

UIC General Permit for Injection of Nonhazardous Desalination Concentrate or Nonhazardous Drinking Water Treatment Residuals

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Texas Commission on Environmental Quality



UIC General Permit

Agenda

1. Background of the UIC General Permit
2. Highlights of the UIC General Permit
3. Project Schedule



Background

- The Texas Governor's desalination initiative and new federal drinking water standards created the need to address management of
 - concentrate resulting from desalination of ground water and sea water, and
 - residuals from drinking water treatment.
- The use of injection wells under the State's federally authorized UIC Program is an option for managing these wastes.



Background

- Perceived impediments exist in the use of Class I wells by local governmental entities and water supply companies for management of these wastes due to
 - the rigorous nature of the Class I permitting process (390-day processing template), and
 - the extent to which TCEQ standards for Class I nonhazardous waste wells exceed federal standards resulting in extra expense for design, monitoring and testing.



Background

- In 2007 the Texas legislature passed House Bill (HB) 2654 which allows the TCEQ to issue a General Permit authorizing the use of a Class I injection well to dispose of
 - nonhazardous desalination concentrate, or
 - nonhazardous drinking water treatment residuals.



Background

- A single statewide General Permit covering all qualifying Class I injection wells that meet the permit's performance standards will
 - expedite the processing of authorizations for wells used for these purposes and
 - require proper safeguards to protect ground water and surface water.
- The General Permit and wells authorized under the General Permit will not be subject to a contested case hearing.



Background

- Revised rules were effective July 10, 2008. The amended rules
 - implement HB 2654 authorizing a General Permit for disposal of nonhazardous desalination concentrate or nonhazardous drinking water treatment residuals, and
 - create a set of criteria closely analogous to federal Class I nonhazardous injection well regulations for disposal of these wastes in a Class I well.



Background

- For Class I wells disposing of nonhazardous desalination concentrate or nonhazardous drinking water treatment residuals, standards were revised to
 - ease casing cementing specifications,
 - reduce the frequency of required mechanical integrity testing, and
 - amend other requirements where state rules were more stringent than federal rules.



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- The process for implementing the General Permit is similar to a rulemaking process
 - Formation of a TCEQ UIC General Permit implementation team
 - Participation by Stakeholders
 - Public comment and a public meeting
 - Formal Response to Comments
 - Issuance of the General Permit by the TCEQ at a Commissioners' Agenda meeting



UIC General Permit

- TCEQ staff drafts the following documents (including forms and instructions):
 - General Permit
 - Notice of Intent (NOI)
 - Notice of Change (NOC)
 - Notice of Termination (NOT)



UIC General Permit

- TCEQ staff has developed a proposed UIC General Permit and published it on the TCEQ Stakeholder web page:
http://www.tceq.state.tx.us/permitting/waste_permits/advgroups/uic_gp.html
- Drafting of the Notice of Intent, Notice of Change and Notice of Termination is in progress



UIC General Permit

- A Stakeholder Advisory Group Meeting was held January 6, 2009.
- Meeting minutes were published on the TCEQ Stakeholder web page.
- Comments were received from Stakeholders during the meeting and via email.
- TCEQ staff made revisions to the draft General Permit in response to Stakeholder comments.



UIC General Permit

- Notice of the proposed General Permit, public meeting and formal 30-day comment period was published in the *Texas Register* and six Texas newspapers.
- A public meeting was held June 2, 2009 at TCEQ Headquarters.
- Two stakeholders submitted comments during the public comment period. TCEQ staff considered the comments, revised the proposed General Permit in response to some of the comments and drafted a formal Response to Comments document.



UIC General Permit

- The proposed General Permit will be considered at a Commissioners' Agenda meeting for issuance of the General Permit and publication of the Response to Comments in the *Texas Register*.
- The proposed General Permit becomes effective within a month after the Commissioners approve its issuance.



UIC General Permit

- The General Permit will expire 10 years from the date of issuance by the Commission and is subject to renewal.
- After the General Permit has been issued by the Commission, the applicant will submit a Notice of Intent (NOI) to obtain authorization to operate under the General Permit.



UIC General Permit

- The Notice of Intent (NOI) form and instructions will specify, in detail, the required contents of the NOI, including
 - Administrative applicant information
 - Public interest demonstration
 - Letter from the Railroad Commission
 - Financial assurance information
 - Certification statement
 - Signature page
 - Technical report



UIC General Permit

- The permittee must comply with
 - Siting criteria
 - Construction standards
 - Operational standards
 - Logging, testing and monitoring requirements
 - Reporting and recordkeeping requirements
 - Closure standards



UIC General Permit

- Pre-injection units will be
 - authorized under the UIC General Permit, or
 - under another permit (such as a wastewater permit).
- Pre-injection units authorized under the UIC General Permit must comply with the applicable technical standards in 30 TAC Chapter 217 (Design Criteria for Domestic Wastewater Systems).



UIC General Permit

- The applicant will provide the amount for financial assurance and the means by which financial assurance will be secured.
- A certification statement will be required to confirm, in detail, responsibility for the facility to be constructed and operated in accordance with the requirements of the UIC general permit.



UIC General Permit

- A Notice of Change (NOC) must be submitted if
 - information submitted in the Notice of Intent changes,
 - the permittee becomes aware that it failed to submit any relevant facts, or
 - the permittee submitted incorrect information in a Notice of Intent.



UIC General Permit

- A permittee may terminate coverage under the General Permit by providing a Notice of Termination (NOT).
- The Executive Director may cancel, revoke or suspend authorization for waste disposal under the General Permit based on a history of noncompliance with the General Permit.



UIC General Permit

■ Fees

- An applicant shall include with the Notice of Intent a fee of \$100 for each disposal well.
- Permittees operating under the UIC General Permit as of September 1st of each year will be assessed an Annual Facility Fee.



Proposed Project Time Line

(Subject to Change)

Stakeholder Meeting	Jan. 6, 2009
Notice of proposed General Permit published in <i>Texas Register</i> (30-day comment period)	Apr. 24, 2009
Public Meeting	June 2, 2009
General Permit and Response to Comments to Commissioners' Agenda (Issuance of UIC General Permit)	Fall 2009
Effective date of General Permit (<i>Estimated</i>)	Dec. 2009



Comments and Questions?

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