



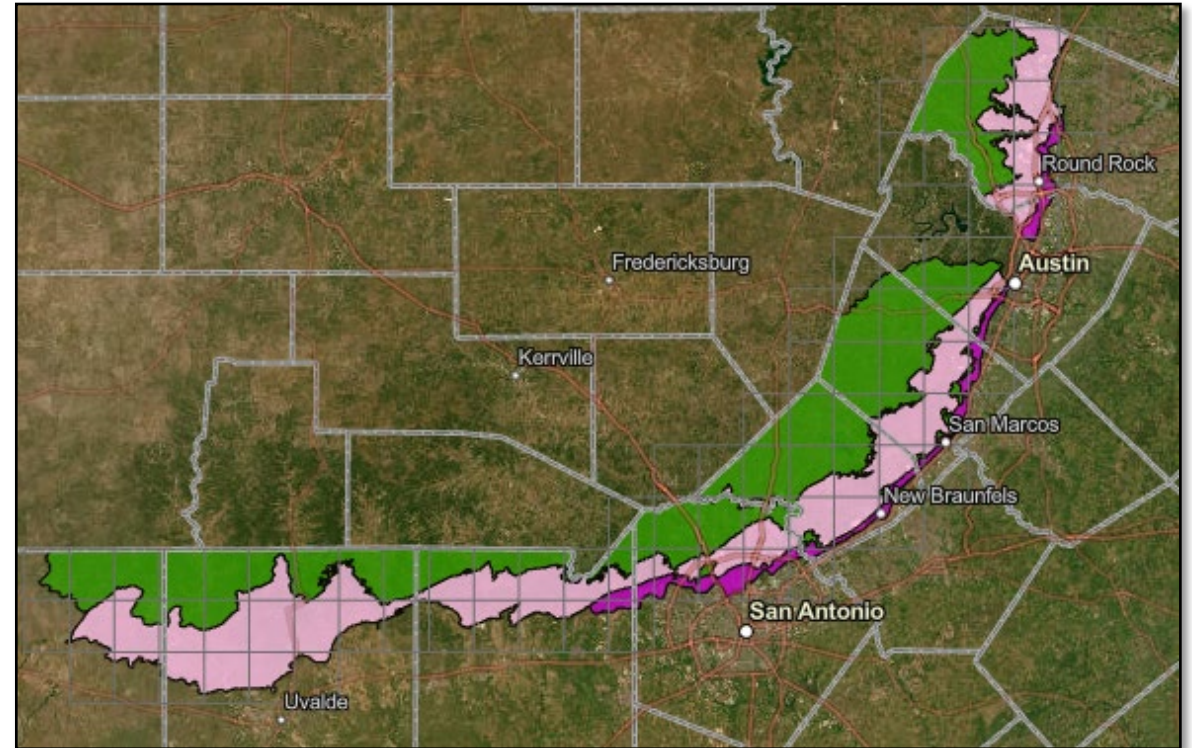
Edwards Aquifer Protection Program

Office of Compliance & Enforcement

The Edwards Aquifer Protection Program (EAPP)

The program's jurisdiction spans eight (8) counties and two (2) TCEQ regions.

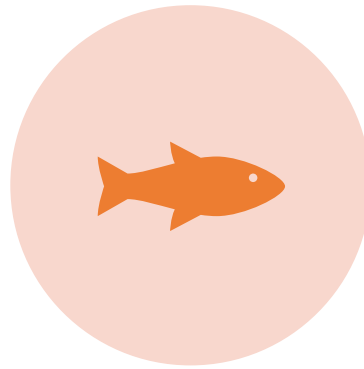
- **Austin region** – Hays, Travis, Williamson
- **San Antonio region** – Bexar, Comal, Medina, Uvalde, Kinney



Edwards Aquifer – Sole Source Aquifer



PROVIDES DRINKING
WATER FOR ~2 MILLION
PEOPLE



PROVIDES HABITAT FOR
ENDANGERED SPECIES



SUSCEPTIBLE TO
POLLUTION

Edwards Aquifer Rules

30 TAC Ch. 213

The purpose of this chapter is to **regulate activities having the potential for polluting the Edwards Aquifer** and hydrologically connected surface streams in order to protect existing and potential uses of groundwater and maintain Texas Surface Water Quality Standards. The activities addressed are those that pose a threat to water quality.

