

WELCOME 2009!



ISSUE 14 FEBRUARY 3, 2009

JOHN GRAVES SCENIC WATERWAY PERMIT

General Permit to Discharge from Quarries > 1 mile from a Regulated Stream Available!!

TCEQ adopted the proposed General Permit (TPDES General Permit No. TXG500000) on December 15, 2008. The permit is immediately available to quarries in the protected watershed. The permit authorizes discharges of process wastewater, mine dewatering, storm water associated with industrial activity, construction storm water, and certain non-storm water discharges into or adjacent to water in the state, including exceptional, high, intermediate, limited, or no significant aquatic life use receiving waters as designated in the Texas Surface

Water Quality Standards. The permit is not available for discharges located within one (1) mile from a water body within the water quality protection area. Facilities located within 1-mile must obtain an individual TPDES permit.

The TXG500000 requires (among other things):

- 1) Owners of existing facilities permitted under the TPDES MSGP to submit an NOI and other related documents within 90-days of the issuance date of this General Permit.
- 2) Documents will be reviewed prior to permit issuance. Within 30-days, the permittee shall submit an NOT for current authoriza-

tions held under TXR05 (MSGP) and/or the TXR15 (construction storm water).

3) Submittals for authorization under this Permit require a Notice of Intent (NOI), Restoration Plan, Proof of Financial Assurance, and a Pollution Prevention Plan (P3).

4) Application fee is \$1,215 and the annual water quality fee will be \$800.

Authorization under this permit is not transferable.

If you have any questions regarding this new permit, please contact Julie Morelli at 830.249.8284 or email her at jmorelli@westwardenv.com

SPECIAL POINTS OF INTEREST:

- *John Graves Scenic Waterway Permit issued*
- *New rules for operations over the Edwards Recharge Zone*
- *Rule Changes!!!*
- *Mining and You*
- *What is AFFF?*
- *Crossword Puzzle*

SPILL PROTECTION RESPONSE PLAN FOR RECHARGE ZONE

Effective September 17, 2008, The Edwards Aquifer Authority (EAA) has implemented the Chapter 713: Subchapter F rules which govern the storage of regulated substances in **containers less than 56 gallons in size** over the Recharge Zone, the Contributing Zone five miles up-gradient of the Recharge Zone, or to the limit of the five-mile water quality buffer zone, whichever is less. These rules apply to facilities storing an aggregate quantity more than **10,000 lbs. or 1,000 gallons** of any regulated substance in smaller containers including 55-gallon drums, 5-gallon buckets, etc. The EAA requires facilities meeting the above-mentioned thresholds to both register their facilities and to develop a **Spill Prevention and Response Plan (SPRP)** to be reviewed and certified by a Professional Engineer. For a more detailed explanation of the new rules, or to see if your facility meets the criteria for this regulation, please contact *Chris Doremus* at 830.249.8284 or cdoremus@westwardenv.com.

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REVIEW OF THE SURFACE COATING RULE

The Environmental Protection Agency (EPA) published a federal rule for paint stripping, motor vehicle and mobile equipment, and miscellaneous surface coating operations on January 9, 2008. This rule may have affected 39,000 facilities nationwide. The EPA estimates a reduction of 6,900 tons per year (tpy) of Hazardous Air Pollutants (HAP), 2,900 tpy of Particulate Matter (PM) and 20,900 tpy of Volatile Organic Compounds (VOC) emissions should occur with the implementation of the requirements associated with the new rule. Overall, the EPA believes that the cost to industry will not have any significant market impact.

The rule is listed under 40 Code of Federal Regulations (CFR) Part 63, Subpart HHHHHH National Emissions Standards for Hazardous Air Pollutants (NESHAP): Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources.

The Texas Commission on Environmental Quality (TCEQ) has adopted the rule. Your business may have recently received a letter from the TCEQ stating that your facility is affected by this rule. If your outdoor or non-enclosed facility utilizes a spray application of coatings to metal and/or plastic parts that contain specified amounts of compounds with chromium, lead, manganese, nickel or cadmium or contains methylene chloride, your business may be affected.

