

**Texas State Library and Archives Commission
Archives and Information Services Division
Records Appraisal Report**

**Texas Commission on Environmental Quality
December 2011**

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Agency history and structure

The Texas Commission on Environmental Quality (TCEQ) strives to protect public health and safety and the environment by reducing the release of pollutants and contaminants, regulating the management and disposal of waste, and expediting the cleanup of contaminated sites. The agency also manages the state's water resources by enforcing compliance with state and federal clean air and water laws.

Conservation and regulation of the state's water resources began early in the 20th century; regulation of air quality began in the early 1950s. In 1913 the Irrigation Act, passed by the 33rd Legislature (House Bill 37, Regular Session), created the Texas Board of Water Engineers to establish and implement procedures for determining surface water rights. A constitutional amendment to Article 16 authorizing the creation of conservation and reclamation districts as needed was passed in 1917. Freshwater supply districts were authorized by the 36th Legislature in 1919 (Senate Bill 19, 2nd Called Session) and the first river authority, the Brazos River Authority, was created in 1929 (House Bill 197, 41st Legislature, 2nd Called Session). A law governing the organization and operation of water improvement districts was passed in 1933 by the 43rd Legislature (House Bill 413, Regular Session). The 51st Legislature passed legislation (House Bill 162, Regular Session) creating underground water conservation districts 1949. House Bill 162 also declared groundwater (underground water) private property and authorized the State Board of Water Engineers to designate underground reservoirs and subdivisions thereto.

The Texas Department of Health initially had some regulatory power over water issues and it performed initial air quality studies for the state. Legislation was passed by the 49th Legislature in 1945 authorizing the Texas Department of Health to enforce drinking water standards for public water supply systems (Senate Bill 81, Regular Session), as part of an overall public health legislative initiative. The Department of Health conducted the first air study in Texas in 1952 and began an air sampling program in 1956.

Additional water conservation measures were enacted in 1957. The 55th Legislature created the Texas Water Development Board to forecast water supply needs and provide funding for water

supply and conservation projects (House Bill 161, Regular Session). A water well driller's advisory group, the Water Well Drillers Board, was created in 1961 (House Bill 409, 57th Legislature, Regular Session). The Texas Board of Water Engineers became the Texas Water Commission in 1962, with additional responsibilities for water conservation and pollution control (House Bill 12, 57th Legislature, 3rd Called Session).

Pollution and water control measures continued in 1961. The Texas Pollution Control Act was passed which established the Texas State Water Pollution Control Board and eliminated the Water Pollution Advisory Council, creating the state's first true pollution control agency (House Bill 24, 57th Legislature, 1st Called Session). The Texas Clean Air Act created the Texas Air Control Board in 1965, in the Department of Health, to monitor and regulate air pollution in the state (House Bill 362, 59th Legislature, Regular Session). Other legislation in 1965 changed the Texas Water Commission to the Texas Water Rights Commission (Senate Bill 145, 59th Legislature, Regular Session) and functions not related to water rights were transferred to the Texas Water Development Board. And, the Water Well Drillers Act was passed in 1965 establishing the Water Well Drillers Board (House Bill 77, 59th Legislature, Regular Session). The Texas Water Quality Act, passed in 1967, established the Texas Water Quality Board (Senate Bill 204, 60th Legislature, Regular Session). The Texas Air Control Board was removed from the Department of Health in 1973, making it an independent state agency (House Bill 739, 63rd Legislature, Regular Session).

The 65th Legislature passed legislation in 1977 that made a number of changes in the state's water agencies. The Texas Department of Water Resources (TDWR) was created by combining the three existing water agencies in an effort to consolidate the state's water programs (the Texas Water Rights Commission, the Texas Water Quality Board, and the Texas Water Development Board) (Senate Bill 1139, Regular Session). A six-member board, the Texas Water Development Board, was set up as a policymaking body for the new agency. The Water Rights Commission was renamed the Texas Water Commission and sat as a quasi-judicial body that ruled on permits. The Texas Water Quality Board was abolished.

The 69th Legislature dissolved the Texas Department of Water Resources in 1985 (Senate Bill 249, Regular Session) and transferred regulatory enforcement to the recreated Texas Water Commission, and planning and financial responsibilities to the recreated Texas Water Development Board.

The 72nd Legislature passed legislation in 1991 (Senate Bill 2, 1st Called Session) in an effort to consolidate the state's regulatory programs for air, water and waste. This began a two-year process of consolidation, culminating with the creation of the Texas Natural Resource Conservation Commission in 1993. In accordance with Senate Bill 2, sections of the Texas Department of Health dealing with solid waste, drinking water protection, and wastewater treatment were transferred to the Texas Water Commission (TWC) by March 1, 1992. On September 1, 1992, the Texas Water Well Drillers Board and the Texas Board of Irrigators were abolished and those functions transferred to the TWC. On September 1, 1993, the Texas Air Control Board and the Texas Water Commission were abolished and those functions were consolidated to form the Texas Natural Resource Conservation Commission. The Texas Water Commission became the core of the TNRCC

and the TWC's three full-time commissioners automatically became the commissioners of the TNRCC. In 1997 the 75th Legislature transferred the regulation of water well drillers from the TNRCC to the Texas Department of Licensing and Regulation (Senate Bill 1955, Regular Session). The Texas Low-Level Radioactive Waste Disposal Authority was abolished in 1999 and its functions transferred to the TNRCC (House Bill 1172, 76th Legislature, Regular Session). Legislation in 2001 authorized a name change for the TNRCC. Effective September 1, 2002, it became the Texas Commission on Environmental Quality (TCEQ).

The TCEQ is governed by a three-member commission, appointed by the governor with the advice and consent of the Senate for overlapping six-year terms. Members may not serve more than two terms and conflict of interest restrictions apply. Commission members hold full-time salaried positions and the governor designates the chair. The commissioners establish overall agency direction and policy and make final determinations on contested permitting and enforcement matters.

The agency is divided into nine major offices, with separate divisions within each: Commissioners (Chief Clerk, General Counsel, Public Interest Counsel, Chief Auditor, and Public Assistance Office); Executive Director (Agency Communications, Intergovernmental Relations and Small Business and Environmental Assistance); Office of Administrative Services (includes Budget and Planning, Chief Financial Officer, Financial Administration, Human Resources and Staff Development, Information Resources, and Support Services); Chief Engineer's Office (Air Quality and Toxicology); Office of Legal Services (Environmental Law, General Law, and Litigation); Office of Compliance and Enforcement (Enforcement and Field Operations); Office of Air (Air Permits); Office of Waste (Remediation, Waste Permits, Radioactive Materials, Remediation, and Permitting and Registration Support); and Office of Water (Water Quality, Water Quality Planning, and Water Supply). The TCEQ has approximately 3,000 employees, 16 regional offices, and a \$466 million operating budget for the 2011 fiscal year (including both baseline and contingency appropriations).

(Sources for the agency history (above) and division/program histories found within the series reviews: Texas Commission on Environmental Quality staff, agency website (<http://www.tceq.state.tx.us/> - checked periodically between March 2009 and November 2011); finding aids prepared by the Texas State Archives; and various editions of the *Guide to Texas State Agencies*.)

Project review

The State Archives determined the need to appraise the records of the Texas Commission on Environmental Quality in October 2008. As part of the review process, the following materials were reviewed to get some background on the agency and its records: the agency history in various editions of the *Guide to Texas State Agencies*; the agency's website (<http://www.tceq.state.tx.us/>); 30 Texas Administrative Code, several parts; reports produced by TCEQ, including annual reports for FY 2009, 2011; requests for legislative appropriations for FY 2010-2011 and 2012-2013, the strategic plan for 2009; and destruction requests from TCEQ and its predecessors, the Texas Natural

Resource Conservation Commission, the Air Control Board, and the Texas Water Commission; TCEQ's records retention schedule; and the records of the Commission and its predecessors already housed in the State Archives.

After the project was begun in early 2009, several offices were reorganized (some more than once), and in some cases, divisions or portions thereof, were moved to a different office. These organization changes affected the series list initially sent to the agency. The following list of series is current through the latest reorganization, which occurred August 2011.

TCEQ SERIES REVIEWED

233 series reviews (some with multiple series numbers for oversize, etc.):

Generic Administrative records – Agency wide

- 110.06 – *Correspondence, Administrative*
- 110.08 – *Desk Calendars, Appointment Books and Itinerary Records*
- 110.23 – *Reports and Studies, Final*
- 110.27 – *Speeches and Papers*
- 110.20 – *Plans and Planning Records*
- 110.17 – *Policies and Procedures*
- 110.18 – *Policies and Procedures – Working Files*

Office of the Commissioners

Office of the Chief Clerk:

- 1110.01 – *Marked Agenda and Work Session*
- 1110.02 – *Commission Meetings and Agenda*
- 1110.04 – *Permits, Orders, Executive Orders*
- 1110.08 – *SOAH Hearing and Public Meeting Tapes and Compact Discs (CD)*
- 1110.17 – *Memoranda of Understanding*
- 1110.20 – *Enforcement Orders*
- 1110.21 – *Agenda Backup (Supporting Documents for Commission Agendas)*

Office of Public Assistance:

- 1400.02 – *Commissioners Correspondence Tracked by OPA*
- 1010.01 – *Commissioners Correspondence and Reading Files*

Chief Auditor's Office:

- 1710.01 – *CAO General Correspondence*
- 1710.02 – *CAO Audit Reports*

General Counsel:

- 1310.03 – *Litigation – Edwards Aquifer*

Office of the Executive Director

- 0110.06 – *Correspondence, Administrative*
- 2010.01 – *Directives*
- 2010.02 – *Peer Review Records*
- 2010.03 – *Executive Director Electronic Tracking System*

Small Business and Environmental Assistance Division:

- 2202.04 – *Regulatory Flexibility Review*
- 2203.01 – *Annual Report to Congress*
- 2202.01 – *Environmental Seminar Files*
- 2202.17 – *Waste Reduction Policy Act (WRPA) Annual Progress Report*
- 2202.14 – *Waste Reduction Policy Act (WRPA) Pollution Prevention Planning Executive Summaries*
- 2203.22 – *Compliance Advisory Panel*

Agency Communications:

- 0110.19 – *Organization Charts*
- 0110.22 – *Reports, Annual and Biennial (narrative)*
- 2830.07 (old 2810.01) – *Biographies of Commissioners, Executive Director, Deputy Directors and Division Directors*
- 2820.02 – *News Clips (clippings)*
- 2830.06 – *TCEQ Publications Development Files*
- 2830.05 – *TCEQ Publications*
- 2830.04 – *Publications Database*

Intergovernmental Relations Division:

- 0110.22 – *Reports Biennial or Annual*
- 0110.45 – *Reports and Studies*
- 2920.01 (old 2910.05) – *Border Affairs*
- 2910.03 – *Administrative Correspondence with Executive Director*

Chief Engineer's Office

Air Quality Division:

- 0510.02 – *State Implementation Plan*
- 0510.01 – *State Implementation Plan – Working File*
- 0510.23 – *Texas Alternative Fleet*
- 0510.05 – *Air Emissions Inventory (1990 Baseline Year, 8-Hour Baseline Year 2002)*
- 0510.08 – *Air Emissions and Inspection Fee Files*
- 0510.15 – *Air Studies*
- 0510.16 – *Air Reports - External*
- 0510.27 – *Stage II Vapor Recovery*

Toxicology Division:

- 0520.02 – *Request for Comments (NSR Permit Program)*
- 2100.04 – *National Dioxin Study*
- 0520.07 – *Texas Risk Combustion Model and Documentation*
- 0520.10 – *Texas Risk Reduction Program Guidance*

Office of Compliance and Enforcement

Critical Infrastructure Division, Dam Safety Program:

- 4100.04 – *Texas Dam Safety*

Field Operations Support Division:

- 4104.02 – *Spill Reports and Attachments*
- 4104.03 – *Spill Fund Actions*
- 4104.04 – *Regional Response Team Reports*
- 4104.10 – *Edwards Aquifer Pollution Abatement Plans, Project and Correspondence Files (Region 11 – Austin)*
- 4104.10 – *Edwards Aquifer Pollution Abatement Plans, Project and Correspondence Files (Region 13 – San Antonio)*
- 4104.12 – *Upset Maintenance Reports*

Enforcement Division:

- 4300.01 – *Air Compliance Files*
- 4300.03 – *Air Compliance Files (Confidential)*
- 4300.08 – *PST Storage Tank Enforcement Files*
- 4300.16 – *Administrative and Consent Orders*
- 4525.01 – *Water Operators Enforcement Files*

Field Operations Support Division, Monitoring Operations:

- 4600.07 – *Initial Demonstration of Analytical Capability Records*
- 4600.08 – *Laboratory Methods Manual and Lab Quality Manual*
- 4600.14 – *Industry Sponsored Monitoring Reports and Correspondence*
- 4600.17 – *Reports, Studies, and Surveys - Final*
- 4600.18 – *Standard Operating Procedures*
- 4630.04 – *Lab Analysis Reports (Closed Series)*
- 4630.12 – *DM&A Auto GC Data*
- 4640.04 – *Air Control Lab Reports*
- 4642.02 – *Mobile Monitoring Final Reports*
- 4650.04 – *Quality Assurance Project Plans*
- 4650.05 – *Quality Assurance/Quality Control Reports and Audits*
- 4650.07 – *Pantex Project Files*

Compliance Support Division:

- 4522.05 – *Meeting Minutes and Agendas*

Office of Air

Air Permits Division:

- 6101.01 – *Air Permit (Except Title V) (Includes Construction Authorizations)*
- 6101.02 – *RCRA (Resource Conservation and Recovery Act) and Risk Burn/Combustion Strategy, EPA*
- 6101.06 – *Air Permits and Exemptions (Inactive)*
- 6101.08 – *Air Operating Permits Title V*
- 6101.13 – *Air Permit Confidential (Except Title V) (Includes Construction Authorizations)*
- 6101.15 – *Air Operating Permits Title V Confidential*

Office of Water

Water Quality Division:

- 5113.28 – *Concentrated Animal Feeding Operation*

5113.65 – *Animal Feeding Operation Unpermitted, General Correspondence by County and Date*

5113.41 – *Construction General Permit TXR150000 for Storm Water*

5113.70 – *Industrial Wastewater Discharge*

5113.72 – *Industrial Wastewater Discharge Confidential*

5113.74 – *Municipal Wastewater Discharge Permits*

5113.76 – *Municipal Wastewater Discharge Confidential*

5113.90 – *Pretreatment Program Annual Report*

5114.01 – *Cooperative Agreement (EPA)*

5114.02 – *Water Quality Management Plan*

5114.03 – *Water Quality Special Studies*

6504.03 – *Dredging Permit*

5210.01 – *River Compact Commissions*

Water Supply Division:

5225.17 – *Adjudication Process Documentation*

5225.20 – *Certificates of Convenience and Necessity (CCN)*

5225.26 – *Water Rate Cases*

5225.34 – *Pending Planning Material*

5224.01 – *Public Water Supply*

5224.03 – *Public Water Supply, County General (Unnumbered)*

5224.05 – *Public Water Supply - Confidential*

5224.09 – *Bacteriological Records – Positive and Repeat*

5224.10 – *Bacteriological Records – Monthly Summary*

5225.01 – *Water Districts - Annexed, Abolished and Dissolved*

5225.04 – *Districts – Bond Documents and Specifications*

Water Availability Division:

4102.01 – *International Boundary Water Commission Daily River Report*

4102.02 – *IBWC District Diversion Report*

4102.0378 – *IWBC Monthly Diversion Report*

4102.06 – *South Texas Watermaster Cost Assessment*

4103.08 – *Original Documents and Court Filings*

5223.01 – *Water Rights - Cancelled, Denied, Dismissed, Abandoned or Unnumbered*

5223.04 – *Water Rights Correspondence*

5223.06 – *Water Rights/Surface Water Permits*

5223.07 – *Surface Water Rights Permits/Use*

5223.09 – *Water Rights Adjudication Amendments*

5223.11 – *Water Rights Applications*

5223.30 – *Instream Uses Environmental Review Files*

5223.19 – *Water Conservation and Drought Management Plan*

5225.41 – *Public Water Supplier Drought Management Plan*

5225.42 – *Drought Contingency Plan by Entity*

5226.01 – *Priority Groundwater Management Area (PGMA) – General Correspondence*

5226.02 – *Priority Groundwater Management Area (PGMA) Studies – No Designation*

- 5226.04 – *Priority Groundwater Management Areas (PGMA) – Designated*
- 5226.06 – *Groundwater Contamination Investigations*
- 5226.07 – *Underground Reservoir and Groundwater Management Area Delineations*
- 5226.08 – *Groundwater District Management Plan Coordination General Correspondence*
- 5226.09 – *Water Well Driller's Logs*
- 5226.11 – *Dewatering, Injection, and Monitoring Wells*
- 5226.12 – *Pesticide Management Plan*

Water Quality Planning Division:

- 5413.03 – *Galveston Bay Estuary Program*
- 5441.03 – *Water Quality Management Reports*
- 5461.01 – *Clean Rivers Program Project Files*
- 5413.02 – *Nonpoint Source Management, Clean Water Act, Contracts*
- 5415.06 – *Water Quality Management Program, Clean Water Act, Section 604(b) Contracts*

Office of Waste

Radioactive Materials Division:

- 6005.01 – *Radioactive Waste Licensed Sites*
- 6005.03 – *Unlicensed Radioactive Waste*
- 6005.05 – *Radioactive Waste Licensed Site - Confidential*
- 6006.03 – *Low Level Radioactive Waste*

Permitting and Registration Support Division:

- 6202.12 – *Waste Tire Voucher Records*
- 6202.03 – *EPA Biennial Report*
- 6202.08 – *Maquiladora Q Forms*

Waste Permits Division:

- 6202.17 – *Used Oil Handler and Used Oil Filter Handler Registrations and Reports*
- 6202.21 – *Used Oil General*
- 6202.31 – *Regulatory Flexibility Program*
- 6007.01 – *WDW Files (Class 1 and Class 2)*
- 6007.03 – *UIC/Sodium Sulfate Mining*
- 6007.04 – *UIC/Sulfur Solution Mining*
- 6007.05 – *Uranium Solution Mining*
- 6007.07 – *UIC Class IV Injection Wells*
- 6007.08 – *UIC Class V Injection Wells*

Permitting and Registration Support Division:

- 6304.15 – *Industrial and Hazardous Waste Registration Part B Applications*
- 6202.22 – *Industrial Hazardous Waste*
- 6202.24 – *Industrial Hazardous Waste General*
- 6202.33 – *Industrial Hazardous Waste Confidential*
- 6202.35 – *Industrial Hazardous Waste Registration General - Confidential*
- 6203.01 – *Petroleum Storage Tank (PST) Registrations*
- 6203.06 – *Petroleum Storage Tank Registrations General Unnumbered*
- 6203.03 – *PST Registrations, Confidential*

6203.06 – *Petroleum Storage Tank Registrations, General Unnumbered, Confidential*

Waste Permits Division:

6301.02 – *Municipal Solid Waste Management and Resource Recovery Advisory Council (MSWM and RRAC) Meeting Minutes*

6301.04 – *MSWM and RRAC Applications and Correspondence*

6223.02 – *Water Utility Operator Licensing Advisory Committee Minutes*

6301.09 – *Hazardous Waste Management Fees Report*

6303.07 – *Municipal Solid Waste Facility Permit Application Files*

6303.10 – *Municipal Solid Waste Management Correspondence by County*

6303.35 – *Municipal Solid Waste Facility Permit Application Files – Confidential*

6303.37 – *Municipal Solid Waste Correspondence by County – Confidential*

6303.15 – *Geophysical Logs*

6303.16 – *Salt Water Disposal Applications and Recommendations*

6303.18 – *Surface Casing Application and Recommendations Permanent*

6303.25 – *Regional Plan Development and Implementation*

6303.26 – *Council of Governments – Correspondence*

6303.27 – *Needs Assessment Data and Reports File*

6303.28 – *Annual Report of Trends in Waste Volume and Processing*

6303.30 – *Capacity Assurance Plans and Data Files*

Remediation Division:

4405.01 – *Superfund Preliminary Site*

4405.02 – *Preliminary Assessment/Site Inspections*

4405.03 – *Site Discovery Files*

4406.18 – *Leaking Petroleum Storage Tank Files*

4406.19 – *Soil Storage and Treatment Facility Files*

4406.21 – *Natural Resource Trustee Program*

4406.04 – *Underground Storage Tank Plans, Equipment and Procedure Reviews/Evaluations*

4406.05 – *Storage Tank Construction Notification Reports and Activity Reports*

4407.05 – *Dry Cleaner Remediation Program*

4407.06 – *Industrial and Hazardous Waste Sites TXXXX-Facility Identification Number (FID)*

4408.01 – *Superfund Site Files*

4409.01 – *Voluntary Pollution Cleanup Project Files*

4409.03 – *Brownfields Site Assessment*

4409.05 – *Innocent Owner/Operator Program Files*

4409.10 – *Municipal Settings Designations Files*

Office of Legal Services

Environmental Law Division:

0110.45 – *Executive Review/National Comments*

0110.46 – *Resource Conservation and Recovery Act*

4910.02 – *Legal Opinion and Advice*

- 4910.03 – *Administrative Hearing Files*
- 4910.04 – *AG Referral Cases*
- 4910.05 – *Rule Package and Permit Files*

Litigation Division:

- 0110.45 – *Executive Review/National Comments*
- 0110.46 – *Resource Conservation and Recovery Act*
- 4810.03 – *Cases Referred to Attorney General*
- 4810.02 – *Discoveries for Hearings*
- 5810.05 – *Supplemental Environmental Project Files*
- 4810.10 – *Legal Opinions and Advice – Litigation Support*

General Law Division:

- 4960.01 – *Legal Opinions and Advice – Personnel*
- 4960.06 – *Legal Opinions and Advice – General Law*
- 4960.02 – *Lawsuits – Personnel*
- 4960.04 – *Administrative Rule Package Files*
- 4960.05 – *Rule Development, History and Annotations (Microfilm)*
- 4960.08 – *Regulation Development (Rules Tracking Database)*

Office of Administrative Services

- 3110.14 – *Agency Operating Policies*
- 3110.06 – *Reports, Administrative*
- 3420.06 – *Building Construction (Project Files)*
- 3420.07 – *Building Plans and Specifications*

Budget and Planning Division:

- 3320.03 – *Legislative Appropriations Request*
- 3520.02 – *Strategic Plan*

Chief Financial Officer:

- 2061.01 – *State Agencies Coordination Committee*

Information Resources Division:

- 3710.11 – *Budget and Planning*

Information Gathering and Report Preparation

Data gathered for the individual series reviews comes from TCEQ staff who work with the records being reviewed, from the agency's website, and in some cases, from records State Archives staff reviewed directly.

A list of questions concerning series on the retention schedule the State Archives decided to review – series with the archival code "A," the archival review code "R," and a few series without archival codes, was mailed along with a letter of introduction to the TCEQ Executive Director and the records administrator in October 2008. Approval to go forth with the appraisal was given by the TCEQ director on October 20, 2008. The appraisal archivist met with the agency's designated records liaison for this project, Debbie Wahrmond, and staff of the agency's contracted records management company, PacoTech, on November 5, 2008 to discuss the appraisal process. A list of

questions for each series was prepared and sent to Debbie for distribution to the records liaisons in each office. I met with the liaisons to discuss the project on January 28, 2009.

An initial deadline to get information back for each series was set for March 31st, with staff members emailing me forms as they were completed. About 2/3 of the review forms were received by the March deadline; most of the remaining forms trickled in during the spring and summer. I went to the agency in June to view a few records in person so as to complete series reviews with unanswered questions. A number of follow-up emails and phone calls were made with records contacts in the divisions. Information was gathered through December 2009. In 2010, work on the project was interrupted due to a large records move, changes in agency personnel, including the appraisal archivist, Laura Saegert, moving to a new position. Work started again on the project in summer of 2011 and another appraisal archivist, Tony Black, was added to the project. The final data needed to complete the report was received in December 2011.

Between January 2009 and December 2011 TCEQ underwent at least four major reorganizations and one or two minor ones, resulting in functions and programs being transferred between existing offices and new offices/divisions being created. Many series numbers changed and had their retention period changed. Incorporating all these changes further slowed the project.

Archives Holdings in the Texas State Library and Archives Commission

A list was compiled of records received from TCEQ and its predecessors for this report, see Appendix A. Several of these series have already been appraised; these appraisals were incorporated into the overall report.

Previous Destructions

Numerous destruction requests have been submitted by the Texas Natural Resource Conservation Commission, the Texas Air Control Board, and the Texas Water Commission. Types of records approved for destruction are routine administrative, fiscal, and personnel records; audio tapes; general correspondence; waste shipment summaries; waste registration files; cancelled permits; contracts, etc. In several cases paper files from archival series which were microfilmed were approved for destruction. Dates of the records destroyed range from 1950 to about 1995. See Appendix B for a complete list of destructions.

Project Outcome

The appraisal was completed in late December 2011. The complexity of TCEQ, its several reorganizations and subsequent changes to the schedule created a number of challenges to a timely review.

The agency had separated oversize materials and confidential materials from a number of its permitting and registration series because the materials are stored separately. In such cases, the permit/registration files and oversize files were described as one series. I met with records staff in

November 2011 and was told such split series will, in most, if not all cases, be consolidated as single series when the next schedule is recertified.

There were also several series on the schedule when this project was started in 2009 that are empty or will be combined with other series. Staff notes regarding these cases are incorporated into the Appraisal Decision section of each series review.

There were several series transferred to the Railroad Commission on August 29, 2011, due to legislative changes in program functions (Surface Casing Program was transferred to the Railroad Commission). Series affected are noted in this report and will be noted on the next recertification of the Railroad Commission schedule. Series transferred to other agencies, such as the Texas Water Development Board, are duly noted as well.

Appraisal Results

Following are instructions for changes to series on the retention schedule of the TCEQ, primarily adding, changing, or removing archival codes, to be completed during the next recertification of the schedule. Archival records whose retention has expired can now be transferred to the Archives and Information Services Division of the Library and Archives Commission at the agency's earliest convenience (please contact Laura Saegert prior to making any transfers).

A number of series have electronic and paper records; a few have only electronic records. Many of these series have been determined to be archival. The State Archives currently (December 2011) cannot accept transfers of electronic data as we do not have a functional electronic records preservation program. **For records that are archival and only available in electronic form, the agency will need to ensure the integrity of the data and migrate the records to new software/hardware platforms every 3-5 years. The agency will also need to keep offsite backup copies of any archival electronic data, migrating that data when the records copy is migrated. For records that can be printed out, such as desk calendars, the agency can choose to transfer paper copies to the State Archives.**

The following 15 series, coded as archival by TCEQ staff, have been determined to be archival and need to maintain the archival code of "A" on the schedule. Series are:

Office of the Commissioners, Office of the Chief Clerk:

1110.01 – *Marked Agenda and Work Session*

1110.17 – *Memoranda of Understanding*

1110.21 – *Agenda Backup (Supporting Documents for Commission Agendas)*

Office of the Executive Director, Agency Communications:

0110.19 – *Organization Charts*

0110.22 – *Reports, Annual and Biennial (narrative)*

Office of Compliance and Enforcement, Compliance Support Division:

4522.05 – *Irrigators Advisory Council – Meeting Minutes and Agendas*

Office of Water, Water Quality Division:

- 5113.28 – *Concentrated Animal Feeding Operation (CAFO)* [also PM; for this and all others with this notation, add the following note to the Remarks Section of the schedule – “If the agency changes their retention to anything less than PM, transfer records to the State Archives as their retention is met.”]
- 5113.41 – *Construction General Permit TXR150000 for Storm Water* [also PM]
- Office of Water, Water Quality Planning Division:
- 5413.03 – *Galveston Bay Estuary Program* [should be split into 2 archival series]
- Office of Waste, Waste Permits Division:
- 6301.02 – *Municipal Solid Waste Management and Resource Recovery Advisory Council (MSWM and RRAC) Meeting Minutes*
- 6223.02 – *Water Utility Operator Licensing Advisory Committee Minutes*
- Office of Legal Services, Environmental Law Division:
- 0110.46 – *Resource Conservation and Recovery Act*
- Office of Legal Services, Litigation Division:
- 0110.46 – *Resource Conservation and Recovery Act*
- Office of Administrative Services, Budget and Planning Division:
- 3320.03 – *Legislative Appropriations Request* [send to Publications Clearinghouse; for this and all others with this notation, add the following note to the Remarks Section of the schedule – “Archival requirement met by sending copies of publications to the Publications Clearinghouse.”]
- 3520.02 – *Strategic Plan* [send to Publications Clearinghouse]

We determined that 61 of the archival review series have archival value. These "R" series need to be changed to "A" on the schedule:

Agency-wide generic series:

- 110.06 – *Correspondence, Administrative* [“Administrative correspondence of the Commissioners, Executive Director, Deputy Director, General Counsel, and directors of the program offices – Chief Engineer, Office of Air, Office of Waste, Office of Water, Compliance and Enforcement, and Legal Services, is archival. Correspondence for staff below these levels is not.”]
- 110.08 – *Desk Calendars, Appointment Books, and Itinerary Records* [“Desk calendars and itinerary of the Commissioners, Executive Director, Deputy Director, General Counsel, and directors of the program offices – Chief Engineer, Office of Air, Office of Waste, Office of Water, and Office of Compliance and Enforcement are archival. Calendars and itinerary for staff below these levels are not.”]
- 110.27 – *Speeches, Papers and Presentations* [“Speeches of the Executive and Deputy Executive Director, the Commissioners, the General Counsel, and heads of some program offices – Chief Engineer, Office of Air, Office of Waste, Office of Water, and Office of Compliance and Enforcement are archival.”]

Office of the Commissioners, Office of the Chief Clerk:

1110.02 – *Commission Meetings and Agenda*
 1110.04 – *Permits, Orders, Executive Orders*
 Office of the Commissioners, Office of Public Assistance (OPA):
 1400.02 – *Commissioners Correspondence Tracked by OPA*
 Office of the Commissioners, Chief Auditor’s Office:
 1710.02 – *CAO Audit Reports* [send to Publications Clearinghouse]
 Office of the Commissioners, General Counsel:
 1310.03 – *Litigation – Edwards Aquifer*
 Office of the Executive Director:
 110.06 – *Executive Director’s Correspondence and Reading File*
 Office of the Executive Director, Small Business and Environmental Assistance Division:
 2202.01 – *Environmental Seminar Files* [send publication (book of proceedings) to Publications Clearinghouse]
 2202.17 – *Waste Reduction Policy Act (WRPA) Annual Progress Report*
 Office of the Executive Director, Agency Communications:
 2820.02 – *News Clips* (clippings)
 Office of the Executive Director, Intergovernmental Relations Division (IGR):
 110.45 – *Executive Review/National Comments* [formerly *Reports and Studies*]
 2920.01 – *Border Affairs* [and re-evaluate PM status]
 2910.03 – *Administrative Correspondence with Executive Director*
 Chief Engineer’s Office, Air Quality Division:
 510.05 – *Air Emissions Inventory (1990 Baseline Year, 8-Hour Baseline Year 2002)*
 510.15 – *Air studies*
 510.16 – *Air reports - external*
 Office of Compliance and Enforcement, Critical Infrastructure Division:
 4100.04 – *Texas Dam Safety* [also PM]
 Office of Compliance and Enforcement, Field Operations Division:
 4104.10 – *Edwards Aquifer Pollution Abatement Plans, Project and Correspondence Files (Region 11 – Austin)* [and change to PM]
 4104.10 – *Edwards Aquifer Pollution Abatement Plans, Project and Correspondence Files (Region 13 – San Antonio)* [and change to PM]
 Office of Compliance and Enforcement, Field Operations Support Division:
 4600.08 – *Laboratory Methods Manual and Lab Quality Manual*
 4642.02 – *Mobile Monitoring Final Reports*
 4650.04 – *Quality Assurance Project Plans*
 Office of Air, Air Permits Division:
 6101.01 – *Air Permit (Except Title V) (includes construction authorizations)* [also PM]
 6101.08 – *Air Operating Permits Title V* [also PM]
 6101.13 – *Air Permit Confidential (Except Title V) (Includes Construction Authorizations)* [also PM]
 6101.15 – *Air Operating Permits Title V Confidential* [also PM]
 Office of Water, Water Quality Division:

- 5113.65 – *Animal Feeding Operation Unpermitted, General Correspondence by County and Date* [also PM]
 - 5113.70 – *Industrial Wastewater Discharge* [also PM]
 - 5113.72 – *Industrial Wastewater Discharge Confidential* [also PM]
 - 5113.74 – *Municipal Wastewater Discharge Permits* [also PM]
 - 5113.76 – *Municipal Wastewater Discharge Confidential* [also PM]
 - 5114.01 – *Cooperative Agreement (EPA)*
 - 5114.02 – *Water Quality Management Plan* [send to Publications Clearinghouse]
 - 5114.03 – *Water Quality Special Studies* [also PM]
- Office of Water, Water Supply Division:
- 5223.01 – *Water Rights - Cancelled, Denied, Dismissed, Abandoned or Unnumbered* [merged with *Water Rights Applications*, archival]
 - 5224.01 – *Public Water Supply* [also PM]
 - 5224.02 – *Public Water Supply – Oversize, Maps, Photos* [also PM]
 - 5224.03 – *Public Water Supply, County General (Unnumbered)* [also PM]
 - 5224.05 – *Public Water Supply - Confidential* [also PM]
 - 5225.01 – *Water Districts – Annexed, Abolished and Dissolved*
- Office of Water, Water Availability Division:
- 5223.11 – *Water Rights Applications*
 - 5225.17 – *Adjudication Process Documentation* [also PM]
 - 4103.08 – *Original Documents and Court Filings (Rio Grande Watermaster)* [also PM]
 - 5226.11 – *Dewatering, Injection, and Monitoring Wells*
 - 5226.12 – *Pesticide Management Plan*
- Office of Water, Water Quality Planning Division:
- 4681.01 – *Water Quality Management Reports* [send to Publications Clearinghouse]
 - 5441.03 – *Clean Rivers Program Reports* [send to Publications Clearinghouse]
- Office of Waste, Radioactive Materials Division:
- 6005.01 – *Radioactive Waste Licensed Sites* [also PM]
 - 6005.03 – *Unlicensed Radioactive Waste* [also PM]
 - 6006.03 – *Low Level Radioactive Waste* [also PM]
- Office of Waste, Waste Permits Division:
- 6007.01 – *WDW Files (Class 1 and Class 2)* [also PM]
 - 6007.05 – *Uranium Solution Mining*
 - 6303.25 – *Regional Plan Development and Implementation*
- Office of Waste, Remediation Division:
- 4405.03 – *Site Discovery Files* [also PM]
 - 4408.01 – *Superfund Site Files* [also PM]
 - 4409.01 – *Voluntary Pollution Cleanup Project Files* [also PM]
 - 4409.03 – *Brownfields Site Assessment* [also PM]
 - 4409.10 – *Municipal Setting Designations Files* [and change to PM]
- Office of Administrative Services (OAS):
- 3110.14 – *Agency Operating Policies*

There were seven series without archival codes which were reviewed and determined to be archival. Add the archival code “A” to the schedule. Series are:

Office of the Executive Director:

2010.01 – *Directives*

Office of the Executive Director, Small Business and Environmental Assistance Division:

2203.22 – *Compliance Advisory Panel* [change to PM, or 2 series]

Office of Water, Water Availability Division:

5210.01 – *River Compact Commissions* [also PM]

5226.09 – *Water Well Driller’s Logs*

Office of Water, Water Supply Division:

5223.09 – *Water Rights Adjudication Amendments* [also PM]

Office of Waste, Permitting and Registration Support Division:

6202.03 – *EPA Biennial Report* [send to Publications Clearinghouse]

Office of the Executive Director, Chief Financial Officer:

2061.01 – *State Agencies Coordination Committee* [remove as empty series once retention has been met and records are transferred]

In one series, the agency coded the records as being permanent (PM) on the schedule. We have also determined this series *may* be archival. Retain the archival review code of “R” and if the agency changes their retention to anything less than PM, the State Archives will review them.

Office of Water, Water Supply Division:

6005.05 – *Radioactive Waste Licensed Site – Confidential*

The following two “A” series should be considered as non-archival and the “A” code should be replaced on the schedule with the archival exemption code “E.” Series are:

Office of the Executive Director, Agency Communications:

2830.07 – *Biographies of Commissioners, Executive Director, Deputy Directors and Division Directors*

Office of Waste, Waste Permits Division:

6301.04 – *MSWM and RRAC Applications and Correspondence*

The remaining 98 “R” series should be considered as non-archival and the “R” code should be replaced on the schedule with the archival exemption code “E.” Series are:

Agency-wide generic series:

110.17 – *Policies and Procedures*

Office of the Commissioners, Office of the Chief Clerk:

1110.08 – *SOAH Hearing and Public Meeting Tapes and Compact Discs (CD)*

Office of the Commissioners, Chief Auditor's Office:
1710.01 – *CAO General Correspondence*

Office of the Executive Director, Small Business and Environmental Assistance Division:
2202.14 – *Waste Reduction Policy Act (WRPA) Pollution Prevention Planning
Executive Summaries*

Office of the Executive Director, Agency Communications:
2830.05 – *TCEQ Publications*
2830.04 – *Publications Database*

Chief Engineer's Office, Air Quality Division:
510.01 – *State Implementation Plan – Working File*
510.08 – *Air Emissions and Inspection Fee Files*
510.27 – *Stage II Vapor Recovery*

Chief Engineer's Office, Toxicology Division:
520.07 – *Texas Risk Combustion Model and Documentation*

Office of Compliance and Enforcement, Field Operations Support Division:
4104.03 – *Spill Fund Actions*

Office of Compliance and Enforcement, Field Operations Division:
4104.12 – *Upset Maintenance Reports*

Office of Compliance and Enforcement, Enforcement Division:
4300.01 – *Air Compliance Files*
4300.03 – *Air Compliance Files (confidential)*
4300.08 – *Petroleum Storage Tank Enforcement Files*
4300.16 – *Administrative and Consent Orders*

Office of Compliance and Enforcement, Field Operations Support Division:
4600.07 – *Initial Demonstration of Analytical Capability Records*
4600.14 – *Industry Sponsored Monitoring Reports and Correspondence*
4600.18 – *Standard Operating Procedures*
4630.12 – *DM&A Auto GC Data*
4640.04 – *Air Control Lab Reports*
4650.05 – *Quality Assurance/Quality Control Reports and Audits*
4650.07 – *Pantex Project Files*

Office of Air, Air Permits Division:
6101.07 – *Air Permit (Except Title V) – Oversize Documents, Maps, Photos, etc.
(includes construction authorizations)*
6101.02 – *RCRA (Resource Conservation and Recovery Act) and Risk
Burn/Combustion Strategy, EPA*
6101.12 – *Air Permit Title V – Oversize Documents, Maps, Photos, etc.*
6101.14 – *Air Permit Confidential (Except Title V) (includes construction
authorizations), Oversize Documents, Maps, Photos, etc.*
6101.16 – *Air Operating Permits Title V, Confidential, Oversize Documents, Maps,
Photos, etc.*

Office of Water, Water Quality Division:

- 5113.73 – *Industrial Wastewater Discharge Confidential – Oversize Documents, Maps and Photos*
- 5113.77 – *Municipal Wastewater Discharge Confidential– Oversize Documents, Maps and Photos*
- 5113.90 – *Pretreatment Program Annual Report*
- 5114.21 – *Dredging Permit*
- Office of Water, Water Availability Division:
 - 5223.30 – *Instream Uses Environmental Review Files*
- Office of Water, Water Supply Division:
 - 5224.09 – *Bacteriological Records – Positive and Repeat*
 - 5224.10 – *Bacteriological Records – Monthly Summary [and combine with 5224.09]*
 - 5225.04 – *Districts – Bond Documents and Specifications*
 - 5225.26 – *Water Rate Cases*
 - 5225.34 – *Pending Planning Material*
- Office of Water, Water Availability Division:
 - 4102.01 – *International Boundary Water Commission Daily River Report*
 - 4102.02 – *IBWC District Diversion Report*
 - 4102.0378 – *IWBC Monthly Diversion Report*
 - 4102.06 – *South Texas Watermaster Cost Assessment*
 - 5226.01 – *Priority Groundwater Management Area (PGMA) – General Correspondence*
 - 5226.02 – *Priority Groundwater Management Area (PGMA) Studies – No Designation*
 - 5226.04 – *Priority Groundwater Management Areas (PGMA) – Designated*
 - 5226.06 – *Groundwater Contamination Investigations [but report to go to Publications Clearinghouse]*
 - 5226.08 – *Groundwater District Management Plan Coordination General Correspondence*
- Office of Water, Water Quality Planning Division:
 - 5461.01 – *Clean Rivers Project Files*
- Office of Waste, Permitting and Registration Support Division:
 - 6202.08 – *Maquiladora Q Forms*
- Office of Waste, Waste Permits Division:
 - 6202.17 – *Used Oil Handler and Used Oil Filter Handler Registrations and Reports*
 - 6202.21 – *Used Oil General*
 - 6007.03 – *UIC/Sodium Sulfate Mining*
 - 6007.04 – *UIC/Sulfur Solution Mining*
 - 6007.07 – *UIC Class IV Injection Wells*
 - 6007.08 – *UIC Class V Injection Wells*
- Office of Waste, Permitting and Registration Support Division:
 - 6304.15 – *Industrial and Hazardous Waste Registration Part B Applications*
 - 6202.22 – *Industrial Hazardous Waste [but send report to Publications Clearinghouse]*

- 6202.24 – *Industrial Hazardous Waste General* [but send report to Publications Clearinghouse]
- 6202.33 – *Industrial Hazardous Waste Confidential* [but send report to Publications Clearinghouse]
- 6202.35 – *Industrial Hazardous Waste Registration General – Confidential* [but send report to Publications Clearinghouse]
- 6203.01 – *Petroleum Storage Tank (PST) Registrations*
- 6203.06 – *Petroleum Storage Tank Registrations, General Unnumbered*
- 6203.03 – *Petroleum Storage Tank Registrations, Confidential*
- 6203.06 – *Petroleum Storage Tank Registrations, General Unnumbered, Confidential*

Office of Waste, Waste Permits Division:

- 6301.09 – *Hazardous Waste Management Fees Report*
- 6303.07 – *Municipal Solid Waste Facility Permit Application Files*
- 6303.10 – *Municipal Solid Waste Management Correspondence by County*
- 6303.35 – *Municipal Solid Waste Facility Permit Application Files – Confidential*
- 6303.37 – *Municipal Solid Waste Correspondence by County – Confidential*
- 6303.26 – *Council of Governments – Correspondence*
- 6303.28 – *Annual Report of Trends in Waste Volume and Processing* [but send annual summary report to Publications Clearinghouse]
- 6303.30 – *Capacity Assurance Plans and Data Files*

Office of Waste, Remediation Division:

- 4405.01 – *Superfund Preliminary Site* [unless removed from schedule]
- 4405.02 – *Preliminary Assessment/Site Inspections* [unless removed from schedule]
- 4406.18 – *Leaking Petroleum Storage Tank Files*
- 4406.19 – *Soil Storage and Treatment Facility Files*
- 4406.21 – *Natural Resource Trustee Program*
- 4406.04 – *Underground Storage Tank Plans, Equipment and Procedure Reviews/Evaluations* [also to be removed from schedule]
- 4406.05 – *Storage Tank Construction Notification Reports and Activity Reports*
- 4407.05 – *Dry Cleaner Remediation Program* [also PM]
- 4407.06 – *Industrial and Hazardous Waste Sites TXXXX-Facility Identification Number (FID)*
- 4409.05 – *Innocent Owner/Operator Program Files* [also PM]

Office of Legal Services, Environmental Law Division:

- 110.45 – *Executive Review/National Comments*
- 4910.03 – *Administrative Hearing Files*
- 4910.04 – *Index of Case Referred to Attorney General*
- 4910.05 – *Rule Package and Permit Files*

Office of Legal Services, Litigation Division:

- 110.45 – *Executive Review/National Comments*
- 4810.03 – *Cases Referred to Attorney General*
- 4810.02 – *Discoveries for Hearings*

5810.05 – *Supplemental Environmental Project Files*
Office of Legal Services, General Law Division:
4960.01 – *Legal Opinions and Advice – Personnel*
4960.06 – *Legal Opinions and Advice – General Law*
4960.02 – *Lawsuits – Personnel*
4960.04 – *Administrative Rule Package Files*
4960.05 – *Rule Development, History and Annotations (Microfilm)*
4960.08 – *Regulation Development (Rules Tracking Database)*
Office of Administrative Services (OAS):
3110.06 – *Reports, Administrative*
Office of Administrative Services, Information Resources Division:
3710.11 – *Budget and Planning*

There were 6 series without archival codes which were reviewed and determined *not* to be archival. No changes need to be made to the records schedule. Series are:

Office of the Executive Director:
2010.03 – *Executive Director Electronic Tracking System*
Office of the Executive Director, Small Business and Environmental Assistance Division:
2203.01 – *Annual Report to Congress*
Office of Compliance and Enforcement, Field Operations Support Division (FOSD):
4104.04 – *Regional Response Team Reports*
4630.04 – *Lab Analysis Reports (Closed Series)*
Office of Water, Water Availability Division:
5223.19 – *Water Conservation and Drought Management Plan*
Office of Water, Water Supply Division:
5225.20 – *Certificates of Convenience and Necessity (CCN)*

Appraisal of the following 12 series is pending and/or conditional:

Agency-wide generic series:
110.23 – *Reports and Studies* [“R” unless empty]
110.20 – *Plans and Planning Records* [“R” unless empty]
Office of the Executive Director, Small Business and Environmental Assistance Division:
2202.04 – *Regulatory Flexibility Review* [“A” unless part of another archival series]
Office of the Executive Director, Agency Communications:
2830.06 – *TCEQ Publications Development Files* [keep the “R,” add qualifying explanation]
Office of the Executive Director, Intergovernmental Relations Division (IGR):
110.22 – *Reports Biennial or Annual* [keep “A” unless summarized in another archival report]
Chief Engineer’s Office, Air Quality Division:
510.23 – *Texas Alternative Fleet* [change “R” to “E,” unless empty]
Office of Water, Water Supply Division:

- 5224.01 – *Public Water Supply Electronic* [keep “R”; also PM]
- Office of Waste, Remediation Division:
 - 6203.02 - *Petroleum Storage Tank Registrations, Oversize* [Maintain the “R” code on the oversize materials until a decision is made about maintaining location maps permanently.]
- Office of Legal Services, Environmental Law Division:
 - 4910.02 – *Legal Opinion and Advice* [keep “R”]
- Office of Legal Services, Litigation Division:
 - 4810.10 – *Legal Opinions and Advice – Litigation Support* [keep “R”]
- Office of Administrative Services:
 - 3420.06 – *Building Construction (Project Files)* [keep “R” unless empty, then remove]
 - 3420.07 – *Building Plans and Specifications* [keep “R” unless empty, then remove]

Agency staff noted the following 28 series are no longer being used; they can be removed from the schedule.

- Office of the Commissioners, Office of the Chief Clerk:
 - 1110.20 – *Enforcement Orders*
- Office of the Executive Director:
 - 2010.02 – *Peer Review Records*
- Chief Engineer’s Office, Toxicology Division:
 - 520.02 – *Request for Comments (NSR Permit Program)*
 - 2100.04 – *National Dioxin Study* [already transferred]
- Office of Compliance and Enforcement, Field Operations Support Division:
 - 4104.02 – *Spill Reports and Attachments*
- Office of Compliance and Enforcement, Enforcement Division:
 - 4525.01 – *Water Operators Enforcement Files*
 - 4526.01 – *Wastewater Operators Enforcement Files*
- Office of Compliance and Enforcement, Field Operations Support Division:
 - 4600.17 – *Reports, Studies, and Surveys - Final*
- Office of Air, Air Permits Division:
 - 6101.06 – *Air Permits and Exemptions (Inactive)* [now filed with active permits, 6101.01, an archival and permanent series]
- Office of Water, Water Supply Division:
 - 5223.04 – *Water Rights Correspondence* [merged with *Water Rights Applications*, archival]
 - 5223.06 – *Water Rights/Surface Water Permits* [merged with *Water Rights Applications*, archival]
 - 5223.07 – *Surface Water Rights Permits/Use* [merged with *Water Rights Applications*, archival]
 - 5224.04 – *Public Water Supply, County General – Oversize, Maps, Photos*
 - 5224.07 – *Public Water Supply, County General, Confidential*

- 5224.08 – *Public Water Supply, County General, Confidential – Oversize, Maps, Photos*
- 5224.06 – *Public Water Supply, Confidential – Oversize, Maps, Photos*
- Office of Water, Water Availability Division:
- 5225.41 – *Public Water Supplier Drought Management Plan* [merged with *Water Conservation and Drought Management Plan*, archival]
- 5225.42 – *Drought Contingency Plan by Entity* [merged with *Water Conservation and Drought Management Plan*, archival]
- 5226.07 – *Underground Reservoir and Groundwater Management Area Delineations*
- Office of Water, Water Quality Planning Division:
- 5413.02 – *Nonpoint Source Management, Clean Water Act, Contracts* [merged with *Water Quality Contracts*, also non-archival]
- 5415.06 – *Water Quality Management Program, Clean Water Act, Section 604(b) Contracts* [merged with *Water Quality Contracts*, also non-archival]
- Office of Waste, Permitting and Registration Support Division:
- 6202.12 – *Waste Tire Voucher Records*
- Office of Waste, Waste Permits Division:
- 6202.31 – *Regulatory Flexibility Program*
- 6303.15 – *Geophysical Logs* [transferred to Railroad Commission]
- 6303.16 – *Salt Water Disposal Applications and Recommendations* [transferred to Railroad Commission]
- 6303.18 – *Surface Casing Application and Recommendations Permanent* [transferred to Railroad Commission]
- Office of Waste, Permitting and Registration Support Division:
- 6203.07 – *Petroleum Storage Tank Registrations General Unnumbered – Oversize*
- 6303.27 – *Needs Assessment Data and Reports File* [but add new series for published report, “A,” send to Publications Clearinghouse]

Agency-Wide Generic Series

The first section of series reviews discusses generic agency-wide series: *Correspondence, Administrative; Desk Calendars; Reports and Studies; Speeches, Papers and Presentations; Plans and Planning Records; and Policies and Procedures*. In a few divisions, correspondence, speeches, etc., are on the schedule as separate series within an office and have been reviewed as such, such as the multiple correspondence series and speeches in the Executive Office and the Commissioner's Offices. All offices have series of program specific reports and studies on the schedule and they have been reviewed with other series from that office.

Agency-wide policies and procedures, another generic series, are maintained in the Office of Administrative Services. A few offices/divisions have policy and procedure series, which include manuals, in their sections of the schedule and these series have been reviewed with other series from that office.

Records Series Review

Series Title: Correspondence, Administrative

Agency: Texas Commission on Environmental Quality

Obsolete record series? No

Ongoing record series? Yes

Annual accumulation: Varies by office

Agency holdings: Varies by office, mid 2000s-present

Description:

Records are incoming/outgoing and internal correspondence pertaining to the formulation, planning, implementation, interpretation, modification, or redefinition of the programs, services, or projects of the Texas Commission on Environmental Quality (TCEQ) and the administrative regulations, policies, and procedures that govern them. Correspondents are executive and upper management of the TCEQ with state and federal agencies, legislators, local governments, environmental industries, professional associations, and the general public. Dates covered vary in each office, most are from the mid 2000s to present. Correspondence documents executive decisions; changes in direction for the agency; changes in policies or programs; major issues, such as pending legislation, funding, and environmental disasters; correspondence with other state agencies and federal agencies over issues of high concern, such as new environmental legislation; internal policies; reorganizations; internal correspondence with upper management at the agency, etc.

Purpose:

Files document interaction of upper management with executive management regarding agency policies, procedures and general issues within the agency; and interaction with outside correspondents on high level issues facing the agency.

Agency program:

The Texas Commission on Environmental Quality strives to protect public health and safety and the environment by reducing the release of pollutants and contaminants, regulating the management and disposal of waste, and expediting the cleanup of contaminated sites. The agency also manages the state's water resources by enforcing compliance with state and federal clean air and water laws.

The agency is divided into nine major offices, with separate divisions within each: Commissioners (Chief Clerk, General Counsel, Public Interest Counsel, Chief Auditor, and Public Assistance Office); Executive Director (Agency Communications, Intergovernmental Relations and Small Business and Environmental Assistance); Office of Administrative Services (includes Budget and Planning, Chief Financial Officer, Financial Administration, Human Resources and Staff Development, Information Resources, and Support Services); Chief Engineer's Office (Air Quality

and Toxicology); Office of Legal Services (Environmental Law, General Law, and Litigation); Office of Compliance and Enforcement (Remediation, Enforcement, and Field Operations); Office of Air (Air Permits); Office of Waste (Waste Permits, Radioactive Materials, Remediation, and Permitting and Registration Support); and Office of Water (Water Quality, Water Quality Planning, and Water Supply). The TCEQ has approximately 3,000 employees, 16 regional offices, and a \$466 million operating budget for the 2011 fiscal year (including both baseline and contingency appropriations).

Arrangement: Chronological.

Access constraints: None

Use constraints: Some documents may only be available electronically.

Indexes or finding aids required for/or an aid to access? None

Problems: None known

Known related records in other agencies: None known

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: Correspondence - Administrative

Series item number: 1.1.007

Agency item number: 110.06

Archival code: R

Retention: 3

Archival holdings at the Texas State Library and Archives Commission:

Texas Air Control Board, *Board members files, 1965-1983, 1 cubic ft.* [unprocessed]

Texas Natural Resource Conservation Commission, *Commissioners correspondence and reading files, 1992-1995, 11 cubic ft.* [unprocessed]

Texas Water Commission, *Records, 1941-1942, 1956-1971, 1977-1981, 1 cubic ft.* - <http://www.lib.utexas.edu/taro/tslac/10197/tsl-10197.html> (drafts of biennial reports, correspondence, memos, and financial statistics.)

Texas Water Commission, *Chairman's correspondence and reading files, 1989-1992, bulk 1991-1992, 6 cubic ft.* - <http://www.lib.utexas.edu/taro/tslac/10210/tsl-10210.html>

Texas Water Commission, *General Counsel correspondence, late 1980s, 1 cubic ft. [unprocessed]*

Texas Water Development Board, *Administrative correspondence, Executive Administrator's files, 2002-2006, 4 cubic ft. [unprocessed]*

Texas Water Development Board, *Executive administrator's Office, executive correspondence, 2008, 4 cubic ft. [unprocessed]*

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

Administrative correspondence is found in all offices and divisions of the agency. Correspondence concerning specific programs or projects will likely be found in files documenting the function in question, such as water rights correspondence. This series review only concerns correspondence of the executive office, general counsel, commissioners, and directors of the functional program offices. Correspondences series re: specific programs will remain on the schedule as they exist now.

Correspondence with archival or historical value will document executive decisions; changes in direction for the agency; changes in policies or programs; major issues, such a pending legislation, funding, and environmental disasters; correspondence with other state agencies and federal agencies over issues of high concern, such as new environmental legislation; internal policies; reorganizations; internal correspondence with upper management at the agency, etc.

Due to the large size and complexity of this agency, we have determined that the executive and most upper management offices will have administrative correspondence with archival value – the Commissioners, Executive Director, Deputy Director, General Counsel, and directors of the program offices – Chief Engineer, Office of Air, Office of Waste, Office of Water, Compliance and Enforcement, and Legal Services.

For the retention schedule, we recommend you list this series once at the beginning of the schedule with an archival code of “A” and the following note added to the Remarks column of the schedule – “Administrative correspondence of the Commissioners, Executive Director, Deputy Director, General Counsel, and directors of the program offices – Chief Engineer, Office of Air, Office of Waste, Office of Water, Compliance and Enforcement, and Legal Services, is archival. Correspondence for staff below these levels is not.”

Records Series Review

Series Title: Desk Calendars, Appointment Books, and Itinerary Records

Agency: Texas Commission on Environmental Quality

Obsolete record series? No

Ongoing record series? Yes

Annual accumulation: fractional

Agency holdings: Typically less than one inch per person

Description:

Records are calendars of the executive office and upper management, documenting meetings held with staff and outside groups, such as the U.S. Environmental Protection Agency, other federal or state agencies, legislators, consultants, lobbyists, city/county officials, regulated entities, environmental groups, citizen groups, or stakeholders. Dates are the mid-late 2000s-present, depending on the office.

Purpose:

Calendars document daily meetings and other activities.

Agency program:

The Texas Commission on Environmental Quality strives to protect public health and safety and the environment by reducing the release of pollutants and contaminants, regulating the management and disposal of waste, and expediting the cleanup of contaminated sites. The agency also manages the state's water resources by enforcing compliance with state and federal clean air and water laws.

The agency is divided into nine major offices, with separate divisions within each: Commissioners (Chief Clerk, General Counsel, Public Interest Counsel, Chief Auditor, and Public Assistance Office); Executive Director (Agency Communications, Intergovernmental Relations and Small Business and Environmental Assistance); Office of Administrative Services (includes Budget and Planning, Chief Financial Officer, Financial Administration, Human Resources and Staff Development, Information Resources, and Support Services); Chief Engineer's Office (Air Quality and Toxicology); Office of Legal Services (Environmental Law, General Law, and Litigation); Office of Compliance and Enforcement (Remediation, Enforcement, and Field Operations); Office of Air (Air Permits); Office of Waste (Waste Permits, Radioactive Materials, Remediation, and Permitting and Registration Support); and Office of Water (Water Quality, Water Quality Planning, and Water Supply). The TCEQ has approximately 3,000 employees, 16 regional offices, and a \$466 million operating budget for the 2011 fiscal year (including both baseline and contingency appropriations).

Arrangement: Chronological.

Access constraints: None

Use constraints: Available via paper or electronic access

Indexes or finding aids required for/or an aid to access? None

Problems: In most offices calendars are only available in electronic format.

Known related records in other agencies: None

Publications based on records: None

Internet pages: None

Series data from agency schedule:

Title: Desk Calendars, Appointment Books, and Itinerary Records

Series item number: 1.1.013

Agency item number: 110.08

Archival code: R

Retention: CE+1

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

Calendars and appointment books document meetings of management with staff and outside parties, such as regulatory agencies or legislators. Only the higher level calendars for this agency have been determined to be archival – Commissioners, Executive Director, Deputy Director, General Counsel, and directors of the program offices – Chief Engineer, Office of Air, Office of Waste, Office of Water, and the Office of Compliance and Enforcement.

For the retention schedule, we recommend you list this series once at the beginning of the schedule with an archival code of “A” and the following note added to the Remarks column of the schedule – “Desk calendars and itinerary of the Commissioners, Executive Director, Deputy Director, General Counsel, and directors of the program offices – Chief Engineer, Office of Air, Office of Waste, Office of Water, and Office of Compliance and Enforcement are archival. Calendars and itinerary for staff below these levels are not.”

These calendars need to be transferred on a yearly basis in paper to the State Archives. We currently cannot accept transfers of electronic records. Once an electronic records program is established we will be able to transfer electronic copies of the calendars.

Records Series Review

Series Title: Reports and Studies

Agency: Texas Commission on Environmental Quality

Obsolete record series? No

Ongoing record series? Yes

Annual accumulation: Varies by division

Agency holdings: Varies by division

Description:

Records are annual, sub-annual, or special reports or studies on non-fiscal aspects of an agency's programs, services, or projects compiled by agency personnel, by advisory committees, or by consultants under contract with an agency that are not noted elsewhere in this schedule. Includes reports distributed either internally or to other entities. Dates vary with each office.

Purpose:

Reports and studies enable the executive and upper management to keep abreast of program developments.

Agency program:

The Texas Commission on Environmental Quality strives to protect public health and safety and the environment by reducing the release of pollutants and contaminants, regulating the management and disposal of waste, and expediting the cleanup of contaminated sites. The agency also manages the state's water resources by enforcing compliance with state and federal clean air and water laws.

The agency is divided into nine major offices, with separate divisions within each: Commissioners (Chief Clerk, General Counsel, Public Interest Counsel, Chief Auditor, and Public Assistance Office); Executive Director (Agency Communications, Intergovernmental Relations and Small Business and Environmental Assistance); Office of Administrative Services (includes Budget and Planning, Chief Financial Officer, Financial Administration, Human Resources and Staff Development, Information Resources, and Support Services); Chief Engineer's Office (Air Quality and Toxicology); Office of Legal Services (Environmental Law, General Law, and Litigation); Office of Compliance and Enforcement (Remediation, Enforcement, and Field Operations); Office of Air (Air Permits); Office of Waste (Waste Permits, Radioactive Materials, Remediation, and Permitting and Registration Support); and Office of Water (Water Quality, Water Quality Planning, and Water Supply). The TCEQ has approximately 3,000 employees, 16 regional offices, and a \$466 million operating budget for the 2011 fiscal year (including both baseline and contingency appropriations).

Arrangement: Chronological.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None known

Known related records in other agencies: Possibly

Publications based on records: Possibly

Internet pages based on records: None

Intranet pages: Yes, many of the reports and studies produced by this agency are on the agency website.

Series data from agency schedule:

Title: Reports and Studies

Series item number: 1.1.065

Agency item number: 110.23

Archival code: R

Retention: AV

Archival holdings at the Texas State Library and Archives Commission: None

The State Archives has reports and studies on specific programs in several older series of records, but none would be considered to have an agency-wide focus.

Texas Documents Collection holdings: Many of the reports produced by this agency are sent to the Texas State Publications Depository Program.

Gaps: None known

Appraisal decision:

The Texas Commission on Environmental Quality is a large and complex agency, with records about the programs found in the program areas on the retention schedule. There are numerous series of reports and studies in the programs and divisions, some of which have been determined to be archival, some not. It is unclear from staff if there are any agency-wide non-fiscal reports that would fall into this category. If all reports and studies are described elsewhere in the schedule, this generic series can be removed. If not, it will need to remain on the schedule with an archival review code of "R."

Records Series Review

Series Title: Speeches, Papers and Presentations

Agency: Texas Commission on Environmental Quality

Obsolete record series? No

Ongoing record series? Yes

Annual accumulation: Less than one linear ft.

Agency holdings: Records could be paper or electronic.

Description:

These records consist of prepared remarks that the executive or upper management of the Texas Commission on Environmental Quality has delivered to conferences and organizational groups about agency initiatives and agency organizational changes. Most of these were delivered to associations or groups of environmental officials with common interests about a certain topic of interest to the group. Dates vary within each office.

Purpose:

Speeches are a record of remarks given to groups outside the agency or internal staff.

Agency program:

The Texas Commission on Environmental Quality strives to protect public health and safety and the environment by reducing the release of pollutants and contaminants, regulating the management and disposal of waste, and expediting the cleanup of contaminated sites. The agency also manages the state's water resources by enforcing compliance with state and federal clean air and water laws.

The agency is divided into nine major offices, with separate divisions within each: Commissioners (Chief Clerk, General Counsel, Public Interest Counsel, Chief Auditor, and Public Assistance Office); Executive Director (Agency Communications, Intergovernmental Relations and Small Business and Environmental Assistance); Office of Administrative Services (includes Budget and Planning, Chief Financial Officer, Financial Administration, Human Resources and Staff Development, Information Resources, and Support Services); Chief Engineer's Office (Air Quality and Toxicology); Office of Legal Services (Environmental Law, General Law, and Litigation); Office of Compliance and Enforcement (Remediation, Enforcement, and Field Operations); Office of Air (Air Permits); Office of Waste (Waste Permits, Radioactive Materials, Remediation, and Permitting and Registration Support); and Office of Water (Water Quality, Water Quality Planning, and Water Supply). The TCEQ has approximately 3,000 employees, 16 regional offices, and a \$466 million operating budget for the 2011 fiscal year (including both baseline and contingency appropriations).

Arrangement: Varies by office.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None known

Known related records in other agencies: None known

Publications based on records: None known

Internet pages: None known

Series data from agency schedule:

Title: Speeches and Papers

Series item number: 1.1.040

Agency item number: 110.27

Archival code: R

Retention: AC

Archival holdings at the Texas State Library and Archives Commission:

Texas Natural Resource Conservation Commission, *Records, 1990-2001, 4.69 cubic ft.* - <http://www.lib.utexas.edu/taro/tslac/20076/tsl-20076.html> (includes speeches and papers of the General Counsel, 1996-1997)

Texas Natural Resource Conservation Commission, *Office of the General Counsel, speeches and papers, 1998-1999, fractional* [a finding aid exists for the 1998 speeches]

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

Speeches of high ranking officials in an agency are usually considered to be archival as they disseminate policy and program information about the agency to outside groups. Change the archival code from “R” to “A,” and add the following note to the Remarks column of the schedule – “Speeches of the Executive and Deputy Executive Director, the Commissioners, the General Counsel, and heads of some program offices – Chief Engineer, Office of Air, Office of Waste, Office of Water, and Office of Compliance and Enforcement are archival.”

These speeches need to be transferred on a yearly basis in paper to the State Archives. We currently cannot accept transfers of electronic records. Once an electronic records program is established we will be able to transfer electronic copies of the speeches.

Records Series Review

Series Title: Plans and Planning Records

Agency: Texas Commission on Environmental Quality

Obsolete record series? No

Ongoing record series? Yes

Annual accumulation: Varies by office

Agency holdings: Varies by office

Description:

Records are plans and other materials relating to the process of planning new or redefined programs, services, or projects of an agency that are not included in or directly related to other records series in this schedule. Dates vary with each office.

Purpose:

Plans document changes in a program or projects of the agency.

Agency program:

The Texas Commission on Environmental Quality strives to protect public health and safety and the environment by reducing the release of pollutants and contaminants, regulating the management and disposal of waste, and expediting the cleanup of contaminated sites. The agency also manages the state's water resources by enforcing compliance with state and federal clean air and water laws.

The agency is divided into nine major offices, with separate divisions within each: Commissioners (Chief Clerk, General Counsel, Public Interest Counsel, Chief Auditor, and Public Assistance Office); Executive Director (Agency Communications, Intergovernmental Relations and Small Business and Environmental Assistance); Office of Administrative Services (includes Budget and Planning, Chief Financial Officer, Financial Administration, Human Resources and Staff Development, Information Resources, and Support Services); Chief Engineer's Office (Air Quality and Toxicology); Office of Legal Services (Environmental Law, General Law, and Litigation); Office of Compliance and Enforcement (Remediation, Enforcement, and Field Operations); Office of Air (Air Permits); Office of Waste (Waste Permits, Radioactive Materials, Remediation, and Permitting and Registration Support); and Office of Water (Water Quality, Water Quality Planning, and Water Supply). The TCEQ has approximately 3,000 employees, 16 regional offices, and a \$466 million operating budget for the 2011 fiscal year (including both baseline and contingency appropriations).

Arrangement: Varies by office.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None known

Known related records in other agencies: None known

Publications based on records: None known

Internet pages: None known

Series data from agency schedule:

Title: Plans and planning records

Series item number: 1.1.024

Agency item number: 110.20

Archival code: R

Retention: AC

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

The Texas Commission on Environmental Quality is a large and complex agency, with records about the programs found in the program areas on the retention schedule. There are several series of plans and planning records in the programs and divisions, some of which have been determined to be archival, some not. It is unclear from staff if there are any agency-wide plans and planning records that would fall into this category. The Strategic plans series is maintained in the Office of Administrative Services, series 3520.02. It is unclear where plans of major reorganizations or similar agency-wide events would be maintained, but it would presumably be in the Executive Office. If there are not plans and planning records to maintain in this generic series it can be removed from the schedule. If not, it will need to remain on the schedule with an archival review code of "R."

Records Series Review

Series Title: Policies and Procedures

Agency: Texas Commission on Environmental Quality

Obsolete record series? No

Ongoing record series? Yes

Annual accumulation: Varies by office

Agency holdings: Varies by office

Description:

Series contains policies and procedures of the agency and working files used in their creation.

Purpose:

Records document policies and procedures established for the agency and various divisions or programs.

Agency program:

The Texas Commission on Environmental Quality strives to protect public health and safety and the environment by reducing the release of pollutants and contaminants, regulating the management and disposal of waste, and expediting the cleanup of contaminated sites. The agency also manages the state's water resources by enforcing compliance with state and federal clean air and water laws.

The agency is divided into nine major offices, with separate divisions within each: Commissioners (Chief Clerk, General Counsel, Public Interest Counsel, Chief Auditor, and Public Assistance Office); Executive Director (Agency Communications, Intergovernmental Relations and Small Business and Environmental Assistance); Office of Administrative Services (includes Budget and Planning, Chief Financial Officer, Financial Administration, Human Resources and Staff Development, Information Resources, and Support Services); Chief Engineer's Office (Air Quality and Toxicology); Office of Legal Services (Environmental Law, General Law, and Litigation); Office of Compliance and Enforcement (Remediation, Enforcement, and Field Operations); Office of Air (Air Permits); Office of Waste (Waste Permits, Radioactive Materials, Remediation, and Permitting and Registration Support); and Office of Water (Water Quality, Water Quality Planning, and Water Supply). The TCEQ has approximately 3,000 employees, 16 regional offices, and a \$466 million operating budget for the 2011 fiscal year (including both baseline and contingency appropriations).

Arrangement: Varies by office.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None known

Known related records in other agencies: None known

Publications based on records: None known

Internet pages: None known

Series data from agency schedule:

Title: Policies and Procedures

Series item number: 1.1.070

Agency item number: 110.17

Archival code: R

Retention: AC + 3

Title: Policies and Procedures – Working Files

Series item number: 1.1.071

Agency item number: 110.18

Archival code: R

Retention: AC + 3

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

The Texas Commission on Environmental Quality is a large and complex agency, with records about the programs found in the program areas on the retention schedule. There are several series of policies/procedures records in the programs and divisions for specific functions, some of which have been determined to be archival, some not. The Office of Administrative Services maintains the series, *TCEQ Operating Policies and Procedures*, 110.30, which is an archival series and provides overall coverage of the agency's policies. The generic series above, 110.17 and 110.18, are not archival. Remove the archival review code of "R" and replace it with the archival exemption code of "E." Future policies/procedures to be developed for specific programs/divisions need to have their own series on the retention schedule, with an archival review code of "R."

Series Reviews of Program Specific Series

The remainder of the report consists of reviews of individual series on the schedule assigned to Offices/Divisions/Programs.

The reviews are ordered by Office, then roughly by their appearance on the retention schedule, which usually, but not always, corresponds with a division, then a program area within that office.

Order of offices:

- Office of the Commissioners
- Office of the Executive Director
- Office of the Chief Engineer
- Office of Compliance and Enforcement
- Office of Air
- Office of Water
- Office of Waste
- Office of Legal Services
- Office of Administrative Services

Records Series Review

Series Title: Marked Agenda and Work Session

Agency: Texas Commission on Environmental Quality
Office of the Commissioners, Office of the Chief Clerk

Contact: Tracey Lee Williamson, 512-239-5843, trawilli@tceq.state.tx.us

Obsolete record series? No

Ongoing record series? Yes

Annual accumulation: 6 inches annually

Agency holdings: Paper files are retained for two-three years then transferred to the State Archives. Previously the materials had been microfilmed, now they are scanned. The agency maintains the scanned records permanently at the agency and sends the paper copies to the Archives on a regular basis. Dates of the marked agenda are 1980-1989, 2007-present; dates of the marked work sessions are 2005-present; total volume for this series is 3 cubic ft. at the agency (2005-present), and 2 microfilm reels in storage (1980-1989). TCEQ also holds microfilm of meeting minutes of two predecessor agencies: Texas Water Quality Board and Texas Pollution Control Board, 1953-1957 (50 microfilm reels)

Description:

Marked agenda give a summary of action taken on agenda items presented at the Texas Commission on Environmental Quality (TCEQ) meetings. Records consist of agenda used at meetings and commissioners work sessions with captions of what each item is concerning, followed by the decision and the vote and any other corrections/additions to order presented before the commissioners. The two sets of initials after the caption indicate who made the motion and who seconded it. After those initials, the usual annotation is "All Agree." If there are three commissioners listed at the top of the agenda for a given day the vote was 3-0. Infrequently, there are two sets of initials and a note that the third commissioner voted no or abstained. That would have been a 2-1 vote.

Issues discussed in the Commission meetings include a wide range of TCEQ functions, including adoption of rules; hearings on various permit issues; findings of compliance or non-compliance in TCEQ regulatory areas; assessing administrative penalties; approval of bonds to finance new or additional water or sewage facility construction; and orders re: air quality enforcement, floodplain management, recycling, ground water protection, water quality, and remedial cleanup of petroleum storage sites. Routine administrative tasks such as appointments and budget matters are noted as well. The commission meets at least once a month, often two or three times a month.

The work sessions are informal meetings of the agency leadership where specific policy issues, potential rules, national issues, and other issues of interest to the agency are discussed. The sessions may also be used to provide guidance to staff regarding policy direction and priorities. The work sessions involve a quorum of the commissioners and, therefore, are subject to the Open Meetings Act. Unlike the agenda meetings, no public testimony is allowed except by invitation of the commissioners. Other staff attending the meetings generally include the General Counsel, the Executive Director, the Deputy Executive Director, and the appropriate deputy directors. Scheduled issues are presented to the commissioners by the appropriate program deputy director and support staff. Work sessions are scheduled once a month, but meetings are infrequent in some years. Dates of the marked agenda are 2007-2009; dates of the marked work sessions are 2005-2009.

Purpose:

The marked agenda serve as a quick reference to decisions made by the TCEQ commissioners. They also serve as the only paper documentation of the commission meetings, as minutes are not kept for this agency; rather the meetings are taped and no transcripts are made.

Agency program:

The Texas Commission on Environmental Quality is governed by a three-member commission, appointed by the governor with the advice and consent of the Senate for overlapping six-year terms. Members may not serve more than two terms and conflict of interest restrictions apply. Commission members hold full-time salaried positions and the governor designates the chair. The commissioners establish overall agency direction and policy and make final determinations on contested permitting and enforcement matters. Five offices report directly to the Commissioners: General Counsel, Chief Auditor's Office, Office of the Chief Clerk, Office of Public Assistance, and Office of Public Interest Counsel.

The Office of the Chief Clerk (OCC) prepares the commission agendas, transmits final decision documents to applicants and other parties, and maintains the official records of pending commission proceedings.

Arrangement: Each record type is filed in binders in chronological order.

Access constraints: None

Use constraints: Microfilm and microfiche readers needed.

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on record: http://www.tceq.state.tx.us/comm_exec/agendas/index.html

Series data from agency schedule:

Title: Marked Agenda and Work Session
Series item number: 11.058
Agency item number: 1110.01
Archival Code: A

Retention: PM

Title: Marked Executive Director Listing
Series item number: 1.1.058
Agency item number: 1110.11
Archival Code: A

Retention: PM

Archival holdings at the Texas State Library and Archives Commission:

(includes minutes from predecessor agencies)

Texas Commission on Environmental Quality, *Commissioner work session files, 1995-1996, 2002-2006, 4 cubic ft.* [unprocessed]

Texas Commission on Environmental Quality, *Meeting supporting documentation, 2005-2007, 23 cubic ft.* [unprocessed]

Texas Natural Resource Conservation Commission, *Records, 1990-2001, 4.69 cubic ft.* - <http://www.lib.utexas.edu/taro/tslac/20076/tsl-20076.html> (includes marked agenda of the Texas Water Commission and the Texas Natural Resource Conservation Commission meetings, and minutes of working sessions of the commissioners.)

Texas Natural Resource Conservation Commission, *Commission meeting tapes, 1993-1994, 4 cubic ft.* [unprocessed]

Texas Water Commission, *Minutes, 1913-1986, 7.51 cubic ft.* - <http://www.lib.utexas.edu/taro/tslac/30041/tsl-30041.html> [also has minutes of the State Board of Water Engineers and the Texas Water Rights Commission]

Texas Water Commission, *Agenda and dockets, 1980-1989, 2.9 cubic ft.*

Texas Water Commission, *Commission meeting tapes, 1982-1992, 15 cubic ft.* [unprocessed]

Texas Water Quality Board, *Minutes, September 1967-August 1977, 3.94 cubic ft* [unprocessed]

Texas Water Development Board, *Meeting files, 1963-1967, 1974-2008, 20.6 cubic ft.* - <http://www.lib.utexas.edu/taro/tslac/30034/tsl-30034.html> (includes minutes and agenda as well as supporting documents)

Texas Water Well Drillers Board, *Minutes, 1979-1983, 1986-1992, 1 cubic ft.* [unprocessed]

Texas Water Well Drillers Advisory Council, *Minutes, 1992, 1998-2000, fractional cubic ft.* [unprocessed]

Texas Low Level Radioactive Waste Disposal Authority, *Minutes and agenda, 1982-1998, 0.94 cubic ft.*

Texas Water Pollution Control Board, *Minutes, January 1965-July 1967, fractional* [unprocessed]

Texas Water and Light Board (old), *Minutes, 1903-1917* [unprocessed]

Texas Documents Collection holdings: N/A

Gaps: None

Appraisal decision:

Minutes are an archival record that documents the actions of the governing body of an agency. Thus, this series is archival. Maintain the archival code "A." The agency needs to continue sending us copies of the marked agenda, include copies of the microfilm in storage for older TCEQ records and for the minutes of the Texas Water Quality Board and the Texas Water Pollution Control Board.

Records Series Review

Series Title: Commission Meetings and Agenda

Agency: Texas Commission on Environmental Quality
Office of the Commissioners, Office of the Chief Clerk

Contact: Tracey Lee Williamson, 512-239-5843, trawilli@tceq.state.tx.us

Obsolete record series? No

Ongoing record series? Yes

Annual accumulation: 18 – 24 inches annually

Agency holdings: 856 agenda meeting tapes, 1995-2004; 121 commission work sessions tapes, 2001-2003; and 241 public meetings tapes (with account numbers), dating 1994-2007. There are additionally 1,921 tapes dating 1976-2008 from various other meetings that are still under review. Some of these may be part of this series.

Description:

Records are audiocassette and compact disc recordings of the Texas Commission on Environmental Quality Commission meetings and work sessions. Dates covered are 1994-present. Issues discussed in the Commission meetings include a wide range of TCEQ functions, including adoption of rules; hearings on various permit issues; findings of compliance or non-compliance in TCEQ regulatory areas; assessing administrative penalties; approval of bonds to finance new or additional water or sewage facility construction; and orders re: air quality enforcement, floodplain management, recycling, ground water protection, water quality, and remedial cleanup of petroleum storage sites. Routine administrative tasks such as appointments and budget matters are noted as well. The commission meets at least once a month, often two or three times a month.

The work sessions are informal meetings of the agency leadership where specific policy issues, potential rules, national issues, and other issues of interest to the agency are discussed. The sessions may also be used to provide guidance to staff regarding policy direction and priorities. The work sessions involve a quorum of the commissioners and, therefore, are subject to the Open Meetings Act. Unlike the agenda meetings, no public testimony is allowed except by invitation of the commissioners. Other staff attending may include the General Counsel, the Executive Director, the Deputy Executive Director, and the appropriate deputy directors. Scheduled issues are presented to the commissioners by the appropriate program deputy director and support staff. Work sessions are scheduled once a month, but meetings are infrequent in some years.

The meetings and work sessions are taped; no transcripts are made nor are minutes made of these events. In lieu of minutes, the agenda maintains a file of marked agenda, which document the item discussed at the meeting/work session and the decision made on that issue.

Purpose:

The tapes document the meetings of the TCEQ commission, including discussions about topics and decisions made. Tapes are used for legal briefings, to document decision of the commission, and a research source for comments and testimonies made before the Commissioners.

Agency program:

The Texas Commission on Environmental Quality is governed by a three-member commission, appointed by the governor with the advice and consent of the Senate for overlapping six-year terms. Members may not serve more than two terms and conflict of interest restrictions apply. Commission members hold full-time salaried positions and the governor designates the chair. The commissioners establish overall agency direction and policy and make final determinations on contested permitting and enforcement matters. Five offices report directly to the Commissioners: General Counsel, Chief Auditor's Office, Office of the Chief Clerk, Office of Public Assistance, and Office of Public Interest Counsel.

The Office of the Chief Clerk (OCC) prepares the commission agendas, transmits final decision documents to applicants and other parties, and maintains the official records of pending commission proceedings.

Arrangement: Chronological by agenda date.

Access constraints: None

Use constraints: Must have access to tape recorder and/or CD audio player.

Indexes or finding aids required for/or an aid to access? None

Problems: The quality of recording is sometimes an issue, plus the shelf life for audio recordings is unknown, often less than thirty years unless the data is migrated to a new format.

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: Commission Meetings and Agenda
Series item number: 1.1.060

Agency item number: 1110.02
Archival Code: R

Retention: PM

Archival holdings at the Texas State Library and Archives Commission:

(includes minutes from predecessor agencies)

Texas Commission on Environmental Quality, *Commissioner work session files, 1995-1996, 2002-2006, 4 cubic ft.* [unprocessed]

Texas Commission on Environmental Quality, *Meeting supporting documentation, 2005-2007, 23 cubic ft.* [unprocessed]

Texas Natural Resource Conservation Commission, *Records, 1990-2001, 4.69 cubic ft.* - <http://www.lib.utexas.edu/taro/tslac/20076/tsl-20076.html> (includes marked agenda of the Texas Water Commission and the Texas Natural Resource Conservation Commission meetings, and minutes of working sessions of the commissioners.)

Texas Natural Resource Conservation Commission, *Commission meeting tapes, 1993-1994, 4 cubic ft.* [unprocessed]

Texas Water Commission, *Minutes, 1913-1986, 7.51 cubic ft.* - <http://www.lib.utexas.edu/taro/tslac/30041/tsl-30041.html> [also has minutes of the State Board of Water Engineers and the Texas Water Rights Commission]

Texas Water Commission, *Agenda and dockets, 1980-1989, 2.9 cubic ft.*

Texas Water Commission, *Commission meeting tapes, 1982-1992, 15 cubic ft.* [unprocessed]

Texas Water Quality Board, *Minutes, September 1967-August 1977, 3.94 cubic ft.* [unprocessed]

Texas Water Development Board, *Meeting files, 1963-1967, 1974-2008, 20.6 cubic ft.* - <http://www.lib.utexas.edu/taro/tslac/30034/tsl-30034.html> (includes minutes and agenda as well as supporting documents)

Texas Water Well Drillers Board, *Minutes, 1979-1983, 1986-1992, 1 cubic ft.* [unprocessed]

Texas Water Well Drillers Advisory Council, *Minutes, 1992, 1998-2000, fractional cubic ft.* [unprocessed]

Texas Low Level Radioactive Waste Disposal Authority, *Minutes and agenda, 1982-1998, 0.94 cubic ft.*

Texas Water Pollution Control Board, *Minutes, January 1965-July 1967, fractional* [unprocessed]

Texas Water and Light Board (old), *Minutes, 1903-1917* [unprocessed]

Texas Documents Collection holdings: N/A

Gaps: None

Appraisal decision:

Minutes, meeting agenda, and supporting documentation of the governing boards of state agencies are archival, in paper. Audio records are typically not kept unless paper copies of the minutes or meeting transcripts are not available, which has happened with this series. Change the archival review code of “R” to the archival code of “A” and add the following note to the Remarks Section of the schedule – “If the agency changes the retention to anything less than PM, transfer records to the State Archives as their retention period is met.” We will accept copies of recordings for transfer for meetings when marked agenda are not available.