Complying with the Edwards Aquifer Rules: Technical Guidance on Best Management Practices (RG-348)

Instructions to Geologists for Geologic Assessments on the Edwards Aquifer Recharge Zone/ Transition Zone

Best Management Practices for Quarry Operations (RG-500)

Applicability

Unless otherwise provided under this chapter, **the owner of an existing or proposed site**, such as a residential or commercial development, sewage collection system, or aboveground or underground storage tank facility for static hydrocarbons or hazardous substances, **who proposes new or additional regulated activities** under this chapter, **must file and receive executive director approval** of all appropriate applications prior to commencement of construction of new or additional regulated activities (30 TAC Section 213.2).

What type of protection plan is required to be submitted?

Depends on location and activity



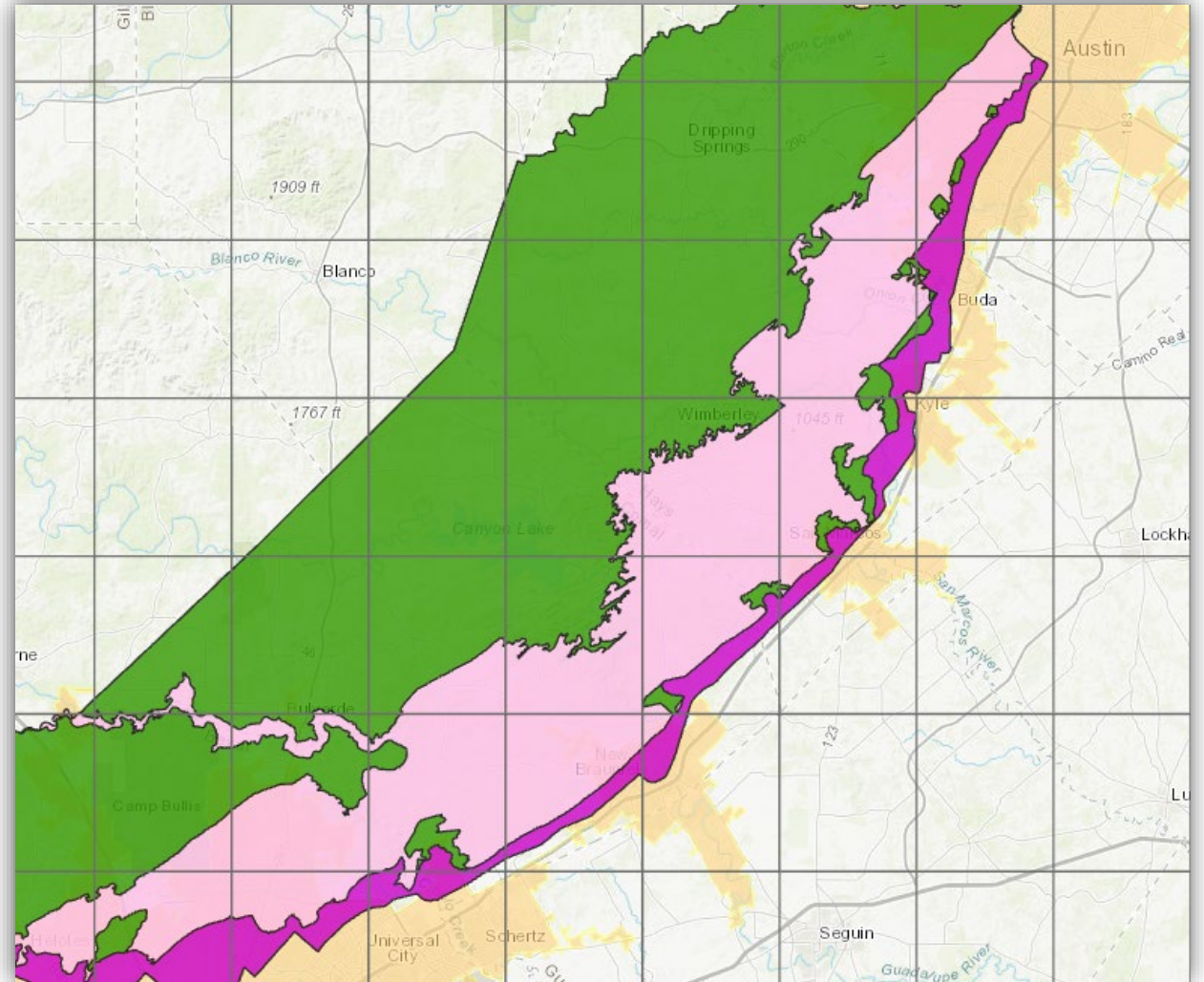
Edwards Aquifer Map Viewer

Contributing Zone

Recharge Zone

Contributing Zone w/in
Transition Zone

Transition Zone



Link: [Edwards Map Viewer](#)

Protection Plan Types

Recharge Zone

- Water Pollution Abatement Plan
- Organized Sewage Collection System
- Underground Storage Tank Facility Plan
- Aboveground Storage Tank Facility Plan
- Encountered Feature Mitigation Plan

Contributing Zone

- Contributing Zone Plan

Transition Zone

- Underground Storage Tank Facility Plan
- Aboveground Storage Tank Facility Plan
- Encountered Feature Mitigation Plan

Link: [Protection Plans](#)

What is included in each application?

Each application may require different forms and attachments. Please reference checklist documents.



Forms & Sections of Applications

Depending on the application submitted, these sections may be required to be included for review and approval.

- Temporary Stormwater Section
- Permanent Stormwater Section
- Geologic Assessment Form
- Agent Authorization Form
- Core Data Form

Best Management Practices (BMPs)

Temporary – During Construction

- Structural controls
- Sequence of Major Activities
- Spill Response Actions
- Soil Stabilization

Permanent – Post Construction

- 80% Total Suspended Solids (TSS) removal
- Proposed by TX Professional Engineer
- Sensitive Feature Buffers
- Inspection, Maintenance, Repair & Retrofit Plan

Complying with the Edwards Aquifer Rules: Technical Guidance on Best Management Practices RG-348

Link: [Technical Guidance](#)