Applicability to the rule is determined by reviewing your coating operations and the Material Safety Data Sheets (MSDS) associated with your spray coating(s). If applicability has been established and it has been determined that your coating operations are not exempt from this rule, your business needs to comply with the requirements of the rule: Initial notification form must be sent to the EPA and TCEQ. Certain management practices must occur to reduce emissions. All painters must be trained and certified. Detailed record keeping must be kept and reported to the EPA and TCEQ.

New coating operations that meet the conditions of this new rule and began construction or operation after September 17, 2007 must comply immediately. Existing coating operations that meet the conditions of this rule and commenced operations before September 17, 2007 must notify the EPA and TCEQ by January 11, 2010 and must be in compliance with the new rule by January 10, 2011. Please contact *David Knollhoff* at 830.249.8284 or dknollhoff@westwardenv.com for questions or assistance.

CHANGES TO THE MULCHING & COMPOSTING RULES

The Texas Commission on Environmental Quality (TCEQ) has adopted amendments to the Waste Minimization and Recycling Rules in 30 TAC Chapter §328. These rules are intended to further regulate the size, content, and fire safety features for non-permitted, and non-registered municipal solid waste recycling (MSW) facilities that store combustible materials to produce compost or mulch and are located in certain counties that have sole-source aquifers and that have a population of more than 1.3 million. Currently, the rule only affects Bexar County, but may expand, with population growth, to include Medina and Comal Counties. Travis County is excluded from the proposed rules because the Austin-Area Edwards Aquifer was designated as a sole source of drinking water by the EPA at a later date (1988) than the designation date captured by this rule-making (1975).

Operations "exempt" under 30 TAC §332.3(d) have always been subject to storage and processing limitations, recordkeeping, and reporting requirements of 30 TAC.

The new rule making enhances these requirements for all facilities in Bexar County. Changes to Chapter 328 include annual storage limits, including total volume limits, number and size of pile limits, timeframes for grinding raw materials, fire lanes, buffer zones, and specifies that a water pollution abatement plan (WPAP) be prepared for facilities located on the recharge or transition zones of the Edwards Aquifer.

The Environmental Protection Agency (EPA), the TCEQ, the United States Army Corps of Engineers (US ACE) and Department of Transportation (DoT) are unified regarding the benefits of recycling combustible materials to produce mulch or compost. Let us help your operations stay in compliance with environmental and safety rules so that you can keep recycling and generating high quality compost that is useful for so many applications today! For more information, please contact *Julie Morelli*, REM, at 830.249.8284 or jmorelli@westwardenv.com.

WHAT MAKES FIREWORKS RED, WHITE AND BOOM?

Happy New Year! How many of you enjoyed a spectacular fireworks display on New Year's Eve? Ever wonder how they work? How are all those wonderful patterns and colors made? Rocks. More specifically, minerals. Certain kinds of minerals. Much like painting or sometimes even using crayons, the mixing of minerals and mineral compounds creates colors and patterns. For example:

Bright Greens: barium

Deep reds: strontium

Blues: copper, sodalite

Yellows: sodium

Orange: strontium

Silver White: titanium, zirconium and magnesium

Purple: copper and strontium

As with colors, certain effects are also created by combining

certain minerals. Each mineral has specific physical characteristics and behaves differently under heat or other conditions. Iron filings and some charcoals make gold colored sparks when subjected to heat.

Magnalium (magnesium-aluminum alloy, I knew that...) can produce a small series of tiny silvery-white flashes. Larger chunks, like granules or flakes, make the effect last longer.

Fireworks were created in ancient China. The "know-how" of fireworks has progressed tremendously over the centuries. Although fireworks are an absolute wonder to watch and sometimes use, safety must be the first requirement. Some of those flash effects we just discussed?

The temperature at which some of those reactions occur can be in excess of 700 degrees.

In the last 10 years or so, the use of fireworks has nearly doubled, to the tune of about 30,000,000 pounds a year. You and I buy about 2/3 of this amount. The rest are used in professional fireworks displays.

Just like most everything else in our everyday lives, we couldn't have fireworks without mining. Having said that, what is there in your everyday lives that does NOT come from mining? Feel free to contact *Michelle Lee* at 830.249.8284 or mlee@westwardenv.com if you would like to find out more about our natural resources.

GUNPOWDER IS
TYPICALLY A
MIXTURE OF
75% POTASSIUM
NITRATE, 15%
CHARCOAL AND
10% SULFUR

IMPORTANT DATES TO REMEMBER!