Records Series Review

Series Title: Permits, Orders, Executive Orders

Agency: Texas Commission on Environmental Quality
Office of the Commissioners, Chief Clerk

Contact: Tracey Lee Williamson, 512-239-5843, trawilli@tceq.state.tx.us

Obsolete record series? Partially. The originals of all permits issued were maintained in the Office of the Chief Clerk (OCC) and a copy was sent to the Central File Room (CFR). As permits were amended the old permit would be sent to the CFR for filing in the permit files and the latest version of the permit maintained in OCC. Two or more years ago, all these originals were sent to the CFR and filed in the permit files; the OCC no longer maintains copies of permits.

Ongoing record series? Yes
Annual accumulation: 6-8 inches

Agency holdings: The executive orders, resolutions, etc. are still maintained in Office of the Chief Clerk. The files comprise about 6 linear ft. and are dated 1995 to present.

Description:

Records are orders and resolutions issued by Commission on agency policies, procedures, and legal authority, dating 1995-present. Topics of orders include budget, decisions on gifts, changes in agency policies, legal issues affecting the agency, and overall employee issues, such as the state employee implementation plan; resolutions may concern agreements with other agencies or those done in honor of departing commissioners or high-level staff. Orders concerning specific permit applications are filed in the permit files and are not part of this series.

Purpose:

Series was created to maintain legally binding orders.

Agency program:

The Texas Commission on Environmental Quality is governed by a three-member commission, appointed by the governor with the advice and consent of the Senate for overlapping six-year terms. Members may not serve more than two terms and conflict of interest restrictions apply. Commission members hold full-time salaried positions and the governor designates the chair. The commissioners establish overall agency direction and policy and make final determinations on contested permitting and enforcement matters.

The commissioners establish overall agency direction and policy and make final determinations on contested permitting and enforcement matters. Five offices report directly to the Commissioners:

General Counsel, Chief Auditor's Office, Office of the Chief Clerk, Office of Public Assistance, and Office of Public Interest Counsel.

The Office of the Chief Clerk (OCC) prepares the commission agendas, transmits final decision documents to applicants and other parties, and maintains the official records of pending commission proceedings.

Arrangement: Files are arranged by program/subject matter acronym within the docket tracking number, and then by year and then auto sequential number assigned by OCC prior to going before the commissioners. (example: 2008-0269-IHW = 1st in the Industrial Hazardous waste folder, then within that expandable folder, by year, and then by middle sequential number.

Access constraints: None

Use constraints: Files are maintained in paper format and also in PDF on a database that is accessible from the outside.

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages: Signed copies of all orders issued by the commissioners are available online as PDF files - <http://www5.tceq.state.tx.us/eenf/>. Orders are accessed through this searchable database.

Series data from agency schedule:

Title: Permits, Orders, Executive Orders
Series item number: 1.1.060
Agency item number: 1110.04
Archival Code: R

Retention: US

Archival holdings at the Texas State Library and Archives Commission:

Texas Natural Resource Conservation Commission, *Permits and orders, 1975-1997, 60 reels of microfilm* [unprocessed] (include orders/permits from the Texas Water Commission)

Texas Documents Collection holdings: None

Gaps: None in this office prior to 1995.

Appraisal decision:

According to staff, permits are no longer part of this series; so they should be removed from the title. Executive orders and to a lesser degree, resolutions, document the highest level of decision making at the agency. This series is archival. Change the archival code to “A” and transfer records to the Archives as they become superseded.

Records Series Review

Series Title: State Office of Administrative Hearings (SOAH) Hearing and Public Meeting Tapes and Compact Discs

Agency: Texas Commission on Environmental Quality
Office of the Commissioners, Office of the Chief Clerk

Contact: Tracey Lee Williamson, 512-239-5843, trawilli@tceq.state.tx.us

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 1-2 ft.

Agency holdings: According to the retention schedule, the SOAH tapes and compact discs date from 1996 forward and are maintained in the Chief Clerk's Office until the hearing is closed, then the tape/CD is filed with the corresponding permit file.

Description:

The series contains audio recordings, on audiocassettes and compact discs, of public meetings and administrative hearings conducted by the State Office of Administrative Hearings. Dates covered are 1996 to present.

The State Office of Administrative Hearings (SOAH) is an independent agency created to manage contested cases and conduct hearings in those contested cases for other state agencies. It began conducting hearings for the Texas Natural Resource Conservation Commission (TNRCC), now the Texas Commission for Environmental Quality (TCEQ), in September 1995.

Purpose:

The recordings serve as a reference for legal briefings and commission decisions on permitting issues. The tapes do have possible historical value in similar type applications.

Agency program:

The Texas Commission on Environmental Quality is governed by a three-member commission, appointed by the governor with the advice and consent of the Senate for overlapping six-year terms. Members may not serve more than two terms and conflict of interest restrictions apply. Commission members hold full-time salaried positions and the governor designates the chair. The commissioners establish overall agency direction and policy and make final determinations on contested permitting and enforcement matters.

The commissioners establish overall agency direction and policy and make final determinations on contested permitting and enforcement matters. Five offices report directly to the Commissioners:

General Counsel, Chief Auditor's Office, Office of the Chief Clerk, Office of Public Assistance, and Office of Public Interest Counsel.

The Office of the Chief Clerk (OCC) prepares the commission agendas, transmits final decision documents to applicants and other parties, and maintains the official records of pending commission proceedings.

Agency program: State Office of Administrative Hearings

The State Office of Administrative Hearings (SOAH) is an independent agency created to manage contested cases and conduct hearings in those contested cases for other state agencies. It was created in 1991 by the 72nd Texas Legislature and began conducting hearings on April 15, 1992, under the Administrative Procedure and Texas Register Act, Article 6252-13a of Vernon's Texas Civil Statutes (now codified at Tex. Government Code Ann. Sections 2001.001, et. seq.), and Tex. Government Code Ann. Sections 2003.001, et. seq. Effective September 1, 1995, the 74th Texas Legislature transferred additional authority to SOAH to conduct hearings for the Texas Natural Resource Conservation Commission (TNRCC), now named the Texas Commission for Environmental Quality (TCEQ).

Arrangement: Recordings are arranged by program area, then by permit number.

Access constraints: None

Use constraints: Must have tape recorder and/or CD audio player.

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: Related materials may be held at the State Office for Administrative Hearings.

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: SOAH Hearing and Public Meeting Tapes and Compact discs (CD)

Series item number: 1.1.062

Agency item number: 1110.08

Archival Code: R

Retention: AC + 10

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None

Appraisal decision:

Tapes and compact disc recordings of the State Office of Administrative Hearings (SOAH) are filed in the appropriate permits file once the hearing is closed. What is most important are the results of the hearing, the orders issued by SOAH, and they are maintained in the permanent permit files . The SOAH hearing tapes and compact discs are not archival. Remove the archival review code of “R” and replace it with the archival exemption code of “E.”

Records Series Review

Series Title: Memoranda of Understanding

Agency: Texas Commission on Environmental Quality
Office of the Commissioners, Office of the Chief Clerk

Contact: Tracey Lee Williamson, 512-239-5843, trawilli@tceq.state.tx.us

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: fractional

Agency holdings: Less than a linear ft., dating in the 2000s.

Description:

Records are memorandums of understanding (MOUs) between the Texas Commission on Environmental Quality and other state and/or federal agencies. MOUs are individual agreements regarding a specific function or subject. MOUs between TCEQ and state/federal agencies are filed according to the 30 TAC Sections 1.1-1.12. All MOUs on file are current. Dates are the 2000s to present.

Purpose:

MOUs document agreements of responsibilities between agencies for various shared functions.

Agency program:

The Texas Commission on Environmental Quality is governed by a three-member commission, appointed by the governor with the advice and consent of the Senate for overlapping six-year terms. Members may not serve more than two terms and conflict of interest restrictions apply. Commission members hold full-time salaried positions and the governor designates the chair. The commissioners establish overall agency direction and policy and make final determinations on contested permitting and enforcement matters.

The commissioners establish overall agency direction and policy and make final determinations on contested permitting and enforcement matters. Five offices report directly to the Commissioners: General Counsel, Chief Auditor's Office, Office of the Chief Clerk, Office of Public Assistance, and Office of Public Interest Counsel.

The Office of the Chief Clerk (OCC) prepares the commission agendas, transmits final decision documents to applicants and other parties, and maintains the official records of pending commission proceedings.

Arrangement: Sequentially in numerical order by the assigned MOU number.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: Copies of these MOUs should also be present in the corresponding state or federal agencies that TCEQ is contracted with.

Publications based on records: None

Internet pages based on records: A list of the MOUs between TCEQ and other agencies - [http://info.sos.state.tx.us/pls/pub/readtac\\$ext.ViewTAC?tac_view=4&ti=30&pt=1&ch=7&rl=Y](http://info.sos.state.tx.us/pls/pub/readtac$ext.ViewTAC?tac_view=4&ti=30&pt=1&ch=7&rl=Y)

Series data from agency schedule:

Title: Memoranda of Understanding

Series item number: 1.1.011

Agency item number: 1110.17

Archival Code: A

Retention: US+3

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None

Appraisal decision:

Memorandums of understanding (MOUs) in this series document functions or subjects shared between TCEQ and other state or federal agencies. TCEQ regulates air and water quality, hazardous waste, and other environmental concerns. It is important to document the work of other agencies with TCEQ in these shared responsibilities. This series is confirmed as being archival. Maintain the archival code of "A".

Records Series Review

Series Title: Enforcement Orders

Agency: Texas Commission on Environmental Quality
Office of the Commissioners, Office of the Chief Clerk

Contact: Tracey Lee Williamson, 512-239-5843, trawilli@tceq.state.tx.us

Obsolete record series? Yes.

The enforcement orders originals were formerly maintained in Office of the Chief Clerk (OCC). Last year, all signed enforcement orders were scanned and placed in a database. The originals were sent to the Central File Room to be filed within the permit files.

Ongoing record series? No

Annual accumulation: None

Agency holdings: None as a separate series. As the enforcement orders are issued, they are scanned for the database and filed in the permit files, with the permit that required an enforcement action to be enacted.

Description:

Records are enforcement orders issued by the Commission, stating enforcement actions taken against a permit holder for non-compliance. Once the order is issued, it is placed in the permit file. Enforcement orders can be issued for all permitting operations. This is now an empty series, as the orders have become part of the permit file. A database of the orders for recent years is maintained by the agency, containing orders from 1995 to present. Paper copies are in the permit files.

Purpose:

These orders document enforcement actions taken by the Commission against companies (or other permit holders) in non-compliance.

Agency program:

The Texas Commission on Environmental Quality is governed by a three-member commission, appointed by the governor with the advice and consent of the Senate for overlapping six-year terms. Members may not serve more than two terms and conflict of interest restrictions apply. Commission members hold full-time salaried positions and the governor designates the chair. The commissioners establish overall agency direction and policy and make final determinations on contested permitting and enforcement matters.

The commissioners establish overall agency direction and policy and make final determinations on contested permitting and enforcement matters. Five offices report directly to the Commissioners:

General Counsel, Chief Auditor's Office, Office of the Chief Clerk, Office of Public Assistance, and Office of Public Interest Counsel.

The Office of the Chief Clerk (OCC) prepares the commission agendas, transmits final decision documents to applicants and other parties, and maintains the official records of pending commission proceedings.

Arrangement: Orders are filed in the permit files, which are arranged by program area, then permit number.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages: Signed copies of all orders issued by the commissioners are available online as PDF files - <http://www5.tceq.state.tx.us/eenf/>. Orders are accessed through this searchable database.

Series data from agency schedule:

Title: Enforcement Orders

Series item number: 1.1.011

Agency item number: 1110.20

Archival Code: A

Retention: AC + 5

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None

Appraisal decision:

This is now an empty series, as the enforcement orders are considered to be part of the permit files. It can be removed from the retention schedule.

Records Series Review

Series Title: Agenda Backup (Supporting Documents for Commission Agendas)

Agency: Texas Commission on Environmental Quality
Office of the Commissioners, Office of the Chief Clerk

Contact: Tracey Lee Williamson, 512-239-5843, trawilli@tceq.state.tx.us

Obsolete record series? No

Ongoing record series? Yes

Annual accumulation: About 17 cubic ft. for commission meetings, 1 cubic ft. for commission work sessions

Agency holdings: Files are maintained for 2 years in the office and then forwarded to the State Archives. Holdings are currently about 34 cubic ft. for supporting documentation for commission meetings and about 2 cubic ft. for commissioners work session documentation. Dates for both sets of supporting documents are 2007 to present.

Description:

Records are filings, orders, correspondence, memos, penalty calculation worksheets, executive summaries, proposed and adopted rules, State Office of Administrative Hearings (SOAH) judge rulings, etc. provided to the Commissioners prior to their meetings or work sessions for consideration in making rulings on items such as hearing requests, permits, budget, resolutions, and other issues. Dates covered are 2007 to present.

Issues discussed in the Commission meetings include a wide range of TCEQ functions, including adoption of rules; hearings on various permit issues; findings of compliance or non-compliance in TCEQ regulatory areas; assessing administrative penalties; approval of bonds to finance new or additional water or sewage facility construction; and orders re: air quality enforcement, floodplain management, recycling, ground water protection, water quality, and remedial cleanup of petroleum storage sites. Routine administrative tasks such as appointments and budget matters are noted as well. The commission meets at least once a month, often two or three times a month.

The work sessions are informal meetings of the agency leadership where specific policy issues, potential rules, national issues, and other issues of interest to the agency are discussed. The sessions may also be used to provide guidance to staff regarding policy direction and priorities. The work sessions involve a quorum of the commissioners and, therefore, are subject to the Open Meetings Act. Unlike the agenda meetings, no public testimony is allowed except by invitation of the commissioners. Other staff attending the meeting generally include the General Counsel, the Executive Director, the Deputy Executive Director, and the appropriate deputy directors. Scheduled

issues are presented to the commissioners by the appropriate program deputy director and support staff. Work sessions are scheduled once a month, but meetings are infrequent in some years.

Purpose:

This packet is prepared for Commissioners prior to the meeting or work session so they are aware of the items to be discussed.

Agency program:

The Texas Commission on Environmental Quality is governed by a three-member commission, appointed by the governor with the advice and consent of the Senate for overlapping six-year terms. Members may not serve more than two terms and conflict of interest restrictions apply. Commission members hold full-time salaried positions and the governor designates the chair. The commissioners establish overall agency direction and policy and make final determinations on contested permitting and enforcement matters.

The commissioners establish overall agency direction and policy and make final determinations on contested permitting and enforcement matters. Five offices report directly to the Commissioners: General Counsel, Chief Auditor's Office, Office of the Chief Clerk, Office of Public Assistance, and Office of Public Interest Counsel.

The Office of the Chief Clerk (OCC) prepares the commission agendas, transmits final decision documents to applicants and other parties, and maintains the official records of pending commission proceedings.

Arrangement: Chronological by the agenda date.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records:

http://www.tceq.state.tx.us/comm_exec/agendas/comm/markcomm_agendas.html

Series data from agency schedule:

Title: Agenda Backup (Supporting Documents for Commission Agendas)

Series item number: 1.1.062
Agency item number: 1110.21
Archival Code: A

Retention: FE + 2

Archival holdings at the Texas State Library and Archives Commission:

Texas Commission on Environmental Quality, *Commissioners' work session files, 1995-1996, 2002-2006, 4 cubic ft.* [unprocessed]

Texas Commission on Environmental Quality, *Meeting supporting documentation, 2005-2006, 10 cubic ft.* [unprocessed]

Texas Water Commission, *Meeting files, 1986-1989, 1993, 1 cubic ft.* [unprocessed]

Texas Water Development Board, *Meeting files, 1963-1967, 1974-2008, 20.6 cubic ft.* - <http://www.lib.utexas.edu/taro/tslac/30034/tsl-30034.html>

Texas Documents Collection holdings: None

Gaps: The files for 1997-2001 were inadvertently destroyed at the agency and are no longer available.

Appraisal decision:

Agenda backup are supporting materials sent to Commissioners prior to a meeting and are an essential part of the meeting documentation. These are archival records. Maintain the archival code of "A."

Records Series Review

Series Title: Commissioners' Correspondence Tracked by Office of Public Assistance (OPA)

Agency: Texas Commission on Environmental Quality
Office of the Commissioners, Office of Public Assistance (OPA)

Contact: Penny Reynolds, 512-239-4005

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: Approximately 2 linear ft.

Agency holdings: Approximately 6 linear ft. of records, dating 2006 to present.

Description:

Records are correspondence (paper) files as they relate to legislative inquiries addressed to the TCEQ regarding a wide variety of issues in which the TCEQ has authority and jurisdiction. This includes, but is not limited to, legislation, the permitting process and public participation, constituent concerns and complaints, financial requests, and rulemaking. The subsequent responses are filed along with the inquiry and this file is the official file within the agency. In addition, daily mail from the Executive Director and Commissioners' offices that are tracked for a written reply are included in these records. This includes records from local, state and federal agencies, attorneys, as well as correspondence from the general public. These documents also cover a variety of issues as stated above. Currently, documents retained are dated calendar year 2006 to present.

Purpose:

The purpose of this series is to have a central office to ensure that correspondence from legislators and other inquiries addressed to the Commissioners and the Executive Director are received and responded to in a timely manner.

Agency program:

The Texas Commission on Environmental Quality is governed by a three-member commission, appointed by the governor with the advice and consent of the Senate for overlapping six-year terms. Members may not serve more than two terms and conflict of interest restrictions apply. Commission members hold full-time salaried positions and the governor designates the chair. The commissioners establish overall agency direction and policy and make final determinations on contested permitting and enforcement matters.

The commissioners establish overall agency direction and policy and make final determinations on contested permitting and enforcement matters. Five offices report directly to the Commissioners:

General Counsel, Chief Auditor's Office, Office of the Chief Clerk, Office of Public Assistance, and Office of Public Interest Counsel.

The Office of Public Assistance provides guidance to the public as it relates to questions about pending permits with the TCEQ. OPA explains the permitting process and opportunities for public participation. OPA also conducts public meetings around the state on pending permit applications. The office includes an Environmental Equity Program and is responsible for distributing the TCEQ Customer Service Survey. Another function within the office is the coordination of Executive Director and Commissioners' correspondence as stated above.

Arrangement: Chronological by date of correspondence, separated by month and year.

Access constraints: None known

Use constraints: None known

Indexes or finding aids required for/or an aid to access? None

Problems: None known

Known related records in other agencies: None known

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: Commissioners Correspondence Tracked by OPA

Series item number: 1.1.007

Agency item number: 1400.02

Archival code: R

Retention: CE+3

This series replaces the series titled below, Commissioners correspondence and reading files:

Title: Commissioners Correspondence and Reading Files

Series item number: 1.1.007

Agency item number: 1010.01

Archival code: R

Retention: 3

Archival holdings at the Texas State Library and Archives Commission:

Texas Water Commission, *Chairman's correspondence and reading files, 1989-1992, bulk 1991-1992, 6 cubic ft.* -<http://www.lib.utexas.edu/taro/tslac/10210/tsl-10210.html>

Texas Documents Collection holdings: N/A

Gaps: Files are not present at the agency before 2006.

Appraisal decision:

These are key correspondence files of the agency, documenting actions taken by the TCEQ Executive Director and Commissioners. It has been appraised as archival. Change the archival code to "A."

Records Series Review

Series Title: Chief Auditor's Office (CAO) General Correspondence

Agency: Texas Commission on Environmental Quality
Office of the Commissioners, Chief Auditor's Office

Contact: Monica Melant, 512-239-1616, 512-239-0500, mmelant@tceq.state.tx.us

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: fractional

Agency holdings: 16 inches

Description:

Series contains general correspondence between the chief auditor, the executive director, division directors, commissioners, those being audited, etc. Records include letters, emails, memos, and faxes, dating 2005-present.

Purpose:

Correspondence documents the interaction of the auditor with agency officials.

Agency program:

The Texas Commission on Environmental Quality is governed by a three-member commission, appointed by the governor with the advice and consent of the Senate for overlapping six-year terms. Members may not serve more than two terms and conflict of interest restrictions apply. Commission members hold full-time salaried positions and the governor designates the chair. The commissioners establish overall agency direction and policy and make final determinations on contested permitting and enforcement matters.

The commissioners establish overall agency direction and policy and make final determinations on contested permitting and enforcement matters. Five offices report directly to the Commissioners: General Counsel, Chief Auditor's Office, Office of the Chief Clerk, Office of Public Assistance, and Office of Public Interest Counsel.

The Chief Auditor's Office (CAO) provides assurance and advisory services that help the commissioners and management meet agency goals and objectives. The CAO provides independent and objective information, analyses, and recommendations to assist management in effecting constructive change, managing business risk, and improving the compliance and accountability of the regulated community and business partners.

Arrangement: Alphabetical.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None known

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: CAO General Correspondence

Series item number: 1.1.008

Agency item number: 1710.01

Archival code: R

Retention: CE + 3

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: Files are not present at the agency before 2005.

Appraisal decision:

This series documents interaction of the auditor with the Commissioners and officials of the agency. The best summary documentation the auditor produces are the final audit reports of the agency, which are archival. The correspondence of the Chief Auditor is not archival. Replace the archival review code of "R" with the archival exemption code of "E."

Records Series Review

Series Title: Chief Auditor's Office (CAO) Audit Reports

Agency: Texas Commission on Environmental Quality
Office of the Commissioners, Chief Auditor's Office

Contact: Monica Melant, 512-239-1616, 512-239-0500, mmelant@tceq.state.tx.us

Obsolete record series? No

Ongoing record series? Yes

Annual accumulation: Hard copies: maybe a ft. or two, most of this is now kept electronically.

Agency holdings: About 70 linear ft.

Description:

These are the final reports of an audit performed by the Chief Accounting Office on the Texas Commission on Environmental Quality's internal operations and its external grantees, contractors, etc. Either the internal auditors or the external auditors produce the report. Dates covered are 1999-present.

Purpose:

The mission of the Chief Auditor's Office is to provide assurance and advisory services that help the Commissioners and management meet agency goals and objectives. The office provides independent and objective information, analyses, and recommendations to assist management in effecting constructive change, managing business risk and/or improving compliance and accountability of the regulated community and business partners.

Agency program:

The Texas Commission on Environmental Quality is governed by a three-member commission, appointed by the governor with the advice and consent of the Senate for overlapping six-year terms. Members may not serve more than two terms and conflict of interest restrictions apply. Commission members hold full-time salaried positions and the governor designates the chair. The commissioners establish overall agency direction and policy and make final determinations on contested permitting and enforcement matters.

The commissioners establish overall agency direction and policy and make final determinations on contested permitting and enforcement matters. Five offices report directly to the Commissioners: General Counsel, Chief Auditor's Office, Office of the Chief Clerk, Office of Public Assistance, and Office of Public Interest Counsel.

The Chief Auditor's Office (CAO) provides assurance and advisory services that help the commissioners and management meet agency goals and objectives. The CAO provides independent and objective information, analyses, and recommendations to assist management in effecting constructive change, managing business risk, and improving the compliance and accountability of the regulated community and business partners.

Arrangement: Chronological.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None known

Publications based on records: Audit reports are printed and kept at the agency. They are not sent to the Texas State Publications Depository Program.

Internet pages based on records: Only internal TCEQ TNet site:
http://home.tceq.state.tx.us/internal/comm/ia/audit_reports.html

Series data from agency schedule:

Title: CAO Audit Reports

Series item number: 1.1.002

Agency item number: 1710.02

Archival code: R

Retention: AC + 10

Archival holdings at the Texas State Library and Archives Commission:

Texas Commission on Environmental Quality, *Chief Auditor's Office audit reports, 1996-1998, 1 cubic ft.* [unprocessed] [Reports will be transferred to the Texas Documents Collection.]

Texas Documents Collection holdings: None

Gaps: Files are not present at the agency before 2005.

Appraisal decision:

Audit reports are good indicators of the state of operations of agency programs at a given point in time. They are useful indicators of changes forthcoming in agency programs. These reports have been appraised to be archival. Change the archival code of "A." Add the following note to the

retention schedule: Sending copies of the audit reports to the Texas State Publications Depository Program fulfills the archival requirement.”

Records Series Review

Series Title: General Counsel Litigation – Edwards Aquifer

Agency: Texas Commission on Environmental Quality
Office of the Commissioners, General Counsel

Contact: Joy Clemens, 512-239-5509

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 1-2 linear ft.

Agency holdings: Approximately 47 linear ft.

Description:

The records consist of litigation involving the Edwards Aquifer. Dates covered not provided.

Purpose:

Records document litigation matters involving the Edwards Aquifer.

Agency program:

The Texas Commission on Environmental Quality is governed by a three-member commission, appointed by the governor with the advice and consent of the Senate for overlapping six-year terms. Members may not serve more than two terms and conflict of interest restrictions apply. Commission members hold full-time salaried positions and the governor designates the chair. The commissioners establish overall agency direction and policy and make final determinations on contested permitting and enforcement matters.

The commissioners establish overall agency direction and policy and make final determinations on contested permitting and enforcement matters. Five offices report directly to the Commissioners: General Counsel, Chief Auditor's Office, Office of the Chief Clerk, Office of Public Assistance, and Office of Public Interest Counsel.

The General Counsel is the chief legal advisor and ethics officer for the agency. The general counsel also provides legal assistance to the commissioners for their review of permits, proposed enforcement actions, rules, and other matters. The general counsel also manages the administrative affairs of the commissioners' office.

Arrangement: Past files were saved in hard copy form and stored alphabetically. Newly received litigation items are received electronically, and saved on PC in The Office of General Counsel.

Access constraints: The personal computer the files are stored on is password protected, contact staff member listed on this form for access.

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None known

Known related records in other agencies: None known

Publications based on records: None known

Internet pages based on records: None known

Series data from agency schedule:

Title: Litigation – Edwards Aquifer

Series item number: 1.1.048

Agency item number: 1310.03

Archival code: R

Retention: AC + 5

Archival holdings at the Texas State Library and Archives Commission:

Texas Department of Water Resources, *Office of the General Counsel, Public hearing file, 1982-1983, fractional* (re: the Edwards Underground Water District)

Texas Department of Water Resources, *Edward's Aquifer correspondence, 1975-1987, 4 cubic ft.* [unprocessed, also has hearing records]

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

The Edwards Aquifer is a significant aquifer for Texas, covering central and south central Texas. There have been several important litigation cases that document water issues, especially in the Austin and San Antonio areas. TCEQ did not provide dates, but they should have records from the 1990s to present. The series is archival. Change the archival code to "A."

Records Series Review

Series Title: Executive Director's Correspondence and Reading File

Agency: Texas Commission on Environmental Quality
Office of the Executive Director

Contact: Barbara B. Robinson, 512-239-1279, brobinso@tceq.state.tx.us

Obsolete record series? No

Ongoing record series? Yes

Annual accumulation: One to two linear ft.

Agency holdings: More than 10 linear ft.

Description:

Records are responses signed by the Executive Director (ED) of the Texas Commission on Environmental Quality to correspondence received from the public, regulated entities, elected officials or concerned citizens. Correspondence mainly addresses permitting matters, enforcement issues or complaints about facilities or utility providers. The Executive Office receives on average 20-30 pieces of mail per day which covers all subject areas under the purview of the agency, e.g., permit/periodic compliance reports for permitted facilities (permits and authorizations issued by the agency require that the entity report "to the Executive Director" their compliance with the permit provisions); occupational licensing questions or appeals; comments on pending permitting actions; enforcement/compliance comments/questions; complaints on facilities by adjoining landowners; procedural requests (e.g., requests for reconsideration or motions to overturn the ED's decision); petitions for rulemaking; etc. Correspondence/requests that can be handled at a subordinate management level (e.g., Deputy Director, Division Director) as delegated in the sub-delegation matrix are logged into the ED system and assigned for appropriate handling by the appropriate management level which results in some responses being found in other areas of the agency. If the correspondence pertains to a particular permit or enforcement action, the response will be filed in the official compliance file or permit file (housed in Central Records). Responses to incoming correspondence are drafted by the program areas (deputy and division offices) and forwarded to the Executive Director for his signature. Dates covered are May 2004 to present.

An exception to the above is legislative correspondence (incoming correspondence from state and federal legislators) that is addressed to the ED. The Office of Public Assistance manages all responses to legislators, and the Exec Office does not keep copies of these responses signed by the ED as OPA keeps them based on their retention schedule.

Purpose:

Records document interaction of the executive director and his deputy director with the agency staff, officials, and constituents of the agency.

Agency program:

The executive director directs operations of approximately 3,000 employees in 17 statewide offices, implementing commission policies, making recommendations to the commissioners about contested permitting and enforcement matters, and approving uncontested permit applications and registrations. The deputy executive director serves as the chief operating officer to assist the executive director in the administration of the agency.

Arrangement: Chronological.

Access constraints: None known

Use constraints: None

Indexes or finding aids required for/or an aid to access? None noted

Problems: None known

Known related records in other agencies: None

Publications based on records: None

Internet pages: None

Series data from agency schedule:

Title: Correspondence, Administrative

Series item number: 1.1.008

Agency item number: 110.06

Archival code: R

Retention: 1

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: Due to the nature of the files, these files are retained for the tenure of the Executive Director plus 1 year. No Executive Director has served longer than 4 years 6 months.

Appraisal decision:

The correspondence of executive directors is typically considered to be archival and this series especially so, as it documents activity in all subject areas of the agency. This series is listed as being

an agency-wide correspondence series, but since the staff have a specific title assigned for the administrative correspondence of the executive director this series should be added to the section of records for the Executive Office as it is titled (*Executive Director's Correspondence and Reading File*) and new series number assigned. Add an archival code of "A" to the series change the retention to 3 years and transfer the older files, currently 2004-2010, to the State Archives at the first opportunity.

Records Series Review

Series Title: Directives

Agency: Texas Commission on Environmental Quality
Office of the Executive Director

Contact: Barbara B. Robinson, 512-239-1279; brobinso@tceq.state.tx.us

Obsolete record series? No

Ongoing record series? Yes

Annual accumulation: Less than 1 linear ft.

Agency holdings: Unknown, files date 1998 to present

Description:

Records are directives from Executive Office of the Texas Commission on Environmental Quality to directors and supervisors concerning administrative procedures (i.e., travel notification to regional offices, salary adjustments requiring Deputy Executive Director approval, etc.) or agency initiatives affecting all staff. Regulatory guidance and executive authority notice for certain industry groups are also included in this file. Some examples include management guidance/directives (e.g., Comp Time Policy, Clutter cleanup, Appropriate Computer & Internet Usage, Staffing, Vacancies, etc.), travel related issues and guidance, technical issues (e.g., Arsenic Cleanup; 1,3 Butadiene White Paper; etc.), professional guidelines (e.g., Fraud Prevention, Ethics, etc.), and Organization Review. These items differ from the Agency's Operating Policies and Procedures (OPPs) in that they provide guidance on daily activities as well as current initiatives. Dates covered are 1998 to present.

Purpose:

Records provide information and historical background for decisions.

Agency program:

The executive director directs operations of approximately 3,000 employees in 17 statewide offices, implementing commission policies, making recommendations to the commissioners about contested permitting and enforcement matters, and approving uncontested permit applications and registrations. The deputy executive director serves as the chief operating officer to assist the executive director in the administration of the agency.

Arrangement: Chronological by the date issued.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None known

Known related records in other agencies: None

Publications based on records: None known

Internet pages: None

Series data from agency schedule:

Title: Directives

Series item number: 1.1.010

Agency item number: 2010.01

Archival code: None

Retention: US+1

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None present prior to 1998

Appraisal decision:

This is normally not an archival series, but these directives do contain regulatory guidance and executive authority notices for certain industry groups regulated by the agency. If these directives are not documented elsewhere we need to consider this series archival, even though the many of the directives concern routine agency activities (travel, salary, etc.). Add an archival code of "A" to the schedule.

Records Series Review

Series Title: Peer Review Records

Agency: Texas Commission on Environmental Quality
Office of the Executive Director

Contact: Barbara B. Robinson, 512-239-1279; brobinso@tceq.state.tx.us

Obsolete record series? Yes

Ongoing record series? No
Annual accumulation: None

Agency holdings: Unknown

Description:

The documents that were held in the Texas Commission on Environmental Quality's Executive Office in this record series have been dispersed to the program area to be placed in the individual permitting file to which the review applies. This technical analysis method was employed for only a short period of time during the tenure of the agency's first Chief Engineer (circa 1995-1998) and was then discontinued prior to his leaving the agency in circa 1999. Since 10 years have passed since this review method was employed, the possibility that the permit has undergone another action such as a renewal, amendment or alteration would make the peer review documents simply a part of the permit's history and as such should remain with the individual permit file.

Purpose:

N/A

Agency program:

The executive director directs operations of approximately 3,000 employees in 17 statewide offices, implementing commission policies, making recommendations to the commissioners about contested permitting and enforcement matters, and approving uncontested permit applications and registrations.

Arrangement: Peer review files were transferred to the permitting files, which are arranged by program, permit type, and then permit number.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None known

Publications based on records: None known

Internet pages: None

Series data from agency schedule:

Title: Peer Review Records

Series item number: 1.1.067

Agency item number: 2010.02

Archival code: R

Retention: PM

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

This is an empty series as the documents it held were transferred to various permitting files some years ago. It can be removed from the retention schedule.

Records Series Review

Series Title: Executive Director Electronic Tracking System

Agency: Texas Commission on Environmental Quality
Office of the Executive Director

Contact: Barbara B. Robinson, 512-239-1279; brobinso@tceq.state.tx.us

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: Electronic files

Agency holdings: Unknown, about 2001 to present in a database; October 2008 to present in paper

Description:

The Texas Commission on Environmental Quality's Executive Office maintains an electronic mail tracking system that has been in existence since 2001. This system is used solely for logging incoming mail to the Executive Director or Commissioners and the disposition/assignment of the mail for handling of each piece (some items are delegated to the appropriate office for research and response). Routine compliance reports and invitations for the Executive Director are logged in a word processing table on the Executive Office's network drive. All legislative correspondence to the executive director or commissioners is also logged and tracked through the existing system that is a Lotus Notes database. The Lotus Notes system replaced a Paradox for DOS programming database, and each of the items listed in the remarks section - - Prop 2 use, Intergov Relations Budget, Community Recycle, SAV Results, Publications, Toxics Release Inv, Pollution Prevention, ED-Leg Request, Seminar Expenditures & Reg - - if still in existence is tracked through other programs and reside in other offices or divisions. The electronic database contains records from August 2001 to present and is easily searchable (by key word), making it the preferable means of tracking incoming correspondence to the ED. There are 18,652+ (as of April 9, 2009) records in the electronic database that will be available for an indefinite period.

The paper report is a list that reflects the unique number assigned to the incoming letter; from whom/to whom; subject of the correspondence and a short narrative explanation of the correspondence; to whom it is assigned and for what type of action (FYI, Handle As Appropriate). Since this is a numerical list in reverse chronological order (newest to oldest), it is difficult to search unless you know the record/document number.

Purpose:

Records document incoming correspondence to the Executive Office and shows assignment or disposition for handling each piece.

Agency program:

The executive director directs operations of approximately 3,000 employees in 17 statewide offices, implementing commission policies, making recommendations to the commissioners about contested permitting and enforcement matters, and approving uncontested permit applications and registrations.

Arrangement: Database entries are searchable, no order listed. The paper copy of the record has entries listed in a numerical number by the tracking number assigned.

Access constraints: Records in the database must be accessed by staff as they are password protected.

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: Use of the paper log is difficult if one does not know the tracking number assigned to the correspondence.

Known related records in other agencies: None known

Publications based on records: None known

Internet pages: None

Series data from agency schedule:

Title: Executive Director Electronic Tracking System

Series item number: 2.1.002

Agency item number: 2010.03

Archival code:

Retention: AC

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None

Appraisal decision:

This series consists of a database system used to track the disposition of correspondence coming in the executive director's or commissioners offices. Correspondence of a regulatory or compliance nature is sent to the program areas, legislative correspondence is sent to the Office of Public

Assistance for responses. The paper log (from 2008 forward) contains a subject line and short narrative explanation of the correspondence to whom assigned and what type of action to take. The tracking database will contain most of this same data.

While this is good information, the historical record is the actual correspondence. Unfortunately, TCEQ only has the correspondence of the executive director since 2008. The database goes back to 2001 and has some value due to the absence of correspondence but not enough value to be considered as archival and maintaining it permanently. This series is not archival. The series does not have an archival code so no changes need to be made to the records schedule.

Records Series Review

Series Title: Regulatory Flexibility Review

Agency: Texas Commission on Environmental Quality

Office of the Executive Director, Small Business and Environmental Assistance Division
(SBEA)

Contact: David Greer, SBEA, 512-239-5344

Obsolete record series? Maybe, no new records since 2000

Ongoing record series? Unknown

Annual accumulation: None

Agency holdings: Approximately 1 inch located in Building F, Suite 1301, dating 1999-2000.

Description:

The Texas Commission on Environmental Quality's Small Business Environmental Assistance Division maintains copies of orders issued by the Commissioners to companies under the Regulatory Flexibility Program, dating 1999-2000. The original applications are no longer present. This program was developed to test innovative methods of control or abatement of pollution. Under this program, the TCEQ provided exemptions from current rules or statutes if a company proposed an alternative that would reasonably result in an environmental and/or economic benefit. No new applications have been received since the requirement was added that alternate controls be more protective of the environment.

Purpose:

Records document TCEQ's decisions to consider requiring alternate requirements on a case by case basis.

Agency program:

The executive director directs operations of approximately 3,000 employees in 17 statewide offices, implementing commission policies, making recommendations to the commissioners about contested permitting and enforcement matters, and approving uncontested permit applications and registrations. The deputy executive director serves as the chief operating officer to assist the executive director in the administration of the agency.

The Small Business and Environmental Assistance Division (SBEA) helps Texans prevent pollution, conserve resources, and achieve compliance with regulations; educates customers; and promotes conservation of natural resources through partnerships in Texas and along its border with Mexico. The division offers services to a variety of customers, including small businesses and local

governments, industries and manufacturers, agricultural operations, students and academia, and anyone interested in environmental stewardship.

The Regulatory Flexibility Program was developed by TCEQ to test innovative methods of control or abatement of pollution. Senate Bill 1591, 75th Legislature, authorized the TCEQ to grant exemptions to companies that proposed an alternative method of control or abatement of pollution. Additionally, the legislation required the TCEQ to draft rules establishing procedures for obtaining an exemption that include public participation requirements. Rules were written and codified in 30 Texas Administrative Code, Sections 90.1-90.72.

Arrangement: Chronological, by date of action taken.

Access constraints: None known

Use constraints: None known

Indexes or finding aids required for/or an aid to access? None

Problems: Original records and applications cannot be found. Program area only has copies of the orders issued by the commissioners.

Known related records in other agencies: None known

Publications based on records: None known

Internet pages: None known

Series data from agency schedule:

Title: Regulatory Flexibility Review

Series item number: None

Agency item number: 2202.04

Archival code: A

Retention: AC + 5

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: Original records and applications cannot be found. Program area only has copies of the orders issued by the commissioners for a two-year period, 1999-2000.

Appraisal decision:

This series documents the Commissioner's decisions to companies requesting exemptions from current rules or statutes by offering innovative methods of pollution control or abatement. The

program was put in place for a very short period, 1999-2000, and is dormant. No new exemption requests have been received since alternative controls were allowed. The only records left in the series are the orders, no other program records can be found. Orders issued by commissioners are archival. If these orders are not documented in the records of the Commissioner's Office, then we will consider this series as archival; the existing records have met their retention period and can be transferred to the State Archives. If the original orders are present in another archival series, this series will be considered as not archival and the archival code of "A" can be removed from the schedule.

Records Series Review

Series Title: Report to Congress

Agency: Texas Commission on Environmental Quality
Office of the Executive Director, Small Business and Environmental Assistance
Division (SBEA)

Contact: Andy Gardner, SBEA, 512-239-3121

Obsolete record series? No

Ongoing record series? Yes

Annual accumulation: One quarter of an inch of paper files

Agency holdings: One inch of paper files, 2004-present

Description:

The series consists of a mandatory annual report to Congress on activities and results of the Small Business and Local Government Assistance Program, dating 2004-present.

Purpose:

The Annual Report to Congress serves to inform Congress of the activities and accomplishments of the Small Business and Local Government Program.

The executive director directs operations of approximately 3,000 employees in 17 statewide offices, implementing commission policies, making recommendations to the commissioners about contested permitting and enforcement matters, and approving uncontested permit applications and registrations. The deputy executive director serves as the chief operating officer to assist the executive director in the administration of the agency.

The Small Business and Environmental Assistance Division (SBEA) helps Texans prevent pollution, conserve resources, and achieve compliance with regulations; educates customers; and promotes conservation of natural resources through partnerships in Texas and along its border with Mexico. The division offers services to a variety of customers, including small businesses and local governments, industries and manufacturers, agricultural operations, students and academia, and anyone interested in environmental stewardship.

Arrangement: Chronological.

Access constraints: None known

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None known

Known related records in other agencies: None known

Publications based on records: None known

Internet pages: None

Series data from agency schedule:

Title: Annual Report to Congress

Series item number: 1.1.066

Agency item number: 2203.01

Archival code: None

Retention: AC +6

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None, these are not sent to the Texas State Publications Depository Program.

Gaps: None known

Appraisal decision:

State agencies are required to submit an annual report to Congress on their activities with the Small Business and Local Government Program. This report is maintained at the federal government and is not archival. It has no archival code so no changes need to be made to the schedule.

Records Series Review

Series Title: Environmental Seminar Files

Agency: Texas Commission on Environmental Quality
Office of the Executive Director, Small Business and Environmental Assistance Division
(SBEA)

Contact: Mike Lindner, SBEA, 512-239-3143.

Obsolete record series? No

Ongoing record series? Yes

Annual accumulation: 1 ¾ cubic ft.

Agency holdings: Approximately 5 cubic ft. located in Building F, Suite 1301.

Description:

The Small Business and Environmental Assistance Division of the Texas Commission on Environmental Quality sponsors an environmental seminar each year – the Environmental Trade Fair and Conference. The types of materials present are all kept in both electronic and written format unless otherwise noted. Records include attendee and exhibitor registration lists, hotel contracts, agenda, presentations/brochures, speaker biographies, conference seminar evaluations, seminar proceedings (just written), attendee and exhibitor databases (just written), and event budget. The book of seminar proceedings contains copies of the presentations made at the conference. Dates covered are 2005-present.

Purpose:

The function of the attendee and exhibitor registration list records is to have a record of attendance for continuing education credits; both past and potential exhibitors often like to request and obtain the lists as well. Attendee and exhibitor database records provide a list of persons to whom to publicize upcoming conferences/seminars. The function of the hotel contract records is to be able to keep track of expenses and the agreements regarding the expenses. The function of agenda records is to have a model upon which to base the content and speakers of following years' sessions. The function of the presentation and brochure records is to be able to distribute the valuable information contained in them as requested. The function of the speaker biography records is to be able to consider those same speakers for upcoming speaking opportunities. The function of the conference/seminar evaluation records is to be able to improve service at upcoming conferences/seminars. The function of the seminar proceedings records is to have a copy of the information provided in case of questions on what exactly was presented. The function of the event budget records is to be able to be ready to demonstrate fiscal responsibility.

Agency program:

The executive director directs operations of approximately 3,000 employees in 17 statewide offices, implementing commission policies, making recommendations to the commissioners about contested permitting and enforcement matters, and approving uncontested permit applications and registrations. The deputy executive director serves as the chief operating officer to assist the executive director in the administration of the agency.

The Small Business and Environmental Assistance Division (SBEA) helps Texans prevent pollution, conserve resources, and achieve compliance with regulations; educates customers; and promotes conservation of natural resources through partnerships in Texas and along its border with Mexico. The division offers services to a variety of customers, including small businesses and local governments, industries and manufacturers, agricultural operations, students and academia, and anyone interested in environmental stewardship.

Arrangement: Chronological by date of the event.

Access constraints: None known

Use constraints: None known

Indexes or finding aids required for/or an aid to access? The program maintains a list of events in date order.

Problems: None known

Known related records in other agencies: Seminar books up to FY 09 have been sent to the State Library.

Publications based on records: The book of proceedings is published.

Internet pages: <http://www.tceq.texas.gov/p2/events/etfc/etf.html>

Series data from agency schedule:

Title: Environmental Seminar Files

Series item number: None

Agency item number: 2202.01

Archival code: R

Retention: FE + 5

Archival holdings at the Texas State Library and Archives Commission:

Texas Commission on Environmental Control, *Environmental seminar files, 2004-2005, 0.5 cubic ft.* (Files consist of books of proceedings which will be transferred to the Texas Documents Collection to fill in gaps.)

Texas Documents Collection holdings: *Environmental Trade Fair and Conference* (seminar book of proceedings), 1993-2007 (the 2008 volume may still be in cataloging, it is not yet in the catalog)

Gaps: None known

Appraisal decision:

This is an important environmental conference sponsored by TCEQ each year that discusses current issues and environmental concerns in the regulatory industries. A book of proceedings is published and copies are sent to the Texas State Publications Depository Program. This summary book is sufficient documentation for this series. Add an archival code of "A" and add a note in the Remarks column of the series that sending a copy of the book of proceedings from each conference to the Texas State Publications Depository Program fulfills the archival requirement.

Records Series Review

Series Title: Waste Reduction Policy Act (WRPA) Annual Report

Agency: Texas Commission on Environmental Quality
Office of the Executive Director, Small Business and Environmental Assistance Division
(SBEA)

Contact: David Greer, SBEA, 512-239-5344

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 2 cubic ft.

Agency holdings: Approximately 45 cubic ft. located in Building F, Suite 1301.

Description:

The Waste Reduction Policy Act (WRPA) encourages reductions in wastes and toxins by requiring facilities to evaluate the potential for reductions. In Texas, pollution prevention planning and reporting is mandatory, but facilities are allowed the flexibility to develop a plan that meets their needs and capabilities. Records are annual progress reports submitted by facilities that are large quantity generators of hazardous waste and/or that report on the federal Environmental Protection Agency's Toxics Release Inventory Form R. This is a two-page form used to report source reduction and waste minimization activities. Dates covered are 2008-present.

Purpose:

These reports document facilities that are in compliance or attempting compliance with the Waste Reduction Policy Act.

Agency program:

The executive director directs operations of approximately 3,000 employees in 17 statewide offices, implementing commission policies, making recommendations to the commissioners about contested permitting and enforcement matters, and approving uncontested permit applications and registrations. The deputy executive director serves as the chief operating officer to assist the executive director in the administration of the agency.

The Small Business and Environmental Assistance Division (SBEA) helps Texans prevent pollution, conserve resources, and achieve compliance with regulations; educates customers; and promotes conservation of natural resources through partnerships in Texas and along its border with Mexico. The division offers services to a variety of customers, including small businesses and local governments, industries and manufacturers, agricultural operations, students and academia, and anyone interested in environmental stewardship. The Pollution Prevention and Education Section

plans, organizes, facilitates, and implements conferences and seminars (including the annual Environmental Trade Fair and Conference), and workshops on a wide range of environmental topics.

The Waste Reduction Policy Act program was passed by Texas in 1991 requiring industrial facilities and businesses that generate hazardous waste or release specific toxic chemicals into the environment to: develop a five-year pollution prevention plan, submit the Executive Summary of their plan to the Texas Commission on Environmental Quality, and report annually on progress toward meeting the goals in their plan. The Act encourages reductions in wastes and toxics by requiring facilities to evaluate the potential for reductions. In Texas, pollution prevention planning and reporting is mandatory, but facilities are allowed the flexibility to develop a plan that meets their needs and capabilities. Facilities are required to set source reduction and waste minimization goals and identify technologically and economically feasible projects. Implementation of the projects is voluntary. The projects only get implemented if they make sense for the business. Pollution Prevention Planning Program was established in 1993 with the first Executive Summaries being due on July 1, 1993. The program was implemented in four stages between 1993 and 1996. As of 2009 there are 2,484 facilities required to submit an Executive Summary. This number can change on a daily basis as participation is based on other programs' requirements. Of the nearly 2,500 facilities required to prepare a Pollution Prevention Plan only about 1,500 are required to report on the Annual Progress Report.

Arrangement: By the facilities sequence of program participation.

Access constraints: None known

Use constraints: None known

Indexes or finding aids required for/or an aid to access? The program maintains a database that is organized by sequence of entry that can be searched by numerous identifiers.

Problems: Records have been previously purged in accordance with the retention schedules. No purge has occurred in several years due to questions on the schedule. Annual Progress Reports can be submitted electronically or on TCEQ form 00784. Electronic submissions are not stored with this record series.

Known related records in other agencies: No known related records.

Publications based on records: None known

Internet pages: None known

Series data from agency schedule:

Title: Waste Reduction Policy Act (WRPA) Annual Progress Report

Series item number: None
Agency item number: 2202.17
Archival code: R

Retention: CE + 5

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None, these are not sent to the Texas State Publications Depository Program.

Gaps: Records have been previously purged in accordance with previous retention schedules.

Appraisal decision:

Pollution control is an extremely important issue and TCEQ's regulatory efforts in the area need to be documented over the long term. These reports document actions taken by large companies to reduce their waste and toxins. Change the archival code from "R" to "A." When the State Archives begins to accept electronic records transfer a copy of the database index.

Records Series Review

Series Title: Waste Reduction Policy Act (WRPA) Pollution Prevention Planning Executive Summaries

Agency: Texas Commission on Environmental Quality
Office of the Executive Director, Small Business and Environmental Assistance Division (SBEA)

Contact: David Greer, SBEA, 512-239-5344

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 2 cubic ft.

Agency holdings: Approximately 45 cubic ft. located in Building F, Suite 1301.

Description:

The Texas Commission on Environmental Quality implements the Waste Reduction Policy Act (WRPA). This act encourages reductions in wastes and toxics by requiring facilities to evaluate the potential for reductions. In Texas, pollution prevention planning and reporting is mandatory, but facilities are allowed the flexibility to develop a plan that meets their needs and capabilities. The executive summaries are reports sent by facilities to the TCEQ that document the facility's plan for voluntary reductions and includes a statement of completeness signed by a facility representative. It represents a five-year period and is to be updated as needed but at least every five years, as applicable. Some facilities update annually. Dates covered are 1994-present.

Purpose:

The Executive Summary provides basic information regarding a facility's plan to reduce its hazardous waste generation and Toxics Release Inventory releases and transfers.

This program encourages reductions in wastes and toxics by requiring facilities to evaluate the potential for reductions. Facilities that are large or small quantity generator of Hazardous Waste and/or that report on the EPA's Toxics Release Inventory Form R are required to participate. In Texas, the Pollution Prevention Planning and reporting is mandatory, but facilities are allowed the flexibility to develop a plan that meets their needs and capabilities. Facilities are required to set source reduction and waste minimization goals and identify technologically and economically feasible projects. Implementation of the projects is voluntary. The projects only get implemented if they make sense for the business.

Agency program:

The executive director directs operations of approximately 3,000 employees in 17 statewide offices, implementing commission policies, making recommendations to the commissioners about contested permitting and enforcement matters, and approving uncontested permit applications and registrations. The deputy executive director serves as the chief operating officer to assist the executive director in the administration of the agency.

The Small Business and Environmental Assistance Division (SBEA) helps Texans prevent pollution, conserve resources, and achieve compliance with regulations; educates customers; and promotes conservation of natural resources through partnerships in Texas and along its border with Mexico. The division offers services to a variety of customers, including small businesses and local governments, industries and manufacturers, agricultural operations, students and academia, and anyone interested in environmental stewardship. The Pollution Prevention and Education Section plans, organizes, facilitates, and implements conferences and seminars (including the annual Environmental Trade Fair and Conference), and workshops on a wide range of environmental topics.

The Waste Reduction Policy Act program was passed by Texas in 1991 requiring industrial facilities and businesses that generate hazardous waste or release specific toxic chemicals into the environment to: develop a five-year pollution prevention plan, submit the Executive Summary of their plan to the Texas Commission on Environmental Quality, and report annually on progress toward meeting the goals in their plan. The Act encourages reductions in wastes and toxics by requiring facilities to evaluate the potential for reductions. In Texas, pollution prevention planning and reporting is mandatory, but facilities are allowed the flexibility to develop a plan that meets their needs and capabilities. Facilities are required to set source reduction and waste minimization goals and identify technologically and economically feasible projects. Implementation of the projects is voluntary. The projects only get implemented if they make sense for the business. Pollution Prevention Planning Program was established in 1993 with the first Executive Summaries being due on July 1, 1993. The program was implemented in four stages between 1993 and 1996. As of 2009 there are 2,484 facilities required to submit an Executive Summary. This number can change on a daily basis as participation is based on other programs requirements. Of the nearly 2,500 facilities required to prepare a Pollution Prevention Plan only about 1,500 are required to report on the Annual Progress Report.

Arrangement: By the facilities sequence of program participation, or the sequence of data entry into a database.

Access constraints: None known

Use constraints: None known

Indexes or finding aids required for/or an aid to access? The program maintains a database which is organized by sequence of entry which can be searched by numerous identifiers.

Problems: Records have been previously purged in accordance with the retention schedules. No purge has occurred in several years due to questions on the schedule.

Known related records in other agencies: No known related records, except that some records may contain subsets of other program area reports.

Publications based on records: None known

Internet pages: None

Series data from agency schedule:

Title: Waste Reduction Policy Act (WRPA) Pollution Prevention Planning Executive Summaries

Series item number: None

Agency item number: 2202.14

Archival code: R

Retention: AC + 2

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None, these are not sent to the Texas State Publications Depository Program.

Gaps: None known

Appraisal decision:

Pollution control planning is a vital component of controlling the amount of waste and toxins released into the environment. These planning documents complement the *Waste Reduction Policy Act Annual Progress Reports*, series 2002.17. The archival record that bests documents what was actually done in regard to waste reduction efforts are the annual progress reports, which is sufficient documentation of this function. This series is not archival. Remove the archival review code of "R" and replace it with the archival exemption code of "E."

Records Series Review

Series Title: Compliance Advisory Panel (CAP)

Agency: Texas Commission on Environmental Quality,
Office of the Executive Director, Small Business and Environmental Assistance
Division (SBEA)

Contact: Andy Gardner, SBEA, 512-239-3121

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: fractional

Agency holdings: About 1 linear ft.

Description:

Records are meeting minutes, attendance and any correspondence received from the Compliance Advisory Panel, an advisory group charged with advising the Texas Commission on Environmental Quality's Small Business and Environmental Assistance program on its activities. Dates covered are 2003-present.

Purpose:

Records document the actions of the Compliance Advisory Panel.

Agency program:

The executive director directs operations of approximately 3,000 employees in 17 statewide offices, implementing commission policies, making recommendations to the commissioners about contested permitting and enforcement matters, and approving uncontested permit applications and registrations. The deputy executive director serves as the chief operating officer to assist the executive director in the administration of the agency.

The Small Business and Environmental Assistance Division (SBEA) helps Texans prevent pollution, conserve resources, and achieve compliance with regulations; educates customers; and promotes conservation of natural resources through partnerships in Texas and along its border with Mexico. The division offers services to a variety of customers, including small businesses and local governments, industries and manufacturers, agricultural operations, students and academia, and anyone interested in environmental stewardship.

The 1990 Federal Clean Air Act amendments and the Texas Water Code statutes require each state to provide small business assistance including a state small business compliance advisory panel (CAP), an ombudsman, and a technical assistance program. The Compliance Advisory Panel (CAP)

for Texas is an advisory group authorized by the Federal Clean Air Act of 1990 and is charged with advising the TCEQ's Small Business and Environmental Assistance program on its activities. Its functions include advising the SBEA Program on improving its effectiveness, submitting periodic progress reports and recommendations to the United States Environmental Protection Agency's small business ombudsman, assessing compliance and enforcement trends encountered by specific small business sectors and recommending improvements to the TCEQ, and ensuring that information and regulations affecting small businesses are written in plain language. The CAP is a seven-member panel. Two members are appointed by the governor to represent the public; two members each are appointed by the lieutenant governor and speaker of the Texas House of Representatives to represent small businesses; and one member is appointed by the chairman of the TCEQ.

Arrangement: Chronological.

Access constraints: None known

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None known

Known related records in other agencies: None known

Publications based on records: None known

Internet pages: Minutes (2005-present) of the Compliance Advisory Panel are posted on the agency's website, at <http://www.tceq.state.tx.us/assistance/sblga/cap.html>.

Series data from agency schedule:

Title: Compliance Advisory Panel

Series item number: None

Agency item number: 2203.22

Archival code: None

Retention: FE +5

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

The minutes of advisory committees are archival, attendance lists and correspondence are not. If these are maintained as part of the meeting minutes, add the archival code “A” to the retention schedule and change the retention to PM (minutes of advisory boards are permanent). If the minutes are maintained separately, you should create a separate series for the minutes and one for the other materials.

Records Series Review

Series Title: Organization Charts

Agency: Texas Commission on Environmental Quality
Office of the Executive Director, Agency Communications

Contact: Ken Sherry

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: fractional

Agency holdings: Less than one linear ft. Files print and electronic – MS Word files.

Description:

This series contains organization charts of the agency and its' offices, and divisions. The chart may appear in the agency's Legislative Appropriations Request, copies of charts are maintained in the Communications Division. Dates covered are 2002-present.

Purpose:

These charts illustrate graphically the administrative structure of the different functional units within an agency.

Agency program:

The executive director directs operations of approximately 3,000 employees in 17 statewide offices, implementing commission policies, making recommendations to the commissioners about contested permitting and enforcement matters, and approving uncontested permit applications and registrations. The deputy executive director serves as the chief operating officer to assist the executive director in the administration of the agency.

The Agency Communications Division works to continuously improve and streamline the delivery of print and Web information to the public and within the agency. This division coordinates the agency response to all media inquiries, prepares and distributes agency news releases, and coordinates news conferences. The division also includes the agency library, and a publishing staff that coordinates, produces, and distributes regulatory and general informational materials, both print and Web.

Arrangement: Chronological, then by office.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages: The current organization chart is available on the agency's website - <http://www.tceq.texas.gov/about/organization/index.html>.

Series data from agency schedule:

Title: Organization charts

Series item number: 1.1.023

Agency item number: 110.19

Archival code: A

Retention: US

Archival holdings at the Texas State Library and Archives Commission:

Texas Commission on Environmental Quality, *Organization charts, 2002-2011, fractional*

Texas Documents Collection holdings: Copies of charts may be present in the agency's LAR.

Gaps: None known

Appraisal decision:

Organization charts provide a graphic description of the administrative structure of the different functional units of the agency, they are archival. Keep the archival code of "A" and transfer charts as they become outdated. The Archives currently has charts through December 2011.

Records Series Review

Series Title: Reports Biennial or Annual

Agency: Texas Commission on Environmental Quality
Office of the Executive Director, Agency Communications

Contact: Ken Sherry

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation:

Agency holdings: Less than one linear ft. Files are paper and electronic – MS Word files.

Description:

This series contains the biennial report to the governor and legislature, prepared by the Communications Division of the Texas Commission on Environmental Quality, dates not provided. The division is responsible for preparing and compiling data to summarize operations of the agency during the past biennium.

Purpose:

This document summarizes operations of the agency over the biennium.

Agency program:

The executive director directs operations of approximately 3,000 employees in 17 statewide offices, implementing commission policies, making recommendations to the commissioners about contested permitting and enforcement matters, and approving uncontested permit applications and registrations. The deputy executive director serves as the chief operating officer to assist the executive director in the administration of the agency.

The Agency Communications Division works to continuously improve and streamline the delivery of print and Web information to the public and within the agency. This division coordinates the agency response to all media inquiries, prepares and distributes agency news releases, and coordinates news conferences. The division also includes the agency library, and a publishing staff that coordinates, produces, and distributes regulatory and general informational materials, both print and Web.

Arrangement: Sections within the report are arranged by subject.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages: The current report is available on agency's website -
http://www.tceq.texas.gov/assets/public/comm_exec/pubs/sfr/057_10/057-10.pdf

Series data from agency schedule:

Title: Reports Biennial or Annual

Series item number: 1.1.066

Agency item number: 110.22

Archival code: A

Retention: 6

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: Copies of reports are sent to the Publications Depository.

Gaps: None known

Appraisal decision:

The narrative biennial reports of agencies prepared for the governor and legislature are archival. Maintain the "A" and add the following note to the Remarks Section of the schedule – "Copies sent to the Publications Depository fulfill the archival requirement."

Records Series Review

Series Title: Biographies of Commissioners, Executive Director, Deputy Directors and Division Directors

Agency: Texas Commission on Environmental Quality
Office of the Executive Director, Agency Communications

Contact: Ken Sherry, 512-239-5634

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: fractional

Agency holdings: Paper copies are not maintained, just electronic copies. These are only maintained for current officials.

Description:

Records are biographies of upper management of the Texas Commission on Environmental Quality – the commissioners, executive director, deputy director and assistant deputy director. The biography page consists of highlights of the person's career, the college from which they graduated and the type of degree they hold, and any related committees or boards on which they serve. Biographies are dated about 2007-present.

Purpose:

The biographical summaries provide background on upper management.

Agency program:

The executive director directs operations of approximately 3,000 employees in 17 statewide offices, implementing commission policies, making recommendations to the commissioners about contested permitting and enforcement matters, and approving uncontested permit applications and registrations. The deputy executive director serves as the chief operating officer to assist the executive director in the administration of the agency.

The Agency Communications Division works to continuously improve and streamline the delivery of print and Web information to the public and within the agency. This division coordinates the agency response to all media inquiries, prepares and distributes agency news releases, and coordinates news conferences. The division also includes the agency library, and a publishing staff that coordinates, produces, and distributes regulatory and general informational materials, both print and Web.

Arrangement: Chronological by the date of the commissioner's term.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None known

Known related records in other agencies: None

Publications based on records: None

Internet pages: Biographies of the commissioners, directors and the deputy and assistant director are posted on the agency's website at:

<http://www.tceq.texas.gov/about/organization/commissioner.html>

Series data from agency schedule:

Title: Biographies of Commissioners, Executive Director, Deputy Directors and
Division Directors

Series item number: None

Agency item number: 2830.07 (old 2810.01)

Archival code: A

Retention: AC

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: Files are only maintained for current officials.

Appraisal decision:

The biographies provide basic information about the highest officials at the TCEQ, all of which can be found in other sources such as the TRAIL Web Archive (http://wayback.archive-it.org/414/*/http://www.tceq.state.tx.us). Commissioner, and sometimes executive director, biographical information is also found in the records of the governor who appointed them.

The series title implies this information is kept for division directors, but that is not found on the website or the intranet. The only officials documented in this series are the three commissioners, the executive director, the deputy director and the assistant deputy director. This series is not archival. Remove the archival code of "A" from the schedule and replace it with the archival exemption code of "E."

Records Series Review

Series Title: News Clips

Agency: Texas Commission on Environmental Quality
Office of the Executive Director, Agency Communications, Media Relations

Contact: Ken Sherry, 512-239-5634

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 0.5 cubic ft. of duplicates

Agency holdings: 2.9 cubic ft. of duplicates. Records have been microfilmed in the past, with the paper copy destroyed once filmed. Original microfilm is stored at the State Records Center, consisting of three reels, 1987-1990. Today the news clips, or press releases, are all electronic and are posted on the agency's website. According to staff, paper copies are no longer maintained. The agency began archiving news clips electronically on April 1, 1996. News clips are posted to an internal server and saved as a .met file that allows them to be viewed as a Web page as they were when they were on the main server. Electronic copies are dated 1996-present.

Description:

Records are press releases, or new clips, from the Texas Commission on Environmental Quality, dating 1987-present. Press releases discuss programs, program changes, penalties issued to industries for violations of state environmental regulations, appointments, and upcoming events, such as a clean air day, a river cleanup day, or an environmental trade fair.

Purpose:

Press releases convey information to the general public about activities undertaken by the agency and changes in the industries the agency regulates.

Agency program:

The executive director directs operations of approximately 3,000 employees in 17 statewide offices, implementing commission policies, making recommendations to the commissioners about contested permitting and enforcement matters, and approving uncontested permit applications and registrations. The deputy executive director serves as the chief operating officer to assist the executive director in the administration of the agency.

The Agency Communications Division works to continuously improve and streamline the delivery of print and Web information to the public and within the agency. This division coordinates the agency response to all media inquiries, prepares and distributes agency news releases, and coordinates news conferences. The division also includes the agency library, and a publishing staff

that coordinates, produces, and distributes regulatory and general informational materials, both print and Web.

Arrangement: Chronological by the date of the clip.

Access constraints: None

Use constraints: Microfilm and microfiche readers needed.

Indexes or finding aids required for/or an aid to access? None

Problems: None known

Known related records in other agencies: None

Publications based on records: None

Internet pages: The new clips are posted on the website, dating 2008-present - http://www.tceq.state.tx.us/comm_exec/communication/media/

Series data from agency schedule:

Title: News Clips

Series item number: 1.1.019

Agency item number: 2820.02

Archival code: R

Retention: FE+3

Archival holdings at the Texas State Library and Archives Commission:

Texas Natural Resource Conservation Commission, *News clips, 1987-1990, 3 reels of microfilm*, [unprocessed]

Texas Natural Resource Conservation Commission, *Records, 1990-2001, 4.69 cubic ft.* - <http://www.lib.utexas.edu/taro/tslac/20076/tsl-20076.html> (includes press releases for 1993-1999)

Texas Water Board (old), *Clippings (vertical files of clippings by project), about 1954-1963, 2.5 cubic ft.* [unprocessed]

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

Press releases are an important media outlet for this agency and document changes not only in the agency, but regulatory changes in the industries TCEQ regulates. These news clips, or press releases, are archival. Change the archival code to "A." Transfer any paper records in existence at the agency and, since the Archives is not yet equipped to accept transfers of electronic records, print out paper copies of the releases back to 1996, when these were first added to the agency's website (or as far as back as electronic copies exist), and transfer these to the Archives now, then yearly thereafter. When the Archives is equipped to accept electronic record transfers we will inform the agency.

Records Series Review

Series Title: Publication Development Files

Agency: Texas Commission on Environmental Quality
Office of the Executive Director, Agency Communications, Publishing

Contact: Ken Sherry, 512-239-5634

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: Unknown

Agency holdings: Electronic, over 90 percent are PDF files, but older publications are still in Word or Word Perfect format.

Description:

Records are electronic files containing information on the development of publications produced by the Texas Commission on Environmental Quality. Includes emails from each program area to the Publishing section on rewrites, agency-wide review information, special requirements for some jobs, photographs, drawings/graphic designs, and draft versions and a final version of the publication. Publications include reports, newsletters, and brochures. Dates not provided, but data is present for all reports currently in print. Data on each publication is kept until the publication is revised or taken out of print, then the newer version supersedes it. A history of a publication can be found in the series, 2830.05, TCEQ Publications.

Purpose:

These files document that a publication was designed and produced the way in which the program area requested.

Agency program:

The executive director directs operations of approximately 3,000 employees in 17 statewide offices, implementing commission policies, making recommendations to the commissioners about contested permitting and enforcement matters, and approving uncontested permit applications and registrations. The deputy executive director serves as the chief operating officer to assist the executive director in the administration of the agency.

The Agency Communications Division works to continuously improve and streamline the delivery of print and Web information to the public and within the agency. This division coordinates the agency response to all media inquiries, prepares and distributes agency news releases, and coordinates news conferences. The division also includes the agency library, and a publishing staff

that coordinates, produces, and distributes regulatory and general informational materials, both print and Web. The Publishing Section designs, edits and produces agency publications for distribution.

Arrangement: Alphabetical/numerical.

Access constraints: Access limited to publishing employees

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None known

Known related records in other agencies: Many of the publications documented are on file with the Texas State Publications Depository Program.

Publications based on records: None

Internet pages: Final versions of many documents can be found on the agency's website, and publication development files are maintained on the agency's intranet.

Series data from agency schedule:

Title: TCEQ Publications Development Files

Series item number: 1.3.002

Agency item number: 2830.06

Archival code: R

Retention: AV

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: Many of the publications documented in this series are sent to the Texas State Publications Depository Program. The list of possible publications is too long to list.

Gaps: None known

Appraisal decision:

These files document the creation of TCEQ publications. Most of these publications are sent to the Texas State Publications Depository Program; regardless, the final copy of a publication is sufficient documentation. The only items of interest in the series for the Archives would be original photographs or drawings that would have secondary uses. Maintain the "R" on the records schedule and add a note to the Remarks Column – "Contact the State Archives to review photographs and

artwork used in publications when they have fulfilled their retention. Other materials produced in this series do not require archival review prior to disposition.”

Records Series Review

Series Title: TCEQ Publications

Agency: Texas Commission on Environmental Quality
Office of the Executive Director, Agency Communications, Publishing

Contact: Ken Sherry, 512-239-5634

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 2 - 3 cubic ft.

Agency holdings: 105.3 cubic ft.

Description:

Series contains a history of all Texas Commission on Environmental Quality publications from inception until they are taken out of print. Records include revisions and updates to each publication and a work order detailing how the job is produced. Dates not provided.

Purpose:

This series was created to track all of the agency's publications throughout their lifespan. The Publishing section can reference all versions of a publication to make updates, to check ownership or to find authors.

Agency program:

The executive director directs operations of approximately 3,000 employees in 17 statewide offices, implementing commission policies, making recommendations to the commissioners about contested permitting and enforcement matters, and approving uncontested permit applications and registrations. The deputy executive director serves as the chief operating officer to assist the executive director in the administration of the agency.

The Agency Communications Division works to continuously improve and streamline the delivery of print and Web information to the public and within the agency. This division coordinates the agency response to all media inquiries, prepares and distributes agency news releases, and coordinates news conferences. The division also includes the agency library, and a publishing staff that coordinates, produces, and distributes regulatory and general informational materials, both print and Web. The Publishing Section designs, edits and produces agency publications for distribution.

Arrangement: Alphabetical/numerical.

Access constraints: Files accessible only by the employees of the Publishing Section.

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None known

Known related records in other agencies: Many of the publications documented are on file with the Texas State Publications Depository Program.

Publications based on records: None

Internet pages: None

Series data from agency schedule:

Title: TCEQ Publications

Series item number: 1.3.001

Agency item number: 2830.05

Archival code: R

Retention: AC+2

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: Many of the publications documented in this series are sent to the Texas State Publications Depository Program. The list of possible publications is too long to list.

Gaps: None known.

Appraisal decision:

These files document changes made to TCEQ publications over a period of time. Most of these publications are sent to the Texas State Publications Depository Program; regardless, the final copy of a publication is sufficient documentation. The archival review code of "R" can be removed from the series and replaced with an archival exemption code of "E." We also recommend that the series title be changed to "TCEQ Publications Files" to clarify that they include more than just the publications themselves. If the agency intends to maintain these files over a long period of time, as they are currently doing, they need to change the retention period, which is AC+2.

Records Series Review

Series Title: Publications Database

Agency: Texas Commission on Environmental Quality
Office of the Executive Director, Agency Communications, Publishing

Contact: Ken Sherry, 512-239-5634

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: Unknown

Agency holdings: Electronic files, dates unknown

Description:

Records consist of an electronic database listing publications of the Texas Commission on Environmental Quality currently in distribution. The database gives the publication number, title, cost, year revised, etc. Dates not provided.

Purpose:

The Publishing section uses this database to generate the online catalog and to track the publications that are currently in print.

Agency program:

The executive director directs operations of approximately 3,000 employees in 17 statewide offices, implementing commission policies, making recommendations to the commissioners about contested permitting and enforcement matters, and approving uncontested permit applications and registrations. The deputy executive director serves as the chief operating officer to assist the executive director in the administration of the agency.

The Agency Communications Division works to continuously improve and streamline the delivery of print and Web information to the public and within the agency. This division coordinates the agency response to all media inquiries, prepares and distributes agency news releases, and coordinates news conferences. The division also includes the agency library, and a publishing staff that coordinates, produces, and distributes regulatory and general informational materials, both print and Web. The Publishing Section designs, edits and produces agency publications for distribution.

Arrangement: Numerical.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None known

Known related records in other agencies: None

Publications based on records: TCEQ Publications Catalog

Internet pages: The publications catalog is a searchable database available on the agency's website - http://www.tceq.state.tx.us/comm_exec/forms_pubs/search_pubs.html

Series data from agency schedule:

Title: Publications Database

Series item number: 1.3.002

Agency item number: 2830.04

Archival code: R

Retention: AV

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: Many of the publications in this catalog are on file in the Texas State Publications Depository Program.

Gaps: None known

Appraisal decision:

This is the catalog to TCEQ publications. It is a useful tool, but not an archival record. The archival review code of "R" can be removed from the series and replaced with an archival exemption code of "E."

Records Series Review

Series Title: Reports Biennial or Annual

Agency: Texas Commission on Environmental Quality
Office of the Executive Director, Intergovernmental Relations Division (IGR)

Contact: Tangela Niemann, 512-239-3786

Obsolete record series? No

Ongoing record series? Yes

Annual accumulation: Every other biennium IGR produces less than one linear ft. of records per year.

Agency holdings: Less than one linear ft. Files are paper and electronic – MS Word files.

Description:

This series contains the Legislative Wrap-Up/End of Session Report, prepared by the Intergovernmental Relations Division of the Texas Commission on Environmental Quality, dating 2008, 2010. The division is responsible for preparing and compiling data to summarize legislation that was passed by the Texas Legislature and its impact on the agency. This report is submitted to internal staff and legislators.

Purpose:

This document is a summary of legislation that has passed and that impacts the agency.

Agency program:

The executive director directs operations of approximately 3,000 employees in 17 statewide offices, implementing commission policies, making recommendations to the commissioners about contested permitting and enforcement matters, and approving uncontested permit applications and registrations. The deputy executive director serves as the chief operating officer to assist the executive director in the administration of the agency.

The Intergovernmental Relations Division (IGR) coordinates the agency response to congressional and state legislative inquiries and constituent issues, legislative initiatives, and interim committee studies affecting the agency. IGR also coordinates the agency's testimony and participation during legislative sessions and ensures that the Legislature is informed of the TCEQ's initiatives and activities. IGR serves as the agency contact for the border and Mexican government, working to resolve issues originating outside Texas that affect the border region, and coordinates agency comments on national policy issues.

Arrangement: Sections within the report are arranged by subject.

Access constraints: The documents are only accessible by the IGR Division.

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records: None

Intranet pages: Reports are available on an internal web page of the agency.

Series data from agency schedule:

Title: Reports Biennial or Annual

Series item number: 1.1.066

Agency item number: 110.22

Archival code: A

Retention: 6

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

This is an internal report that summarizes the impact of newly passed legislation on the agency.

This information should also be reported in the agency's biennial report, which would be sufficient documentation of this function; if that is the case, replace the archival code of "A" with an archival exemption code of "E." However, if this material is not summarized in the biennial report or another archival report, then these reports are considered to be archival. In that case, keep the archival code of "A" and transfer the reports to the State Archives as they meet their retention.

Records Series Review

Series Title: Reports and Studies (Executive Review/National Comments)

Agency: Texas Commission on Environmental Quality
Office of the Executive Director, Intergovernmental Relations Division (IGR)

Contact: Tangela Niemann, 512-239-3786

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: Unknown

Agency holdings: 17 ½ linear ft. Files are paper and electronic (MS Word and PDF files)

Description:

The Intergovernmental Relations Division of the Texas Commission on Environmental Quality coordinates the executive review of correspondence and similar documents that present official statements of agency position regarding national policies to the U.S. Environmental Protection Agency (EPA), Congress, federal agencies, and national organizations. Files consist of these reviews, dating 1998-present.

Purpose:

Executive reviews communicate the agency's national policy positions to the U.S. Environmental Protection Agency (EPA), Congress, federal agencies, and national organizations.

Agency program:

The executive director directs operations of approximately 3,000 employees in 17 statewide offices, implementing commission policies, making recommendations to the commissioners about contested permitting and enforcement matters, and approving uncontested permit applications and registrations. The deputy executive director serves as the chief operating officer to assist the executive director in the administration of the agency.

The Intergovernmental Relations Division (IGR) coordinates the agency response to congressional and state legislative inquiries and constituent issues, legislative initiatives, and interim committee studies affecting the agency. IGR also coordinates the agency's testimony and participation during legislative sessions and ensures that the Legislature is informed of the TCEQ's initiatives and activities. IGR serves as the agency contact for the border and Mexican government, working to resolve issues originating outside Texas that affect the border region, and coordinates agency comments on national policy issues.

Arrangement: Chronological.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages: None

Intranet pages: The Executive Review process is on the internal agency webpage.

Series data from agency schedule:

Title: Reports and Studies (Executive Review/National Comments)

Series item number: 1.1.067

Agency item number: 110.45

Archival code: R

Retention: 3

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None present prior to 1988

Appraisal decision:

The executive reviews document the agency's response and position on national policies relating to the environment and other related issues. Positions on these policies can change agency policy and direction, offering important insight to the planning process of an agency. According to staff, this information is not published anywhere, making these reviews the only record of this function. The reviews are archival. Change the archival review code of "R" to the archival code of "A," and transfer the paper copies of the files as they fulfill their retention period, which should be 1998-2007. The agency should make this a separate series under the Executive Director's Office instead of putting these reports in the generic *Reports and Studies* series.

Records Series Review

Series Title: Border Affairs

Agency: Texas Commission on Environmental Quality
Office of the Executive Director, Intergovernmental Relations Division (IGR)

Contact: Tangela Niemann, 512-239-3786

Obsolete record series? No

Ongoing record series? Yes

Annual accumulation: 7 linear ft. of paper. Most records are now electronic.

Agency holdings: 150 linear ft. Files are housed in offices and cubicles in the IGR suite in Austin, and in Regional Offices in Harlingen, Laredo, and El Paso.

Description:

The Intergovernmental Relations Division of the Texas Commission on Environmental Quality serves as the agency contact for the border and Mexican government, working to resolve issues originating outside Texas that affect the border region. This series documents work done by the IGR in that regard. Records are correspondence, reports, agendas, minutes, contact lists, background documents for meetings, documents relating to hiring and evaluations of employees, and other materials. Dates covered are about 2005 to present.

Purpose:

Records document the work of the Border Affairs Section of the IGR.

Agency program:

The executive director directs operations of approximately 3,000 employees in 17 statewide offices, implementing commission policies, making recommendations to the commissioners about contested permitting and enforcement matters, and approving uncontested permit applications and registrations. The deputy executive director serves as the chief operating officer to assist the executive director in the administration of the agency.

The Intergovernmental Relations Division (IGR) coordinates the agency response to congressional and state legislative inquiries and constituent issues, legislative initiatives, and interim committee studies affecting the agency. IGR also coordinates the agency's testimony and participation during legislative sessions and ensures that the Legislature is informed of the TCEQ's initiatives and activities. IGR serves as the agency contact for the border and Mexican government, working to resolve issues originating outside Texas that affect the border region, and coordinates agency comments on national policy issues.

Arrangement: By subject.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: It is likely that EPA, Texas cities, border states, and Mexican counterparts keep related records.

Publications based on records: Information in Border Affairs records is used in occasional reports of Border Affairs and in publications of the EPA and various Mexican agencies. Border Affairs prepares a biennial report to the Legislature on border activities and developments (not sent to the Texas State Publications Depository Program).

Internet pages: This web page contains information about the Border Affairs section - <http://www.tceq.state.tx.us/border/> . Links to a few border documents are contained within the descriptive section of this page.

Series data from agency schedule:

Title: Border Affairs

Series item number: 1.1.007

Agency item number: 2920.1 (old 2910.05)

Archival code: R

Retention: PM

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: According to agency staff, most recent cleaning of files occurred in fall of 2007 and some documents were cleaned in fall 2009. Files only go back to the mid 2000s.

Appraisal decision:

The records in this series document an important function of the agency, resolving environmental issues affecting the Texas-Mexico border region. We have appraised these records to be archival, except for the employee records. Change the archival code on the schedule from “R” to “A.” The agency has a retention period listed of PM, but staff state the files were “cleaned” in 2007 and 2009. The agency needs to re-evaluate whether these records need to remain PM with the agency. If the retention period is changed, transfer the records to the State Archives as their retention is met.

Records Series Review

Series Title: Administrative Correspondence with Executive Director

Agency: Texas Commission on Environmental Quality
Executive Office, Intergovernmental Relations Division (IGR)

Contact: Tangela Niemann, 512-239-3786

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: Unknown

Agency holdings: 21 linear ft. Copies of outgoing replies are sent to the Office of Public Assistance. Incoming letters and outgoing replies are kept on site in the IGR Division on the 4th floor of Building F. Electronic and paper copies are available for later years.

Description:

The Intergovernmental Relations Division (IGR) of the Texas Commission on Environmental Quality coordinates the agency response to congressional and state legislative inquiries and constituent issues, legislative initiatives, and interim committee studies affecting the agency. Records are correspondence between TCEQ and congressional and legislative members, dating 1999 to present.

Purpose:

Records document interaction between the agency and state and federal legislative members.

Agency program:

The executive director directs operations of approximately 3,000 employees in 17 statewide offices, implementing commission policies, making recommendations to the commissioners about contested permitting and enforcement matters, and approving uncontested permit applications and registrations. The deputy executive director serves as the chief operating officer to assist the executive director in the administration of the agency.

The Intergovernmental Relations Division (IGR) coordinates the agency response to congressional and state legislative inquiries and constituent issues, legislative initiatives, and interim committee studies affecting the agency. IGR also coordinates the agency's testimony and participation during legislative sessions and ensures that the Legislature is informed of the TCEQ's initiatives and activities. IGR serves as the agency contact for the border and Mexican government, working to resolve issues originating outside Texas that affect the border region, and coordinates agency comments on national policy issues.

Arrangement: By subject.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages: None

Series data from agency schedule:

Title: Administrative Correspondence with Executive Director

Series item number: 1.1.007

Agency item number: 2910/03

Archival code: R

Retention: AC + 3

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

This series documents correspondence of the executive office with congressmen and legislators, an important component of the agency correspondence. This correspondence has been appraised to be archival. Change the archival code to "A."

