



Texas Surface Water Quality Standards Update

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Water Quality Standards

- The Texas Surface Water Quality Standards (TSWQS), Title 30, Chapter 307 of the Texas Administrative Code, describe the chemical, physical, and biological conditions to be attained in the surface waters of Texas.
- Authority for adopting and revising water quality standards is contained in §26.023 of the Texas Water Code (TWC), and in §303(c) of the Federal Clean Water Act.

Types of Actions by EPA

- **Approved** – available for use in all Clean Water Act (CWA) activities – permitting, assessment, TMDL
 - **Conditional approval** – subject to completion of consultation with USFWS under Endangered Species Act
- **Disapproved** – not available for use in CWA activities
- **No action** – not considered water quality standards under the CWA
- **Under review**

EPA Action

- Six EPA Action Letters since last Trade Fair
 - Two letters primarily regarding the 2014 TSWQS revisions
 - Three letters primarily regarding the 2018 TSWQS revisions
 - One letter regarding content from both the 2014 and 2018 TSWQS revisions
- Action letters posted on TCEQ Website for each revision
- Highlighted rule indicates status of approval

EPA Approvals – May 24, 2019

- Appendix E – Site-specific Toxic Criteria
 - MarkWest Javelina Company, L.L.C. water effect ratios (WERs) for copper

EPA Approvals – January 6, 2020

- Oso Bay (2485) and Blind Oso Bay (2486)
 - Segment descriptions §307.10 Appendix C (2018 TSWQS)
 - Addition of Blind Oso Bay, modification of Oso Bay description
 - Site-specific criteria
 - Oso Bay (2485) dissolved oxygen criteria of 4.5 mg/L (24-hour average) and 3.5 mg/L (minimum) (2014 TSWQS)
 - Blind Oso Bay (2486) seasonal dissolved oxygen criteria of 4.0 mg/L (24-hour average) and 1.5 mg/L (minimum) from March 15-October 15 (2018 TSWQS)

EPA Approvals – March 19, 2020 letter

- Appendix A—Site-specific Uses and Criteria for Classified Segments
 - 0704 Hillebrandt Bayou: site-specific dissolved oxygen criteria of 2.5 mg/L (24-hour minimum)
 - 2107 Lower Atascosa River: site-specific dissolved oxygen criteria of 4.0 mg/L (24-hour average)
 - 2118 Upper Atascosa River: Segment split from 2107, intermediate aquatic life use and dissolved oxygen criteria of 4.0 mg/L (24-hour average)
 - Also removal of public water supply use

EPA Approvals – March 19, 2020 letter

- Appendix C—Segment Boundary Descriptions:
 - Segment 2107—Lower Atascosa River
 - Segment 2118—Upper Atascosa River

EPA Approvals – March 19, 2020 letter

- Appendix D – Site-specific Uses and Criteria for Unclassified Water Bodies
 - Flag Lake Drainage Canal
 - Skull Creek
 - Wilbarger Creek (perennial stream)
 - Wilbarger Creek (intermittent stream with perennial pools)
 - Unnamed tributary of Wilbarger Creek
 - Atascosa River

EPA Approvals – May 19, 2020

- Primary Contact Recreation 2 (PCR2) use
 - §307.3 Definitions and Abbreviations
 - Addition of definition
 - §307.4 General Criteria
 - PCR2 applicability
 - §307.7 Site-specific Uses and Criteria
 - PCR2 criterion
 - §307.10 Appendix A – Site-specific Uses and Criteria for Classified Segments
 - Revisions to designate waterbodies as PCR1 that were previously PCR

EPA Approvals – July 16, 2020

- Appendix C – Segment Boundary Descriptions:
 - Segment 0501 – Sabine River Tidal
 - Segment 0502 – Sabine River Above Tidal

EPA Approvals – July 16, 2020

- Appendix D – Site-specific Uses and Criteria for Unclassified Water Bodies
 - Catfish Creek
 - Garcitas Creek
 - Hurricane Levee Canal