Temporary BMPs



Rock Berms



Silt Fence + Vegetative Buffer

Permanent BMPs



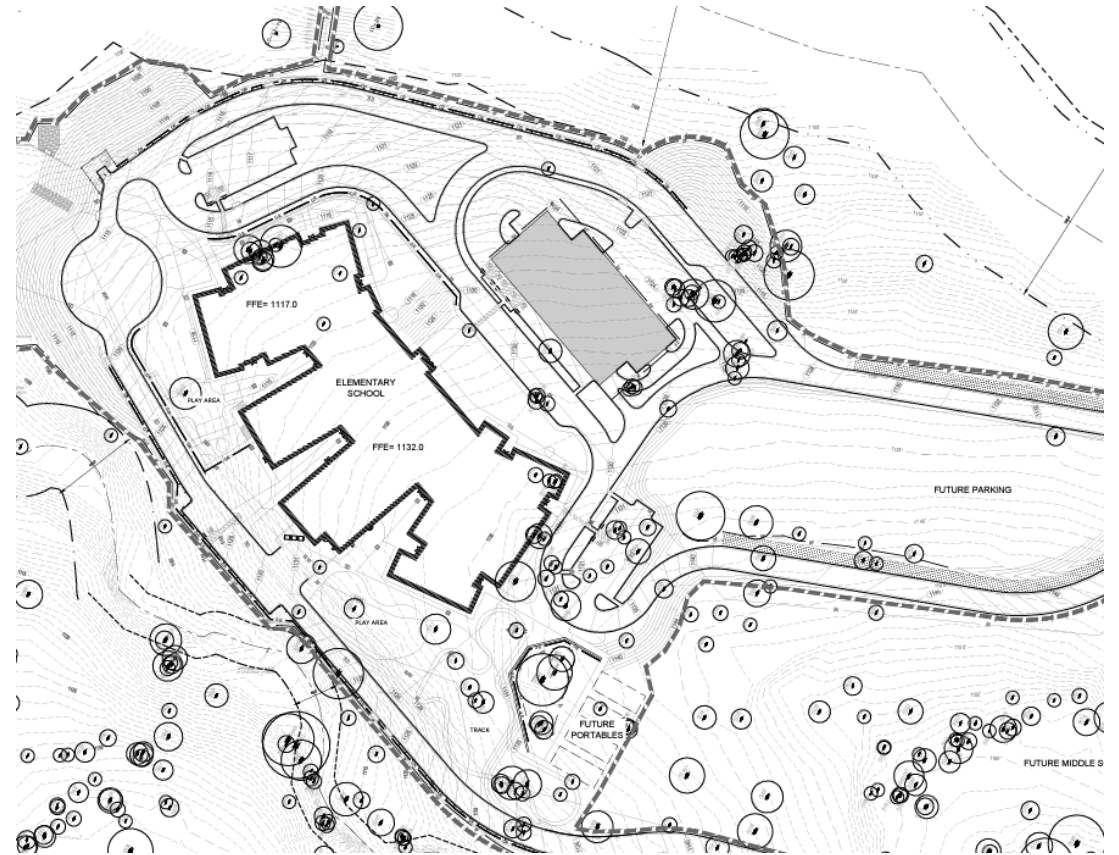
Sand Filter Basin



Wet Pond

PBMPs are selected based on:

- Contributing Area
- Net impervious cover increase
- Footprint available
- Efficiency of BMP
- Cost



Geologic Assessment

- Completed by professional geologist
- Identify all geologic and manmade features onsite
- Identify all sensitive features to protect
- Buffers are proposed by professional engineer based on drainage area

Instructions to Geologist for Geologic Assessments on the Edwards Aquifer Recharge and Transition Zone, TCEQ-0585



When is a modification required to be submitted?

Any modification to a previously approved Edwards Aquifer protection plan in accordance with 30 TAC 213.4(j) or 213.23(i).