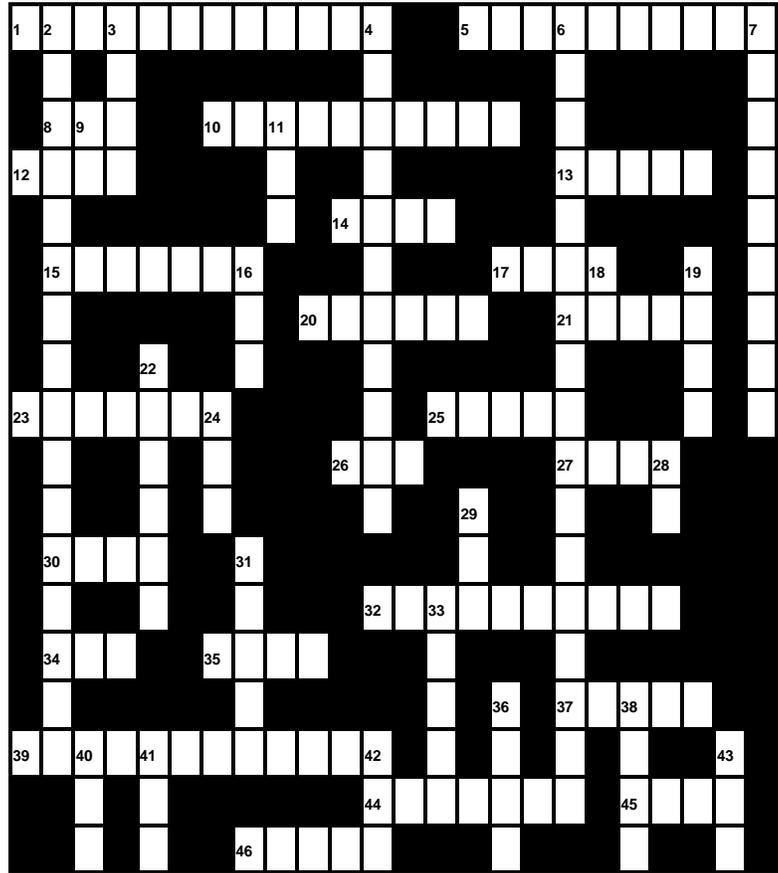
- 20th of every month: Discharge Monitoring Report (DMR) for TXG11 Facilities
- Jan. 1—March 1, 2009: Tier II Reports Due
- February 1, 2009: OSHA 300 Logs (Accident Logs) posted
- February 15: Concentrated Animal Feeding Operations (CAFO) annual report
- March 1, 2009: Industrial and hazardous waste annual summary report (electronic)
- March 9, 10, 11: TACA Sustainable Communities Training Conference—Dallas
- March 31: Benchmark Monitoring Reports (TXR05 Permitted Facilities)
- June 1, 2009: Air inspection/emissions fees FORMS are due to the TCEQ
- July 1, 2009: Toxic Release Inventory (TRI) reports due
TERP usage reports for grant recipients
- November 20, 2009: SPCC Amendments must be written and implemented

ACROSS

- 1. PBR stands for...
- 5. Act of following rules
- 8. Department of Defense abv.
- 10. Area subject to flooding
- 12. Spray ____ are a type of dust suppressant
- 13. Texas Dept. of Transportation abv.
- 14. Limestone is one type of...
- 15. Science of the earth
- 17. TX Aggregate and Concrete Assc. abv.
- 20. Where rock, sand & gravel are extracted
- 21. US Fish & Wildlife Service abv.
- 23. Lowland area that is usually saturated
- 25. Air, water and soil are types of ____ that can be polluted
- 26. Notice of Intent abv.
- 27. Texas Risk Reduction Program abv.
- 30. Facility where aggregates are shipped by barge
- 32. Byproducts of an operation, such as garbage
- 34. Clean Water Act abv.
- 35. Can be man made or natural
- 37. President of WEI
- 39. Environmentally sensitive area in northern Bexar County
- 44. Geologic structure that contains groundwater
- 45. What WEI does for you and your environmental needs
- 46. Storm Water Pollution Prevention Plan abv.