EPA Approvals – March 18, 2021

- §307.2 Description of Standards
 - §307.2 (g) Temporary Standards
- Appendix D – Site-specific Uses and Criteria for Unclassified Water Bodies
 - Bois d’Arc Creek (two entries)
 - Elm Creek
 - Sandies Creek

Items pending EPA action

- From the 2010 TSWQS:
 - Revised temperature criteria for reaches of two classified segments
 - Revised dissolved mineral (i.e. TDS, SO₄, Cl) criteria for 19 classified segments

Items pending EPA action

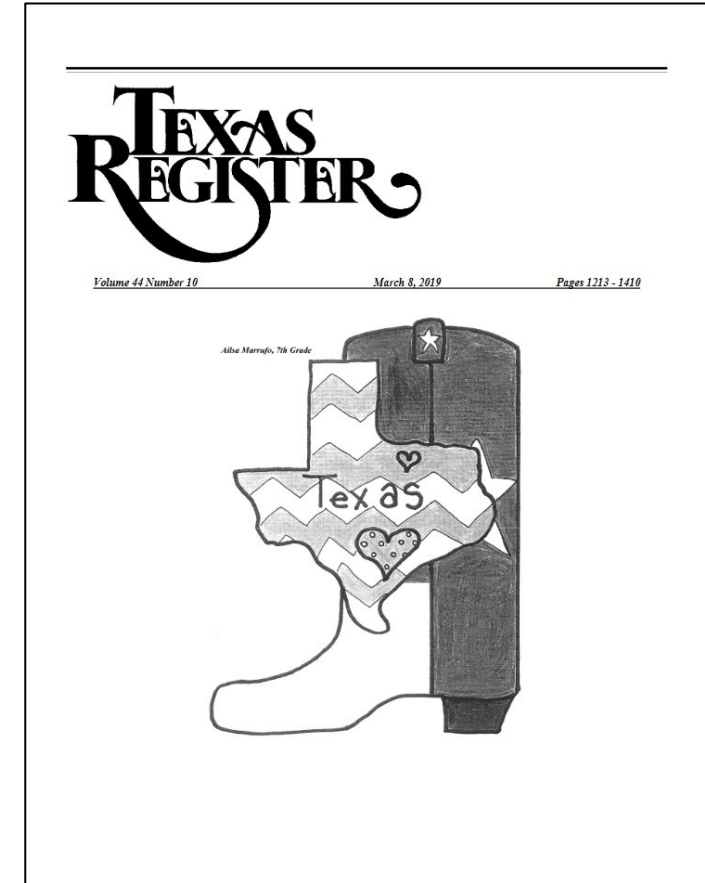
- From the 2014 TSWQS:
 - Revised ALU and/or DO criteria for five classified segments
 - Revised dissolved mineral criteria for eight classified segments
 - Revised pH criteria for three classified segments
 - Revised segment boundary descriptions for six classified segments
 - Revised ALU and/or DO criteria for four unclassified water bodies
 - Revised recreational uses on three unclassified water bodies

Items pending EPA action

- From the 2018 TSWQS:
 - Toxic criteria for the protection of aquatic life: acrolein and carbaryl
 - Revised provision relating to nutrient assessment being based on multiple uses
 - Revised recreational use for one classified segment
 - Revised ALU and/DO criteria for two unclassified water bodies
 - Revised recreational uses for 26 water bodies

2022 TSWQS Revision

- Request for preliminary comments
 - Published in the Texas Register on March 8, 2019
 - 30-day comment period
- Stakeholder meetings
 - March 9 and June 29



2022 TSWQS Revision

- Proposal agenda: March 9, 2022
- 45-day public comment period
- Public hearing (hybrid): May 2, 2022
- Adoption agenda: September 2022 (anticipated)

2022 TSWQS Revision

- §307.2 Description of Standards
 - Revisions to temporary standards to improve consistency with 40 Code of Federal Regulations §131.14
- §307.3 Definitions and Abbreviations
 - Definitions:
 - pre-production plastic
 - method detection limit
 - bioaccumulation factor
 - Abbreviations:
 - bioaccumulation factor
 - municipal utility district