Modification of Previously Approved Plan

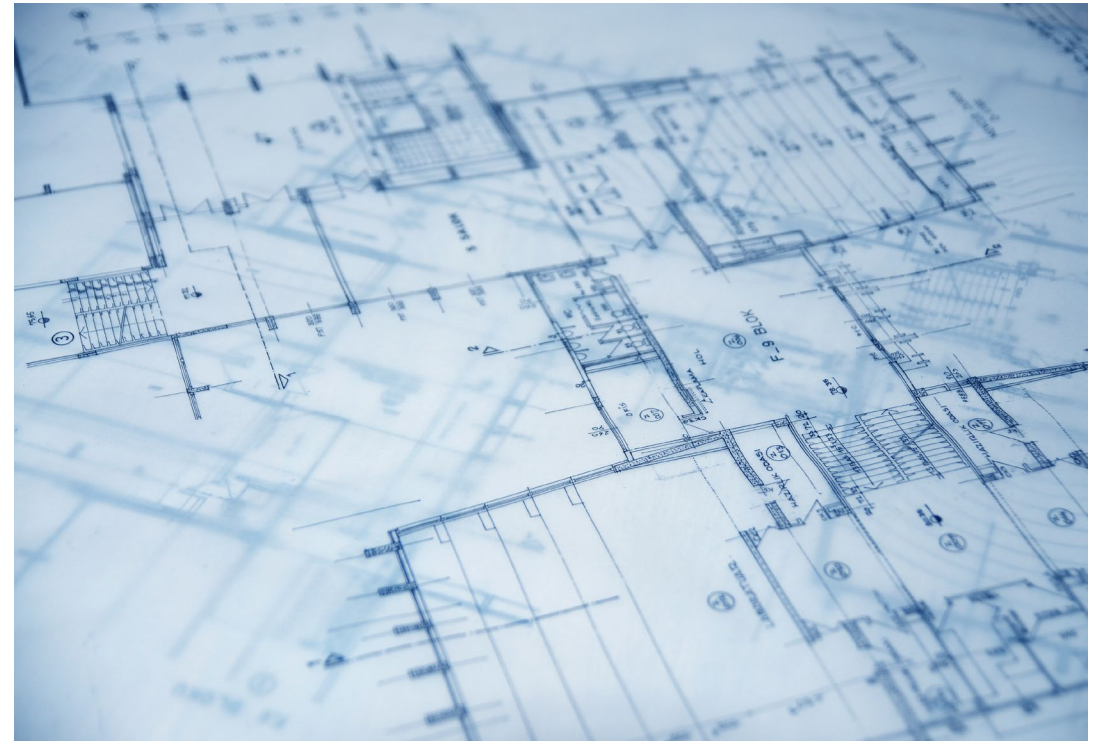
- to deviate from your approved plans in the physical design of a pond, dam, berm, sewage treatment plant, flow diverter, or any other structure designed to reduce water pollution;
- to change the way, you intend to operate any of these structures;
- to change the type of regulated activity from what was originally approved;
- to make a change that would significantly affect the ability of the plan to prevent pollution of the Edwards Aquifer;
- to develop land that was to be left undeveloped under your original water pollution abatement plan; and
- to make a physical modification to an approved organized sewage collection system, UST facility, or AST facility