Record Series Review

Series Title: State Implementation Plan

Agency: Texas Commission on Environmental Quality
Chief Engineer's Office, Air Quality Division, State Implementation Plan (SIP) Team

Contact: Kim Hendon, SIP Team Leader, 512-239-1421

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: Not provided

Agency holdings: 57 notebook binders in office in Bldg. F.175, dating from 1974 to present. Public hearing books in another office in Bldg. F, dating from April 1994 to present.

Description:

This series documents the State Implementation Plan (SIP) under which the Texas Commission on Environmental Quality (TCEQ) operates its air quality program, through the Chief Engineer's Office. The SIP is an enforceable plan developed at the state level that explains how Texas will comply with air quality standards according to the federal Clean Air Act. The original plan was developed in 1972. Instead of rewriting the entire SIP regularly, parts of the SIP are simply revised as needed. Public hearings are held prior to the adoption of new revisions. Records include the plan (SIP), revisions, public hearing notice (from newspapers, printed on state seal paper, and from the *Texas Register*), list of newspapers and dates of publications, tearsheets from one of the newspapers, list of parties that were notified (Council of Governments, adjacent states, local programs, mayors, judges, etc.), the proposed SIP narrative, copies of all written comments, transcripts from public hearings, registration sheets from hearings, a copy of the signed adoption executive summary, the final SIP and Response to Comment, and a copy of the signed order (orders are signed by the TCEQ Commissioners). Dates covered are 1974-present.

Purpose:

Records document changes made to the State Implementation Plan.

Agency program:

The Chief Engineer's Office develops and implements statewide and regional plans, rules, strategies, and technical guidance to attain quality standards for air. This office also works with internal staff and external organizations to develop strategies to implement new legislation and review innovative technologies related to TCEQ regulatory compliance. This office also represents the agency with the Texas Board of Professional Engineers. Two divisions report to this office: Air Quality and Toxicology.

The Air Quality Division (programs are: Air Implementation Grants, Air Industrial Emissions Assessment, Air Modeling and Data Analysis, and Air Quality Planning) assesses air quality and establishes programs to meet Federal Clean Air Act requirements; analyzes trends in air quality; helps predict progress toward meeting National Ambient Air Quality Standards (NAAQS); determines the causes of high pollutant concentrations in areas that do not meet standards; and develops plans to protect and improve air quality to meet the NAAQS.

The Air Quality Planning Program coordinates the development and implementation of the State Implementation Plan (SIP) — the state's plan for air quality protection and improvement — which explains how the state will comply with federal air quality standards; performs research to identify and develop appropriate pollution control measures; develops the emissions inventory for mobile sources of air contaminants; and reviews federally funded projects such as airports, roads, and ports to ensure they comply with the SIP. It also reviews transportation projects in non-attainment areas to ensure emissions do not exceed budgets in the SIP, administers the state's Low-Emission Diesel, Low Reid Vapor Pressure Gasoline and Gasoline Vapor Recovery programs, implements several programs designed to reduce transportation-related pollution and provides flexibility and incentives for compliance with the federal Clean Air Act.

The State Implementation Plan (SIP) is an enforceable plan developed at the state level that explains how the state will comply with air quality standards according to the federal Clean Air Act. The original plan for Texas was developed in 1972. Instead of rewriting the entire SIP regularly, parts of the SIP are simply revised as needed. Revisions are necessary when new federal or state requirements are enacted, when new data improves modeling techniques, when a specific area's attainment status changes, or when an area fails to reach attainment. Public hearings are held prior to the adoption of a new revision. Revisions are typically prepared for a specific area (e.g. "Houston-Galveston SIP" or "Northeast Texas SIP"); however, sometimes SIP revisions are prepared for a particular control strategy. SIP revisions typically include an assessment of the problem and measures to fix the problem. Assessments of the situation include monitoring data, emissions inventory, and photochemical modeling; measures to "fix" problems are known as control strategies. SIP revisions typically consist of the following elements: a narrative, rules, and agreements. The narrative describes the state's plan, the need for control strategies, and the current proposed strategies. Rules are the formal declaration of the TCEQ to commit to implementing the adopted control strategy. Once the TCEQ adopts an SIP revision and the associated set of rules, they become state law immediately. Agreements are made instead of establishing a more general rule when control strategy applies to a specific plant or business.

Arrangement: Chronological.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: The SIP and revisions should also be present at the U.S. Environmental Protection Agency.

Publications based on records: None

Internet pages: The State Implementation Plan revisions are posted on the agency's website - <http://www.tceq.state.tx.us/implementation/air/sip/sipplans.html>

Series date from agency schedule:

Title: State Implementation Plan

Series item number: 1.1.024

Agency item number: 510.02

Archival code: R

Retention: PM

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: Some revisions to the SIP are present; the completeness of the coverage is unknown.

Gaps: None known

Appraisal decision:

The Texas State Implementation Plan is an enforceable plan developed at the state level that explains how Texas will comply with air quality standards according to the federal Clean Air Act. It is revised on a regular basis and is needed by TCEQ for its air quality regulatory operations. It is currently classified as a PM or permanent record and should remain as such. Change the archival review code of "R" to an archival code of "A" and add the following notes to the Remarks Section: "Revisions to the SIP sent to the Texas State Publications Depository Program will fulfill the archival requirement."

Record Series Review

Series Title: State Implementation Plan Working File

Agency: Texas Commission on Environmental Quality
Chief Engineer's Office, Air Quality Division, State Implementation Plan (SIP) Team

Contact: Kim Hendon, SIP Team Leader, 512-239-1421

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: Not provided

Agency holdings: 25 expanding folders on bookshelf in Cube 509 on 4th floor of Bldg. F.

Description:

This series documents the State Implementation Plan (SIP) under which the Texas Commission on Environmental Quality (TCEQ) operates its air quality program through the Chief Engineer's Office. The SIP is an enforceable plan developed at the state level that explains how Texas will comply with air quality standards according to the federal Clean Air Act. The original plan was developed in 1972. Instead of rewriting the entire SIP regularly, parts of the SIP are simply revised as needed. Public hearings are held prior to the adoption of new revision. Files are comprised of working or project files used to analyze and develop revisions to the SIP. Records include draft staff working documents, project timelines, concept memos, executive summaries, draft SIPs, and management briefing papers. The dates vary depending on the project and when the materials were created, but are roughly in the 1990s-present.

Purpose:

Records document changes made to the State Implementation Plan.

Agency program:

The Chief Engineer's Office (CEO) develops and implements statewide and regional plans, rules, strategies, and technical guidance to attain quality standards for air, surface water, and groundwater. Specific duties include assessing the status of air and water quality, and model outcomes of planning scenarios and comparing them against real-world results; assessing risks to human health from air and water pollution, and from polluted sites to guide their remediation; implementing plans to protect and restore air and water quality in cooperation with local, regional, state, and federal stakeholders; tracking progress toward environmental goals and adapting plans as necessary; advising the executive director and the deputy directors regarding uniform compliance with engineering standards, specifically regarding executive-level technical and policy matters; and reviewing plans, processes, permits, and regulations for scientific accuracy and feasibility. The office also coordinates activities with external organizations and internal offices to develop

strategies to implement new legislation and review innovative technologies related to TCEQ regulatory compliance.

The Air Quality Division (programs are: Air Implementation Grants, Air Industrial Emissions Assessment, Air Modeling and Data Analysis, and Air Quality Planning) assesses air quality and establishes programs to meet Federal Clean Air Act requirements; analyzes trends in air quality; helps predict progress toward meeting National Ambient Air Quality Standards (NAAQS); determines the causes of high pollutant concentrations in areas that do not meet standards; and develops plans to protect and improve air quality to meet the NAAQS.

The Air Quality Planning Program coordinates the development and implementation of the State Implementation Plan (SIP) — the state's plan for air quality protection and improvement — which explains how the state will comply with federal air quality standards; performs research to identify and develop appropriate pollution control measures; develops the emissions inventory for mobile sources of air contaminants; reviews federally funded projects such as airports, roads, and ports to ensure they comply with the SIP. It also reviews transportation projects in non-attainment areas to ensure emissions do not exceed budgets in the SIP, administers the state's Low-Emission Diesel, Low Reid Vapor Pressure Gasoline and Gasoline Vapor Recovery programs, implements several programs designed to reduce transportation-related pollution and provides flexibility and incentives for compliance with the federal Clean Air Act.

The State Implementation Plan is an enforceable plan developed at the state level that explains how the state will comply with air quality standards according to the federal Clean Air Act. The original plan for Texas was developed in 1972. Instead of rewriting the entire SIP regularly, parts of the SIP are simply revised as needed. Revisions are necessary when new federal or state requirements are enacted, when new data improves modeling techniques, when a specific area's attainment status changes, or when an area fails to reach attainment. Public hearings are held prior to the adoption of new revision. Revisions are typically prepared for a specific area (e.g. "Houston-Galveston SIP" or "Northeast Texas SIP"); however, sometimes SIP revisions are prepared for a particular control strategy. SIP revisions typically include an assessment of the problem and measures to fix the problem. Assessments of the situation include monitoring data, emissions inventory, and photochemical modeling; measures to "fix" problems are known as control strategies. SIP revisions typically consist of the following elements: a narrative, rules, and agreements. The narrative describes the state's plan, the need for control strategies, and the current proposed strategies. Rules are the formal declaration of the TCEQ to commit to implementing the adopted control strategy. Once the TCEQ adopts a SIP revision and the associated set of rules, they become state law immediately. Agreements are made instead of establishing a more general rule when control strategy applies to a specific plant or business.

Arrangement: Chronological.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: The SIP and revisions should also be present at the U.S. Environmental Protection Agency.

Publications based on records: None

Internet pages: The State Implementation Plan revisions are posted on the agency's website <http://www.tceq.state.tx.us/implementation/air/sip/siplans.html>

Series date from agency schedule:

Title: State Implementation Plan – Working File

Series item number: 1.1.024

Agency item number: 510.01

Archival code: R

Retention: PM

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: Some revisions to the SIP are present; the completeness of the coverage is unknown.

Gaps: None known

Appraisal decision:

The Texas State Implementation Plan is an enforceable plan developed at the state level that explains how Texas will comply with air quality standards according to the federal Clean Air Act. It is revised on a regular basis and is needed by TCEQ for its air quality regulatory operations. This series consists of working files used to develop revisions to the plan. The series is currently classified as a PM or permanent record and should remain as such. Revisions are posted on the agency's website and some are published. We do not need the working files. The archival review code of "R" can be removed and replaced with the archival exemption code of "E."

Records Series Review

Series Title: Texas Alternative Fuel Fleet

Agency: Texas Commission on Environmental Quality
Chief Engineer's Office, Air Quality Division

Contact: Santos Olivarez, 512-239-4718

Obsolete record series? This series is closed.

Ongoing record series? No
Annual accumulation: Not provided

Agency holdings: Two file boxes.

Description:

Files document the Texas Alternative Fuel Fleet Program, a defunct program formerly operated by the Chief Engineer's Office of the Texas Commission on Environmental Quality. Letters were sent annually to fleet managers in non-attainment areas reminding them to submit clean fleet reports. Records are reports submitted by fleet managers for the duration of the program. There were only 253 fleets that were required to report annually. The last reports were submitted in 2005. TCEQ/TNRCC completed two status reports on the program, in December 2000 and December 2002. Overall dates are about 2000-2005.

Purpose:

Records used to affirm compliance with the Clean Fleet program, and where requested and appropriate, to assess reduction credits. All reduction credits have expired.

Agency Program:

The Chief Engineer's Office develops and implements statewide and regional plans, rules, strategies, and technical guidance to attain quality standards for air. This office also works with internal staff and external organizations to develop strategies to implement new legislation and review innovative technologies related to TCEQ regulatory compliance. This office also represents the agency with the Texas Board of Professional Engineers. Two divisions report to this office: Air Quality and Toxicology.

The Air Quality Division (programs are: Air Implementation Grants, Air Industrial Emissions Assessment, Air Modeling and Data Analysis, and Air Quality Planning) assesses air quality and establishes programs to meet Federal Clean Air Act requirements; analyzes trends in air quality; helps predict progress toward meeting National Ambient Air Quality Standards (NAAQS); determines the causes of high pollutant concentrations in areas that do not meet standards; and develops plans to protect and improve air quality to meet the NAAQS.

The Air Quality Planning Program coordinates the development and implementation of the State Implementation Plan (SIP) — the state’s plan for air quality protection and improvement — which explains how the state will comply with federal air quality standards; performs research to identify and develop appropriate pollution control measures; develops the emissions inventory for mobile sources of air contaminants; and reviews federally funded projects such as airports, roads, and ports to ensure they comply with the SIP. It also reviews transportation projects in non-attainment areas to ensure emissions do not exceed budgets in the SIP, administers the state’s Low-Emission Diesel, Low Reid Vapor Pressure Gasoline and Gasoline Vapor Recovery programs, implements several programs designed to reduce transportation-related pollution and provides flexibility and incentives for compliance with the federal Clean Air Act.

The Federal Clean Air Act Amendments of 1990 required states to either adopt the Federal Clean Fuel Fleet Program or implement a program that demonstrated reductions in emissions equal to those achieved under the FCFE Program. The FCFE Program mandated increasing percentages of low-emission vehicles purchased for the affected fleets. In 1994 the State of Texas opted out of the FCFE Program in order to implement a fleet emission-control program designed by the state. In 2005 Senate Bill 1032 (79th Texas Legislature, Regular Session), repealed the Texas Clean Fleet Program in its entirety. On April 26, 2006, the commission adopted the repeal of the Texas Clean Fleet program implementing provisions of SB1032.

Arrangement: Chronological by date of report.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: *Guidelines for Texas Clean Fleet Program* (TCEQ item numbers RC321 and RG 322). Last published in 2004.

Internet pages: Information about the program is on the agency’s website - <http://www.tceq.state.tx.us/implementation/air/sip/apr2006txled.html>

Series data from agency schedule:

Title: Texas Alternative Fleet

Series item number: 1.1.067

Agency item number: 510.23

Archival code: R

Retention: AC +5

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: *Texas Clean Fleet Program: guidelines for exception applications*, 2000, 2004; *Texas Clean Fleet Program: guidelines for vehicle emission credits*, 2000, 2004; *Texas Clean Fleet Program: guidelines for private and local government fleets*, 2000, 2004

Gaps: None known

Appraisal decision:

These are records from a defunct regulatory program which has been somewhat documented in reports and guidelines produced by the TCEQ. If the agency will send copies of the status reports, in paper, to the Publications Depository, that will satisfy any reporting requirements. The series has been appraised as non-archival. The retention of these records expires in 2010 and the next retention schedule is due out in 2011, so this series can be removed from the schedule. If the agency decides to maintain the records past 2010, then the archival review code of "R" can be removed from the series and replaced with the archival exemption code of "E".

Records Series Review

Series Titles: Air Emissions Inventory (1990 Baseline Year, 8-Hour Baseline Year 2002)

Agency: Texas Commission on Environmental Quality
Chief Engineer's Office, Air Quality Division

Contact: Rhonda Scott, 512-239-2553

Obsolete record series? No

Ongoing record series? Yes, but it is not an active series.
Annual accumulation: None

Agency holdings: 40 reels of microfilm + 1 small box and 2 envelopes of microfiche, 1990; 6.25 cubic ft. of oversize materials, 1990. Non-confidential files are on microfilm; confidential materials are on microfiche.

Description:

These files document the baseline air inventory done by the Chief Engineer's Office of the Texas Commission on Environmental Quality in 1990 and an 8-hour baseline test done in 2002. Records are emissions inventories reports, correspondence, calculations, maps, raw data, etc. from owners and/or operators of a facility to explain the emission totals coming from the facility. The data is summarized in the report and signed by the owner/operator taking responsibility for the data collected. Data is still collected today, documented in a different series at the agency, series 510.07, *Annual Emissions Inventory (Non-Baseline Years)*.

Oversize documents, including maps, printouts, large charts, etc., are filed separately, in series 510.06; confidential materials are filed separately, in series 510.29; both are described in this series review.

Purpose:

TCEQ used the baseline emissions inventory to plan pollution control programs, develop the SIP, promote compliance with laws and regulations, conduct permit reviews, develop air shed modeling and rulemaking activities, and supply required data to the U.S. Environmental Protection Agency.

Agency program:

The Air Quality Division (programs are: Air Implementation Grants, Air Industrial Emissions Assessment, Air Modeling and Data Analysis, and Air Quality Planning) assesses air quality and establishes programs to meet Federal Clean Air Act requirements; analyzes trends in air quality; helps predict progress toward meeting National Ambient Air Quality Standards (NAAQS); determines the causes of high pollutant concentrations in areas that do not meet standards; and develops plans to protect and improve air quality to meet the NAAQS.

Air Emissions Inventory Section – As part of national and state efforts to protect human health and the environment, federal and state laws require companies to prepare and submit an annual emissions inventory (EI) detailing the actual annual emissions of the air pollutants released at their sites. The TCEQ is authorized to request emissions inventories and supporting documentation under the provisions of: Title 40, Code of Federal Regulations (CFR), Part 51; federal Clean Air Act; Title 30 of the Texas Administrative Code (TAC), Section 101.10; and Texas Clean Air Act, Texas Health and Safety Code, Section 382.014. The TCEQ uses the emissions inventory to plan pollution control programs, develop the State Implementation Plan, promote compliance with laws and regulations, conduct permit reviews, develop air shed modeling and rulemaking activities, and supply required data to the U.S. Environmental Protection Agency.

Arrangement: Numerical by account number then alphabetical.

Access constraints: Some materials are confidential under the Texas Health and Safety Code, Section 382.041. TCEQ staff may not disclose information submitted to the Commission relating to secret processes or methods of manufacture or production that is identified as confidential when submitted.

Use constraints: Microfilm and microfiche readers needed.

Indexes or finding aids required for/or an aid to access? Each reel of film is labeled with the corresponding start and end accounts for the reel.

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: Air Emissions Inventory (1990 Baseline Year, 8-Hour Baseline Year 2002)

Series item number: 1.1.024

Agency item number: 0510.05

Archival code: R

Retention: PM

Title: Air Emissions Inventory (1990 Baseline Year, 8-Hour Baseline Year 2002),

Confidential

Series item number: 1.1.024

Agency item number: 0510.29

Archival code: R

Retention: PM

Title: Air Emissions Inventory – oversize documents, maps, and photos (1990
Baseline Year)

Series item number: 1.1.024

Agency item number: 0510.06

Archival code: R

Retention: PM

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

This review covers three series with records regarding baseline air emissions inventories compiled in 1990 and 2002 by TCEQ. The agency feels this function needs permanent retention because it is the base line for later inventories gathered. We agree to the importance of this particular inventory and have determined it will be needed at the agency permanently. All three series have archival value. Change the archival code from “R” to “A” for all series.

The collection of inventories from facilities and compilation of an annual inventory from TCEQ continues, as part of series 0510.07. That series documents air emissions on a yearly basis and some of this data is summarized in annual reports of the agency, which are archival. We are not reviewing this particular series for this appraisal report, it can retain its non-archival status.

Records Series Review

Series Title: Air Emissions and Inspection Fee Files

Agency: Texas Commission on Environmental Quality
Chief Engineer's Office, Air Quality Division

Contact: Rhonda Scott, 512-239-2553

Obsolete record series? No

Ongoing record series? Yes

Annual accumulation: 31.25 cubic ft. of paper files and 8-9 reels of microfilm per year

Agency holdings: 93.75 cubic ft. of paper plus unknown number of microfilm reels (likely over 50 reels).

Description:

The Chief Engineer's Office of the Texas Commission on Environmental Quality collects annual air emission and air inspection fees as part of their air emissions program. Major companies or industrial sources are required to submit air inventory data, including entities located in a non-attainment ozone area and that emit 10 tons per year of volatile organic compounds, 25 tons per year of nitrogen oxides, or 100 tons per year of any other contaminant subject to the National Ambient Air Quality Standards; entities that emit or have the potential to emit 100 tons per year or more of any contaminant; and entities that emit or have the potential to emit 10 tons of any single or 25 tons of aggregate hazardous air pollutants. Minor industrial sources are subject to special inventories. Records are reports, correspondence, and raw data, dating about 1990 to present. The correspondence has contact and site information for the regulated entity and a basis for determining the amount of the air emissions and inspection fees. There are also copies of letters to the correspondents informing them that the program area conducted an audit of their self-reported information and the correspondent's response to audits performed. Correspondents include company owners/operators, federal agencies, and local municipalities. The program area will provide a standard form for each correspondent. It is the responsibility of the correspondent to prepare and provide the raw data for the site and contact information, documentation of whether they are subject to being assessed an air emission and/or inspection fee as well as the basis for determining what the amount of the fee will be. The inspection fee is based on the standard industrial classification code for the processes and plants being operated by the correspondent. The emissions fee is based on the amount of regulated pollutants emitted into the atmosphere.

There are two series of reports present in these records, *Contaminant Summary Report* and *Emissions Fee Audit Reconciliation Report*. A report is generated by the program area to identify the regulated pollutants in the self-reported point source emissions inventory. The data from this

report is included in a report generated by the program area to reconcile the self-reported emissions fee data to the self-reported emissions inventory data.

Purpose:

Records document entities in compliance with air emission/air inspection fee rules.

Agency program:

The Chief Engineer's Office develops and implements statewide and regional plans, rules, strategies, and technical guidance to attain quality standards for air. This office also works with internal staff and external organizations to develop strategies to implement new legislation and review innovative technologies related to TCEQ regulatory compliance. This office also represents the agency with the Texas Board of Professional Engineers. Two divisions report to this office: Air Quality and Toxicology.

The Air Quality Division (programs are: Air Implementation Grants, Air Industrial Emissions Assessment, Air Modeling and Data Analysis, and Air Quality Planning) assesses air quality and establishes programs to meet Federal Clean Air Act requirements; analyzes trends in air quality; helps predict progress toward meeting National Ambient Air Quality Standards (NAAQS); determines the causes of high pollutant concentrations in areas that do not meet standards; and develops plans to protect and improve air quality to meet the NAAQS.

As part of the air emissions responsibilities the TCEQ collects two annual air program fees—an air emissions fee and an air inspection fee. The fees are collected each fiscal year (September 1–August 31). The air emissions fee was originally adopted in fiscal 1992. This fee is based on the tons of pollution emitted during the last full calendar year. The authority to collect this fee is granted under Texas Health and Safety Code Section 382.0621, and the administration of this fee is described in Title 30, Texas Administrative Code, Section 101.27. The emissions fee is collected to cover the direct and indirect costs of operating the Title IV and V programs related to the Federal Clean Air Act Amendments of 1990. The air inspection fee was authorized in 1985 and its collection began in fiscal 1986. The inspection fee is based on the Standard Industrial Classification (SIC) code at an affected regulated facility. The authority to collect this fee is granted in Texas Health and Safety Code 382.062, and the administration of the fee is described in 30 TAC 101.24. The inspection fee is collected to recover the costs of reviewing air permit applications, inspecting regulated facilities that fall under the jurisdiction of the TCEQ, and enforcing the permits, rules, and orders adopted by the TCEQ.

Arrangement: Alphabetical by account number then numerical

Access constraints: Confidential and non-confidential mixed until 2005

Use constraints: Need a microfilm reader for the filmed materials.

Indexes or finding aids required for/or an aid to access? Each reel of film is labeled with the corresponding start and end accounts for the reel.

Problems: None

Known related records in other agencies: None

Publications based on records: Two internal reports: *Contaminant Summary Report* and *Emissions Fee Audit Reconciliation Report*.

Internet pages: The air emissions and inspection fee form is on the agency's website at <http://www.tceq.state.tx.us/assets/public/implementation/air/ie/pseiforms/feebasisform.pdf>.

Series data from agency schedule:

Title: Air Emissions and Inspection Fee Files

Series item number: 1.1.024

Agency item number: 0510.08

Archival code: R

Retention: CE+10

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

This series documents the collection of air emissions and inspection fee data submitted by companies. Fee data does not have archival value. Remove the archival review code of "R" and replace it with the archival exemption code of "E."

Records Series Review

Series Title: Air Studies

Agency: Texas Commission on Environmental Quality
Chief Engineer's Office, Air Quality Division

Contacts: Stephen B. Davis, sdavis@tceq.state.tx.us, 512-239-1412
Val Stewart, vstewart@tceq.state.tx.us, 512-239-2376

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: Not provided

Agency holdings: Files are maintained electronically (PDF files), but are available in paper printouts on request.

Description:

Records are reports, papers and presentations from special air quality studies conducted and sponsored by the Air Quality Division of the Chief Engineer's Office, Texas Commission on Environmental Quality. Studies include State Air Control Plans, a general plan, and a comprehensive plan prepared and developed by the agency for proper control of the state's air. Another study is the Texas Air Quality Field Study II (TexAQS II), a comprehensive research initiative to better understand the causes of air pollution. Reports from special air quality studies are either used directly or referred to as part of the technical support needed to update state plans. Dates covered are 2000-present. Air studies are authorized through General Appropriations Act as riders or line items in agency budget. This series is closely tied to the series *Air reports – external*, series 510.16.

Purpose:

Records are used to support State Implementation Plan development and compliance with Texas Health and Safety Code, Sec. 382.012.

Agency program:

The Chief Engineer's Office develops and implements statewide and regional plans, rules, strategies, and technical guidance to attain quality standards for air. This office also works with internal staff and external organizations to develop strategies to implement new legislation and review innovative technologies related to TCEQ regulatory compliance. This office also represents the agency with the Texas Board of Professional Engineers. Two divisions report to this office: Air Quality and Toxicology.

The Air Quality Division (programs are: Air Implementation Grants, Air Industrial Emissions Assessment, Air Modeling and Data Analysis, and Air Quality Planning) assesses air quality and establishes programs to meet Federal Clean Air Act requirements; analyzes trends in air quality; helps predict progress toward meeting National Ambient Air Quality Standards (NAAQS); determines the causes of high pollutant concentrations in areas that do not meet standards; and develops plans to protect and improve air quality to meet the NAAQS.

The State Implementation Plan (SIP) is an enforceable plan developed at the state level that explains how the state will comply with air quality standards according to the federal Clean Air Act. The original plan for Texas was developed in 1972. Instead of rewriting the entire SIP regularly, parts of the SIP are simply revised as needed. Revisions are necessary when new federal or state requirements are enacted, when new data improves modeling techniques, when a specific area's attainment status changes, or when an area fails to reach attainment. Public hearings are held prior to the adoption of new revision. Revisions are typically prepared for a specific area (e.g. "Houston-Galveston SIP" or "Northeast Texas SIP"); however, sometimes SIP revisions are prepared for a particular control strategy. SIP revisions typically include an assessment of the problem and measures to fix the problem. Assessments of the situation include monitoring data, emissions inventory, and photochemical modeling; measures to "fix" problems are known as control strategies. SIP revisions typically consist of the following elements: a narrative, rules, and agreements. The narrative describes the state's plan, the need for control strategies, and the current proposed strategies. Rules are the formal declaration of the TCEQ to commit to implementing the adopted control strategy. Once the TCEQ adopts a SIP revision and the associated set of rules, they become state law immediately. Agreements are made instead of establishing a more general rule when control strategy applies to a specific plant or business.

Arrangement: Unknown

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None known

Known related records in other agencies: None

Publications based on records: Studies, according to TCEQ staff, have not been published; just made available on the agency's website.

Internet pages based on records: One of the field studies documented on the agency's website is the Texas Air Quality Field Study II (TexAQS II) –

<http://www.tceq.state.tx.us/nav/eq/texaqsII.html> . The research and contract air study reports are available on the agency's website at - http://www.tceq.state.tx.us/nav/eq/eq_air_reports.html

Series data from agency schedule:

Title: Air Studies

Series item number: 1.1.065

Agency item number: 0510.15

Archival code: R

Retention: 10

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

Studies described in this series were prepared to support air quality initiatives within the State Implementation Plan (SIP) and to comply with air quality regulations in the Texas Health and Safety Code, Sec. 382.012. According to agency staff, none of the studies have been published but are available on the agency's website. Revisions to the SIP, which would incorporate changes made as a result of these studies, are published and disseminated through the Texas State Publications Depository Program. The studies serve as supporting documentation for changes made to the SIP and have been appraised to be archival. Change the archival code to "A."

Records Series Review

Series Title: Air Reports - External

Agency: Texas Commission on Environmental Quality
Chief Engineer's Office, Air Quality Division

Contacts: Stephen B. Davis, sdavis@tceq.state.tx.us, 512-239-1412
Val Stewart, vstewart@tceq.state.tx.us, 512-239-2376

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: Not provided

Agency holdings: TCEQ Bldg. E, Third Floor – paper files, 1995-1999, electronic files (PDF), 2000-present. Paper copies of the electronic files are available on request.

Description:

Records are reports, papers and presentations created by the Air Quality Division of the Chief Engineer's Office, Texas Commission on Environmental Quality, dating 1995-present. These air reports and reports from special air quality studies are either used directly or referred to as part of the technical support needed to update the State Implementation Plan (SIP) and other air quality planning activities. This series is closely tied to the series *Air studies*, series 510.15.

Purpose:

Records used to support State Implementation Plan development and other state air quality planning activities and public information regarding air quality studies conducted using state funds.

Agency program:

The Chief Engineer's Office develops and implements statewide and regional plans, rules, strategies, and technical guidance to attain quality standards for air. This office also works with internal staff and external organizations to develop strategies to implement new legislation and review innovative technologies related to TCEQ regulatory compliance. This office also represents the agency with the Texas Board of Professional Engineers. Two divisions report to this office: Air Quality and Toxicology.

The Air Quality Division (programs are: Air Implementation Grants, Air Industrial Emissions Assessment, Air Modeling and Data Analysis, and Air Quality Planning) assesses air quality and establishes programs to meet Federal Clean Air Act requirements; analyzes trends in air quality; helps predict progress toward meeting National Ambient Air Quality Standards (NAAQS); determines the causes of high pollutant concentrations in areas that do not meet standards; and develops plans to protect and improve air quality to meet the NAAQS.

The State Implementation Plan (SIP) is an enforceable plan developed at the state level that explains how the state will comply with air quality standards according to the federal Clean Air Act. The original plan for Texas was developed in 1972. Instead of rewriting the entire SIP regularly, parts of the SIP are simply revised as needed. Revisions are necessary when new federal or state requirements are enacted, when new data improves modeling techniques, when a specific area's attainment status changes, or when an area fails to reach attainment. Public hearings are held prior to the adoption of new revision. Revisions are typically prepared for a specific area (e.g. "Houston-Galveston SIP" or "Northeast Texas SIP"); however, sometimes SIP revisions are prepared for a particular control strategy. SIP revisions typically include an assessment of the problem and measures to fix the problem. Assessments of the situation include monitoring data, emissions inventory, and photochemical modeling; measures to "fix" problems are known as control strategies. SIP revisions typically consist of the following elements: a narrative, rules, and agreements. The narrative describes the state's plan, the need for control strategies, and the current proposed strategies. Rules are the formal declaration of the TCEQ to commit to implementing the adopted control strategy. Once the TCEQ adopts a SIP revision and the associated set of rules, they become state law immediately. Agreements are made instead of establishing a more general rule when control strategy applies to a specific plant or business.

Arrangement: Unknown

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None known

Known related records in other agencies: None

Publications based on records: According to agency staff, these reports have not been published, just made available on the agency's website.

Internet pages: The research and contract air study reports are available on the agency's website at - http://www.tceq.state.tx.us/nav/eq/eq_air_reports.html

Series data from agency schedule:

Title: Air reports - external

Series item number: 1.1.067

Agency item number: 0510.16

Archival code: R

Retention: AV

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

Studies described in this series were prepared to support State Implementation Plan development and other state air quality planning activities. According to agency staff, none of the studies have been published but are available on the agency's website. Revisions to the SIP, which would incorporate changes made as a result of these studies, are published and disseminated through the Texas State Publications Depository Program. The studies serve as supporting documentation for changes made to the SIP and have been appraised to be archival. Change the archival code to "A."

Records Series Review

Series Title: Stage II Vapor Recovery

Agency: Texas Commission on Environmental Quality
Chief Engineer's Office, Air Quality Division, Air Quality Planning

Contact: Koy Howard, 512-239-2306

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 1.25 cubic ft.

Agency holdings: 7.50 cubic ft.

Description:

The Stage II Vapor Recovery program is operated by the Chief Engineer's Office of the Texas Commission on Environmental Quality. Vehicle refueling facilities in counties requiring Stage II Vapor Recovery can apply for an exemption from the program if construction began before November 15, 1992, and monthly throughput is less than 10,000 gallons of gasoline. Records are Stage II Vapor Recovery Exemption Confirmation forms sent in by companies to the agency requesting exemptions, dating 2000-present. Approximately 400 companies submit the forms each year. The forms have the company's name, date of the original construction of the permanent gasoline dispensing equipment, owner certification and signature, and the basis for claim for the exemption.

Purpose:

The forms track exemptions requested within the Stage II Vapor Recovery program under 30 Texas Administrative Code, Section 115.247.

Agency program:

The Chief Engineer's Office develops and implements statewide and regional plans, rules, strategies, and technical guidance to attain quality standards for air. This office also works with internal staff and external organizations to develop strategies to implement new legislation and review innovative technologies related to TCEQ regulatory compliance. This office also represents the agency with the Texas Board of Professional Engineers. Two divisions report to this office: Air Quality and Toxicology.

The Air Quality Division (programs are: Air Implementation Grants, Air Industrial Emissions Assessment, Air Modeling and Data Analysis, and Air Quality Planning) assesses air quality and establishes programs to meet Federal Clean Air Act requirements; analyzes trends in air quality; helps predict progress toward meeting National Ambient Air Quality Standards (NAAQS);

determines the causes of high pollutant concentrations in areas that do not meet standards; and develops plans to protect and improve air quality to meet the NAAQS.

The Air Quality Planning Program coordinates the development and implementation of the State Implementation Plan (SIP) — the state’s plan for air quality protection and improvement — which explains how the state will comply with federal air quality standards; performs research to identify and develop appropriate pollution control measures; develops the emissions inventory for mobile sources of air contaminants; and reviews federally funded projects such as airports, roads, and ports to ensure they comply with the SIP. It also reviews transportation projects in non-attainment areas to ensure emissions do not exceed budgets in the SIP; and administers the state’s Low-Emission Diesel, Low Reid Vapor Pressure Gasoline and Gasoline Vapor Recovery programs. It also implements several programs designed to reduce transportation-related pollution and programs and provides flexibility and incentives for compliance with the federal Clean Air Act.

The federal Clean Air Act includes several program requirements for areas not meeting the national ambient air quality standards. Stage I and Stage II Vapor Recovery are two strategies helping Texas achieve its goals for air quality under its State Implementation Plan. Stage I vapor recovery is a control strategy to capture gasoline vapors that are released when gasoline is delivered to a storage tank. The vapors are returned to the tank truck as the storage tank is being filled with fuel, rather than released to the ambient air. Stage II is the control strategy that captures gasoline vapors when a vehicle is being fueled at the pump. The vapors are returned through the pump hose to the petroleum storage tank instead of being released into the air. On some vehicles, Stage II vapor-recovery systems help capture up to 95 percent of harmful gasoline vapors that may otherwise be released to the atmosphere. Under Stage II requirements gasoline-dispensing facilities located in the 16 counties in these ozone non-attainment areas—**Houston-Galveston Area:** Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller counties; **Beaumont–Port Arthur Area:** Hardin, Jefferson, and Orange counties; **El Paso Area:** El Paso County; **Dallas–Fort Worth Area:** Collin, Dallas, Denton, and Tarrant counties--- must be equipped with Stage I and Stage II vapor-recovery equipment to control emissions of volatile organic compounds. Some facilities may be exempt from the rules if construction began before November 15, 1992, and monthly throughput is less than 10,000 gallons of gasoline. They can apply for an exemption to the TCEQ.

Arrangement: Chronological, then by facility number.

Access constraints: None.

Use constraints: None

Indexes or finding aids required for/or an aid to access? Each file is labeled with the corresponding Facility Identification number.

Problems: None

Known related records in other agencies: TCEQ's Office of Compliance and Enforcement keeps copies of Stage II Vapor Recovery Test Observations, Test Results, Notices of Violation, and Enforcement Actions.

Publications based on records: None

Internet pages based on records: A copy of the exemption form and rules for applying are on the website of the agency at http://www.tceq.texas.gov/airquality/mobilesource/vapor_recovery.html.

Series data from agency schedule:

Title: Stage II Vapor Recovery
Series item number: None
Agency item number: 510.27
Archival code: R

Retention: US

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

This series documents companies that request exemptions from the Stage II Vapor Recovery rules. This function is not significant enough in the overall structure of the agency to warrant archival retention of these files. This series is appraised as non-archival. Replace the archival code "R" with the archival exemption code of "E."

Records Series Review

Series Title: Request for Comments (NSR Permit Program)

Agency: Texas Commission on Environmental Quality
Chief Engineer's Office, Toxicology Division

Contact: Mary Lively, 512-239-1454

Obsolete record series: No

Ongoing record series? Yes
Annual accumulation: 8 linear inches.

Agency holdings: Official records housed in the Air Permits section, Office of Air, series 6101.01.

Description:

The Toxicology Division only keeps convenience copies of the requests for comments. See review for series 6101.01, *Air Permits*.

Purpose:

These records are maintained as convenience copies, they are not the copy of record.

Agency program:

The Chief Engineer's Office develops and implements statewide and regional plans, rules, strategies, and technical guidance to attain quality standards for air. This office also works with internal staff and external organizations to develop strategies to implement new legislation and review innovative technologies related to TCEQ regulatory compliance. This office also represents the agency with the Texas Board of Professional Engineers. Two divisions report to this office: Air Quality and Toxicology.

The Toxicology Division helps focus TCEQ resources on areas with the greatest potential risks by assessing risks to human health from exposure to environmental pollutants and reviewing models, data, assessments, permits, and cleanup plans for possible risks to human health, and estimating their effects on overall air and water quality.

Arrangement: N/A

Access constraints: N/A

Use constraints: N/A

Indexes or finding aids required for/or an aid to access? N/A

Problems: N/A

Known related records in other agencies: N/A

Publications based on records: N/A

Internet pages: N/A

Series data from agency schedule:

Title: Request for Comments

Series item number:

Agency item number: 520.02

Archival code: R

Retention: AC + 8

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

The record copies of the comments on the NSR permit program are kept in the *Air Permits* series, item number 6101.01. According to staff, the comments found in this series, 520.02, are convenience copies only. Series holding only convenience copies do not need to be listed on the retention schedule. This series can be removed from the schedule.

Records Series Review

Series Title: National Dioxin Study

Agency: Texas Commission on Environmental Quality
Chief Engineer's Office, Toxicology Division

Contact: None

Appraised by: Laura K. Saegert, July 27, 2005 (report slightly modified August 4, 2011)

Obsolete record series? Yes

Ongoing record series? No

Agency holdings: 3 cubic ft. of records stored at the State Records Center (these have since been transferred to the State Archives).

Description:

Records document the work of the Texas Department of Water Resources (TDWR) as a partner in a national dioxin study conducted under the auspices of the U.S. Environmental Protection Agency (EPA). Records are correspondence, memoranda, draft of the proposed study, notes, project manuals, project plans, case studies, the Texas work plan, agenda and supporting documents from EPA/TDWR meetings, fact sheets, TDWR grant application, expenditure requisitions, landowner notification letters, questionnaires, status reports on test results, site specific sampling plans and reports of results, shipment records of samples tested, notebook – a record of the study samples at the sites, slides, negatives, and photographs. Dates covered are 1983-1988, the bulk dating 1984-1985. Topics covered include comments on the proposed national dioxin study strategy, goals and implementation of the Texas work plan, administration of the study, sampling procedures, and test results. Correspondents include the Texas Department of Water Resources, the Environmental Protection Agency, other federal agencies, contractors, the Texas Health Department, laboratories where testing was done, land owners, and the facilities tested.

Purpose:

The national dioxin study provided a framework under which the EPA proposed to investigate and address dioxin contamination and its effects on human health and the environment. The Texas Department of Water Resources worked within this framework to carry out testing on sites in Texas.

Agency Program:

The Chief Engineer's Office develops and implements statewide and regional plans, rules, strategies, and technical guidance to attain quality standards for air. This office also works with internal staff and external organizations to develop strategies to implement new legislation and

review innovative technologies related to TCEQ regulatory compliance. This office also represents the agency with the Texas Board of Professional Engineers. Two divisions report to this office: Air Quality and Toxicology.

Historical Sketch – National Dioxin Study and the Texas work plan

In December 1983 the U.S. Environmental Protection Agency issued a national strategy for investigating, identifying and cleaning up sites contaminated by dioxin. Focus was on “2,3,7,8-tetra-chlorodibenzo-p-dioxin (TCDD),” considered to be the most toxic of the 75 dioxin isomers. The U.S. Office of Water Regulations and Standards developed a two-year plan for investigating and sampling dioxin at specific processing sites where pesticides possibly contaminated with dioxins were handled or disposed. The plan also included additional sampling at sites where possibly contaminated pesticides had been or were being used and at sites that represented background conditions.

The Texas work plan for this study was designed to provide samples that were the basis for the study. The testing and analysis was carried out the Texas Department of Water Resources with some assistance by the Texas Department of Health in one part of the study. The plan had three activities.

- Tier three investigations – sampling of six sites where pesticides potentially contaminated with TCDD were formulated, blended, repackaged, or otherwise handled prior to commercial distribution.
- Tier six investigations – sampling of organic chemical producers who manufactured one or more products whose production would not normally lead to the formation of 2,3,7,8-TCDD but could create this TCDD under unusual or poorly controlled operating conditions.
- Tier seven investigations – fish sampling at 18 sites to determine background levels of 2,3,7,8-TCDD. The Texas Department of Health assisted with this sampling project.

Arrangement: Files are generally arranged by topic.

Access constraints: None known

Use constraints: None

Problems: None known

Known related records in other agencies: Records of the national study should be with the Environmental Protection Agency. It is unknown how much duplication of the Texas studies might be present with the EPA. I checked the National Archives website and did not find that it holds any records of this study, so I think the records that exist are still with the EPA.

Records of fish sampling results may also be available at the Texas Department of Health.

Publications based on records: *National dioxin study: report to Congress*. United States, Environmental Protection Agency, Office of Solid Waste and Emergency Response, 1987

National dioxin study: tiers 3, 5, 6, and 7, United States, Environmental Protection Agency, 1987

The National dioxin study: tiers 3, 5, 6, and 7, final draft report, United States, Environmental Protection Agency, Office of Water Regulations and Standards, 1986.

Additional publications exist, primarily project manuals, sampling procedure manuals, and site-specific test results. The first two reports listed above, which are comprehensive reports, are only present at the TCEQ library and do not show up the documents holdings of the Texas State Library.

Series data from agency schedule:

Title: National Dioxin Study

Series item number: 1.1.065

Agency item number: 2100.04

Archival code: None

Retention: AC + 10

Archival holdings at the Texas State Library and Archives Commission:

The records described were transferred to the State Archives after the appraisal.

Texas Department of Water Resources, *National Dioxin Study, 1989, 3 cubic ft.* [unprocessed]

Texas Documents Collection holdings: None, just national publications.

Gaps: None known.

Appraisal decision:

This series did not have an archival code but we decided to review it based on the topic of the study. It was reviewed in 2005, when the records came up for disposal at the State Records Center due to their retention period having expired. The files document the work by the Texas Department of Water Resources (predecessor to TCEQ) in the national dioxin study, both the administration of the project and the actual testing procedures and results. It is likely a summary of this information is published somewhere, possibly in the EPA report, *National dioxin study: Report to Congress*, 1987. However, that report must have had a narrow distribution as the State Library does not have a copy of it or of several of the other reports. That report and others are only at the TCEQ Library. We felt this was an important study and without proof that the pertinent information about Texas is reported sufficiently we decided to appraise these records as archival. The records were transferred to the State Archives in 2005. TCEQ can remove this series from the records retention schedule.

Records Series Review

Series Title: Texas Risk Combustion Model and Documentation

Agency: Texas Commission on Environmental Quality
Chief Engineer's Office, Toxicology Division

Contact: Mary Lively, 512-239-1454

Obsolete record series: Yes
Replaced by: None

Ongoing record series? No
Annual accumulation: None

Agency holdings: Electronic files plus 3 notebooks (paper files documenting input parameters used in the Excel files) in cube 399, 4th floor, Bldg. F. (Excel files stored on the I/Toxic drive along with Microsoft Word document files of memorandums). Records are dated 1998-2007.

Description:

The Toxicology Division of the Chief Engineer's Office, Texas Commission on Environmental Quality, used the Texas Risk Combustion "model" to calculate direct risks (via the inhalation pathway) and indirect risks (via incidental ingestion of contaminated soil, ingestion of contaminated vegetables, cattle, and fish) and thereby conduct risk assessments for facilities combusting hazardous waste. A combustion risk assessment needed to be conducted so these facilities could obtain hazardous waste permits to combust hazardous waste. The model was a series of very complex equations/calculations in Excel and contained over 150 different interrelated calculations evaluating potential exposure and the risks and hazards that may have resulted from exposure. There were over 75 input parameters needed in the equations and calculations. The Excel file performed the calculations, and then had a results file that contained the results of the calculations. The paper files contain the verification/support for the input parameters. Each facility that burned hazardous waste was evaluated separately with different input parameters and separate Excel files.

Combustion risk assessments were conducted between 1998 and 2007. Toxicology staff have not conducted or reviewed a combustion risk assessment since 2007. Toxicology staff will not conduct any more combustion risk assessments as the model is outdated and does not reflect current science.

Purpose:

Combustion risk assessments were conducted so facilities could obtain hazardous waste permits to combust hazardous waste.

Agency program:

The Chief Engineer's Office develops and implements statewide and regional plans, rules, strategies, and technical guidance to attain quality standards for air. This office also works with internal staff and external organizations to develop strategies to implement new legislation and review innovative technologies related to TCEQ regulatory compliance. This office also represents the agency with the Texas Board of Professional Engineers. Two divisions report to this office: Air Quality and Toxicology.

The Toxicology Division helps focus TCEQ resources on areas with the greatest potential risks by assessing risks to human health from exposure to environmental pollutants and reviewing models, data, assessments, permits, and cleanup plans for possible risks to human health, and estimating their effects on overall air and water quality. The Texas Risk Combustion "model" was used to calculate direct risks (via the inhalation pathway) and indirect risks (via incidental ingestion of contaminated soil, ingestion of contaminated vegetables, cattle, and fish) and thereby conduct risk assessments for facilities combusting hazardous waste. The model was a series of very complex equations/calculations and contained over 150 different interrelated calculations evaluating potential exposure and the risks and hazards that may have resulted from exposure. There were over 75 input parameters needed in the equations and calculations. This model is no longer used as it is considered outdated, not reflecting current science.

Arrangement: Unknown

Access constraints: The calculations in the Excel files are only available to Toxicology Division staff. A researcher would have to contact staff and submit a request for copies of the electronic files.

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages: None

Intranet pages: Excel spreadsheet files for the Texas Risk Combustion Model are stored on the division's intranet pages - (I:\Toxic\Combustion files-RLG)

Series data from agency schedule:

Title: Texas Risk Combustion Model and Documentation

Series item number: 1.1.070

Agency item number: 520.07

Archival code: R

Retention: AC + 3

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

Combustion risk assessments were conducted so facilities could obtain hazardous waste permits to combust hazardous waste. The Texas Risk Combustion Model is a series of calculations used to conduct the risk assessments. This model is no longer used by the agency as it is considered outdated and does not reflect current science. While we do see some importance in the reason the risk combustion model was created, the raw data collected has very limited application and its use would require assistance from current TCEQ staff. We have determined the risk combustion documentation is not a significant function of the agency and have appraised this series as not archival. Replace the archival code “R” with the archival exemption code of “E.”

Records Series Review

Series Title: Texas Dam Safety

Agency: Texas Commission on Environmental Quality
Office of Compliance and Enforcement, Critical Infrastructure Division,
Dam Safety Program

Contact: Warren D. Samuelson, Dam Safety Program Team Leader, 512-239-5195

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: approximately 12 linear ft.

Agency holdings: About 3,550 linear ft. in Central File Room; about 13 linear ft. of confidential files.

Description:

This series contains documents related to dams, including dam construction and safety inspections. Dates covered are early 1900s-present. Records include plans and specifications for construction or modifications of dams; inspection reports prepared by owner's engineers, program staff, and program contractors; general correspondence; emergency action plans; and vulnerability assessment reports. Some files include information from the early 1900s. The record series provides a record of each dam and includes pertinent information on the construction, modification, and problem areas of dam. The records are available in paper, letter or legal size. Construction plans can be as large as 24 x 36 inches.

Purpose:

The files document the history of the dam and contain information that is invaluable in evaluating problems that may develop.

Agency program:

The Office of Compliance and Enforcement enforces compliance with the state's environmental laws, responds to emergencies and natural disasters, oversees dam safety and watermaster programs, and monitors air quality within Texas. The office also oversees the operations of 16 regional offices and two special-project offices across the state. Three divisions report to this office: Critical Infrastructure, Enforcement, and Field Operations, which is split into three regional sections and a central office: Field Operations Support, Field Operations Border and South Texas, Field Operations Coastal and East Texas, and Field Operations North Central and West Texas.

The Dam Safety Program is authorized by Texas Water Code, Section 12.052. This gives the agency authority to ensure that dams are inspected, constructed, and maintained in a safe manner.

The Dam Safety Program started with the Texas State Board of Water Engineers with review of plans for construction of dams. In 1969, a program of inspecting dams was started under the Texas Water Rights Commission. This program has continued to the present time.

Arrangement: Numerical by Texas Inventory number (TX#). For each record, there may be a correspondence folder, a reports folder, and a maps folder. In some cases there are multiple folders. Documents in the correspondence folder are arranged chronologically, from oldest to newest.

Access constraints: All dams that are considered high hazard are considered confidential files. Use of these files by the public requires approval from the program or from the owner of the dam. The Central File Room area has requirements for their use. There are files in the Dam Safety Program area that are not available to the public under Texas Government Code Chapter 418 (Section 181 - Critical Infrastructure) including emergency action plans and vulnerability assessment files, and as-built plans and drawings.

Use constraints: None

Indexes or finding aids required for/or an aid to access? In addition to the Texas Inventory number (TX#), each dam is assigned a regulated entity number (RN) and each owner is assigned a customer number (CN). The agency maintains a Central Registry database that can be used to search for records associated with the TX#, CN, or RN. Central Registry searches can be conducted on the TCEQ website at <http://www12.tceq.state.tx.us/crpub/index.cfm>.

Problems: None known

Known related records in other agencies: None known

Publications based on records: None known

Internet pages based on records: Central Registry searches can be conducted on the TCEQ website at <http://www12.tceq.state.tx.us/crpub/index.cfm> . .

Series data from agency schedule:

Title: Texas Dam Safety

Series item number: None

Agency item number: 4100.04

Archival code: R

Retention: PM

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

This series documents a very significant function at TCEQ, dam safety. The records are permanent at the agency; they are also archival. Change the archival code to “A.” Add the following note to the Retention Schedule - “If the agency changes the retention to anything less than PM, transfer records to the State Archives as their retention is met.”

Records Series Review

Series Title: Spill Reports and Attachments

Agency: Texas Commission on Environmental Quality
Office of Compliance and Enforcement
Field Operations Support Division (FOSD), Emergency Spill Response Program

Contact: Pat Hooper, 512-239-0436

Obsolete record series? Yes

Ongoing record series? No

Agency holdings: Not provided

Description:

Records are reports of spills of oil or other hazardous substances, dating 1966-2001. These reports are routed to the TCEQ Central Office for inclusion in the regulated entity's existing authorization files if the "spiller" operates under TCEQ authorization, or routed to Central Record's county files if they are not operating under a TCEQ authorization. Convenience copies may exist in the regional offices.

Purpose:

Records document spill response actions taken by TCEQ.

Agency program:

The Office of Compliance and Enforcement enforces compliance with the state's environmental laws, responds to emergencies and natural disasters, oversees dam safety and watermaster programs, and monitors air quality within Texas. The office also oversees the operations of 16 regional offices and two special-project offices across the state. Three divisions report to this office: Critical Infrastructure, Enforcement, and Field Operations, which is split into three regional sections and a central office: Field Operations Support, Field Operations Border and South Texas, Field Operations Coastal and East Texas, and Field Operations North Central and West Texas.

The Emergency Spill Response team is overseen by the Field Operations Support Division. When a spill (oil or hazardous substance) occurs and the person responsible for the cleanup is either unable or unwilling to respond and clean up the spill, the spill response staff will come to the scene and may take over the response action, using state funds as authorized. TCEQ is required under the Texas Water Code, Section 26.266 to seek reimbursement of state funds spent on cleanup from any and all responsible persons. In addition, the TCEQ may pursue administrative, civil, and criminal penalties.

Arrangement: Not provided

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access: None

Problems: None noted

Known related records in other agencies: The Texas General Land Office maintains copies of all spill reports that are given to the State of Texas Spill Reporting Hotline.

Publications based on records: None known

Internet pages based on records:

Some spill (AIR) information is reported to STEERS (State of Texas Environmental Electronic Reporting System).

Series data from agency schedule:

Title: Spill reports and attachments

Series item number: None

Agency item number: 4104.02

Archival code: R

Retention: AC + 30

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

The records in this series are convenience copies kept in regional offices. Documenting the spill cleanup is important, but, according to staff, reports of spill responses are filed elsewhere, either in the regulated entity's existing authorization files if the "spiller" operates under TCEQ authorization, or routed to Central Record's County Files if they are not operating under a TCEQ authorization. Additionally, the General Land Office maintains records of spill reports that are sent to the State of Texas Spill Reporting Hotline. This series of convenience copies is not archival nor is it a record; the series can be removed from the records retention schedule.

Records Series Review

Series Title: Spill Fund Actions

Agency: Texas Commission on Environmental Quality
Office of Compliance and Enforcement
Field Operations Support Division, Emergency Spill Response Program

Contact: Pat Hooper, 512-239-0436

Obsolete record series? No

Ongoing record series? Yes

Annual accumulation: Approximately 2.5 linear ft.

Agency holdings: Files are maintained in Building A, in the offices of the Field Operations Division. After 5 years the files are sent for storage at the State Records Center (SRC). Volume was not reported.

Description:

Records are work orders, physical description of site including coordinates, identification of the emergency response problem and goals, approval from TCEQ's State On Scene Coordinator, daily work tickets, photos, and itemized lists of staff, equipment, materials and supplies and copies of the invoices for the services to remove the spill, and any correspondence relating to those invoices. Dates covered are 2001-present.

Purpose:

The records document the expenditures from the Spill Response Fund under an umbrella contract for emergency response contractors to remove accidental spills.

Agency program:

The Office of Compliance and Enforcement enforces compliance with the state's environmental laws, responds to emergencies and natural disasters, oversees dam safety and watermaster programs, and monitors air quality within Texas. The office also oversees the operations of 16 regional offices and two special-project offices across the state. Three divisions report to this office: Critical Infrastructure, Enforcement, and Field Operations, which is split into three regional sections and a central office: Field Operations Support, Field Operations Border and South Texas, Field Operations Coastal and East Texas, and Field Operations North Central and West Texas.

The Emergency Spill Response team is overseen by the Field Operations Support Division. When a spill (oil or hazardous substance) occurs and the person responsible for the cleanup is either unable or unwilling to respond and clean up the spill, the spill response staff will come to the scene and may take over the response action, using state funds as authorized. TCEQ is required under the

Texas Water Code, Section 26.266 to seek reimbursement of state funds spent on cleanup from any and all responsible persons. In addition, the TCEQ may pursue administrative, civil, and criminal penalties.

Arrangement: None given

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access: None

Problems: None known

Known related records in other agencies: None known

Publications based on records: None known

Internet pages based on records: None

Series data from agency schedule:

Title: Spill Fund Actions

Series item number:

Agency item number: 4104.03

Archival code: R

Retention: AC + 30

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

These records document the expenditures from the Spill Response Fund to clean up accidental spills. While some documentation is present that discusses cleanup activities, the focus of this series is on the cost involved in the spill cleanup. The agency is maintaining the records for 30 years after the cleanup is complete, a sufficient retention period for this series. Remove the archival review code of "R" and replace it with the archival exemption code of "E."

Records Series Review

Series Title: Regional Response Team Reports

Agency: Texas Commission on Environmental Quality
Office of Compliance and Enforcement, Field Operations Support Division (FOSD)

Contact: Jeffrey C. Lewellin, Strike Team Leader, 512-796-1216 or 512-239-2597

Obsolete record series? No

Ongoing record series? Yes

Agency holdings: Unknown

Description:

These records consist of semi-annual meeting minutes of the Regional Response Team, as well as emergency response and disaster response related procedures. Dates not provided.

Purpose:

These records are distributed to emergency response personnel within Field Office Support Division (FOSD) for informational purposes.

Agency program:

The Office of Compliance and Enforcement enforces compliance with the state's environmental laws, responds to emergencies and natural disasters, oversees dam safety and watermaster programs, and monitors air quality within Texas. The office also oversees the operations of 16 regional offices and two special-project offices across the state. Three divisions report to this office: Critical Infrastructure, Enforcement, and Field Operations, which is split into three regional sections and a central office: Field Operations Support, Field Operations Border and South Texas, Field Operations Coastal and East Texas, and Field Operations North Central and West Texas.

The Regional Response Team for Region 6 (RRT6) functions through the Field Operations Support Division of the OCE. RRT 6 is the federal component of the National Response System for the states of Arkansas, Louisiana, New Mexico, Oklahoma, and Texas. The Region 6 RRT is composed of representatives from sixteen federal departments and agencies and each of the five States. The team usually meets twice a year. The RRTs are planning, policy and coordinating bodies and do not respond directly to the scene. The team provides assistance as requested by the On-Scene Coordinator during an incident. Additionally, the Region 6 RRT is responsible for preparedness activities including planning, training, and exercising to ensure an effective response to releases of hazardous substances and oil spills. Statutes governing emergency response by TCEQ staff are 30 TAC, Sections 327.1 thru 327.31; Texas Water Code, Sections 26.261 thru 26.266; and 40 Code of Federal Regulations, Part 300, the National Contingency Plan.

Arrangement: The files are currently housed on a EPA website - <http://www.epa.gov/earth1r6/6sf/respprev/rrt/rrt6.htm>.

Access constraints: None. These files are also housed on a EPA Region 6 website dedicated to the Regional Response Team (RRT6). The EPA is the primary custodian of RRT 6 records.

Use constraints: None known

Indexes or finding aids required for/or an aid to access? None known

Problems: None

Known related records in other agencies:

As described above, the EPA website is the repository of these emergency response related files.

Publications based on records: Publications are noted on the USEPA website - <http://www.epa.gov/earth1r6/6sf/respprev/rrt/rrt6.htm>, including the semi-annual reports - http://www.epa.gov/earth1r6/6sf/respprev/rrt/rrt_semi_annual_reports.htm and the meeting minutes - http://www.epa.gov/earth1r6/6sf/respprev/rrt/rrt_semi_annual_reports.htm.

Internet pages based on records: A website is available that discuss the RRT6 activities - <http://www.epa.gov/earth1r6/6sf/respprev/rrt/rrt6.htm>

Series data from agency schedule

Title: Regional Response Team Reports

Series item number: None

Agency item number: 4104.04

Archival code: None

Retention: AC + 7

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

The Regional Response Team (RRT) records are federal in nature; the record copy is available at the U.S. Environmental Protection Agency. As this series did not have an archival code no further action is needed.

Records Series Review

Series Title: Edwards Aquifer Pollution Abatement Plans, Project and Correspondence Files
(Region 11 – Austin Region)

Agency: Texas Commission on Environmental Quality
Office of Compliance and Enforcement
Field Operations Division, Border South Texas Area, Austin Region

Contact: Carolyn Runyon, Water Section, Austin Region, 512-339-2929

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 63 linear ft. per year

Agency holdings: Documents are primarily 8.5” x 11” with oversized maps and construction plans – 944 linear ft., November 1975-present

Description:

This series consists of documents related to approval actions and compliance for regulated activities over the Edwards Aquifer recharge, transition and contributing zones. Records include written authorizations in the form of plan approvals, project plan applications and compliance documentation as required by 30 Texas Administrative Code, Sections 213.1 thru 213.31. Dates covered are November 1975-present.

Documents related to approval actions include Edwards Aquifer Protection Plan (EAPP) applications; correspondence between TCEQ and applicants and between programs within the TCEQ (in the form of letters, interagency memos, printed emails, faxes, phone memos); maps; photos; geologic assessments and engineering construction plans; public comments on plan reviews; and cave closure design and approvals. Information in EAPP applications include completed forms; names and addresses of applicant; maps (facility layout, land application areas, topography, floodplain, soil types and buffer distances, geologic features); supporting documents for recharge features located on the property; temporary best management practices proposed and locations; permanent best management practices; design, locations and capacity; maintenance plans for permanent best management practices; innovative technology proposals; site assessments conducted by the region staff and fee receipts.

Documents related to compliance include correspondence between TCEQ and applicants and between programs within the TCEQ (in the form of letters, interagency memos, printed emails, faxes, phone memos, notices of violation, notices of enforcement), compliance investigation checklists; photos; maps; reports; and self reported data.

Purpose:

The records serve as an official permanent record of the authorization and compliance of each regulated activity over the Edwards Aquifer; these particular files relate to the Austin region. This record series provides information on each site in the state with respect to: project approvals; construction; maintenance and operation requirements; recordkeeping requirements; reporting requirements; compliance records; enforcement actions; investigation reports; site assessments; fees; innovative technologies and general correspondence.

Agency program:

The Office of Compliance and Enforcement enforces compliance with the state's environmental laws, responds to emergencies and natural disasters, oversees dam safety and watermaster programs, and monitors air quality within Texas. The office also oversees the operations of 16 regional offices and two special-project offices across the state. Three divisions report to this office: Critical Infrastructure, Enforcement, and Field Operations, which is split into three regional sections and a central office: Field Operations Support, Field Operations Border and South Texas, Field Operations Coastal and East Texas, and Field Operations North Central and West Texas.

The Edwards Aquifer Protection Program (EAPP) is comprised of staff in the Field Operations Division. The program administers the requirements of Texas Administrative Code, Title 30, Chapter 213 – Edwards Aquifer. The San Antonio Region office addresses sites in Kinney, Uvalde, Medina, Bexar and Comal Counties. The Austin Region office deals with sites in Hays, Travis, and Williamson Counties. Staff are responsible for reviewing EAPP applications, conducting site assessments and compliance investigations to determine compliance with state laws and rules and the issued approval. EAPP approvals provide authorization for regulated activity over the recharge, transition and contributing zones of the Edwards Aquifer. Anyone who plans to build on the recharge, transition, or contributing zones of the Edwards Aquifer must first have an application including construction plans approved by the TCEQ. Personnel from the Edwards Aquifer Protection Program review these plans. If a plan is approved, the site is monitored for compliance.

The Edwards Aquifer is one of the most valuable water resources in the central Texas area. This aquifer provides water for municipal, industrial, and agricultural uses. A number of cities rely on the aquifer as their only source of drinking water. In the past, the Aquifer has proved to be a reliable source of water through severe droughts. In fact, the Aquifer is the sole source of drinking water for over 1.7 million people in Central Texas. It covers 4,350 square miles in parts of 11 counties. Over wide areas, the aquifer produces large volumes of water from several layers of highly permeable and porous honeycombed rock. Because the aquifer is highly permeable, and has rapid recharge and discharge, the aquifer produces large quantities of water. However, these same properties make the aquifer highly vulnerable to contamination where it is exposed at the surface in the aquifer recharge zone. Pollutants on and near the surface can directly enter the aquifer with little natural attenuation and travel long distances in a relatively short period of time.

History of the Edwards Aquifer Program

In 1959, the Texas Legislature created the Edwards Underground Water District. The district supplied maps that were previously unavailable, and assisted licensing authorities. The importance of protecting the quality of the water in the Edwards Aquifer was not recognized until 1970, when the Texas Water Quality Board issued the first regulations for the protection of the aquifer recharge and buffer zones. The first counties affected were Kinney, Uvalde, Medina, Bexar, Comal, and Hays. Sources of pollution such as underground storage tanks, above-ground storage tanks, and sewer lines were regulated.

Water-pollution abatement plans were first required in 1974. By 1984, the plans were required for regulated developments including residential, commercial, and industrial. A geologic assessment was required for housing developments with 100 or more family living units, and non-residential developments greater than 5 acres. Also in 1984, ongoing testing requirements for sewer lines were established. Beginning in 1977, the installation of new underground storage tank sites had to be approved prior to construction. The sites were required to have double walled tanks and piping as well as a method of leak detection. These standards were in advance of the statewide regulations on underground storage tank systems that first went into effect in 1989.

In 1988, fees were assessed for all types of development. As a result of legislation, the schedule of fees was increased in 1997. These one-time fees cover the review of the protection plans as well as inspections during and after construction is complete. The money is used to support program efforts. Upon petition by local government, construction activities in portions of Williamson County became regulated in 1986. Then in 1990, construction in portions of Travis County was first regulated. Also in 1990, geologic assessment requirements for residential developments were decreased to 25 or more units, plus notification of recharge features was made mandatory. Today, a geologic assessment is required for all new, regulated developments except residential sites less than 10 acres.

Significant rules changes went into effect in 1999. The changes included a design performance standard for permanent best management practices. The standard applies to water quality systems used for storm water treatment. Examples include sand filtration basins, extended detention basins, and retention ponds with irrigation systems. The rules also require engineers to certify the construction of the systems and to ensure maintenance of these systems. The 1999 rules changes brought the contributing zone into regulation. Regulated activities are those that have the potential for polluting surface streams that will cross the recharge zone, including large construction projects and installation of petroleum storage tanks. In 2001, the agency began distributing contributing-zone plans to affected municipalities, counties, or groundwater conservation districts according to House Bill 2912 (71st Legislature, Regular Session), which added Texas Water Code, Section 26.137, mandating a 30-day public comment period for the applications. Also as a result of this House Bill, the program has posted annual expense reports.

Arrangement: Numerical by a project number, thereby in a rough chronological order as the numbers were assigned successively. The individual plans have a program identification number in the following format 11-YYMMDDXX, where X represents a number 0 through 99. For each

program number there is a folder, which contains the EAPP application, geologic assessment (if required), construction plans and compliance documentation. Documents in each folder are arranged chronologically, from oldest to newest.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? In addition to the plan identification number, each facility is assigned a regulated entity number (RN) and each applicant is assigned a customer number (CN). The agency maintains a Central Registry database that can be used to search for records associated with the permit number, CN, or RN. Central Registry searches can be conducted on the TCEQ website at <http://www12.tceq.state.tx.us/crpub/index.cfm>.

Problems: None known

Known related records in other agencies: None known

Publications based on records: None known

Internet pages based on records: Central Registry searches can be conducted on the TCEQ website at <http://www12.tceq.state.tx.us/crpub/index.cfm>.

Series data from agency schedule:

Title: Edwards Aquifer Pollution Abatement Plans, Project and Correspondence Files
(Region 11 – Austin)

Series item number: 1.1.024

Agency item number: 4104.10

Archival code: R

Retention: AC+25

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

This series consists of records held in the regional office in Austin, providing a permanent record of the authorization and compliance of each regulated activity over the Edwards Aquifer. The Edwards Aquifer is a major water source for south central Texas and such documentation is needed for the historical records, especially with water use becoming an increasingly important issue. Agency staff consider these to be permanent records; the retention schedule gives them a retention code of AC+25. These records should be maintained permanently, if not at the agency, then at the State

Archives. I recommend changing the retention code of the schedule to “PM.” Change the archival code from “R” to “A.”

Records Series Review

Series Title: Edwards Aquifer Pollution Abatement Plans, Project and Correspondence Files
(Region 13 – San Antonio Region)

Agency: Texas Commission on Environmental Quality
Office of Compliance and Enforcement
Field Operations Division, Border South Texas Area, San Antonio Region

Contacts: Lynn Bumguardner, Water Section, San Antonio Region 210-403-4020
Elaine Grosenheider, Water Section, San Antonio Region 210-403-4021

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 36 linear ft.

Agency holdings: Documents are primarily 8.5” x 11”, with each file typically containing oversized maps and drawings – 408 linear ft., dating November 1975-present.

Description:

This series consists of documents related to the review Edwards Aquifer Protection Plans and compliance. Records present include applications, authorizations, and correspondence. Documents include related applications, correspondence between TCEQ and applicants and between programs within the TCEQ (in the form of letters, interagency memos, printed emails, faxes, phone memos), maps, photos, public comment letters, support documentation for items presented at commission agenda, and orders. Dates covered are November 1975-present.

Information in applications includes completed forms, names and addresses, maps (facility layout, structural best management (BMP) practice locations, topography, floodplain, soil types and geology), agent authorizations, supporting documents for recharge features, permanent best management practices designs. Information in authorization correspondence includes the file, investigation, and regulated entity numbers, applicant name and address, description of regulated activity, description of geology, description of permanent BMPs, and conditions of approval. Documents related to compliance include correspondence between TCEQ and customer/regulating entities and between programs within the TCEQ (in the form of letters, interagency memos, printed emails, faxes, phone memos, notices of violation), compliance investigation reports, photos, maps, reports, compliance documentation, support documentation for items presented at commission agenda, and orders.

Purpose:

The records serve as an official permanent record of the authorization and compliance of each regulated activity over the Edwards Aquifer; these particular files relate to the San Antonio region.

This record series provides information on each site in the state with respect to: project approvals; construction; maintenance and operation requirements; recordkeeping requirements; reporting requirements; compliance records; enforcement actions; investigation reports; site assessments; fees; innovative technologies and general correspondence.

Agency program:

The Office of Compliance and Enforcement enforces compliance with the state’s environmental laws, responds to emergencies and natural disasters, oversees dam safety and watermaster programs, and monitors air quality within Texas. The office also oversees the operations of 16 regional offices and two special-project offices across the state. Three divisions report to this office: Critical Infrastructure, Enforcement, and Field Operations, which is split into three regional sections and a central office: Field Operations Support, Field Operations Border and South Texas, Field Operations Coastal and East Texas, and Field Operations North Central and West Texas.

The Edwards Aquifer Protection Program (EAPP) is comprised of staff in the Field Operations Division. The program administers the requirements of 30 Texas Administrative Code, Sections 213.1 thru 213.31 – Edwards Aquifer. The San Antonio Region office addresses sites in Kinney, Uvalde, Medina, Bexar and Comal Counties. The Austin Region office deals with sites in Hays, Travis, and Williamson Counties. Staff are responsible for reviewing EAPP applications, conduction site assessments and compliance investigations to determine compliance with state laws and rules and the issued approval. EAPP approvals provide authorization for regulated activity over the recharge, transition and contributing zones of the Edwards Aquifer. Anyone who plans to build on the recharge, transition, or contributing zones of the Edwards Aquifer must first have an application including construction plans approved by the TCEQ. Personnel from the Edwards Aquifer Protection Program review these plans. If a plan is approved, the site is monitored for compliance.

The Edwards Aquifer is one of the most valuable water resources in the central Texas area. This aquifer provides water for municipal, industrial, and agricultural uses. A number of cities rely on the aquifer as their only source of drinking water. In the past, the Aquifer has proved to be a reliable source of water through severe droughts. In fact, the Aquifer is the sole source of drinking water for over 1.7 million people in Central Texas. It covers 4,350 square miles in parts of 11 counties. Over wide areas, the aquifer produces large volumes of water from several layers of highly permeable and porous honeycombed rock. Because the aquifer is highly permeable, and has rapid recharge and discharge, the aquifer produces large quantities of water. However, these same properties make the aquifer highly vulnerable to contamination where it is exposed at the surface in the aquifer recharge zone. Pollutants on and near the surface can directly enter the aquifer with little natural attenuation and travel long distances in a relatively short period of time.

History of the Edwards Aquifer Program

In 1959, the Texas Legislature created the Edwards Underground Water District. The district supplied maps that were previously unavailable, and assisted licensing authorities. The importance of protecting the quality of the water in the Edwards Aquifer was not recognized until 1970, when

the Texas Water Quality Board issued the first regulations for the protection of the aquifer recharge and buffer zones. The first counties affected were Kinney, Uvalde, Medina, Bexar, Comal, and Hays. Sources of pollution such as underground storage tanks, above-ground storage tanks, and sewer lines were regulated.

Water-pollution abatement plans were first required in 1974. By 1984, the plans were required for regulated developments including residential, commercial, and industrial. A geologic assessment was required for housing developments with 100 or more family living units, and non-residential developments greater than 5 acres. Also in 1984, ongoing testing requirements for sewer lines were established. Beginning in 1977, the installation of new underground storage tank sites had to be approved prior to construction. The sites were required to have double walled tanks and piping as well as a method of leak detection. These standards were in advance of the statewide regulations on underground storage tank systems that first went into effect in 1989.

In 1988, fees were assessed for all types of development. As a result of legislation, the schedule of fees was increased in 1997. These one-time fees cover the review of the protection plans as well as inspections during and after construction is complete. The money is used to support program efforts. Upon petition by local government, construction activities in portions of Williamson County became regulated in 1986. Then in 1990, construction in portions of Travis County was first regulated. Also in 1990, geologic assessment requirements for residential developments were decreased to 25 or more units, plus notification of recharge features was made mandatory. Today, a geologic assessment is required for all new, regulated developments except residential sites less than 10 acres.

Significant rules changes went into effect in 1999. The changes included a design performance standard for permanent best management practices. The standard applies to water quality systems used for storm water treatment. Examples include sand filtration basins, extended detention basins, and retention ponds with irrigation systems. The rules also require engineers to certify the construction of the systems and to ensure maintenance of these systems. The 1999 rules changes brought the contributing zone into regulation. Regulated activities are those that have the potential for polluting surface streams that will cross the recharge zone, including large construction projects and installation of petroleum storage tanks. In 2001, the agency began distributing contributing-zone plans to affected municipalities, counties, or groundwater conservation districts according to House Bill 2912 (71st regular legislative session), which added Texas Water Code, Section 26.137, mandating a 30-day public comment period for the applications. Also as a result of this House Bill, the program has posted annual expense reports.

Arrangement: The San Antonio Region's records are arranged numerically by file number, thereby in a rough chronologic order as the numbers were assigned successively. The file numbers have the following format XXXX.XX where X represents a number 0 through 9. For each file number there is a plan folder that includes the application, including maps and drawings, and correspondence related to the review of the application.

A compliance folder may be present if compliance investigations have been conducted at the site. Documents in each folder are arranged chronologically, from oldest to newest.

Access constraints: None known

Use constraints: None known

Indexes or finding aids required for/or an aid to access? In addition to the plan identification number, each facility is assigned a regulated entity number (RN) and each applicant is assigned a customer number (CN). The agency maintains a Central Registry database that can be used to search for records associated with the permit number, CN, or RN. Central Registry searches can be conducted on the TCEQ website at <http://www12.tceq.state.tx.us/crpub/index.cfm>.

Access to the San Antonio Region's Edwards.db (paradox database) may be necessary to identify file numbers related to the San Antonio Region's files.

Problems: None known

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records: Central Registry searches can be conducted on the TCEQ website at <http://www12.tceq.state.tx.us/crpub/index.cfm>.

Series data from agency schedule:

Title: Edwards Aquifer Pollution Abatement Plans, Project and Correspondence Files
(Region 13 – San Antonio)

Series item number: 1.1.024

Agency item number: 4104.10

Archival code: R

Retention: AC+25

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

This series consists of records held in the regional office in Austin, providing a permanent record of the authorization and compliance of each regulated activity over the Edwards Aquifer. The Edwards Aquifer is a major water source for south central Texas and such documentation is needed for the historical records, especially with water use becoming an increasingly important issue. Agency staff

consider these to be permanent records; the retention schedule gives them a retention code of AC +25. These records should be maintained permanently, if not at the agency, then at the State Archives. I recommend changing the retention code of the schedule to “PM.” Change the archival code from “R” to “A.”

Records Series Review

Series Title: Upset Maintenance Reports

Agency: Texas Commission on Environmental Quality
Office of Compliance and Enforcement, Field Operations Division

Contacts: Sal Tahiri, Air Manager, 512-239-2217
John Davis, Assistant Division Director, 512-239-5875

Obsolete record series? Yes

Ongoing record series? No
Annual accumulation: Not provided

Agency holdings: No paper files, only electronic.

Description:

Notifications are utilized to administer the Air Program of TCEQ's Office of Compliance and Enforcement. Records are notifications of Air Emission Maintenance Events (AEME) submitted electronically via STEERS (State of Texas Environmental Electronic Reporting System) by the regulated community to the agency. STEERS then notifies the appropriate region for which the regulated entity is located via email. The region then utilizes the Consolidated Compliance Enforcement Database System (CCEDS) to review the notification. (STEERS reports to CCEDS). All notifications remain electronic until region staff associate the notification to an investigation (not all notifications will be associated to an investigation). A copy of the investigation report detailing the notification will be kept in the region office regulated entity's file and the original will be sent to Central File Room at the agency headquarters. Dates not provided.

Purpose:

The notification serves as an official permanent record for compliance of the Texas Administrative Code, Title 30, Chapter 101 (Emissions Events and Scheduled Maintenance, Startup and Shutdown Activities) rules.

Agency program:

The Office of Compliance and Enforcement enforces compliance with the state's environmental laws, responds to emergencies and natural disasters, oversees dam safety and watermaster programs, and monitors air quality within Texas. The office also oversees the operations of 16 regional offices and two special-project offices across the state. Three divisions report to this office: Critical Infrastructure, Enforcement, and Field Operations, which is split into three regional sections and a central office: Field Operations Support, Field Operations Border and South Texas, Field Operations Coastal and East Texas, and Field Operations North Central and West Texas.

The Field Operations Support Division oversees the Texas air quality monitoring program, which samples and analyzing the air in Texas and reports the results to the public and the U.S. EPA. It relies on a network of stationary monitors (that belong to the state, local governments, councils of governments, and private partners), labs that analyze samples, and short-term mobile monitoring of emission sources. The program generates data for: determining the causes, nature, and behavior of air pollution; forecasting possible high concentrations of ozone and particulate matter; and determining attainment with EPA air quality standards.

Arrangement: Notifications are maintained electronically as submitted.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? Regulated entity name, location and date indexes are available.

Problems: None

Known related records in other agencies: None known

Publications based on records: Internal investigation reports, not published or distributed

Internet pages: Regulated entities report these emissions events through <https://www6.tceq.state.tx.us/steers>.

Public access page: <http://www11.tceq.state.tx.us/oce/eer/index.cfm>

Series data from agency schedule:

Title: Upset Maintenance Reports

Series item number: None

Agency item number: 4104.12

Archival code: R

Retention: 2

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

This series documents compliance of rules governing air emissions events and scheduled maintenance. Copies of notifications in this series are maintained in the regional office. The originals, usually associated with an investigation report, are kept in Central File Room.

Notification of air emission reports are important, but not archival as individual documents. Investigations of events and corrective procedures are archival and this type of data can be found in other series that are permanent at the agency. Remove the archival review code of “R” and replace it with the archival exemption code of “E.”

According to agency staff in 2011, this series will be deleted upon recertification. Data is entered into a database and the paper records are filed with permits/registration files.

Records Series Review

Series Title: Air Compliance Files

Agency: Texas Commission on Environmental Quality
Office of Compliance and Enforcement, Enforcement Division

Contacts: Yvonne Holt or Vanessa Davis: 512-239-2545

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 1 linear ft.

Agency holdings: 1,190 linear ft. in the Central File room, January 1956-January 2009; 373 reels microfilm, January 1963-December 2003; 19,500 microfiche, January 1967-December 1997; 166 tapes, January 1997-September 2006. Electronic files on ENF2 server, May 2007-present; 25 linear ft. of oversize materials at the State Records Center, January 1958-December 2001; 22 linear ft. of oversize materials in the central file room, March 1973-December 2003.

Description:

Records are notice of violation letters from the Texas Commission on Environmental Quality (TCEQ) for non-compliance with air quality standards and letters affirming compliance by a company dating 1956-present. Also present are photographs, maps, and other oversize material that accompany letters. Maps and photographs may show system improvements at plants or other installations that discharge particles/pollutants in the air as a result of their plant's operations, or could show problems at such installations that are in non-compliance with air quality standards. The letters often reference, but do not include, orders issued by the TCEQ commissioners for non-compliance. Orders are good for five years. Details of non-compliance enforcement actions are not present. Orders are filed with the permits. Oversize materials are filed in series 4300.02 but are described in this series review. Confidential materials filed with the letters can be found in series *Air Compliance Files (confidential)*, 4300.03 and *Air Compliance Files (confidential/oversize)*, 4300.04.

Purpose:

Materials serve as a reference file of complaint notifications.

Agency program:

The Office of Compliance and Enforcement enforces compliance with the state's environmental laws, responds to emergencies and natural disasters, oversees dam safety and watermaster programs, and monitors air quality within Texas. The office also oversees the operations of 16 regional offices and two special-project offices across the state. Three divisions report to this office: Critical Infrastructure, Enforcement, and Field Operations, which is split into three regional sections

and a central office: Field Operations Support, Field Operations Border and South Texas, Field Operations Coastal and East Texas, and Field Operations North Central and West Texas.

The Enforcement Division is responsible for investigating violations of state environmental laws and ensuring that appropriate parties take corrective action. The division develops formal enforcement cases in accordance with state statutes and agency rules. The division also drafts proposed enforcement orders that include appropriate penalties and ordering provisions for the commission's consideration and approval. It also administers the Compliance Monitoring Program under the Texas Pollutant Discharge Elimination System (TPDES); administers the third-party Supplemental Environmental Project (SEP) program; monitors compliance with the TPDES 75/90 rule, which imposes requirements whenever flow measurements at a sewage treatment plant reach 75 percent and 90 percent of permitted capacity; reviews and responds to notices and disclosures submitted pursuant to the Texas Environmental, Health, and Safety Audit Privilege Act; and processes compliance-history appeals.

Arrangement: Alphabetical by company name.

Access constraints: None

Use constraints: Microfilm and microfiche readers needed.

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None known

Publications based on records: None

Internet pages: None

Series data from agency schedule:

Title: Air Compliance Files

Series item number:

Agency item number: 4300.01

Archival code: R

Retention: 15

Title: Air Compliance Files (oversize)

Series item number:

Agency item number: 4300.02

Archival code: R

Retention: 15

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

Air compliance files contain letters issued to companies in violation of air quality standards. The agency is maintaining these for 15 years to track non-compliance; that is sufficient retention. The archival review code of “R” can be removed from the schedule for each series and replaced with an archival exemption code of “E.”

