



Overview of the TCEQ Stakeholder Meeting on Proposed Rulemaking Regarding Petroleum Storage Tanks

On May 23, 2017, a stakeholder meeting was held by the Texas Commission on Environmental Quality (TCEQ) to solicit informal input on the adoption of the United States Environmental Protection Agency's (U.S. EPA) 2015 Underground Storage Tank (UST) Regulations into Title 30, Texas Administrative Code (30 TAC). TCEQ staff were specifically interested in comments on the management of potentially contaminated water resulting from the cleanout of sumps and required hydrostatic testing (e.g., the reuse, recycling, accumulation, and disposal of test water).

This required rulemaking will update 30 TAC Chapter 334 to incorporate federal rules that include:

- Periodic operation and maintenance requirements for UST systems to conduct walkthrough inspections and test UST system components;
- New requirements to annually test specific release-detection equipment; and
- Changes to comply with existing U.S. EPA release-detection requirements to monitor at least every 30 days, instead of every 35 days.

Additionally, this rulemaking will address minor rule revisions relating to the Fee on Delivery of Petroleum Products to reflect changes that were statutorily implemented in the Texas Water Code in 2015. Portions of the draft rules are provided on the TCEQ website [here](#).

The meeting included a presentation given by TCEQ staff from the Office of Compliance and Enforcement, Office of Waste, and Office of Water that covered the draft rule language and the associated compliance and permitting requirements. Comments and questions from stakeholders were addressed throughout the presentation.

The main topic of discussion concerned the requirements for handling water from hydrostatic testing of new vessels. TCEQ staff provided meeting attendees with the following clarifications:

Per the Hydrostatic Test Wastewater General Permit (TXG670000), please note the following:

- *Hydrostatic test water from new vessels does not have to meet effluent limits and does not have to be analyzed. The effluent limits and monitoring only apply to existing vessels that previously contained petroleum fuel or petroleum product.*
- *The facility owner/operator does not have to submit a notice of intent application to get authorization to discharge hydrostatic test water from new vessels into or adjacent to water in the state. They do have to comply with all other requirements in the permit.*

Informal stakeholder comments on the proposed rulemaking are due by June 2, 2017 and may be submitted to TCEQ via fax, mail, or online. Instructions for submitting comments are available on TCEQ's website [here](#). The formal comment period is tentatively scheduled from October 6, 2017 through November 6, 2017, and a formal public rule hearing is planned to occur once the formal comment period has ended. The TCEQ expects the proposed rule to become effective by spring of 2018.