Link: [Modification](#)

Public Information Request

TIPS

- Contact Edwards Aquifer Protection Program
 - Information may be provided by staff
- Complete a PIR online
 - Provide details such as RN & Additional ID No.
 - Communicate purpose for PIR and the program may be able to assist.



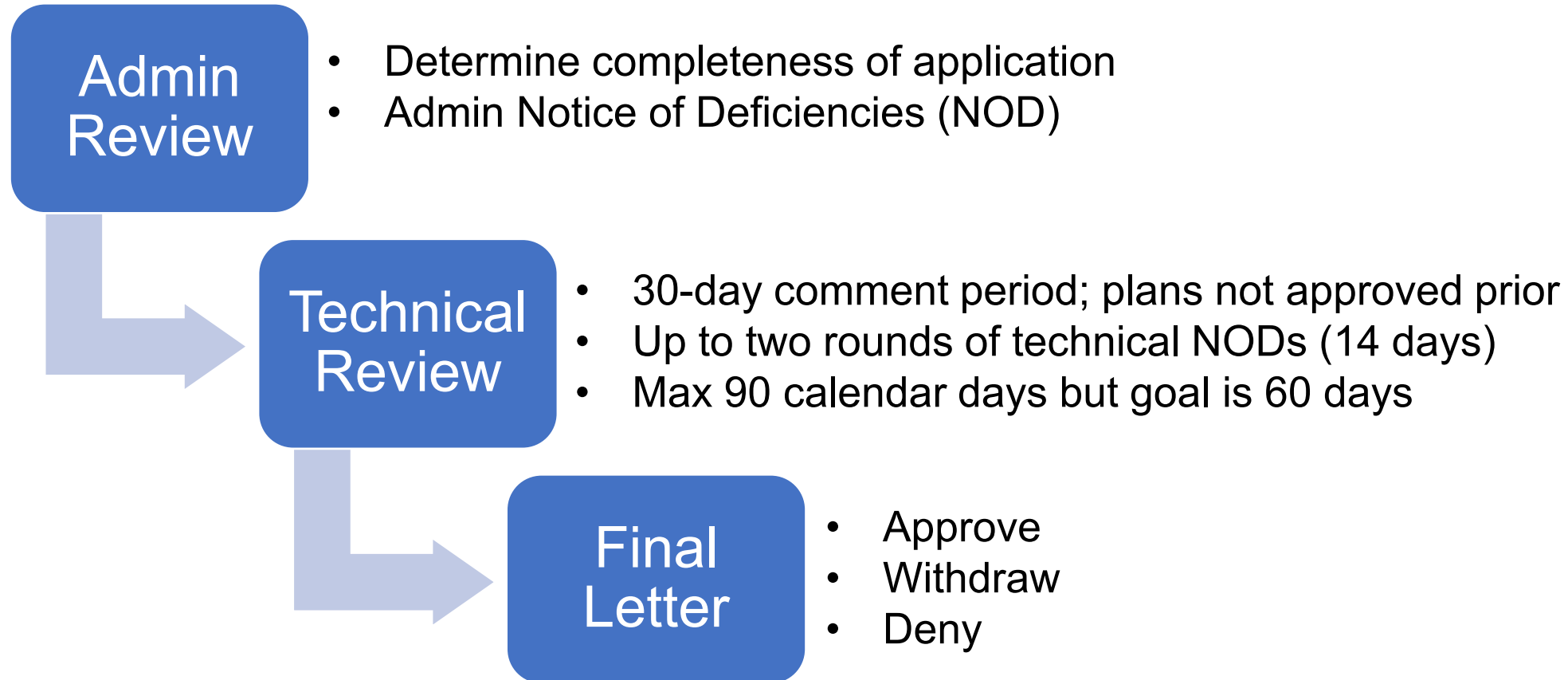
Link: [Public Information Request](#)