Records Series Review

Series Title: Air Compliance Files (confidential)

Agency: Texas Commission on Environmental Quality
Office of Compliance and Enforcement, Enforcement Division

Contacts: Yvonne Holt or Vanessa Davis: 512-239-2545

Obsolete record series? No

Ongoing record series? Yes

Annual accumulation: 1 linear ft.

Agency holdings: 3 linear ft. at the central file room, dated 1971; 1,069 sheets of microfiche dating 1968-December 2001. Electronic files on ENF2 server, May 2007-present. Oversize materials are 4 linear ft. at the central file room, January 1960-December 2005.

Description:

Records are letters from the Texas Commission on Environmental Quality for non-compliance with air quality standards, dating 1968-present. Letters are restricted due to privacy issues. Also present in the files can be photographs, maps, and other oversize material. Non-confidential compliance letters are filed in the series *Air Compliance Files, 4300.01*. Non-confidential oversize materials are filed in the series *Air Compliance Files (oversize), 4300.03*, but are described in this series review.

Purpose:

Materials serve as a reference file of compliant notifications.

Agency program:

The Office of Compliance and Enforcement enforces compliance with the state's environmental laws, responds to emergencies and natural disasters, oversees dam safety and watermaster programs, and monitors air quality within Texas. The office also oversees the operations of 16 regional offices and two special-project offices across the state. Three divisions report to this office: Critical Infrastructure, Enforcement, and Field Operations, which is split into three regional sections and a central office: Field Operations Support, Field Operations Border and South Texas, Field Operations Coastal and East Texas, and Field Operations North Central and West Texas.

The Enforcement Division is responsible for investigating violations of state environmental laws and ensuring that appropriate parties take corrective action. The division develops formal enforcement cases in accordance with state statutes and agency rules. The division also drafts proposed enforcement orders that include appropriate penalties and ordering provisions for the commission's consideration and approval. It also administers the Compliance Monitoring Program under the Texas Pollutant Discharge Elimination System (TPDES); administers the third-party

Supplemental Environmental Project (SEP) program; monitors compliance with the TPDES 75/90 rule, which imposes requirements whenever flow measurements at a sewage treatment plant reach 75 percent and 90 percent of permitted capacity; reviews and responds to notices and disclosures submitted pursuant to the Texas Environmental, Health, and Safety Audit Privilege Act; and processes compliance-history appeals.

Arrangement: Alphabetical by company name.

Access constraints: Yes. Records are restricted under V.T.C.A. Government Code, Section 552.101.

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None known

Publications based on records: None

Internet pages: None

Series data from agency schedule:

Title: Air Compliance Files (confidential)

Series item number:

Agency item number: 4300.03

Archival code: R

Retention: PM

Title: Air Compliance Files (confidential/oversize)

Series item number:

Agency item number: 4300.04

Archival code: R

Retention: PM

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

Air compliance files contain letters issued to companies in violation of air quality standards. The agency is maintaining these permanently to track non-compliance over the years. The retention

period should remain as PM. The archival review code of “R” can be removed from the schedule and replaced with an archival exemption code of “E.”

Records Series Review

Series Title: Petroleum Storage Tank Enforcement Files

Agency: Texas Commission on Environmental Quality
Office of Compliance and Enforcement, Enforcement Division

Contacts: Yvonne Holt or Vanessa Davis: 512-239-2545

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 1 linear ft.

Agency holdings: Paper – 2,885 linear ft., 1999-present; electronic format - Word or PDF files, May 2007-present.

Description:

Records document enforcement activity taken against petroleum storage tank operators by the Texas Commission on Environmental Quality. Files contain cover letters, copies of orders given for non-compliance, any referenced materials, and penalty calculation worksheets (refers to rules, fines, etc.), dating 1999-present. Original orders are filed in the permit files.

Purpose:

Materials serve as a reference file of actions taken against petroleum storage tank operators.

Agency program:

The Office of Compliance and Enforcement enforces compliance with the state's environmental laws, responds to emergencies and natural disasters, oversees dam safety and watermaster programs, and monitors air quality within Texas. The office also oversees the operations of 16 regional offices and two special-project offices across the state. Three divisions report to this office: Critical Infrastructure, Enforcement, and Field Operations, which is split into three regional sections and a central office: Field Operations Support, Field Operations Border and South Texas, Field Operations Coastal and East Texas, and Field Operations North Central and West Texas.

The Enforcement Division is responsible for investigating violations of state environmental laws and ensuring that appropriate parties take corrective action. The division develops formal enforcement cases in accordance with state statutes and agency rules. The division also drafts proposed enforcement orders that include appropriate penalties and ordering provisions for the commission's consideration and approval. It also administers the Compliance Monitoring Program under the Texas Pollutant Discharge Elimination System (TPDES); administers the third-party Supplemental Environmental Project (SEP) program; monitors compliance with the TPDES 75/90 rule, which imposes requirements whenever flow measurements at a sewage treatment plant reach

75 percent and 90 percent of permitted capacity; reviews and responds to notices and disclosures submitted pursuant to the Texas Environmental, Health, and Safety Audit Privilege Act; and processes compliance-history appeals.

Arrangement: Filed by media, then alphabetical by company.

Access constraints: None

Use constraints: Most files can only be accessed electronically on an agency internal drive.

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None known

Publications based on records: None

Internet pages: Signed copies of all orders issued by the commissioners are available online as PDF files - <http://www5.tceq.state.tx.us/eenf/>. Orders are accessed through this searchable database.

Series data from agency schedule:

Title: PST storage tank enforcement files

Series item number:

Agency item number: 4300.08

Archival code: R

Retention: AC + 10

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

Files reference actions taken against petroleum storage tank operators for violations on environmental laws. The more important documents for this function are the orders issued by the Commission. This series contains copies of orders; original orders issued for non-compliance are filed with the permit files, a permanent series, which is sufficient documentation of this function. This series is not archival. Remove the archival review code of "R" and replace it with the archival exemption code of "E."

Records Series Review

Series Title: Administrative and Consent Orders

Agency: Texas Commission on Environmental Quality
Office of Compliance and Enforcement, Enforcement Division

Contacts: Yvonne Holt or Vanessa Davis: 512-239-2545

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 2 linear ft.

Agency holdings: Electronic files on ENF2 server/h:/drive/scanned documents.

Description:

Records are copies of administrative and consent orders issued by the Texas Commission on Environmental Quality for violations of state environmental laws. Once the permit has been approved, the original order is in the permit file. Files are only maintained in electronic format, Word or PDF files, dating May 2007-present. An administrative order is used when the respondent agrees to the terms and conditions of the administrative order, including the penalty. There are two kinds of agreed orders: 1660-styled orders are agreed orders drafted in accordance with the implementation of Senate Bill 1660 passed in the 74th Legislative Session in 1995. Findings orders are agreed orders that are drafted with findings of facts and conclusions of law. Another type of administrative order is a default order, issued when the respondent fails to answer the Executive Director's Preliminary Report and Petition within the time frame allowed by the Administrative Procedures Act. Consent orders refer to agreed orders both parties consent to, such as an Attorney General's Final Judgment.

Purpose:

Materials serve as a reference file of administrative and consent orders issued through actions of the Enforcement Division.

Agency program:

The Office of Compliance and Enforcement enforces compliance with the state's environmental laws, responds to emergencies and natural disasters, oversees dam safety and watermaster programs, and monitors air quality within Texas. The office also oversees the operations of 16 regional offices and two special-project offices across the state. Three divisions report to this office: Critical Infrastructure, Enforcement, and Field Operations, which is split into three regional sections and a central office: Field Operations Support, Field Operations Border and South Texas, Field Operations Coastal and East Texas, and Field Operations North Central and West Texas.

The Enforcement Division is responsible for investigating violations of state environmental laws and ensuring that appropriate parties take corrective action. The division develops formal enforcement cases in accordance with state statutes and agency rules. The division also drafts proposed enforcement orders that include appropriate penalties and ordering provisions for the commission's consideration and approval. It also administers the Compliance Monitoring Program under the Texas Pollutant Discharge Elimination System (TPDES); administers the third-party Supplemental Environmental Project (SEP) program; monitors compliance with the TPDES 75/90 rule, which imposes requirements whenever flow measurements at a sewage treatment plant reach 75 percent and 90 percent of permitted capacity; reviews and responds to notices and disclosures submitted pursuant to the Texas Environmental, Health, and Safety Audit Privilege Act; and processes compliance-history appeals.

Arrangement: Filed by media, then alphabetical by company.

Access constraints: None

Use constraints: Most files can only be accessed internally on an agency internal hard drive.

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None known

Publications based on records: None

Internet pages: Signed copies of all orders issued by the commissioners are available online as PDF files - <http://www5.tceq.state.tx.us/eenf/>. Orders are accessed through this searchable database.

Series data from agency schedule:

Title: Administrative and Consent Orders

Series item number: None

Agency item number: 4300.16

Archival code: R

Retention: AV

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

Files reference administrative and consent orders issued by the commission for violation of state environmental law. This permit series contains copies of orders; original orders are filed with the permit files, a permanent series, which is sufficient documentation of this function. This series is not archival. Remove the archival code of “A” and replace it with the archival exemption code of “E.”

Records Series Review

Series Titles: Water Operators and Wastewater Operators Enforcement Files

Agency: Texas Commission on Environmental Quality
Office of Compliance and Enforcement, Enforcement Division

Contacts: Yvonne Holt or Vanessa Davis: 512-239-2545

Obsolete record series? Yes

Replaced by: Enforcement orders re: operators are filed now in the various series of permit files.

Ongoing record series? No

Agency holdings: None

Description:

According to staff, these are empty series; this Division no longer keeps any separate operator files. Any information on the operator is in the order that concerns the operator's actions. Orders are filed in the permit files, under the permit issued to that operator.

Purpose:

Not provided.

Agency program:

The Office of Compliance and Enforcement enforces compliance with the state's environmental laws, responds to emergencies and natural disasters, oversees dam safety and watermaster programs, and monitors air quality within Texas. The office also oversees the operations of 16 regional offices and two special-project offices across the state. Three divisions report to this office: Critical Infrastructure, Enforcement, and Field Operations, which is split into three regional sections and a central office: Field Operations Support, Field Operations Border and South Texas, Field Operations Coastal and East Texas, and Field Operations North Central and West Texas.

The Enforcement Division is responsible for investigating violations of state environmental laws and ensuring that appropriate parties take corrective action. The division develops formal enforcement cases in accordance with state statutes and agency rules. The division also drafts proposed enforcement orders that include appropriate penalties and ordering provisions for the commission's consideration and approval. It also administers the Compliance Monitoring Program under the Texas Pollutant Discharge Elimination System (TPDES); administers the third-party Supplemental Environmental Project (SEP) program; monitors compliance with the TPDES 75/90 rule, which imposes requirements whenever flow measurements at a sewage treatment plant reach 75 percent and 90 percent of permitted capacity; reviews and responds to notices and disclosures

submitted pursuant to the Texas Environmental, Health, and Safety Audit Privilege Act; and processes compliance-history appeals.

Arrangement: N/A

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None known

Publications based on records: None

Internet pages: Signed copies of all orders issued by the commissioners are available online as PDF files - <http://www5.tceq.state.tx.us/eenf/>. Orders are accessed through this searchable database.

Series data from agency schedule:

Title: Water Operators Enforcement Files

Series item number: None

Agency item number: 4525.01

Archival code: R

Retention: AC + 5

Series data from agency schedule:

Title: Wastewater Operators Enforcement Files

Series item number: 1.1.048

Agency item number: 4526.01

Archival code: R

Retention: AC + 5

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

These series are empty and were recently deleted from the retention schedule. Orders issued as a result of enforcement actions contain information about the operators and those are filed in the permit files.

Records Series Review

Series Title: Initial Demonstration of Analytical Capability (IDAC) Records

Agency: Texas Commission on Environmental Quality
Office of Compliance and Enforcement, Field Operations Support Division
Monitoring Operations Air Laboratories and Quality Assurance QA/QC program

Contact: Ken Lancaster

Obsolete record series? No

Ongoing record series?

Annual accumulation: 20 linear ft.

Agency holdings: 12 linear ft.

Description:

Records are training materials, including raw data printouts and final reports of laboratory data. Dates covered are April 1997 to present.

Purpose:

These records demonstrate the capability of staff to perform laboratory functions as part of the laboratory's National Environmental Laboratory Accreditation Program (NELAP) accreditation. Dates are not given.

Agency program:

The Office of Compliance and Enforcement enforces compliance with the state's environmental laws, responds to emergencies and natural disasters, oversees dam safety and watermaster programs, and monitors air quality within Texas. The office also oversees the operations of 16 regional offices and two special-project offices across the state. Three divisions report to this office: Critical Infrastructure, Enforcement, and Field Operations, which is split into three regional sections and a central office: Field Operations Support, Field Operations Border and South Texas, Field Operations Coastal and East Texas, and Field Operations North Central and West Texas.

The Field Operations Support Division oversees the Texas air quality monitoring program, which samples and analyzing the air in Texas and reports the results to the public and the U.S. EPA. It relies on a network of stationary monitors (that belong to the state, local governments, councils of governments, and private partners), labs that analyze samples, and short-term mobile monitoring of emission sources. The program generates data for: determining the causes, nature, and behavior of air pollution; forecasting possible high concentrations of ozone and particulate matter; and determining attainment with EPA air quality standards.

Records are part of the Monitoring Operations Air Laboratories and Quality Assurance QA/QC program.

Arrangement: Arranged by team and then alphabetical within the team.

Access constraints: Files are stored in a controlled-access room as part of the NELAP certification.

Use constraints: None

Indexes or finding aids required for/or an aid to access? There is an Excel tracking spreadsheet which tracks which IDACs have been completed by each employee.

Problems: None

Known related records in other agencies: None known

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: Initial Demonstration of Analytical Capability Records

Series item number: 1.1.067

Agency item number: 4600.07

Archival code: R

Retention: AC+10

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

This series documents training undertaken as part of the Air Laboratory's National Environmental Laboratory Accreditation Program. Training records such as these are not archival. Remove the archival review code of "R" and replace it with the archival exemption code of "E."

Records Series Review

Series Title: Laboratory Methods Manual and Lab Quality Manual

Agency: Texas Commission on Environmental Quality
Office of Compliance and Enforcement, Field Operations Support Division

Contact: Ken Lancaster

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: fractional

Agency holdings: 2 linear ft.

Description:

Series consists of two manuals used by the Air Laboratories and Quality Assurance Laboratories of the Monitoring Operations Program – the Laboratory Methods Manual and the Lab Quality Manual, dating January 2006.

Purpose:

The manuals (the methods manual is no longer in effect) outline the quality assurance/quality control (QA/QC) procedures for the Air Laboratories and Quality Assurance Laboratories as part of the National Environmental Laboratory Accreditation Program (NELAP) accreditation.

Agency program:

The Office of Compliance and Enforcement enforces compliance with the state's environmental laws, responds to emergencies and natural disasters, oversees dam safety and watermaster programs, and monitors air quality within Texas. The office also oversees the operations of 16 regional offices and two special-project offices across the state. Three divisions report to this office: Critical Infrastructure, Enforcement, and Field Operations, which is split into three regional sections and a central office: Field Operations Support, Field Operations Border and South Texas, Field Operations Coastal and East Texas, and Field Operations North Central and West Texas.

The Field Operations Support Division oversees the Texas air quality monitoring program, which samples and analyzing the air in Texas and reports the results to the public and the U.S. EPA. It relies on a network of stationary monitors (that belong to the state, local governments, councils of governments, and private partners), labs that analyze samples, and short-term mobile monitoring of emission sources. The program generates data for: determining the causes, nature, and behavior of air pollution; forecasting possible high concentrations of ozone and particulate matter; and determining attainment with EPA air quality standards.

Records are part of the Monitoring Operations Air Laboratories and Quality Assurance QA/QC program.

Arrangement: Numerical by revision number and/or date of document

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None known

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: Laboratory Methods Manual and Lab Quality Manual

Series item number: 1.1.043

Agency item number: 4600.08

Archival code: R

Retention: US+10

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

Manuals detailing procedures for major agency functions, such as air quality testing and monitoring, are archival. Such manuals can chronicle testing procedures over the years, possibly correlating that with an increase/decline in air quality. This series is archival. Change the archival review code of "R" to the archival code of "A." Transfer the superseded manuals to the State Archives when their retention period has been fulfilled.

Records Series Review

Series Title: Industry Sponsored Monitoring Reports and Correspondence

Agency: Texas Commission on Environmental Quality
Office of Compliance and Enforcement, Field Operations Support Division

Contact: David Carmichael

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: estimated 2 to 4 linear ft.

Agency holdings: estimated 70 linear ft.

Description:

This series consists of air monitoring data conducted at various industries around the state. Records include correspondence/emails, quality assurance project plans, monitoring reports, quality assurance reports, data analysis, and compact discs with monitoring data. Estimated time frame of record series is January 1999 to present.

Purpose:

Records document air monitoring results conducted by industry as result of Agreed Orders, Supplemental Environmental Projects, Permit Special Conditions, and agency directives.

Agency program:

The Office of Compliance and Enforcement enforces compliance with the state's environmental laws, responds to emergencies and natural disasters, oversees dam safety and watermaster programs, and monitors air quality within Texas. The office also oversees the operations of 16 regional offices and two special-project offices across the state. Three divisions report to this office: Critical Infrastructure, Enforcement, and Field Operations, which is split into three regional sections and a central office: Field Operations Support, Field Operations Border and South Texas, Field Operations Coastal and East Texas, and Field Operations North Central and West Texas.

The Field Operations Support Division oversees the Texas air quality monitoring program, which samples and analyzing the air in Texas and reports the results to the public and the U.S. EPA. It relies on a network of stationary monitors (that belong to the state, local governments, councils of governments, and private partners), labs that analyze samples, and short-term mobile monitoring of emission sources. The program generates data for: determining the causes, nature, and behavior of air pollution; forecasting possible high concentrations of ozone and particulate matter; and determining attainment with EPA air quality standards.

Arrangement: Organized by facility name.

Access constraints: The room housing the records has restricted electronic access.

Use constraints: Records are paper with some compact discs that contain air monitoring data.

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: Other parts of agency may have copies of air monitoring reports including Toxicology Section and the applicable regional office.

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: Industry Sponsored Monitoring Reports and Correspondence

Series item number: 1.1.067

Agency item number: 4600.14

Archival code: R

Retention: AC+10

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

This series documents monitoring tests conducted by industries as a result of Agreed Orders, Supplemental Environmental Projects, Permit Special Conditions, and agency directives. Monitoring air quality is a vital function of TCEQ and is documented in several series. TCEQ feels they only need to keep this data for 10 years after completion of the tests; we agreed that is sufficient retention. An archival series, *Mobile Monitoring Final Reports*, 4642.02, monitors air quality upwind and downwind of industrial facilities, which is sufficient documentation of industry air quality monitoring. This series is not archival. Remove the archival review code of "R" and replace it with the archival exemption code of "E."

Program staff in 2010 stated this series is just used for reference.

Records Series Review

Series Title: Reports, Studies and Surveys - Final

Agency: Texas Commission on Environmental Quality
Office of Compliance and Enforcement, Field Operations Support Division

Contact: Tim Doty

Obsolete record series? Yes
Replaced by: 4642.02 *Mobile Monitoring Final Reports*

Ongoing record series? No

Agency holdings: Approximately 500 cubic ft. (see information for series 4642.02). This would be total holdings for both categories.

Description:

Records document mobile ambient air monitoring downwind/upwind of industrial facilities. Dates not provided. Records include reports, notes, project memos, technical meeting notes with regulated industry, field logbook, scientific findings/observations, raw data, validated data, maps and photos and infrared images. While some of this data is also available electronically, the National Laboratory Accreditation Program requires original hardcopy data and revised hardcopy data be maintained.

Purpose:

All monitoring trips are used by state and federal government for conducting ambient air monitoring downwind of industrial facilities. Records used for compliance and enforcement actions, cooperative agreements, federal and state court cases, toxicological assessments, special studies, briefings to TCEQ Executive Management/legislature, SIP Planning, criminal/civil investigations, etc.

Agency program:

The Office of Compliance and Enforcement enforces compliance with the state's environmental laws, responds to emergencies and natural disasters, oversees dam safety and watermaster programs, and monitors air quality within Texas. The office also oversees the operations of 16 regional offices and two special-project offices across the state. Three divisions report to this office: Critical Infrastructure, Enforcement, and Field Operations, which is split into three regional sections and a central office: Field Operations Support, Field Operations Border and South Texas, Field Operations Coastal and East Texas, and Field Operations North Central and West Texas.

The Field Operations Support Division oversees the Texas air quality monitoring program, which samples and analyzing the air in Texas and reports the results to the public and the U.S. EPA. It

relies on a network of stationary monitors (that belong to the state, local governments, councils of governments, and private partners), labs that analyze samples, and short-term mobile monitoring of emission sources. The program generates data for: determining the causes, nature, and behavior of air pollution; forecasting possible high concentrations of ozone and particulate matter; and determining attainment with EPA air quality standards.

Arrangement: Records are organized by monitoring project/by fiscal year/month/day.

Access constraints: Generally not confidential, though industry could request if proprietary.

Use constraints: Certain original electronic records may require Agilent Chem station software. Everything else should be readable by current software.

Indexes or finding aids required for/or an aid to access? None

Problems: None noted

Known related records in other agencies: None noted

Publications based on records: Information unknown. Findings, observations and data results may be in other agency datasets as current customer base is extensive.

Internet pages based on records: Final report and data tables available on internal agency website from 2005 to present. No external web postings currently.

Series data from agency schedule:

Title: Reports, Studies, and Surveys - Final

Series item number: 1.1.067

Agency item number: 4600.17

Archival code: R

Retention: AC + 30

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

This series has been replaced by series 4642.02, *Mobile Monitoring Final Reports*; see that series for the appraisal decision. This series can be removed from the retention schedule.

Records Series Review

Series Title: Standard Operating Procedures

Agency: Texas Commission on Environmental Quality
Office of Compliance and Enforcement, Field Operations Support Division

Contact: Ken Lancaster

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 3 cubic ft.

Agency holdings: 4 linear ft.

Description:

Records are printed copies of current standard operating procedures for the Air Laboratories and Quality Assurance Laboratories of the Monitoring Operations Program, dating 2006-present.

Purpose:

Standard Operating Procedures (SOPs) document standard procedures used in the laboratory as part of the National Environmental Laboratory Accreditation Program (NELAP) accreditation.

Agency program:

The Office of Compliance and Enforcement enforces compliance with the state's environmental laws, responds to emergencies and natural disasters, oversees dam safety and watermaster programs, and monitors air quality within Texas. The office also oversees the operations of 16 regional offices and two special-project offices across the state. Three divisions report to this office: Critical Infrastructure, Enforcement, and Field Operations, which is split into three regional sections and a central office: Field Operations Support, Field Operations Border and South Texas, Field Operations Coastal and East Texas, and Field Operations North Central and West Texas.

The Field Operations Support Division oversees the Texas air quality monitoring program, which samples and analyzing the air in Texas and reports the results to the public and the U.S. EPA. It relies on a network of stationary monitors (that belong to the state, local governments, councils of governments, and private partners), labs that analyze samples, and short-term mobile monitoring of emission sources. The program generates data for: determining the causes, nature, and behavior of air pollution; forecasting possible high concentrations of ozone and particulate matter; and determining attainment with EPA air quality standards.

Arrangement: Numerical by SOP number for current revisions and by SOP number and revision number for older revisions.

Access constraints: SOPs are stored in a controlled-access room as part of the NELAP certification.

Use constraints: None

Indexes or finding aids required for/or an aid to access? There is a tracking spreadsheet on an internal server which tracks the issue and effective date of each SOP.

Problems: None

Known related records in other agencies: None known

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: Standard Operating Procedures

Series item number: 1.1.070

Agency item number: 4600.18

Archival code: R

Retention: US + 10

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

Standard operating procedures document lab procedures used in the Air Laboratories and Quality Assurance Laboratories as part of their National Lab Program accreditation. As these are part of a national accreditation program, this information is not unique to TCEQ and is not archival. Remove the archival review code of "R" and replace it with the archival exemption code of "E."

Records Series Review

Series Title: Lab Analysis Reports (Closed series)

Agency: Texas Commission on Environmental Quality
Office of Compliance and Enforcement, Field Operations Support Division

Contact: David Manis

Obsolete record series? Yes
Replaced by: 4643.01 *Non-Continuous Network Monitoring Data*

Ongoing record series? No

Agency holdings: N/A

Description:

Series documents ambient air monitoring, containing raw and final measurement data for carbonyl, canister, PM10 (particulate matter of 10 microns or less), and PAHs (polynuclear aromatic hydrocarbon). Dates not provided.

Purpose:

Records document air monitoring results from network samples.

Agency program:

The Office of Compliance and Enforcement enforces compliance with the state's environmental laws, responds to emergencies and natural disasters, oversees dam safety and watermaster programs, and monitors air quality within Texas. The office also oversees the operations of 16 regional offices and two special-project offices across the state. Three divisions report to this office: Critical Infrastructure, Enforcement, and Field Operations, which is split into three regional sections and a central office: Field Operations Support, Field Operations Border and South Texas, Field Operations Coastal and East Texas, and Field Operations North Central and West Texas.

The Field Operations Support Division oversees the Texas air quality monitoring program, which samples and analyzing the air in Texas and reports the results to the public and the U.S. EPA. It relies on a network of stationary monitors (that belong to the state, local governments, councils of governments, and private partners), labs that analyze samples, and short-term mobile monitoring of emission sources. The program generates data for: determining the causes, nature, and behavior of air pollution; forecasting possible high concentrations of ozone and particulate matter; and determining attainment with EPA air quality standards.

Arrangement: Numerical by station number.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: Data is also present in the EPA air quality system database.

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: Lab Analysis Reports (closed series)

Series item number: None

Agency item number: 4630.04

Archival code: None

Retention: CE+30

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

This series and its successor, *Non-Continuous Network Monitoring Data*, 4643.41, document air monitoring results from network samples. Monitoring air quality is a vital function of TCEQ. However, this series is comprised of raw and final measurement data, not considered to be archival. The agency keeps the data for 30 years after the final measurements are taken, which is a sufficient period of time. Also, this information is sent to the Environmental Protection Agency database. This series will remain on the schedule until the retention period is met. As this series did not have an archival code, no changes need to be made to the schedule.

Records Series Review

Series Title: DM&A Auto GC Data

Agency: Texas Commission on Environmental Quality
Office of Compliance and Enforcement, Field Operations Support Division
Monitoring Data Management and Analysis Section

Contact: Susan Simonet

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 3 cubic ft.

Agency holdings: 26 cubic ft.

Description:

The records in this series document the evaluation of data collected from automated gas chromatographs for the Photochemical Assessment Monitoring Stations (PAMS) program. Records include raw data paper reports, validation notes and summaries, and copies of email correspondence concerning the data. Dates covered are 1994-present.

Purpose:

Records provide documentation of the evaluation of data collected for the Photochemical Assessment Monitoring Stations (PAMS) program, including verifying data and quality controls, documenting changes made to data by field operators or by the TCEQ Quality Assurance team, and documenting the results of the data validation process.

Agency program:

The Office of Compliance and Enforcement enforces compliance with the state's environmental laws, responds to emergencies and natural disasters, oversees dam safety and watermaster programs, and monitors air quality within Texas. The office also oversees the operations of 16 regional offices and two special-project offices across the state. Three divisions report to this office: Critical Infrastructure, Enforcement, and Field Operations, which is split into three regional sections and a central office: Field Operations Support, Field Operations Border and South Texas, Field Operations Coastal and East Texas, and Field Operations North Central and West Texas.

The PAMS monitoring project collects enhanced ozone data to provide an air quality database that will assist in evaluating, tracking, and refining the control strategies for National Ambient Air Quality Standards (NAAQS).

Arrangement: Chronological, grouped by month and site.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? An index detailing the contents of each box is stored electronically on a shared drive, organized by year. Each box in the series contains an index for that year's data. A printout with an index of each data submission to the series is kept by the division records retention specialist.

Problems: None

Known related records in other agencies: The final, ambient, qualified data values are sent to the Environmental Protection Agency and stored in the AQS (internal) database.

Publications based on records: None

Internet pages based on records: The final data values are available on an internal agency web page: <http://rhone/>.

Series data from agency schedule:

Title: DM&A Auto GC Data

Series item number: 1.1.065

Agency item number: 4630.12

Archival code: R

Retention: CE + 10

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

This series documents monitoring of a specific data set for evaluating enhanced ozone for the PAMS Program. The final data values are sent to the federal Environmental Protection Agency. The data is maintained by the agency for 10 years after the data evaluation which is sufficient for this series. These records are not archival. Remove the archival review code of "R" and replace it with the archival exemption code of "E."

Records Series Review

Series Title: Air Control Lab Reports

Agency: Texas Commission on Environmental Quality
Office of Compliance and Enforcement, Field Operations Support Division

Contact: David Manis

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 8 linear ft.

Agency holdings: 40 linear ft.

Description:

Records are laboratory reports of air samples taken during mobile monitoring. The programs supported are field investigations of ambient air complaints, samples taken during mobile monitoring studies, and ambient air sampling at Pantex Plant near Amarillo. Dates covered are 2004-present.

Purpose:

These reports are used to supply analytical results back to our customers of samples submitted to the lab.

Agency program:

The Office of Compliance and Enforcement enforces compliance with the state's environmental laws, responds to emergencies and natural disasters, oversees dam safety and watermaster programs, and monitors air quality within Texas. The office also oversees the operations of 16 regional offices and two special-project offices across the state. Three divisions report to this office: Critical Infrastructure, Enforcement, and Field Operations, which is split into three regional sections and a central office: Field Operations Support, Field Operations Border and South Texas, Field Operations Coastal and East Texas, and Field Operations North Central and West Texas.

The Field Operations Support Division oversees the Texas air quality monitoring program, which samples and analyzing the air in Texas and reports the results to the public and the U.S. EPA. It relies on a network of stationary monitors (that belong to the state, local governments, councils of governments, and private partners), labs that analyze samples, and short-term mobile monitoring of emission sources. The program generates data for: determining the causes, nature, and behavior of air pollution; forecasting possible high concentrations of ozone and particulate matter; and determining attainment with EPA air quality standards.

Arrangement: Chronological by ACL Number.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: Air Control Lab Reports

Series item number: 1.1.067

Agency item number: 4640.04

Archival code: R

Retention: CE+10

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

While monitoring air quality is a vital function of TCEQ, the purpose of this series is to inform customers of test results from air samples they submitted to the lab. The agency maintains this data for 10 years, which we agree is sufficient retention. A more suitable series of lab reports, *Mobile Monitoring Final Reports*, series 4642.02, has been appraised as archival and provides adequate documentation of mobile air quality monitoring.

This series is not archival. Replace the archival review code of "R" with the archival exemption code of "E."

Records Series Review

Series Title: Mobile Monitoring Final Reports

Agency: Texas Commission on Environmental Quality
Office of Compliance and Enforcement, Field Operations Support Division

Contact: Tim Doty

Obsolete record series? No

Ongoing record series? Yes

Agency holdings: Approximately 500 cubic ft. The series replaces series 4600.17. Holdings given are the total for both series.

Description:

This series documents mobile ambient air monitoring downwind/upwind of industrial facilities. Records include reports, notes, project memos, technical meeting notes with regulated industry, field logbook, scientific findings/observations, raw data, validated data, maps and photos. Dates covered are 1985-present. Records available electronically including infrared images but National Laboratory Accreditation Program requires original hardcopy data and revised hardcopy data.

Purpose:

All monitoring trips are used by state and federal government for conducting ambient air monitoring downwind of industrial facilities. Records used for compliance and enforcement actions, cooperative agreements, federal and state court cases, toxicological assessments, special studies, briefings to TCEQ Executive Management/legislature, SIP Planning, criminal/civil investigations, etc.

Agency program:

The Office of Compliance and Enforcement enforces compliance with the state's environmental laws, responds to emergencies and natural disasters, oversees dam safety and watermaster programs, and monitors air quality within Texas. The office also oversees the operations of 16 regional offices and two special-project offices across the state. Three divisions report to this office: Critical Infrastructure, Enforcement, and Field Operations, which is split into three regional sections and a central office: Field Operations Support, Field Operations Border and South Texas, Field Operations Coastal and East Texas, and Field Operations North Central and West Texas.

The Field Operations Support Division oversees the Texas air quality monitoring program, which samples and analyzing the air in Texas and reports the results to the public and the U.S. EPA. It relies on a network of stationary monitors (that belong to the state, local governments, councils of governments, and private partners), labs that analyze samples, and short-term mobile monitoring of

emission sources. The program generates data for: determining the causes, nature, and behavior of air pollution; forecasting possible high concentrations of ozone and particulate matter; and determining attainment with EPA air quality standards.

Arrangement: Records are organized by monitoring project/by fiscal year/month/day.

Access constraints: Generally not confidential, though industry could request if proprietary.

Use constraints: Certain original electronic records may require Agilent Chem station software. Everything else should be readable by current software.

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: Information unknown. Findings, observations and data results may be in other agency datasets as current customer base extensive.

Publications based on records: None known

Internet pages based on records: Final report and data tables available on internal agency website from 2005 to present. No external web postings currently.

Series data from agency schedule:

Title: Mobile Monitoring Final Reports

Series item number: 1.1.067

Agency item number: 4642.02

Archival code: R

Retention: CE + 25

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

Monitoring air quality, especially in the vicinity of industrial facilities is a vital agency function. This series contains raw data and final reports of monitoring activities. TCEQ maintains these records for 25 years after completion of testing. The State Archives believes the final reports in this series provide good summary results of the testing and analysis and should be kept permanently so as to provide long-term documentation of the air quality in the state. We have appraised this series to be archival. Change the archival review code of "R" to the archival code of "A" and add this note

in the Remarks column – “Final reports in this series are fulfill the archival requirement. Send these reports to the State Archives when the retention period has been met.”

According to TCEQ records staff in November, 2011, the program area wants to combine this series with 4602.01, *Mobile Monitoring Project Files*, a non-archival series containing raw data. We recommend the final reports remain in a separate, archival series. If the series are combined, then the new series will become archival, with a note added to the Remarks column – “Final reports in this series fulfill the archival requirement. Send these reports to the State Archives when the retention period has been met.

Records Series Review

Series Title: Quality Assurance Project Plans

Agency: Texas Commission on Environmental Quality
Office of Compliance and Enforcement, Field Operations Support Division

Contacts: Patti De La Cruz and Kirstin Bourdon

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: About 1 cubic ft.

Agency holdings: Paper, about 7 cubic ft.

Description:

Records are Quality Assurance Project Plans (QAPP). The plans describe the data quality objectives for all the air monitoring networks beginning in June 1998 through the most current, November 2008. Files include a copy of revision three, with original signatures, of the QAPP for Ambient Air Monitoring in Texas for State and Local Air Monitoring Station (SLAMS)/Border, PM2.5 (particulate matter) and PAMS (Photochemical Assessment Monitoring Stations) Program.

Purpose:

Quality Assurance project plans set consistency among all regions on how to monitor for the specific network. Some project plans are required by Federal Grants Work Plans.

Agency program:

The Office of Compliance and Enforcement enforces compliance with the state's environmental laws, responds to emergencies and natural disasters, oversees dam safety and watermaster programs, and monitors air quality within Texas. The office also oversees the operations of 16 regional offices and two special-project offices across the state. Three divisions report to this office: Critical Infrastructure, Enforcement, and Field Operations, which is split into three regional sections and a central office: Field Operations Support, Field Operations Border and South Texas, Field Operations Coastal and East Texas, and Field Operations North Central and West Texas.

The Field Operations Support Division oversees the Texas air quality monitoring program, which samples and analyzing the air in Texas and reports the results to the public and the U.S. EPA. It relies on a network of stationary monitors (that belong to the state, local governments, councils of governments, and private partners), labs that analyze samples, and short-term mobile monitoring of emission sources. The program generates data for: determining the causes, nature, and behavior of air pollution; forecasting possible high concentrations of ozone and particulate matter; and determining attainment with EPA air quality standards.

Arrangement: No specific arrangement. Each QAPP is a stand-alone document. The format of each QAPP is as stated in EPA R-5 Guidance document.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None known

Publications based on records: None

Internet pages based on records: None

Intranet pages: Data is present on an internal web page of the agency.

Series data from agency schedule:

Title: Quality Assurance Project Plans

Series item number: 1.1.070

Agency item number: 4650.04

Archival code: R

Retention: AC + 10

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

Quality assurance project plans set the data quality objectives for air monitoring networks. The first plan was created in 1988 and has been revised twice. From a historical viewpoint, it is important to see what guidelines the agency established for air quality and how it shifted over time. This record is archival. Change the archival review code of “R” to an archival code of “A.”

Records Series Review

Series Title: Quality Assurance/Quality Control Reports and Audits

Agency: Texas Commission on Environmental Quality
Office of Compliance and Enforcement, Field Operations Support Division

Contact: Nelda Jones

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 2 cubic ft.

Agency holdings: 11 cubic ft. Paper files from 2000 to 2007, electronic files (MS Word and Excel, 2007-present)

Description:

The series documents data collected from air quality samples. Records include hard copy and electronic field data sheets, audit reports, and quality control checks. Dates covered are 2000 to present (paper files date to 2007; files are electronic starting in 2007).

Purpose:

The purpose of this records series is to provide documentation of the evaluation of data collected from criteria pollutant analyzers associated with the TCEQ continuous ambient monitoring station (CAMS) network.

Agency program:

The Office of Compliance and Enforcement enforces compliance with the state's environmental laws, responds to emergencies and natural disasters, oversees dam safety and watermaster programs, and monitors air quality within Texas. The office also oversees the operations of 16 regional offices and two special-project offices across the state. Three divisions report to this office: Critical Infrastructure, Enforcement, and Field Operations, which is split into three regional sections and a central office: Field Operations Support, Field Operations Border and South Texas, Field Operations Coastal and East Texas, and Field Operations North Central and West Texas.

The Field Operations Support Division oversees the Texas air quality monitoring program, which samples and analyzing the air in Texas and reports the results to the public and the U.S. EPA. It relies on a network of stationary monitors (that belong to the state, local governments, councils of governments, and private partners), labs that analyze samples, and short-term mobile monitoring of emission sources. The program generates data for: determining the causes, nature, and behavior of air pollution; forecasting possible high concentrations of ozone and particulate matter; and determining attainment with EPA air quality standards.

The CAMS network collects criteria pollutant data to provide an air quality database that will assist in the evaluating, tracking, and refining the control strategies for attaining the National Ambient Air Quality Standards (NAAQS).

Arrangement: Data is arranged by TCEQ region, then by EPA site number.

Access constraints: None

Use constraints: Later data is electronic.

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: The final qualified audit values and station responses are sent to EPA and stored in the AQS database.

Publications based on records: None

Internet pages: None

Intranet pages based on records: The final data values are available on an internal drive in the Field Operations Support Division.

Series data from agency schedule:

Title: Quality Assurance/Quality Control Reports and Audits

Series item number: 1.1.067

Agency item number: 4650.05

Archival code: R

Retention: CE + 10

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

Agency requests to change retention period to CE+5 with no offsite storage. We agree. These records document how raw data from air samples is evaluated. The final data values are sent to the EPA. Raw data analysis is not archival. Change the archival review code of "R" to the archival exemption code of "E."

Records Series Review

Series Title: Pantex Project Files

Agency: Texas Commission on Environmental Quality
Office of Compliance and Enforcement, Field Operations Support Division

Contact: Patti De La Cruz

Obsolete record series? Possibly

Ongoing record series? Unknown

Agency holdings: Not provided

Description:

Records are electronic quarterly status reports of air monitoring samples from the Pantex Plant near Amarillo, Texas, dating May 2007 to August 2008. These reports are not being prepared or asked for anymore.

Purpose:

Records document air quality monitoring of the Pantex Plant, as it houses nuclear waste.

Agency program:

The Office of Compliance and Enforcement enforces compliance with the state's environmental laws, responds to emergencies and natural disasters, oversees dam safety and watermaster programs, and monitors air quality within Texas. The office also oversees the operations of 16 regional offices and two special-project offices across the state. Three divisions report to this office: Critical Infrastructure, Enforcement, and Field Operations, which is split into three regional sections and a central office: Field Operations Support, Field Operations Border and South Texas, Field Operations Coastal and East Texas, and Field Operations North Central and West Texas.

The Pantex Plant Superfund Site is located near Amarillo, Texas, in Carson County. It is an active federal facility owned by the U.S. Department of Energy/National Nuclear Security. The Plant was established in 1942 to build conventional munitions and high explosives compounds in support of World War II. The Plant facility was deactivated in 1945 and sold to Texas Technological University, now Texas Tech University. In 1951, the Pantex Plant was reclaimed for use by the Atomic Energy Commission and served as a nuclear weapons production facility. Portions of the conventional weapons plant were renovated, and new facilities were built for the manufacture of HE compounds. Current operations include the development, testing, and fabrication of HE components; nuclear weapons assembly and disassembly, interim storage of plutonium and weapon components; and component surveillance.

Arrangement: Chronological by calendar quarters.

Access constraints: None

Use constraints: Electronic, only available in-house on Monitoring Operations server system

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None known

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: Pantex Project Files

Series item number: 1.1.067

Agency item number: 4650.07

Archival code: R

Retention: CE + 10

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

This file consists of quarterly status reports of air monitoring samples from the Pantex Plant for a two year period. This project was discontinued. Air quality for the Pantex Plant is also monitored through other series that are archival. These records are not archival. Replace the archival review code of "R" with the archival exemption code of "E." Once these records have fulfilled their retention this series can be removed from the retention schedule.

Records Series Review

Series Title: Irrigators Advisory Council – Meeting Minutes and Agendas

Agency: Texas Commission on Environmental Quality
Office of Compliance and Enforcement, Compliance Support Division,
Regulatory Compliance Section/Licensed Irrigator Program

Contact: Candy Garrett, 512-239-1451

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 1.5 inches

Agency holdings: 6 inches, dating 1993 to present.

Description:

Records are agenda, minutes, and meeting supporting documents of the Irrigators Advisory Council, an advisory committee to the Texas Commission on Environmental Quality, dating 1993–present.

Purpose:

Files document the actions of the Irrigators Advisory Council (IAC), a body that advises the agency on landscape irrigation issues.

Agency program:

The Office of Compliance and Enforcement enforces compliance with the state’s environmental laws, responds to emergencies and natural disasters, oversees dam safety and watermaster programs, and monitors air quality within Texas. The office also oversees the operations of 16 regional offices and two special-project offices across the state. Three divisions report to this office: Critical Infrastructure, Enforcement and Remediation. Field Operations also reports to this office and is split into three regional sections and a central office: Field Operations Support, Field Operations Border and South Texas, Field Operations Coastal and East Texas, and Field Operations North Central and West Texas.

The Compliance Support Division manages occupational licensing programs for vendors and installers, including programs for backflow prevention, municipal solid waste, onsite sewage, underground storage tanks, leaking petroleum tanks, public water systems, water treatment, and visual admissions; provides regulatory and compliance support for the On-Site Sewage Facility Program, landscape irrigation, lab accreditation and drinking water lab certification, quality assurance; and it operates the Texas Small Public Water Systems Training Program. The division also conducts audits and complaint investigations in these areas.

The Irrigator Advisory Council (ICA) is composed of nine members appointed by the TCEQ. Council members serve staggered terms. Membership consists of six licensed irrigators and three persons representing the public. The purpose of the IAC is to provide advice to the Agency on landscape irrigation issues in Texas. The authority for the council is found in Chapter 1903 of the Texas Occupations Code and 30 Texas Administrative Code, Sections 344.1 thru 344.80. Meetings are called quarterly on average.

Arrangement: Chronological.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages: Membership of the committee and copies of minutes and agenda are posted on the TCEQ website at:

http://www.tceq.state.tx.us/compliance/compliance_support/regulatory/irrigation/irr_advisory.html

Series data from agency schedule:

Title: Meeting Minutes and Agendas

Series item number: 1.1.058

Agency item number: 4522.05

Archival code: A

Retention: PM

Archival holdings at the Texas State Library and Archives Commission:

Texas Commission on Environmental Quality, *Irrigator Advisory Council records, 2002-2008, 0.25 cubic ft.* [unprocessed]

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

Files document meetings of an advisory committee to the TCEQ (Office of Compliance and Enforcement). Minutes of advisory committees are archival. This series can retain its archival code of "A." The agency keeps the record copy of the minutes and sends a paper copy to the State

Archives. Add a note to the Remarks section of the schedule: "Copies of minutes sent to the State Archives fulfill the archival requirement."

Records Series Review

Series Title: Air Permit (except Title V) (includes construction authorizations)

Agency: Texas Commission on Environmental Quality
Office of Air, Air Permits Division

Contacts: Mary Mahaney, 512-239-2427 and Don Nelson, 512-239-0894

Obsolete record series? No

Ongoing record series? Yes

Annual accumulation: About 100 linear ft.

Agency holdings: 791 reels of microfilm, dating 1966-2002; about 1,750 linear ft. of paper, 1964-present; 145 cubic ft. at the State Records Center, 1940-present.

Description:

Records consist of all air permit documents (active, inactive/closed, portable, new source review, standard permit, permit by rule, special and standard exemptions and county general files) with the exception of Title V air permit documents. Records are permits, agreed orders, applications, correspondence, reports, State Office of Administrative Hearings documents, oversize materials, maps and photos received as part of an air permit application. Dates covered are 1940-present.

Purpose:

Records demonstrate applicant has met permitting requirements and that the permit was issued or denied.

Agency program:

The Office of Air oversees all air permitting activities for the agency. The Air Permits Division processes air permits and authorizations for facilities that, when operational, would emit contaminants into the atmosphere.

Arrangement: Numerical, by air permit number.

Access constraints: Confidential materials may exist with any permit or permit application (filed under series 6101.15).

Use constraints: Microfilm and microfiche readers needed.

Indexes or finding aids required for/or an aid to access? None available

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records:

http://www.tceq.state.tx.us/nav/permits/air_permits.html

http://www.tceq.state.tx.us/permitting/air/nav/air_status_permits.html

Series data from agency schedule:

Title: Air Permit (Except Title V) (includes construction authorizations)

Series item number: None

Agency item number: 6101.01

Archival code: R

Retention: PM

Title: Air Permit (except Title V) Oversize Documents, Maps, Photos, etc. (includes construction authorizations)

Series item number: None

Agency item number: 6101.07

Archival code: R

Retention: PM

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

Maintaining acceptable air quality is a vital function of the TCEQ. Permits are issued to ensure industrial facilities and others releasing particulates in the air follow the safety protocols set by the Commission. Tracking air quality and air permit users over time is essential to provide historical documentation of changes in air quality. TCEQ considers the permit files in series 6101.01 to be permanent, and we agree. Change the archival review code of “R” to the archival code of “A.” Add the following note to the Remarks Section of the schedule – “If the agency changes their retention to anything less than PM, transfer records to the State Archives as their retention is met.”

The oversize materials and photos in series 6101.07 need long-term retention but are not inherently archival. The Commission is maintaining these permanently. We have determined these records to be not archival. Remove the archival review code of “R” and replace it with the archival exemption code of “E.”

In November 2011 I was informed by TCEQ records staff that the retention for the oversize materials changed from 30 years to PM and that the series would likely be combined together. If that is the case, the new series will have an archival code of "A."

Records Series Review

Series Title: RCRA (Resource Conservation and Recovery Act) and Risk Burn/Combustion Strategy, EPA

Agency: Texas Commission on Environmental Quality
Office of Air, Air Permits Division

Contacts: Mary Mahaney, 512-239-2427 and Don Nelson, 512-239-0894

Obsolete record series? Yes

Replaced by: This record series is no longer in use. File contains valid information pertaining to Industrial & Hazardous Waste Part Bs, Air, based on IHW facility.

Ongoing record series? No

Annual accumulation: None

Agency holdings: None

Description:

Records are Resource Conservation Recovery Act (RCRA) Part B permit applications for industrial hazardous waste facilities and are retained based on the *Industrial Hazardous Waste (IHW)* records, series 6304.15. This record series was part of a program under the Texas Air Control Board from 1985 to 1993.

Purpose:

This record series still contains valid information pertaining to Industrial Hazardous Waste (IHW) Part B applications.

Agency program:

The Office of Air oversees all air permitting activities for the agency. The Air Permits Division processes air permits and authorizations for facilities that, when operational, would emit contaminants into the atmosphere.

Arrangement: Numerical, by air permit number.

Access constraints: Confidential materials may exist with any permit or permit application.

Use constraints: Microfilm and microfiche readers needed.

Indexes or finding aids required for/or an aid to access? None available

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: RCRA (Resource Conservation and Recovery Act) and Risk Burn/Combustion Strategy, EPA

Series item number: None

Agency item number: 6101.02

Archival code: R

Retention: AC + 10

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

Records are Resource Conservation Recovery Act (RCRA) Part B permit applications for industrial hazardous waste facilities. This series is obsolete; copies of the RCRA Part B applications are now found in series 6304.15 – *Industrial and Hazardous Waste Registration Part B Applications*. Once the files in the RCRA and Risk Burn/Combustion Strategy, EPA series have fulfilled their retention, this series can be removed from the schedule. We recommend the retention for this series be changed to AC + 30, same as series 6304.15. Remove the archival review code of “R” from the schedule and replace it with the archival exemption code of “E.”

Records Series Review

Series Title: Air Permits and Exemptions (inactive)

Agency: Texas Commission on Environmental Quality
Office of Air, Air Permits Division

Contacts: Mary Mahaney, 512-239-2427 and Don Nelon, 512-239-0894

Obsolete record series? Yes
Replaced by: Now part of series 6202.01

Ongoing record series? No
Annual accumulation: None

Agency holdings: Paper is kept for three years then microfilmed. This record series is closed to additional records. Approximately 30 cubic ft. eligible for destruction are currently housed at the State Records Center. Inactive files will no longer be separated from active files. Air Permit records are on a 5-year filming schedule and records that are no longer active will not be replaced. Inactive files will be eventually placed on microfilm.

Description:
Records are inactive air permits, agreed orders, applications, correspondence, reports, and SOAH documents. Dates were not provided.

Purpose:
Air permit files demonstrate that the applicant has met permitting requirements and the permit was issued or denied.

Agency program:
The Office of Air oversees all air permitting activities for the agency. The Air Permits Division processes air permits and authorizations for facilities that, when operational, would emit contaminants into the atmosphere.

Arrangement: Numerical, by air permit number.

Access constraints: Confidential materials may exist with any permit or permit application (filed under series 6101.15).

Use constraints: Microfilm and microfiche readers needed.

Indexes or finding aids required for/or an aid to access? None available

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: Air Permits and Exemptions (inactive)

Series item number: None

Agency item number: 6101.06

Archival code: R

Retention: AC+3 (paper, microfilm is PM)

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

Maintaining acceptable air quality is a vital function of the TCEQ. Permits are issued to ensure that industrial facilities and others releasing particulates in the air follow the safety protocols set by the Commission. Tracking air quality and air permit users over time is essential to provide historical documentation of changes in air quality. This series contains inactive permits and the agency now files the inactive permits in the overall air permits series, 6101.01, which is both archival and permanent. The remaining inactive permits should be added to series 6101.01 and this series removed from the retention schedule.

Records Series Review

Series Title: Air Operating Permits Title V

Agency: Texas Commission on Environmental Quality
Office of Air, Air Permits Division

Contacts: Mary Mahaney, 512-239-2427 and Don Nelson, 512-239-0894

Obsolete record series? No

Ongoing record series? Yes

Annual accumulation: About 35 linear ft.

Agency holdings: About 523 linear ft. Permit files date from 1972-present; oversize materials date from 1940-present.

Description:

This series contains air permit applications files for permits operating under the Federal Clean Air Act Amendments, 1990, Title V regulations, including both General Operating Permits and Site Operating Permits. Records include federal operating permits, correspondence and related documents including records of all submitted application data, issued permit actions, statements of basis and technical summaries of permit actions, communication records, oversize documents, maps and photos. This series may also include portables. Dates are 1940-present. Confidential records are stored in series 6101.15 and 6101.16 (oversize).

Purpose:

Records demonstrate that the applicant has met permitting requirements and the permit was issued or denied.

Agency program:

The Office of Air oversees all air permitting activities for the agency. The Air Permits Division processes air permits and authorizations for facilities that, when operational, would emit contaminants into the atmosphere.

Arrangement: Numerical, by air permit number.

Access constraints: Confidential materials may exist with any permit or permit application (filed under series 6101.15).

Use constraints: Microfilm and microfiche readers needed.

Indexes or finding aids required for/or an aid to access? None available

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records: None

Internet pages based on records:

http://www.tceq.state.tx.us/nav/permits/air_permits.html

http://www.tceq.state.tx.us/permitting/air/nav/air_status_permits.html

Series data from agency schedule:

Title: Air Operating Permits Title V

Series item number: None

Agency item number: 6101.08

Archival code: R

Retention: PM

Title: Air Operating Permits Title V, Oversize Documents, Maps, Photos, etc.

Series item number: None

Agency item number: 6101.12

Archival code: R

Retention: PM

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

Maintaining acceptable air quality is a vital function of the TCEQ. Permits are issued to ensure industrial facilities and others releasing particulates in the air follow the safety protocols set by the Commission. Tracking air quality and air permit users over time is essential to provide historical documentation of changes in air quality. TCEQ considers the permit files in series 6101.08 to be permanent, and we agree. Change the archival review code of “R” to the archival code of “A.” Add the following note to the Remarks Section of the schedule – “If the agency changes their retention to anything less than PM, transfer records to the State Archives as their retention is met.” The oversize materials and photos in series 6101.12 need long-term retention but are not inherently archival. The Commission is maintaining these permanently. We have determined these records to be not archival. Remove the archival review code of “R” and replace it with the archival exemption code of “E.”

In November 2011 I was informed by TCEQ records staff that the retention for the oversize materials changed from 30 years to PM and that the series would likely be combined together. If that is the case, the new series will have an archival code of "A."

Records Series Review

Series Title: Air Permit Confidential (except Title V) (includes construction authorizations)

Agency: Texas Commission on Environmental Quality
Office of Air, Air Permits Division

Contacts: Mary Mahaney, 512-239-2427 and Don Nelon, 512-239-0894

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 12 inches

Agency holdings: About 71 linear ft. of paper, 1958-present; 10,252 pages of microfiche, 1972-2001; about 2 linear ft. of oversize materials and photographs, 1975-2001.

Description:

This record series contains all documents classified as confidential, including active, inactive/closed air permits including portable, NSR (new source review), standard permit, permit-by-rule, special and standard exemptions, and county general files. Dates covered are 1958-present.

Purpose:

This series maintains confidential information found in the air permit files, series 6101.01.

Agency program:

The Office of Air oversees all air permitting activities for the agency. The Air Permits Division processes air permits and authorizations for facilities that, when operational, would emit contaminants into the atmosphere.

Arrangement: Numerical, by air permit number.

Access constraints: Confidential materials may exist with any permit or permit application (filed under Record Series 6101.15). Exceptions to this record series are: RCRA Air permit files (see 6101.02) and Title V Air Operating Permits (see 6101.08, 6101.15). Confidential records primarily concern third-party proprietary restrictions, see Attorney General opinion H-836.

Use constraints: Records maintained in TCEQ Central File Room for five years then microfilmed, requiring a microfilm reader.

Indexes or finding aids required for/or an aid to access? None available

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: Air Permit Confidential (except Title V) (includes construction authorizations)

Series item number: none

Agency item number: 6101.13

Archival code: R

Retention: PM

Title: Air Operating Permits (except Title V) Confidential, Oversize Documents, Maps, Photos, etc.

Series item number: none

Agency item number: 6101.14

Archival code: R

Retention: PM

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

These records are an integral part of the air permitting process but are maintained separately from the series *Air Permits (except Title V)*, 6101.01. They are part of the historical documentation of air quality throughout the years in Texas. As with the open records in series 6101.01, the agency considers these permit files, series 6101.13, to be permanent, and we agree. Change the archival review code of “R” to the archival code of “A.” Add the following note to the Remarks Section of the schedule – “If the agency changes their retention to anything less than PM, transfer records to the State Archives as their retention is met.” The confidential nature of these records needs to be revisited periodically, about every 10 years, to determine when/if the records will become open.

The oversize materials and photos in series 6101.14 need long-term retention but are not inherently archival. The Commission is maintaining these permanently. We have determined these records to be not archival. Remove the archival review code of “R” and replace it with the archival exemption code of “E.”

In November 2011 I was informed by TCEQ records staff that the retention for the oversize materials changed from 30 years to PM and that the series would likely be combined together. If that is the case, the new series will have an archival code of “A.”

Records Series Review

Series Title: Air Operating Permits Title V Confidential

Agency: Texas Commission on Environmental Quality
Office of Air, Air Permits Division

Contacts: Mary Mahaney, 512-239-2427 and Don Nelon, 512-239-0894

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 125,000 pages

Agency holdings: About 66 linear ft. in Central File Room, 1993-present.

Description:

Records are application files for air permits operating under the Federal Clean Air Act Amendments, 1990, Title V regulations. This record series contains all documents classified as confidential including General Operating Permits and Site Operating Permits. Non-confidential records are stored in series 6101.08. Dates covered are 1993-present.

Purpose:

Records demonstrate that the applicant has met permitting requirements and the permit was issued or denied.

Agency program:

The Office of Air oversees all air permitting activities for the agency. The Air Permits Division processes air permits and authorizations for facilities that, when operational, would emit contaminants into the atmosphere.

Arrangement: Numerical, by air permit number.

Access constraints: Confidential materials may exist with any permit or permit application (filed under series 6101.15). Non-confidential records are stored under 6101.08. Restrictions are likely third party proprietary issues, see Attorney General opinion H-836.

Use constraints: Records maintained in TCEQ Central File Room for five years then microfilmed, requiring a microfilm reader.

Indexes or finding aids required for/or an aid to access? None available

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: Air Operating Permits Title V Confidential

Series item number: None

Agency item number: 6101.15

Archival code: R

Retention: PM

Title: Air Operating Permits Title V Confidential, Oversize Documents, Maps, Photos, etc.

Series item number: None

Agency item number: 6101.16

Archival code: R

Retention: PM

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

These records are an integral part of the air permitting process but are maintained separately from the series *Air Operating Permits Title V*, 6101.08. They are part of the historical documentation of air quality throughout the years in Texas. As with the open records in series 6101.08, the agency considers these permit files, series 6101.15, to be permanent, and we agree. Change the archival review code of “R” to the archival code of “A.” Add the following note to the Remarks Section of the schedule – “If the agency changes their retention to anything less than PM, transfer records to the State Archives as their retention is met.” The confidential nature of these records needs to be revisited periodically, about every 10 years, to determine when/if the records will become open.

The oversize materials and photos in series 6101.16 need long-term retention but are not inherently archival. The Commission is maintaining these permanently. We have determined these records to be not archival. Remove the archival review code of “R” and replace it with the archival exemption code of “E.”

In November 2011 I was informed by TCEQ records staff that the retention for the oversize materials changed from 30 years to PM and that the series would likely be combined together. If that is the case, the new series will have an archival code of “A.”

Records Series Review

Series Title: Concentrated Animal Feeding Operation (CAFO)

Agency: Texas Commission on Environmental Quality
Office of Water, Water Quality Division, CAFO Permits Team

Contact: Laurie Fleet, CAFO Permits Team, 512-239-5445

Obsolete record series? No

Ongoing record series? Yes. Record series began in the 1960s.
Annual accumulation: About 4 linear ft.

Agency holdings: 75 linear ft. Records are available in paper, electronic, and microfilm format. Paper documents are primarily 8.5" x 11", but some oversized maps are included. When funding is available, paper records are microfilmed five years after the record is closed, terminated, completed, expired or settled. The paper files are destroyed once the record is microfilmed.

Description:

This series consists of documents related to permit actions and compliance for permitted concentrated animal feeding operations. Dates covered are 1968-present. The series includes written authorizations in the form of registrations, general permit authorizations, and individual permits.

Records related to permit actions include permit applications, correspondence between the Texas Commission on Environmental Quality (TCEQ) and applicants and between programs within the TCEQ (in the form of letters, interagency memos, printed emails, faxes, phone memos), maps, photos, draft and issued permits, fact sheets, public notices, public comment letters, public notice verification such as newspaper clippings and affidavits, responses to public comments, transcripts from public meetings and hearings, support documentation for items presented at commission agenda, and orders. Information in permit applications include completed forms, names and addresses of adjacent landowners, maps (including location of each adjacent landowner, facility layout, land application areas, topography, floodplain, soil types and air buffer distances), certification statement and supporting documents for recharge features located on the property, wastewater storage pond designs, capacity and liner certifications for existing wastewater storage ponds, land application rate calculations, soil analyses, manure and wastewater analyses, best management practices to minimize odors, consent letters from landowners consenting to air buffer variances, groundwater monitoring plan, groundwater monitoring analyses. Information in issued permits include the permit number, permittee name and address, permitted head count, land application acreage, name and size of wastewater storage ponds, facility location (including address or location description, latitude and longitude, and county), watershed basin name, watershed segment name and number, issued date, expiration date, and regulatory requirements such as design, construction, operation, maintenance, recordkeeping, and reporting.

Records related to compliance include correspondence between TCEQ and permittees and between programs within the TCEQ (in the form of letters, interagency memos, printed emails, faxes, phone memos, notices of violation), compliance investigation checklists, photos, maps, reports, self reported data (soil analyses, discharge notifications, groundwater monitoring analyses), support documentation for items presented at commission agenda, and orders.

Purpose:

The records serve as an official permanent record of the authorization and compliance of each Concentrated Animal Feeding Operation (CAFO) in the state. This record series provides information on each permitted CAFO in the state with respect to maximum head authorized; number of acres used for land application of manure and wastewater; facility location; storage pond design criteria; design, construction, maintenance and operation requirements; recordkeeping requirements; reporting requirements; and compliance records.

Agency program:

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting (CAFO) Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

CAFO authorizations provide authorization for facilities defined or designated as CAFOs to discharge manure, sludge and wastewater into or adjacent to surface water in the state as the result of chronic or catastrophic rainfall or catastrophic conditions. The CAFO program is comprised of both Water Quality Division staff, responsible for reviewing permit applications and drafting permits, and Field Operation Division staff, responsible for conducting site inspections to determine compliance with state laws and rules and the issued permit.

Texas received delegation for the National Pollutant Discharge Elimination System (NPDES) from the United States Environmental Protection Agency (EPA) on September 14, 1998. Federal regulations have been incorporated into the state rules governing CAFOs, 30 Texas Administrative Code, Sections 321.31 thru 321.47. Under the Texas Pollutant Discharge Elimination System (TPDES), CAFOs may combine their state and federal authorization into one permit. Facilities meeting the definition of a Large CAFO in 30 Texas Administrative Code, Sections 321.31 thru 321.47 which is tied to the maximum number of animals, are required to obtain TPDES authorization, except dry litter poultry.

Facilities located in Bosque, Comanche, Erath, Hamilton, Hopkins, Johnson, Rains, and Wood Counties, which confine the number of animals listed in the definition for Medium CAFOs are required to obtain written authorization as a State Only CAFO, except dry litter poultry.

Two types of written water quality authorization are currently available, individual permit and general permit. State laws, 30 Texas Administrative Code Sections 321.31 thru 321.47, and the general permit identify which CAFOs are not eligible for coverage under the general permit and must be authorized under an individual permit. Prior to the availability of the CAFO general permit, facilities could be authorized under a registration, which was a written permit-by-rule.

History of CAFO Permitting:

The TCEQ grants authorizations to operate CAFOs, in accordance with 30 Texas Administrative Code, Sections 321.31 thru 321.47. The rules include the EPA requirements for CAFOs, so that TCEQ can issue a combined State and NPDES authorization. The CAFO rules offer the ability to consolidate air and water quality requirements and processing.

The Agencies that preceded TCEQ have been issuing permits for animal feeding operations since the late 1960's. In 1987, the Texas Water Commission adopted 30 TAC Chapter 321, Subchapter B. These rules provided a policy of no discharge from animal feeding operation (except in case of a 25 year-24 hour rainfall event) and established a permitting process for facilities classified as CAFOs. In March of 1993, Region VI of the EPA issued a General Permit for CAFOs which established technical and procedural requirements for federal authorization to discharge under NPDES. In 1995, the Texas Natural Resource Conservation Commission promulgated the 30 TAC, Subchapter K regulations that authorized operations according to permit-by-rule as allowed Section 26.040 of the Texas Water Code. The Subchapter K rules included consolidation of air and water quality permitting process and requirements, provided consistency between both federal and state requirements, provide for the development and implementation of a site-specific Pollution Prevention Plan, required certification of whether or not ground and surface water recharge features exist near pollutant sources, development of a final site plan and provide an objective public notice and comment procedure. On February 3, 1998, a Texas District Court ruled that the Subchapter K regulations were invalid because they did not contain a correct legal reasoned justification. The Subchapter B rules were revised to include the technical standards from Subchapter K and the revised rules were issued September 18, 1998. In order, that all provision of Subchapter B coincide with the delegation of NPDES authority from EPA the Subchapter B rules were revised effect July 27, 1999. In February 2003, EPA revised its CAFO regulations. To maintain NPDES delegation, TCEQ also had to revise its rules to maintain consistency with EPA's rules. The current version of 30 TAC 321, Subchapter B went into effect July 15, 2004 and is consistent with EPA regulations.

Arrangement: Numerical, by permit number, thereby in a rough chronological order as the numbers were assigned successively. The individual permits and registrations have a permit number in the following format WQ000XXXX000 and authorizations under the general permit have an authorization number in the following format TXG92XXXX, where X represents a number 0 through 9. For each permit number there is a permits folder, compliance folder, and map folder. Documents in each folder are arranged chronologically, from oldest to newest.

Access constraints: None

Use constraints: Electronic records are only available in-house on the CR-ARTS system and microfilm records require a microfilm reader.

Indexes or finding aids required for/or an aid to access? In addition to the permit number, each facility is assigned a regulated entity number (RN) and each permittee is assigned a customer number (CN). The agency maintains a Central Registry database that can be used to search for records associated with the permit number, CN, or RN. Central Registry searches can be conducted on the TCEQ website at <http://www12.tceq.state.tx.us/crpub/index.cfm>. Information concerning public participation in the permitting process for each permit can be found on the TCEQ website at <http://www4.tceq.state.tx.us/cid/ccd/index.cfm>. Authorizations issued under the CAFO general permit can be searched on the TCEQ website at http://www5.tceq.state.tx.us/wq_dpa/#permit_types.

Problems: None

Known related records in other agencies: For TPDES permits, EPA assigns its own permit number. The EPA permit number is located on the issued permit under the state permit number.

Publications based on records: None

Internet pages based on records: Central Registry searches can be conducted on the TCEQ website at <http://www12.tceq.state.tx.us/crpub/index.cfm>. Information concerning public participation in the permitting process for each permit can be found on the TCEQ website at <http://www4.tceq.state.tx.us/cid/ccd/index.cfm>. Authorizations issued under the CAFO general permit can be searched on the TCEQ website at http://www5.tceq.state.tx.us/wq_dpa/#permit_types.

Other pages:

www.tceq.texas.gov/permitting/water_quality/wastewater/cafo/cafo_definitions.html

www.tceq.texas.gov/permitting/water_quality/wastewater/cafo/cafo_steps.html

www.tceq.texas.gov/nav/permits/cafo.html

http://www.tceq.texas.gov/assets/public/legal/rules/rules/pdflib/321_ind.pdf

<http://www.tceq.texas.gov/assets/public/permitting/forms/00728.pdf>

Series data from agency schedule:

Title: Concentrated Animal Feeding Operation

Series item number: None

Agency item number: 5113.28 (old 6503.03)

Archival code: A

Retention: PM

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: Some revisions to the SIP are present, the completeness of the coverage is unknown.

Gaps: None known

Appraisal decision:

This series contains records related to permit actions and compliance for permitted concentrated animal feeding operations (CAFO). The records document the size of the animal feeding operation, number of acres used for land application of manure and wastewater, design and construction of the facilities and storage pond, and compliance with state and federal CAFO regulations. These records address permitted CAFO operations; unpermitted operations are in series *Animal Feeding Operation Unpermitted*, 5113.65. Texas has a large CAFO program, which needs oversight to prevent unwanted runoff from such operations into the water table of the state. These records are kept permanently by the agency; we have also appraised them as archival. Keep the archival code of "A." Add the following note to the Remarks Section of the schedule – "If the agency changes their retention to anything less than PM, transfer records to the State Archives as their retention is met."

Records Series Review

Series Title: Animal Feeding Operation Unpermitted,
General Correspondence by County and Date

Agency: Texas Commission on Environmental Quality
Office of Water, Water Quality Division, CAFO Permits Team

Contact: Laurie Fleet, CAFO Permits Team, Work Leader, 512-239-5445

Obsolete record series? No

Ongoing record series? Yes. Record series began in 1974.
Annual accumulation: approximately 1 linear ft.

Agency holdings: 40 linear ft. Records are available in paper, electronic, and microfilm format. Paper documents are primarily 8.5" x 11", but some oversized maps are included. When funding is available, paper records are microfilmed five years after the record is closed, terminated, completed, expired or settled. The paper files are destroyed once the record is microfilmed.

Description:

This series consists of documents related to permit actions and compliance for unpermitted concentrated animal feeding operations, including unpermitted facilities which do not have a permit number, and have a county reference distinguished in the correspondence. These facilities are authorized by rule under 30 Texas Administrative Code, Sections 321.31 thru 321.47. The number of animals confined on the operations facility is below the regulatory threshold that requires a CAFO permit. The files may also include documents related to Concentrated Animal Feeding Operations (CAFO) that are unpermitted but should have a permit. Dates covered are 1974-present. The series includes written authorizations in the form of registrations and correspondence.

Records related to permit actions include permit applications, correspondence between the Texas Commission on Environmental Quality (TCEQ) and applicants and between programs within the TCEQ (in the form of letters, interagency memos, printed emails, faxes, phone memos), maps, photos, draft and issued permits, fact sheets, public notices, public comment letters, public notice verification such as newspaper clippings and affidavits, responses to public comments, transcripts from public meetings and hearings, support documentation for items presented at commission agenda, and orders. Information in permit applications include completed forms, names and addresses of adjacent landowners, maps (including location of each adjacent landowner, facility layout, land application areas, topography, floodplain, soil types and air buffer distances), certification statement and supporting documents for recharge features located on the property, wastewater storage pond designs, capacity and liner certifications for existing wastewater storage ponds, land application rate calculations, soil analyses, manure and wastewater analyses, best management practices to minimize odors, consent letters from landowners consenting to air buffer

variances, groundwater monitoring plan, groundwater monitoring analyses. Information in issued permits include the permit number, permittee name and address, permitted head count, land application acreage, name and size of wastewater storage ponds, facility location (including address or location description, latitude and longitude, and county), watershed basin name, watershed segment name and number, issued date, expiration date, and regulatory requirements such as design, construction, operation, maintenance, recordkeeping, and reporting.

Records related to compliance include correspondence between TCEQ and permittees and between programs within the TCEQ (in the form of letters, interagency memos, printed emails, faxes, phone memos, notices of violation), compliance investigation checklists, photos, maps, reports, self reported data (soil analyses, discharge notifications, groundwater monitoring analyses), support documentation for items presented at commission agenda, and orders.

Purpose:

The records serve as an official permanent record of animal feeding operations that have contacted TCEQ for a permit or information and are not required to be permitted. The records provide information on each unpermitted CAFO in the state with respect to maximum head authorized; number of acres used for land application of manure and wastewater; facility location; storage pond design criteria; design, construction, maintenance and operation requirements; recordkeeping requirements; reporting requirements; and compliance records.

Agency program:

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting (CAFO) Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

CAFO authorizations provide authorization for facilities defined or designated as CAFOs to discharge manure, sludge and wastewater into or adjacent to surface water in the state as the result of chronic or catastrophic rainfall or catastrophic conditions. The CAFO program is comprised of both Water Quality Division staff, responsible for reviewing permit applications and drafting permits, and Field Operation Division staff, responsible for conducting site inspections to determine compliance with state laws and rules and the issued permit.

Texas received delegation for the National Pollutant Discharge Elimination System (NPDES) from the United States Environmental Protection Agency (EPA) on September 14, 1998. Federal regulations have been incorporated into the state rules governing CAFOs, 30 Texas Administrative Code, Sections 321.31 thru 321.47. Under the Texas Pollutant Discharge Elimination System (TPDES), CAFOs may combine their state and federal authorization into one permit. Facilities meeting the definition of a Large CAFO in 30 Texas Administrative Code, Sections 321.31 thru

321.47 which is tied to the maximum number of animals, are required to obtain TPDES authorization, except dry litter poultry.

Facilities located in Bosque, Comanche, Erath, Hamilton, Hopkins, Johnson, Rains, and Wood Counties, which confine the number of animals listed in the definition for Medium CAFOs are required to obtain written authorization as a State Only CAFO, except dry litter poultry.

Two types of written water quality authorization are currently available, individual permit and general permit. State laws, 30 Texas Administrative Code, Sections 321.31 thru 321.47, and the general permit identify which CAFOs are not eligible for coverage under the general permit and must be authorized under an individual permit. Prior to the availability of the CAFO general permit, facilities could be authorized under a registration, which was a written permit-by-rule.

History of CAFO Permitting:

The TCEQ grants authorizations to operate CAFO, in accordance with 30 Texas Administrative Code, Sections 321.31 thru 321.47. The rules include the EPA requirements for CAFOs, so that TCEQ can issue a combined State and NPDES authorization. The CAFO rules offer the ability to consolidate air and water quality requirements and processing.

The Agencies that preceded TCEQ have been issuing permits for animal feeding operations since the late 1960's. In 1987, the Texas Water Commission adopted 30 TAC Chapter 321, Subchapter B. These rules provided a policy of no discharge from animal feeding operation (except in case of a 25 year-24 hour rainfall event) and established a permitting process for facilities classified as CAFOs. In March of 1993, Region VI of the EPA issued a General Permit for CAFOs which established technical and procedural requirements for federal authorization to discharge under NPDES. In 1995, the Texas Natural Resource Conservation Commission promulgated the 30 TAC, Subchapter K regulations that authorized operations according to permit-by-rule as allowed Section 26.040 of the Texas Water Code. The Subchapter K rules included consolidation of air and water quality permitting process and requirements, provided consistency between both federal and state requirements, provide for the development and implementation of a site-specific Pollution Prevention Plan, required certification of whether or not ground and surface water recharge features exist near pollutant sources, development of a final site plan and provide an objective public notice and comment procedure. On February 3, 1998, a Texas District Court ruled that the Subchapter K regulations were invalid because they did not contain a correct legal reasoned justification. The Subchapter B rules were revised to include the technical standards from Subchapter K and the revised rules were issued September 18, 1998. In order, that all provision of Subchapter B coincide with the delegation of NPDES authority from EPA the Subchapter B rules were revised effect July 27, 1999. In February 2003, EPA revised its CAFO regulations. To maintain NPDES delegation, TCEQ also had to revise its rules to maintain consistency with EPA's rules. The current version of 30 TAC 321, Subchapter B went into effect July 15, 2004 and is consistent with EPA regulations.

Arrangement: By county, then chronological, by date.

Access constraints: None

Use constraints: Electronic records are only available in-house on the CR-ARTS system and microfilm records require a microfilm reader.

Indexes or finding aids required for/or an aid to access? In addition to the permit number, each facility is assigned a regulated entity number (RN) and each permittee is assigned a customer number (CN). The agency maintains a Central Registry database that can be used to search for records associated with the permit number, CN, or RN. Central Registry searches can be conducted on the TCEQ website at <http://www12.tceq.state.tx.us/crpub/index.cfm>. Information concerning public participation in the permitting process for each permit can be found on the TCEQ website at <http://www4.tceq.state.tx.us/cid/ccd/index.cfm>. Authorizations issued under the CAFO general permit can be searched on the TCEQ website at http://www5.tceq.state.tx.us/wq_dpa/#permit_types.

Problems: None

Known related records in other agencies: The Texas State Soil and Water Conservation Board (TSSWCB) certify animal feeding operations (AFOs). TSSWCB would have all documents related to the certification. TCEQ receives a cc: copy of the TSSWCB certification letter pertaining to certification.

Publications based on records: None

Internet pages based on records: Central Registry searches can be conducted on the TCEQ website at <http://www12.tceq.state.tx.us/crpub/index.cfm>. Information concerning public participation in the permitting process for each permit can be found on the TCEQ website at <http://www4.tceq.state.tx.us/cid/ccd/index.cfm>. Authorizations issued under the CAFO general permit can be searched on the TCEQ website at http://www5.tceq.state.tx.us/wq_dpa/#permit_types.

Other pages:

www.tceq.texas.gov/permitting/water_quality/wastewater/cafo/cafo_definitions.html

www.tceq.texas.gov/permitting/water_quality/wastewater/cafo/cafo_steps.html

www.tceq.texas.gov/nav/permits/cafo.html

http://www.tceq.texas.gov/assets/public/legal/rules/rules/pdflib/321_ind.pdf

<http://www.tceq.texas.gov/assets/public/permitting/forms/00728.pdf>

Series data from agency schedule:

Title: Animal Feeding Operation Unpermitted, General Correspondence by County and Date

Series item number: None

Agency item number: 5113.65

Archival code: R

Retention: PM

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: Some revisions to the SIP are present; the completeness of the coverage is unknown.

Gaps: None known

Appraisal decision:

This series consists of records related to permit actions and compliance for unpermitted concentrated animal feeding operations (CAFO). The records document the size of the animal feeding operation, number of acres used for land application of manure and wastewater, design and construction of the facilities and storage pond, and compliance with state and federal CAFO regulations. Texas has a large CAFO program, which needs oversight to prevent unwanted runoff from such operations into the water table of the state. These records are kept permanently by the agency; we have also appraised them as archival. Change the archival review code of “R” to the archival code of “A.” Add the following note to the Remarks Section of the schedule – “If the agency changes their retention to anything less than PM, transfer records to the State Archives as their retention is met.”

Records Series Review

Series Title: Construction General Permit TXR150000 for Storm Water

Agency: Texas Commission on Environmental Quality
Office of Water, Water Quality Division,

Contact: Rebecca Villalba, Storm Water and Pretreatment Team, Team Leader, 512-239-4784

Obsolete record series? No

Ongoing record series?

Annual accumulation: About 66.3 linear ft.

Agency holdings: 662.69 linear ft. General permit can now be issued through e-permitting which should lessen the amount of documents retained as a hard copy. Paper files date 2001-present. E-records, date 2003-present. WQD has e-permits located at <http://prs.tceq.state.tx.us/steerstaff/index.cfm?fuseaction=operadmin.submitlog>.

Please Note: This is not a new record series. The Central File Room at TCEQ requested that the previous 2007 record retention series (RRS) Agency Item # 6503.29 Storm Water Permits be split into individual storm water record series according to types. This is the Construction Storm Water general permit pulled out of the previous (RRS) Agency Item # 6503.29.

Description:

This series documents storm water runoff from construction sites, industrial facilities, and publicly operated storm drains. Records are general permit development documents, general permits; authorizations under general permit TXR150000 and applications including notice of intent (NOI), waiver, notice of terminations (NOT), notice of change (NOC) and correspondence relating to processing these forms; and compliance documents which include inspection reports, enforcement actions and related correspondence. Dates covered are 2001-present. This series has records with NOIs with TXR150001 - sequential, and construction waiver with TXRCW001 and will continue in sequential order.

Purpose:

The records serve as an official permanent record of the general permit and the associated documents relating to permit development, including authorization and compliance documents for each permitted storm water discharge into surface water from construction sites, industrial facilities, and publicly operated storm drains.

Agency program:

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

General Permit to discharge wastes are authorized under provisions of Section 402 of the Clean Water Act and Chapter 26 of the Texas Water Code. Construction sites that discharge storm water associated with construction activity located in the state of Texas may discharge to surface water in the state only according to effluent limitations, monitoring requirements and other conditions set forth in this general permit, as well as the rules of the Texas Commission on Environmental Quality (TCEQ), the laws of the State of Texas, and other orders of the TCEQ.

Arrangement: Alpha-numeric. This series has general permit with TXR150000, NOIs with TXR150001 - sequential, and construction waiver with TXRCW001- sequential and records will continue in sequential order.

Access constraints: None

Use constraints: Electronic records are only available in-house on the CR-ARTS system.

Indexes or finding aids required for/or an aid to access? In addition to the authorization number, each facility is assigned a regulated entity number (RN) and each permittee is assigned a customer number (CN). The agency maintains a Central Registry database that can be used to search for records associated with the permit number, CN, or RN. Central Registry searches can be conducted on the TCEQ website at <http://www12.tceq.state.tx.us/crpub/index.cfm?fuseaction=cust.CustSearch>

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records:

http://www.tceq.texas.gov/permitting/stormwater/WQ_stormwater_construction_guidance.html

http://www.tceq.texas.gov/permitting/stormwater/TXR15_AIR.html

http://www5.tceq.state.tx.us/wq_dpa/

<http://www.tceq.texas.gov/assets/public/permitting/waterquality/attachments/stormwater/txr150000.pdf>

http://www.tceq.texas.gov/permitting/stormwater/TXR15_surface_water.html

http://www.tceq.texas.gov/permitting/stormwater/sw_permits.html

http://www.tceq.texas.gov/permitting/stormwater/wq_construction.html
http://www.tceq.texas.gov/permitting/stormwater/TXR15_rules.html

Series data from agency schedule:

Title: Construction General Permit TXR150000 for Storm Water
Series item number: None
Agency item number: 5113.41
Archival code: A

Retention: PM

Texas Documents Collection holdings: None

Archival holdings at the Texas State Library and Archives Commission: None

Gaps: None known

Appraisal decision:

This series documents storm water discharge into surface water from construction sites, industrial facilities, and publicly operated storm drains. This water can contain a variety of waste products and needs to be fully documented over the years to see what has been allowed into the surface water of the state. The agency is maintaining these records permanently; we have determined them to be archival as well. Keep the archival code of “A” on the schedule. Add the following note to the Remarks Section of the schedule – “If the agency changes their retention to anything less than PM, transfer records to the State Archives as their retention is met.”

Records Series Review

Series Title: Industrial Wastewater Discharge

Agency: Texas Commission on Environmental Quality
Office of Water, Water Quality Division, Wastewater Permitting Section.

Contacts: Shannon Harris, Water Quality Division, 512-239-5735
Sherry Smith, Wastewater Permitting Section, 512-239-0571

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 114 linear ft.

Agency holdings: 579 microfilm reels, 1933-2002; 663 linear ft., 2002-present; 261 linear ft. of oversized documents stored at the State Records Center, dating 1950-2002. Records are available in paper, electronic, and microfilm format. When funding is available records are kept for five years at the Central File Room (CFR) then microfilmed. The paper files are destroyed once the record is microfilmed. The original film is stored at the State Records Center and the duplicate is stored at CFR.