2022 TSWQS Revision

- §307.4 General Criteria
 - Clarification to prohibit the discharge of visible pre-production plastic into surface water in the state
- §307.6 Toxic Materials
 - Updates to Aquatic Life criteria:
 - Cadmium: freshwater and saltwater, both acute and chronic

2022 TSWQS Revision

- §307.6 Toxic Materials
 - Updates to human health criteria (Table 2)
 - Oral slope factor revisions
 - benzo(a)anthracene
 - benzo(a)pyrene
 - Chrysene
 - 1,2-dichloropropane
 - 1,3-dichloropropene
 - Reference dose updates
 - Dichloromethane
 - Tetrachloroethylene
 - Animal body weight adjustment for cancer potency factor calculation
 - Dicofol

2022 TSWQS Revision

- §307.7 Site-specific Uses and Criteria
 - Addition of geometric mean criterion for Enterococci for high saline inland waters with PCR2
 - 54 colonies per 100 mL

2022 TSWQS Revision

- §307.10 Appendix A – Site-specific Uses and Criteria for Classified Segments
 - Footnote limiting the extent of public water supply use designation on Brushy Creek (Segment 1244)
 - Footnote clarifying flow regime in a reach of Upper North Bosque River (Segment 1255)
 - Deletion of footnote concerning flow regime of Mid Cibolo Creek (Segment 1913)
 - Revision of recreational use designation for San Miguel Creek (Segment 2108) to secondary contact recreation 1 use with corresponding criterion of 630 colonies per 100 mL.

2022 TSWQS Revision

- §307.10 Appendix B – Sole-source Surface Drinking Water Supplies
 - Additions:
 - San Marcos River (1808)
 - Choke Canyon Reservoir (2116)
 - Removals:
 - Greenbelt Lake (0223)
 - Granger Lake (1247)
 - Lake Brownwood (1418)

2022 TSWQS Revision

- §307.10 Appendix C – Segment Descriptions
 - Revision of the following to the most recent EPA-approved descriptions
 - Lower Cibolo Creek (1902)
 - Upper Cibolo Creek (1908)
 - Mid Cibolo Creek (1913)

2022 TSWQS Revision

- §307.10 Appendix D Site-specific Uses and Criteria for Unclassified Water Bodies
 - Piney Creek – two entries, both intermittent with pools
 - One high ALU
 - 24-hour average DO 3.0 mg/L and 24-hour minimum DO 2.0 mg/L
 - One intermediate ALU
 - 24-hour average DO 1.5 mg/L and 24-hour minimum DO 1.0 mg/L
 - Little Pine Island Bayou – two entries, both intermittent with pools
 - One high ALU
 - 24-hour average DO 3.0 mg/L and 24-hour minimum DO 2.0 mg/L
 - One intermediate ALU
 - 24-hour average DO 2.0 mg/L and 24-hour minimum DO 1.5 mg/L

2022 TSWQS Revision

- §307.10 Appendix D Site-specific Uses and Criteria for Unclassified Water Bodies
 - Buckners Creek – two entries replacing one existing entry
 - Lower reach, high ALU, perennial
 - 24-hour average DO 5.0 mg/L and 24-hour minimum DO 3.0 mg/L
 - Upper reach, intermediate ALU, intermittent with pools
 - 24-hour average DO 3.0 mg/L and 24-hour minimum DO 2.0 mg/L

2022 TSWQS Revision

- §307.10 Appendix E – Site-specific Toxic Criteria
 - Eight site-specific copper water-effect ratios
 - Two site-specific copper biotic ligand models
- §307.10 Appendix G – Site-specific Recreational Uses and Criteria for Unclassified Water Bodies
 - South Lilly Creek revised to secondary contact recreation 1
 - Segment numbers and descriptions updated for Bullhead Bayou and Unnamed tributary of Bullhead Bayou due to water body being re-routed.

Questions?

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