

A Message from the Executive Director

By Carol Batterton, Executive Director



Legislative Update

As a result of Hurricane Ike, there have been five bills filed in the Texas Legislature dealing with auxiliary power requirements for water and wastewater treatment plants. As filed, three of these bills would have required all water and wastewater utilities to maintain full standby power to fully operate the plant in the event of a power failure.

WEAT, along with other water organizations and utilities, testified at the hearings for two of these bills, HB 632 and SB 361, and questioned the need for this requirement state-wide. As a result, Senator Patrick has proposed a committee substitute for SB 361 which now only applies to water plants in Harris County. As of this writing, Sen. Patrick's bill has passed the Senate and has been sent to the House

Rep. Turner has also filed a committee substitute for HB 632 which has been voted out of committee and has gone to the full House for consideration. The committee substitute applies to water and wastewater utilities within 100 miles of the Gulf of Mexico.

Rep. Cortez has filed HB 1831 which is directed at ensuring that water and wastewater utilities' power needs are recognized during emergencies. The bill calls for an "annex" to the State Emergency Management Plan which includes provisions for restoring power to critical water and wastewater infrastructure. Critical wastewater infrastructure is defined as "wastewater collection or treatment equipment that is essential to prevent the discharge of untreated wastewater to water in the state".

Additional bills that WEAT is following closely include HB 1433 by Lucio and SB 2316 by Averitt. These companion bills as filed call for an increase in the cap of the consolidated water quality fee from \$75,000 to \$200,000. The bill sponsors have indicated that these increases are needed to provide additional funding to TCEQ to replace General Revenue that has previously been available to fund the agency's water quality programs. TCEQ is concurrently proposing new rules to amend the formula for calculating the CWQ fee. Raising the cap on the CWQ fee would enable TCEQ to distribute the fee increase equitably among all fee payers. HB 1433 has passed the House with a cap of \$150,000.

Sen. Watson and Rep. Howard have filed companion bills relating to the disposal of medical waste, specifically pharmaceuticals. The bills call for TCEQ to study current methods of disposal of pharmaceuticals. TCEQ is required to solicit input from a number of stakeholders. The bill as filed does not require TCEQ to solicit input from wastewater utilities, and WEAT has requested that the authors add wastewater utilities to the list of stakeholders.

Regulatory Update

TCEQ has announced the implementation of computer based testing (CBT) for its occupational licensing programs. TCEQ is entering into contracts with a number of testing facilities across the state and will soon begin phasing in the computer based exams for water and wastewater. TCEQ expects to have over 50 exam sites across the state by the end of 2009. Applicants must pre-qualify for CBT and receive an approval letter prior to going to a CBT site. A small additional fee will be charged for the CBT. TCEQ has no plans to discontinue written exams at the present time.

TCEQ has also issued notice of a proposed underground injection control general permit authorizing the use of a Class I injection well to inject non-hazardous brine from a desalination operation or non-hazardous drinking water residuals. A public meeting on this proposed general permit will be held on June 2, 2009, at the TCEQ offices. Additional information is available from TCEQ's website: http://www.tceq.state.tx.us/permitting/waste_permits/advgroups/uic_gp.html

On May 20, 2009, TCEQ will propose rules to include bacterial limits in permits. The comment period is expected to be from June 5-July 5, with adoption estimated for October 28, 2009.

CALENDAR OF EVENTS

2009

May 19	Austin Section Meeting, Austin, TX
May 21	Houston/Galveston Annual Social Event, Houston, TX
May 21	North Texas Section Meeting, Dallas, TX
May 21	San Antonio Section Meeting, San Antonio, TX
July 16	North Texas Section Meeting, Euless, TX
July 19	WEAT & TAWWA Summer Social, Dell Diamond, Round Rock, TX
August 3-6	Region 6 Pretreatment Assn. Workshop, Dallas, TX
August 6&7	Texas Environmental Superconference, Austin, TX
August 24&25	CMOM Workshop, Austin, TX
August 27&28	Odor and Corrosion and Biosolids Conference, San Marcos, TX
October 10-14	WEFMAX.09, Orlando, FL
November 5&6	FROG Workshop, Houston, TX
December 2	San Antonio Section End of the Year Meeting, San Antonio, TX