



## [THE ENVIRONMENTAL ELEMENT]

By: ALISON STEELE MANDADI, P.G.  
Senior Environmental Consultant  
SSCI

With: HELEN I. HODGES  
President  
SSCI

## Annual environmental reporting

In the first quarter of each calendar year, industrial business owners in Texas must comply with reporting obligations that derive from a variety of environmental regulations. In addition, some regulations (especially those that entail contingency planning or conformance with certain standardized operating conditions) require that record-keeping and reviews be completed, but not submitted to an agency. Many operators elect to conduct internal reviews simultaneously with preparation of external reports, in order to fulfill as many requirements as possible in a single effort.

The following paragraphs provide a nonexhaustive description of common external reporting requirements. These originate with Texas Commission on Environmental Quality (TCEQ) regulations unless otherwise noted.

> Industrial storm water (TCEQ general permit No. TXR050000). Permittees who conducted sampling for Numerical Effluent Limitations (NELs, "Texas Twelve" plus those in Sectors A, C, D, E, J and O) need to complete Discharge Monitoring Reports (DMRs) and submit them if any NELs were exceeded. Otherwise, a Hazardous Metals

Annual Monitoring Exclusion form must be completed and maintained with the storm water pollution prevention plan (SWPPP). 2005 was not a Benchmark Monitoring year, so if you elected to conduct that type of sampling, you do not necessarily need to submit Benchmark Monitoring Reports (BMRs).

> Annual Waste Summary. Page five of TCEQ Publication RG-151 explains which waste generators are required to file this report. Operators are reminded that they may need to submit even if they are not hazardous waste generators, because Texas closely regulates a type of waste referred to as "Class 1 nonhazardous".

> Air Quality Regulations. Businesses that must comply with individual air permits need to submit Emissions Inventories and Mass Cap & Trade Program reports. Other reports, such as those associated with New Source Performance Standards (NSPS), National Emissions Standards for Hazardous Air Pollutants (NESHAPs) and Title V Operating Permits, may also apply.

> Used oil management. Used oil filter handlers must register with the TCEQ every two years by Jan. 25 of the even-numbered years, and report the amount of used oil fil-

ters received during the previous two years.

> Community Right-To-Know. Industrial and commercial operators must submit completed "Tier II" forms to the Texas Department of State Health Services (TDSHS) with copies to their Local Emergency Planning Committee (LEPC) and fire department, if they stored greater than the threshold planning quantity of Extremely Hazardous Substances (EHS), or more than 10,000 pounds of any other hazardous substance. Many operators storing only fuel mistakenly assume that this requirement does not apply to them; in fact, it does, if they store more than about 1,430 gallons.

Common internal compliance requirements include the following:

> Industrial SWPPPs and Spill Prevention, Control, and Countermeasure (SPCC, an EPA regulation found at 40 CFR

112). Plans must both be reviewed and updated at least annually.

> Certain air permits by rule (PBRs) mandate detailed recordkeeping to substantiate compliance.

> Employee training, required by many regulations, must also be completed or "refreshed" on at least an annual basis.

An Environmental Management System (EMS) can assist small and medium-sized businesses with scheduling, tracking and organization of all relevant compliance elements. For further information, contact the regulatory agencies cited above or the consultant of your choice.

**For more information, please contact Alison Steele Mandadi (asteele@sscienvironmental.com) at (281) 300-2174 (cellular) or Helen I. Hodges (hhodges@sscienvironmental.com) at (800) 324-7724 or visit www.sscienvironmental.com. □**

### 2006 ENVIRONMENTAL REPORTING DEADLINES (TEXAS)

By: Alison Steele Mandadi, P.G., SSCI (800-324-7724)

This non-exhaustive list highlights some common requirements that apply to onshore industrial operators. Additional (or different) requirements may apply to your facility, and not all apply to every facility.

Deadline	Regulatory Program & Reporting Requirement:	Applies to:
03-01-06 (electronic)	<b>ANNUAL WASTE SUMMARY:</b> Form STEERS (electronic).	Many routine generators of hazardous and/or Class 1 nonhazardous waste.
03-01-06	<b>RIGHT-TO-KNOW</b> File Tier 2 reports with the TDSHS, the LEPC and the local fire department.	Facilities storing in excess of the Threshold Planning Quantity (for EHS) or 10,000 pounds (for everything else requiring a material safety data sheet (MSDS)).
03-31-06	<b>INDUSTRIAL STORM WATER</b> File DMRs with the TCEQ or federal agency having jurisdiction.	Certain industrial general permit holders who conducted NEL sampling in 2005 and whose results exceeded any of those limitations.
03-31-06	<b>POINT SOURCE AIR EMISSIONS INVENTORY</b> (many reporting forms)	Major sources, hazardous air pollutant major sources, and those in ozone nonattainment areas who emit >10 tons of VOC or >25 tons of NOx, and any source with potential to emit >100 tons of any air contaminant.
03-31-06	<b>MASS CAP &amp; TRADE</b>	NOx sources in the Houston-Galveston non-attainment area (30 TAC 117).
07-01-06	<b>TOXIC RELEASE INVENTORY (TRI)</b> A comprehensive air, water and waste report requirement.	Certain covered industry groups as well as federal facilities.
01-31-06 and 07-31-06	<b>NSPS and/or NESHAPS COMPLIANCE CERTIFICATIONS</b> Semi-annual certifications per the terms of individual permits.	Certain covered operators too detailed to list here.
08-17-06 (08-17-07 proposed)	<b>SPILL PREVENTION, CONTROL &amp; COUNTERMEASURES RULE</b> Deadline for SPCC Plan amendment under the July 2002 rule changes.	Operators with oil storage greater than 1,320 gallons.
11-01-06	<b>ALL APPROPRIATE INQUIRY (AAI)</b> New rulemaking becomes effective.	For businesses acquiring or divesting property who seek "innocent landowner" status under CERCLA.

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