What is the application review process?

Applications are managed electronically and submitted for an administrative review and accepted into technical review when deemed administratively complete.



Review Process



Administrative Review

- Contact EAAdmin@tceq.Texas.gov
- Submitting application TCEQ FTP
- Administrative Notice of Deficiency
- Payment – TCEQ Epay

Common Issues

- Incomplete application
- Legal boundaries (e.g. excludes turn lanes)
- Agent authorization
- Expired GA

Technical Review

- Administratively complete
- 30-day comment period
- Site Assessment
- Notice of Deficiency (NOD) & Response
- 90 Days

Common Issues

- Additional authorization
- Inadequate PBMPs
- Ratings of features
- Mid-Review
Modifications
- Suitability Letters

What if a sensitive feature is encountered during construction?

If a feature is encountered during construction, replacement, or rehabilitation, immediately suspend activities near it, and notify the TCEQ. The feature must be evaluated by a Texas professional licensed geoscientist (P.G.) prior to TCEQ review.



Encountered Sensitive Features

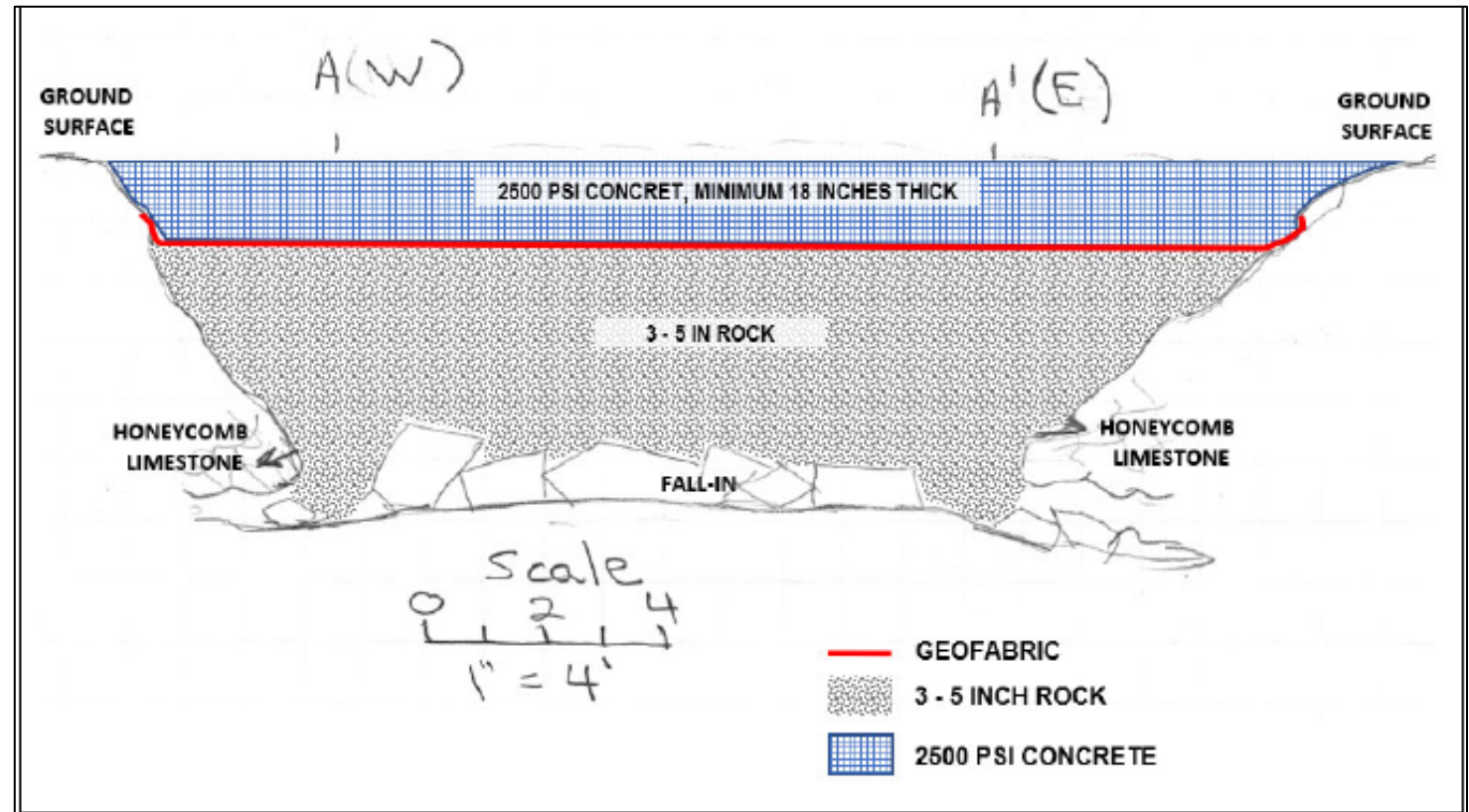


If you discover any sensitive feature during construction, replacement, or rehabilitation, **immediately suspend** all regulated activities near it, and notify the TCEQ

Email: eappvoid@tceq.texas.gov

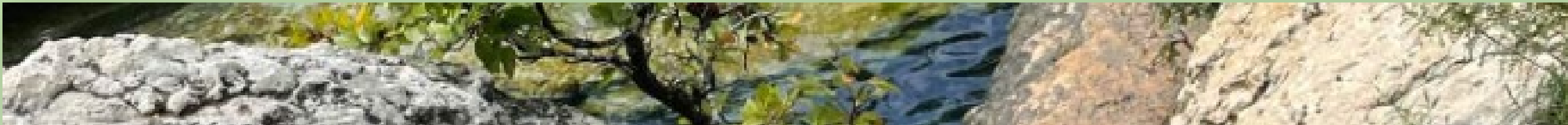
Call: 512-339-2929 or 210-490-3096

Encountered Feature Mitigation Plan



Does the Edwards program enforce compliance?

The EAPP is under the Office of Compliance and Enforcement. Compliance is reviewed and enforced by staff of the EAPP and Water Section of the Austin & San Antonio Region.



Enforcement Actions

- Failure to obtain approval of an Edwards Aquifer protection plan prior to construction
- Failure to immediately suspend construction activity upon discovery of a sensitive feature.
- Failure to maintain flow to a naturally occurring sensitive feature identified in a geologic assessment.
- Failure to provide/implement/maintain BMPs and measure to prevent pollutants from entering sensitive features.

Category A Violation – require automatic initiation of formal enforcement action when discovered.