Description:

The series contains document applications, application evaluations, public comments, proceedings from hearings regarding specific applications at the State Office of Administrative Hearings, permits for industrial wastewater discharges through the Texas Pollutant Discharge Elimination System (TPDES) program and the Texas Land Application Program (TLAP), oversized documents (usually maps, or engineering plans and specifications), dating 1933-present. Records include applications, draft and issued permit, public notices, correspondence, reports, notes, and interoffice memos. These files include expired, cancelled, and county general permits. Oversize materials are stored in series 5113.71, but are described in this series review. Confidential records are stored under series 5113.72 and 5113.73 (oversize).

Purpose:

The function of the records is to provide an official permanent record of the authorization and public access to the permitting files. The purpose of industrial wastewater permitting is to regulate the nature and volume of industrial pollutants that are discharged into or adjacent to waters in the State. According to 30 Texas Administrative Code, Sections 309.1 thru 309.20 and Sections 319.1 thru 319.303, an industrial wastewater permit authorizes the discharge of wastewater into waters of the State, or disposal of wastewater adjacent to waters in the State by irrigation, evaporation or subsurface disposal.

Agency program:

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

The mission of the Water Quality Division is to ensure wastewater treatment to the greatest extent technically feasible and economically practical; to reduce and eliminate the discharge of pollutants through the permitting process, consistent with standards that aim to sustain, enhance, and restore the quality of surface and ground waters; and to encourage public input and active involvement in the permitting process.

The Texas Pollution Discharge Elimination System (TPDES) program is delegated by the U.S. Environmental Protection Agency to the TCEQ. The TLAP program is authorized by the State of Texas. The TPDES program authorizes treated effluent to be discharged into water in the State. The TLAP program authorizes treated effluent to be evaporated or applied to land through spray irrigation, subsurface drip irrigation, or subsurface drain fields.

Industrial wastewater treatment facilities treat wastewater that does not have the characteristics of domestic wastewater, which is generated by human activities such as bathing, toileting, food preparation, cooking, and clothes washing. Industrial wastewater may include domestic wastewater, but has other components in sufficient quantities to cause the basic characteristic of the waste stream to change.

Arrangement: Alphanumeric.

Access constraints: None

Use constraints: Microfilm/microfiche readers needed.

Indexes or finding aids required for/or an aid to access? Central Registry, which is searchable by name, address, or county, lists permit numbers. It is available on-line at:
<http://www12.tceq.state.tx.us/crpub/index.cfm>.

Problems: None known

Known related records in other agencies: Notice of applications for industrial wastewater permits are sent to Texas Parks and Wildlife Department and U.S. Fish and Wildlife Department. U.S. EPA reviews a subset of the applications and would have related records.

The TCEQ Enforcement Division has records of self-reported effluent monitoring demonstrating compliance or noncompliance with Industrial wastewater permits.

Publications based on records: None known

Internet pages based on records: Active applications are searchable at <http://www4.tceq.state.tx.us/wqpaq/>.

Series data from agency schedule:

Title: Industrial Wastewater Discharge

Series item number: None

Agency item number: 5113.70 (old 6502.10)

Archival code: R

Retention: PM

Title: Industrial Wastewater Discharge Oversize Documents, Maps & Photos

Series item number: None

Agency item number: 5113.71 (old 6503.11)

Archival code: R

Retention: PM

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

Records in this series document the nature and volume of industrial pollutants discharged into or adjacent to water in the state. Regulating the discharge of industrial wastewater is a critical function of the agency. TCEQ has determined these records have permanent value; we have determined they are archival. Change the archival review code of “R” to the archival code of “A” in both series. Add the following note to the Remarks Section of the schedule – “If the agency changes their retention to anything less than PM, transfer records to the State Archives as their retention is met.”

Records Series Review

Series Title: Industrial Wastewater Discharge Confidential

Agency: Texas Commission on Environmental Quality
Office of Water, Water Quality Division, Wastewater Permitting Section.

Contacts: Shannon Harris, Water Quality Division, 512-239-5735
Sherry Smith, Wastewater Permitting Section, 512-239-0571

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: None given

Agency holdings: Central File Room (CFR) 71 linear inches; date range: 1973-2009.
Records are available in paper format. When funding is available records are kept for five years at the Central File Room (CFR) then microfilmed. The paper files are destroyed once the record is microfilmed. The original film is stored at the State Records Center (SRC) and the duplicate is stored at CFR.

Description:

This series is comprised of documents that may contain trade secrets and are part of the application for industrial wastewater discharges through the Texas Pollutant Discharge Elimination System (TPDES) program and the Texas Land Application Program (TLAP). In Trade Secrets law, proprietary property is information or knowledge in which the individual or company developing it has ownership rights. Such rights are usually protected by contract and have not been the subject of a patent application. The records may contain patent information or process designs. Records present include correspondence documents and process designs. These files include expired, cancelled, and county general permits. Non-confidential records are stored under TCEQ RRS number 5113.70 and 5113.71 (oversize).

Purpose:

The function of the records is to provide an official confidential permanent record of trade secret documentation received for consideration with the authorization of industrial wastewater permits. These documents are used in support of the issuance of industrial wastewater permits. The purpose of industrial wastewater permitting is to regulate the nature and volume of industrial pollutants that are discharged into or adjacent to waters in the State. According to 30 Texas Administrative Code, Sections 309.1 thru 309.20 and Sections 319.1 thru 319.303, an industrial wastewater permit authorizes the discharge of wastewater into waters of the State, or disposal of wastewater adjacent to waters in the State by irrigation, evaporation or subsurface disposal.

Agency program:

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

The mission of the Water Quality Division is to ensure wastewater treatment to the greatest extent technically feasible and economically practical; to reduce and eliminate the discharge of pollutants through the permitting process, consistent with standards that aim to sustain, enhance, and restore the quality of surface and ground waters; and to encourage public input and active involvement in the permitting process.

The Texas Pollution Discharge Elimination System (TPDES) program is delegated by the U.S. Environmental Protection Agency to the TCEQ. The TLAP program is authorized by the State of Texas. The TPDES program authorizes treated effluent to be discharged into water in the State. The TLAP program authorizes treated effluent to be evaporated or applied to land through spray irrigation, subsurface drip irrigation, or subsurface drain fields.

Industrial wastewater treatment facilities treat wastewater that does not have the characteristics of domestic wastewater, which is generated by human activities such as bathing, toileting, food preparation, cooking, and clothes washing. Industrial wastewater may include domestic wastewater, but has other components in sufficient quantities to cause the basic characteristic of the waste stream to change.

Arrangement: Alphanumeric.

Access constraints: Staff only – third party proprietary restrictions.

Use constraints: Staff only.

Use constraints: Microfilm/microfiche readers needed.

Indexes or finding aids required for/or an aid to access? Central Registry, which is searchable by name, address, or county, lists permit numbers. It is available on-line at: <http://www12.tceq.state.tx.us/crpub/index.cfm>.

Problems: None known

Known related records in other agencies: None known

Publications based on records: None known

Internet pages based on records: Active applications are searchable at <http://www4.tceq.state.tx.us/wqpaq/>.

Series data from agency schedule:

Title: Industrial Wastewater Discharge Confidential

Series item number: None

Agency item number: 5113.72 (old 6503.32)

Archival code: R

Retention: PM

Title: Industrial Wastewater Discharge Confidential – Oversize Documents, Maps and Photos

Series item number: None

Agency item number: 5113.73 (old 6503.33)

Archival code: R

Retention: PM

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

Series contains confidential materials filed with the industrial wastewater discharge applications in series 5113.70. Records document the nature and volume of industrial pollutants discharged into or adjacent to water in the state. Regulating the discharge of industrial wastewater is a critical function of the agency. As with the application files, TCEQ has determined that the records in series 5113.72 have permanent value, and we agree. Change the archival review code of “R” to the archival code of “A.” Add the following note to the Remarks Section of the schedule – “If the agency changes their retention to anything less than PM, transfer records to the State Archives as their retention is met.” The agency should check the confidential nature of these files periodically, perhaps every 10 years, to determine if the restrictions are still valid.

The supplemental oversize materials do not have archival value, the 25 year retention by the agency is sufficient. For series 5113.73, remove the archival code “R” and replace it with the archival exemption code of “E.”

In November 2011 I was informed by TCEQ records staff that the retention for the oversize materials changed from 25 years to PM and that the series would likely be combined together. If that is the case, the new series will have an archival code of “A.”

Records Series Review

Series Title: Municipal Wastewater Discharge Permits

Agency: Texas Commission on Environmental Quality
Office of Water, Water Quality Division, Wastewater Permitting Section

Contacts: Shannon Harris, Water Quality Division, 512-239-5735
Sherry Smith, Wastewater Permitting Section, 512-239-0571

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 252 linear ft.

Agency holdings: Microfilm – 739 reels, 1927-2002; Paper - 889 linear ft., 2002-present; 210 linear ft. of oversize materials stored offsite, 1962-2007. Records are available in paper, electronic, and microfilm format. When funding is available records are kept for five years at the Central File Room (CFR) then microfilmed. The paper files are destroyed once the record is microfilmed. The original film is stored at the State Records Center (SRC) and the duplicate is stored at CFR.

Description:

Records are document applications, application evaluations, public comments, proceedings from hearings regarding specific applications at the State Office of Administrative Hearings, permits for municipal wastewater discharges through the Texas Pollutant Discharge Elimination System (TPDES) program and the Texas Land Application Program (TLAP). Dates covered are 1927-present. Records include applications, draft and issued permit, public notices, correspondence letters, reports, notes, interoffice memos, and oversized documents, maps, engineering plans and specifications. These files include expired, cancelled, and county general permits. Oversize materials are filed in series 5113.75 but are described in this series review. Confidential records are stored under series 5113.76 and 5113.77.

Purpose:

The function of the records is to provide an official permanent record of the authorization and public access to the permitting files. The purpose of municipal wastewater permitting is to regulate the nature and volume of domestic pollutants that are discharged into or adjacent to waters in the State. According to 30 Texas Administrative Code, Sections 309.1 thru 309.20 and Sections 319.1 thru 319.303, an municipal wastewater permit authorizes the discharge of treated domestic wastewater into waters of the State, or disposal of wastewater adjacent to waters in the State by irrigation, evaporation or subsurface disposal.

Agency program:

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

The mission of the Water Quality Division is to ensure wastewater treatment to the greatest extent technically feasible and economically practical; to reduce and eliminate the discharge of pollutants through the permitting process, consistent with standards that aim to sustain, enhance, and restore the quality of surface and ground waters; and to encourage public input and active involvement in the permitting process.

The Texas Pollution Discharge Elimination System (TPDES) program is delegated by the U.S. Environmental Protection Agency to the TCEQ. The TLAP program is authorized by the State of Texas. The TPDES program authorizes treated effluent to be discharged into water in the State. The TLAP program authorizes treated effluent to be evaporated or applied to land through spray irrigation, subsurface drip irrigation, or subsurface drain fields.

Municipal wastewater treatment facilities treat wastewater that has the characteristics of domestic wastewater, which is generated by human activities such as bathing, toileting, food preparation, cooking, and clothes washing. Municipal wastewater may include industrial wastewater, but has other components in sufficient quantities to cause the basic characteristic of the waste stream to change.

Arrangement: Alphanumeric.

Access constraints: None

Use constraints: Microfilm/microfiche readers needed.

Indexes or finding aids required for/or an aid to access? Central Registry, which is searchable by name, address, or county, lists permit numbers. It is available on-line at:
<http://www12.tceq.state.tx.us/crpub/index.cfm> .

Problems: None known

Known related records in other agencies: Notice of applications for municipal wastewater permits are sent to Texas Parks and Wildlife Department and U.S. Fish and Wildlife Department. U.S. EPA reviews a subset of the applications and would have related records.

The TCEQ Enforcement Division has records of self-reported effluent monitoring demonstrating compliance or noncompliance with Municipal wastewater permits.

Publications based on records: None known

Internet pages based on records: Active applications are searchable at <http://www4.tceq.state.tx.us/wqpaq/>.

Series data from agency schedule:

Title: Municipal Wastewater Discharge Permits

Series item number: None

Agency item number: 5113.74 (old 6503.14)

Archival code: R

Retention: PM

Title: Municipal Wastewater Discharge Oversize Documents, Maps & Photos

Series item number: None

Agency item number: 5113.75 (old 6503.15)

Archival code: R

Retention: PM

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

Records in this series document the nature and volume of domestic pollutants discharged into or adjacent to water in the state. Regulating the discharge of municipal wastewater is a critical function of the agency. TCEQ has determined these records have permanent value; we have determined they are archival. Change the archival review code of “R” to the archival code of “A” for both series. Add the following note to the Remarks Section of the schedule – “If the agency changes their retention to anything less than PM, transfer records to the State Archives as their retention is met.”

Records Series Review

Series Title: Municipal Wastewater Discharge Confidential

Agency: Texas Commission on Environmental Quality
Office of Water, Water Quality Division, Wastewater Permitting Section

Contacts: Shannon Harris, Water Quality Division, 512-239-5735
Sherry Smith, Wastewater Permitting Section, 512-239-0571

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: fractional

Agency holdings: 2 linear inches, dating 1997-present. Records are available in paper format. When funding is available records are kept for five years at the Central File Room (CFR) then microfilmed. The paper files are destroyed once the record is microfilmed. The original film is stored at the State Records Center (SRC) and the duplicate is stored at CFR.

Description:

Records are documents that may contain trade secrets and that are part of the application for municipal wastewater discharges through the Texas Pollutant Discharge Elimination System (TPDES) program and the Texas Land Application Program (TLAP). Dates covered are 1997-present. In Trade Secrets law, proprietary property is information or knowledge in which the individual or company developing it has ownership rights. Such rights are usually protected by contract and have not been the subject of a patent application. The records may contain patent information or process designs. Records include correspondence documents and process designs. These files include expired, cancelled, and county general permits. Non-confidential records are stored under TCEQ RRS number 5113.74, non-confidential and confidential maps, photos, and oversized documents for municipal wastewater permits are stored under TCEQ RRS number 5113.74 and 5113.77, respectively.

Purpose:

The function of the records is to provide an official confidential permanent record of trade secret documentation received for consideration with the authorization of municipal wastewater permits. These documents are used in support of the issuance of municipal wastewater permits. The purpose of municipal wastewater permitting is to regulate the nature and volume of domestic pollutants that are discharged into or adjacent to waters in the State. According to 30 Texas Administrative Code, Sections 309.1 thru 309.20 and Sections 319.1 thru 319.303, a municipal wastewater permit authorizes the discharge of treated domestic wastewater into waters of the State, or disposal of wastewater adjacent to waters in the State by irrigation, evaporation or subsurface disposal.

Agency program:

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

The mission of the Water Quality Division is to ensure wastewater treatment to the greatest extent technically feasible and economically practical; to reduce and eliminate the discharge of pollutants through the permitting process, consistent with standards that aim to sustain, enhance, and restore the quality of surface and ground waters; and to encourage public input and active involvement in the permitting process.

The Texas Pollution Discharge Elimination System (TPDES) program is delegated by the U.S. Environmental Protection Agency to the TCEQ. The TLAP program is authorized by the State of Texas. The TPDES program authorizes treated effluent to be discharged into water in the State. The TLAP program authorizes treated effluent to be evaporated or applied to land through spray irrigation, subsurface drip irrigation, or subsurface drain fields.

Municipal wastewater treatment facilities treat wastewater that has the characteristics of domestic wastewater, which is generated by human activities such as bathing, toileting, food preparation, cooking, and clothes washing. Municipal wastewater may include industrial wastewater, but has other components in sufficient quantities to cause the basic characteristic of the waste stream to change.

Arrangement: Alphanumeric.

Access constraints: Staff only – Third party proprietary restrictions.

Use constraints: Staff only

Use constraints: Microfilm/microfiche readers needed.

Indexes or finding aids required for/or an aid to access? Central Registry, which is searchable by name, address, or county, lists permit numbers. It is available on-line at: <http://www12.tceq.state.tx.us/crpub/index.cfm> .

Problems: None known

Known related records in other agencies: None known

Publications based on records: None known

Internet pages based on records: Active applications are searchable at <http://www4.tceq.state.tx.us/wqpaq/> .

Series data from agency schedule:

Title: Municipal Wastewater Discharge Confidential

Series item number: 2.1002

Agency item number: 5113.76 (old 6503.34)

Archival code: R

Retention: PM

Title: Municipal Wastewater Discharge Confidential – Oversize Documents, Maps and Photos

Series item number: 2.1.002

Agency item number: 5113.77 (old 6503.35)

Archival code: R

Retention: 25

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

Series contains confidential materials filed with the municipal wastewater discharge applications in series 5113.74. Records document the nature and volume of domestic pollutants discharged into or adjacent to water in the state. Regulating the discharge of municipal wastewater is a critical function of the agency. TCEQ has determined these records have permanent value, and we agree. Change the archival review code of “R” to the archival code of “A.” Add the following note to the Remarks Section of the schedule – “If the agency changes their retention to anything less than PM, transfer records to the State Archives as their retention is met.” The agency should check the confidential nature of these files periodically, perhaps every 10 years, to determine if the restrictions are still valid.

The supplemental materials do not have archival value, the 25 year retention by the agency is sufficient. For series 5113.77, remove the archival code “R” and replace it with the archival exemption code of “E.”

Records Series Review

Series Title: Pretreatment Program Annual Report

Agency: Texas Commission on Environmental Quality
Office of Water, Water Quality Division, Wastewater Permitting Section

Contacts: Shannon Harris, Water Quality Division, 512-239-5735
Sherry Smith, Wastewater Permitting Section, 512-239-0571

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: About 4 linear ft.

Agency holdings: 72 linear ft., 1975-present. When funding is available records are kept for five years at the Central File Room (CFR) then microfilmed. The paper files are destroyed once the record is microfilmed. The original film is stored at the State Records Center (SRC) and the duplicate is stored at CFR. Volume of SRC holdings not provided.

Description:

Pretreatment reports are submitted to the Texas Commission on Environmental Quality during the month specified on the Texas Pollution Discharge Elimination System (TPDES) permit in the Contributing Industries and Pretreatment Requirements section, dating 1975-present. Original documents are kept in the Central File Room. Copies are kept in the TCEQ program area and in the TCEQ field regional office (either Region 4 or 12) where the pretreatment investigator assigned to the specific pretreatment program is located. The regulated entity also sends a copy to the EPA Region 6 office.

The pretreatment annual reports contain information on specific industrial users (i.e. significant industrial users [SIUs] and categorical industrial users [CIUs]) that are permitted by the publicly owned treatment works (POTW). Information included pertains to permitting, inspection, monitoring, and enforcement activities done by the POTW as the regulatory entity over the industrial users (IUs). If there were IUs that were in significant noncompliance during the reporting period, then the reports also contain the newspaper publication. The reports include analytical results (data) from the wastewater treatment plant (WWTP) influent and effluent monitoring.

Purpose:

The function of the records is to provide an official permanent record of the pretreatment annual reports from POTWs and public access to the files. The information contained in the annual reports is used by the TCEQ pretreatment program staff during pretreatment program audits and pretreatment compliance investigations (PCIs). The audit reports and PCI reports are public documents once they are issued to the POTW. Copies of these reports are kept in the program area,

in the field regional office (either Region 4 or 12) where the pretreatment investigator assigned to the specific pretreatment program is located, and the EPA Region 6 office. The information contained in the annual reports is also used by the TCEQ pretreatment program staff during the review of Texas Pollution Discharge Elimination System (TPDES) permit applications for those POTWs with an approved pretreatment program to determine what pretreatment requirements will be included in the Contributing Industries and Pretreatment Requirements Section of the TPDES permit.

Agency program:

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

The Texas Water Code, Section 26.047, provides TCEQ with the authority to require a pretreatment program for any POTW and require an IU to obtain a permit to discharge into a POTW. The TCEQ will act as the Approval Authority for POTWs with pretreatment programs. The Pretreatment Program is managed by the Storm Water & Pretreatment Team in the Wastewater Permitting Section of the Water Quality Division. Additional responsibilities and detailed information on the TCEQ pretreatment program relating to enforcement are described in Section F of this chapter and in Chapter 6. All references to Code of Federal Regulation, Title 49, Part 403 specified below are adopted by reference in 30 Texas Administrative Code, Section 315.1.

In its capacity as Approval Authority, as defined in 40 the Code of Federal Regulations, Title 40, Section 403.3(c), the TCEQ will evaluate the performance of approved POTW pretreatment programs. This evaluation will employ both on-site and remote monitoring practices to review the ongoing status of the programs and will be conducted routinely. Specific tools which may be employed will include, but may not be limited to, the review of pretreatment-related reports required by the Texas Pollution Discharge Elimination System (TPDES) permit or the regulations, on-site pretreatment compliance inspections, and pretreatment program audits.

As a specific requirement of the TPDES permit, POTWs operating an approved pretreatment program are required to submit a report annually, detailing the status of the pretreatment program. This report must include, among other data, information on all SIUs regulated by the POTW, their compliance status, a listing of all IUs determined to be in significant noncompliance with pretreatment requirements at any time during the year, and treatment plant influent, effluent and monitoring data. Further, in advance of permit reissuance, the POTW is required to conduct an evaluation of the adequacy of its local limits and recalculate the local limits, as needed to reflect any changes in the nature of industrial waste streams it accepts, receiving stream designation, or wastewater treatment process.

Arrangement: The annual reports are filed in chronological order by year. The reports are filed under the pretreatment records series (PRT) under the TPDES permit number for the WWTP used to track the approved pretreatment program. For example, if a POTW has more than one WWTP, then the approved pretreatment program activities are tracked in the PCS database and by the TCEQ under only one specific WWTP number.

Access constraints: None

Use constraints: Microfilm/microfiche readers needed.

Indexes or finding aids required for/or an aid to access: Limited information from the pretreatment annual reports may also be viewed from the EPA's Permit Compliance System (PCS) database in Envirofacts at the following website http://www.epa-echo.gov/echo/compliance_report_water_pcs.html. The general information is entered by TCEQ or EPA into the PCS database, as applicable.

Problems: None known

Known related records in other agencies: The EPA Region 6 and the POTW submitting the report have a paper copy of the pretreatment annual reports.

Publications based on records: Copies of the audit reports and PCI reports are filed in the TCEQ program area and in the TCEQ field regional office (either Region 4 or 12) where the pretreatment investigator assigned to the specific pretreatment program is located. The original is sent to the POTW and a copy to the EPA Region 6 office.

Internet pages based on records: The POTW with an approved TPDES pretreatment program may download the required annual report tables from the TCEQ at the following website: http://www.tceq.texas.gov/permitting/wastewater/pretreatment/approved_programs_annual_reportin g.html

Limited information from the pretreatment annual reports may also be viewed from the EPA's PCS database in Envirofacts at the following website: http://www.epa-echo.gov/echo/compliance_report_water_pcs.html. The general information is entered by TCEQ or EPA into the PCS database, as applicable.

Series data from agency schedule:

Title: Pretreatment Program Annual Report
Series item number: 1.1.067
Agency item number: 5113.90 (old 6503.20)
Archival code: R

Retention: PM

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

According to the staff filling out this series review, the function of these records is to provide a permanent, official record of the pretreatment annual reports. The information in the reports is used by the agency for conducting audit reports and compliance investigations. The retention period assigned by the agency, according to the 2009 retention schedule, was AC+5. In 2010 program staff changed the retention to PM because of new regulations requiring them to keep this data under the Clean Water Act. This data is used for audit and compliance issues and much of the data is also reported to the Environmental Protection Agency. This particular function is not critical enough for these records to be considered archives. Remove the archival review code of “R” and replace it with the archival exemption code of “E.”

Records Series Review

Series Title: Cooperative Agreement (EPA)

Agency: Texas Commission on Environmental Quality
Office of Water, Water Quality Division, Wastewater Permitting Section

Contacts: Shannon Harris, Water Quality Division, 512-239-5735
Sherry Smith, Wastewater Permitting Section, 512-239-0571

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: About two linear inches.

Agency holdings: 4 linear ft. These records are only stored in the program area, no records in the CFR.

Description:

Records are electronic files, paper originals and copies of correspondence with the U.S. Environmental Protection Agency (EPA), Region 6. These letters include the Texas delegation for the NPDES from EPA on September 14, 1998, memorandums of agreement (MOA), memorandums of understanding (MOU), or partnership agreements between TCEQ and EPA in relation to the Water Quality Division, Office of Permitting and Registration, Wastewater Permitting Section. Records date 1998-present.

Purpose:

The records provide an official permanent record of the cooperative agreements between the Water Quality Division at TCEQ and EPA. The decision to implement or not is a result of the TCEQ planning and permitting process.

Agency program:

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

TCEQ and EPA have initiated various MOAs, MOUs or cooperative agreements between parties to cooperatively work together on an agreed upon project or meet an agreed upon objective. The purpose of an MOA or MOU is to have a written understanding of the agreement between parties.

The MOA or MOU can also be a legal document that is binding and hold the parties responsible to their commitment or it can be considered a partnership agreement.

An MOA or MOU is a good tool to use for many permitting objectives. It can be used between agencies, the public and the federal or state governments, communities, and individuals. This process lays out the ground rules of a positive cooperative effort.

Arrangement: By date and project title.

Access constraints: None

Use constraints: Staff only

Indexes or finding aids required for/or an aid to access? Division level electronic files.

Problems: None known

Known related records in other agencies: Environmental Protection Agency, Region 6, Dallas, TX.

Publications based on records: None known

Internet pages based on records: None known

Series data from agency schedule:

Title: Cooperative Agreement (EPA)

Series item number: 1.1024

Agency item number: 5114.01 (old 6504.02)

Archival code: R

Retention: PM

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

This series documents the cooperative agreements between TCEQ's Water Quality Division and the U.S. Environmental Agency. TCEQ should continue to maintain these files permanently. Change the archival code to "A." Add the following note to the Remarks Section of the schedule – "If the agency changes their retention to anything less than PM, transfer records to the State Archives as their retention is met."

Records Series Review

Series Title: Water Quality Management Plan (WQMP)

Agency: Texas Commission on Environmental Quality
Office of Water, Water Quality Division, Water Quality Assessment Section (WQA)

Contacts: Shannon Harris, Water Quality Division, 512-239-5735
Nancy Vignali, Water Quality Assessment Team, 512-239-1303

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 1 to 2 linear ft.

Agency Holdings: Program area maintains paper records, about 16 linear ft., date range: 1980-present; electronic records 510 megabytes, date range: 1996-present. These records are stored in the program area and the agency library, no records in the CFR.

Description:

The Water Quality Management Plan (WQMP) is prepared by TCEQ documenting how the agency controls and managed the quality of the state's water. The plan is updated quarterly and typically requires revision of effluent limits for Texas Pollutant Discharge Elimination System (TPDES) permits, designation of management areas, service area population for municipal wastewater facilities, and total maximum daily loads (TMDLs).

The files contain the certified quarterly WQMP updates approved by the Executive Director, in which the updates contain only the elements of the plan that require modification. The files may contain letters, reports, the quarterly update publication and interoffice memos. Dates covered are 1980-present.

Refer to TCEQ RRS numbers 5413.02, 5415.06, 5441.03, and 5461.06 for items prepared independently of the current WQMP process but are referenced or may be included in the WQMP updates for water quality management planning.

Purpose:

The function of the records are to provide public access and retention of the certified and approved WQMP updates submitted to EPA for approval as an update to the State's WQMP. The records support the current management and technical procedures developed and implemented by TCEQ to control, manage and abate water pollution in Texas.

Agency program:

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

The TCEQ is designated under Section 26.012 of the Texas Water Code as the state agency responsible for conducting water quality planning. As such, TCEQ is responsible for the coordination of water quality management planning in Texas. Responsibility for the development and implementation of control programs for any identified water quality problems attributed to non-point source agricultural or silvicultural activities are assigned to the Texas State Soil and Water Conservation Board (TSSWCB). Long-range planning, development and financing of water resources is the responsibility of the Texas Water Development Board (TWDB), pursuant to Chapters 15, 16, and 17 of the Texas Water Code.

The Water Quality Management Plan (WQMP) is the product of a wastewater treatment facility planning process developed and updated in accordance with provisions of Sections 205(j), 208, 303(e) and 604(b) of the Federal Clean Water Act (CWA), as amended. The WQMP is an important part of the State's program for accomplishing its clean water goals.

The WQMP is tied to the State's water quality assessments that identify priority water quality problems. The WQMPs are used to direct planning for implementation measures that control and/or prevent water quality problems. Several elements may be contained in the WQMP, such as total maximum daily loads (TMDLs), effluent limitations of wastewater facilities, non-point source management controls, identification of designated management agencies, service area population for municipal wastewater facilities, and ground water and source water protection planning. Some of these elements may be contained in separate documents which are prepared independently of the current WQMP update process, but may be referenced as needed to address planning for water quality control measures.

Arrangement: Chronological.

Access constraints: None known

Use constraints: None known

Indexes or finding aids required for/or an aid to access? An internal index is available through the TCEQ Library.

Problems: None known

Known related records in other agencies: WQMP updates are on record with the Environmental Protection Agency, Region 6, 1445 Ross Avenue, Dallas, TX. Contact: Mr. Willie Lane, Chief, Permits & Technical Section, NPDES Permits Branch.

Publications based on records: Yes. The title of the quarterly compilation is the month and year date of the quarter, i.e. “January 2009 Update to the State of Texas Water Quality Management Plan.” The publications are located at the TCEQ Library, Building A, Room 102. Two other sets of records are kept at 1) the Water Quality Division, Water Quality Assessment Section in Building F, 2nd Floor, C222 and 2) the Water Quality Planning Division, Planning and Implementation Section in Building B, Room 1033A.

Internet pages based on records: Yes http://www.tceq.texas.gov/waterquality/data-management/wdma_data.html

Series data from agency schedule:

Title: Water Quality Management Plan

Series item number: 2.1002

Agency item number: 5114.02 (old 6503.25)

Archival code: R

Retention: PM

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: No known publications have been sent to the Texas State Publications Depository Program.

Gaps: None known

Appraisal decision:

The *Water Quality Management Plan* documents actions by TCEQ to control, manage, and abate water pollution in order to improve water quality in the state. The series contains the plan and the quarterly updates and is a vital record for this function. The agency considers these records to have permanent value, and we agree. Copies are also present at the EPA’s Region 6 headquarters in Dallas. This series has been determined to be archival. Change the archival review code of “R” to the archival code of “A.” Add the following note to the Remarks Section of the retention schedule – “Sending a copy of the plan and quarterly updates as they are prepared to the Texas State Publications Depository Program fulfills the archival requirement.”

Records Series Review

Series Title: Water Quality Special Studies

Agency: Texas Commission on Environmental Quality
Office of Water, Water Quality Division, Standards Implementation Team

Contacts: Shannon Harris, Water Quality Division, 512-239-5735
David Galindo, Team Leader, Standards Implementation Team, 512-239-0951

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 3 linear ft.

Agency holdings: About 33 linear ft., 1997-present; electronic records 4,147 megabytes, date range: 2002-present. These records are only stored in the program area, no records in the Central File Room.

Description:

Records are UAA (Use Attainability Assessment) studies, RWA (Receiving Water Assessment) studies, and other stream assessments studies. The studies are comprised of scientific data, photographs, maps, and reports used to determine receiving water quality and characterize effluent, dating 1997-present.

Purpose:

Based on these studies, Texas Pollution Discharge Elimination System (TPDES) permit requirements are recommended and TPDES permits are issued. These data and reports are also used to determine the appropriate use, such as recreation, and set wastewater discharge permit requirements necessary to meet the water quality standards. Records of special studies are retained for future evaluations.

Agency program:

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

The TCEQ Water Quality Assessment Section evaluates water quality special studies primarily to ensure compliance of Texas Pollution Discharge Elimination System (TPDES) discharge

authorizations with Texas Surface Water Quality Standards. The state of Texas assumed the authority to administer the National Pollutant Discharge Elimination System (NPDES) program in Texas on September 14, 1998. The TCEQ TPDES program has federal regulatory authority over discharges of pollutants to Texas surface water, with the exception of discharges associated with oil, gas, and geothermal exploration and development activities, which are regulated by the Texas Railroad Commission.

Arrangement: By type of review then by classified segment, then wastewater permit number.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? Internal databases are maintained and can be used to determine if a special study is available or underway.

Problems: None known

Known related records in other agencies: None known

Publications based on records: *Texas Surface Water Quality Standards* and the *Procedures to Implement the Texas Surface Water Quality Standards*

Internet pages based on records:

http://www.tceq.texas.gov/waterquality/standards/WQ_standards_intro.html.

Series data from agency schedule:

Title: Water Quality Special Studies

Series item number: 1.1.067

Agency item number: 5114.03 (old 6504.05)

Archival code: R

Retention: PM

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

This series is comprised of assessment studies prepared that determine water quality and characterize effluent. The studies are an important component in determining appropriate use of water and in setting waste water discharge permit requirements. The agency retains these records permanently; we also consider them to be archival. Change the archival review code of "R" to the

archival code of “A.” Add the following note to the Remarks Section of the schedule – “If the agency changes their retention to anything less than PM, transfer records to the State Archives as their retention is met.”

Records Series Review

Series Title: Dredging Permit

Agency: Texas Commission on Environmental Quality
Office of Water, Water Quality Division, Standards Implementation Team

Contacts: Shannon Harris, Water Quality Division, 512-239-5735
David Galindo, Team Leader, Standards Implementation Team, 512-239-0951
Michelle Horrocks, Program Specialist, Standards Implementation Team, 512-239-5366

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 4 linear ft.

Agency holdings: 83.5 linear ft. of records retained by Central File Room, dating 1982-present.

Description:
Records are 401 certification review records, comprised of scientific data, reports, photographs, maps, and correspondence (letters and memos), dating 1982-present.

Purpose:
The purpose of 401 water quality certifications is to determine whether a proposed U.S. Army Corps of Engineers Section 404 project will be conducted in a way that will not violate Texas Surface Water Quality Standards.

Agency program:
The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

The Texas Commission on Environmental Quality (TCEQ) is responsible for conducting Section 401 certification reviews of U.S. Army Corps of Engineers Section 404 permit applications for the discharge of dredged or fill material into waters of the United States (U.S.), including wetlands. The TCEQ is the lead state agency that administers the Section 401 certification program in Texas except with respect to oil and gas exploration, which is under the jurisdiction of the Texas Railroad Commission.

Arrangement: The files are arranged numerically or alpha-numerically by the Corps permit number. (Example: Under the Central File Room heading of WQDREDG, the numbers are as follows: 200701218SWG, 24151, IWWM1S2).

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? Internal databases are maintained and can be used to determine if a 404 project has been received or has been certified. A status search webpage is also maintained by the TCEQ and by the General Land Office.

Problems: None known

Known related records in other agencies: District offices of the U.S. Army Corps of Engineers, the Texas Railroad Commission, and the Texas General Land Office.

Publications based on records: None known

Internet pages based on records:

http://www.tceq.texas.gov/waterquality/standards/WQ_standards_intro.html.

Series data from agency schedule:

Title: Dredging Permit

Series item number: Unknown

Agency item number: 5114.21 (old 6504.03)

Archival code: R

Retention: 20 years

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

401 certification reviews are an important part of the Army Corps of Engineers dredging permit applications. TCEQ maintains the 401 reviews for 20 years after completion of the project, which is sufficient documentation of this process. The purpose of the reviews is to determine the impact the project would make. 401 certification reviews are created for a federal agency and are also a federal record. This series is not archival. Replace the archival review code of "R" with the archival exemption code of "E."

Records Series Review

Series Title: River Compact Commissions

Agency: Texas Commission on Environmental Quality
Office of Water, Water Availability Division

Contact: Herman Settemeyer

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 2-3 linear ft.

Agency holdings: 960 linear ft.

Description:

Records are correspondence, reports, maps, historical documents, etc. pertaining to the Interstate River Compacts, dating 1920s-present.

Purpose:

Historically, the State of Texas has been involved in interstate river compact litigation approximately once every 20 years since the 1920s. More often than not, historical documents that shed light on the meaning of some of the language in the compacts prove to be vital evidence in these court battles. The water supplies guaranteed by these compacts are vital to many of the major regions of the State, for example, El Paso (Rio Grande), Panhandle (Canadian) and North Texas (Red River). It is vital to the defense of Texas' rights that historical documents relating to the Compacts be retained.

Agency program:

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

Texas is a member of five interstate river compacts. Each of these compacts is a contract to divide the water in a specific river basin between the member states. Each compact is administered by a commission that protects each member state's rights under that compact. There are five interstate river compact commissions through which Texas works with bordering states to oversee the allocation and use of surface water in shared river basins: the Canadian Compact Commission, the

Red River Compact Commission, the Pecos River Compact Commission, the Sabine River Compact Commission, and the Rio Grande Compact Commission. TCEQ maintains the database of river flows, diversions, and other technical information needed to administer these compacts.

Arrangement: Chronological.

Access constraints: None

Use constraints: Data present in paper and electronic files.

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: There are likely similar records in the files of corresponding state agencies in other states. However, they are not likely to be complete. The Texas Attorney General's Office holds litigation files concerning U.S. Supreme Court cases re: water rights between states.

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: River Compact Commissions

Series item number: None

Agency item number: 5210.01

Archival code: None

Retention: PM

Texas Documents Collection holdings: None

Archival holdings at the Texas State Library and Archives Commission: None

Gaps: None known

Appraisal decision:

Texas has been involved with several Interstate River Compact Commissions, going back to the 1920s. Managing the rights for water shared between Texas and neighboring states is vital. The agency maintains these records permanently; we have determined them to be archival as well. Add an archival code of "A" to the retention schedule. Add the following note to the Remarks Section of the schedule – "If the agency changes their retention to anything less than PM, transfer records to the State Archives as their retention is met."

Records Series Review

Series Title: Water Rights – Cancelled, Denied, Dismissed, Abandoned or Unnumbered

Agency: Texas Commission on Environmental Quality
Office of Water, Water Availability Division

Contact: Steve Ramos

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: fractional

Agency holdings: 283 cubic ft. at the State Records Center, 1915-1992; 2 linear ft. at agency, 2002-present.

Description:

This series consists of documentation of the water rights permitting process and includes records of water use, correspondence and memoranda, applications, notices, orders, and transcripts from hearing, agreements, water rights conveyances, water rights deeds, warranty deeds, tables, graphs, charts clippings, maps and photographs. Dates covered are 1915-present.

Purpose:

Water Rights – cancelled, denied, dismissed, abandoned or unnumbered are document(s) issued in the water right permitting process to regulate the use of state water, which is the surface water from rivers, streams, underflow, creeks, tides, lakes and every bay and arm of the Texas portion of the Gulf of Mexico.

Agency program

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

The Water Availability Division processes water rights permits and amendments; maintains water-availability models for all river basins; reviews water-conservation plans and drought contingency plans; performs groundwater quality planning and assessments; manages the state's plan for preventing groundwater pollution from pesticides and the state's program for the identification of priority groundwater-management areas; ensures compliance, through the watermaster programs,

with water rights by monitoring stream flows, reservoir levels, and water use; and supports interstate river compacts.

Arrangement: Generally numerical.

Access constraints: None known

Use constraints: None

Problems: None known

Known related records in other agencies: None

Publications based on records: None known

Series data from agency schedule:

Title: Water Rights – Cancelled, Denied, Dismissed, Abandoned or Unnumbered

Series item number: None

Agency item number: 5223.01 (old 6502.47)

Archival code: R

Retention: AC + 9

Archival holdings at the Texas State Library and Archives Commission:

Texas Natural Resources Conservation Commission, *Water use maps, 1913-about 1987, about 100 cubic ft.* [these accompany the water rights files we hold and are unprocessed]

Texas Natural Resources Conservation Commission, *Water rights files, 1917-1997, about 242 cubic ft.* [inactive or closed permits - paper files, and oversize that was not filmed] [unprocessed] *

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

Water rights permits provide a historical record of water use by permit holder, including types of uses made and the amount of water used; they also document stream flow conditions and the regulated use of state water. The inactive and closed permit files were microfilmed by TCEQ about 2002. The paper files, oversize materials, maps and drawings were offered to the State Archives. We appraised the series as archival and accepted the transfer. A number of early documents were in pencil and did not film well. And, we were told the oversize materials were not filmed. Change the archival review code to "A."

Records Series Review

Series Title: Water Rights Correspondence

Agency: Texas Commission on Environmental Quality
Office of Water, Water Availability Division

Contact: Steve Ramos

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 6 inches

Agency holdings: 10 linear ft., dates not given

Description:

This series consists of documentation of the water rights permitting process and includes records of water use, correspondence and memoranda, applications, notices, orders, and transcripts from hearing, agreements, water rights conveyances, water rights deeds, warranty deeds, tables, graphs, charts clippings, maps and photographs. Dates not provided.

Purpose:

Water rights correspondence document(s) issued in the water rights permitting process to regulate the use of state water, which is the surface water from rivers, streams, underflow, creeks, tides, lakes and every bay and arm of the Texas portion of the Gulf of Mexico.

Agency program

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

The Water Availability Division processes water rights permits and amendments; maintains water-availability models for all river basins; reviews water-conservation plans and drought contingency plans; performs groundwater quality planning and assessments; manages the state's plan for preventing groundwater pollution from pesticides and the state's program for the identification of priority groundwater-management areas; ensures compliance, through the watermaster programs, with water rights by monitoring stream flows, reservoir levels, and water use; and supports interstate river compacts.

Arrangement: Generally numerical.

Access constraints: None known

Use constraints: None

Indexes or finding aids required for/or an aid to access: A database to water rights permits and certificates of adjudication and a water use database are available at the agency, containing the permit number, name of owner, amount, and type of use authorized. The main point of access is by the permit number. http://www.tceq.texas.gov/permitting/water_rights/wr_databases.html/

Problems: None known

Known related records in other agencies: None known

Publications based on records: None known

Internet pages based on records: This page provides information about the water rights process and provides access to the water rights database and the water use database – http://www.tceq.texas.gov/permitting/water_rights.html/

Series data from agency schedule:

Title: Water Rights Correspondence

Series item number: None

Agency item number: 5223.04 (old 6502.49)

Archival code: R

Retention: 5

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

According to agency staff, this series is being merged with series 5223.11, *Water Rights Applications*, a series determined to be archival. Therefore series 5223.04 can be removed from the schedule.

Records Series Review

Series Title: Water Rights/Surface Water Permits

Agency: Texas Commission on Environmental Quality
Office of Water, Water Availability Division

Contact: Steve Ramos

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: Not provided

Agency holdings: Not provided

Description:

This series consists of documentation of the water rights permitting application process and includes records of water use, correspondence and memoranda, applications, notice, orders, and transcripts from hearings, agreements, conveyances of water rights, water rights deeds, warranty deeds, tables, graphs, charts clippings, maps and photographs. Dates not provided.

Purpose:

Water right correspondence document(s) issued in the water right permitting process to regulate the use of state water, which is the surface water from rivers, streams, underflow, creeks, tides, lakes and every bay and arm of the Texas portion of the Gulf of Mexico.

Agency program

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

The Water Availability Division processes water rights permits and amendments; maintains water-availability models for all river basins; reviews water-conservation plans and drought contingency plans; performs groundwater quality planning and assessments; manages the state's plan for preventing groundwater pollution from pesticides and the state's program for the identification of priority groundwater-management areas; ensures compliance, through the watermaster programs, with water rights by monitoring stream flows, reservoir levels, and water use; and supports interstate river compacts.

Arrangement: Generally numerical.

Access constraints: None known

Use constraints: None

Problems: None known

Known related records in other agencies: None known

Publications based on records: None known

Series data from agency schedule:

Title: Water Rights/Surface Water Permits

Series item number:

Agency item number: 5223.06 (old 6502.56)

Archival code: R

Retention: PM

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

According to agency staff, this series is being merged with series 5223.11, *Water Rights Applications*, a series determined to be archival. The appraisal for 5223.11 applies to this series. Therefore series 5223.06 can be removed from the schedule.

Records Series Review

Series Title: Surface Water Rights Permit/Use

Agency: Texas Commission on Environmental Quality
Office of Water, Water Availability Division

Contact: Steve Ramos

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: Unknown

Agency holdings: Not provided

Description:

This series consists of documentation of the water rights permitting application process and includes records of water use, correspondence and memoranda, applications, notice, orders, and transcripts from hearings, agreements, conveyances of water rights, water rights deeds, warranty deeds, tables, graphs, charts clippings, maps and photographs. Dates not provided.

Purpose:

Water right correspondence document(s) issued in the water right permitting process to regulate the use of state water, which is the surface water from rivers, streams, underflow, creeks, tides, lakes and every bay and arm of the Texas portion of the Gulf of Mexico.

Agency program

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

The Water Availability Division processes water rights permits and amendments; maintains water-availability models for all river basins; reviews water-conservation plans and drought contingency plans; performs groundwater quality planning and assessments; manages the state's plan for preventing groundwater pollution from pesticides and the state's program for the identification of priority groundwater-management areas; ensures compliance, through the watermaster programs, with water rights by monitoring stream flows, reservoir levels, and water use; and supports interstate river compacts.

Arrangement: Generally by topic.

Access constraints: None known

Use constraints: None

Problems: None known

Known related records in other agencies: None

Publications based on records: None known

Series data from agency schedule:

Title: Surface Water Rights Permits/Use

Series item number: None

Agency item number: 5223.07 (old 6502.57)

Archival code: R

Retention: PM

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

According to agency staff, this series is being merged with series 5223.11, *Water Rights Applications*, a series determined to be archival. The appraisal for 5223.11 applies to this series. Therefore series 5223.07 can be removed from the schedule.

Records Series Review

Series Title: Water Rights Adjudication Amendments

Agency: Texas Commission on Environmental Quality
Office of Water, Water Availability Division

Contact: Alice Drake

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: Not provided

Agency holdings: Not provided

Description:

This series documents the water rights permitting amendment application process and includes records of water use, correspondence and memoranda, applications, notice, orders, and transcripts from hearings, agreements, conveyances of water rights, water rights deeds, warranty deeds, tables, graphs, charts clippings, maps and photographs.

Purpose:

Water right correspondence document(s) issued in the water right permitting process to regulate the use of state water, which is the surface water from rivers, streams, underflow, creeks, tides, lakes and every bay and arm of the Texas portion of the Gulf of Mexico.

Agency program:

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

The Water Availability Division processes water rights permits and amendments; maintains water-availability models for all river basins; reviews water-conservation plans and drought contingency plans; performs groundwater quality planning and assessments; manages the state's plan for preventing groundwater pollution from pesticides and the state's program for the identification of priority groundwater-management areas; ensures compliance, through the watermaster programs, with water rights by monitoring stream flows, reservoir levels, and water use; and supports interstate river compacts.

Arrangement: Files generally arranged by number.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? No

Problems: None

Known related records in other agencies: None known

Publications based on records: None

Internet pages based on records: None given

Series data from agency schedule:

Title: Water Rights Adjudication Amendments

Series item number: None

Agency item number: 5223.09

Archival code: None

Retention: PM

Texas Documents Collection holdings: None

Archival holdings at the Texas State Library and Archives Commission: None

Gaps: None known

Appraisal decision:

The adjudication records are water rights records and provide a historical record of water use by certificate holders, including types of uses made and the amount used, they also document the regulation of the use of state water. Before an adjudication certificate will be considered, the agency looks at claims of prior use in setting up a foundation for the current water rights system in Texas. Claimants have to prove that they used a certain amount of water from a specific stretch of a river, stream or reservoir. The historical record of water use is archival. It is necessary to maintain it for the conservation of water resources and the regulation of surface water. These documents are considered by agency to be a continuation of the series *Water rights documents*, a series appraised by the State Archives staff as archival. Both series document the same function – issuance of a water rights document and recording water use over the life of that permit or certificate.

The series *Adjudication Process Documentation*, 5225.17, was reviewed by the State Archives in 2002 and appraised as archival. This series, *Water Right Adjudication Amendments*, provides

correspondence and other documents amending the application. We have appraised this series to be archival. Add an archival code of "A." Add the following note to the Remarks Section of the schedule – "If the agency changes their retention to anything less than PM, transfer records to the State Archives as their retention is met."

Records Series Review

Series Title: Water Rights Applications

Agency: Texas Commission on Environmental Quality
Office of Water, Water Availability Division

Contact: Steve Ramos

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 6 inches a year

Agency holdings: 60 microfilm reels, 1915-1997; 60 linear ft. of paper records, 1997-present.

Description:

This series consists of documentation of the water rights permitting application process and includes records of water use, correspondence and memoranda, applications, notices, orders, and transcripts from hearing, agreements, water rights conveyances, water rights deeds, warranty deeds, tables, graphs, charts clippings, maps and photographs, dating 1915-present. Oversize maps and photos are housed separately in series 5223.12, but are described in this series review.

Purpose:

Water right correspondence document(s) issued in the water right permitting process to regulate the use of state water, which is the surface water from rivers, streams, underflow, creeks, tides, lakes and every bay and arm of the Texas portion of the Gulf of Mexico.

Agency program

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

The Water Availability Division processes water rights permits and amendments; maintains water-availability models for all river basins; reviews water-conservation plans and drought contingency plans; performs groundwater quality planning and assessments; manages the state's plan for preventing groundwater pollution from pesticides and the state's program for the identification of priority groundwater-management areas; ensures compliance, through the watermaster programs, with water rights by monitoring stream flows, reservoir levels, and water use; and supports interstate river compacts.

Arrangement: Generally numerical.

Access constraints: None known

Use constraints: Microfilm/microfiche readers needed.

Indexes or finding aids required for/or an aid to access: A database to water rights permits and certificates of adjudication and a water use database are available at the agency, containing the permit number, name of owner, amount, and type of use authorized. The main point of access is by the permit number. http://www.tceq.texas.gov/permitting/water_rights/wr_databases.html/

Problems: None known

Known related records in other agencies: None

Publications based on records: None known

Internet pages based on records: This page provides information about the water rights process and provides access to the water rights database and the water use database – http://www.tceq.texas.gov/permitting/water_rights.html/

Series data from agency schedule:

Title: Water Rights Applications

Series item number: None

Agency item number: 5223.11 (old 6502.52)

Archival code: R

Retention: AC + 30

Title: Water Rights Applications - Oversize, Maps, Photos

Series item number: None

Agency item number: 5223.12 (old 6502.53)

Archival code: R

Retention: AC + 30

Archival holdings at the Texas State Library and Archives Commission:

Texas Natural Resources Conservation Commission, *Water use maps, 1913-about 1987, about 100 cubic ft.* [these accompany the water rights files we hold and are unprocessed]

Texas Natural Resources Conservation Commission, *Water rights files, 1917-1997, about 242 cubic ft.* [inactive or closed permits - paper files, and oversize that was not filmed] [unprocessed] *

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

Water rights permits provide a historical record of water use by permit holder, including types of uses made and the amount of water used; they also document stream flow conditions and the regulated use of state water. The inactive and closed permit files were microfilmed by TCEQ about 2002. The paper files, oversize materials, maps and drawings were offered to the State Archives. We appraised the series as archival and accepted the transfer. A number of early documents were in pencil and did not film well. And, we were told the oversize materials were not filmed. Change the archival review code to “A” for both series.

Records Series Review

Series Title: Water Conservation and Drought Management Plan

Agency: Texas Commission on Environmental Quality
Office of Water, Water Availability Division

Contact: Steve Ramos

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: Not provided

Agency holdings: About 67 linear ft. These records are only stored in the program area, no records in the Central File Room.

Description:

Water conservation and drought management plans are types of water rights documents prepared by entities applying for a new water right or an amendment to existing water right. Plans in this series date 2005-present. The plans are necessary to regulate the use of state water, which is the surface water from rivers, streams, underflow, creeks, tides, lakes and every bay and arm of the Texas portion of the Gulf of Mexico.

Purpose:

An entity applying for a new water right or an amendment to an existing water right must prepare and implement a water conservation/drought contingency plan, and submit that plan with the application. To be administratively complete, the plan must meet all minimum requirements contained in TCEQ rule 30 Texas Administrative Code, Sections 288.1 thru 288.30.

The TCEQ is required to determine whether requested appropriations of state water are reasonable and necessary for the proposed use(s), and that water right applicants will conserve and avoid wasting water. This determination is made through reviewing the applicant's water conservation plan and is considered in the decision to approve or deny a water right application.

Agency program

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

The Water Availability Division processes water rights permits and amendments; maintains water-availability models for all river basins; reviews water-conservation plans and drought contingency plans; performs groundwater quality planning and assessments; manages the state's plan for preventing groundwater pollution from pesticides and the state's program for the identification of priority groundwater-management areas; ensures compliance, through the watermaster programs, with water rights by monitoring stream flows, reservoir levels, and water use; and supports interstate river compacts.

Arrangement: Generally numerical.

Access constraints: None known

Use constraints: None

Problems: None known

Known related records in other agencies: None

Publications based on records: None

Internet Pages: http://www.tceq.texas.gov/permitting/water_supply/water_rights/conserve.html.

Series data from agency schedule:

Title: Water Conservation and Drought Management Plan

Series item number: 1.1.024

Agency item number: 5223.19 (old 6502.40)

Archival code: None

Retention: AC + 3

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

These plans are prepared by water rights users and sent to TCEQ for evaluation and approval. TCEQ reviews the plan and the agency's determination is considered in its decision to approve or deny the water right application it accompanies. If the application is approved, elements of the plan will be present in the *Water Rights Applications*, 5223.11, an archival series. Long-term documentation of this planning process is not needed, thus this series is not archival. Since it did not have an archival code no changes need to be made to the schedule.

Records Series Review

Series Title: Instream Uses Environmental Review Files

Agency: Texas Commission on Environmental Quality
Office of Water, Water Availability Division

Contact: Steve Ramos

Obsolete record series? No

Ongoing record series? Yes

Agency holdings: About 24 linear ft., dating 1999-present. These records are only stored in the program area, no records in the Central File Room.

Description:

This series consists of documentation of the water rights permitting application process and includes records of water use, tables, graphs, charts, clippings, maps and photographs, dating 1999-present.

Purpose:

Instream staff conduct environmental reviews for water right applications. During technical review, staff evaluates available information related to a proposed water project to consider potential impacts to fish and wildlife habitat, water quality, instream uses associated with the affected body of water and downstream areas, and if the project is within 200 river miles from the Texas coast, freshwater inflows to bays and estuaries are also addressed. When preparing a water right permit application for TCEQ submittal, applicants are requested to provide information described in the Supplemental Environmental Information Sheet. Several assessment techniques may be used to evaluate potential effects of actions associated with water right applications. Once the information is gathered and assimilated, a recommendation is made as to the type of restriction or condition which might be required to satisfy environmental concerns. Statutes are Texas Water Code, Sections 11.042, 11.147, 11.1491, 11.150, 11.152, and 30 Texas Administrative Code, Sections 297.53 through 297.56.

Agency program

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

The Water Availability Division processes water rights permits and amendments; maintains water-availability models for all river basins; reviews water-conservation plans and drought contingency plans; performs groundwater quality planning and assessments; manages the state's plan for preventing groundwater pollution from pesticides and the state's program for the identification of priority groundwater-management areas; ensures compliance, through the watermaster programs, with water rights by monitoring stream flows, reservoir levels, and water use; and supports interstate river compacts.

Arrangement: Generally by topic.

Access constraints: None known

Use constraints: None

Problems: None known

Known related records in other agencies: None

Publications based on records: None known

Internet pages based on records: Unknown

Series data from agency schedule:

Title: Instream Uses Environmental Review Files

Series item number: None

Agency item number: 5223.30 (old 6502.55)

Archival code: R

Retention: AC + 10

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

Instream reviews are done by TCEQ staff as part of the review process for a water rights permit application. The data is evaluated and a recommendation is made as to the type of restriction or condition which might be needed to satisfy environmental concerns. Issues raised by the reviews will be part of the water rights permit application, which is an archival series. The instream reviews are not archival. Replace the archival code "R" with the archival exemption code of "E."

Records Series Review

Series Title: Adjudication Process Documentation

Agency: Texas Commission on Environmental Quality
Office of Water, Water Availability Division

Contact: Steve Ramos (much of this review was taken from appraisal report in 2002 by Laura Saegert, Texas State Archives)

Obsolete record series? No

Ongoing record series? Yes

Annual accumulation: Not provided

Agency holdings: The Central File Room maintains paper records 1,942 linear inches, dating 1951-present; 151 microfilm reels, dating 1963-1997; microfiche jackets 1,963, dating 1955-1989; 280 cubic ft. of oversize materials at the State Records Center, 1937-2000. Certificates of adjudication files were microfilmed in 2002. Once the film was determined to be archival the paper files were destroyed. The agency is maintaining the microfilm and the paper files. The oversize materials and photographs were not filmed so the agency is maintaining those records in their original form.

Description:

This series documents the water rights process and includes certificates of adjudication; records of water use; correspondence and memoranda; applications, notices, orders, and transcripts from hearings; agreements; conveyances of water rights; water rights deeds; warranty deeds; tables; graphs; charts; clippings; maps; and photographs. Dates covered are 1937-present. These records are closely related to the series *Water rights applications*, series 5224.01.

The certificates of adjudication begin in 1967. Types of information found in a certificate of adjudication includes the certificate number, name and address of the owner, county, priority date, watercourses, water basin, water use permit and application numbers, cause number and date of decree authorizing issuance of certificate, use to be made of water, and any diversions or special conditions.

Records of water use for each permit were submitted annually to the Texas Water Rights Commission and successive water agencies. Information found in the records of water use include name and address of the certification owner, certificate number, source from which the water was diverted (creek, stream, river, etc.), purpose of the water use, monthly and yearly amount in acre ft. of use, number of acres irrigated (if used for irrigation), and location of irrigated land and types of crops planted.

Memos and correspondence discuss the adjudication process; changes of ownership of certificates; amendments to certificates; types of or changes in water use, such as requesting to impound water for a reservoir or lake; and related topics. Correspondents include the Texas Water Rights Commission and successive water agencies, certificate holders, and legal firms.

Photographs of dams, spillways, lakes, reservoirs, and river and creek beds are present, generally sent in as part of the application. The photos largely consist of color or black and white snapshots often glued to a white sheet of paper with a note describing the image. A few oversize photos and some aerial photographs are also present. A variety of maps are present, such as topographic maps with features added. Items shown (or added to the maps) include the location of the water rights permit owner, stream flow markers, diversion points, tributaries of creeks and streams, dams, reservoirs, irrigation ditches, canals, and drainage areas. Generally only a few of the items are found on each map. Other maps found in these records include land use maps, sections and plans of reservoirs, plans of dam spillways, and plats of irrigation ditches. Maps consist of original black and white maps on linen, blueprint copies, and black and white or color printed maps. The photographs and most maps are removed from the records and are housed separately.

Purpose:

The certificates of adjudication are a type of water rights document issued to regulate the use of state water, which is the surface water from rivers, streams, underflow, creeks, tides, lakes and every bay and arm of the Texas portion of the Gulf of Mexico. The records of water use for each permit provide an unbroken trail of water use, some covering 30 years.

Agency program

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

The Water Availability Division processes water rights permits and amendments; maintains water-availability models for all river basins; reviews water-conservation plans and drought contingency plans; performs groundwater quality planning and assessments; manages the state's plan for preventing groundwater pollution from pesticides and the state's program for the identification of priority groundwater-management areas; ensures compliance, through the watermaster programs, with water rights by monitoring stream flows, reservoir levels, and water use; and supports interstate river compacts.

The certificates of adjudication are issued after a hearing is held to determine the validity of water rights (use) claims submitted. The Texas Water Rights Commission began this process in 1967. The Commission looked at claims of prior use in setting up a foundation for the current water rights

system in Texas. Claimants had to prove that they used a certain amount of water from a specific stretch of a river, stream or reservoir. State district courts reviewed all the claims and the Commission's recommendations for their disposition. Certificates were issued for approved claims. Each certificate was issued a priority date, indicating when the water use first occurred. Since 1967 Texas has adjudicated about 10,000 claims.

Arrangement: By certificate of adjudication number, therein in a rough chronological order as the numbers were assigned successively. Remaining documents tend to be in roughly reverse chronological order.

Access constraints: None known

Use constraints: Microfilm/microfiche readers needed.

Indexes or finding aids required for/or an aid to access: A database to water rights permits and certificates of adjudication and a water use database are available at the agency, containing the permit number, name of owner, amount, and type of use authorized. The main point of access is by the permit number. http://www.tceq.texas.gov/permitting/water_rights/wr_databases.html/

Problems: None known

Known related records in other agencies: None

Publications based on records: None known

Internet pages based on records: This page provides information about the water rights process and provides access to the water rights database and the water use database - http://www.tceq.texas.gov/permitting/water_rights.html/

Series data from agency schedule:

Title: Adjudication Process Documentation

Series item number: None

Agency item number: 5225.17 (old 6502.45)

Archival code: R

Retention: PM

Title: Certificates of Adjudication Segment Supplementary Documents - Oversize, Maps, Photos

Series item number: None

Agency item number: 5225.18 (old 6502.46)

Archival code: R

Retention: AC + 30

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

These series was appraised as archival by the State Archives in 2002. Change the archival review code of “R” to the archival code of “A” for both series. Listed below is an updated appraisal decision from the 2002 report.

The certificates of adjudication are water rights records and provide a historical record of water use by certificate holders, including types of uses made and the amount used, they also document the regulation of the use of state water. The records are considered to be permanent at the agency. Before a certificate will be considered, the agency looks at claims of prior use in setting up a foundation for the current water rights system in Texas. Claimants have to prove that they used a certain amount of water from a specific stretch of a river, stream or reservoir. The historical record of water use is archival. It is necessary to maintain it for the conservation of water resources and the regulation of surface water. These documents are considered by agency to be a continuation of the series *Water rights documents*, a series recently appraised by the State Archives staff as archival. Both series document the same function – issuance of a water rights document and recording water use over the life of that permit or certificate. We are appraising the certificates of adjudication records as archival.

These records were microfilmed in 2002, except for the maps, oversize items, and photographs. They were microfilmed following accepted archival standards and the film has been inspected for image quality. Since these are recent records in good shape, and the microfilm is of archival quality, we have determined the filmed paper records can be destroyed. The agency will maintain the oversize documents, photographs and until their retention has been met, then these items will be transferred to the State Archives.

If the agency determines at a future date not to maintain the microfilm, it will transfer the film, both the master and a use copy, to the State Archives, along with the oversize documents, maps and photographs.

Records Series Review

Series Title: Public Water Supply

Agency: Texas Commission on Environmental Quality
Office of Water, Water Supply Division

Contact: Amy Vargas

Obsolete record series? No

Ongoing record series? Yes

Annual accumulation: 120 linear ft.

Agency holdings: 1,040 linear ft. in paper, 304 reels of microfilm, 20,188 sheets of microfiche, 21 audio cassette tapes; 56.25 linear ft. of oversize materials at agency, 37.5 linear ft. at the State Records Center. Electronic data is present as PDF files and in present in two databases.

Description:

This series documents activities and procedures enacted by public water systems throughout the state. Records are correspondence, reports, forms, engineering reports and other oversized documents, maps and photos received from public water systems. The overall dates of records in the file room are 1990s-present. The data for the correspondence that is produced in the office is held electronically through PDF files or through databases. Chemical data is held in a TCEQ MS Access database and an EPA database named SDWIS.

Purpose:

The Public Drinking Water Section of the Office of Water is responsible for ensuring compliance with regulations included in 30 Texas Administrative Code, Sections 290.38 thru 47, 290.101 thru 122, and 290.271 thru 275. These regulations include chemical constituent compliance and well water or surface water plant activities. Compliance with these three subchapters ensures the safety of the drinking water quality and for proper conditions to be maintained at the water treatment plants and or their sources. TCEQ is required to develop an electronic record of public water systems and include their chemical and microbial compliance.

Agency program:

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

The Water Supply Division is responsible for programs that ensure the efficient administration of surface water use; the production, treatment, delivery and protection of safe and adequate drinking water; and the provision of dependable, viable utility service at fair levels of compensation.

Arrangement: Chronological by Public Water System ID number.

Access constraints: None

Use constraints: Microfilm/microfiche readers needed. Playback equipment for audio cassettes needed.

Indexes or finding aids required for/or an aid to access? Each Public Water System has a 7 digit number assigned. TCEQ has several databases (Microsoft Access, WUD, and SDWIS databases) that house this identifier and can be found using the name of the water system.

Problems: None known

Known related records in other agencies: The Environmental Protection Agency (EPA) has a summary of the information regarding Water System violations electronically. This data is transmitted electronically to EPA on a quarterly basis.

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule

Title: Public Water Supply

Series item number: 1.1.065

Agency item number: 5224.01 (old 6501.03)

Archival code: R

Retention: PM

Title: Public Water Supply Electronic Records

Series item number: 1.1.065

Agency item number: 5224.13 (old 6501.17)

Archival code: R

Retention: PM

Title: Public Water Supply – Oversize, Maps, Photos

Series item number: 1.1.065

Agency item number: 5224.02 (old 6501.21)

Archival code: R

Retention: AC + 30

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

The Texas Commission on Environmental Quality, through its Water Supply Division, is responsible for the quality and availability of water in the state. This task includes overseeing the protection of public drinking water. The records in these series document activities and procedures of public water systems in the state. Both series are maintained permanently by the agency, we have determined them to be archival as well. Change the archival review code of “R” to the archival code of “A” for series 5224.01 and 5224.02. Add the following note to the Remarks Section of the schedule – “If the agency changes their retention to anything less than PM, transfer records to the State Archives as their retention is met.”

Regarding the series of electronic records, it appears from the description that the electronic data, or parts thereof, is sent to the Environmental Protection Agency. It is unknown how much electronic data, if any, is duplicated in the paper records. The Archives will need to review this data once we have set up an electronic records program. For now, maintain the archival review code of “R” for series 5224.13, *Public Water Supply Electronic Records*. The agency will need to check the integrity of the data and migrate the data to new software/hardware platforms every 3-5 years.

Records Series Review

Series Title: Public Water Supply, County General (unnumbered)

Agency: Texas Commission on Environmental Quality
Office of Water, Water Supply Division

Contact: Amy Vargas

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 1 linear ft.

Agency holdings: 3 linear ft. of records in the Central File Room.

Description:

Records are correspondence, reports, and forms received from the public, dating 1983-present. This correspondence will typically be in reference to a private well; therefore, it will not have a "Public Water Supply" number or corresponding folder. The Water Supply Division receives correspondence referencing potentially contaminated wells or questions regarding the water quality associated with a well. This record series will also contain information regarding proposed, new, or newly discovered wells, since the correspondence from these types of wells will not have an assigned PWS number. According to staff, this series does not maintain oversize maps and photos.

Purpose:

The Water Supply Division responds to inquiries from the public. This will include questions from private well owners, even though they are not regulated by TCEQ. This series contains information from the public and will document any response given by staff.

Agency program:

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

The Water Supply Division is responsible for programs that ensure the efficient administration of surface water use; the production, treatment, delivery and protection of safe and adequate drinking water; and the provision of dependable, viable utility service at fair levels of compensation.

Arrangement: Chronological by county name.

Access constraints: None

Use constraints: None known

Indexes or finding aids required for/or an aid to access? None noted

Problems: None known

Known related records in other agencies: None known

Previous destructions: None

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: Public Water Supply, County General (unnumbered)

Series item number: 1.1.065

Agency item number: 5224.03 (old 6501.22)

Archival code: R

Retention: PM

Title: Public Water Supply, County General, Oversize, Maps, Photos

Series item number: 1.1.065

Agency item number: 5224.04 (old 6501.04)

Archival code: R

Retention: AC+30

Title: Public Water Supply, County General, Confidential

Series item number: 1.1.065

Agency item number: 5224.07 (old 6501.24)

Archival code: R

Retention: PM

Title: Public Water Supply, County General, Confidential, Oversize Maps and Photos

Series item number: 1.1.065

Agency item number: 5224.08 (old 6501.26)

Archival code: R

Retention: AC+30

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

According to agency staff in 2009, series 5224.04, 5224.07, and 5224.08 are empty series and will be removed from the schedule; we are only appraising series 5224.03 in this review.

Records document correspondence between the Water Supply Division and the public and will typically reference a private well – could be a proposed, newly dug or newly discovered well. Letters may also reference contaminated wells or express concerns about the water quality of a well. These wells are not documented in the *Public Water Supply* series (5224.01), making this series, 5224.03, critical for documenting the existence and potential use of these particular wells. The agency has determined these records are permanent; we agree and have appraised this series to be archival. Change the archival review code of “R” to the archival code of “A.” Add the following note to the Remarks Section of the schedule – “If the agency changes their retention to anything less than PM, transfer records to the State Archives as their retention is met.”

Records Series Review

Series Title: Public Water Supply – Confidential

Agency: Texas Commission on Environmental Quality
Office of Water, Water Supply Division

Contact: Amy Vargas

Obsolete record series? No

Ongoing record series? Yes

Annual accumulation: Less than 1 linear ft.

Agency holdings: 5 linear ft.

Description:

This series documents activities and procedures enacted by public water systems throughout the state. Records are correspondence, reports, and forms received from public water systems, some of which are confidential. Records date from 1980-present. These may be regarding facilities that have Homeland Security restrictions. TCEQ staff and authorized personnel from the facility may view the records. According to staff, this series does not maintain oversize maps and photos.

Purpose:

The Public Drinking Water Section of the Office of Air is responsible for ensuring compliance with regulations included in 30 Texas Administrative Code, Sections 290.38 thru 47, 290.101 thru 122, and 290.271 thru 275. These regulations include chemical constituent compliance and well water or surface water plant activities. Compliance with these three subchapters ensures the safety of the drinking water quality and for proper conditions to be maintained at the water treatment plants and or their sources.

Agency program:

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

The Water Supply Division is responsible for programs that ensure the efficient administration of surface water use; the production, treatment, delivery and protection of safe and adequate drinking water; and the provision of dependable, viable utility service at fair levels of compensation.

Arrangement: Chronological by Public Water System ID number.

Access constraints: Some records may have Critical Infrastructure restrictions.

Use constraints: None known

Indexes or finding aids required for/or an aid to access? Each Public Water System has a 7 digit number assigned. We have several databases (Microsoft Access, WUD, and SDWIS databases) that house this identifier and can be found using the name of the water system.

Problems: None known

Known related records in other agencies: None

Previous destructions: None

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: Public Water Supply - Confidential

Series item number: 1.1.065

Agency item number: 5224.05 (old 6501.23)

Archival code: R

Retention: PM

Title: Public Water Supply – Confidential, Oversize, Maps, Photos

Series item number: 1.1.065

Agency item number: 5224.06 (old 6501.25)

Archival code: R

Retention: AC +30

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

According to agency staff, series 5224.06 is empty and will be removed from the schedule; we are only appraising series 5224.05 in this review. Records are confidential documents that correlate with records in series 5224.01, *Public Water Supply*. The agency has determined these records, as with the open records, are permanent. We agree and have appraised this series to be archival.

Change the archival review code of “R” to the archival code of “A.” Add the following note to the Remarks Section of the schedule – “If the agency changes their retention to anything less than PM, transfer records to the State Archives as their retention is met.”

Records Series Review

Series Title: Bacteriological Records – Positive and Repeat

Agency: Texas Commission on Environmental Quality
Office of Water, Water Supply Division

Contact: Amy Vargas

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 10 linear ft.

Agency holdings: Bacteriological records are contained in the *Public Water Supply* (PWS) series, in the correspondence, monthly reports, exception and chemical records. The total amount of space for the PWS series is 1,040 linear ft. in paper, 304 reels of microfilm, 20,188 sheets of microfiche, and 21 tapes. The overall dates of records in the file room are 2003-present. The data is also held electronically through Access databases, and an EPA database named SDWIS.

Description:

Records document positive bacteriological samples that are reported from laboratories across the state, dating 2003-present. Once a positive sample is identified, repeat samples are required, which are also held in this series. The samples are sent to TCEQ on single sheet reports. TCEQ issues letters in response to the positive samples.

Purpose: Bacteriological samples are required by every public water system. This record series documents any past bacteriological presence that was detected through monitoring.

Agency program:

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

The Water Supply Division is responsible for programs that ensure the efficient administration of surface water use; the production, treatment, delivery and protection of safe and adequate drinking water; and the provision of dependable, viable utility service at fair levels of compensation.

The Water Supply Division is required under 30 Texas Administrative Code, Sections 290.101 thru 290.120 to evaluate the quality of water in the distribution system. The presence of bacteria can potentially detect a problem with the water system's distribution system or water source which would require notification to people who are drinking the water.

Arrangement: Chronological by Public Water System ID number.

Access constraints: None

Use constraints: Microfilm/microfiche readers needed.

Indexes or finding aids required for/or an aid to access? Each Public Water System has a 7 digit number assigned. We have several databases (Microsoft Access, WUD, and SDWIS databases) that house this identifier and can be found using the name of the water system.

Problems: None known

Known related records in other agencies: The Environmental Protection Agency (EPA) has the information from the files electronically. Bacteriological data is transmitted electronically to EPA on a quarterly basis.

Previous destructions: None

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: Bacteriological Records – Positive and Repeat

Series item number: 1.1.067

Agency item number: 5224.09 (old 6501.01)

Archival code: R

Retention: 5

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

This series contains bacteriological data that is used in the *Public Water Supply* records, series 5224.01. Data from the bacteriological samples are incorporated in the electronic files found in *Public Water Supply electronic records*, series 5224.13, a record maintained by the agency with

much of the data also sent to the Environmental Protection Agency. The assigned five year retention period is sufficient for this function. This series is not archival. Remove the archival review code of "R" and replace it with the archival exemption code of "E."

Records Series Review

Series Title: Bacteriological Records – Monthly Summary

Agency: Texas Commission on Environmental Quality
Office of Water, Water Supply Division

Contact: Amy Vargas

Obsolete record series? No

Ongoing record series? Yes

Annual accumulation: 5 linear ft.

Agency holdings: *Bacteriological Records – Monthly Summary* are housed in the *Public Water Supply* series, 5224.01, found in the correspondence, monthly reports, exception and chemical records. The total amount of space for the PWS series is 1,040 linear ft. in paper, 304 reels of microfilm, 20,188 Sheets of microfiche, 21 tapes. The overall dates of records in the file room are 2003-present. A summary of the data is also held electronically and in an EPA database named SDWIS.

Description:

Records are letters sent by staff regarding enforcement activities and letters to acknowledge receipt of correspondence, dating 2003-present. If a system does not comply with the rules set in 30 Texas Administrative Code, Sections 290.101 thru 290.120 regarding bacteriological sampling, the agency issues a notice of enforcement letter. Also, when a violation is issued and correspondence is received back from the system, a letter is sent to rescind a violation. The letters will be several pages for each water system.

Purpose:

Bacteriological samples are required be every public water system. This record series documents monthly compliance activities performed by the agency.

Agency program:

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

The Water Supply Division is responsible for programs that ensure the efficient administration of surface water use; the production, treatment, delivery and protection of safe and adequate drinking water; and the provision of dependable, viable utility service at fair levels of compensation.

The Water Supply Division is required under Chapter 290, Subchapter F to evaluate the quality of water in the distribution system. The presence of bacteria can potentially detect a problem with the water system's distribution system or water source which would require notification to people who are drinking the water.

Arrangement: Chronological by Public Water System ID number.

Access constraints: None

Use constraints: Microfilm/microfiche readers needed.

Indexes or finding aids required for/or an aid to access? Each Public Water System has a 7 digit number assigned. We have several databases (Microsoft Access, WUD, and SDWIS databases) that house this identifier and can be found using the name of the water system.

Problems: None

Known related records in other agencies: The Environmental Protection Agency (EPA) has a summary of the information from the files electronically. Bacteriological data is transmitted electronically to EPA on a quarterly basis.

Previous destructions: None

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: Bacteriological Records – Monthly Summary

Series item number: 1.1.067

Agency item number: 5224.10 (old 6501.08)

Archival code: R

Retention: 5

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

This series is similar to series 5224.09, *Bacteriological Records – Positive and Repeat* in that these records are used with the *Public Water Supply* records, series 5224.01. The monthly reports document compliance with required sampling activities. Data from these reports are incorporated into the electronic files found in *Public Water Supply electronic records*, series 5224.13, a record maintained by the agency with most information also sent to the Environmental Protection Agency. The assigned five year retention period is sufficient for this function. This series is not archival. Remove the archival review code of “R” and replace it with the archival exemption code of “E.”

In 2010 the program staff requested this series be combined with series 5224.09, as they are similar in content. If so, the new series will have an archival exemption code of “E.”

Records Series Review

Series Title: Water Districts – Annexed, Abolished and Dissolved

Agency: Texas Commission on Environmental Quality
Office of Water, Water Supply Division

Contacts: Randy Nelson (2005 contact), Karen Blaschke (2009 contact)

Obsolete record series? No

Ongoing record series? Yes

Annual accumulation: 1 cubic ft.

Agency holdings:

5,766 linear ft. of records, most stored at the State Records Center, 1972-1999; 56 reels of microfilm, 1963-1986; and 1 audio tape, 2008 (from a hearing before the State Office of Administrative Hearings)

Description:

Records are water district files of the Texas Commission on Environmental Quality and document the creation, administration, and the dissolution, annexation or abolishment of water districts. These files do not cover active water districts. Dates covered are about 1963-1999, 2008. Records include orders, correspondence, memoranda, affidavits, hearing notices, agreements, bonds, bond reports, audits, financial statements, market demand studies, facility plans, fire plans, engineering reports, blueprints, change orders, project manuals, specifications, invitations to bid, cost summaries, inspection reports, investigative reports, maps, and list of water district officers and supervisors. Topics covered include the creation of the district, compliance or non-compliance of the district with state rules and regulations, appointment of officers, finances of the district, market studies to determine need for a water district, bond issuance, construction of facilities, inspections, and the dissolution, abolishment, or annexation of the district to another water district. Correspondents include the Texas Water Commission, the Texas Department of Water Resources, the water district officers, local officials, contractors, attorneys, and others.

Purpose:

Records document the administration of former water districts by the Texas Water Commission, the Texas Water Rights Commission, and the Texas Department of Water Resources – predecessors to the Texas Commission on Environmental Quality.

Agency Program:

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water

Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

The Water Supply Division is responsible for programs that ensure the efficient administration of surface water use; the production, treatment, delivery and protection of safe and adequate drinking water; and the provision of dependable, viable utility service at fair levels of compensation. It is also responsible for the general supervision and oversight of water districts and utilities, including the processing of petitions to create districts and applications to approve utility service areas. In addition, the agency maintains approval authority over many utility matters including the review of most district bond issues and of the rates charged by privately owned and member-owned utilities.

Arrangement: Alphabetical by water district, then by topic (supervision, bonds, audits, construction, etc.)

Access constraints: None

Use constraints: Microfilm/microfiche readers needed. Playback equipment for audio cassettes needed.

Problems: None known

Known related records in other agencies: None known

Publications based on records: None known

Series data from agency schedule

Title: Water districts – Annexed, Abolished and Dissolved

Series item number: 1.1.025

Agency item number: 5225.01 (old 6502.03)

Archival code: R

Retention: AC + 10

Archival holdings at the Texas State Library and Archives Commission:

Texas Water Commission, *Water district files, 1973-1986, 62 cubic ft.* [unprocessed]

Texas Water Commission, *Water district files, 1990-1994, 84 cubic ft.* [unprocessed]

Texas Documents Collection holdings: None known

Gaps: None known

Appraisal decision:

These records document the life cycle of former water districts described in this series. The files have copies of the orders creating the districts and sometimes copies of the orders ending the districts or else a memo about the abolishment, dissolution or annexation of the district. Most of the water district files will also document engineering and construction activities of the district's facilities, its financial stability, its officers, and general administration of the district by the Texas Water Commission and its successor agencies. For most water districts the files provide ample coverage of the operation of the district and permitting and supervision responsibilities by the agency. Some of the orders issued and master plans can also be found in the minutes held by the Archives. A complete set of board orders should be at the Texas Commission on Environmental Quality (TCEQ). Records of hearings to determine changes in or dissolution, abolishment or annexation of the districts are at the TCEQ.

The question is whether we need to document the operation of these districts or is having the minutes of the commission that discuss the creation and dissolution, abolishment or annexation of the districts sufficient. I have talked with several staff members in the water districts/utilities section at TCEQ and those that work directly with the water district files have told me the files concerning the supervision of the district and the bond files (re: issuance of bonds) do have long term value (archival value). They said they did not see a reason to keep the files concerning construction of or improvement to facilities. Of the boxes I reviewed, all districts had supervision folders and most had bond folders. A few did not have construction related records. The supervision folders document the administration of the district and the files include correspondence, memoranda, affidavits, orders, agreements, and lists of district officers. Files of smaller districts may also include financial statements, reports, studies, and maps. Larger districts will generally have these latter files in separate folders; however these types of records are part of the state's supervision responsibilities. This series does provide a fairly complete picture of the life cycle of water districts. I am not sure all the relevant orders were copied into the minutes we hold and it is important to document the beginning and ending of these districts. TCEQ should have a complete set of orders at the agency, however that is not an archival or permanent series on the schedule so they may not retain them permanently. And, after talking with TCEQ staff members and getting their feedback, a couple of whom have been with the agency and worked with these records for many years, I am recommending we appraise this series as archival. Change the archival review code of "R" to the archival code of "A." A decision can be made at a later date as to whether we should keep all of the construction records or just the rest of the files.

This series was initially appraised as archival by State Archives staff in 2005. The appraisal report was updated to reflect current volume of the records and dates.

According to agency records staff, water district program staff will be combining this series with series 5225.03, *Water Districts – Bond*, a series not reviewed for this appraisal report. If the two series are combined, the new series will need to add an archival review code of "R" to the schedule. The State Archives will also need a detailed description of records in the old *Water Districts – Bond*

series to see how those records relate to data in the series, 5225.01, *Water Districts – Annexed, Abolished and Dissolved*, previously determined by the State Archives as archival.

Records Series Review

Series Title: Districts – Bond Documents and Specifications

Agency: Texas Commission on Environmental Quality
Office of Water, Water Supply Division

Contact: Karen Blaschke

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 65 linear ft.

Agency holdings: 5,766 linear ft. in paper, most stored offsite at the State Records Center, dating 1920-present; 56 reels of microfilm, dating 1963-1989.

Description:

Records are support documents for construction projects undertaken by water districts and include bond bid documents, contract documents, specifications, resolutions, engineering reports, memos, correspondence, market studies, and interim status awaiting application and funding. Dates covered are 1920-present.

Purpose:

The documents and specifications must be retained as the projects may take years for the district to complete and fund.

