Upcoming Regulatory Changes: Peering into a Cloudy Crystal Ball

Michael Honeycutt, Ph.D.
Director, Toxicology, Risk Assessment, and Research Division
My comments tonight represent my opinions and not those of the TCEQ nor the USEPA’s Science Advisory Board
Oil & Gas Activity

- Should continue to grow
- Associated industries are growing and should continue
  - Pipelines
  - Refining
  - Chemical
- State budget
  - $9B (8%) increase next biennium
  - $4.2B carry-over from this biennium
  - Biggest increases
    - Natural Gas Production Tax
    - Oil Production Tax
  - Indirectly increases other revenue sources
    - Sales Tax, Hotel Tax, etc.
TCEQ Air Permitting

- Expedite and streamline while not impacting public health or public input
- Readily Available Permits
- HB 1708 (Lozano); SB 698 (Birdwell) - Chairs
  - Would authorize TCEQ to collect fees for expedited permits and use the money to pay for FTEs that would not count against salary cap
- HB 1747 (Lozano)
  - Would authorize TCEQ to be appropriated these fees
Other Key Bills

- **TERP**
  - HB 813* – LIRAP
  - HBs 1043*, 1746, 2093, 2094, 2581* – TERP funding

- **Concrete Batch Plants, Aggregate production** – HBs 907*, 908*, 909*, 999*, 1280*, 1309*, 1310*; SBs 208*, 694, 1247*

- **Contested Case Hearings** - HBs 654*, 1804, 1963; SBs 573*, 1242*

- **Permits in Certain Low-Income and Minority Communities** – SB 180*

- **Remediation, Carcinogenic risk level for TRRP** - HB 893* –

- **Drinking Water, lead in schools** - HB 997*

* = Referred to Committee
EPA NAAQS Reviews

- Particulate Matter and Ozone standards under review
- Expect to finalize standards for ozone in 2020 and PM in 2022

HGB DV = 10.7 ug/m3
EPA: Per- and Polyfluoroalkyl Substances (PFASs)

- Perfluorooctanesulfonic acid (PFOS) and Perfluorooctanoic acid (PFOA)
  - Drinking water standard process
    - 6 PSAS were included in UCMR3 (2013-2015)
    - Texas results
      - 7 detections/17,748 samples
      - 2 out of 387 systems sampled (City of Abilene - 6 detections; City of Port Lavaca - 1 detection
    - Will be included again in UCMR5
  - Cleanup
    - Designating PFOS and PFOA as hazardous substances and developing interim groundwater cleanup standards
    - TCEQ – Have groundwater and soil cleanup standards for 16 PFASs
EPA: Per- and Polyfluoroalkyl Substances (PFASs)

- Toxics
  - Addition of PFASs to Toxics Release Inventory
  - Evaluate under TSCA (could lead to prohibition of uses)
FCAA requires EPA to review both the risk and technology after application of maximum achievable control technology (MACT) standards; aka residual risk

Dozens of MACT standards, EPA got behind, was sued, now on court-ordered or consent decreed deadline

2010 - SAB reviewed RTR methods for 2 MACTs (Petroleum Refining Sources and Portland Cement Manufacturing)

Sept. 2018 – SAB reviewed screening process for RTRs
EPA Risk & Technology Reviews (RTRs)

<table>
<thead>
<tr>
<th># RTRs Due</th>
<th>Year</th>
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<tbody>
<tr>
<td>7</td>
<td>2018</td>
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<tr>
<td>26</td>
<td>2020</td>
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<td>9</td>
<td>2021</td>
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The results of the RTRs could result in additional permitting, monitoring, or other types of requirements.
2016 Average Benzene Concentrations at Air Monitoring Sites in R12, Houston

TCEQ Long-Term Air Monitoring Comparison Value - 1.4 ppb

# Incomplete data set; monitor had less than 75% data return.
*Annual averages calculated from hourly autoGC data, if available, otherwise every-sixth-day 24-hour canister data

[Bar chart showing benzene concentration levels at various sites in Houston, with sites listed on the x-axis and concentration in ppbv on the y-axis. The highest concentration is at JacintoPort, with other sites showing lower concentrations in a descending order.]
Questions?