RG-395 – Unauthorized Discharges and Sanitary Sewer Overflows will be revised, or
  – A new regulatory guidance will be written
Brazos River Authority