Agency program:

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

The Water Supply Division is responsible for programs that ensure the efficient administration of surface water use; the production, treatment, delivery and protection of safe and adequate drinking water; and the provision of dependable, viable utility service at fair levels of compensation.

The Districts Review Team is responsible for reviewing applications by water districts for the issuance of bonds to finance construction projects; annexing property into the district; dissolution of districts; assuming additional powers such as providing fire and emergency services, construction

and maintenance of roads, charging impact or standby fees, filing for bankruptcy, and purchasing facilities.

Arrangement: Alphabetical by district name.

Access constraints: None

Use constraints: Microfilm/microfiche readers needed.

Indexes or finding aids required for/or an aid to access? The records can be identified by district name or number in the Water Utility District (WUD) database.

Problems: None

Known related records in other agencies: Texas Water Development Board has construction project files for water districts.

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: Districts – Bond Documents and Specifications

Series item number: 5.3.007

Agency item number: 5225.04 (old 6502.05)

Archival code: R

Retention: AC+18

Archival holdings at the Texas State Library and Archives Commission:

Texas Water Development Board, *Office of Project Finance and Construction Assistance records, 1962-2006, bulk 1988-2002* - <http://www.lib.utexas.edu/taro/tslac/20175/tsl-20175.html>

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

This series contains bond documents and specifications for construction projects by water districts. The records need to be maintained during the construction project and some years beyond its completion. The agency maintains these records for AC + 18, which is sufficient. This series is not archival. Remove the archival code “R” and replace it with the archival exemption code of “E.”

According to agency records staff, water district program staff will be combining this series with series 5225.03, *Water Districts – Bond*, a series not reviewed for this appraisal report and series

5225.01, *Water Districts – Annexed, Abolished and Dissolved*, a series previously determined by the State Archives to be archival. If the three series are combined, the new series will need to add an archival review code of “R” to the schedule. The Archives will also need a detailed description of records in the old *Water Districts – Bond* and the series *Districts – Bond Documents and Specifications* to see how those records relate to data in the series, 5225.01, *Water Districts – Annexed, Abolished and Dissolved*.

Records Series Review

Series Title: Certificates of Convenience and Necessity (CCN)

Agency: Texas Commission on Environmental Quality
Office of Water, Water Supply Division

Contact: Karen Blaschke

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 22 linear ft.

Agency holdings: 1,219 linear ft. of paper, dating 1960-present, most stored offsite at the State Records Center; 3,184 sheets of microfiche, dating 1993-1996 (the fiche is confidential); 146 reels of microfilm, dating 1953-2003; and 481 cassette tapes, dating 1976-2008 (from SOAH hearings, work sessions, and agenda meetings); 184.5 linear ft. of oversize boxes, dating 1975-2004.

Description:

Certificates of convenience and necessity (CCN) are issued by the Texas Commission on Environmental Quality and authorize a utility to provide water and/or sewer service to a particular area. Records document service areas, financial, technical and managerial information for retail public utilities. Files present include general correspondence, records, maps delineating water or sewer service areas, tariffs and information on water or sewer utility, ownership and organization, dating 1953-present. Several items are confidential and maintained in a separate series, 5225.38, but are described as part of this series. Confidential records include trade secrets and third party proprietary information.

Purpose:

Agency staff process applications to obtain, amend, sell, transfer, merge and cancel certificates of convenience and necessity (CCN). Staff must review CNNs during the life of the utility.

Agency program:

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

The Water Supply Division is responsible for programs that ensure the efficient administration of surface water use; the production, treatment, delivery and protection of safe and adequate drinking water; and the provision of dependable, viable utility service at fair levels of compensation.

A Certificate of Convenience and Necessity (CCN) is issued by the TCEQ and authorizes a utility to provide water and/or sewer service to a specific area. The CCN obligates the water or sewer retail public utility to provide continuous and adequate service to every customer who requests service in that area.

Arrangement: Numerical by CCN number.

Access constraints: According to agency staff, confidential items in this series are on microfiche and are confidential due to trade secrets and third party proprietary information.

Use constraints: Microfilm/microfiche readers needed.

Indexes or finding aids required for/or an aid to access? The records can be identified by CCN number or name in the WUD database.

Problems: None

Known related records in other agencies: None

Previous destructions: None

Publications based on records: None

Internet pages based on records: Some of this information is maintained on the agency website - link to page not provided; I was unable to locate it

Series data from agency schedule:

Title: Certificates of Convenience and Necessity (CCN)

Series item number: None

Agency item number: 5225.20 (old 6502.19)

Archival code: None

Retention: PM

Title: Certificates of Convenience and Necessity (CCN) - Oversize

Series item number: None

Agency item number: 5225.21 (old 6502.20)

Archival code: None

Retention: AC+30

Title: Certificates of Convenience and Necessity (CCN) - Confidential

Series item number: None

Agency item number: 5225.38 (old 6502.84)
Archival code: None

Retention: PM

Title: Certificates of Convenience and Necessity (CCN) – Confidential, Oversize
Series item number: None
Agency item number: 5225.39 (old 6502.85)
Archival code: None

Retention: AC+30

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

Certificates of convenience and necessity (CNNs) are issued by TCEQ and authorize a utility to provide water and/or sewer service to a particular area. TCEQ maintains the CCN records in series 5225.20 and in the confidential records series, 5225.38. While important to document, documenting service areas does not have archival value. The agency maintains them permanently, which is sufficient. As these series did not have archival review codes no changes need to be made to the schedule.

Records Series Review

Series Title: Water Rate Cases

Agency: Texas Commission on Environmental Quality
Office of Water, Water Supply Division

Contact: Karen Blaschke

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 10 linear ft.

Agency holdings: 1,219 linear ft. of paper, most stored offsite at the State Records Center, dating 1969-1995; in-house records are 1976-present; 3,184 sheets of microfiche; 146 reels of microfilm; 481 cassette tapes.

Description:
Records are applications and supporting documentation for water and sewer utility rate changes. Dates covered are 1969-present.

Purpose:
Documents must be reviewed by agency staff when utilities change water or sewer rates.

Agency program:
The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

The Water Supply Division is responsible for programs that ensure the efficient administration of surface water use; the production, treatment, delivery and protection of safe and adequate drinking water; and the provision of dependable, viable utility service at fair levels of compensation.

Arrangement: Numerical by CCN (certificates of convenience and necessity) number.

Access constraints: None

Use constraints: Microfilm/microfiche readers needed.

Indexes or finding aids required for/or an aid to access? The records can be identified by CCN number or name in the WUD database.

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records: Some of this information is maintained on the agency website.

Series data from agency schedule:

Title: Water Rate Cases

Series item number:

Agency item number: 5225.26 (old 6502.26)

Archival code: R

Retention: AC+20

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

Documenting rate changes of water and sewer rates over years is not archival. TCEQ maintains these records for 20 years after the change is made, which is sufficient retention. Remove the archival code "R" and replace it with the archival exemption code of "E."

Records Series Review

Series Title: Pending Planning Material

Agency: Texas Commission on Environmental Quality
Office of Water, Water Supply Division

Contact: Karen Blaschke

Obsolete record series? No

Ongoing record series? Yes

Annual accumulation: No records are accumulated; after closed they are sent to regions, public drinking water or disposed.

Agency holdings: 30 reels of plans, 2009-present; some electronic records. Once reviewed, the plans are sent to the regions or destroyed.

Description:

This series documents plans for building or upgrading water systems, water lines and other items dealing with water systems. Records present include plans, specifications and engineering reports from engineers, cities, districts, SUDs, IOUs, and other entities, dating 2009-present. The reports and plans are reviewed by TCEQ and declared approved or denied to build or upgrade.

Purpose:

Plans, specifications and correspondence are reviewed for public water system approvals, both for upgrade and new water systems.

Agency program:

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

The Water Supply Division is responsible for programs that ensure the efficient administration of surface water use; the production, treatment, delivery and protection of safe and adequate drinking water; and the provision of dependable, viable utility service at fair levels of compensation.

Arrangement: Numerical by log number.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? The records can be identified by log number or name in the WUD database.

Problems: None

Known related records in other agencies: None

Previous destructions: None

Publications based on records: None

Internet pages based on records: Some of this information is maintained on the agency website.

Series data from agency schedule:

Title: Pending Planning Material

Series item number: 1.1.024

Agency item number: 5225.34 (old 6502.23)

Archival code: R

Retention: AC+3

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

These are proposed plans for building new or making changes to existing water systems sent in by utility companies to the agency for approval. Once approved, the files are sent to appropriate TCEQ regional office; copies should also exist with the utilities. This series does not have long-term value, it is not archival. Remove the archival code "R" and replace it with the archival exemption code of "E."

Records Series Review

Series Title: International Boundary Water Commission Daily River Report

Agency: Texas Commission on Environmental Quality
Office of Water, Water Availability Division, Rio Grande Watermaster

Contacts: Ricky Anderson, north central and west Texas, 512-239-6566;
Erasmio Yarrito, Deputy Rio Grande Watermaster, 956-430-6046

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: Unknown

Agency holdings: Maintained in electronic format, either in MS Excel or Corel Quattro Pro. Files are uploaded monthly to a regional server on an agency internal drive.

Description:
Records are daily reports of storages and flows of the Rio Grande. Dates not provided.

Purpose:
Records serve as a reference to monitor daily flows at various points in the Rio Grande and the records provide daily capacity levels.

Agency program:
The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

The Water Availability Division processes water rights permits and amendments; maintains water-availability models for all river basins; reviews water-conservation plans and drought contingency plans; performs groundwater quality planning and assessments; manages the state's plan for preventing groundwater pollution from pesticides and the state's program for the identification of priority groundwater-management areas; ensures compliance, through the watermaster programs, with water rights by monitoring stream flows, reservoir levels, and water use; and supports interstate river compacts.

Watermaster programs were put in place to oversee and regulate the amount of surface water used and available to be distributed among water rights holders using the priority system. The Rio Grande Watermaster Program ensures that the water rights in the Rio Grande Basin are administered within the rules and regulations stated in 30 Texas Administrative Code, Sections 303.1 thru 303.93. The program was created in 1971 after the Texas Water Rights Commission held a public hearing in Austin to consider the matter of compliance with the decisions of the Thirteenth Court of Civil Appeals in the State of Texas, et al v. Hidalgo Water Control and Improvement Division No 18, et al, 443S.W. (2D) 728, as approved by the Supreme Court of Texas.

Arrangement: Chronological by day, month and year.

Access constraints: None

Use constraints: Electronic records are only viewable via Microsoft's Excel Program and Corel Quattro Pro Program.

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None known

Internet pages based on records: None

Series data from agency schedule:

Title: International Boundary Water Commission Daily River Report

Series item number: 1.1.067

Agency item number: 4102.01

Archival code: R

Retention: 5

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

These files document the daily water flows of the Rio Grande. The Archives does not need to document the activity of the river at this level. The archival review code of "R" can be removed from this series and replaced with an archival exemption code of "E."

According to program staff in 2011, this series is obsolete and will be removed from the schedule when the retention period for the last remaining documents has been met.

Records Series Review

Series Title: IBWC District Diversion Report

Agency: Texas Commission on Environmental Quality
Office of Water, Water Availability Division, Rio Grande Watermaster

Contacts: Ricky Anderson, north central and west Texas, 512-239-6566;
Erasmio Yarrito, Deputy Rio Grande Watermaster, 956-430-6046

Obsolete record series? No

Ongoing record series? Yes

Annual accumulation: Files are maintained electronically on an agency internal drive

Agency holdings: About 1 linear ft. from 1989 to 2008; as of January 2009 files are maintained electronically on an agency internal drive.

Description:

This report shows a summary of water used and water available for each district for a specific period, providing both beginning and ending dates, inclusive. The report shows the accounts, authorized water rights, storage and usable balance, assessment status, amounts allocated, authorized amounts used and no charge accounts used for each district. Dates covered are 1989-2009. Files from January 2009 forward are only available electronically.

Purpose:

This report shows a summary of water used and water available for each district for a specific period, providing both beginning and ending dates, inclusive.

Agency Program:

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

The Water Availability Division processes water rights permits and amendments; maintains water-availability models for all river basins; reviews water-conservation plans and drought contingency plans; performs groundwater quality planning and assessments; manages the state's plan for preventing groundwater pollution from pesticides and the state's program for the identification of priority groundwater-management areas; ensures compliance, through the watermaster programs,

with water rights by monitoring stream flows, reservoir levels, and water use; and supports interstate river compacts.

Watermaster programs were put in place to oversee and regulate the amount of surface water used and available to be distributed among water rights holders using the priority system. The Rio Grande Watermaster Program ensures that the water rights in the Rio Grande Basin are administered within the rules and regulations stated in 30 Texas Administrative Code, Sections 303.1 thru 303.93. The program was created in 1971 after the Texas Water Rights Commission held a public hearing in Austin to consider the matter of compliance with the decisions of the Thirteenth Court of Civil Appeals in the State of Texas, et al v. Hidalgo Water Control and Improvement Division No 18, et al, 443S.W. (2D) 728, as approved by the Supreme Court of Texas.

Arrangement: Chronological.

Access constraints: None

Use constraints: Electronic records are only viewable via Microsoft's Excel Program and Corel Quattro Pro Program

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None known

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: IBWC District Diversion Report

Series item number: 1.167

Agency item number: 4102.02

Archival code: R

Retention: FE + 3

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

The water usage and water availability reports in this series do not have sufficient value to warrant archival retention. The archival review code of “R” can be removed from this series and replaced with an archival exemption code of “E.”

Records Series Review

Series Title: IBWC Monthly Diversion Report

Agency: Texas Commission on Environmental Quality
Office of Water, Water Availability Division, Rio Grande Watermaster

Contacts: Ricky Anderson, north central and west Texas, 512-239-6566;
Erasmio Yarrito, Deputy Rio Grande Watermaster, 956-430-6046

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 12 linear ft.

Agency holdings: Series began in 1986 with paper reports, then reports were generated through a computer, using the agency's "Focus" program. Now reports are kept for a year, then purged.

Description:

Records are monthly diversion reports and provide reporting period adjustment information, information on water rights, storage limits, and acres per account. Dates covered are about 2009-present.

Purpose:

Documents serve as a monthly activity report to users.

Agency program:

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

The Water Availability Division processes water rights permits and amendments; maintains water-availability models for all river basins; reviews water-conservation plans and drought contingency plans; performs groundwater quality planning and assessments; manages the state's plan for preventing groundwater pollution from pesticides and the state's program for the identification of priority groundwater-management areas; ensures compliance, through the watermaster programs, with water rights by monitoring stream flows, reservoir levels, and water use; and supports interstate river compacts.

Watermaster programs were put in place to oversee and regulate the amount of surface water used and available to be distributed among water rights holders using the priority system. The Rio Grande Watermaster Program ensures that the water rights in the Rio Grande Basin are administered within the rules and regulations stated in 30 Texas Administrative Code, Sections 303.1 thru 303.93. The program was created in 1971 after the Texas Water Rights Commission held a public hearing in Austin to consider the matter of compliance with the decisions of the Thirteenth Court of Civil Appeals in the State of Texas, et al v. Hidalgo Water Control and Improvement Division No 18, et al, 443S.W. (2D) 728, as approved by the Supreme Court of Texas.

Arrangement: Numerical by adjudication number. Documents in each folder are arranged chronologically.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: IWBC Monthly Diversion Report

Series item number: 1.1067

Agency item number: 4102.0378

Archival code: R

Retention: PM

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

This series consists of monthly reports on water accounts along the Rio Grande. The staff say records are purged at the end of the each year, but the retention schedule lists the records as permanent. These records do not have archival value; we do not need to document monthly activity on water accounts. Problems arising from flow/diversion issues would be found in series 4103.08,

Original Documents and Court Filings, an archival series. The archival review code of “R” can be removed from this series and replaced with an archival exemption code of “E.” The retention period should be changed to FE +1 if staff continue to purge the files on a yearly basis.

Records Series Review

Series Title: South Texas Watermaster Cost Assessment

Agency: Texas Commission on Environmental Quality
Office of Water, Water Availability Division, South Texas Watermaster

Contacts: Ricky Anderson, north central and west Texas, 512-239-6566;
Erasmio Yarrito, Deputy Rio Grande Watermaster, 956-430-6046

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: Not provided

Agency holdings: Only available in electronic format

Description:

Record is a cost assessment presented to water rights holders and the TCEQ Commissioners for approval each year. The cost to run the watermaster program is reflected in the amount of the assessment charged to the water rights holders. The assessment is calculated using the total number of accounts and acre ft. of surface water allocated and put into a formula that determines a base rate and percentage of that base rate for certain uses and is used to obtain an amount of assessment.

Purpose:

This record is used to document the amount of assessments needed to run the watermaster program (procedure as dictated in the 30 Texas Administrative Code, Sections 304.61 thru 304.63).

Agency program:

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

The Water Availability Division processes water rights permits and amendments; maintains water-availability models for all river basins; reviews water-conservation plans and drought contingency plans; performs groundwater quality planning and assessments; manages the state's plan for preventing groundwater pollution from pesticides and the state's program for the identification of priority groundwater-management areas; ensures compliance, through the watermaster programs,

with water rights by monitoring stream flows, reservoir levels, and water use; and supports interstate river compacts.

Watermaster programs were put in place to oversee and regulate the amount of surface water used and available to be distributed among water rights holders using the priority system. The Rio Grande Watermaster Program ensures that the water rights in the Rio Grande Basin are administered within the rules and regulations stated in 30 Texas Administrative Code, Sections 303.1 thru 303.93. The program was created in 1971 after the Texas Water Rights Commission held a public hearing in Austin to consider the matter of compliance with the decisions of the Thirteenth Court of Civil Appeals in the State of Texas, et al v. Hidalgo Water Control and Improvement Division No 18, et al, 443S.W. (2D) 728, as approved by the Supreme Court of Texas.

Arrangement: Chronological and at the Watermaster Office in the San Antonio region office for the South Texas program.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: South Texas Watermaster Cost Assessment

Series item number: None

Agency item number: 4102.06

Archival code: R

Retention: AC + 10

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

This is a financial record prepared for water rights holders and TCEQ commissioners to run the watermaster program. Funding is based on the amount of the assessment charged to water rights holders. 30 Texas Administrative Code, Sections 304.61 thru 304.63 dictated how the assessment is calculated, which is sufficient documentation of this function. This series is not archival. Remove the archival review code of “R” and replace it with the archival exemption code of “E.”

Records Series Review

Series Title: Original Documents and Court Filings

Agency: Texas Commission on Environmental Quality
Office of Water, Water Availability Division, Rio Grande Watermaster

Contacts: Ricky Anderson, north central and west Texas, 512-239-6566;
Erasmio Yarrito, Deputy Rio Grande Watermaster, 956-430-6046

Obsolete record series? No

Ongoing record series? Yes

Agency holdings: 22.5 linear ft. Paper copies are maintained until microfilming is complete; typically records are filmed 5 years after the record is closed. Some oversize maps are included in this series.

Description:

Records are documents related to the adjudication of water rights including certificates of adjudication, court rulings, memos, maps, drafts, and warranty deeds. Dates not provided. The files provide information on each adjudication, number of acres used for irrigation, and the number of authorized water rights.

Purpose:

These files serve as an official permanent record of each water right in the Rio Grande Basin.

Agency program:

The Office of Compliance and Enforcement enforces compliance with the state's environmental laws, responds to emergencies and natural disasters, oversees dam safety and watermaster programs, and monitors air quality within Texas. The office also oversees the operations of 16 regional offices and two special-project offices across the state. Three divisions report to this office: Critical Infrastructure, Enforcement, and Field Operations, which is split into three regional sections and a central office: Field Operations Support, Field Operations Border and South Texas, Field Operations Coastal and East Texas, and Field Operations North Central and West Texas.

Watermaster programs were put in place to oversee and regulate the amount of surface water used and available to be distributed among water rights holders using the priority system. The Rio Grande Watermaster Program ensures that the water rights in the Rio Grande Basin are administered within the rules and regulations stated in 30 Texas Administrative Code, Sections 303.1 thru 303.93. The program was created in 1971 after the Texas Water Rights Commission held a public hearing in Austin to consider the matter of compliance with the decisions of the Thirteenth

Court of Civil Appeals in the State of Texas, et al v. Hidalgo Water Control and Improvement Division No 18, et al, 443S.W. (2D) 728, as approved by the Supreme Court of Texas.

Arrangement: Numerical by adjudication number, in the format of XXX-XX. Documents within each folder are arranged chronologically.

Access constraints: None

Use constraints: Electronic records are only available in-house; microfilmed records require a microfilm reader.

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: Original Documents and Court Filings

Series item number:

Agency item number: 4103.08

Archival code: R

Retention: PM

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

This series serves as the official record of water rights holders in the Rio Grande Basin. Copies of some documents can be found elsewhere, but not the entire record. It does need to be maintained permanently by the agency. Change the archival review code of "R" to the archival code of "A." Add the following note to the Remarks Section of the schedule – "If the agency changes their retention to anything less than PM, transfer records to the State Archives as their retention is met."

Records Series Review

Series Title: Public Water Supplier Drought Management Plan

Agency: Texas Commission on Environmental Quality
Office of Water, Water Availability Division

Contact: Steve Ramos

Obsolete record series: Unknown

Ongoing record series? No
Annual accumulation: N/A

Agency holdings: Not provided.

Description:

Public water supplier drought management plans are types of water rights documents issued to regulate the use of state water. The plans are submitted by a public water supplier seeking a new or an amendment to an existing water right. Dates not provided.

Purpose:

A public water supplier seeking a new right or an amendment to an existing water right must prepare and implement a public water supplier drought management plan, and submit that plan with the application. To be administratively complete, the plan must meet all minimum requirements contained in TCEQ rules 30 Texas Administrative Code.

The TCEQ is required to determine whether requested appropriations of state water are reasonable and necessary for the proposed use(s), and that water right applicants will conserve and avoid wasting water. This determination is made through reviewing the applicant's water conservation plan and is considered in the decision to approve or deny a water right application.

Agency program

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

The Water Availability Division processes water rights permits and amendments; maintains water-availability models for all river basins; reviews water-conservation plans and drought contingency

plans; performs groundwater quality planning and assessments; manages the state's plan for preventing groundwater pollution from pesticides and the state's program for the identification of priority groundwater-management areas; ensures compliance, through the watermaster programs, with water rights by monitoring stream flows, reservoir levels, and water use; and supports interstate river compacts.

Arrangement: Generally alphabetical by name.

Access constraints: None known

Use constraints: None

Problems: None known

Known related records in other agencies: None

Publications based on records: None

Series data from agency schedule:

Title: Public Water Supplier Drought Management Plan

Series item number: 1.1.024

Agency item number: 5225.41 (old 6502.41)

Archival code: R

Retention: AC + 3

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings:

Gaps: None known

Appraisal decision:

This series was deleted and merged with series 5223.19 *Water Conservation and Drought Management Plan*, an archival series.

Records Series Review

Series Title: Drought Contingency Plan by Entity

Agency: Texas Commission on Environmental Quality
Office of Water, Water Availability Division

Contact: Steve Ramos

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: Not provided

Agency holdings: Not provided

Description:

Drought contingency plans are types of water rights document(s) issued to regulate the use of state water. The plans are submitted by an entity seeking a new or an amendment to an existing water right. Dates not provided.

Purpose:

An entity seeking a new right or an amendment to an existing water right must prepare and implement a drought contingency plan, and submit that plan with the application. To be administratively complete, the plan must meet all minimum requirements contained in TCEQ rules – 30 Texas Administrative Code.

The TCEQ is required to determine whether requested appropriations of state water are reasonable and necessary for the proposed use(s), and that water right applicants will conserve and avoid wasting water. This determination is made through reviewing the applicant's water conservation plan and is considered in the decision to approve or deny a water right application.

Agency program

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

The Water Availability Division processes water rights permits and amendments; maintains water-availability models for all river basins; reviews water-conservation plans and drought contingency plans; performs groundwater quality planning and assessments; manages the state's plan for preventing groundwater pollution from pesticides and the state's program for the identification of priority groundwater-management areas; ensures compliance, through the watermaster programs, with water rights by monitoring stream flows, reservoir levels, and water use; and supports interstate river compacts.

Arrangement: Generally by topic.

Access constraints: None known

Use constraints: None

Problems: None known

Known related records in other agencies: None

Publications based on records: None known

Series data from agency schedule:

Title: Drought Contingency Plan by Entity

Series item number: None

Agency item number: 5225.42 (old 6502.42)

Archival code: R

Retention: AC + 3

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

This series was deleted and merged with series 5223.19 *Water Conservation and Drought Management Plan*, an archival series.

Records Series Review

Series Title: Priority Groundwater Management Area (PGMA) – General Correspondence

Agency: Texas Commission on Environmental Quality
Office of Water, Water Availability Division,
Groundwater Planning and Assessment Team

Contacts: Kathy McCormack and Kelly Mills

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 0.1 linear ft.

Agency holdings: 1 linear ft., dating 1991-present

Description:

Records are correspondence between the Texas Commission on Environmental Quality, the Texas Water Development Board, or other agencies for Priority Groundwater Management Area (PGMA) program planning and implementation. Correspondence is present for areas receiving PGMA status and those that do not receive this status. Dates covered are 1991-present.

Purpose:

Records document program planning and implementation of the PGMA program.

Agency program:

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

The Water Availability Division processes water rights permits and amendments; maintains water-availability models for all river basins; reviews water-conservation plans and drought contingency plans; performs groundwater quality planning and assessments; manages the state's plan for preventing groundwater pollution from pesticides and the state's program for the identification of priority groundwater-management areas; ensures compliance, through the watermaster programs, with water rights by monitoring stream flows, reservoir levels, and water use; and supports interstate river compacts.

A Priority Groundwater Management Areas (PGMA) is an area designated and delineated by TCEQ that is experiencing, or is expected to experience, within 25 years, critical groundwater problems including shortages of surface water or groundwater, land subsidence resulting from groundwater withdrawal, and contamination of groundwater supplies. Designating an area as a PGMA ensures the management of groundwater in the area. A PGMA evaluation will consider the need for creating groundwater conservation districts.

Arrangement: Reverse chronological.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: Priority groundwater management areas and groundwater conservation districts : Report to the 76th-82nd Legislatures

Internet pages based on records: None

Series data from agency schedule:

Title: Priority Groundwater Management Area (PGMA) – General Correspondence

Series item number: 1.1.007

Agency item number: 5226.01 (old 6502.87)

Archival code: R

Retention: 10

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

This series contains correspondence about the planning and implementation of the Priority Groundwater Management Area program. Summary documentation about this program can be found on the agency's website and should be reported in the agency's biennial report. The correspondence in this series is not archival. Remove the archival code "R" and replace it with the archival exemption code of "E."

Records Series Review

Series Title: Priority Groundwater Management Area (PGMA) Studies – No Designation

Agency: Texas Commission on Environmental Quality
Office of Water, Water Availability Division,
Groundwater Planning and Assessment Team

Contacts: Kathy McCormack and Kelly Mills

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 0 linear ft.

Agency holdings: 5.6 linear ft.

Description:

Records are correspondence, reports, and hearing files, documenting areas not designated by the Texas Commission on Environmental Quality as a Priority Groundwater Management Area (PGMA), dating 1989-2006. Studies must include an appraisal of the hydrogeology of the area and matters within the Texas Water Development Board's planning expertise relevant to the area and assess the area's immediate, short-term, and long-term water supply and needs. Studies from Texas Parks and Wildlife and the Texas Department of Agriculture may be present. Correspondence is with governing bodies of entities such a water district and planning boards that supply public drinking water. Hearings were held before the State Office of Administrative Hearings (SOAH) and TCEQ Commissioners.

Purpose:

Agency staff study areas recommended for PGMA designation. The study must evaluate the potential effects of the designation of a priority groundwater management area on an area's natural resources. This series documents areas not given a PGMA designation.

Agency program:

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

The Water Availability Division processes water rights permits and amendments; maintains water-availability models for all river basins; reviews water-conservation plans and drought contingency plans; performs groundwater quality planning and assessments; manages the state's plan for preventing groundwater pollution from pesticides and the state's program for the identification of priority groundwater-management areas; ensures compliance, through the watermaster programs, with water rights by monitoring stream flows, reservoir levels, and water use; and supports interstate river compacts.

A Priority Groundwater Management Areas (PGMA) is an area designated and delineated by TCEQ that is experiencing, or is expected to experience, within 25 years, critical groundwater problems including shortages of surface water or groundwater, land subsidence resulting from groundwater withdrawal, and contamination of groundwater supplies. Designating an area as a PGMA ensures the management of groundwater in the area. A PGMA evaluation will consider the need for creating groundwater conservation districts.

Arrangement: By subject.

Access constraints: None

Use constraints: Microfilm/microfiche readers needed.

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: Priority groundwater management areas and groundwater conservation districts : Report to the 76th-82nd Legislatures

Internet pages based on records: Priority Groundwater Management Areas, http://www.tceq.texas.gov/permitting/water_supply/groundwater/pgma.html

Series data from agency schedule:

Title: Priority Groundwater Management Area (PGMA) Studies –
No Designation

Series item number: 1.1.007

Agency item number: 5226.02 (old 6502.88)

Archival code: R

Retention: AC + 35

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

This series documents studies done in areas not designated as Priority Groundwater Management Area areas. Work is done in conjunction with data from the Texas Water Development Board and possibly Texas Parks and Wildlife Department and/or the Texas Department of Agriculture. Correspondence is also present with entities that supply public drinking water. Summary documentation about this program can be found on the agency's website and should be reported in the agency's biennial report. The agency keeps these records for at least 35 years, which we agree is a sufficient retention period. This series is not archival. Remove the archival code "R" and replace it with the archival exemption code of "E."

Records Series Review

Series Title: Priority Groundwater Management Areas (PGMA) – Designated

Agency: Texas Commission on Environmental Quality
Office of Water, Water Availability Division,
Groundwater Planning and Assessment Team

Contacts: Kathy McCormack and Kelly Mills

Obsolete record series? No

Ongoing record series? Yes

Annual accumulation: 0.1 linear ft.

Agency holdings: 14.3 linear ft. at the State Records Center (09-582-394)

Description:

Records are correspondence, reports, and hearing files, documenting areas designated by the Texas Commission on Environmental Quality as a Priority Groundwater Management Area (PGMA), dating 1985-2006. Studies must include an appraisal of the hydrogeology of the area and matters within the Texas Water Development Board's planning expertise relevant to the area and assess the area's immediate, short-term, and long-term water supply and needs. Studies from Texas Parks and Wildlife and the Texas Department of Agriculture may be present. Correspondence is with governing bodies of entities such a water district and planning boards that supply public drinking water. Hearings were held before the State Office of Administrative Hearings (SOAH) and TCEQ Commissioners.

Purpose: Study area designated by Commission action. Update files may also be included.

Agency program:

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

The Water Availability Division processes water rights permits and amendments; maintains water-availability models for all river basins; reviews water-conservation plans and drought contingency plans; performs groundwater quality planning and assessments; manages the state's plan for

preventing groundwater pollution from pesticides and the state's program for the identification of priority groundwater-management areas; ensures compliance, through the watermaster programs, with water rights by monitoring stream flows, reservoir levels, and water use; and supports interstate river compacts.

A Priority Groundwater Management Areas (PGMA) is an area designated and delineated by TCEQ that is experiencing, or is expected to experience, within 25 years, critical groundwater problems including shortages of surface water or groundwater, land subsidence resulting from groundwater withdrawal, and contamination of groundwater supplies. Designating an area as a PGMA ensures the management of groundwater in the area. A PGMA evaluation will consider the need for creating groundwater conservation districts.

Arrangement: By subject.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: Priority groundwater management areas and groundwater conservation districts : Report to the 77th-82nd Legislatures

Internet pages based on records: None

Series data from agency schedule:

Title: Priority Groundwater Management Areas (PGMA) – Designated

Series item number: None

Agency item number: 5226.04 (old 6502.90)

Archival code: R

Retention: AC + 35

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

This series documents studies done in areas designated as Priority Groundwater Management Area areas. Work is done in conjunction with data from the Texas Water Development Board and possibly Texas Parks and Wildlife Department and/or the Texas Department of Agriculture. Correspondence is also present with entities that supply public drinking water. Summary documentation about this program can be found on the agency's website and should be reported in the agency's biennial report. The agency keeps these records for at least 35 years, which we agree is a sufficient retention period. This series is not archival. Remove the archival code "R" and replace it with the archival exemption code of "E."

Records Series Review

Series Title: Groundwater Contamination Investigations

Agency: Texas Commission on Environmental Quality
Office of Water, Water Availability Division,
Groundwater Planning and Assessment Team

Contacts: Kathy McCormack and Kelly Mills

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 0.1 linear ft.

Agency holdings: 2.7 linear ft.

Description:

Records are investigation files (reports, correspondence, etc.) of groundwater contamination cases that do not fall under the jurisdiction of any other agency or program, dating 1970-present. The files cover the investigation and do not contain information about the responsible party. These cases include contamination that has not been directly linked to a single activity or source; historic enforcement cases where groundwater contamination is known to exist, but where no further regulatory action is required by law, rule, or order; existing cases that are outside the current regulatory scope; and cases that are confirmed in the Interagency Pesticide Database that do not require regulatory action.

Purpose:

Records document cases of groundwater contamination investigated by the Water Supply Division that do not fall under the jurisdiction of any other program or agency. Investigations are long-term and files are needed for reference.

Agency program:

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

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Arrangement: By subject.

Access constraints: None

Use constraints: None at this time. Microfilm planned.

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records:

Joint Groundwater Monitoring and Contamination Report 2007, SFR-056/07 (updated annually)

Internet pages based on records: http://www.tceq.texas.gov/publications/sfr/056_09_index.html

Series data from agency schedule:

Title: Groundwater Contamination Investigations

Series item number: None

Agency item number: 5226.06 (old 6502.92)

Archival code: R

Retention: AC + 25

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

Records document cases of groundwater contamination investigated by TCEQ's Water Supply Division; typically these do not require any further regulatory action. TCEQ maintains the files for 25 years after completion of the investigation, which is sufficient for this records series. Additionally, an annual summary report is prepared and maintained at TCEQ. We request a copy of

this report also be sent to the Texas State Publications Depository Program. This series is not archival. Remove the archival code “R” and replace it with the archival exemption code of “E.”

Records Series Review

Series Title: Underground Reservoir and Groundwater Management Area Delineations

Agency: Texas Commission on Environmental Quality
Office of Water, Water Availability Division
Groundwater Planning and Assessment Team

Contacts: Kathy McCormack and Kelly Mills

Obsolete record series? Yes
Replaced by: None

Ongoing record series? No

Agency holdings: 0 linear ft. TCEQ closed this record series in 2001 and responsibility for these records was transferred to TWDB. We believe that all records are in the State Records Center at 92-582-062.

Description:

Records are reservoir and groundwater management area delineations by predecessor agencies. Records date from the 1950s to the late 1990s. The program to delineate Groundwater Management Areas was delegated from TCEQ to TWDB in 1997. Files contain boundary descriptions that may be referenced in special law.

Purpose:

Records document Reservoir and Groundwater Management Area delineations by predecessor agencies. Closed series, acquired by the Texas Water Development Board (TWDB) in 1997.

Agency program:

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

The Water Availability Division processes water rights permits and amendments; maintains water-availability models for all river basins; reviews water-conservation plans and drought contingency plans; performs groundwater quality planning and assessments; manages the state's plan for preventing groundwater pollution from pesticides and the state's program for the identification of priority groundwater-management areas; ensures compliance, through the watermaster programs,

with water rights by monitoring stream flows, reservoir levels, and water use; and supports interstate river compacts.

Arrangement: By subject.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: Acquired by the Texas Water Development Board (TWDB) in 1997.

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: Underground Reservoir and Groundwater Management Area Delineations

Series item number: None

Agency item number: 5226.07 (old 6502.93)

Archival code: None

Retention: AC + 20

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings:

Gaps: None known

Appraisal decision:

According to staff, this function and responsibility for the records were transferred to the Texas Water Development Board in 1997. If this is an empty series; it can be removed from the schedule. If it still contains records, it will need to be maintained on the schedule until the retention is met.

Records Series Review

Series Title: Groundwater District Management Plan Coordination – General Correspondence

Agency: Texas Commission on Environmental Quality
Office of Water, Water Availability Division,
Groundwater Planning and Assessment Team

Contacts: Kathy McCormack and Kelly Mills

Obsolete record series? No

Ongoing record series?

Annual accumulation: 0.1 linear ft.

Agency holdings: 3.3 linear ft.

Description:

Records are correspondence and memorandums of understanding between the Texas Commission on Environmental Quality and the Texas Water Development Board related to groundwater conservation district management plan approval and enforcement. Also present are State Auditor's Office Groundwater Conservation District compliance reports. Dates covered are 2001-present.

Purpose:

Records document inter-agency coordination and communication related to Groundwater Conservation District management and enforcement.

Agency program:

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

The Water Availability Division processes water rights permits and amendments; maintains water-availability models for all river basins; reviews water-conservation plans and drought contingency plans; performs groundwater quality planning and assessments; manages the state's plan for preventing groundwater pollution from pesticides and the state's program for the identification of priority groundwater-management areas; ensures compliance, through the watermaster programs, with water rights by monitoring stream flows, reservoir levels, and water use; and supports interstate river compacts.

The Groundwater Planning and Assessment team processes, reviews, and facilitates landowner petitions for creating groundwater conservation districts. The team evaluates filed legislative bills that create new or modify existing Groundwater Conservation Districts (GCDs). The TCEQ creates GCDs within Priority Groundwater Management Areas (PGMAs). The team processes and coordinates limited oversight of GCDs relating to groundwater management plans and joint-district planning in common groundwater management areas, providing educational and technical assistance upon request.

Arrangement: Chronological.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: Some will be present in the Texas Water Development Board.

Publications based on records: *Priority Groundwater Management Areas and Groundwater Conservation Districts, Report to the 82nd Texas Legislature*, January 2001 (PDF)

Internet pages based on records: <http://www.tceq.texas.gov/groundwater/districts.html>

Series data from agency schedule:

Title: Groundwater District Management Plan Coordination General Correspondence

Series item number: None

Agency item number: 5226.08 (old 6502.94)

Archival code: R

Retention: AC+10

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

Series documents coordination and communication between the agency and the Texas Water Development regarding management of Groundwater Conservation Districts. Management of these districts is important, but not a critical function; these records do not have archival value. Remove the archival review code of "R" and replace it with the archival exemption code of "E."

Records Series Review

Series Title: Water Well Driller's Logs

Agency: Texas Commission on Environmental Quality
Office of Water, Water Availability Division,
Groundwater Planning and Assessment Team

Contacts: Kathy McCormack and Kelly Mills

Obsolete record series? No

Ongoing record series? Yes

Annual accumulation: 0.3 linear ft.

Agency holdings: 747.8 linear ft. All logs are scanned and on the agency's website.

Description:

The Texas Commission on Environmental Quality, along with the Texas Department of Water Resources, has oversight of public and private water wells in Texas. Records are numbered (# comes from Texas Water Development Board = inventory #), unnumbered submitted, plotted, and unnumbered water well driller's logs. Also includes index maps, electric logs, large county maps. Dates covered are 1930s-present.

Purpose:

The report and log document geographic location of the well, well and casing type, well drilling method, lithography of the drilled well, screening depths, well completion and test details, water quality data, driller contact information.

Agency program:

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

The Water Availability Division processes water rights permits and amendments; maintains water-availability models for all river basins; reviews water-conservation plans and drought contingency plans; performs groundwater quality planning and assessments; manages the state's plan for preventing groundwater pollution from pesticides and the state's program for the identification of priority groundwater-management areas; ensures compliance, through the watermaster programs,

with water rights by monitoring stream flows, reservoir levels, and water use; and supports interstate river compacts.

Arrangement: Geographical – by county, then by grid.

Access constraints: Yes, some of the water well drillers’ logs are confidential. Section 32.005 of the Texas Water Code governs the confidentiality.

Use constraints: Electronic – initially only via kiosk in CFR, then via TCEQ external website

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: The Texas Water Development Board and the Texas Department of Licensing and Regulation own the Water Information Integration & Dissemination (WIID, http://wiid.twdb.state.tx.us/index_explain.asp) system which contains water well drillers’ logs with assigned state well numbers or tracking numbers.

Publications based on records: None

Internet pages based on records: Yes, this information will be maintained on the TCEQ website, URL to be determined by the agency.

Series data from agency schedule:

Title: Water Well Driller’s Logs

Series item number: None

Agency item number: 5226.09 (old 6502.95)

Archival code: None

Retention: 50

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

This series contains pertinent and historical information about all public and private water wells in Texas. These records are archival. Add an archival code of “A.”

The agency has now scanned all the logs and designated the scans as the record copy. The program dropped the retention period from PM to 50 years. Records staff at TCEQ indicated the scans were not all checked against the original paper logs so the program area wanted to hold on to the paper for 50 years. They consider the scans to be permanent. If this is the case, they need to keep the

retention at PM and add a note to the Remarks column of the retention schedule as follows: “Paper logs are scanned then maintained for 50 years. Scans maintained permanently.”

In the Archives world, scans are not a permanent record. The agency should investigate copying the scans onto microfilm for preservation purposes.

Regarding the paper copies, transfer those to the State Archives as their retention is met. Logs dating from 1930 to 1960 are now eligible for transfer.

Records Series Review

Series Title: Dewatering, Injection, and Monitoring Wells

Agency: Texas Commission on Environmental Quality
Office of Water, Water Availability Division,
Groundwater Planning and Assessment Team

Contacts: Kathy McCormack and Kelly Mills

Obsolete record series? No

Ongoing record series? Yes

Annual accumulation: 0.1 linear ft.

Agency holdings: 91.7 linear ft. All the materials have been scanned and placed on the agency's website.

Description:

The Texas Commission on Environmental Quality, along with the Texas Department of Water Resources, has oversight of public and private water wells in Texas. This series contains driller's logs for dewatering, injection, and monitoring wells (DIMS), index maps, electric logs, and related reports, dating 1962-present.

Purpose:

The driller's logs and any index maps, electric logs, and related reports are required to be kept by statute for water wells in Texas.

Agency program:

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

The Water Availability Division processes water rights permits and amendments; maintains water-availability models for all river basins; reviews water-conservation plans and drought contingency plans; performs groundwater quality planning and assessments; manages the state's plan for preventing groundwater pollution from pesticides and the state's program for the identification of priority groundwater-management areas; ensures compliance, through the watermaster programs,

with water rights by monitoring stream flows, reservoir levels, and water use; and supports interstate river compacts.

Arrangement: Geographical by county.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: The Texas Water Development Board and the Texas Department of Licensing and Regulation own the Water Information Integration & Dissemination (WIID, http://wiid.twdb.state.tx.us/index_explain.asp) system which contains water well drillers' logs with assigned state well numbers or tracking numbers.

Publications based on records: None

Internet pages based on records: http://wiid.twdb.state.tx.us/index_explain.asp)

Series data from agency schedule:

Title: Dewatering, Injection, and Monitoring Wells

Series item number: None

Agency item number: 5226.11 (old 6502.97)

Archival code: R

Retention: 50

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

This series documents drilling done in water wells for dewatering, injection and monitoring purposes. This series is required to be kept permanently by that agency according to statute. The agency has now scanned all the logs and designated the scans as the record copy. The program dropped the retention period from PM to 50 years. Records staff at TCEQ indicated the scans were not all checked against the original paper logs so the program area wanted to hold on to the paper for 50 years. They consider the scans to be permanent. If this is the case, they need to keep the retention at PM and add a note to the Remarks column of the retention schedule as follows: "Paper logs are scanned then maintained for 50 years. Scans maintained permanently." Staff may combine this series with series 5226.09, *Water Well Driller's Logs*, an archival series. If they decide to

maintain both series on the schedule, change the archival review code of “R” to the archival code of “A” and add the note as directed above.

In the Archives world, scans are not a permanent record. The agency may want to investigate copying the scans onto microfilm for preservation purposes.

Records Series Review

Series Title: Pesticide Management Plan

Agency: Texas Commission on Environmental Quality
Office of Water, Water Availability Division,
Groundwater Planning and Assessment Team

Contacts: Kathy McCormack and Kelly Mills

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 0.5 linear ft.

Agency holdings: 4 linear ft. (in SRC, 09-582-398-MR 16-5).

Description:

The series contains the Pesticide Management Plan developed by the Office of Water, Texas Commission on Environmental Quality, in accordance with Texas Water Code, Chapter 26, dating 1989-present.

Purpose:

Records document interagency coordination and TCEQ pesticide management plans and files.

Agency program:

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

The Water Availability Division processes water rights permits and amendments; maintains water-availability models for all river basins; reviews water-conservation plans and drought contingency plans; performs groundwater quality planning and assessments; manages the state's plan for preventing groundwater pollution from pesticides and the state's program for the identification of priority groundwater-management areas; ensures compliance, through the watermaster programs, with water rights by monitoring stream flows, reservoir levels, and water use; and supports interstate river compacts.

Arrangement: Chronological.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records: The plan is available on the Texas Groundwater Protection Committee (TGPC) website (<http://www.tgpc.state.tx.us/Publications.htm>). It is incorporated periodically into the Texas Water Code.

Series data from agency schedule:

Title: Pesticide Management Plan

Series item number: None

Agency item number: 5226.12 (old 6502.98)

Archival code: R

Retention: PM

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: *Texas State Management Plan for Prevention of Pesticide Contamination of Groundwater*, Texas Groundwater Protection Committee, Agricultural Chemicals Subcommittee, 2001.

Gaps: None known

Appraisal decision:

TCEQ is required by statute to develop and maintain a pesticide management plan. TCEQ maintains this plan permanently and information about the plan's requirements are in the Texas Water Code. We have appraised this series as archival. Change the archival code to "A" and add the following note in the Remarks Section of the schedule – "Sending copies of the State Pesticide Management Plan to the Publications Clearinghouse fulfills the archival requirement."

Records Series Review

Series Title: Galveston Bay Estuary Program

Agency: Texas Commission on Environmental Quality
Office of Water, Water Quality Planning Division, Galveston Bay Estuary Program

Contacts: Helen Drummond/Doretta (Gale) Thomas, 281-486-1247

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 1-2 linear ft.

Agency holdings: 124 linear ft. at the Galveston Bay Estuary Program offices in Clear Lake, dating November 1995 to present.

Description:

Records document the Galveston Bay Estuary Program and include project files and records of the Galveston Bay Council. Files of the Council consist of meeting agendas, minutes, bylaws, discussion summaries, sign-in sheets and proxy forms that reflect members or delegates in attendance. Project files contain final contracts, contract initiation paperwork, and draft contracts, correspondence, and contract deliverables, including work plans, quality assurance project plans, progress and final reports, and reimbursement vouchers. Dates covered are November 1995 to present.

Purpose:

This series documents the process under which the Galveston Bay Council, the 41-member advisory committee to the Commission for the Galveston Bay Estuary Program, operates through its bylaws, and attendance at and discussions of the Council and its subcommittees' quarterly meetings.

Project files document the project development and implementation of work. Work is accomplished through outgoing grants and occasionally professional services contracts.

Agency program:

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

The Water Quality Planning Division assesses, protects, and improves the quality of Texas surface water resources. It operates the Galveston Bay Estuary and Coastal Bend Bays and Estuaries programs, develops and revises standards for water quality in Texas, reports on the status of water quality biennially, coordinates the monitoring and assessment of surface water, administers Environmental Protection Agency (EPA) grants and works with stakeholders to develop watershed protection plans, coordinates the monitoring and assessment of surface water resources, and operates the Clean Rivers Program.

The Galveston Bay Estuary Program (GBEP) is a non-regulatory program administered by the Texas Commission on Environmental Quality. Established in 1989, it is one in a network of twenty-eight U.S. National Estuary Programs (NEPs) created to guide the conservation and restoration of estuaries of national significance. The Estuary Program and its partners – local, state, and federal governments, businesses, industry, universities, conservation organizations and citizens – work together to implement the Galveston Bay Plan, a 20-year, science-based plan designed to protect and restore Galveston Bay.

The Galveston Bay Council, a 41-member advisory committee, was created and appointed by the Texas Natural Resource Conservation Commission (now the TCEQ) in November 1995. Members are appointed from federal and state agencies, local and regional governments, environmental and citizen's groups, universities, and private citizens. The Council has six subcommittees: Natural Resource Uses Subcommittee, Water and Sediment Quality Subcommittee, Public Participation and Education Subcommittee, Monitoring and Research Subcommittee, Budget and Priorities Subcommittee, and the Consistency Review Subcommittee. The Council and its subcommittees meet quarterly. Responsibilities of the council are to maintain agency commitments to implement *The Galveston Bay Plan*; advise the TCEQ during consistency reviews of eligible federal projects; provide an ongoing forum for technical and stakeholders review and involvement during Plan implementation; participate in periodic redirection of Plan initiatives; assure efficient cross-jurisdictional coordination and, if necessary, facilitate resolution of disputes; and set annual priorities for the implementation of action plans.

Arrangement: Chronological.

Access constraints: The files are located at the agency's Clear Lake Office.

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: *The Galveston Bay Plan: The Comprehensive Conservation and Management Plan for the Galveston Bay Ecosystem*, GBNEP, 1994; *5-year Plan Review (1996-2000)*, GBEP, 2001; *State of the Bay: A Characterization of the Galveston Bay Ecosystem*, 2nd edition, Environmental Institute of Houston, University of Houston-Clear Lake, 2002; *The State of the Bay: A Characterization of the Galveston Bay Ecosystem*, GBNEP, 1994; *Bay Briefings* (various); *Galveston Bay National Estuary Program*, Volumes 1-50. Additional publications are listed at <http://gbic.tamug.edu/publications.htm#briefings>.

Internet pages: Information about the program and some documents are posted on the website of the Galveston Bay Estuary Program - www.gbep.state.tx.us.

Series data from agency schedule:

Title: Galveston Bay Estuary Program

Series item number: 1.1.062

Agency item number: 5431.01

Archival code: A

Retention: AC + 10

(AC refers to the date of the meeting agenda or date of a report)

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: *The Galveston Bay Plan*, 1995; *The State of the Bay: A Characterization of the Galveston Bay Ecosystem*, 2002; and additional reports on various aspects of the estuary program by the GBEP.

Gaps: None known

Appraisal decision:

The Galveston Bay Estuary Program (GBEP) documents work done to protect the Galveston Bay Estuary, an important natural resource with national significance. This series contains work of the Galveston Bay Council and work produced through the GBEP. Because of the variety of materials present, this series should be split into three series: *Galveston Bay Council minutes and agenda*, *Galveston Bay Council meeting supporting documentation* and *Galveston Bay Estuary Program project files*. And, due to the importance of this work, all series have been appraised as archival. Copies of minutes and agenda, and the discussion summaries of the Council from 1995 to 2009 should be sent to the State Archives and yearly thereafter. Agencies typically keep the original minutes and agenda, sending us copies. Any meeting documentation, such as the discussion summaries, is transferred when they have met their retention, which is usually two years. Minutes and agenda will have a retention of PM on the schedule; meeting supporting documentation a retention of 2 years.

It appears that the project files produce reports and plans that document in summary fashion the work of the program. Some of these reports, such as the *Galveston Bay Plan* have been sent to the Texas State Publications Depository Program. Any reports and published planning documents

produced should continue to be sent to the Texas State Publications Depository Program, which would fulfill the archival requirement for reports produced in this series. When the new series is created, give it an archival code of “A,” with the retention of AC +10 (unless the agency wishes to extend the retention) and add this note to the Remarks section “Reports and plans sent to the Texas State Publications Depository Program fulfill the Archival Requirements.” However, if the substantive nature of the correspondence and non-contract or non-financial records in the project files are not documented sufficiently in the reports and published planning documents, those materials should be transferred to the Archives when they have fulfilled their retention period.

Records Series Review
Series Title: Water Quality Management Reports

Agency: Texas Commission on Environmental Quality
Office of Water, Water Quality Planning Division

Contact: Virgil Fernandez

Obsolete record Series? No

Ongoing record series? Yes
Annual accumulation: Not provided

Agency holdings: About 25 linear ft. Reports date from the 1970s-present day. These reports are due to be transferred from the program area to the TCEQ library in late 2009.

Description:

The Clean Rivers Program of the Texas Commission on Environmental Quality (TCEQ) coordinates with the State Water Quality Management Program and a partnership of regional governmental agencies to monitor water quality and establish priorities for future monitoring and corrective action that are locally driven. Records are reports and special studies, watershed manuals, and quarterly updates. Reports and studies are produced by local governments, including county offices, councils of government, river authorities, etc, that report on grant activities. Local/regional entities received grants as part of their efforts to their part of the state's 3-5 year water quality management plan. Grant reports are sent to TCEQ and some to the U.S. Environmental Protection Agency. Quarterly updates to the state's water quality management plan are produced by TCEQ. Dates covered are 1970s-present.

Purpose:

The reports document regional/local water quality management and the state's overall water quality management plan.

Agency program:

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

The Water Quality Planning Division assesses, protects, and improves the quality of Texas surface water resources. It operates the Galveston Bay Estuary and Coastal Bend Bays and Estuaries

programs, develops and revises standards for water quality in Texas, reports on the status of water quality biennially, coordinates the monitoring and assessment of surface water, administers Environmental Protection Agency (EPA) grants and works with stakeholders to develop watershed protection plans, coordinates the monitoring and assessment of surface water resources, and operates the Clean Rivers Program.

The Texas Water Quality Management Plan (WQMP) is the product of a wastewater treatment facility planning process developed and updated in accordance with provisions of Sections 205(j), 208, and 303 of the federal Clean Water Act (CWA), as amended. The WQMP is an important part of the State's program for accomplishing its clean water goals. The Texas Department of Water Resources, a predecessor agency of the Texas Commission on Environmental Quality (TCEQ), prepared the initial WQMP for waste treatment management during the late 1970s. The Clean Water Act mandates that the WQMP be updated as needed to fill information gaps and revise earlier certified and approved plans.

Arrangement: Unknown

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None listed.

Problems: None

Known related records in other agencies: Regional and local government authorities keep copies of the grant reports at their organization's location, and most have copies of recent reports is on their web pages.

Publications based on records: None provided

Internet pages: Information about the state's water quality management plan is available on the agency's website at

http://www.tceq.texas.gov/waterquality/assessment/WQmanagement_definition.html. Quarterly updates to the state's water quality management plan are on the agency's website, at http://www.tceq.texas.gov/waterquality/assessment/WQmanagement_updates.html.

Series data from agency schedule:

Title: Water Quality Management Reports

Series item number: 1.1.024

Agency item number: 5441.03

Archival code: R

Retention: PM

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: Some reports likely have been sent to the Texas State Publications Depository Program.

Gaps: None known

Appraisal decision:

This series contains reports that document the state’s overall and regional water quality management plans. The reports are archival and we request copies be sent to the Texas State Publications Depository Program, which would fulfill the archival requirement. We agree that this series should be permanent at the agency and we recognize that duplicate copies, especially of older reports, may not be available for transfer. Change the archival review code of “R” to the archival code of “A,” and add the following note to the Remarks Section of the schedule – “WQM Reports sent to the Texas State Publications Depository Program fulfills the archival requirement.”

Records Series Review

Series Title: Clean Rivers Program Reports

Agency: Texas Commission on Environmental Quality
Office of Water, Water Quality Planning Division

Contact: Allison Woodall, 512-239-4628

Obsolete record Series? No

Ongoing record series? Yes
Annual accumulation: 1 linear ft.

Agency holdings: 18 linear ft. at the State Records Center, 1992-present.

Description:

The Clean Rivers Program of the Texas Commission on Environmental Quality coordinates with the State Water Quality Management Program and a partnership of regional governmental agencies to monitor water quality and establish priorities for future monitoring and corrective action that are locally driven. Records are technical reports on water quality information, biological reports (hard copy and on disc), and photographs of water bodies. These are all deliverables that are part of series 5461.01 *Clean Rivers Program Project Files*. Dates covered are 1992-present.

Purpose:

The reports are reference material for historical water quality information.

Agency program:

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

The Water Quality Planning Division assesses, protects, and improves the quality of Texas surface water resources. It operates the Galveston Bay Estuary and Coastal Bend Bays and Estuaries programs, develops and revises standards for water quality in Texas, reports on the status of water quality biennially, coordinates the monitoring and assessment of surface water, administers Environmental Protection Agency (EPA) grants and works with stakeholders to develop watershed protection plans, coordinates the monitoring and assessment of surface water resources, and operates the Clean Rivers Program.

Arrangement: Alphabetical by river basin, then chronological within each basin.

Access constraints: None

Use constraints: All records are in paper form; only extra copies are retained on compact disc.

Indexes or finding aids required for/or an aid to access? None listed.

Problems: None

Known related records in other agencies: The 15 program partners (12 river authorities, a water district, a council of government, and a federal water commission) retain the same reports at their organization's location, and at least the most recent report is on their web pages.

Publications based on records: This series contains only reports, no raw data.

Internet pages: This information is not maintained on the agency website.

Series data from agency schedule:

Title: Clean Rivers Program Reports

Series item number: 1.1.024

Agency item number: 5441.03 (old 5415.02)

Archival code: R

Retention: PM

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: Some reports likely have been sent to the Texas State Publications Depository Program.

Gaps: None known

Appraisal decision:

This series contains reports that document historical water quality information. They are retained permanently by the agency; the State Archives has also determined that they are archival. Change the archival review code of "R" to the archival code of "A," and add the following note to the Remarks Section of the schedule: "Clean Rivers reports sent to the Texas State Publications Depository Program fulfill the archival requirement."

In 2010 program staff moved the reports into the series *Clean River Program Project Files*, 5441.03, a non-archival series. We recommend the reports remain on the schedule as a separate series since they have been appraised as archival. If not, then the series *Clean River Program Project Files* will have an archival value of "A" added to the schedule and the following note:

Clean Rivers reports sent to the Texas State Publications Depository Program fulfill the archival requirement.”

Records Series Review

Series Title: Clean Rivers Project Files

Agency: Texas Commission on Environmental Quality
Office of Water, Water Quality Planning Division

Contact: Allison Woodall, 512-239-4628

Obsolete record Series? No

Ongoing record series? Yes
Annual accumulation: 5 linear ft.

Agency holdings: 75 linear ft. at the State Records Center, 1992-1999; 30 linear ft. at the agency, in Building A, 1999-2005. Most of the reports are removed from the records and held in the Division's Reference Section. Current data is largely electronic.

Description:

The Clean Rivers Program of the Texas Commission on Environmental Quality coordinates with the State Water Quality Management Program and a partnership of regional governmental agencies to monitor water quality and establish priorities for future monitoring and corrective action that are locally driven. Records are intergovernmental contracts, reports, technical data, checklists, deliverables, and related correspondence. Dates covered are 1992-present.

Titles of some of the reports include *Red Tide Facts* (G1-367), *Conducting a Watershed Survey* (G1-232), and *Surface Water Quality Monitoring Procedures, volumes I and 2* (RG-415 and RG-416).

Purpose:

Records document management of contracts and contracted work for the Clean Rivers Program.

Agency program:

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

The Water Quality Planning Division assesses, protects, and improves the quality of Texas surface water resources. It operates the Galveston Bay Estuary and Coastal Bend Bays and Estuaries

programs, develops and revises standards for water quality in Texas, reports on the status of water quality biennially, coordinates the monitoring and assessment of surface water, administers Environmental Protection Agency (EPA) grants and works with stakeholders to develop watershed protection plans, coordinates the monitoring and assessment of surface water resources, and operates the Clean Rivers Program.

Arrangement: Chronological by biennium – grouped by contracts.

Access constraints: None

Use constraints: Data is provided as text files via email – paper doc. In file that indicates deliverables received.

Indexes or finding aids required for/or an aid to access? None listed.

Problems: None

Known related records in other agencies: Similar information in each contractor’s file system.

Publications based on records: Reports produced by the Clean Rivers Program are best documented in series 4681.01.

Internet pages: Assessment reports, watershed plans and other documents are on the agency’s website, on the Clean Rivers Page - <http://www.tceq.texas.gov/waterquality/clean-rivers/index.html>. Many of the reports concerning the Clean Rivers Program are available through the publications catalog, a searchable database on the agency’s website – http://www.tceq.state.tx.us/publications/search_pubs.html.

Series data from agency schedule:

Title: Clean Rivers Program Project Files

Series item number: 5.1.001

Agency item number: 5461.01 (old 5415.03)

Archival code: R

Retention: Agency – AC + 4

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: Some reports are sent to the Texas State Publications Depository Program.

Gaps: None known

Appraisal decision:

This series documents the management of contracts with regional government agencies to monitor water quality and establish priorities for future monitoring and corrective actions. Work done through these contracts is documented in series 5441.03, *Clean Rivers Program Reports*, an archival series. The Clean Rivers program files are not archival; the archival review code of “R” can be removed and replaced with the archival exemption code of “E.”

In 2010 program staff moved the reports into the series *Clean River Reports*, 5441.03, into the series being reviewed, *Clean Rivers Program Project Files*, 5461.01, a non-archival series. We recommend the reports remain on the schedule as a separate series since they have been appraised as archival. If not, then the series *Clean River Program Project Files* will have an archival value of “A” added to the schedule and the following note: “Clean Rivers reports sent to the Texas State Publications Depository Program fulfill the archival requirement.” If the series remain as separate, then the archival review code of “R” can be removed from the series 5461.01.

Records Series Review

Series Title: Nonpoint Source Management, Clean Water Act, Contracts

Agency: Texas Commission on Environmental Quality
Office of Water, Water Quality Planning Division, Nonpoint Source Team

Contact: Virgil Fernandez, 512-239-4455

Obsolete record series? Yes

Replaced by: Merged with series 5411.01, *Water Quality Contracts*

Ongoing record series? No

Agency holdings: 7 linear ft. stored in file storage room; Room 1022-A, Bldg. B.

Description:

Records are Nonpoint Source (NPS) Management project files, contracts and documents, dating 1990 to 1996.

Purpose:

Documents guide the NPS Management Program on how to manage NPS pollution in Texas.

Agency program:

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

The Water Quality Planning Division assesses, protects, and improves the quality of Texas surface water resources. It operates the Galveston Bay Estuary and Coastal Bend Bays and Estuaries programs, develops and revises standards for water quality in Texas, reports on the status of water quality biennially, coordinates the monitoring and assessment of surface water, administers Environmental Protection Agency (EPA) grants and works with stakeholders to develop watershed protection plans, coordinates the monitoring and assessment of surface water resources, and operates the Clean Rivers Program.

Nonpoint source (NPS) pollution results when small amounts of contaminants from a large number of sources are carried by rainfall runoff into streams, lakes, or bays. The Nonpoint Source

Management Program plans and implements activities designed to prevent or abate urban and other nonagricultural nonpoint source pollution in Texas waters.

Arrangement: Chronological.

Access constraints: No confidential materials, records are open for intergovernmental review.

Use constraints: These records are available in text files, via paper documents.

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: Similar information is available in Texas State Soil and Water Conservation Board files as they work with TCEQ in developing these documents.

Publications based on records: NPS Management Plan is updated every five years.

Internet pages based on records: <http://www.tceq.texas.gov/waterquality/nonpoint-source/mgmt-plan/index.html>.

Series data from agency schedule:

Title: Nonpoint Source Management, Clean Water Act, Contracts

Series item number: N/A

Agency item number: 5413.02 (old 4681.06)

Archival code: R

Retention: Agency AC + 4

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: Some reports are sent to the Texas State Publications Depository Program.

Gaps: None known

Appraisal decision:

I reviewed the contracts in the series during a site visit to the agency in August 2010 and determined these records did not have archival value. The series has recently been merged with series 5411.01, *Water Quality Contracts*, another non-archival series. Remove series 5413.02 from the schedule.

Records Series Review

Series Title: Water Quality Management Program, Clean Water Act,
Section 604(b) Contracts

Agency: Texas Commission on Environmental Quality
Office of Water, Water Quality Planning Division, Nonpoint Source Team

Contact: Virgil Fernandez, 512-239-4455

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: Not provided

Agency holdings: 36 linear ft. stored in file storage room; Room 1033-A, Bldg. B

Description:

Records are annual and special water quality planning reports, contracts, project files as required by Section 208 of the Clean Water Act. Report dates range from 1971 to present.

Purpose:

These records document Water Quality Management Plans (WQMP) for the Nonpoint Source Program. WQMP's are a major part of the state's clean water goals.

Agency program:

The Office of Water is responsible for all aspects of planning, permitting, and monitoring to protect the state's water resources. Four divisions report to this office: Water Availability, Water Quality, Water Quality Planning, and Water Supply. Programs include Public Drinking Water; Water Rights; Water Districts and Utilities; Groundwater Protection, Texas Surface Water Quality Standards, Non-point Source Program; Wastewater, Storm Water, and Concentrated Animal Feeding Operation Permitting; Surface Water Quality Monitoring; Watershed Protection Plans and Total Maximum Daily Loads; and the Galveston Bay Estuary Program.

The Water Quality Planning Division assesses, protects, and improves the quality of Texas surface water resources. It operates the Galveston Bay Estuary and Coastal Bend Bays and Estuaries programs, develops and revises standards for water quality in Texas, reports on the status of water quality biennially, coordinates the monitoring and assessment of surface water, administers Environmental Protection Agency (EPA) grants and works with stakeholders to develop watershed protection plans, coordinates the monitoring and assessment of surface water resources, and operates the Clean Rivers Program.

The Nonpoint Source Management Program plans and implements activities designed to prevent or abate urban and other nonagricultural nonpoint source pollution in Texas waters.

Arrangement: Chronological and by the various river basins.

Access constraints: No confidential materials, records are open for intergovernmental review.

Use constraints: These records are available in text files, via paper documents.

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: Each report is available in each river basin's file.

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: Water Quality Management Program, Clean Water Act, Section 604(b) Contracts

Series item number: None

Agency item number: 5415.06

Archival code: R

Retention: Agency AC + 4

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

The title of this series suggests it is comprised of only contracts. However, staff describe this series as containing report and project files. Further clarification with records staff has determined this series contains only contracts. This series is not archival. It has been merged with another non-archival series, 5411.01, *Water Quality Contracts*, a non-archival series. Remove series 5415.06 from the schedule.

Records Series Review

Series Title: Radioactive Waste Licensed Sites

Agency: Texas Commission on Environmental Quality,
Office of Waste, Radioactive Materials Division

Contact: Marie Boren

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: Varies

Agency holdings: 121 linear ft. in program area; 5 linear ft. in Central File Room; 3 cubic ft. of oversized materials stored at the State Records Center

Description:

The Texas Commission on Environmental Quality is charged by the state with regulating the disposal of most radioactive substances in Texas. This series contains records of licensed sites for radioactive waste. Documents include correspondence, memos, reports, agreements, and maps of licensed sites, dating from 1950s-present, bulk 1983-present. Oversize documents and maps are filed separately in series 6005.02 but are described in this series review. Confidential records are filed in series 6005.05.

Purpose:

These sites are or will be legacy sites with historical value that go back decades. TCEQ is the custodial agency for these records and need to maintain them permanently, for historical and reference values.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Texas Health and Safety Code, Chapter 401, authorizes the TCEQ to regulate the disposal of most radioactive substances in Texas. Also, the State of Texas is an "Agreement State" authorized by the United States Nuclear Regulatory Commission to administer a radiation-control program under the Atomic Energy Act of 1954, as amended.

The Radioactive Materials Division performs activities associated with the licensing of facilities involved in the storing, processing, or disposing of one or more of the following: uranium ore, by-product radioactive waste, low-level radioactive waste, non-oil and -gas naturally occurring radioactive waste (NORM waste); radioactive waste generated from federal government activities; and activities associated with the permitting, registration, and authorization of Class I, III, and V wells in the underground injection control program.

Arrangement: Chronological.

Access constraints: None known

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: Radioactive Waste Licensed Sites

Series item number: No number assigned

Agency item number: 6005.01

Archival code: R

Retention: PM

Title: Radioactive Waste Licensed Sites Oversized Docs, Maps, Photos etc.

Series item number: No number assigned

Agency item number: 6005.02

Archival code: R

Retention: PM

Archival holdings at the Texas State Library and Archives Commission:

Texas Low-Level Radioactive Waste Disposal Authority, *Records, 1982-1999, 166 cubic ft.*
[unprocessed]

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

This series documents licensed sites for radioactive waste in Texas. Storing such waste properly is a necessity and documenting this function is vital. The agency has designed records in both series as permanent and needing to remain at the agency. We agree, and we have also determined these series to be archival. Change the archival review code of “R” to the archival code of “A,” for both series. Add the following note to the Remarks Section of the schedule – “If the agency changes their retention to anything less than PM, transfer records to the State Archives as their retention is met.”

Records Series Review
Series Title: Unlicensed Radioactive Waste

Agency: Texas Commission on Environmental Quality,
Office of Waste, Radioactive Materials Division

Contact: Marie Boren

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: Not provided

Agency holdings: 154 linear ft. in program area, 2 linear ft. in Central File Room., 1 linear ft. of
oversize documents.

Description:

The Texas Commission on Environmental Quality is charged by the state with regulating the disposal of most radioactive substances in Texas. This series contains records of unlicensed sites for radioactive waste. Documents include correspondence, memos, reports, and maps of unlicensed sites, dating 1980-2007. Maps are stored in the oversize documents series, 6005.04, but are described in this series review.

Purpose:

These sites are legacy sites with historical value that go back decades. TCEQ is the custodial agency for these records and need to maintain them permanently, for historical and reference values.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Texas Health and Safety Code, Chapter 401, authorizes the TCEQ to regulate the disposal of most radioactive substances in Texas. Also, the State of Texas is an "Agreement State" authorized by the United States Nuclear Regulatory Commission to administer a radiation-control program under the Atomic Energy Act of 1954, as amended.

The Radioactive Materials Division performs activities associated with the licensing of facilities involved in the storing, processing, or disposing of one or more of the following: uranium ore, by-product radioactive waste, low-level radioactive waste, non-oil and -gas naturally occurring

radioactive waste (NORM waste); radioactive waste generated from federal government activities; and activities associated with the permitting, registration, and authorization of Class I, III, and V wells in the underground injection control program.

Arrangement: Chronological.

Access constraints: None known

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: Unlicensed Radioactive Waste

Series item number: No number assigned

Agency item number: 6005.03

Archival code: R

Retention: PM

Title: Unlicensed Radioactive Waste Oversized Docs, Maps, Photos, etc.

Series item number: No number assigned

Agency item number: 6005.04

Archival code: R

Retention: PM

Archival holdings at the Texas State Library and Archives Commission:

Texas Low-Level Radioactive Waste Disposal Authority, *Records, 1982-1999, 166 cubic ft.*

[unprocessed]

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

This series documents unlicensed sites for radioactive waste in Texas. Storing such waste properly is a necessity and documenting this function is vital. It is especially important to track down and document sites of unlicensed waste. The agency has designed records in both series as permanent.

We have also determined these series to be archival. Change the archival review code of “R” to the archival code of “A,” for both series. Add the following note to the Remarks Section of the schedule – “If the agency changes their retention to anything less than PM, transfer records to the State Archives as their retention is met.”

Records Series Review

Series Title: Radioactive Waste Licensed Site – Confidential

Agency: Texas Commission on Environmental Quality,
Office of Waste, Radioactive Materials Division

Contact: Marie Boren

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: varies

Agency holdings: 5 compact discs

Description:

The Texas Commission on Environmental Quality is charged by the state with regulating the disposal of most radioactive substances in Texas. This series contains confidential information found with records of licensed sites for radioactive waste. Files are dated 2007. Non-confidential files are in series 6005.01 and 6005.02 (oversize).

Purpose:

These sites are legacy sites with historical value that go back decades. TCEQ is the custodial agency for these records and need to maintain them permanently, for historical and reference values.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Texas Health and Safety Code, Chapter 401, authorizes the TCEQ to regulate the disposal of most radioactive substances in Texas. Also, the State of Texas is an "Agreement State" authorized by the United States Nuclear Regulatory Commission to administer a radiation-control program under the Atomic Energy Act of 1954, as amended.

The Radioactive Materials Division performs activities associated with the licensing of facilities involved in the storing, processing, or disposing of one or more of the following: uranium ore, by-product radioactive waste, low-level radioactive waste, non-oil and -gas naturally occurring radioactive waste (NORM waste); radioactive waste generated from federal government activities;

and activities associated with the permitting, registration, and authorization of Class I, III, and V wells in the underground injection control program.

Arrangement: Chronological.

Access constraints: Records are confidential under third party and trade secret statutes.

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: Radioactive Waste Licensed Site – Confidential

Series item number: 1.1.007

Agency item number: 6005.05

Archival code: R

Retention: PM

Archival holdings at the Texas State Library and Archives Commission:

Texas Low-Level Radioactive Waste Disposal Authority, *Records, 1982-1999, 166 cubic ft.*
[unprocessed]

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

This series contains confidential data from series 6005.01, *Radioactive Waste Licensed Sites*. The agency has deemed these records, as with the site files, to be permanent. We would need to review the records and compare them with the site files before agreeing they are permanent records. Maintain the archival review code of “R” on the schedule. If the agency changes its retention period to anything less than PM, we will review. The agency should revisit these records every 10 years or so to see if the restrictions currently in place are still valid. Compact discs are not a permanent storage medium; the agency needs to maintain copies of this data on a server, migrating the data to new software/hardware platforms every 3-5 years.

Records Series Review

Series Title: Low Level Radioactive Waste

Agency: Texas Commission on Environmental Quality,
Office of Waste, Radioactive Materials Division

Contact: Marie Boren

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: varies

Agency holdings: Not provided

Description:

The Texas Commission on Environmental Quality is charged by the state with regulating the disposal of most radioactive substances in Texas. This series contains records of licensed sites for low-level radioactive waste. Documents include correspondence, memos, reports, agreements, and maps of licensed sites. Dates were not provided.

Purpose:

These sites are legacy sites with historical value that go back decades. TCEQ is the custodial agency for these records and need to maintain them permanently, for historical and reference values.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Texas Health and Safety Code, Chapter 401, authorizes the TCEQ to regulate the disposal of most radioactive substances in Texas. Also, the State of Texas is an "Agreement State" authorized by the United States Nuclear Regulatory Commission to administer a radiation-control program under the Atomic Energy Act of 1954, as amended.

The Radioactive Materials Division performs activities associated with the licensing of facilities involved in the storing, processing, or disposing of one or more of the following: uranium ore, by-product radioactive waste, low-level radioactive waste, non-oil and -gas naturally occurring radioactive waste (NORM waste); radioactive waste generated from federal government activities;

and activities associated with the permitting, registration, and authorization of Class I, III, and V wells in the underground injection control program.

Arrangement: Chronological.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: Low Level Radioactive Waste

Series item number: None

Agency item number: 6006.03

Archival code: R

Retention: PM

Archival holdings at the Texas State Library and Archives Commission:

Texas Low-Level Radioactive Waste Disposal Authority, *Records, 1982-1999, 166 cubic ft.*
[unprocessed]

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

This series documents licensed sites for low-level radioactive waste in Texas. Storing such waste properly is a necessity and documenting this function is vital. The agency has designed this series as permanent. We have also determined these series to be archival. Change the archival review code of “R” to the archival code of “A.” Add the following note to the Remarks Section of the schedule – “If the agency changes their retention to anything less than PM, transfer records to the State Archives as their retention is met.”

Records Series Review

Series Title: Waste Tire Voucher Records

Agency: Texas Commission on Environmental Quality
Office of Waste, Permitting and Registration Support Division

Contact: Matthew Southard

Obsolete record series? This series is closed and was sunsetted December 31, 1997. Records remain at the State Records Center until final disposition. Record Series was transferred to Field Operations.

Replaced by: N/A

Ongoing record series? No

Agency holdings: 6 cubic ft. at the State Records Center

Description:

Records are lists of payments to processors in the Waste Tire Program, dating 1992-1997.

Purpose:

Tire processors were paid by the State of Texas to process, shred, and recycle used tires. Payment of expenses associated with collection and shredding of newly generated waste tires, and clean-up and shredding of tires from priority enforcement list (PEL) sites could be requested by an eligible owner or operator from the GR Account - Waste Tire Recycling (5001). These measures are to have been performed in response to a danger to public health, safety or to the environment, and may be reimbursed only under guidelines, procedures or rules adopted by the Texas Commission on Environmental Quality. Payment is to be used only for reimbursement of approved expenses to eligible owners or operators.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Permitting and Registration Support Division promotes and supports various agency programs, including petroleum storage tank registration, industrial and hazardous waste, transportation of medical waste, dry cleaner registrations and fees, used oil program, transportation of sludge and several occupational licensing and registration programs.

Arrangement: Numerical.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: Waste Tire Voucher Records

Series item number: 1.1.024

Agency item number: 6202.12

Archival code: R

Retention: AC + 10

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

These records provide data on payments in the waste tire voucher program. The records are not archival. The waste tire program closed in 1997. The records have met their retention period, they can be destroyed and the series removed from the schedule.

Records Series Review

Series Title: EPA Biennial Report

Agency: Texas Commission on Environmental Quality
Office of Waste, Permitting and Registration Support Division

Contact: Matthew Southard

Obsolete record series? No

Ongoing record series? Yes

Annual accumulation: One set of three books every other year.

Agency holdings: 1 linear ft. (1 set of current biennial info); 3 cubic ft. stored at the State Records Center

Description:

Records are federally published reports on hazardous waste generation and management in the United States and its Territories. The biennial report started when the Texas Water Commission first became authorized for the U.S. Environmental Protection Agency's Resource Conservation Recovery Act program in 1985. Since then TCEQ has completed a biennial report every two years for odd-numbered year's data, dating through the present.

Purpose:

Files document data collected for the United States Environmental Protection Agency to perform analysis on hazardous waste management and generation in the United States.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Permitting and Registration Support Division promotes and supports various agency programs, including petroleum storage tank registration, industrial and hazardous waste, transportation of medical waste, dry cleaner registrations and fees, used oil program, transportation of sludge and several occupational licensing and registration programs.

Arrangement: By reporting year (every odd year).

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: The reports are kept with the United States Environmental Protection Agency.

Publications based on records: *National biennial RCRA hazardous waste report*, United States Environmental Protection Agency, Office of Solid Waste and Emergency Response.

Internet pages based on records: The United States Environmental Protection Agency Website.

Series data from agency schedule:

Title: EPA Biennial Report

Series item number: 1.1.067

Agency item number: 6202.03

Archival code: None

Retention: CE+ 20

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

This series consists of biennial reports prepared by the agency for the U.S. Environmental Protection Agency on hazardous waste generation and management in Texas for inclusion into the EPA's overall report for the United States and its Territories. We consider the agency biennial report to be archival. Add the archival code of "A" and also add this note to the Remarks column of the schedule – "Sending a copy of the TCEQ produced report to the Texas State Publications Depository Program fulfills the archival requirement."

Records Series Review

Series Title: Maquiladora Q Forms

Agency: Texas Commission on Environmental Quality
Office of Waste, Permitting and Registration Support Division

Contact: Matthew Southard

Obsolete record series? Yes
Replaced by: None

Ongoing record series? No

Agency holdings: Series is closed. 9 cubic ft. remain at the State Records Center until final disposition (2018).

Description:

The series documents registered hazardous waste sites in Mexico, contains registration forms and related paperwork, dating 1995-1996.

Purpose:

In order for Mexican facilities (Maquiladoras) to participate in the Industrial Hazardous Waste Program to ship waste into or through Texas, the facility had to register its Maquiladora sites using contacts with sister facilities in the U.S. (these are called Importer of Record). Texas would track the waste management through the Importer of Record. The Importer of Record is held responsible for the waste activity in the U.S. Because neither Texas or the EPA have the jurisdiction to regulate generators outside of Texas or the U.S., registration of the Mexican facilities was discontinued as a requirement. Hazardous waste crossing into U.S. borders must be manifested on a Uniform Hazardous Waste Manifest by a registered Texas transporter with an EPA ID. The Manifest lists the disposal facility ID and address. All permitted disposal facilities report waste received from Mexico as required under their permit.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Permitting and Registration Support Division promotes and supports various agency programs, including petroleum storage tank registration, industrial and hazardous waste, transportation of

medical waste, dry cleaner registrations and fees, used oil program, transportation of sludge and several occupational licensing and registration programs.

Arrangement: Alphanumeric order beginning with “Q”

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None noted

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: Maquiladora Q Forms

Series item number: 1.1.065

Agency item number: 6202.08

Archival code: R

Retention: AC + 20

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

This series documents a program for Mexican facilities to register their hazardous waste sites, needed if waste was to be shipped into or through Texas. Because neither Texas or the EPA have the jurisdiction to regulate generators outside of Texas or the U.S., registration of the Mexican facilities was discontinued as a requirement. Hazardous waste crossing into U.S. borders must be manifested on a Uniform Hazardous Waste Manifest by a registered Texas transporter with an EPA ID. The Manifest lists the disposal facility ID and address. All permitted disposal facilities report waste received from Mexico as required under their permit.

The hazardous waste shipped to Texas for disposal by Mexican facilities is reported by the Texas facility handling the waste. This short lived series is not archival. It is also closed. Remove the

archival review code of “R” and replace it with the archival exemption code of “E.” Once the remaining records have met their retention, remove the series from the schedule.

Records Series Review

Series Title: Used Oil Handler and Used Oil Filter Handler Registrations and Reports

Agency: Texas Commission on Environmental Quality
Office of Waste, Waste Permits Division

Contact: Terri Baca

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: Varies

Agency holdings: 139 linear ft.

Description:

Texas law prohibits dumping used oil on land or into sewers or waterways. This includes the use of used oil as a dust suppressant. Texas has also banned used oil filters from being placed in or accepted for disposal in a landfill. Records are applications, registration forms, annual and biennial reports, notice of violations, correspondence, notes, memos, photos, facility diagrams, financial assurance documents and certificates of insurance. Dates were not provided.

Purpose:

Records document the registration and reporting requirements of used oil handlers.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

Texas law prohibits dumping used oil on land or into sewers or waterways. This includes the use of used oil as a dust suppressant. Texas has also banned used oil filters from being placed in or accepted for disposal in a landfill. TCEQ manages the Used Oil Recycling Program whose goals are to: increase participation of public and private sector organizations and companies as used oil collection centers; increase collection of used oil by collection centers; increase recycling by increasing the number of collection centers; and provide education and technical guidance to the regulated community and the public.

Arrangement: Numerical by registration number.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? A database to used oil registrations available at the agency.

Problems: None

Known related records in other agencies: None known.

Publications based on records: Quantities handled are published by the Legislative Budget Board.

Internet pages based on records:

http://www.tceq.texas.gov/permitting/registration/used_oil/collection.html.

