

# A Message from the Executive Director

By Carol Batterton, Executive Director



## Regulatory Update

- **Surface Water Quality Standards.** TCEQ posted a working draft of proposed rule changes on their website the week of April 7, and held another stakeholder meeting on May 5. We were pleased that some of the proposed changes to the standards were consistent with our suggestions in the joint resolution. See the TCEQ website for additional information. <http://www.tceq.state.tx.us/assets/public/permittingwaterquality/attachments/stakeholders/307-7,8,9fromMNGTdirectory.pdf>

WEAT will be providing additional written comments on recreational standards, nutrients and sub-lethal WET permit limits. WEAT representatives along with representatives from Texas Water Conservation Association, Texas Association of Clean Water Agencies, and Texas Municipal League have scheduled a meeting with EPA Region VI to further discuss our concerns about using sub-lethal WET testing a regulatory tool.

- **Compliance History.** These rules were scheduled again for proposal on May 9, 2008. However, proposal was postponed and rescheduled for the August 29, 2008 work session agenda. The commissioners did give TCEQ staff direction on several matters related to the penalty policy. These include:
  - Allowing a good faith adjustment to an administrative penalty where the respondent has been deemed culpable.
  - Allowing a demonstrated good faith adjustment to a penalty for partial compliance.
  - Eliminating recovery of economic benefit from political subdivisions and nonprofit organizations.
  - Conducting updated financial reviews only for cases where the initial review was completed more than one year before the agenda date.
  - Allowing payment plans for administrative penalties of \$100 per month for 36 months, when warranted, unless the executive director determines that it is not feasible.
- **Reclaimed Water Production Facilities Rule.** These rules provide for a streamlined authorization process for construction and operation of reclaimed water production facilities at a location other than a permitted wastewater treatment facility. Scheduled proposal date is June 4, 2008.

- **Laboratory Accreditation Requirements.**

As of July 1, 2008, all environmental testing data submitted to TCEQ for regulatory purposes must come from an accredited laboratory. In-house wastewater treatment plant laboratories are exempt from this requirement unless the lab performs laboratory work for another entity in addition to their own facility. All drinking water labs are required to be accredited. More information is available at: [http://www.tceq.state.tx.us/compliance/compliance\\_support/qa/env\\_lab\\_accreditation.html](http://www.tceq.state.tx.us/compliance/compliance_support/qa/env_lab_accreditation.html)

## Legislative Update

The Texas Legislature is holding a number of interim hearings throughout the summer on water related issues. WEAT will be monitoring and participating as appropriate.

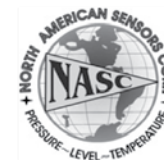
The Joint Committee on State Water Funding which was created by SB 3, held its first hearing on May 14 in

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Dallas. This committee's charge is to:

- receive information on water infrastructure needs as identified in the state water plan;
- receive information on infrastructure cost and funding options to be used by local entities to meet the needs identified in the state water plan;
- receive analyses of the funding gap and recommendations on how to address those funding needs;
- receive information on whether all water fees assessed are sufficient to support the required regulatory water-related state program functions and activities; and
- identify viable, sustainable, dedicated revenues and fee sources, or increases to existing revenue and fees, to support state water programs and to provide for natural resources data collection and dissemination, financial assistance programs, and water resources planning, including funding to implement water management strategies in the state water plan.

WEAT provided testimony at this hearing emphasizing the importance of a sustainable source of wastewater infrastructure funding. We promoted Water is Life and Infrastructure Makes It Happen™ and Liquid Assets as excellent tools for informing the public about the value and importance of sustainable water infrastructure funding.

The Senate Natural Resources Subcommittee on Regional Water Quality Standards and the Edwards Aquifer Authority Recovery Implementation Plan will hold a hearing on July 17 in Austin. WEAT will be monitoring this hearing.

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operation and maintenance of a wastewater treatment facility. This article also features WEAT past president and manager of Austin Water Utility's environmental and regulatory services division, Raj Bhattari. To view this article, please see [www.weat.org](http://www.weat.org). We have begun to share copies of this article, with a message from WEAT, to select audiences.

**Liquid Assets:** The GAC and the C&OC are developing a plan to promote a PBS documentary entitled "Liquid Assets," prepared by Penn State University, and sponsored by WEF, NACWA and other sister organizations. This 90-minute documentary, which will air in Fall 2008, is envisioned to help promote awareness of the value of our water and wastewater infrastructure and will provide an excellent platform for continued public education and discussion of water infrastructure funding needs. To learn more about this initiative, please see <http://www.liquidassets.psu.edu/index.html>.

**Water Is Life:** Through "Water is Life and Infrastructure Makes it Happen™", WEF and numerous other partners are providing free materials to utilities regarding the value of water infrastructure and wastewater services. These materials include presentations, bill stuffers, advertisements, and other materials designed to promote the value of maintaining and funding our wastewater infrastructure. <http://www.wef.org/Wil/home>. We will continue to share these materials and promote use of the program to decision makers, utility managers, and others.

- In the development stages is a pamphlet that we can use for discussion with the legislature to better explain who WEAT is and how we can help. This pamphlet will summarize the key points and benefits we offer through a very succinct message.

As you can see, a very common theme here is the importance and need for education and serving as a resource to both our members and non-members. In addition to this, the GAC is also exploring ways that we can better inform our members of the legislative and regulatory happenings through an improved WEAT website, which is also in the works.

This article is just a glimpse of the activities that we are driving forward and what's to come. Of course, none of it could happen without dedicated and active volunteers and your ideas.

If you are interested in getting involved, offering suggestions or just learning more about the GAC please email: Holly Tichenor at [htichenor@brwncald.com](mailto:htichenor@brwncald.com) or Carol Batterton at [carbat@beecreek.net](mailto:carbat@beecreek.net). If you are interested in participating or learning more about the Communications and Outreach Committee contact: Betty Jordan at [bjordan@apaienv.com](mailto:bjordan@apaienv.com) or Brad Castleberry at [bcastleberry@lglawfirm.com](mailto:bcastleberry@lglawfirm.com).

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