Other Potential Violations

Examples:

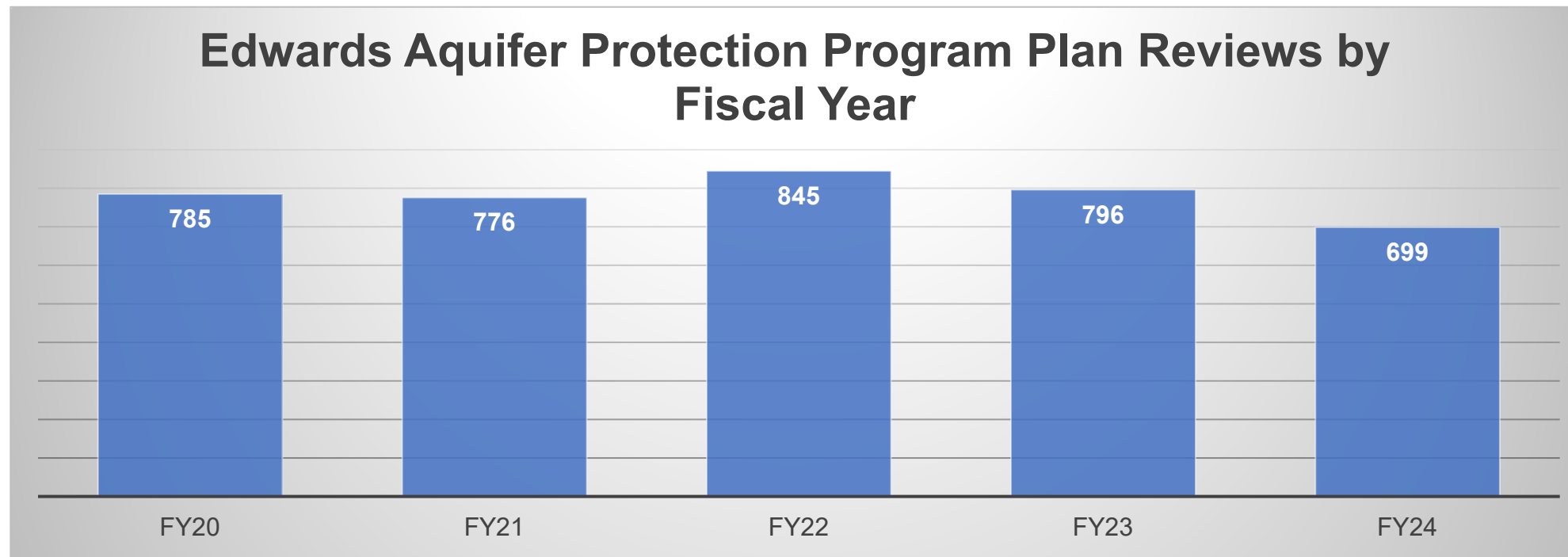
- Failure to implement water protection measures required by approved plan.
- Failure to implement maintenance or corrective action on a PBMP
- Failure to maintain applicable buffer zones
- Failure to develop or implement a SWP3



Summary & Updates



Edwards Aquifer Protection Program Plan Reviews



EAPP Updates & Recent Changes

- Most EAPP compliance moved to each of the two Regions Water Sections
- Pending applications posted online during 30-day distribution period
- Geologic Assessment (GA) expiration (10 year)
- Roadway Application
- Electronic submittal and record management
- New & Updated Forms
 - Owner Authorization
 - BMP Certification
 - Change of Responsibility

Edwards Aquifer Protection Plan
Review of Your Application
Maps
Rules and Technical Guidance
<u>Pending Applications - Public Comment</u>
Edwards Aquifer Protection Plan (EAPP) Applications Under Review Pending EAPP applications listed by county will assist public participation in TCEQ's review process.
Contact Us for Help

Getting Help

- Hotline
 - **1-800-447-2827**
 - M-F 8:00am-5:00pm
 - TexasEnviroHelp@tceq.texas.gov
- www.TexasEnviroHelp.org
- Office & Site Visits



Questions?



Monica Reyes
Edwards Aquifer Protection Program Section Manager
TCEQ Office of Compliance and Enforcement
Office: 210-403-4061
Email: Monica.Reyes@tceq.texas.gov