TCEQ Regulatory Update

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Deputy Director
Office of Compliance & Enforcement
Current Issues

Agency
- Greenhouse Gas Update
- Drought
- Brazos Watermaster

OCE
- Office Overview
- Oil and Gas
- Audit Privilege
- Compliance History
Greenhouse Gas

U.S. Supreme Court Decision

- EPA exceeded statutory authority interpretation of Clean Air Act to require
  - PSD Permitting and Title V permitting for stationary sources based on greenhouse gas emissions
- EPA may however continue to treat greenhouse gases as a pollutant subject to regulation under this chapter
- EPA may require BACT for “anyway” sources
Continuing Drought Conditions

July 1, 2014

July 2, 2013

US Drought Monitor
Drought Impacts

- Senior calls for water
  - Priority doctrine
  - Navigability

- TCEQ Drought Task Force
  - As of July 4, 2014, 51 Systems are on the 180 day list
  - TDEM, TWDB, TCEQ staff from across the agency
Brazos Watermaster

- Petition for Watermaster received January 2013
- Item sent to SOAH
- On April 9, 2014 Commission supported ALJ determination
  - Senior water rights in basin threatened
  - Lower Basin
Brazos Watermaster Continued

- Office of Water is in the process of
  - Organizing stakeholder meetings
  - Soliciting and accepting resumes for Watermaster Advisory Committee
  - Embarking on hiring process for Brazos Watermaster
OCE Overview
OCE Staff Resource Distribution

OCE Resources - 1002 FTEs

- Deputy Director: 7
- Enforcement: 107
- Monitoring Division: 96
- Critical Infrastructure: 50
- Field Operations: 742
OCE’s Critical Functions

- Conduct compliance investigations (FY13 – 105,781)
- Investigate complaints (FY13 – 3,611)
- Emission Events Reported/Reviewed (FY13 – 4,533)
- Notices of Violation Issued (FY13 – 12,868)
- Enforcement Orders Issued (FY13 – 2,182)
- Emergency response to incidents
- Conduct ambient monitoring of air, surface water and public drinking water
- North Central and West Texas Area
- Central Texas Area
- Coastal and East Texas Area
- Border and Permian Basin Area
Barnett Shale – Twenty-four counties
Air monitoring study
Enhanced complaint response
Routine/reconnaissance investigations
Installed new stationary monitors
Additional targeted mobile monitoring – ground and air-based monitoring
Additional FTEs
Barnett Shale Air Sampling Viewer

The Barnett Shale Viewer is the TCEQ's interactive mapping tool that displays air sampling around the Barnett Shale Geographical Area.
Eagle Ford Shale

- Twenty-six counties
- TCEQ Regions Tyler, Waco, Beaumont, Austin, San Antonio, Corpus Christi, and Laredo
- Drilling and production are occurring primarily in rural counties/areas
- Oil, Gas and Condensate producing play

Eagle Ford Shale
Housing & Infrastructure

RV Parks

Oil Camps
Permian Basin

- Fifty-nine counties
- TCEQ Regions Midland, San Angelo, Lubbock and El Paso
- Oil, Gas and Condensate producing play
- Workshops

Oil and Gas Flyovers

- TCEQ contracted with LSI to conduct flyovers in the Eagle Ford and Permian Basin
- Surveys occurred between June and August 2013
- 426 aerial video images were collected
- 16,015 individual tanks were surveyed
- 800 found with emissions (5%)
## Compliance History Update

### Rating Year 2012

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<th>Category</th>
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## Compliance History Update

### Rating Year 2013

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Orders Issued by Media Type

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<th>Water</th>
<th>Waste</th>
<th>Multi-Media</th>
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- Air
- Water
- Waste
- Multi-Media
Assessed Penalties

- 2009: 23.4 Millions
- 2010: 17.1 Millions
- 2011: 20.1 Millions
- 2012: 16.3 Millions
- 2013: 18.3 Millions
Questions?

Office of Compliance & Enforcement

(512) 239-5100