

# Pasadena Citizens' Advisory Council

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## Summary of Tuesday, January 24, 2017 Meeting

### OVERVIEW OF ENVIRONMENTAL PERMITTING FOR INDUSTRY

Pasadena Citizens' Advisory Council (PCAC) members asked for a broad overview of environmental permits a plant typically would need.

#### Air Permits

When a facility that emits air contaminants in Texas will be newly constructed or an existing facility modified, it must obtain a construction permit from the Texas Commission on Environmental Quality (TCEQ) under New Source Review (NSR) requirements.

- If the emissions are “*de minimis*” (minimal), the facility may not require registration or authorization prior to construction.
- A facility with more than *de minimis* emissions that will not make a significant contribution of air contaminants to the atmosphere may seek a **Permit by Rule**.
- Facilities that are similar in their operations, processes, and emissions may seek a **Standard Permit**, which is an alternative to a case-specific air quality permit.
- **Case-specific permits** fall into two categories: minor sources and major sources. Major sources are subject to the most requirements. They include public notices, submission of emissions information that fully discloses the expected contaminants, modeling of emissions and evaluation of impacts, and protection of public health and welfare. Best available control technology (BACT) to control emissions is required for each source. A facility being modified will need to use BACT even if the original plant was built before it was required. Air dispersion modeling is required to see where emissions will move when they leave a source like a stack.
- A facility designated as a major source must also obtain a permit to *operate*, called a **Title V Permit**. It pulls together all of the air quality requirements for that site into one document and requires the facility to demonstrate compliance on an ongoing basis. Semiannually, the site must report deviations from the permit to TCEQ. There are also public involvement opportunities during the Title V permit review process; see details in slides

#### Wastewater Permits

The federal Clean Water Act requires all “point” sources discharging into waters of the United States to obtain a National Pollutant Discharge Elimination System (NPDES) permit from the EPA or from a state if EPA has delegated implementation of the program to the state. In Texas, the facility would apply for a Texas Pollutant Discharge Elimination System (TPDES) permit. These permits limit what a facility can discharge and establish water monitoring and reporting requirements as well as other requirements to protect public health and water quality. (*NOTE: A point source might be a ditch or pipe, for example, which carries wastewater to an outfall where it flows into a river or other public water body. Nonpoint*

source pollution, for example, comes from water that falls on buildings, parking lots, and lawns and flows to a bay.)

### **Stormwater Permits**

To protect water quality when stormwater flows over land into public water bodies, stormwater permits are required of cities, construction companies, industry, and others. They use “Best Management Practices” (BMPs) to filter out pollutants or take steps to prevent pollution by controlling it at its source. (*NOTE:* Plastic silt fences at construction sites are an example of a BMP.)

### **Compliance with Permits**

Each permit includes requirements for compliance and consequences for not meeting them. In the case of Title V air permits, the facility must report deviations from the permit to TCEQ semiannually. TCEQ may issue a Notice of Violation or a Notice of Enforcement for those deviations. In addition, the agency conducts a Title V inspection of the facility every 3 years.

### **Public Involvement Relating to Permits**

TCEQ has several toll-free numbers either for seeking information or reporting a problem. PCAC had asked how to make a complaint. Texas residents may call **888-777-3186** to report environmental complaints. Calls will be routed automatically to the closest TCEQ regional office. Callers after business hours may leave a recorded message. The agency must investigate complaints. **Harris County** also has a complaint line. If you live in the unincorporated area of Harris County or inside the city limits of any city except Houston, you may call 713-920-2831, 24 hours a day. Both the TCEQ and Harris County Pollution Control Services websites have additional information.

PCAC also asked how the public may participate in environmental permitting. TCEQ has a general brochure that explains the process but notes that interested parties must also read the provisions for a specific type of permit to learn the process. For example, if you are interested in public participation opportunities for a Title V permit, you would look for the rules for that particular permit. The general brochure explains the difference between public meetings and formal public hearings. There are two versions of the general brochure: one for applications filed before 9-1-15 and one for applications filed after that.

## **AIR ALLIANCE HOUSTON PASADENA COMMUNITY PROJECT**

The PCAC Program Planning Committee asked that an update be scheduled for this local project. Adrian Shelley, Executive Director of Air Alliance Houston, updated PCAC on a multi-year project currently taking place in north Pasadena. The 3-year project, operating through 2017, was funded by the Houston Endowment. The project includes community mapping, air monitoring, and a community survey.

The Air Alliance used an EPA environmental justice screening tool to choose the project area, which is bounded by Hwy. 225 on the south, Richey St. and Red Bluff Road. The attached slides include the summary of the screening process, which relies on Census Bureau data from the American Community

Survey. The report includes demographic information about population, language, home ownership, income, age, etc. It also includes scores on a variety of environmental indicators.

The community mapping part of the project took place at Cleveland Ripley Neighborhood Center. Using maps, attendees identified community assets and challenges. They were asked about things they would like to see in their community, such as a bus route. People used stickers to indicate where they live, work, play, learn, get food, care for their health, worship, and want to protect and strengthen.

Air monitoring equipment was displayed at the mapping workshop, and people were taught how it works. The data from monitoring in Pasadena is expected to be available in early 2018. Monitoring locations are shown in the slides.

Particle pollution is the focus of the monitoring, including diesel emissions, which include particles and carbon. Air Alliance is promoting ordinances that limit idling to 5 minutes. The Cities of Houston and Galena Park have 5-minute idle limits for large vehicles. The alliance would like the City of Pasadena to institute a 5-minute idle limit also. Houston-Galveston Area Council studies show the economic savings to truckers; funding is available to retrofit trucks.

The project also includes community surveys in the project area, which are being conducted by the alliance's high school interns. The survey is included in the slides. It asks people about their neighborhood and their health "in an effort to better understand community perceptions about environment and health issues in Pasadena." Contact information for project manager Leticia Ablaza is in the attached slides.