Series data from agency schedule:

Title: Used Oil Handler and Used Oil Filter Handler Registrations and Reports

Series item number: None

Agency item number: 6202.17

Archival code: R

Retention: AC + 20

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

This series documents the registration and reporting requirements of used oil handlers. Summary information on quantities handled is in a report to the Legislative Budget Board and program documentation is available on the agency's website. The agency keeps these files for at 20 years and that is sufficient retention. This series is not archival. Remove the archival code "R" and replace it with the archival exemption code of "E."

Records Series Review

Series Title: Used Oil General

Agency: Texas Commission on Environmental Quality
Office of Waste, Waste Permits Division

Contact: Matthew Southard

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: Varies

Agency holdings: About 14 linear ft. in the Central File Room.

Description:

This series documents the registration of used oil handlers. Records include reports, initial applications, correspondence, notes, memos, photos, facility diagrams, financial assurance, and certificates of insurance, dating 1993-2007.

Purpose:

Texas law prohibits dumping used oil on land or into sewers or waterways. This includes the use of used oil as a dust suppressant. Texas has also banned used oil filters from being placed in or accepted for disposal in a landfill. Records in this series document the registration of used oil handlers: Transporters, collection centers, processors, recyclers and marketers.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

Texas law prohibits dumping used oil on land or into sewers or waterways. This includes the use of used oil as a dust suppressant. Texas has also banned used oil filters from being placed in or accepted for disposal in a landfill. TCEQ manages the Used Oil Recycling Program whose goals are to: increase participation of public and private sector organizations and companies as used oil collection centers; increase collection of used oil by collection centers; increase recycling by increasing the number of collection centers; and provide education and technical guidance to the regulated community and the public.

Arrangement: Numerical by registration number.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? A database to used oil registrations available at the agency.

Problems: None

Known related records in other agencies: None known.

Publications based on records: Quantities handled are published by the Legislative Budget Board.

Internet pages based on records:

http://www.tceq.texas.gov/permitting/registration/used_oil/collection.html.

Series data from agency schedule:

Title: Used Oil General

Series item number: None

Agency item number: 6202.21

Archival code: R

Retention: AC + 10

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

This series documents how used oil is handled, processed and recycled. Summary information on quantities handled is in a report to the Legislative Budget Board and program documentation is available on the agency's website. The agency keeps these files for at least ten years and that is sufficient retention. This series is not archival. Remove the archival code "R" and replace it with the archival exemption code of "E."

Records Series Review

Series Title: Regulatory Flexibility Program

Agency: Texas Commission on Environmental Quality
Office of Waste

Contact: Matthew Southard

Obsolete record series? Yes. No records or files in this series. Documents are filed in applicable permits series. This series was added to the schedule in error.
Replaced by: None

Ongoing record series? No

Agency holdings: None

Description: N/A

Purpose: N/A

Agency program: N/A

Arrangement: N/A

Access constraints: N/A

Use constraints: N/A

Indexes or finding aids required for/or an aid to access? N/A

Problems: N/A

Known related records in other agencies: N/A

Publications based on records: N/A

Internet pages based on records: N/A

Series data from agency schedule:

Title: Regulatory Flexibility Program

Series item number: 1.1.011

Agency item number: 6202.31

Archival code: R

Retention: None

Texas Documents Collection holdings: None

***Gaps:** None known

Appraisal decision:

This series was added to the schedule in error; it is empty and will be removed.

Records Series Review

Series Title: Waste Disposal Wells (WDW) Files (Class I and Class 2)

Agency: Texas Commission on Environmental Quality
Office of Waste, Waste Permits Division, Underground Injection Control Program

Contact: Jan Bates

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 3 linear ft.

Agency holdings: 76 linear ft., 1950-present; 351 reels microfilm, 1980-1999; 190 boxes containing oversize material or photos, stored at the State Records Center, 1980-1999.

Description:

Records are correspondence letters/emails, commercial well self-reporting data, inspection reports, mechanical integrity test forms, procedures and approvals, operating reports (monthly and quarterly), permits, permit applications, amendments, modifications, transfers, construction reports, closure reports, annual injection reports, hearing records, pleadings, transcripts, exhibits, oversized documents, logs, maps, plans, specifications, and photos regarding waste disposal wells, dating 1950-present.

Purpose:

Documents record all information with respect to the state requirements for permits, construction, operation, maintenance and closure of Class I hazardous and nonhazardous waste disposal wells.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Waste Permits Division is responsible for permitting and registering facilities involved in one or more of the following: storing, processing, or disposing of hazardous waste, nonhazardous industrial waste, municipal solid waste, special waste, and international waste. The Underground Injection Control Program oversees requirements for drilling and operating wells for the solution mining of sulfur, salts or uranium, or for injecting liquid wastes and other substances underground.

Arrangement: Numerical by application number (WDW###).

Access constraints: Some applications may contain confidential materials under the concept of trade secrecy and other related legal concepts that give a business the right to preserve confidentiality of business information to obtain or retain advantages from its right in the information. This includes exemptions from disclosure under 5 United States Code (USC) 552b(c)(4)(relating to Open Meetings), 18 USC 1905 (relating to Disclosure of Confidential Information Generally), and special rules cited in Title 40 Code of Federal Regulations (CFR) 2.305 (relating to Special rules governing certain information obtained under the Solid Waste Disposal Act, as amended.) Trade secrets and confidential information are also exempt from disclosure as public records under state law in certain circumstances under V.T.C.A. Government Code, Section 552.110 (relating to Certain Commercial Information), Texas Health and Safety Code, Section 361.037 (relating to Access to Hazardous Waste Records), 30 Texas Administrative Code, Section 1.5 (relating to Records of the Agency), and 30 Texas Administrative Code, Section 305.50(a)(4)(E) (relating to Additional Requirements for an Application for a Hazardous or Industrial Solid Waste Permit and for a Post-Closure Order).

Use constraints: Some large files on compact discs may difficult to print re: computer models of pressure build-up in the injection formation. Microfilm/microfiche readers needed.

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: No migration petition applications and approvals at EPA Region 6 in Dallas.

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: WDW files (Class I and Class 2)

Series item number: None

Agency item number: 6007.01 (old 6304.03)

Archival code: R

Retention: PM

Title: WDW Files Oversize Docs, Logs, Maps and Photos, Class I and Class 2

Series item number: None

Agency item number: 6007.02 (6304.04)

Archival code: R

Retention: AC + 30

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

This series documents the construction, maintenance, and closure of Class I and 2 hazardous and non-hazardous waste disposal wells. Managing and tracking such wells over time is a critical function for TCEQ. Maps and photos, plans or other oversize documents can conceivably have permanent value in providing a visual inspection of the site and providing detailed location and construction details. The Archives has determined these documents need to be maintained permanently, along with the permitting files and reports. The agency considers the records of both series to be permanent; we have appraised them as archival. Change the archival review code of “R” to the archival code of “A,” for both series. Add the following note to the Remarks Section of the schedule – “If the agency changes their retention to anything less than PM, transfer records to the State Archives as their retention is met.” Since the agency does not maintain the oversize documents and photos permanently these need to be transferred to the State Archives as their retention is met.

Records Series Review

Series Title: Underground Injection Control/Sodium Sulfate Mining

Agency: Texas Commission on Environmental Quality
Office of Waste, Waste Permits Division, Underground Injection Control Program

Contacts: Maryann Ryan and Ben Knape

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 1 inch

Agency holdings: Central File Room - 1 linear ft., 1999-present; microfilm - 1 reel dating 1985 to 1999.

Description:

Records are correspondence, permits, oversize documents, maps, electric logs, and large county maps regarding sodium sulfate mining. Dates covered are 1985-present.

Purpose:

Records document sodium sulfate mining operations.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Waste Permits Division is responsible for permitting and registering facilities involved in one or more of the following: storing, processing, or disposing of hazardous waste, nonhazardous industrial waste, municipal solid waste, special waste, and international waste. The Underground Injection Control Program oversees requirements for drilling and operating wells for the solution mining of sulfur, salts or uranium, or for injecting liquid wastes and other substances underground.

Arrangement: Numerical by application number, permittee name and county.

Access constraints: None known

Use constraints: Microfilm/microfiche readers needed.

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: UIC/Sodium Sulfate Mining

Series item number: None

Agency item number: 6007.03 (old 6304.01)

Archival code: R

Retention: AC + 20

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

Records document sodium sulfate mining operations in Texas. The agency keeps these records for 20 years after closure of the mine. Additionally, summary data is reported to the EPA annually (or when the mines are in operation). We agree this is a sufficient retention period and have determined these records are not archival. Remove the archival code "R" and replace it with the archival exemption code of "E."

Records Series Review

Series Title: Underground Injection Control/Sulfur Solution Mining

Agency: Texas Commission on Environmental Quality
Office of Waste, Waste Permits Division, Underground Injection Control Program

Contacts: Maryann Ryan and Ben Knape

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 1 inch a year

Agency holdings: Less than one linear ft.; 3 reels microfilm

Description:

Records are correspondence, permits, oversize documents, maps, electric logs, and large county maps regarding sulfur solution mining. Dates covered are 1985-present.

Purpose:

Records document sodium sulfate mining operations.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Waste Permits Division is responsible for permitting and registering facilities involved in one or more of the following: storing, processing, or disposing of hazardous waste, nonhazardous industrial waste, municipal solid waste, special waste, and international waste. The Underground Injection Control Program oversees requirements for drilling and operating wells for the solution mining of sulfur, salts or uranium, or for injecting liquid wastes and other substances underground.

Arrangement: Numerical by application number, then permittee name and county.

Access constraints: None known

Use constraints: Microfilm/microfiche readers needed.

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: UIC/Sulfur Solution Mining

Series item number: None

Agency item number: 6007.04 (old 6304.02)

Archival code: R

Retention: AC + 20

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

Records document sulfur solution mining operations in Texas. The agency keeps these records for 20 years after closure of the mine. Additionally, summary data is reported to the EPA annually (or when the mines are in operation). We agree this is a sufficient retention period and have determined these records are not archival. Remove the archival code "R" and replace it with the archival exemption code of "E."

Records Series Review

Series Title: Uranium Solution Mining

Agency: Texas Commission on Environmental Quality
Office of Waste, Waste Permits Division, Underground Injection Control Program

Contacts: David Murry and Ben Knap

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 2 linear ft.

Agency holdings: 11 linear ft., 1980-present; microfilm – 50 reels, 1990-2002; microfiche – 25,000 sheets, 1975-1991; 17 linear ft. of oversize materials, stored at the State Records Center, dating 1980-2002.

Description:

Records are applications for Class III UIC permits, production area authorization applications, correspondence, reports, maps, photos, and logs concerning uranium solution mining, dating 1975-present. The oversize materials are housed in another series on the schedule, 6007.06, but are described in this series review.

Purpose:

Records document applications for new, amended, and renewed Class III UIC permits for uranium mining and production area authorizations.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Waste Permits Division is responsible for permitting and registering facilities involved in one or more of the following: storing, processing, or disposing of hazardous waste, nonhazardous industrial waste, municipal solid waste, special waste, and international waste. The Underground Injection Control Program oversees requirements for drilling and operating wells for the solution mining of sulfur, salts or uranium, or for injecting liquid wastes and other substances underground.

Arrangement: Numerical by TCEQ Number.

Access constraints: Possibly. Person submitting information to agency may designate material as confidential in accordance with 30 Texas Administrative Code, Section 1.5(d)(5). Such information must be stamped “confidential.” For injection well applications, information that deals with the existence, absence, or levels of contaminants in drinking water will not be considered confidential (30 Texas Administrative Code, Section 1.5(d)(5)).

Use constraints: Microfilm/microfiche readers needed.

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: Uranium Solution Mining

Series item number: None

Agency item number: 6007.05 (old 6304.06)

Archival code: R

Retention: PM

Title: Uranium Solution Mining, Oversize Documents, Maps, Photos, and Logs

Series item number: None

Agency item number: 6007.06 (old 6304.07)

Archival code: R

Retention: PM

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

This series documents uranium solution mining operations in Texas. Uranium is a hazardous radioactive element and mining operations using uranium need permanent documentation, which the agency is now doing (retention changed from AC + 30 to PM in 2010). We have also appraised these records to be archival. Change the archival review code of “R” to the archival code of “A,” for both series. Add the following note to the Remarks Section of the schedule – “If the agency

changes their retention to anything less than PM, transfer records to the State Archives as their retention is met.”

Records Series Review

Series Title: Underground Injection Control Program (UIC) Class IV Injection Wells

Agency: Texas Commission on Environmental Quality
Office of Waste, Waste Permits Division, Underground Injection Control Program

Contacts: Bryan Smith and Marie Boren

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 0.5 linear ft.

Agency holdings: One linear ft.

Description:

Records are applications, authorization letters, correspondence, memos, etc. concerning Underground Injection Control (UIC) Class IV injection wells. Dates covered are 2003-present.

Purpose:

Contains numbered inventory/authorization records needed for ongoing injection activities in the UIC Program for Class IV wells.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Waste Permits Division is responsible for permitting and registering facilities involved in one or more of the following: storing, processing, or disposing of hazardous waste, nonhazardous industrial waste, municipal solid waste, special waste, and international waste.

The Underground Injection Control Program oversees requirements for drilling and operating wells for the solution mining of sulfur, salts or uranium, or for injecting liquid wastes and other substances underground. Class IV injection wells are allowed only in special circumstances involving environmental cleanups. Class IV authorizations are issued by rule (30 Texas Administrative Code, Section 331.10) to regulate the use of injection wells that inject hazardous fluids or radioactive waste. These may be authorized or inventoried (illegal ones).

Arrangement: By type of authorization then by authorization number.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records: Information about the UIC Class IV wells can be found at http://www.tceq.texas.gov/permitting/waste_permits/uic_permits/UIC_Guidance_Class_4.html

Series data from agency schedule:

Title: UIC Class IV Injection Wells

Series item number: None

Agency item number: 6007.07 (old 6304.07)

Archival code: R

Retention: AC+30

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

These series document the permitting and registration of Underground Injection Control Class IV wells in Texas. Class IV wells are only allowed to be used in special cases for environmental cleanups. The records need long-term, possibly permanent retention. The agency keeps the records for 30 years after closure of the well. This is probably a sufficient retention period, but because some wells may have been injected with radioactive waste we suggest the agency either change the retention to PM or confirm with the division that all radioactive elements have been removed from the site before destruction of the records.

Regardless, we have determined these records in these series are not archival. Remove the archival code "R" and replace it with the archival exemption code of "E."

Records Series Review

Series Title: Underground Injection Control Program (UIC) Class V Injection Wells

Agency: Texas Commission on Environmental Quality
Office of Waste, Waste Permits Division
Underground Injection Control Program

Contact: Bryan Smith

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: not provided

Agency holdings: 52 linear ft., 1989-present

Description:

Records are applications, authorization letters, correspondence, memos, maps and oversize documents concerning Underground Injection Control (UIC) Class V injection wells. Dates covered are 1989-present.

Purpose:

Contains numbered inventory/authorization records needed for ongoing injection activities in the UIC Program for Class V wells.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Waste Permits Division is responsible for permitting and registering facilities involved in one or more of the following: storing, processing, or disposing of hazardous waste, nonhazardous industrial waste, municipal solid waste, special waste, and international waste.

The Underground Injection Control Program oversees requirements for drilling and operating wells for the solution mining of sulfur, salts or uranium, or for injecting liquid wastes and other substances underground. Class V wells inject nonhazardous fluids into or above formations that contain underground sources of drinking water.

Arrangement: By type of authorization then by authorization number.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records: Information about the UIC Class V wells can be found at http://www.tceq.texas.gov/permitting/waste_permits/uic_permits/UIC_Guidance_Class_5.html/

Series data from agency schedule:

Title: UIC Class V Injection Wells

Series item number: None

Agency item number: 6007.08 (old 6304.13)

Archival code: R

Retention: AC+15

Title: UIC Class V Injection Wells – Oversize Documents, Maps, Photos

Series item number: None

Agency item number: 6007.09 (old 6304.14)

Archival code: R

Retention: AC+15

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

These series document the permitting and registration of Underground Injection Control Class V wells in Texas. The agency keeps the records for 15 years after closure of the well. We agree this is a sufficient retention period and have determined these records in these series are not archival. Remove the archival code “R” and replace it with the archival exemption code of “E.”

Records Series Review

Series Title: Industrial and Hazardous Waste Registration Part B Applications

Agency: Texas Commission on Environmental Quality
Office of Waste, Permitting and Registration Support Division

Contact: Lynn Bell, IHW Permits Section, X-6603

Obsolete record series? No

Ongoing record series? Yes; these permits have a 10 year limit and a new Part B application must be submitted prior to expiration of the permit in order to continue operations and to be in compliance.

Annual accumulation: Permit expiration dates and dates of re-issuance are staggered.

Average review time for new and renewal applications and issuance is 450 calendar days; however, this varies with the complexity of the facility and amount of public participation (i.e. hearings, etc.). Therefore, it is difficult if not impossible to estimate this number; some facility Part B applications may be a single binder, others could be 20 volumes, average is about 15 linear ft.

Agency holdings: 70 linear ft., 2002-present; 132 reels of microfilm, 1984-2002; 192 linear ft. at the State Records Center, dates unknown.

Description:

Records are Resource Conservation Recovery Act (RCRA) Part B permit applications, dating 1984-present. The application materials contain reports covering: general information; facility siting criteria; general facility management; wastes managed and waste analysis; engineering reports; geology reports; closure and post-closure care plans; financial assurance documentation; releases from solid waste management units and corrective action; air emission standards; compliance plans for releases to groundwater; permit fee calculations. These are in report form and follow the format of the Part B permit application. In addition, Notice of Deficiency (NOD) letters (and the corresponding facility responses) sent during the administrative and technical review process, oversize tables, maps, and photos are also maintained in this file. The oversize materials are maintained in another series on the schedule, 6304.16 but described in this series review.

Purpose:

The Part B permit application is generally a summary of the Part B information requirements of 40 Code of Federal Regulations (CFR) Part 270 and 30 Texas Administrative Code, Sections 305.41 thru 305.72, and Sections 335.1 thru 335.602.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Permitting and Registration Support Division promotes and supports various agency programs, including petroleum storage tank registration, industrial and hazardous waste, transportation of medical waste, dry cleaner registrations and fees, used oil program, transportation of sludge and several occupational licensing and registration programs.

Arrangement: These are facilities that have industrial hazardous waste permits and are filed by Registration Number of the facility. There are about 25,000 industrial waste generators in the State of Texas and all are filed by Registration Number; only about 200 of these have industrial hazardous waste permits.

Access constraints: Yes, sometimes the company does include confidential information. Reasons of confidentiality include the concept of trade secrecy and other related legal concepts which give a business the right to preserve confidentiality of business information to obtain or retain advantages from its right in the information. This includes authorizations under, 18 United States Code 1905 and special rules cited in Code of Federal Regulations Chapter 40, Section I, Part 2, Subpart B. However, Section 361.037 of the Texas Health and Safety Code does not allow an applicant for an industrial solid waste permit to claim as confidential any record pertaining to the characteristics of the industrial solid waste.

Use constraints: Currently all records are paper.

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records: General information regarding the Part B application can be found at: <http://www.tceq.state.tx.us/nav/permits/hiwpermits.html>.

Series data from agency schedule:

Title: Industrial and Hazardous Waste Registration Part B Applications

Series item number: none

Agency item number: 6304.15

Archival code: R

Retention: AC+30

Title: Industrial and Hazardous Waste Registration Part B Applications – Oversize
Docs, Maps, Photos, Correspondence, Reports

Series item number: none

Agency item number: 6304.16

Archival code: R

Retention: AC+30

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

This series provides documentation on Resource Conservation Recovery Act registrations for industrial hazardous waste generators. Managing and tracking over time industrial hazardous waste sites is a critical function on TCEQ, but the registration files do not need a permanent retention. The agency recently changed its retention from PM to AC+30, which is a sufficient retention period. Replace the archival code “R” with the archival exemption code of “E.”

Records Series Review

Series Title: Industrial Hazardous Waste

Agency: Texas Commission on Environmental Quality
Office of Waste, Permitting and Registration Support Division

Contact: Chris Shaw, x2349

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 70 linear ft.

Agency holdings: 1,491 linear ft., 1980-present; 1,654 reels of microfilm, 1970-2001; 520 cubic ft. of oversize materials stored at the State Records Center, dating 1948-2004.

Description:

This series contains registration files for entities applying for industrial hazardous waste permits. Records contain registration forms, permits, correspondence, update requests, reports, maps, photographs, etc., dating 1948-present. Oversize materials and photographs are stored in series 6202.23, which is included in this series review. Confidential records stored in series 6202.33.

Purpose:

Records document permitting and registration requirements for those who produce, transport, process, or receive industrial hazardous waste.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Permitting and Registration Support Division promotes and supports various agency programs, including petroleum storage tank registration, industrial and hazardous waste, transportation of medical waste, dry cleaner registrations and fees, used oil program, transportation of sludge, and several occupational licensing and registration programs.

The Industrial Hazardous Waste Program handles permitting and registration requirements for entities that produce hazardous waste and for anyone who transports, processes, or receives these wastes.

Arrangement: Numerical by permit number and then chronological by date. Correspondence is by date.

Access constraints: None

Use constraints: Microfilm/microfiche readers needed.

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records: Data about the industrial hazardous waste registration programs are at <http://www.tceq.texas.gov/agency/hiw.html>.

Series data from agency schedule:

Title: Industrial Hazardous Waste

Series item number: None

Agency item number: 6202.22 (old 6304.17)

Archival code: R

Retention: AC + 20

Title: Industrial Hazardous Waste – Oversize, Maps, Photos and Reports

Series item number: None

Agency item number: 6202.23 (old 6304.18)

Archival code: R

Retention: AC + 20

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

This series documents the registration of entities that produce, transport, receive or process industrial hazardous waste. Tracking the movement of such waste over time is a critical function of

TCEQ. The agency keeps the records for 20 years after the facility or business involved has closed or become inactive. Additionally, there is a post-closure period of up to 30 years. The 20 year retention period for the records would start at the end of the post-closure period. The records are kept for up to 50 years after closure, which is sufficient. Also, the agency produces a biennial report that is sent to the Environmental Protection Agency on the industrial hazardous waste produced and managed in Texas. This data is then incorporated into an overall report by the EPA, *National biennial RCRA hazardous waste report*, United State Environmental Protection Agency, Office of Solid Waste and Emergency Response. The Archives considers this report produced by TCEQ and sent to the EPA to be archival and to be sufficient documentation for this process.

The series in this review, 6202.22 and 6202.23 are not archival. Remove the archival review code of “R” and replace it with the archival exemption code “E,” and add the following note to the Remarks Section of the schedule – “Send copies of the agency-produced waste report to the Texas State Publications Depository Program.”

Records Series Review

Series Title: Industrial Hazardous Waste General

Agency: Texas Commission on Environmental Quality
Office of Waste, Permitting and Registration Support Division

Contact: Chris Shaw, x2349

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: Not provided

Agency holdings: About 1.5 cubic ft.

Description:

Records are documents related to the Industrial Hazardous Waste Program, containing correspondence from non-registered IHW facilities and data on one time shipment requests for hazardous waste, and oversize materials, dating 1985-2005. Oversize materials and photographs are stored in series 6202.25, which is included in this series review. Confidential records are stored under agency item 6202.35.

Purpose:

Records document interaction with entities that produce, transport, process, or receive industrial hazardous waste but are not registered with TCEQ.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Permitting and Registration Support Division promotes and supports various agency programs, including petroleum storage tank registration, industrial and hazardous waste, transportation of medical waste, dry cleaner registrations and fees, used oil program, transportation of sludge, and several occupational licensing and registration programs.

The Industrial Hazardous Waste Program handles permitting and registration requirements for entities that produce hazardous waste and for anyone who transports, processes, or receives these wastes.

Arrangement: Numerical by permit number and then chronological by date. Correspondence is by date.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records: Data about the industrial hazardous waste registration programs are at <http://www.tceq.texas.gov/agency/hiw.html>.

Series data from agency schedule:

Title: Industrial Hazardous Waste General

Series item number: None

Agency item number: 6202.24 (old 6304.19)

Archival code: R

Retention: 20

Title: Industrial Hazardous Waste General – Oversize Documents, Maps, Photos, Etc.

Series item number: None

Agency item number: 6202.25 (old 6304.20)

Archival code: R

Retention: 20

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

This series documents entities that produce, transport, receive or process industrial hazardous waste that are not registered with TCEQ. Tracking the movement of such waste over time is a critical function of TCEQ. The retention schedule states that the agency keeps the records for 20 years. We recommend they change that retention to AC + 20, which would be 20 years after the facility or entity closed or became inactive. That should be a sufficient retention period. Additionally, the agency produces a biennial report that is sent to the Environmental Protection Agency on the

industrial hazardous waste produced and managed in Texas. This data is then incorporated into an overall report by the EPA, *National biennial RCRA hazardous waste report*, United States Environmental Protection Agency, Office of Solid Waste and Emergency Response. The Archives considers this report produced by TCEQ and sent to the EPA to be archival and to be sufficient documentation for this process.

The series in this review, 6202.24 and 6202.25 are not archival. Remove the archival review code of “R” and replace it with the archival exemption code “E,” and add the following note to the Remarks Section of the schedule – “Send copies of the agency-produced waste report to the Texas State Publications Depository Program.”

Records Series Review

Series Title: Industrial Hazardous Waste Confidential

Agency: Texas Commission on Environmental Quality
Office of Waste, Permitting and Registration Support Division

Contact: Chris Shaw, x2349

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: Not provided

Agency holdings: Not provided

Description:

Records are confidential documents filed with industrial hazardous waste registration files. These records supplement files in the *Industrial Hazardous Waste records*, series 6202.22. Dates for this series were not provided.

Purpose:

Records document permitting and registration requirements for those who produce, transport, process, or receive industrial hazardous waste.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Permitting and Registration Support Division promotes and supports various agency programs, including petroleum storage tank registration, industrial and hazardous waste, transportation of medical waste, dry cleaner registrations and fees, used oil program, transportation of sludge, and several occupational licensing and registration programs.

The Industrial Hazardous Waste Program handles permitting and registration requirements for entities that produce hazardous waste and for anyone who transports, processes, or receives these wastes.

Arrangement: Numerical by permit number and then chronological by date. Correspondence is by date.

Access constraints: Records are confidential, generally under third-party proprietary or trade secret statutes.

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records: Data about the industrial hazardous waste registration programs are at <http://www.tceq.texas.gov/agency/hiw.html>.

Series data from agency schedule:

Title: Industrial Hazardous Waste Confidential

Series item number: None

Agency item number: 6202.33 (old 6304.22)

Archival code: R

Retention: AC + 20

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

This series contains confidential documents that supplement records in series 6202.22, *Industrial Hazardous Waste*. The agency keeps the records for 20 years after the facility or business involved has closed or become inactive. Additionally, there is a post-closure period of up to 30 years. The 20 year retention period for the records would start at the end of the post-closure period. The records are kept for up to 50 years, which is sufficient. Also, the agency produces a biennial report that is sent to the Environmental Protection Agency on the industrial hazardous waste produced and managed in Texas. This data is then incorporated into an overall report by the EPA, *National biennial RCRA hazardous waste report*, United State Environmental Protection Agency, Office of Solid Waste and Emergency Response. The Archives considers this report produced by TCEQ and sent to the EPA to be archival and to be sufficient documentation for this process.

The series in this review, 6202.33, is not archival. Remove the archival review code of “R” and replace it with the archival exemption code “E,” and add the following note to the Remarks Section of the schedule – “Send copies of the agency-produced waste report to the Texas State Publications Depository Program.”

Records Series Review

Series Title: Industrial Hazardous Waste Registration General – Confidential

Agency: Texas Commission on Environmental Quality
Office of Waste, Permitting and Registration Support Division

Contact: Chris Shaw, x2349

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: Not provided

Agency holdings: Not provided

Description:

Records are confidential documents filed with industrial hazardous waste registration files, including oversized documents, maps, and photos. These records supplement files in the *Industrial Hazardous Waste Registration General records*, series 6202.24. Dates for this series were not provided.

Purpose:

Records document interaction with entities that produce, transport, process, or receive industrial hazardous waste but are not registered with TCEQ.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Permitting and Registration Support Division promotes and supports various agency programs, including petroleum storage tank registration, industrial and hazardous waste, transportation of

medical waste, dry cleaner registrations and fees, used oil program, transportation of sludge, and several occupational licensing and registration programs.

The Industrial Hazardous Waste Program handles permitting and registration requirements for entities that produce hazardous waste and for anyone who transports, processes, or receives these wastes.

Arrangement: Numerical by permit number and then chronological by date. Correspondence is by date.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records: Data about the industrial hazardous waste registration programs are at <http://www.tceq.texas.gov/agency/hiw.html>.

Series data from agency schedule:

Title: Industrial Hazardous Waste Registration General - Confidential

Series item number: None

Agency item number: 6202.35 (old 6304.22)

Archival code: R

Retention: AC + 20

Title: Industrial Hazardous Waste Registration General - Confidential – Oversize,
Maps, Photos and Reports

Series item number: None

Agency item number: 6202.36 (old 6304.23)

Archival code: R

Retention: AC + 20

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

This series contains confidential documents that supplement records in series 6202.24, *Industrial Hazardous Waste Registration General*. The agency keeps the records for 20 years after the facility or business involved has closed or become inactive. That should be a sufficient retention period. Additionally, the agency produces a biennial report that is sent to the Environmental Protection Agency on the industrial hazardous waste produced and managed in Texas. This data is then incorporated into an overall report by the EPA, *National Biennial RCRA Hazardous Waste Report*, United State Environmental Protection Agency, Office of Solid Waste and Emergency Response. The Archives considers this report produced by TCEQ and sent to the EPA to be archival and to be sufficient documentation for this process.

The series in this review, 6202.35 and 6202.36, are not archival. Remove the archival review code of “R” and replace it with the archival exemption code “E,” and add the following note to the Remarks Section of the schedule – “Send copies of the agency-produced waste report to the Texas State Publications Depository Program.”

Records Series Review

Series Title: Petroleum Storage Tank (PST) Registrations

Agency: Texas Commission on Environmental Quality
Office of Waste, Permitting and Registration Support Division, PST Program

Contacts: Don Kennedy and Monnie DeUnger

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: Varies

Agency holdings: 1,674 linear ft., 1970-present; 168 reels of microfilm, 1967-2008; and 98 audio cassettes, 1996-2008; 5 linear ft of oversize materials, 1980-2003.

Description:

Records are petroleum storage tank registration files, consisting of applications, annual renewals, correspondence, closure and consultant reports, Construction Notifications and Financial Assurance letters, maps, photographs, and oversize documents. Records date from 1967 to present. Oversize materials and photographs are stored separately in series 6203.02, which is included in this series review. Confidential records are stored under agency items 6203.03 and 6203.04.

Purpose:

Records document the registration of underground and aboveground petroleum storage tanks.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Permitting and Registration Support Division promotes and supports various agency programs, including petroleum storage tank registration, industrial and hazardous waste, transportation of medical waste, dry cleaner registrations and fees, used oil program, transportation of sludge, and several occupational licensing and registration programs.

Arrangement: Numerical by facility number.

Access constraints: None

Use constraints: Microfilm/microfiche readers needed. Playback equipment for audio cassettes needed.

Indexes or finding aids required for/or an aid to access? InSight

Problems: None

Known related records in other agencies: None known

Publications based on records: None

Internet pages based on records: http://www.tceq.texas.gov/agency/pst_cert.html

Series data from agency schedule:

Title: Petroleum Storage Tank (PST) Registrations

Series item number: None

Agency item number: 6203.01

Archival code: R

Retention: AC + 30

Title: Petroleum Storage Tank Registrations, Oversize

Series item number: None

Agency item number: 6203.02

Archival code: R

Retention: AC + 30

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

These series document the registration and construction of underground and above ground petroleum storage tanks. It is crucial to know where these tanks are located and to note they were fully drained and closed up when they were no longer used to store petroleum. The agency is keeping these files for 30 years after the closure of a tank, which is sufficient for most records in these series. While neither of these series are archival, the agency should consider keeping PM (or transferring to the Archives) maps that show the locations of PST's for future reference. Construction could occur on a site 50 years after the PST was closed and the records would no longer exist to document where the tank is located underground. Remove the archival review code of "R" and replace it with the archival exemption code of "E" for series 6203.01. Maintain the "R" review code on the oversize materials until a decision is made about maintaining location maps permanently.

Records Series Review

Series Title: Petroleum Storage Tank (PST) Registrations General Unnumbered

Agency: Texas Commission on Environmental Quality
Office of Waste, Permitting and Registration Support Division, PST Program

Contacts: Don Kennedy and Monnie DeUnger

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: Varies

Agency holdings: 4 linear ft.

Description:

Records are petroleum storage tank registrations filed when tanks were found, often during construction, not previously registered, dating 1988-present. Files contain applications, annual renewals, correspondence, reports, Construction Notifications and Financial Assurance letters, etc. Oversize materials and photographs, if any exist, are stored separately in series 6203.07, which is included in this series review. Confidential records are stored under agency item 6203.06.

Purpose:

Records document the registration of underground and aboveground petroleum storage tanks previously not registered.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Permitting and Registration Support Division promotes and supports various agency programs, including petroleum storage tank registration, industrial and hazardous waste, transportation of medical waste, dry cleaner registrations and fees, used oil program, transportation of sludge, and several occupational licensing and registration programs.

Arrangement: By county.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? InSight

Problems: None

Known related records in other agencies: None

Publications based on records: None known

Internet pages based on records: http://www.tceq.texas.gov/agency/pst_cert.html

Series data from agency schedule:

Title: Petroleum storage tank registrations general unnumbered

Series item number:

Agency item number: 6203.06

Archival code: R

Retention: AC + 30

Title: Petroleum storage tank registrations general unnumbered – Oversize

Series item number:

Agency item number: 6203.07

Archival code: R

Retention: AC + 30

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

This series documents the registration of underground and above ground petroleum storage tanks found that had not been previously registered. It is crucial to know where these tanks are located and to note they were fully drained and closed up when they were no longer used to store petroleum. The agency is keeping these files for 30 years after the closure of a tank, which is sufficient for most records in these series. While neither of these series are archival, the agency should consider keeping PM (or transferring to the Archives) maps that show the locations of PST's for future reference. Construction could occur on a site 50 years after the PST was closed and the records would no longer exist to document where the tank is located underground. Remove the archival review code of "R" and replace it with the archival exemption code of "E" for series 6203.06. Maintain the "R" review code on the oversize materials until a decision is made about maintaining location maps permanently. According to agency staff, as of 2009 the oversize series,

6203.07, did not contain any records. If it continues to remain empty, it can be removed from the schedule.

Records Series Review

Series Title: Petroleum Storage Tank Registrations, Confidential

Agency: Texas Commission on Environmental Quality
Office of Waste, Permitting and Registration Support Division, PST Program

Contacts: Don Kennedy and Monnie DeUnger

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: Varies

Agency holdings: 4 linear ft., 1980-present.

Description:

Records are petroleum storage tank registration files containing confidential enforcement information, dating 1980-present. Oversize materials and photographs, if any exist, are stored separately in series 6203.04, which is included in this series review. Non-confidential records are stored under agency items 6203.01 and 6203.02.

Purpose:

Records document enforcement information taken against owners of petroleum storage tanks.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Permitting and Registration Support Division promotes and supports various agency programs, including petroleum storage tank registration, industrial and hazardous waste, transportation of medical waste, dry cleaner registrations and fees, used oil program, transportation of sludge, and several occupational licensing and registration programs.

Arrangement: Numerical by facility number.

Access constraints: Records document enforcement actions taken against owners of petroleum storage tanks. This would include anything the company deems confidential (and agreed to by TCEQ Legal staff) such as trade secrets, intellectual property, etc.

Use constraints: None known

Indexes or finding aids required for/or an aid to access? InSight

Problems: None

Known related records in other agencies: None known

Publications based on records: None known

Internet pages based on records: http://www.tceq.texas.gov/agency/pst_cert.html

Series data from agency schedule:

Title: PST Registrations, Confidential

Series item number: None

Agency item number: 6203.03

Archival code: R

Retention: AC + 30

Title: PST Registrations, Confidential – Oversize

Series item number:

Agency item number: 6203.04

Archival code: R

Retention: AC + 30

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

This series contains confidential enforcement data filed with the records of registered underground and above ground petroleum storage tanks. It is crucial to know where these tanks are located and to note they were fully drained and closed up when they were no longer used to store petroleum. The agency is keeping these files for 30 years after the closure of a tank; this is a sufficient period of storage for this series. These series are not archival. Remove the archival review code of “R” and replace it with the archival exemption code of “E.” According to agency staff in 2009 the oversize series, 6203.04, did not contain any records. If it continues to remain empty, it can be removed from the schedule.

Records Series Review

Series Title: Petroleum Storage Tank Registrations, General Unnumbered, Confidential

Agency: Texas Commission on Environmental Quality
Office of Waste, Permitting and Registration Support Division, PST Program

Contacts: Don Kennedy and Monnie DeUnger

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: Varies

Agency holdings: 6 inches

Description:

Records are petroleum storage tank registrations filed when tanks are found, often during construction, not previously registered, dating 1996-present. The files contain confidential enforcement information. Non-confidential records are in series 6203.05 and 6203.07.

Purpose:

Records document enforcement actions taken against owners of petroleum storage tanks.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Permitting and Registration Support Division promotes and supports various agency programs, including petroleum storage tank registration, industrial and hazardous waste, transportation of medical waste, dry cleaner registrations and fees, used oil program, transportation of sludge, and several occupational licensing and registration programs.

Arrangement: By county.

Access constraints: Records document enforcement actions taken against owners of petroleum storage tanks. This would include anything the company deems confidential (and agreed to by TCEQ Legal staff) such as trade secrets, intellectual property, etc.

Use constraints: None known

Indexes or finding aids required for/or an aid to access? InSight

Problems: None

Known related records in other agencies: None known

Publications based on records: None known

Internet pages based on records: http://www.tceq.texas.gov/agency/pst_cert.html

Series data from agency schedule:

Title: PST Registrations, General Unnumbered, Confidential

Series item number:

Agency item number: 6203.06

Archival code: R

Retention: AC + 30

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

This series contains confidential enforcement data filed with the records of underground and above ground petroleum storage tanks found that had not been previously registered. It is crucial to know where these tanks are located and to note they were fully drained and closed up when they were no longer used to store petroleum. The agency is keeping these files for 30 years after the closure of a tank; this is a sufficient period of storage for this series. This series is not archival. Remove the archival review code of "R" and replace it with the archival exemption code "E."

Records Series Review

Series Title: Municipal Solid Waste Management and Resource Recovery Advisory Council (MSWM and RRAC) Meeting Minutes

Agency: Texas Commission on Environmental Quality
Office of Waste, Waste Permits Division

Contact: Steve Hutchinson (shutchin@tceq.state.tx.us)

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: Not provided

Agency holdings: About 2 linear ft. Materials from series 6301.04, *MSMW and RRAC Meeting Applications and Correspondence* are filed with these records.

Description:

Records are minutes from the meetings of the Municipal Solid Waste Management and Resource Recovery Advisory Council. Meeting minutes summarize quarterly meetings held at the agency, including lists of attendees, topics, and discussion notes. Attendees include up to 18 Advisory Council members and TCEQ management and staff. Dates covered are 1983-present.

Purpose:

The Municipal Solid Waste Management and Resource Recovery Advisory Council serves as an advisory council to TCEQ regarding municipal solid waste management as required by the Texas Health and Safety Code, Sections 363.041 thru 363.046.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Waste Permits Division is responsible for permitting and registering facilities involved in one or more of the following: storing, processing, or disposing of hazardous waste, nonhazardous industrial waste, municipal solid waste, special waste, and international waste.

Municipal Solid Waste Management and Resource Recovery Advisory Council is an advisory council to TCEQ regarding municipal solid waste management. It reviews and evaluates the effect

of state policies and programs on municipal solid waste management; makes recommendations to the TCEQ Commissioners on matters relating to municipal solid waste management; recommends legislation to encourage the efficient management of municipal solid waste; recommends policies for the use, allocation, or distribution of the planning fund that includes: identification of statewide priorities for use of funds; the manner and form of application for financial assurance; and criteria, in addition to those to be evaluated in establishing priorities for providing financial assistance to applicants; and recommends special studies and projects to further the effectiveness of municipal solid waste management and resource recovery.

Arrangement: Chronological.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: MSWM and RRAC Meeting Minutes

Series item number: 1.1.063

Agency item number: 6301.02

Archival code: A

Retention: AC + 10

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

Minutes and meeting files of advisory committees, such as the Municipal Solid Waste Management and Resource Recovery Advisory Council, are archival. Minutes are also permanent. Keep the archival code "A" and change the retention to PM. Transfer the materials when their retention has been met. The agency may keep the original minutes and transfer a copy to the State Archives.

Records Series Review

Series Title: Municipal Solid Waste Management and Resource Recovery Advisory Council
(MSWM and RRAC) Applications and Correspondence

Agency: Texas Commission on Environmental Quality
Office of Waste, Waste Permits Division

Contact: Steve Hutchinson (shutchin@tceq.state.tx.us)

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: Not provided

Agency holdings: According to program staff, these files are maintained with the minutes, series 6301.04, in a file cabinet.

Description:

Records are applications and correspondence concerning appointments to serve on the Municipal Solid Waste Management and Resource Recovery Advisory Council. Members attend quarterly meetings in Austin. Applications are short in length, typically resume and biographical information, and some have letters of recommendation. TCEQ Commissioners, management and staff review applications and selections are made by the Commissioners. Terms are staggered and up to 6 vacancies are scheduled to occur every 2 years.

Purpose:

The MSWM and RR Advisory Council serves as an advisory council to TCEQ regarding municipal solid waste management as required by the Texas Health and Safety Code, Sections 363.041 thru 363.046.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Waste Permits Division is responsible for permitting and registering facilities involved in one or more of the following: storing, processing, or disposing of hazardous waste, nonhazardous industrial waste, municipal solid waste, special waste, and international waste.

Municipal Solid Waste Management and Resource Recovery Advisory Council is an advisory council to TCEQ regarding municipal solid waste management. It reviews and evaluates the effect of state policies and programs on municipal solid waste management; makes recommendations to the TCEQ Commissioners on matters relating to municipal solid waste management; recommends legislation to encourage the efficient management of municipal solid waste; recommends policies for the use, allocation, or distribution of the planning fund that includes: identification of statewide priorities for use of funds; the manner and form of application for financial assurance; and criteria, in addition to those to be evaluated in establishing priorities for providing financial assistance to applicants; and recommends special studies and projects to further the effectiveness of municipal solid waste management and resource recovery

Arrangement: Chronological.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: MSWM & RRAC Applications and Correspondence

Series item number: 1.1.008

Agency item number: 6301.04

Archival code: A

Retention: AC + 2

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

This series documents appointments made to the Municipal Solid Waste Management and Resource Recovery Advisory Council. The files do not have substantive correspondence about the council's

work. The appointment files do not have historical value and are not archival. Remove the archival code of “A” and replace it with the archival exemption code of “E.”

Records Series Review

Series Title: Water Utility Operator Advisory Licensing Committee Minutes (WUOLAC)

Agency: Texas Commission on Environmental Quality
Office of Waste, Waste Permits Division

Contacts: Noreen Helmle, 512-239-3918, Sarita Nazareth, 512-239-6189

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 6 inches

Agency holdings: 2.75 linear ft.

Description:

Records are meeting agendas, minutes, resolutions, and reports of the Water Utility Operator Advisory Committee, an advisory body to the Texas Commission on Environmental Quality, dating 1996-present.

Purpose:

Records document the actions of the Water Utility Operator Licensing Advisory Committee. This council advises the agency on the training and licensing of water and wastewater operators.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Waste Permits Division is responsible for permitting and registering facilities involved in one or more of the following: storing, processing, or disposing of hazardous waste, nonhazardous industrial waste, municipal solid waste, special waste, and international waste.

The Water Utility Operator Licensing Advisory Committee (WUOLAC) is composed of 13 members who are appointed by the commission. The committee membership represents various geographic areas of the state, ethnicity, businesses, governments, associations, and industries. The authority for the committee is found in 30 Texas Administrative Code, Sections 5.1 thru 5.21. Committee members serve staggered terms. The WUOLAC advises and assists the TCEQ on matters pertaining to the training and licensing of water and wastewater operators

Arrangement: Chronological.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages: Membership of the committee and copies of minutes and agenda are posted on the TCEQ website at: http://www.tceq.texas.gov/licensing/groups/wuoc_comm.html

Series data from agency schedule:

Title: Water Utility Operator Licensing Advisory Committee Minutes

Series item number: 1.1.061

Agency item number: 6223.02

Archival code: A

Retention: AC+7

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

Records document meetings of an advisory committee to the TCEQ. Minutes of advisory committees are archival. This series should retain its archival code of "A." The agency keeps the record copy of the minutes and sends a paper copy to the State Archives. The retention period should be PM. Add a note to the Remarks section of the schedule: "Copies of minutes sent to the State Archives fulfill the archival requirement."

Records Series Review

Series Title: Industrial and Hazardous Waste Management Fee Reports

Agency: Texas Commission on Environmental Quality
Office of Waste, Waste Permits Division

Contact: Kimberly Sladek, IHW Permits Section, X-1588

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 5 ft. or less.

Agency holdings: Not provided

Description:

Records are fee management reports submitted monthly by hazardous waste operators. The reports reflect the amount (in tons) of waste managed at a particular site and the calculated fee associated. In some instances there may be a letter or copy of the check attached to the report. Dates covered are 1942-present.

Purpose:

30 Texas Administrative Code, Section 335.325 establishes that owners or operators of a waste storage, processing or disposal facility are assessed a fee for hazardous wastes that are disposed, stored, processed or otherwise managed and for Class I waste disposed at a commercial facility. The TCEQ requires owners or operators to calculate the amount for this fee and to submit payment and supporting documentation monthly.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Waste Permits Division is responsible for permitting and registering facilities involved in one or more of the following: storing, processing, or disposing of hazardous waste, nonhazardous industrial waste, municipal solid waste, special waste, and international waste.

Arrangement: Numerical by the Solid Waste Registration Number of the facility.

Access constraints: None

Use constraints: Currently all records are paper.

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule: None

Title: Hazardous Waste Management Fees Report

Series item number: None

Agency item number: 6301.09

Archival code: R

Retention: CE+10

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

This series consists of fee management reports submitted monthly by hazardous waste operators to the agency. Fees paid by such operators are not archival. Remove the archival review code of “R” and replace it with the archival exemption code of “E.”

Records Series Review

Series Title: Municipal Solid Waste Facility Permit Application Files

Agency: Texas Commission on Environmental Quality
Office of Waste, Waste Permits Division, Municipal Solid Waste Permits Section

Contacts: Eleanore Whitworth, 512-239-2347; Jeff Davis, 512-239-6228

Obsolete record series? No

Ongoing record series? Yes

Annual accumulation: About 58 linear ft. of application files; about 1.5 linear ft. of oversized materials.

Agency holdings: 530 linear ft., dating 1973-present; 605 reels of microfilm, 1960-2002; 132 linear ft. of oversized materials at the State Records Center.

Description:

This series documents registration of municipal solid waste facilities. Records include permit applications, reports, maps, photos, and oversized documents and correspondence on new facilities and operations or changes to existing authorizations. Dates covered are 1960-present. Oversized materials and photographs are stored separately in series 6303.09, which is included in this series review. Confidential records are stored under agency items 6303.35 and 6303.36.

Purpose:

Records provide access to applications filed with TCEQ to obtain authorization for the storage, processing, or disposal of municipal solid waste.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Waste Permits Division is responsible for permitting and registering facilities involved in one or more of the following: storing, processing, or disposing of hazardous waste, nonhazardous industrial waste, municipal solid waste, special waste, and international waste.

The Municipal Solid Waste Permits Section oversees issuance of authorizations and regulation of facilities and operations involved in the storage, processing, or disposal of municipal solid waste.

Arrangement: By permit application number in chronological order.

Access constraints: None

Use constraints: Electronic data on compact discs will need a computer for access, microfilm will need microfilm reader.

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: Municipal Solid Waste Facility Permit Application Files

Series item number: 1.1.007

Agency item number: 6303.07

Archival code: R

Retention: AC+10

Title: Municipal Solid Waste Facility Permit Applications Files, Oversize Docs, Maps, and Photos

Series item number: 1.1.007

Agency item number: 6303.09

Archival code: R

Retention: AC+10

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: Summary report on waste processing - *Municipal solid waste in Texas: a year in review: ... data summary and analysis, 2000-ongoing.*

Gaps: None known

Appraisal decision:

This series documents the registration of sites for the storage and disposal of municipal solid waste. While tracking the disposal of such waste over time is critical, the registration data on such sites is needed long-term but not permanently. The agency keeps the records for 10 years after the facility has closed. Additionally, there is a post-closure period of up to 30 years. The 10 year retention period for the records would start at the end of the post-closure period. The agency keeps these

records for 10 years after closure of the site which is sufficient. These records are not archival. Remove the archival review code of “R” and replace it with the archival exemption code of “E.”

Records Series Review

Series Title: Municipal Solid Waste Management Correspondence by County

Agency: Texas Commission on Environmental Quality
Office of Waste, Waste Permits Division, Municipal Solid Waste Permits Section

Contacts: Eleanore Whitworth, 512-239-2347; Jeff Davis, 512-239-6228

Obsolete record series? No

Ongoing record series?

Annual accumulation: 1.5 linear ft.

Agency holdings: 16 linear ft., 1984-present; 15 microfilm reels, 1978-2002; compact discs and audio tapes, 2007-present.

Description:

Records are correspondence, reports, oversize documents, maps, and photos on municipal solid waste facilities and operations in counties that have no assigned authorization number, dating 1978-present. Oversize materials and photographs are stored separately in series 6303.11, which is included in this series review. Confidential records are stored under agency items 6303.37 and 6303.39.

Purpose:

Records document storage, processing, or disposal activities of municipal solid waste occurring within the county but not operating under an authorization number.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Waste Permits Division is responsible for permitting and registering facilities involved in one or more of the following: storing, processing, or disposing of hazardous waste, nonhazardous industrial waste, municipal solid waste, special waste, and international waste.

The Municipal Solid Waste Permits Section oversees issuance of authorizations and regulation of facilities and operations involved in the storage, processing, or disposal of municipal solid waste.

Arrangement: By county name in chronological order.

Access constraints: None

Use constraints: Electronic data on compact discs will need a computer for access, audio tapes a cassette player; microfilm will need microfilm reader.

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: Municipal Solid Waste Management Correspondence by County

Series item number: 1.1.007

Agency item number: 6303.10

Archival code: R

Retention: 20

Title: Municipal Solid Waste Management Correspondence by County, Oversize

Series item number: 1.1.007

Agency item number: 6303.11

Archival code: R

Retention: 20

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

This series provides documentation on municipal solid waste storage and disposal sites in counties that do not have a TCEQ registration number. While tracking the disposal of such waste over time is critical, the registration data on such sites is not needed long-term. The agency keeps these records for 20 years. We recommend changing that retention to AC+20. These records are not archival. Remove the archival review code of "R" and replace it with the archival exemption code of "E."

Records Series Review

Series Title: Municipal Solid Waste Facility Permit Application Files – Confidential

Agency: Texas Commission on Environmental Quality
Office of Waste, Waste Permits Division, Municipal Solid Waste Permits Section

Contacts: Eleanore Whitworth, 512-239-2347; Jeff Davis, 512-239-6228

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: fractional

Agency holdings: 1 linear ft., 1984-present; 11,093 sheets of microfiche, 1985-1999; 1 linear ft. of oversized materials, 1984-present.

Description:

Records are confidential materials filed with permit applications for registered municipal solid waste facilities, which can include reports, maps, oversized documents, and correspondence on new facilities and operations or changes to existing authorizations, dating 1984-present. Non-confidential records are in series 6303.07 and 6303.09.

Purpose:

Records document applications filed with TCEQ to obtain authorization for the storage, processing, or disposal of municipal solid waste.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Waste Permits Division is responsible for permitting and registering facilities involved in one or more of the following: storing, processing, or disposing of hazardous waste, nonhazardous industrial waste, municipal solid waste, special waste, and international waste.

The Municipal Solid Waste Permits Section oversees issuance of authorizations and regulation of facilities and operations involved in the storage, processing, or disposal of municipal solid waste.

Arrangement: By permit application number in chronological order.

Access constraints: Yes. This would include anything the company deems confidential (and agreed to by TCEQ Legal staff) such as trade secrets, intellectual property etc.

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: Municipal Solid Waste Facility Permit Application Files – Confidential

Series item number: 1.1.070

Agency item number: 6303.35

Archival code: R

Retention: AC+10

Title: Municipal Solid Waste Facility Permit Application Files, Confidential – Oversize Documents, Maps, and Photos

Series item number: 1.1.070

Agency item number: 6303.36

Archival code: R

Retention: AC+10

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

This series contain confidential information that is part of the application files for registered sites for the storage and disposal of municipal solid waste. While tracking the disposal of such waste over time is critical, the registration data on such sites is needed long-term but not permanently. The agency keeps the records for 10 years after the facility has closed. Additionally, there is a post-closure period of up to 30 years. The 10 year retention period for the records would start at the end of the post-closure period. These records are not archival. Remove the archival review code of “R” and replace it with the archival exemption code of “E.”

Records Series Review

Series Title: Municipal Solid Waste Correspondence by County – Confidential

Agency: Texas Commission on Environmental Quality
Office of Waste, Waste Permits Division, Municipal Solid Waste Permits Section

Contacts: Eleanore Whitworth, 512-239-2347; Jeff Davis, 512-239-6228 MSW Permits Section

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: about 1 inch

Agency holdings: 1 linear ft. of application files, 1 linear ft. of oversize

Description:

Records are confidential materials regarding municipal solid waste facilities in counties that have no assigned authorization number, dating 1984-present. Documents can include reports, maps, oversize documents, and correspondence. Non-confidential records are in series 6303.10 and 6303.11.

Purpose:

Records provide data on MSW storage, processing, or disposal activities occurring within the county but not operating under an authorization number.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Waste Permits Division is responsible for permitting and registering facilities involved in one or more of the following: storing, processing, or disposing of hazardous waste, nonhazardous industrial waste, municipal solid waste, special waste, and international waste.

The Municipal Solid Waste Permits Section oversees issuance of authorizations and regulation of facilities and operations involved in the storage, processing, or disposal of municipal solid waste.

Arrangement: By county in chronological order.

Access constraints: Yes. This would include anything the company deems confidential (and agreed to by TCEQ Legal staff) such as trade secrets, intellectual property etc.

Use constraints: Electronic data on CDs will need a computer for access, microfilm will need microfilm reader.

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: Municipal Solid Waste Correspondence by County – Confidential

Series item number: 1.1.070

Agency item number: 6303.37

Archival code: R

Retention: PM

Title: Municipal Solid Waste Correspondence by County – Confidential – Oversize Documents, Maps and Photos

Series item number: 1.1.070

Agency item number: 6303.38

Archival code: R

Retention: 35

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

This series contain confidential information that is part of the application files for non-registered sites for the storage and disposal of municipal solid waste. While tracking the disposal of such waste over time is critical, the registration data on such sites is not needed long-term. The agency keeps these records for 20 years. We recommend changing that retention to AC+20. These records are not archival. Remove the archival review code of “R” and replace it with the archival exemption code of “E.”

Records Series Review

Series Title: Geophysical Logs

Agency: Texas Commission on Environmental Quality
Office of Waste, Waste Permits Division, Surface Casing Program

Contacts: Norman Gearhart and Steve Hutchinson

Obsolete record series? Yes, the Surface Casing Program was transferred to the Texas Railroad Commission on September 1, 2011.

Ongoing record series? No

Agency holdings: 2,419 linear ft.

Description:

This series contains various types of electric logs from oil and gas drilling, and sample logs from oil and gas drilling, as well as from water well drilling. Dates were not provided.

Purpose:

The purpose of these files is for use in interpreting groundwater quality across the state of Texas. The interpretation is used in recommendations for protecting groundwater when drilling oil and gas wells, seismic shot holes, and cathodic protection wells.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Waste Permits Division is responsible for permitting and registering facilities involved in one or more of the following: storing, processing, or disposing of hazardous waste, nonhazardous industrial waste, municipal solid waste, special waste, and international waste.

Arrangement: Geographical – by county and “Q” number.

Access constraints: Yes, according to the agency some of the electrical logs are confidential.

Use constraints: The logs are not permitted to leave the Surface Casing Program area.

Indexes or finding aids required for /or an aid to access? Linen maps are used determine what logs may be in the “Q” log file.

Problems: Over the past 50 plus years some Q logs have been misplaced or lost during the time that the logs were permitted to be checked out and taken from the agency.

Known related records in other agencies: The Bureau of Economic Geology (BEG) has a well log library. Duplicate logs received are sent to the BEG Well Log Library.

Publication based on records: None

Internet pages based on records: Limited well logs are included in the TCEQ Surface Casing Estimator web site (<http://igor.beg.utexas.edu/tceq/Default.aspx>).

Series data from agency schedule:

Title: Geophysical Logs

Series item number: N/A

Agency item number: 6303.15

Archival code: R

Retention: PM

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

The geophysical logs are used to interpret ground water quality across the state and to provide recommendations for the protection of ground water when drilling oil and gas wells, seismic shot holes, and cathodic protection wells. The logs are crucial to the state in documenting ground water quality through the years and need to be kept permanently. We have determined these logs to be archival. However, effective September 1, 2011, Article 2 of House Bill 2694, 82nd Texas Legislature, transferred from the Texas Commission on Environmental Quality (TCEQ) to the Railroad Commission of Texas (RRC) duties relating to the protection of groundwater resources from oil- and gas-associated activities. The Surface Casing Program, its staff and records have now transferred to the Railroad Commission. This series can be removed from the TCEQ retention schedule.

Records Series Review

Series Title: Salt Water Disposal Applications and Recommendations

Agency: Texas Commission on Environmental Quality
Office of Waste, Waste Permits Division, Surface Casing Program

Contacts: Norman Gearhart and Steve Hutchinson

Obsolete record series? Yes, the Surface Casing Program was transferred to the Texas Railroad Commission September 1, 2011.

Ongoing record series? No

Agency holdings: 20 linear ft. in program area, 1990-present; 50 microfilm reels, 1965-1989.

Description:

Records are salt water disposal application documents (TCEQ-0051 form) with maps and other materials submitted in support of the request, Railroad Commission W-14 application forms, and recommendations for protection of usable-quality groundwater, dating 1965-present.

Purpose:

Files are used as reference materials for new applications for disposal of salt water.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Waste Permits Division is responsible for permitting and registering facilities involved in one or more of the following: storing, processing, or disposing of hazardous waste, nonhazardous industrial waste, municipal solid waste, special waste, and international waste.

Arrangement: By county and date.

Access constraints: None

Use constraints: The files are not permitted to leave the Surface Casing Program area except for use by the Underground Injection Control team. Microfilm/microfiche readers needed.

Indexes or finding aids required for /or an aid to access? GIS layer and a table for each county, both of which were kept by the Surface Casing Team and both of which ended in February of 2007. Underground Injection Control indicated that they keep a list of applications.

Problems: None

Known related records in other agencies: The Railroad Commission of Texas keeps a copy of the recommendation letters.

Publication based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: Salt Water Disposal Applications and Recommendations

Series item number: N/A

Agency item number: 6303.16

Archival code: R

Retention: AV + 30

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

Salt water is used in conjunction with oil and gas wells, possibly other underground operations. This series contains the application documents for salt water disposal operations and recommendations for proper disposal so as to protect our groundwater. Protection of groundwater is a vital function of the agency and while they are keeping these records for 30 years, we consider them to be archival. However, effective September 1, 2011, Article 2 of House Bill 2694, 82nd Texas Legislature, transferred from the Texas Commission on Environmental Quality (TCEQ) to the Railroad Commission of Texas (RRC) duties relating to the protection of groundwater resources from oil- and gas-associated activities. The Surface Casing Program, its staff and records have now transferred to the Railroad Commission. This series can be removed from the TCEQ retention schedule.

Records Series Review

Series Title: Surface Casing Application and Recommendations

Agency: Texas Commission on Environmental Quality
Office of Waste, Waste Permits Division, Surface Casing Program

Contacts: Norman Gearhart and Steve Hutchinson

Obsolete record series? Yes, the Surface Casing Program was transferred to the Railroad Commission September 1, 2011.

Ongoing record series? No

Agency holdings: None

Description:

Records are surface casing applications, maps and other supporting documents, and recommendation letters for protection of usable-quality groundwater.

Purpose:

The oil and gas industry and the Railroad Commission of Texas use the recommendations for designing surface casing for oil and gas wells, seismic shot holes, and cathodic protection wells.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Waste Permits Division is responsible for permitting and registering facilities involved in one or more of the following: storing, processing, or disposing of hazardous waste, nonhazardous industrial waste, municipal solid waste, special waste, and international waste.

Arrangement: By county and surface casing number.

Access constraints: None

Use constraints: None

Indexes or finding aids required for /or an aid to access? The Surface Casing Recommendation Program and a GIS layer are used to aid in identifying the Surface Casing number.

Problems: Periodically a recommendation is misplaced within the file system.

Known related records in other agencies: The Railroad Commission of Texas uses a copy of the recommendation letters for approving completion permits.

Publication based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: Surface Casing Application and Recommendations Permanent

Series item number: N/A

Agency item number: 6303.18

Archival code: R

Retention: PM (microfilm)

Title: Surface Casing Application and Recommendations

Series item number: N/A

Agency item number: 6303.19

Archival code: R

Retention: AC + 6 (paper)

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

Series 6303.18 was replaced with series 6303.19, then to be replaced by series 6303.20. However, effective September 1, 2011, Article 2 of House Bill 2694, 82nd Texas Legislature, transferred from the Texas Commission on Environmental Quality (TCEQ) to the Railroad Commission of Texas (RRC) duties relating to the protection of groundwater resources from oil- and gas-associated activities. The Surface Casing Program, its staff and records have now transferred to the Railroad Commission. These series can be removed from the TCEQ retention schedule.

Records Series Review

Series Title: Regional Plan Development and Implementation

Agency: Texas Commission on Environmental Quality
Office of Waste, Waste Permits Division

Contact: Cheryl Untermeyer

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: About 2 linear ft.

Agency holdings: 4 linear ft.

Description:

Records are regional plans submitted by Councils of Governments outlining their use of solid waste grant funds and priorities for projects in their regions. Files also contain memos and correspondence that reference the plans. Dates covered are 1992-present.

Purpose:

In accordance with the Texas Health and Safety Code, Section 361.014, grants are awarded to regional and local governments for municipal solid waste (MSW) management projects through the state's Regional Solid Waste Grants Program. The TCEQ is directed by the Legislature to dedicate one-half of the revenue generated by state fees on MSW disposed of at landfills to grants for regional and local MSW projects.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Waste Permits Division is responsible for permitting and registering facilities involved in one or more of the following: storing, processing, or disposing of hazardous waste, nonhazardous industrial waste, municipal solid waste, special waste, and international waste.

The TCEQ allocates funds from its Regional Solid Waste Grants Program to the state's 24 councils of governments (COGs) based on a formula that takes into account population, area, solid waste fee generation, and public health needs. The COGs use the funds to develop and maintain an inventory of closed MSW landfills, conduct regional coordination and planning activities, maintain a regional solid waste management plan, and administer pass-through grant programs to provide funding for regional and local MSW projects.

Arrangement: Alphabetical.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records:

http://www.tceq.state.tx.us/permitting/waste_permits/waste_planning/wp_grants.html

Series data from agency schedule:

Title: Regional Plan Development and Implementation

Series item number: 1.1.070

Agency item number: 6303.25

Archival code: R

Retention: US

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

This series documents regional plans submitted by regional council of government for managing and disposing of municipal solid waste. The plans do include a list of closed municipal waste sites in each region, which is important to document over time. And, it is especially helpful to have a set of all regional plans in one location. We have appraised these plans to be archival. Change the archival code to "A" and add this note in the Remarks Section of the schedule – "Sending copies of the regional plans to the Publications Depository fulfills the archival requirement."

Records Series Review

Series Title: Council of Governments - Correspondence

Agency: Texas Commission on Environmental Quality
Office of Waste, Waste Permits Division

Contact: Cheryl Untermeyer

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: about 4 linear ft.

Agency holdings: About 10 linear ft.

Description:

Records are correspondence concerning regional plans from councils of governments for solid waste management, dating 1994-2001. Copies of the plans may also be present.

Purpose:

Records document activity with councils of government in the Regional Solid Waste Grants Program.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Waste Permits Division is responsible for permitting and registering facilities involved in one or more of the following: storing, processing, or disposing of hazardous waste, nonhazardous industrial waste, municipal solid waste, special waste, and international waste.

The TCEQ allocates funds from its Regional Solid Waste Grants Program to the state's 24 councils of governments (COGs) based on a formula that takes into account population, area, solid waste fee generation, and public health needs. The COGs use the funds to develop and maintain an inventory of closed MSW landfills, conduct regional coordination and planning activities, maintain a regional solid waste management plan, and administer pass-through grant programs to provide funding for regional and local MSW projects.

Arrangement: Alphabetical.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records:

http://www.tceq.state.tx.us/permitting/waste_permits/waste_planning/wp_grants.html

Series data from agency schedule:

Title: Council of Governments – Correspondence

Series item number: 1.1.070

Agency item number: 6303.26

Archival code: R

Retention: AC+10

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

Correspondence in this series concerns municipal solid waste grant planning and regional plans of councils of governments. The agency maintains these records for 10 years after the closure of a project which is sufficient retention for this function. This series is not archival. Remove the archival review code of “R” and replace it with the archival exemption code of “E.”

Records Series Review

Series Title: Needs Assessment Data and Reports File

Agency: Texas Commission on Environmental Quality
Office of Waste, Waste Permits Division

Contact: Elvi Yzaguirre

Obsolete record series? Yes

Ongoing record series? No
Annual accumulation: 3 linear ft.

Agency holdings: Unknown

Description:

According to program staff, data in this report was derived from the report *Municipal Solid Waste in Texas: A Year in Review, <year> Data Summary and Analysis*. The requirement for the needs assessment report and corresponding data was eliminated by the Legislature in 2000.

Purpose:

Not provided.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Waste Permits Division is responsible for permitting and registering facilities involved in one or more of the following: storing, processing, or disposing of hazardous waste, nonhazardous industrial waste, municipal solid waste, special waste, and international waste.

Arrangement: Numerical by permit number.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: AS-187 - *Municipal Solid Waste in Texas: A Year in Review, <year> Data Summary and Analysis*

Internet pages based on records: None

Series data from agency schedule:

Title: Needs Assessment Data and Reports File

Series item number: 1.1.067

Agency item number: 6303.27

Archival code: R

Retention: AC+10

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings:

Municipal solid waste in Texas: a year in review: ... data summary and analysis. Texas Commission on Environmental Quality, 2000-2009.

Gaps: None known

Appraisal decision:

According to program staff, this series can be removed from the schedule since the requirement to create this report was eliminated by the Legislature in 2000. Data in the report is derived from another report by the agency, which is continuing – *Municipal Solid Waste in Texas: A Year in Review, <year> Data Summary and Analysis*. The needs assessment data is not archival. When the records have met their retention, the series can be removed from the schedule.

The report - *Municipal Solid Waste in Texas: A Year in Review, <year> Data Summary and Analysis*, is archival. You need to create a new series for this report, with an archival code of “A” and add a note in the Remarks Section - Sending copies of the published summary report to the Texas State Publications Depository Program fulfills the archival requirement.”

Records Series Review

Series Title: Annual Report of Trends in Waste Volume and Processing

Agency: Texas Commission on Environmental Quality
Office of Waste, Waste Permits Division

Contact: Edward Block

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: Not provided

Agency holdings: About 3 linear ft. of paper records, dating back to 1986; reports from 1999 to present are scanned as TIF or PDF documents and stored on WM2 server.

Description:

Records are reports completed by municipal solid waste disposal and processing regulated entities. Reports contain raw data on waste amounts processed, transferred, and/or disposed at each site, dating 1986-present.

Purpose:

Data is used for the development of an annual summary report published by the Waste Permits Division. This report is used by the regulated community and by Councils of Governments for regional solid waste planning.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Waste Permits Division is responsible for permitting and registering facilities involved in one or more of the following: storing, processing, or disposing of hazardous waste, nonhazardous industrial waste, municipal solid waste, special waste, and international waste.

The TCEQ allocates funds from its Regional Solid Waste Grants Program to the state's 24 councils of governments (COGs) based on a formula that takes into account population, area, solid waste fee generation, and public health needs. The COGs use the funds to develop and maintain an inventory of closed MSW landfills, conduct regional coordination and planning activities, maintain a regional solid waste management plan, and administer pass-through grant programs to provide funding for regional and local MSW projects.

Arrangement: Numerical by permit number.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: AS-187- *Municipal Solid Waste in Texas: A Year in Review, <year> Data Summary and Analysis*

Internet pages based on records: None

Series data from agency schedule:

Title: Annual Report of Trends in Waste Volume and Processing

Series item number: 1.1.067

Agency item number: 6303.28

Archival code: R

Retention: AC+10

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings:

Municipal solid waste in Texas: a year in review: ... data summary and analysis. Texas Commission on Environmental Quality, 2000-2009.

Gaps: None known

Appraisal decision:

This series contains raw data on municipal solid waste processing and disposal by regulated entities. The data is compiled into a published summary report used by councils of governments for regional municipal solid waste planning. This series of raw data is not archival. Remove the archival review code of "R" and replace it with the archival exemption code of "E." Change the series item number to 1.1.065.

We request that TCEQ send copies of the published summary report to the Texas State Publications Depository Program. Please add this note to the Remarks Column of the schedule.

Records Series Review

Series Title: Capacity Assurance Plans and Data Files

Agency: Texas Commission on Environmental Quality
Office of Waste, Waste Permits Division

Contact: Elvi Yzaguirre

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: Not provided

Agency holdings: 1.5 linear ft. in program area. Historical hard copy landfill reports are kept in the Central File Room, volume unknown. Archived data (1985-2010) is located on agency network. Individual hard copy reports and data for the summary report are located in the program area. Hard copy data dates 1995-present.

Description:

Records are annual reports submitted by permitted and registered municipal solid waste disposal and processing facilities, 1985-present. Data from reports is used to create an annual summary report - *Municipal Solid Waste in Texas: A Year in Review, <year> Data Summary and Analysis*.

Purpose:

Data from the reports is used to create an annual summary report - *Municipal Solid Waste in Texas: A Year in Review, <year> Data Summary and Analysis*.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Waste Permits Division is responsible for permitting and registering facilities involved in one or more of the following: storing, processing, or disposing of hazardous waste, nonhazardous industrial waste, municipal solid waste, special waste, and international waste.

Arrangement: Numerical by permit number.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: AS-187 - *Municipal Solid Waste in Texas: A Year in Review, <year> Data Summary and Analysis*

Internet pages based on records: None

Series data from agency schedule:

Title: Capacity Assurance Plans and Data Files

Series item number: 1.1.067

Agency item number: 6303.30

Archival code: R

Retention: AC+10

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings:

Municipal solid waste in Texas: a year in review: ... data summary and analysis. Texas Commission on Environmental Quality, 2000-2009.

Gaps: None known

Appraisal decision:

Data in the report is used to create another report by the agency, *Municipal Solid Waste in Texas: A Year in Review, <year> Data Summary and Analysis*, which is sufficient documentation of this function. This series is not archival. Remove the archival review code of "R" and replace it with the archival exemption code of "E."

Records Series Review

Series Title: Texas Risk Reduction Program Guidance

Agency: Texas Commission on Environmental Quality
Office of Waste, Remediation Division

Contact: Mike Frue

Obsolete record series: No

Ongoing record series? Yes
Annual accumulation: Unknown

Agency holdings: unknown

Description:

The Office of Waste creates the Risk Reduction Guidance documents, but only keeps convenience copies of these records; guidance documents are on the web and a printed copy is kept by the Communications Office. Dates of records not provided.

Purpose:

The guidance records document the tiered approach used by the agency in incorporating risk assessment techniques to help focus investigations, to determine appropriate protective concentration levels for human health, and when necessary, for ecological receptors.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Texas Risk Reduction Program (30 Texas Administrative Code, Sections 350.1 thru 350.135) provides a consistent corrective action process directed toward protection of human health and the environment balanced with the economic welfare of the Texas citizens. This program uses a tiered approach incorporating risk assessment techniques to help focus investigations, to determine appropriate protective concentration levels for human health, and when necessary, for ecological receptors. The program also sets reasonable response objectives that will protect human health and the environment and preserve the active and productive use of land.

Arrangement: Not provided

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? N/A

Problems: N/A

Known related records in other agencies: N/A

Publications based on records: N/A

Internet pages: Guidance documents are available on the TCEQ web page:
<http://www.tceq.texas.gov/remediation/trrp/trrp.html/>

Series data from agency schedule:

Title: Texas Risk Reduction Program Guidance

Series item number: 520.10

Agency item number: 1.1.070

Archival code: R

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: Copies are sent to the Clearinghouse

Gaps: None known

Appraisal decision:

According to staff, this series holds only convenience copies and such series do not need to be listed on the retention schedule. However, Risk Reduction Program Guidance staff state they create the reports and send the printed report to the Communications Office. This is not reflected in the series reviewed from the Communications Office. This series, while determined to be not archival, still needs to be documented. Keep the series on the schedule with no archival retention code, but add a note to the Remarks Section of the schedule – “Copies of guidance documents are to be sent to the Publications Clearinghouse.”

Records Series Review

Series Title: Superfund Preliminary Site

Agency: Texas Commission on Environmental Quality
Office of Waste, Remediation Division, Superfund Program

Contacts: Catrina Wright, 512-239-2429; Carol Rahmani, 512-239-2479

Obsolete record series? Yes
Replaced by: Series 4405.03

Ongoing record series? No

Agency holdings: 37.5 linear ft. at agency, 45 linear ft. at State Records Center.

Description:

This series contains preliminary site assessment files of contaminated sites, including sample results, reports, access agreements, and site inspections. Dates not provided.

Purpose:

Records document the progress of site assessments through federal and state site superfund assessment programs.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Remediation Division oversees the investigation and cleanup of pollutants released into the environment, both hazardous and nonhazardous, by responsible parties, state contractors, and the state itself. The division also seeks restoration of damaged natural resources resulting from such releases. Division programs include Brownfields Site Assessment Program, Dry Cleaner Remediation Program, Industrial Hazardous Waste Corrective Action, Innocent Owner/Operator Program, Municipal Designation Settings, National Resource Trustee Program, Petroleum Storage Tank Program, Superfund, Texas Risk Reduction Program, and the Voluntary Cleanup Program.

The Superfund Site Discovery and Assessment Program identifies and ranks sites for remediation under the state and federal Superfund programs. TCEQ personnel conduct assessments to identify sites that may immediately and substantially endanger public health and safety or the environment due to a release or threatened release of hazardous substances.

The federal Superfund program helps states facilitate the costly cleanup of some of the most contaminated sites. There are 44 Texas sites currently on the National Priority List, which identifies

sites with priority needs and places them in the federal Superfund program. The federal Superfund process begins with site discovery or notification to the EPA of possible releases of hazardous substances. Sites are discovered by various parties, including citizens, state agencies, and EPA regional offices.

The state Superfund Registry, established by the 69th Texas Legislature in 1985 and administered by the TCEQ, lists those abandoned or inactive sites that have serious contamination but do not qualify for the federal program, and therefore are cleaned up under the state program. The state must comply with federal guidelines in administering the state Superfund program, but EPA approval of state Superfund actions is not required.

Arrangement: By name and file code.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? Indexed through the Superfund state and federal file structure.

Problems: None

Known related records in other agencies: None listed

Publications based on records: None known

Internet pages based on records:

<http://www.tceq.texas.gov/remediation/superfund/assessment/index.html>

Series data from agency schedule:

Title: Superfund Preliminary Site

Series item number: 1.1.067

Agency item number: 4405.01 (old 6405.01)

Archival code: R

Retention: 3

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

The records in this series are preliminary site assessments of sites needing remediation due to contamination. Full-level site assessments are in a permanent and archival series, *Site Discovery Files*, 4405.03. The preliminary assessments, without the additional documentation, are not archival. According to program staff, the preliminary site assessments will be merged with series 4405.03. Series 4405.01 can be removed from the schedule. If it remains on the schedule, remove the archival review code of "R" and replace it with the archival exemption code of "E."

The State Archives recommends against merging non-archival series 4405.01 and 4405.02 with archival series 4405.03, *Site Discovery files*. You would be mixing archival records with non-permanent records

Records Series Review

Series Title: Preliminary Assessment/Site Inspections

Agency: Texas Commission on Environmental Quality
Office of Waste, Remediation Division, Superfund Program

Contacts: Catrina Wright, 512-239-2429;
Carol Rahmani, 512-239-2479; Marshall Cedilote, 512-239-4134

Obsolete record series? Yes
Replaced by: Series 4405.03

Ongoing record series? No

Agency holdings: 37.5 linear ft. at agency, 45 linear ft. at State Records Center

Description:

This series contains preliminary site assessment files of contaminated sites, including sample results, reports, access agreements, and site inspections. Dates not provided.

Purpose:

Records document the progress of site discovery and assessment of contaminated sites through the federal and state site assessment programs.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Remediation Division oversees the investigation and cleanup of pollutants released into the environment, both hazardous and nonhazardous, by responsible parties, state contractors, and the state itself. The division also seeks restoration of damaged natural resources resulting from such releases. Division programs include Brownfields Site Assessment Program, Dry Cleaner Remediation Program, Industrial Hazardous Waste Corrective Action, Innocent Owner/Operator Program, Municipal Designation Settings, National Resource Trustee Program, Petroleum Storage Tank Program, Superfund, Texas Risk Reduction Program, and the Voluntary Cleanup Program. The Superfund Site Discovery and Assessment Program identifies and ranks sites for remediation under the state and federal Superfund programs. TCEQ personnel conduct assessments to identify sites that may immediately and substantially endanger public health and safety or the environment due to a release or threatened release of hazardous substances.

The federal Superfund program helps states facilitate the costly cleanup of some of the most contaminated sites. There are 44 Texas sites currently on the National Priority List, which identifies sites with priority needs and places them in the federal Superfund program. The federal Superfund

process begins with site discovery or notification to the EPA of possible releases of hazardous substances. Sites are discovered by various parties, including citizens, state agencies, and EPA regional offices.

The state Superfund Registry, established by the 69th Texas Legislature in 1985 and administered by the TCEQ, lists those abandoned or inactive sites that have serious contamination but do not qualify for the federal program, and therefore are cleaned up under the state program. The state must comply with federal guidelines in administering the state Superfund program, but EPA approval of state Superfund actions is not required.

Arrangement: By site name.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access?

<http://www.tceq.texas.gov/remediation/index.html>

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records: None noted

Series data from agency schedule:

Title: Preliminary assessment/site inspections

Series item number: 1.1.067

Agency item number: 4405.02 (old 6405.02)

Archival code: R

Retention: AC + 25

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

The records in this series are preliminary assessments and inspection files of sites needing remediation due to contamination. Full-level site assessments are in a permanent and archival series, *Site Discovery Files*, 4405.03. The preliminary assessments and inspections, without the additional documentation, are not archival. According to program staff, this series, 4405.02, will be merged with series 4405.03. Series 4405.02 can be removed from the schedule. If it remains on the schedule, remove the archival review code of "R" and replace it with the archival exemption code of "E."

The State Archives recommends against merging non-archival series 4405.01 and 4405.02 with archival series 4405.03, *Site Discovery files*. You would be mixing archival records with non-permanent records

Records Series Review

Series Title: Site Discovery Files

Agency: Texas Commission on Environmental Quality
Office of Waste, Remediation Division, Superfund Program

Contacts: Catrina Wright, 512-239-2429;
Carol Rahmani, 512-239-2479; Marshall Cedilote, 512-239-4134

Obsolete record series? No

Ongoing record series? Yes

Annual accumulation: About 12.5 linear ft.

Agency holdings: About 6 linear ft. at agency, late 2000s-present; 216 linear ft. at State Records Center, 1994-1996; 22 reels of microfilm, 2006-2007; 120 linear ft. of oversize materials.

Description:

This series contains discovery files of contaminated sites, including sample results, reports, access agreements, site inspections, photographs, maps, blueline drawings, deed instruments, and plat maps. Dates covered are 1994-present. The oversize documents and photographs are housed in series 4405.04, but are described in this series review.

Purpose:

Records document the progress of site discovery and assessment of contaminated sites through the federal and state site assessment programs.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Remediation Division oversees the investigation and cleanup of pollutants released into the environment, both hazardous and nonhazardous, by responsible parties, state contractors, and the state itself. The division also seeks restoration of damaged natural resources resulting from such releases. Division programs include Brownfields Site Assessment Program, Dry Cleaner Remediation Program, Industrial Hazardous Waste Corrective Action, Innocent Owner/Operator Program, Municipal Designation Settings, National Resource Trustee Program, Petroleum Storage Tank Program, Superfund, Texas Risk Reduction Program, and the Voluntary Cleanup Program.

The Superfund Site Discovery and Assessment Program identifies and ranks sites for remediation under the state and federal Superfund programs. TCEQ personnel conduct assessments to identify sites that may immediately and substantially endanger public health and safety or the environment due to a release or threatened release of hazardous substances.

The federal Superfund program helps states facilitate the costly cleanup of some of the most contaminated sites. There are 44 Texas sites currently on the National Priority List, which identifies sites with priority needs and places them in the federal Superfund program. The federal Superfund process begins with site discovery or notification to the EPA of possible releases of hazardous substances. Sites are discovered by various parties, including citizens, state agencies, and EPA regional offices.

The state Superfund Registry, established by the 69th Texas Legislature in 1985 and administered by the TCEQ, lists those abandoned or inactive sites that have serious contamination but do not qualify for the federal program, and therefore are cleaned up under the state program. The state must comply with federal guidelines in administering the state Superfund program, but EPA approval of state Superfund actions is not required.

Arrangement: By site name.

Access constraints: None

Use constraints: Microfilm/microfiche readers needed.

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records: <http://www.tceq.texas.gov/remediation/index.html>

Series data from agency schedule:

Title: Site Discovery Files

Series item number: 1.1.067

Agency item number: 4405.03 (old 6405.03)

Archival code: R

Retention: PM

Title: Site Discovery Files – Photographs and Oversize Drawings

Series item number:

Agency item number: 4405.04 (old 6405.04)

Archival code: R

Retention: AC + 25

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

This series documents the discovery and assessment of contaminated sites in need of remediation. It contains the most thorough documentation of these sites. Overseeing the investigation and cleanup of polluted sites is a vital function of this agency. We have also appraised them to be archival. Change the archival review code of “R” to the archival code of “A,” for both series. Add the following note to the Remarks Section of the schedule – “If the agency changes their retention to anything less than PM, transfer records to the State Archives as their retention is met.”