DOWN

- 2. Animal or plant with small populations
- 3. Material Safety Data Sheet abv.
- 4. Defines quality & quantity of a deposit
- 6. Any material emitted into the air
- 7. Solid or gaseous byproducts of an industrial operation
- 9. Oregon abv.
- 11. High quality rock with few impurities
- 16. "____, We Can Do That", WEI motto
- 18. Arsenic abv.
- 19. New Source Performance Standards abv.
- 22. The practice of being injury free
- 24. Department of Transportation abv.
- 28. Professional Geologist or Geoscientist abv.
- 29. Baseline Emissions Inventory abv.
- 31. US Army Corps of Engineers abv.
- 33. Leaking Petroleum Storage Tank abv.
- 36. Aqueous Film Forming Foam abv.
- 38. Mine Safety and Health Administration abv.
- 40. Code of Federal Regulations abv.
- 41. What we breathe
- 42. Environmental Assessment Protocol abv.
- 43. Environmental Protection Agency abv.



For answers to the crossword puzzle, please visit our web site at www.westwardenv.com.



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EAA TANK REGISTRATION RULE NEW!!

On July 12, 2008, the Edwards Aquifer Authority (Authority) Board of Directors adopted rules which require registration of aboveground and underground storage tanks containing regulated substances located in, above, or on the Recharge Zone of the Edwards Aquifer. Pursuant to this rule, storage tanks meeting the following criteria must be registered with the Authority within 180 days of the effective date of the rule. Specifically, existing or proposed storage tanks greater than 55-gallons and containing a regulated substance must be registered with the Authority if: constructed in, above, or on the Edwards Aquifer Recharge Zone, within the Authority's jurisdictional area or within five miles up-gradient from the recharge zone within and beyond the Authority's jurisdictional boundary. This new requirement is in concert with the new EAA Spill Prevention and Response Plan (SPRP) that is discussed on Page 1 of this newsletter. Please contact *Matt Bellos* at 830.249.8284 or mbellos@westwardenv.com for further information.

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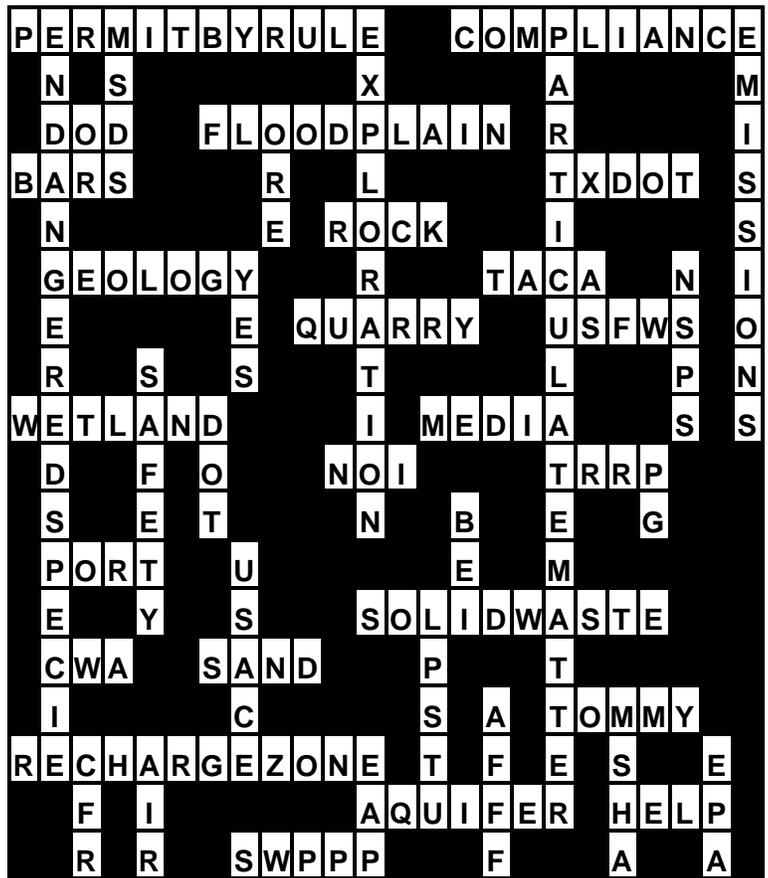
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