The State Archives recommends against merging non-archival series 4405.01 and 4405.02 with this archival series.

Records Series Review

Series Title: Leaking Petroleum Storage Tank Files

Agency: Texas Commission on Environmental Quality
Office of Waste, Remediation Division, Petroleum Storage Tank Program

Contact: James McGhee, 512-239-5428

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: Not provided

Agency holdings: 675 linear ft. in Central File Room and at the State Records Center. 66 linear ft. of reimbursement cost recovery information is held in a division allocated filing area.

Description:
Records are correspondence, reports, and site inspections concerning leaking petroleum storage tanks, dating 1986-present.

Purpose:
Records track the remediation activities at sites contaminated by leaking petroleum storage tanks.

Agency program:
The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Remediation Division oversees the investigation and cleanup of pollutants released into the environment, both hazardous and nonhazardous, by responsible parties, state contractors, and the state itself. The division also seeks restoration of damaged natural resources resulting from such releases. Division programs include Brownfields Site Assessment Program, Dry Cleaner Remediation Program, Industrial Hazardous Waste Corrective Action, Innocent Owner/Operator Program, Municipal Designation Settings, National Resource Trustee Program, Petroleum Storage Tank Program, Superfund, Texas Risk Reduction Program, and the Voluntary Cleanup Program.

The Petroleum Storage Tank Program is responsible for cleanups of contamination caused by spills, leaks, or other releases of petroleum substances or hazardous substances from regulated underground and aboveground storage tanks.

Arrangement: Numerical by program identification number.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records: http://www.tceq.texas.gov/remediation/pst_rp/pst.html

Series data from agency schedule:

Title: Leaking Petroleum Storage Tank Files

Series item number: None

Agency item number: 4406.18 (old 6403.01)

Archival code: R

Retention: AC+30

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

Series documents remediation activities at sites contaminated by leaking petroleum storage tanks. Overseeing remediation activities such as these are important functions for this agency. TCEQ maintains the records for 30 years after closure of the remediation project, which is sufficient retention. This series is not archival. Remove the archival review code of "R" and replace it with the archival exemption code of "E."

Records Series Review

Series Title: Soil Storage and Treatment Facility Files

Agency: Texas Commission on Environmental Quality
Office of Waste, Remediation Division, Petroleum Storage Tank Program

Contact: James McGhee, 512-239-5428

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: Not provided

Agency holdings: 13.5 cubic ft. at agency; 11 cubic ft. stored at the State Records Center

Description:

Records are correspondence and treatment application reports regarding facilities treating the soil after a petroleum storage tank leak, dating 1984-1997.

Purpose:

Records document the remediation of petroleum storage tank leaks by treatment facilities.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Remediation Division oversees the investigation and cleanup of pollutants released into the environment, both hazardous and nonhazardous, by responsible parties, state contractors, and the state itself. The division also seeks restoration of damaged natural resources resulting from such releases. Division programs include Brownfields Site Assessment Program, Dry Cleaner Remediation Program, Industrial Hazardous Waste Corrective Action, Innocent Owner/Operator Program, Municipal Designation Settings, National Resource Trustee Program, Petroleum Storage Tank Program, Superfund, Texas Risk Reduction Program, and the Voluntary Cleanup Program.

The Petroleum Storage Tank Program is responsible for cleanups of contamination caused by spills, leaks, or other releases of petroleum substances or hazardous substances from regulated underground and aboveground storage tanks.

Arrangement: Numerical by soil treatment identification number.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records: http://www.tceq.texas.gov/remediation/pst_rp/pst.html

Series data from agency schedule:

Title: Soil Storage and Treatment Facility Files

Series item number: None

Agency item number: 4406.19 (old 6403.02)

Archival code: R

Retention: AC+20

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

Series documents treatment of soil after a petroleum leak. Overseeing remediation activities such as these are important functions for this agency. TCEQ maintains the records for 20 years after closure of the remediation project, which is sufficient retention. This series is not archival. Remove the archival review code of "R" and replace it with the archival exemption code of "E."

Records Series Review

Series Title: Natural Resource Trustee Program

Agency: Texas Commission on Environmental Quality
Office of Waste, Remediation Division

Contact: Richard Seiler, 512-239-2523

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 8 linear ft.

Agency holdings: 200 linear ft. in project managers' offices

Description:

The Natural Resource Trustee Program works to restore natural resources damaged by the release of oil or other hazardous substances. NRTP work is done on some Superfund sites. Records include case-related material, technical reference material, administrative files, and agency-related training materials. Dates covered are 1990-present.

Purpose:

The series documents a basis for and settlements of natural resources damages at contaminated Superfund sites.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Remediation Division oversees the investigation and cleanup of pollutants released into the environment, both hazardous and nonhazardous, by responsible parties, state contractors, and the state itself. The division also seeks restoration of damaged natural resources resulting from such releases. Division programs include Brownfields Site Assessment Program, Dry Cleaner Remediation Program, Industrial Hazardous Waste Corrective Action, Innocent Owner/Operator Program, Municipal Designation Settings, National Resource Trustee Program, Petroleum Storage Tank Program, Superfund, Texas Risk Reduction Program, and the Voluntary Cleanup Program.

The Natural Resource Trustee Program (NRTP) works to fulfill TCEQ's natural resource trustee role of evaluating injury to natural resources as a result of discharges of oil or releases of hazardous substances and to seek restoration of the injured resources when appropriate. The NRTP works cooperatively with other participating state and federal agencies and responsible persons to restore lost natural resources and their services on behalf of the public. Program staff conducts a preliminary inventory of the affected site, coordinate planning and investigation with responsible

persons and site managers, perform injury assessments, and work cooperatively to develop and implement plans for restoration, rehabilitation, replacement, or acquisition of equivalent natural resources.

Arrangement: By site name.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records: <http://www.tceq.texas.gov/remediation/nrtp/nrtp.html>

Series data from agency schedule:

Title: Natural Resource Trustee Program

Series item number: 1.1.067

Agency item number: 4406.21 (old 6403.09)

Archival code: R

Retention: 10

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

Records document work done at Superfund sites by TCEQ through the Natural Resource Trustee Program in restoring injury to natural resources through the discharge of oil or hazardous substances. This is an important task as it documents work done to restore Superfund sites after the site has been cleaned. The agency keeps the files for 10 years, while these do not have long term archival value, we recommend the retention be changed to at least AC + 10 or 15 years. This series is not archival. Remove the archival review code of "R" and replace it with the archival exemption code of "E."

Records Series Review

Series Title: Underground Storage Tank Plans, Equipment and Procedure Reviews/Evaluations

Agency: Texas Commission on Environmental Quality
Office of Waste, Remediation Division, Petroleum Storage Tank Program

Contact: Heather Betty

Obsolete record series? Yes

Ongoing record series? No
Annual accumulation: NA

Agency holdings: Not provided

Description:

Files contain plans of underground petroleum storage tanks and reviews and evaluations of equipment and procedures. Dates not provided.

Purpose:

Files document plans of and equipment used in underground petroleum storage tanks.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Remediation Division oversees the investigation and cleanup of pollutants released into the environment, both hazardous and nonhazardous, by responsible parties, state contractors, and the state itself. The division also seeks restoration of damaged natural resources resulting from such releases. Division programs include Brownfields Site Assessment Program, Dry Cleaner Remediation Program, Industrial Hazardous Waste Corrective Action, Innocent Owner/Operator Program, Municipal Designation Settings, National Resource Trustee Program, Petroleum Storage Tank Program, Superfund, Texas Risk Reduction Program, and the Voluntary Cleanup Program.

The Petroleum Storage Tank Program is responsible for cleanups of contamination caused by spills, leaks, or other releases of petroleum substances or hazardous substances from regulated underground and aboveground storage tanks.

Arrangement: Numerical by program identification number.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records: http://www.tceq.texas.gov/remediation/pst_rp/pst.html

Series data from agency schedule:

Title: Underground Storage Tank Plans, Equipment and Procedure
Reviews/Evaluations

Series item number: 1.1.024

Agency item number: 4406.04 (old 6203.04)

Archival code: R

Retention: AC+30

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

Records provide documentation on the plans for underground petroleum storage tanks, including review of cleanup procedures due to leaks and spills documented in other series. The retention is AC+30 years, a sufficient retention period. This series is not archival. Remove the archival code "R" and replace it with the archival exemption code of "E."

According to program staff in 2011, this series is now empty and will be removed from the schedule.

Records Series Review

Series Title: Storage Tank Construction Notification Reports and Activity Reports

Agency: Texas Commission on Environmental Quality
Office of Waste, Remediation Division, Petroleum Storage Tank Program

Contact: Don Kennedy, PST Registration Section

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: Not provided

Agency holdings: 30 linear inches

Description:

The Petroleum Storage Tank program monitors the construction of underground petroleum storage tanks and activity of such tank while active. Files include construction notification reports and activity reports. Dates covered are 1999-present.

Purpose:

Files document the construction and operation of underground petroleum storage tanks.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Remediation Division oversees the investigation and cleanup of pollutants released into the environment, both hazardous and nonhazardous, by responsible parties, state contractors, and the state itself. The division also seeks restoration of damaged natural resources resulting from such releases. Division programs include Brownfields Site Assessment Program, Dry Cleaner Remediation Program, Industrial Hazardous Waste Corrective Action, Innocent Owner/Operator Program, Municipal Designation Settings, National Resource Trustee Program, Petroleum Storage Tank Program, Superfund, Texas Risk Reduction Program, and the Voluntary Cleanup Program.

The Petroleum Storage Tank Program is responsible for cleanups of contamination caused by spills, leaks, or other releases of petroleum substances or hazardous substances from regulated underground and aboveground storage tanks.

Arrangement: Numerical by program identification number.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records: http://www.tceq.texas.gov/remediation/pst_rp/pst.html

Series data from agency schedule:

Title: Storage Tank Construction Notification Reports and Activity Reports

Series item number: None

Agency item number: 4406.05 (old 6203.05)

Archival code: R

Retention: AC+20

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

Records document the construction and operation of underground petroleum storage tanks. It does not address remediation issues. This series is not archival. Remove the archival code "R" and replace it with the archival exemption code of "E."

According to program staff in 2011, this is being combined with series 6203.08, according to the 2009 schedule the title is *Construction Notification Database*, a non-archival series.

Records Series Review

Series Title: Dry Cleaner Remediation Program (DCRP)

Agency: Texas Commission on Environmental Quality
Office of Waste, Remediation Division

Contact: Michael A. Bame, P.G.

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 30 linear ft.

Agency holdings: About 450 linear ft.

Description:

This series documents the assessment and remediation of dry cleaner sites. Records include the application, correspondence, memoranda, assessment reports, remediation reports, and deed restrictions, dating 2004-present.

Purpose:

Records document the assessment and remediation of dry cleaner sites contaminated by dry cleaning solvents.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Remediation Division oversees the investigation and cleanup of pollutants released into the environment, both hazardous and nonhazardous, by responsible parties, state contractors, and the state itself. The division also seeks restoration of damaged natural resources resulting from such releases. The industrial and hazardous waste (IHW) corrective action program oversees the cleanup of sites contaminated from industrial and municipal hazardous and industrial nonhazardous wastes.

The Dry Cleaning Facility Release Fund was established by the Texas Legislature in 2003. It created the Dry Cleaner Remediation Program (DCRP) for state lead cleanup of dry cleaner-related contaminated sites. It also established dry cleaner facility registration requirements, fees, performance standards, distributor registration, and revenue disbursement.

Arrangement: Numerical by DCRP site number (i.e., DC0001), thereby in a chronological order as the numbers were assigned successively.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: Dry Cleaner Remediation Program

Series item number: None

Agency item number: 4407.05

Archival code: R

Retention: PM

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

The series documents the assessment and remediation of sites contaminated by dry cleaner solvents. Documenting the remediation of such sites needs long-term oversight and the agency recently changed its retention from AC+30 to PM. The records are not archival; the retention period, whether AC+30 or PM at the agency, is good. Remove the archival code "R" and replace it with the archival exemption code of "E."

Records Series Review

Series Title: Industrial and Hazardous Waste Sites TXXXX-Facility Identification Number (FID)

Agency: Texas Commission on Environmental Quality
Office of Waste, Remediation Division

Contact: Eleanor Wehner, VCP-CA Section

Obsolete record series? No

Ongoing record series? Yes

Annual accumulation: 30 linear ft. of regular records, about 5 linear ft. of oversize records.

Agency holdings: 117 linear ft., 1990-present; 49 reels of microfilm, 1987-2002; 318 linear ft. stored at the State Records Center.

Description:

Records are correspondence and reports are filed by industrial and hazardous waste sites with T-series Facility Identification Numbers. Most of the reports are submitted via standard agency report format. These materials can also contain supporting tables, maps, etc. of varying sizes that exceed 8.5" x 11". In addition, Corrective Action program Approvals, Comment, and/or Notice of Deficiency (NOD) letters (and the corresponding facility responses) sent in response to technical review of the documents will also be maintained in this file. Dates covered are 1987-present.

Purpose:

Facilities with industrial and hazardous waste sites with T-series Facility Identification Numbers submit correspondence and reports regularly to document on-going cleanup efforts at their sites in accordance with the 20 Texas Administrative Code, Sections 335.551 thru 335.569 (Risk Reduction Standards) and/or Sections 350.1 thru 350.135 (Texas Risk Reduction Program rules).

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Remediation Division oversees the investigation and cleanup of pollutants released into the environment, both hazardous and nonhazardous, by responsible parties, state contractors, and the state itself. The division also seeks restoration of damaged natural resources resulting from such releases. The industrial and hazardous waste (IHW) corrective action program oversees the cleanup of sites contaminated from industrial and municipal hazardous and industrial nonhazardous wastes.

Arrangement: Numerical by a program-specific T-series number assigned by the Corrective Action program.

Access constraints: None

Use constraints: Microfilm/microfiche readers needed.

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records: Standard agency report forms are located at:
<http://www.tceq.state.tx.us/remediation/trrp/guidance.html>.

Series data from agency schedule:

Title: Industrial and Hazardous Waste Sites TXXXX-Facility Identification Number
(FID)

Series item number: None

Agency item number: 4407.06 (old 6304.26)

Archival code: R

Retention: AC+30

Title: Industrial and Hazardous Waste Sites TXXXX-Facility Identification Number
(FID) – Oversize, Maps, Photos, etc.

Series item number: None

Agency item number: 4407.07 (old 6304.27)

Archival code: R

Retention: AC+30

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

Records document cleanup efforts of hazardous waste at waste sites with T series ID numbers. Proper cleanup of such sites is critical to the environment. The agency maintains these records for the life of asset (LA). We recommend changing that to AC + 30, keeping the files for 30 years after the cleanup is completed. As these series concern active cleanup efforts which are documented for a long period by TCEQ we are not considering them to be archival. Remove the archival code “R” and replace it with the archival exemption code “E” in both series.

Records Series Review

Series Title: Superfund Site Files

Agency: Texas Commission on Environmental Quality
Office of Waste, Remediation Division, Superfund Program

Contacts: Catrina Wright, 512-239-2429 and Carol Rahmani, 512-239-2479

Obsolete record series? No

Ongoing record series? Yes

Annual accumulation: About 500 linear ft. of records; 70 drawings and maps, 1,000 photos

Agency holdings: About 1,250 linear ft. stored at the agency in the project managers' office and at the State Records Center (SRC); microfilm stored at SRC, 1970-2007; 49 cubic ft. of photos, 200 maps and drawings, some in-house, some at the SRC.

Description:

Records are site histories, hazardous ranking packing, diagrams of sites, investigation reports, enforcement history and reports, oversize drawings, diagrams, and photographs. Also present are details of the cleanup process and data on potential and responsible parties. Oversize diagrams; photographs; and legal reports, notices, and filings may be included in the files. Dates covered are 1970-present. Draft reports on cleanup operations are prepared by contractors, forward to TCEQ and the EPA for comments. Contractors address the comments and prepare a final report. The draft documents are then recycled, only the final reports on cleanup operations are maintained by the agency. Oversize materials are filed in series 4408.02 but are described in this series review.

Purpose:

Records document work done at Superfund sites. Data is also used for public inquiries and legal documentation that the state statutes were followed. The files also serve as a primary source for cost recovery in collecting funds from the responsible parties for the state's cost of cleaning up the sites.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Remediation Division oversees the investigation and cleanup of pollutants released into the environment, both hazardous and nonhazardous, by responsible parties, state contractors, and the state itself. The division also seeks restoration of damaged natural resources resulting from such releases. Division programs include Brownfields Site Assessment Program, Dry Cleaner Remediation Program, Industrial Hazardous Waste Corrective Action, Innocent Owner/Operator

Program, Municipal Designation Settings, National Resource Trustee Program, Petroleum Storage Tank Program, Superfund, Texas Risk Reduction Program, and the Voluntary Cleanup Program.

The Superfund Site Discovery and Assessment Program identifies and ranks sites for remediation under the state and federal Superfund programs. TCEQ personnel conduct assessments to identify sites that may immediately and substantially endanger public health and safety or the environment due to a release or threatened release of hazardous substances.

The federal Superfund program helps states facilitate the costly cleanup of some of the most contaminated sites. There are 44 Texas sites currently on the National Priority List, which identifies sites with priority needs and places them in the federal Superfund program. The federal Superfund process begins with site discovery or notification to the EPA of possible releases of hazardous substances. Sites are discovered by various parties, including citizens, state agencies, and EPA regional offices.

The state Superfund Registry, established by the 69th Texas Legislature in 1985 and administered by the TCEQ, lists those abandoned or inactive sites that have serious contamination but do not qualify for the federal program, and therefore are cleaned up under the state program. The state must comply with federal guidelines in administering the state Superfund program, but EPA approval of state Superfund actions is not required.

Arrangement: By site name and a file code.

Access constraints: None

Use constraints: Microfilm/microfiche readers needed.

Indexes or finding aids required for/or an aid to access? Indexed through the Superfund state and federal file structure.

Problems: None

Known related records in other agencies: U.S. Environmental Protection Agency likely has some related records.

Publications based on records: None

Internet pages based on records:

<http://www.tceq.texas.gov/remediation/superfund/index.html>

Series data from agency schedule:

Title: Superfund Site Files

Series item number: None

Agency item number: 4408.01 (old 6406.01)

Archival code: R

Retention: PM

Title: Superfund Site Files –Investigation Photographs and Oversize Drawings

Series item number: None
Agency item number: 4408.02 (old 6406.02)
Archival code: R

Retention: AC+30

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

Records document investigation, enforcement and cleanup efforts at sites designated as Superfund sites. The Superfund Program identifies sites that endanger the public health, making sites remediated through this program as extremely important to document. The agency maintains these files permanently. The State Archives has determined that the files in series 4408.01 are archival. Change the archival review code of "R" to the archival code of "A," for both series. Add the following note to the Remarks Section of the schedule – "If the agency changes their retention to anything less than PM, transfer records to the State Archives as their retention is met."

Records Series Review

Series Title: Voluntary Cleanup Program Project Files

Agency: Texas Commission on Environmental Quality
Office of Waste, Remediation Division, Voluntary Cleanup Program

Contact: Diana Christiano, 512-239-5696

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 300 linear ft.

Agency holdings: 1,200 linear ft. of active sites files (includes oversized maps and photographs); older files are on 5,140 microfiche. Active site files can be located in the office of the currently assigned project manager's office. Closed sites are microfilmed with one copy maintained in Central File Room Building and the original film or microfiche stored at the State Records Center.

Description:

The Voluntary Cleanup Program (VCP) provides administrative, technical, and legal incentives to encourage the cleanup of contaminated sites in Texas. Records are environmental site assessments, affected property assessment reports, response action plans, response action completion reports, groundwater monitoring reports, monthly status reports, correspondence, VCP application, VCP agreement, updated submittal schedules, legal descriptions, affidavits, maps, photographs, Conditional Certificates and Final Certificates. Dates covered are 1995 to present. Files must be made available for public review for at least 30 years after the site has been cleaned.

Purpose:

Records document the cleanup efforts of contaminated sites under the purview of the Voluntary Cleanup Program.

Agency Program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Remediation Division oversees the investigation and cleanup of pollutants released into the environment, both hazardous and nonhazardous, by responsible parties, state contractors, and the state itself. The division also seeks restoration of damaged natural resources resulting from such releases. Division programs include Brownfields Site Assessment Program, Dry Cleaner Remediation Program, Industrial Hazardous Waste Corrective Action, Innocent Owner/Operator Program, Municipal Designation Settings, National Resource Trustee Program, Petroleum Storage Tank Program, Superfund, Texas Risk Reduction Program, and the Voluntary Cleanup Program.

The Voluntary Cleanup Program provides administrative, technical, and legal incentives to encourage the cleanup of contaminated sites in Texas. Since all non-responsible parties, including future lenders and landowners, receive protection from liability to the state of Texas for cleanup of sites under the VCP, most of the constraints for completing real estate transactions at those sites are eliminated. As a result, many unused or under-used properties may be restored to economically productive or community beneficial use. Also under the VCP, site cleanups follow a streamlined approach to reduce future human and environmental risk to safe levels.

Arrangement: Numerical by program identification number. Active sites and closed site files are maintained separately.

Access constraints: None

Use constraints: Microfilm/microfiche readers needed.

Indexes or finding aids required for/or an aid to access? The VCP database is available at the agency's Internet site containing all pertinent information for all sites that have applied to the program - <http://www.tceq.texas.gov/remediation/vcp/vcp.html>

Problems: None

Known related records in other agencies: None known

Publications based on records: None known

Internet pages based on records: This website provides program information relating to the VCP Program. Guidance documents, forms and sample certificates, and the updated VCP database are available at the following website address - <http://www.tceq.texas.gov/remediation/vcp/vcp.html>.

Series data from agency schedule:

Title: Voluntary Pollution Cleanup Project Files

Series item number: None

Agency item number: 4409.01 (old 6408.01)

Archival code: R

Retention: PM

Title: Voluntary Pollution Cleanup Project Files, Support Documents - Oversize

Series item number: None

Agency item number: 4409.02 (old 6408.02)

Archival code: R

Retention: AC + 30

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

Records document the remediation of contaminated sites through the Voluntary Cleanup Program. Documenting the remediation of contaminated sites is critical. The agency maintains the records in series 4409.01 as permanent; we have also determined these records to be archival. Change the archival review code of “R” to the archival code of “A,” for both series. Add the following note to the Remarks Section of the schedule – “If the agency changes their retention to anything less than PM, transfer records to the State Archives as their retention is met.”

Records Series Review

Series Title: Brownfields Site Assessment

Agency: Texas Commission on Environmental Quality
Office of Waste, Remediation Division, Brownsfields Site Assessment Program

Contact: Diana Christiano, 512-239-5696

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 4 linear ft.

Agency holdings: 35 linear ft. of active sites files (includes oversized maps and photographs); older files are on 1 reel microfilm. Active site files are in the office of the current project manager. Closed sites are filmed; one copy kept in Central File Room and the original film or fiche kept at the State Records Center.

Description:

The Brownfields Site Assessment Program works with local, state, and federal agencies, along with stakeholders, to cleanup and revitalize former industrial properties that are dormant or underused due to a real or perceived threat of contamination, known as “brownfields.” Records are applications, environmental site assessments, correspondence, legal descriptions, affidavits, oversize materials, and VCP Certificate of Completion. Dates covered are 1997-present. Files must be made available for public review for at least 30 years after the site has been cleaned. Oversize materials are housed in series 4409.04 but are described as part of this series review.

Purpose:

The series documents the site assessment and cleanup efforts of contaminated sites under the purview of the Brownfields Site Assessment Program.

Agency Program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Remediation Division oversees the investigation and cleanup of pollutants released into the environment, both hazardous and nonhazardous, by responsible parties, state contractors, and the state itself. The division also seeks restoration of damaged natural resources resulting from such releases. Division programs include Brownfields Site Assessment Program, Dry Cleaner Remediation Program, Industrial Hazardous Waste Corrective Action, Innocent Owner/Operator Program, Municipal Designation Settings, National Resource Trustee Program, Petroleum Storage Tank Program, Superfund, Texas Risk Reduction Program, and the Voluntary Cleanup Program.

The Brownfields Site Assessment Program works with local, state, and federal agencies, along with stakeholders, to cleanup and revitalize former industrial properties that are dormant or underused due to a real or perceived threat of contamination, known as “brownfields,” through the development of regulatory, tax, and technical assistance tools. In addition to the specific programs mentioned here, the TCEQ is available at no cost to local governments and will provide technical advice, education, and project partnering for brownfields redevelopment projects.

Arrangement: Numerical by program identification number. Active sites and closed site files are maintained separately.

Access constraints: None

Use constraints: Microfilm/microfiche readers needed.

Indexes or finding aids required for/or an aid to access? The BSA database is available at the agency’s Internet site containing all pertinent information for all sites that have applied to the program - <http://www.tceq.texas.gov/remediation/bsa/bsa.html>

Problems: None

Known related records in other agencies: None known

Publications based on records: None known

Internet pages based on records: This website provides program information relating to the Innocent Owner/Operator (IOP) Program. Guidance documents, forms and sample certificates, and the updated IOP database are available at the following website address – <http://www.tceq.texas.gov/remediation/bsa/bsa.html>

Series data from agency schedule:

Title: Brownfields Site Assessment

Series item number: 1.1.067

Agency item number: 4409.03 (old 6408.03)

Archival code: R

Retention: PM

Title: Brownfields Site Assessment, Support Documents – Oversize Documents

Series item number: 1.1.067

Agency item number: 4409.04 (old 6408.04)

Archival code: R

Retention: PM

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

Records document site assessment and cleanup efforts of contaminated industrial properties through the Brownfields Site Assessment Program. Documenting the remediation of and later reuse of such sites is critical. The agency maintains the records in series 4409.03 as permanent; we have also determined these records to be archival. Change the archival review code of “R” to the archival code of “A,” for both series. Add the following note to the Remarks Section of the schedule – “If the agency changes their retention to anything less than PM, transfer records to the State Archives as their retention is met.”

Records Series Review

Series Title: Innocent Owner/Operator Program

Agency: Texas Commission on Environmental Quality
Office of Waste, Remediation Division, Innocent Owner/Operator Program

Contact: Diana Christiano, 512-239-5696

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 70 linear ft.

Agency holdings: 100 linear ft. of active sites files (includes oversized maps and photographs); older files are on 3 reels of microfilm and 309 microfiche. Active site files can be located in the office of the currently assigned project manager's office. Closed sites are microfilmed with one copy maintained in Central File Room Building and the original film or microfiche stored at Texas State Records Center.

Description:

The Innocent Owner/Operator Program (IOP) provides a certificate to an innocent owner or operator if their property is contaminated as a result of a release or migration of contaminants from a source or sources not located on the property, and they did not cause or contribute to the source or sources of contamination. Records include the IOP application, Phase I assessment, analytical data to prove contamination, correspondence, legal descriptions, affidavits, and Innocent Owner/Operator Certificates. Dates covered are 1997-present. Files must be made available for public review for at least 30 years after the site has been cleaned.

Purpose:

Records document the operation of the Innocent Owner/Operator Program.

Agency Program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Remediation Division oversees the investigation and cleanup of pollutants released into the environment, both hazardous and nonhazardous, by responsible parties, state contractors, and the state itself. The division also seeks restoration of damaged natural resources resulting from such releases. Division programs include Brownfields Site Assessment Program, Dry Cleaner Remediation Program, Industrial Hazardous Waste Corrective Action, Innocent Owner/Operator Program, Municipal Designation Settings, National Resource Trustee Program, Petroleum Storage Tank Program, Superfund, Texas Risk Reduction Program, and the Voluntary Cleanup Program.

The Innocent Operator Program provides a certificate to an innocent owner or operator if their property is contaminated as a result of a release or migration of contaminants from a source or sources not located on the property, and they did not cause or contribute to the source or sources of contamination. Like the Texas Voluntary Cleanup Program (VCP), the IOP can be used as a redevelopment tool or as a tool to add value to a contaminated property by providing an Innocent Owner/Operator Certificate (IOC). However, unlike the VCP release of liability, IOCs are not transferable to future owners/operators. Future innocent owners or operators are eligible to enter the IOP and may receive an IOC only after they become an owner or operator of the site.

Arrangement: Numerical by program identification number. Active sites and closed site files are maintained separately.

Access constraints: None

Use constraints: Microfilm/microfiche readers needed.

Indexes or finding aids required for/or an aid to access? The IOP database is available at the agency's Internet site containing all pertinent information for all sites that have applied to the program. <http://www.tceq.texas.gov/remediation/iop/iop.html>

Problems: None

Known related records in other agencies: None known

Publications based on records: None known

Internet pages based on records: This website provides program information relating to the IOP Program. Guidance documents, forms and sample certificates, and the updated IOP database are available at the following website address – <http://www.tceq.texas.gov/remediation/iop/iop.html>.

Series data from agency schedule:

Title: Innocent Owner/Operator Program Files

Series item number: 1.1.067

Agency item number: 4409.05 (old 6408.05)

Archival code: R

Retention: PM

Title: Innocent Owner/Operator Program Files, Support Documents – Oversize

Series item number: 1.1.067

Agency item number: 4409.06 (old 6408.06)

Archival code: R

Retention: AC + 30

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

Records document the operation of the Innocent Owner/Operator Program. While an important program as it records the release of contaminants into properties, it does not contain all the remediation records. The agency has a permanent retention on the records and 30 years for the oversized materials, which is sufficient. These are not archival series. Remove the archival review code of "R" in each series and replace them with the archival exemption code of "E."

Records Series Review

Series Title: Municipal Setting Designations

Agency: Texas Commission on Environmental Quality
Office of Waste, Remediation Division, Municipal Setting Designations Program

Contact: Diana Christiano, 512-239-5696

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 20 linear ft.

Agency holdings: 43 linear ft. of active sites files (oversized maps and photographs are included).

Description:

Municipal Setting Designations (MSDs) are given to properties in cities certifying the ground water at the site is not potable due to contamination. Records are applications, environmental site investigations, correspondence, memos, well water reports, receipts of proof of notices, maps, and MSD Certificates. Dates covered are 2004-present.

Purpose:

Records document properties in cities receiving Municipal Setting Designation Certificates.

Agency program:

The Office of Waste implements federal and state laws related to the regulation of aboveground and underground petroleum storage tanks (PSTs); generation, treatment, storage, and disposal of municipal, industrial, low-level radioactive, and hazardous wastes; and the recovery and processing of uranium and disposal of byproduct. It also oversees state cleanup of contaminated sites. Four divisions report to this office: Permitting and Registration Support, Waste Permits, Remediation, and Radioactive Materials.

The Remediation Division oversees the investigation and cleanup of pollutants released into the environment, both hazardous and nonhazardous, by responsible parties, state contractors, and the state itself. The division also seeks restoration of damaged natural resources resulting from such releases. Division programs include Brownfields Site Assessment Program, Dry Cleaner Remediation Program, Industrial Hazardous Waste Corrective Action, Innocent Owner/Operator Program, Municipal Designation Settings, National Resource Trustee Program, Petroleum Storage Tank Program, Superfund, Texas Risk Reduction Program, and the Voluntary Cleanup Program.

A Municipal Setting Designation (MSD) is an official state designation given to property within a municipality or its extraterritorial jurisdiction that certifies that designated groundwater at the property is not used as potable water, and is prohibited from future use as potable water because that groundwater is contaminated in excess of the applicable potable-water protective concentration level. The prohibition must be in the form of a city ordinance, or a restrictive covenant that is enforceable by the city and filed in the property records.

Arrangement: Numerical by Program ID number, located in the office of the assigned MSD coordinator for active sites.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? The MSD website is available at the agency's Internet site containing all pertinent information for all sites that have applied to the program. <http://www.tceq.texas.gov/remediation/msd.html>

Problems: None

Known related records in other agencies: None known

Previous destructions: None

Publications based on records: None known

Internet pages based on records: This website provides program information relating to the IOP Program. Guidance documents, forms and sample certificates, and the updated IOP database are available at the following website address - <http://www.tceq.texas.gov/remediation/msd.html>

Series data from agency schedule:

Title: Municipal Setting Designations Files

Series item number: None

Agency item number: 4409.10

Archival code: R

Retention: AC+30

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

Records document the properties in cities that do not have potable ground water due to contamination. Noting the existence of non-potable ground water and contamination is critical and these records should be maintained permanently. The records are archival. Change the archival review code of "R" to the archival code of "A."

Records Series Review

Series Title: Executive Review/National Comments

Agency: Texas Commission on Environmental Quality
Office of Legal Services, Environmental Law Division

Contact: Rana Syed

Obsolete record series? No

Ongoing record series?
Annual accumulation: N/A

Agency holdings: Electronic

Description:

This record series pertains to the agency responses to request for comments on National Policy positions, requests received from EPA, Congress, State and Territorial Air Pollution Program Administrators (STAPPA), National Economic Council (NEC), and other federal agencies and national organizations. The Environmental Law Division supplies comments on environmental issues. Dates are not provided.

Purpose:

The purpose of this record series is to provide legal reasons and advice on behalf of the Texas Commission on Environmental Quality on environmental issues.

Agency program:

The Office of Legal Services manages legal services for the agency in environmental law, enforcement litigation, bankruptcy, and general agency operations. The office's mission is to give legal counsel and support to the executive director, the program areas, and—along with the Office of General Counsel and the Office of Public Interest Counsel—the commissioners. The office ensures that commission decisions follow the law and that rules developed by the agency comply with statutory authority and are applied consistently.

The Environmental Law Division primarily supports the offices of Waste, Air, Water, and the Chief Engineer. This division provides legal counsel to the agency in all areas of permitting and rulemaking, and represents the executive director in contested permitting matters in accordance with state law and agency rules regarding participation in hearings. The division's functions also include legal support related to federal program delegation, interpretation of environmental statutes and rules, and support for the Office of the Attorney General in state and federal court litigation.

Arrangement: Unknown

Access constraints: Confidential materials – Attorney Work Product, Texas Code of Civil Procedure, Section 192.5 and Texas Public Information Act, Texas Government Code, Chapter 552.

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None known

Publications based on records: None known

Internet pages based on records: None known

Series data from agency schedule:

Title: Executive Review/National Comments

Series item number: 1.1.067

Agency item number: 0110.45

Archival code: R

Retention: 3

Archival holdings of the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

Series documents comments and advice given on environmental issues by the Environmental Law Division to federal agencies and national organizations. Such comments will be incorporated, if used, into federal records. This series is not archival. Remove the archival review code of "R" and replace it with the archival exemption code of "E."

Records Series Review

Series Title: Resource Conservation & Recovery Act (RCRA)

Agency: Texas Commission on Environmental Quality
Office of Legal Services, Environmental Law Division

Contact: Rana Syed

Obsolete record series? No

Ongoing record series?

Annual accumulation: About 2 linear ft.

Agency holdings: About 58 linear ft. in paper; unknown number of microfiche and electronic files.

Description:

Records are permit applications, RCRA exemption requests, technical review correspondence; remediation of contaminated site assessments and groundwater reports; Environmental Protection Agency RCRA grant status reports; RCRA inspection reports; enforcement orders for RCRA violations; recycling-related and waste minimization program guidance and activities; and rulemaking documents. Dates not provided.

Purpose:

As part of its obligations under federal delegation of the RCRA Program, the TCEQ Central Office and Regional Offices accumulate records which document the number of inspections and technical reviews conducted for EPA grant funds. TCEQ also accumulates documents as part of the rulemaking process to maintain state equivalency with federal RCRA requirements. TCEQ generates records related to enforcement actions and orders as part of the State's obligation to address violations of RCRA.

Agency program:

The Office of Legal Services manages legal services for the agency in environmental law, enforcement litigation, bankruptcy, and general agency operations. The office's mission is to give legal counsel and support to the executive director, the program areas, and—along with the Office of General Counsel and the Office of Public Interest Counsel—the commissioners. The office ensures that commission decisions follow the law and that rules developed by the agency comply with statutory authority and are applied consistently.

The Environmental Law Division primarily supports the offices of Waste, Air, Water, and the Chief Engineer. This division provides legal counsel to the agency in all areas of permitting and rulemaking, and represents the executive director in contested permitting matters in accordance with state law and agency rules regarding participation in hearings. The division's functions also include legal support related to federal program delegation, interpretation of environmental statutes and rules, and support for the Office of the Attorney General in state and federal court litigation.

The Resource Conservation and Recovery Act (RCRA) addresses the processing, storage, and disposal of solid wastes (including hazardous wastes), as well as recycling and waste reduction activities.

Arrangement: Central File Room maintains most documents by permit number or by enforcement order number. Rulemaking documents are organized by RCRA Cluster (I through XVIII). The Chief Clerk maintains files by Commission docket number and by permit number if any.

Access constraints: None known

Use constraints: Agency staff members maintain RCRA records primarily in paper form and on electronic databases. Central File Room keeps historic documents on microfiche. RCRA applications, guidance documents, and enforcement actions are posted on the T-net. ELD maintains RCRA hearing documents in specially labeled boxes in space provided to staff attorneys.

Indexes or finding aids required for/or an aid to access? One may access most documents by electronic search for a case name or permit number.

Problems: None

Known related records in other agencies: The OAG and EPA-Region 6 Offices keep duplicate records of RCRA matters by permit number or court docket number.

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: Resource Conservation and Recovery Act

Series item number: 1.1.011

Agency item number: 0110.46

Archival code: A

Retention: AC+25

Archival holdings of the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

This series documents actions taken by TCEQ as part of its federal obligations under the Resource Conservation and Recovery Act. The data documented covers work at contaminated sites, enforcement actions, waste recycling efforts, and rulemaking. The scope of this program is very important to the environment and needs to maintain its archival code of A. If summary reports of actions taken through this program are available, copies of those can be sent to the Archives. If not, transfer the records when their retention has been met.

Records Series Review

Series Title: Legal Opinions and Advice

Agency: Texas Commission on Environmental Quality
Office of Legal Services, Environmental Law Division

Contact: Rana Syed

Obsolete record series? No

Ongoing record series? Yes

Annual accumulation: Approximately 90 linear ft. (averages about 2 linear ft. for each of the 45 attorneys)

Agency holdings: Not provided. In addition to paper files, some data is available in a database.

Description:

Records are attorney opinions and attorney client advice to the agency in cases involving environmental law or environmental issues. Dates not provided.

Purpose:

Records document legal opinions and advice provided to the agency in cases involving environmental law or environmental issues.

Agency program:

The Office of Legal Services manages legal services for the agency in environmental law, enforcement litigation, bankruptcy, and general agency operations. The office's mission is to give legal counsel and support to the executive director, the program areas, and—along with the Office of General Counsel and the Office of Public Interest Counsel—the commissioners. The office ensures that commission decisions follow the law and that rules developed by the agency comply with statutory authority and are applied consistently.

The Environmental Law Division primarily supports the offices of Waste, Air, Water, and the Chief Engineer. This division provides legal counsel to the agency in all areas of permitting and rulemaking, and represents the executive director in contested permitting matters in accordance with state law and agency rules regarding participation in hearings. The division's functions also include legal support related to federal program delegation, interpretation of environmental statutes and rules, and support for the Office of the Attorney General in state and federal court litigation.

Arrangement: Mostly chronological.

Access constraints: None known

Use constraints: Some data is only available electronically.

Indexes or finding aids required for/or an aid to access? CCEDS and Legal Files databases within the division.

Problems: None

Known related records in other agencies: Texas Attorney General's Office and U.S. Environmental Protection Agency may have copies of some legal opinions. It is unknown how much duplication of the legal opinion might be present with the EPA and OAG.

Publications based on records: Rules changes are posted in the *Texas Register*.

Internet pages based on records: None

Series data from agency schedule:

Title: Legal Opinion and Advice

Series item number: 1.1.014

Agency item number: 4910.02 (old 5700.03)

Archival code: R

Retention: AV

Gaps: None known

Archival holdings of the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

This series documents advice given to agency staff on environmental law or environmental issues. Some advice could be filed as part of litigation case files, other data may wind up in the correspondence files of the Executive Office or the Commissioners. More data is needed and possibly an onsite review of these materials need to be conducted before an appraisal decision can be made. For now, maintain the archival code "R."

Records Series Review

Series Title: Administrative Hearing Files

Agency: Texas Commission on Environmental Quality
Office of Legal Services, Environmental Law Division

Contact: Rana Syed

Obsolete record series? No

Ongoing record series?

Annual accumulation: Approximately 90 linear ft. (averages about 2 linear ft. for each of the 45 attorneys)

Agency holdings: Not provided. In addition to paper files, some data is available in a database and in PDF files.

Description:

Records are hearing files from cases heard before the State Office of Administrative Hearings (SOAH). Dates were not provided.

Purpose:

After SOAH hearing files are sent to the TCEQ Chief Clerks Office for approval, they are then filed with SOAH and relevant parties. According to the SOAH retention schedule, case materials are sent back to TCEQ after the SOAH hearing has been resolved. If there are legal appeals to the district court, then an index of cases is sent to the Attorney General and is used to assemble an administrative hearing record, SOAH file, and program information.

Agency program:

The Office of Legal Services manages legal services for the agency in environmental law, enforcement litigation, bankruptcy, and general agency operations. The office's mission is to give legal counsel and support to the executive director, the program areas, and—along with the Office of General Counsel and the Office of Public Interest Counsel—the commissioners. The office ensures that commission decisions follow the law and that rules developed by the agency comply with statutory authority and are applied consistently.

The Environmental Law Division primarily supports the offices of Waste, Air, Water, and the Chief Engineer. This division provides legal counsel to the agency in all areas of permitting and rulemaking, and represents the executive director in contested permitting matters in accordance with state law and agency rules regarding participation in hearings. The division's functions also include legal support related to federal program delegation, interpretation of environmental statutes and rules, and support for the Office of the Attorney General in state and federal court litigation.

Arrangement: Mostly chronological.

Access constraints: None known

Use constraints: Can be found in TCEQ Central File Room, CCEDS and Legal Files databases, and PDF version of document.

Indexes or finding aids required for/or an aid to access? CCEDS and Legal Files databases within the division.

Problems: None

Known related records in other agencies: Attorney General's Office and Environmental Protection Agency may have copies or additional records of administrative hearing files.

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: Administrative Hearing Files

Series item number: 1.1.014

Agency item number: 4910.03 (old 5700.04)

Archival code: R

Retention: AC+3

Gaps: None known

Archival holdings of the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

This series documents administrative hearings concerning environmental cases held before the State Office of Administrative Hearings (SOAH). Decisions made on the case would be reflected in the orders, and in most cases, the permit files of the entity involved. Orders are an archival record; permit files are either archival or have extremely long retention periods. The orders provide a summary of the hearing and are sufficient documentation. This series is not archival. Remove the archival review code of "R" and replace it with the archival exemption code of "E."

Records Series Review

Series Title: Index of Cases Referred to Attorney General

Agency: Texas Commission on Environmental Quality
Office of Legal Services, Environmental Law Division

Contact: Rana Syed

Obsolete record series? No

Ongoing record series? Yes

Annual accumulation: approximately 90 linear ft. (averages about 2 linear ft. for each of the 45 attorneys)

Agency holdings: not known

Description:

Records are an index of State Office of Administrative Hearing (SOAH) cases appealed to district court that are referred to the Attorney General's Office.

Purpose:

Records document SOAH cases referred to the Attorney General' Office.

Agency program:

The Office of Legal Services manages legal services for the agency in environmental law, enforcement litigation, bankruptcy, and general agency operations. The office's mission is to give legal counsel and support to the executive director, the program areas, and—along with the Office of General Counsel and the Office of Public Interest Counsel—the commissioners. The office ensures that commission decisions follow the law and that rules developed by the agency comply with statutory authority and are applied consistently.

The Environmental Law Division primarily supports the offices of Waste, Air, Water, and the Chief Engineer. This division provides legal counsel to the agency in all areas of permitting and rulemaking, and represents the executive director in contested permitting matters in accordance with state law and agency rules regarding participation in hearings. The division's functions also include legal support related to federal program delegation, interpretation of environmental statutes and rules, and support for the Office of the Attorney General in state and federal court litigation.

Arrangement: Mostly chronological.

Access constraints: None known

Use constraints: Access through the internal Legal Files database

Indexes or finding aids required for/or an aid to access? CCEDS and Legal Files databases within the division.

Problems: None

Known related records in other agencies: The Attorney General's Office and the State Office of Administrative Hearings will have data on these cases.

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: AG Referral Cases

Series item number: 1.1.048

Agency item number: 4910.04 (old 5700.05)

Archival code: R

Retention: AC+1

Gaps: None known

Archival holdings of the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

This series documents State Office of Administrative Hearing (SOAH) cases sent to the Attorney General's Office. The AG's Office will have the record copy of any cases tried so the index of cases in this series is not archival. Remove the archival review code of "R" and replace it with the archival exemption code of "E."

Records Series Review

Series Title: Rule Package and Permit Files

Agency: Texas Commission on Environmental Quality
Office of Legal Services, Environmental Law Division

Contact: Rana Syed

Obsolete record series? No

Ongoing record series? Yes

Annual accumulation: Approximately 90 linear ft. (averages about 2 linear ft. for each of the 45 attorneys)

Agency holdings: Not known

Description:

Records are rule proposals, adoptions, and public hearing notices involving environmental issues. Dates not provided.

Purpose:

Records document staff's rule projects in representation of the commission's rules related to air, land and water.

Agency program:

The Office of Legal Services manages legal services for the agency in environmental law, enforcement litigation, bankruptcy, and general agency operations. The office's mission is to give legal counsel and support to the executive director, the program areas, and—along with the Office of General Counsel and the Office of Public Interest Counsel—the commissioners. The office ensures that commission decisions follow the law and that rules developed by the agency comply with statutory authority and are applied consistently.

The Environmental Law Division primarily supports the offices of Waste, Air, Water, and the Chief Engineer. This division provides legal counsel to the agency in all areas of permitting and rulemaking, and represents the executive director in contested permitting matters in accordance with state law and agency rules regarding participation in hearings. The division's functions also include legal support related to federal program delegation, interpretation of environmental statutes and rules, and support for the Office of the Attorney General in state and federal court litigation.

Arrangement: Mostly chronological.

Access constraints: None known

Use constraints: Some available only in Legal Files database.

Indexes or finding aids required for/or an aid to access? CCEDS and Legal Files databases within the division.

Problems: None

Known related records in other agencies: Attorney General's Office and Environmental Protection Agency may have records of Rule Package and Permit Files. It is unknown how much duplication of this record series might be present with the EPA and OAG.

Publications based on records: All publication for the Environmental Law Division goes thru *Texas Register* in General Law Division. Please refer to *Texas Register*.

Internet pages based on records: Chief Clerk's Office and TCEQ Web page for external and internal

Series data from agency schedule:

Title: Rule Package and Permit Files

Series item number: 1.1.071

Agency item number: 4910.05 (old 5700.09)

Archival code: R

Retention: AC + 3

Archival holdings of the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: The Collection has a complete run of the *Texas Register*.

Gaps: None known

Appraisal decision:

Tracking rules of the agency over the years is necessary – to see what has been allowed and what has changed over the years. The rules, both proposed and adopted, are published in an archival publication held at the Texas Secretary of State's Office and in the Texas State Publications Depository Program, the *Texas Register*. Publication of the rules is sufficient archival documentation, the database used by the agency to track rule development is not archival. Remove the archival review code of "R" and replace it with the archival exemption code of "E."

Records Series Review

Series Title: Executive Review/National Comments

Agency: Texas Commission on Environmental Quality
Office of Legal Services, Litigation Division

Contact: Litigation Records Liaison

Obsolete record series? No

Ongoing record series?

Annual accumulation: One letter-size file folder

Agency holdings: Data is kept in a couple of databases in the division.

Description:

This record series pertains to the agency responses to request for comments on National Policy positions, requests received from EPA, Congress, State and Territorial Air Pollution Program Administrators (STAPPA), National Economic Council (NEC), and other federal agencies and national organizations. Dates not provided.

Purpose:

The purpose of this record series is to provide legal reasons and advice on behalf of the Texas Commission on Environmental Quality.

Agency program:

The Office of Legal Services manages legal services for the agency in environmental law, enforcement litigation, bankruptcy, and general agency operations. The office's mission is to give legal counsel and support to the executive director, the program areas, and—along with the Office of General Counsel and the Office of Public Interest Counsel—the commissioners. The office ensures that commission decisions follow the law and that rules developed by the agency comply with statutory authority and are applied consistently.

The Litigation Division provides legal representation and support to the Enforcement, Field Operations and Remediation divisions of the Office of Compliance and Enforcement. The division negotiates agreed enforcement orders, litigates enforcement actions, advises the agency concerning cleanup standards and recovery of cleanup costs, and coordinates the programs for Supplemental Environmental Projects and Environmental Audits. Through the Environmental Crimes Section, it investigates and gathers evidence on environmental crimes for prosecution in state and federal courts.

Arrangement: Alphabetical by project name.

Access constraints: Confidential materials – Attorney Work Product, Texas Rules of Civil Procedure, Section 192.5 and Texas Public Information Act, Texas Government Code, Chapter 552

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None known

Publications based on records: None known

Internet pages based on records: None

Series data from agency schedule:

Title: Executive Review/National Comments

Series item number: 1.1.067

Agency item number: 0110.45

Archival code: R

Retention: 3

Archival holdings of the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

Series documents comments and advice given on environmental issues by the Litigation Division to federal agencies and national organizations. Such comments will be incorporated, if used, into federal records. This series is not archival. Remove the archival review code of "R" and replace it with the archival exemption code of "E."

Records Series Review

Series Title: Resource Conservation and Recovery Act

Agency: Texas Commission on Environmental Quality
Office of Legal Services, Litigation Division

Contact: Cheli Castro

Obsolete record series? No

Ongoing record series?

Annual accumulation: 2-3 cubic ft.

Agency holdings: These records are held throughout the Litigation Division in attorney work cubes as they process the cases. Records are available in paper with some data in databases.

Description:

This record series pertains to cases that have been referred to the Litigation Division when a violation of the Resource Conservation and Recovery Act has occurred. This series of records may have a relationship with *Discovery for Hearings*, series 4810.02; *Cases Referred to the Attorney General*, series 4810.03; and *Supplemental Environmental Project Files*, series 5810.05. Dates were not provided.

Purpose:

The purpose of this record series is to provide documentation supporting the attorney cases as they process the case.

Agency program:

The Office of Legal Services manages legal services for the agency in environmental law, enforcement litigation, bankruptcy, and general agency operations. The office's mission is to give legal counsel and support to the executive director, the program areas, and—along with the Office of General Counsel and the Office of Public Interest Counsel—the commissioners. The office ensures that commission decisions follow the law and that rules developed by the agency comply with statutory authority and are applied consistently.

The Litigation Division provides legal representation and support to the Enforcement, Field Operations and Remediation divisions of the Office of Compliance and Enforcement. The division negotiates agreed enforcement orders, litigates enforcement actions, advises the agency concerning cleanup standards and recovery of cleanup costs, and coordinates the programs for Supplemental Environmental Projects and Environmental Audits. Through the Environmental Crimes Section, it investigates and gathers evidence on environmental crimes for prosecution in state and federal courts.

Arrangement: Alphabetical by case name.

Access constraints: Confidential materials – Attorney Work Product, Texas Rules of Civil Procedure, Section 192.5 and Texas Public Information Act, Texas Government Code Chapter 552.

Use constraints: None

Indexes or finding aids required for/or an aid to access? CCEDS and Legal Files databases within the division.

Problems: None

Known related records in other agencies: None known

Publications based on records: None known

Internet pages based on records: None

Series data from agency schedule:

Title: Resource Conservation & Recovery Act

Series item number: 1.1.011

Agency item number: 0110.46

Archival code: A

Retention: AC + 25

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

This series documents actions taken by TCEQ as part of its federal obligations under the Resource Conservation and Recovery Act. The data documented may cover work at contaminated sites, enforcement actions, waste recycling efforts, and rulemaking. The scope of this program is very important to the environment and needs to maintain its archival code of “A.”

Records Series Review

Series Title: Cases Referred to Attorney General

Agency: Texas Commission on Environmental Quality
Office of Legal Services, Litigation Division

Contact: Cheli Castro

Obsolete record series? No

Ongoing record series?

Annual accumulation: 1-2 cubic ft.

Agency holdings: These records are held throughout the Litigation Division in attorney work cubes as they process the cases. Records are available in paper with some data in databases.

Description:

Records consist of documentation supporting enforcement cases and issues that must be resolved through the judicial system via referred to the Office of the Attorney General. Records include certified copies of pleadings, correspondence, reports, notes, memos, raw data, maps, and photos. These materials may be available as more than paper, for instance, microfilm or electronic. This series of records may have a relationship with *Discovery for Hearings*, series 4810.02; and *Supplemental Environmental Project (SEP) Files*, series 5810.05. Dates not provided.

Purpose:

The purpose of these records is to provide for the legal resolution of matters impacting the Texas Commission on Environmental Quality that may include injunctive relief when the agency is a Necessary and Indispensable Party under Chapter 7 of the Texas Water Code, or when the administrative process has ceased to work.

Agency program:

The Office of Legal Services manages legal services for the agency in environmental law, enforcement litigation, bankruptcy, and general agency operations. The office's mission is to give legal counsel and support to the executive director, the program areas, and—along with the Office of General Counsel and the Office of Public Interest Counsel—the commissioners. The office ensures that commission decisions follow the law and that rules developed by the agency comply with statutory authority and are applied consistently.

The Litigation Division provides legal representation and support to the Enforcement, Field Operations and Remediation divisions of the Office of Compliance and Enforcement. The division negotiates agreed enforcement orders, litigates enforcement actions, advises the agency concerning cleanup standards and recovery of cleanup costs, and coordinates the programs for Supplemental Environmental Projects and Environmental Audits. Through the Environmental Crimes Section, it investigates and gathers evidence on environmental crimes for prosecution in state and federal courts.

Arrangement: Numerical, by TCEQ Docket Number.

Access constraints: Confidential materials – Attorney Work Product, Texas Code of Civil Procedure, Section 192.5 and Texas Public Information Act, Texas Government Code, Chapter 552.

Use constraints: Microfilm/microfiche readers needed.

Indexes or finding aids required for/or an aid to access? Legal Files and CCEDS databases within the division.

Problems: None

Known related records in other agencies: None known

Publications based on records: None known

Internet pages based on records: None

Series data from agency schedule:

Title: Cases referred to Attorney General

Series item number: 1.1.048

Agency item number: 4810.03 (old 5800.07)

Archival code: R

Retention: AC + 3

Archival holdings of the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

This series documents enforcement cases that must be resolved through the legal system by the Attorney General's Office. The AG's Office will have the record copy of any cases tried, so the cases in this series are not archival. Remove the archival review code of "R" and replace it with the archival exemption code of "E."

Records Series Review

Series Title: Discoveries for Hearings

Agency: Texas Commission on Environmental Quality
Office of Legal Services, Litigation Division

Contact: Cheli Castro

Obsolete record series? No

Ongoing record series?

Annual accumulation: 1-2 cubic ft.

Agency holdings: These records are held throughout the division in attorney work cubes as they process the cases.

Description:

Records document the pre-trial phase in a lawsuit in which each party can request documents and other evidence from other parties or can compel the production of evidence through other discovery devices, such as requests for production of documents and depositions. In other words, discovery includes (1) interrogatories; (2) motions or requests for production of documents; (3) requests for admissions; and (4) depositions. These records may include types of materials in the form of correspondence, reports, notes, memos, raw data, maps, and photos. These records may be found on paper, microfilm or electronic format. This record series may have relationships with *Supplemental Environmental Project (SEP) files*, series 5810.05; and *Cases Referred to Attorney General*, series 4810.03.

Purpose:

The purpose of discovery is to gather evidence to support the violations, penalties and corrective actions claimed in TCEQ petitions as the attorney prepares for trial.

Agency program:

The Office of Legal Services manages legal services for the agency in environmental law, enforcement litigation, bankruptcy, and general agency operations. The office's mission is to give legal counsel and support to the executive director, the program areas, and—along with the Office of General Counsel and the Office of Public Interest Counsel—the commissioners. The office ensures that commission decisions follow the law and that rules developed by the agency comply with statutory authority and are applied consistently.

The Litigation Division provides legal representation and support to the Enforcement, Field Operations and Remediation divisions of the Office of Compliance and Enforcement. The division negotiates agreed enforcement orders, litigates enforcement actions, advises the agency concerning cleanup standards and recovery of cleanup costs, and coordinates the programs for Supplemental Environmental Projects and Environmental Audits. Through the Environmental Crimes Section, it investigates and gathers evidence on environmental crimes for prosecution in state and federal courts.

Arrangement: Numerical by TCEQ Docket Number.

Access constraints: Confidential materials – Attorney Work Product, Texas Code of Civil Procedure, Section 192.5 and Texas Public Information Act, Texas Government Code Chapter 552.

Use constraints: Microfilm/microfiche readers needed.

Indexes or finding aids required for/or an aid to access? CCEDS and Legal Files databases within the division.

Problems: None

Known related records in other agencies: None known

Publications based on records: None known

Internet pages based on records: None

Series data from agency schedule:

Title: Discoveries for Hearings

Series item number: 1.1.048

Agency item number: 4810.02 (old 5800.04)

Archival code: R

Retention: AC + 10

Archival holdings of the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

The purpose of discovery is to gather evidence to support the violations, penalties and corrective actions claimed in TCEQ petitions as the attorney prepares for trial. If the case goes to trial, the discovery information becomes part of the case file. Significant cases will be considered to be archival and documented in other series, either at TCEQ or the Texas Attorney General's Office. This series is not archival. Remove the archival review code of "R" and replace it with the archival exemption code of "E."

Records Series Review

Series Title: Supplemental Environmental Project (SEP) Files

Agency: Texas Commission on Environmental Quality
Office of Legal Services, Litigation Division

Contact: Cheli Castro

Obsolete record series? No

Ongoing record series?

Annual accumulation: 4-6 cubic ft.

Agency holdings: About 40 cubic ft. (four 5-drawer file cabinets) within the division.

Description:

A Supplemental Environmental Project (SEP) is a project that prevents pollution, reduces the amount of pollution reaching the environment, enhances the quality of the environment, or contributes to public awareness of environmental matters. A respondent in an enforcement action may negotiate an agreement to perform an SEP in return for an offset of the administrative penalty. If the director of the TCEQ's Litigation Division approves the inclusion of a particular SEP in an agreed order, it will be presented to the commission for consideration and final approval. Records include correspondence, reports, bank statements, invoices, notes, memos, raw data, maps and photos. This record series may have a relationship to other series which may include *Discovery for Hearings*, series 4810.02; and *Cases Referred to Attorney General*, series 4810.03.

Purpose:

Records document different avenues given respondents for paying administrative penalties by offsetting part of the penalty with a SEP. A Supplemental Environmental Project, or SEP, allows entities to fully comply with the enforcement process while voluntarily taking a positive step toward enhanced protection and improvement of the Texas environment. If a SEP is approved, an alleged violator, or respondent, may offset a portion of an assessed monetary penalty by taking on an environmental-enhancement project or contributing to an existing environmental project in, or near, the community where the violation occurred. Under Texas law, the Texas Commission on Environmental Quality may consider entities willingness to contribute to a SEP in the settlement of enforcement actions. So, early in the enforcement process, the entities may discuss the possibility of investing in a project that improves the environment—a Supplemental Environmental Project. SEPs can include a wide range of actions that protect or improve the environment in or near the community where an environmental violation took place. The use of SEPs advances the goals of clean air, water, and soil throughout Texas and enhances the environment in communities affected by environmental violations. A Supplemental Environmental Project is a means for directing fines, fees, and penalties for environmental violations toward environmentally beneficial uses. Through a SEP, a respondent in an enforcement matter can choose to invest penalty dollars in improving the environment, rather than paying into the Texas General Revenue Fund.

Agency program:

The Office of Legal Services manages legal services for the agency in environmental law, enforcement litigation, bankruptcy, and general agency operations. The office's mission is to give legal counsel and support to the executive director, the program areas, and—along with the Office of General Counsel and the Office of Public Interest Counsel—the commissioners. The office ensures that commission decisions follow the law and that rules developed by the agency comply with statutory authority and are applied consistently.

The Litigation Division provides legal representation and support to the Enforcement, Field Operations and Remediation divisions of the Office of Compliance and Enforcement. The division negotiates agreed enforcement orders, litigates enforcement actions, advises the agency concerning cleanup standards and recovery of cleanup costs, and coordinates the programs for Supplemental Environmental Projects and Environmental Audits. Through the Environmental Crimes Section, it investigates and gathers evidence on environmental crimes for prosecution in state and federal courts.

SEPs are environmentally beneficial projects that a respondent agrees to undertake in settlement of an enforcement action but which the respondent is not otherwise legally required to perform, unless the project is a Compliance SEP performed by a local government. Dollars directed to TCEQ-approved environmental projects may be used to offset assessed penalties in enforcement actions. Through a SEP, a respondent in an enforcement matter can choose to invest penalty dollars in improving the environment, rather than paying into the Texas General Revenue Fund.

Arrangement: Numerical by TCEQ Docket Number.

Access constraints: Confidential materials – Attorney Work Product, Texas Code of Civil Procedure, Section 192.5 and Texas Public Information Act, Texas Government Code Chapter 552.

Use constraints: None

Indexes or finding aids required for/or an aid to access? CCEDS and Legal Files databases within the division.

Problems: None

Known related records in other agencies: None known

Publications based on records: None known

Internet pages based on records: None

Series data from agency schedule:

Title: Supplemental Environmental Project Files

Series item number: 1.1.067

Agency item number: 5810.05 (old 5800.09)

Archival code: R

Retention: AC + 5

Archival holdings of the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

The purpose of this record series is to provide the respondent a different avenue for paying the administrative penalty by offsetting part of the penalty with an SEP. Payment of administrative penalties is not archival. Replace the archival code “R” with the archival exemption code of “E.”

Records Series Review

Series Title: Legal Opinions and Advice – Litigation Support

Agency: Texas Commission on Environmental Quality
Office of Legal Services, Litigation Division

Contact: Cheli Castro

Obsolete record series? No

Ongoing record series?

Annual accumulation: One folder, approximately 2-3 inches thick.

Agency holdings: These records are held throughout the division in attorney work cubes as they process the cases.

Description:

Records are written legal opinions and advice on specific issues requested by the program areas through the agency and executive management, which consist of research, analysis and advice produced by the attorneys of the Office of Legal Services, including correspondence, notes, and memos. These documents are available in paper and may also be available electronically in the Legal Files database. Dates not provided.

Purpose:

Records document legal reasoning and advice given to program areas of the agency.

Agency program:

The Office of Legal Services manages legal services for the agency in environmental law, enforcement litigation, bankruptcy, and general agency operations. The office's mission is to give legal counsel and support to the executive director, the program areas, and—along with the Office of General Counsel and the Office of Public Interest Counsel—the commissioners. The office ensures that commission decisions follow the law and that rules developed by the agency comply with statutory authority and are applied consistently.

The Litigation Division provides legal representation and support to the Enforcement, Field Operations and Remediation divisions of the Office of Compliance and Enforcement. The division negotiates agreed enforcement orders, litigates enforcement actions, advises the agency concerning cleanup standards and recovery of cleanup costs, and coordinates the programs for Supplemental Environmental Projects and Environmental Audits. Through the Environmental Crimes Section, it investigates and gathers evidence on environmental crimes for prosecution in state and federal courts.

Arrangement: Numerical by TCEQ Docket Number.

Access constraints: Confidential materials – Attorney Work Product, Texas Code of Civil Procedure, Section 192.5; and Texas Public Information Act, Texas Government Code, Chapter 552.

Use constraints: None

Indexes or finding aids required for/or an aid to access? Legal Files database with the division.

Problems: None

Known related records in other agencies: None known

Publications based on records: None known

Internet pages based on records: None

Series data from agency schedule:

Title: Legal Opinions and Advice – Litigation Support

Series item number: 1.1.014

Agency item number: 4810.10 (old 5800.17)

Archival code: R

Retention: AV

Archival holdings of the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

This series documents written legal opinions and advice given to agency staff in various program areas and executive staff. Some advice could be filed as part of a litigation case file, other data may wind up in the correspondence files of the Executive Office or the Commissioners. More data is needed and possibly an onsite review of these materials needs to be conducted before an appraisal decision can be made. For now, maintain the archival code of “R.”

Records Series Review

Series Title: Legal Opinions and Advice – Personnel

Agency: Texas Commission on Environmental Quality
Office of Legal Services, General Law Division

Contact: Barbara Mayer

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: Not provided

Agency holdings: 6 cubic ft. of older records; current records are all electronic.

Description:

Records are centralized files of legal opinions and advice from staff attorneys regarding personnel matters. Files also contain ethics opinions, third party reimbursements, and agenda items. Dates covered are 2003-present.

Purpose:

Records document work of staff legal counsel in providing advice and opinions to the agency in regards to personnel issues.

Agency program:

The Office of Legal Services manages legal services for the agency in environmental law, enforcement litigation, bankruptcy, and general agency operations. The office's mission is to give legal counsel and support to the executive director, the program areas, and—along with the Office of General Counsel and the Office of Public Interest Counsel—the commissioners. The office ensures that commission decisions follow the law and that rules developed by the agency comply with statutory authority and are applied consistently.

The General Law Division serves as legal counsel to the agency on issues related to contracts, grants, procurement, employment law and public-service ethics; processing and distribution of information for the public; and records retention. The division director serves as the agency ethics adviser. The division also prepares the administrative records for appeals under the Administrative Procedures Act and supports the Office of Legal Services with administrative personnel (paralegals and legal secretaries).

Arrangement: Alphabetical by subject.

Access constraints: Attorney-client privilege, Texas Government Code, Chapter 552, Section 107; the litigation exception, Texas Government Code, Section 552.103.

Use constraints: Electronic data is available only in-house, via *Legal Files*, the division's file management system.

Indexes or finding aids required for/or an aid to access? Yes, there is an in-house index.

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: Legal Opinions and Advice - Personnel

Series item number: 1.1.014

Agency item number: 4960.01 (old 5900.03)

Archival code: R

Retention: AV

Archival holdings of the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

Legal opinions and advice regarding employee issues are not archival. Remove the archival review code of "R" and replace it with the archival exemption code of "E."

Records Series Review

Series Title: Legal Opinions and Advice – General Law

Agency: Texas Commission on Environmental Quality
Office of Legal Services, General Law Division

Contact: Barbara Mayer

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: Unknown

Agency holdings: 10 cubic ft. of older records; current records are all electronic.

Description:

Records are centralized files of legal opinions and advice from staff attorneys regarding contracts. Dates not provided.

Purpose:

Records document work of staff legal counsel in providing advice and opinions to the agency in regards to contract issues.

Agency program:

The Office of Legal Services manages legal services for the agency in environmental law, enforcement litigation, bankruptcy, and general agency operations. The office's mission is to give legal counsel and support to the executive director, the program areas, and—along with the Office of General Counsel and the Office of Public Interest Counsel—the commissioners. The office ensures that commission decisions follow the law and that rules developed by the agency comply with statutory authority and are applied consistently.

The General Law Division serves as legal counsel to the agency on issues related to contracts, grants, procurement, employment law and public-service ethics; processing and distribution of information for the public; and records retention. The division director serves as the agency ethics adviser. The division also prepares the administrative records for appeals under the Administrative Procedures Act and supports the Office of Legal Services with administrative personnel (paralegals and legal secretaries).

Arrangement: Alphabetical by subject.

Access constraints: Attorney-client privilege, Texas Government Code, Section 552.107; the litigation exception, Texas Government Code, Section 552.103.

Use constraints: Electronic data is available only in-house, via *Legal Files*, the division's file management system.

Indexes or finding aids required for/or an aid to access? Yes, there is an in-house index.

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: Legal Opinions and Advice – General Law

Series item number: 1.1.014

Agency item number: 4960.06 (old 5900.11)

Archival code: R

Retention: AV

Archival holdings of the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

The series documents advice given to the agencies regarding various contracts. This series is not archival. Remove the archival review code of “R” and replace it with the archival exemption code of “E.”

Records Series Review

Series Title: Lawsuits – Personnel

Agency: Texas Commission on Environmental Quality
Office of Legal Services, General Law Division

Contact: Barbara Mayer

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: 6 cubic ft.

Agency holdings: 18 cubic ft.

Description:

Records are legal documents, memoranda, internal appeal hearing files, investigation reports, etc., regarding personnel lawsuits and external charges of discrimination, dating 2004-present.

Purpose:

Records document work done by division attorneys in preparation for employee litigation cases.

Agency program:

The Office of Legal Services manages legal services for the agency in environmental law, enforcement litigation, bankruptcy, and general agency operations. The office's mission is to give legal counsel and support to the executive director, the program areas, and—along with the Office of General Counsel and the Office of Public Interest Counsel—the commissioners. The office ensures that commission decisions follow the law and that rules developed by the agency comply with statutory authority and are applied consistently.

The General Law Division serves as legal counsel to the agency on issues related to contracts, grants, procurement, employment law and public-service ethics; processing and distribution of information for the public; and records retention. The division director serves as the agency ethics adviser. The division also prepares the administrative records for appeals under the Administrative Procedures Act and supports the Office of Legal Services with administrative personnel (paralegals and legal secretaries).

Arrangement: Numerical by internal identification number.

Access constraints: Attorney-client privilege, Texas Government Code, Section 552.107; the litigation exception, Texas Government Code, Section 552.103.

Use constraints: Available in-house on a need-to-know basis.

Indexes or finding aids required for/or an aid to access? Yes, there is an in-house index.

Problems: None

Known related records in other agencies: Some personnel litigation files or duplicate material are held in the Texas Attorney General's Office. Files or duplicate materials of cases regarding external discrimination are held at either the U.S. Equal Employment Opportunity Commission or the Texas Workforce Commission.

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: Lawsuits – Personnel

Series item number: 1.1.048

Agency item number: 4960.02 (old 5900.05)

Archival code: R

Retention: AC +5

Archival holdings of the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

Lawsuits of personnel cases are not archival. External discrimination cases are held at the EEOC or the Texas Workforce Commission, and they are typically not archival. Important cases will be documented in those agencies or with the Attorney General. Remove the archival review code of "R" and replace it with the archival code of "E."

Records Series Review

Series Title: Administrative Rule Package Files

Agency: Texas Commission on Environmental Quality
Office of Legal Services, General Law Division, Texas Register Team

Contact: Barbara Mayer

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: electronic

Agency holdings: Records are all electronic.

Description:

These records consist of the electronic publication of rule proposals, adoptions, and public hearing notices. Dates not provided.

Purpose:

Records document staff's administrative rule projects in representation of the commission's rules related to air, land and water.

Agency program:

The Office of Legal Services manages legal services for the agency in environmental law, enforcement litigation, bankruptcy, and general agency operations. The office's mission is to give legal counsel and support to the executive director, the program areas, and—along with the Office of General Counsel and the Office of Public Interest Counsel—the commissioners. The office ensures that commission decisions follow the law and that rules developed by the agency comply with statutory authority and are applied consistently.

The General Law Division serves as legal counsel to the agency on issues related to contracts, grants, procurement, employment law and public-service ethics; processing and distribution of information for the public; and records retention. The division director serves as the agency ethics adviser. The division also prepares the administrative records for appeals under the Administrative Procedures Act and supports the Office of Legal Services with administrative personnel (paralegals and legal secretaries).

Arrangement: Chronological.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: The University of North Texas has archived publications of proposed and adopted rules published in the *Texas Register*.

<http://texinfo.library.unt.edu/texasregister/>

Publications based on records: *Texas Register*

Internet pages based on records:

http://www.tceq.texas.gov/rules/rules_rulemaking.html

<http://www.sos.state.tx.us/texreg/>

Series data from agency schedule:

Title: Administrative Rule Package Files

Series item number: 1.1.070

Agency item number: 4960.04 (old 5900.09)

Archival code: R

Retention: PM

Archival holdings of the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: This collection holds a complete run of the *Texas Register*.

Gaps: None known

Appraisal decision:

Tracking rules of the agency over the years is necessary – to see what has been allowed and what has changed over the years. The rules, both proposed and adopted, are published in an archival publication held at the Texas Secretary of State’s Office and in the Texas State Publications Depository Program, the *Texas Register*. Publication of the rules is sufficient archival documentation. This series is not archival. Remove the archival review code of “R” and replace it with the archival exemption code of “E.”

Records Series Review

Series Title: Rule Development, History and Annotations

Agency: Texas Commission on Environmental Quality
Office of Legal Services, General Law Division, Texas Register Team

Contact: Barbara Mayer

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: not provided

Agency holdings: 20 cubic ft. of paper at agency, 78 cubic ft. at State Records Center; 36 reels of microfilm at State Records Center.

Description:

Records are rule related documentation, including memos, hearings, administrative rules, transcripts, signed orders, *Texas Register* publication of the proposal or adoption of a rule, and comments, which may impose requirements or have an effect on other entities. Dates covered are 1966-present.

Purpose:

Records document approved work of each rule project team in representation of the commission's rules related to air, land and water.

Agency program:

The Office of Legal Services manages legal services for the agency in environmental law, enforcement litigation, bankruptcy, and general agency operations. The office's mission is to give legal counsel and support to the executive director, the program areas, and—along with the Office of General Counsel and the Office of Public Interest Counsel—the commissioners. The office ensures that commission decisions follow the law and that rules developed by the agency comply with statutory authority and are applied consistently.

The General Law Division serves as legal counsel to the agency on issues related to contracts, grants, procurement, employment law and public-service ethics; processing and distribution of information for the public; and records retention. The division director serves as the agency ethics adviser. The division also prepares the administrative records for appeals under the Administrative Procedures Act and supports the Office of Legal Services with administrative personnel (paralegals and legal secretaries).

Arrangement: Numerical by rule project number.

Access constraints: Files must be viewed at the TCEQ complex, Bldg. E., Central Registry.

Use constraints: Microfilm/microfiche readers needed.

Indexes or finding aids required for/or an aid to access? Need rule development reel and image numbers for microfilm.

Problems: None

Known related records in other agencies: The University of North Texas has archived publications of proposed and adopted rules published in the *Texas Register*.
<http://texinfo.library.unt.edu/texasregister/>

Publications based on records: *Texas Register*

Internet pages based on records:

http://www.tceq.texas.gov/rules/rules_rulemaking.html

<http://www.sos.state.tx.us/texreg/>

Series data from agency schedule:

Title: Rule Development, History and Annotations (microfilm)

Series item number: 1.1.070

Agency item number: 4960.05 (old 5900.10)

Archival code: R

Retention: PM

Title: Rule Development, History and Annotations (paper)

Series item number: 1.1.070

Agency item number: 4960.09 (old 5900.14)

Archival code: R

Retention: AC + 20

Archival holdings of the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: This collection holds a complete run of the *Texas Register*.

Gaps: None known

Appraisal decision:

Records are working papers used to create rules for the agency. The agency currently keeps the microfilm in one series, and the paper files in another. They will be combining these into one series during the next schedule recertification.

Tracking rules of the agency over the years is necessary – to see what has been allowed and what has changed over the years. The rules, both proposed and adopted, are published in an archival publication held at the Texas Secretary of State's Office and in the Texas State Publications Depository Program, the *Texas Register*. Publication of the rules is sufficient archival documentation; the working papers used to create the rules are kept by TCEQ permanently on microfilm, which is sufficient retention. Remove the archival review code of "R" and replace it with the archival exemption code "E" for both series.

Records Series Review

Series Title: Regulation Development Rules (Rules Tracking Database)

Agency: Texas Commission on Environmental Quality
Office of Legal Services, General Law Division, Texas Register Team

Contact: Barbara Mayer

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: Not provided

Agency holdings: Records are all electronic.

Description:

This is an electronic database that tracks the status of administrative rules in development. Dates were not provided.

Purpose:

Records document approved work of each rule project team in representation of the commission's rules related to air, land and water.

Agency program:

The Office of Legal Services manages legal services for the agency in environmental law, enforcement litigation, bankruptcy, and general agency operations. The office's mission is to give legal counsel and support to the executive director, the program areas, and—along with the Office of General Counsel and the Office of Public Interest Counsel—the commissioners. The office ensures that commission decisions follow the law and that rules developed by the agency comply with statutory authority and are applied consistently.

The General Law Division serves as legal counsel to the agency on issues related to contracts, grants, procurement, employment law and public-service ethics; processing and distribution of information for the public; and records retention. The division director serves as the agency ethics adviser. The division also prepares the administrative records for appeals under the Administrative Procedures Act and supports the Office of Legal Services with administrative personnel (paralegals and legal secretaries).

Arrangement: Numerical by rule project number.

Access constraints: None

Use constraints: Need to use the Internet to access the database.

Indexes or finding aids required for/or an aid to access? None

Problems: None

Indexes or finding aids required for/or an aid to access? Need rule development reel and image numbers for microfilm.

Problems: None

Known related records in other agencies: The University of North Texas has archived publications of proposed and adopted rules published in the *Texas Register*.
<http://texinfo.library.unt.edu/texasregister/>

Publications based on records: *Texas Register*

Internet pages based on records:

<http://www5.tceq.state.tx.us/rules/>

http://www.tceq.texas.gov/rules/rules_rulemaking.html

<http://www.sos.state.tx.us/texreg/>

Series data from agency schedule:

Title: Regulation Development (Rules Tracking Database)

Series item number: 1.1.070

Agency item number: 4960.08 (old 5900.13)

Archival code: R

Retention: US

Archival holdings of the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: This collection holds a complete run of the *Texas Register*.

Gaps: None known

Appraisal decision:

Tracking rules of the agency over the years is necessary – to see what has been allowed and what has changed over the years. The rules, both proposed and adopted, are published in an archival publication held at the Texas Secretary of State’s Office and in the Texas State Publications Depository Program, the *Texas Register*. Publication of the rules is sufficient archival documentation, the database used by the agency to track rule development is not archival. Remove the archival review code of “R” and replace it with the archival exemption code of “E.”

Records Series Review

Series Title: Legislative Appropriation Requests (LAR)

Agency: Texas Commission on Environmental Quality
Office of Administrative Services, Budget and Planning Division

Contact: Angela Ashley, 512-239-6071

Obsolete record series? No

Ongoing record series? Yes

Annual accumulation: 213 linear ft. every other biennium.

Agency holdings: The agency holds 143 linear ft. after copies are distributed to outside agencies. Documents are kept on site in the Budget and Planning Division on the 4th floor of Building F. Copies of the LAR are kept for 6 years and the backup documentation is kept until the next LAR is prepared.

Description:

The Budget and Planning Division of the Texas Commission on Environmental Quality is responsible for the preparation of the legislative appropriation request (LAR) each biennium. Records are correspondence between division budget staff, printed draft reports, and copies of the LAR. The LAR includes the agency's request at a detailed level for such items as: base appropriations, LAR capital, exceptional items, and rider changes. The Budget and Planning Division uses a high level document to go forward for approval from the Commissioners before the final LAR is completed. This document is an Excel spreadsheet. Dates of the LARs are about 2002-present. The backup documentation is kept for two years.

Purpose:

Records document the proposed Legislative Appropriations Request for the biennium which is approved by the Commissioners during agenda and/or work session.

Agency program:

The Office of Administrative Services provides service and support to agency staff and external customers. Services include budget and financial administration and contracting with historically underutilized businesses, human-resources management and staff development, information technology, records management, and management and support of assets and physical property.

The Budget and Planning Division develops and monitors the agency's annual operating budget. Staff members prepare, submit, and monitor all of the agency's federal grant applications and work plans, centralizing grants management in support of TCEQ programs. The division also develops and submits the agency's biennial appropriations request to the governor and the legislature. In addition, its staff conducts special analyses to monitor the achievement of agency goals and priorities.

Arrangement: By subject.

Access constraints: The documents are only accessible by the Budget and Planning Staff.

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: The LAR is published.

Internet pages: A copy of the LAR is available on the TCEQ website - http://www.tceq.state.tx.us/assets/public/comm_exec/pubs/sfr/037_10.pdf

Series data from agency schedule:

Title: Legislative Appropriations Request

Series item number: 1.1.004

Agency item number: 3320.03 (old 2111.04)

Archival code: A

Retention: 6

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: Legislative appropriation requests for TCEQ – 2004-2011; TNRCC – 1998-2003; TWC – 1986-1997.

Gaps: None

Appraisal decision:

Legislative appropriation requests are an archival record; this series is coded as archival (“A”) on the retention schedule. The agency has been sending copies to the Texas State Publications Depository Program, which fulfills the archival requirement. Add this note to the Remarks Section of the schedule – “Copies sent to the Texas State Publications Depository Program fulfill the archival requirement.”

Records Series Review

Series Title: Strategic Plan

Agency: Texas Commission on Environmental Quality
Office of Administrative Services, Budget and Planning Division

Contact: Angela Ashley, 512-239-6071

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: Less than one cubic ft.

Agency holdings: 6 linear ft of correspondence, about 2005-present. A copy of the plan is kept on site in the Budget and Planning Division on the 4th floor of Building F. Other copies of the strategic plan are also kept in the TCEQ Library and can be found on the agency's T-Net (intra-net) at: http://www.tceq.state.tx.us/assets/public/comm_exec/pubs/sfr/035_09.pdf

Description:

The Budget and Planning Division of the Texas Commission on Environmental Quality is responsible for preparing and compiling data to produce the agency's strategic plan. Records are program staffs' portions of the strategic plan and include correspondence and a copy of the final plan. The current plan covers planning for the years 2009-2013.

Purpose:

An agency's strategic plan is a formal document that communicates its goals, directions, and outcomes to various audiences, including the Governor and the Legislature, client and constituency groups, the public, and the agency's employees.

Agency program:

The Office of Administrative Services provides service and support to agency staff and external customers. Services include budget and financial administration and contracting with historically underutilized businesses, human-resources management and staff development, information technology, records management, and management and support of assets and physical property.

The Budget and Planning Division develops and monitors the agency's annual operating budget. Staff members prepare, submit, and monitor all of the agency's federal grant applications and work plans, centralizing grants management in support of TCEQ programs. The division also develops and submits the agency's biennial appropriations request to the governor and the legislature. In addition, its staff conducts special analyses to monitor the achievement of agency goals and priorities.

Arrangement: By subject.

Access constraints: The documents are only accessible by the Budget and Planning Staff.

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: None

Publications based on records: None

Internet pages: A copy of the strategic plan is available on the TCEQ website - http://www.tceq.state.tx.us/assets/public/comm_exec/pubs/sfr/035_09.pdf

Series data from agency schedule:

Title: Strategic Plan

Series item number: 1.1.055

Agency item number: 3520.02 (old 2111.04)

Archival code: A

Retention: 6

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: Strategic plan for TCEQ – FY 2009-2013 (2008); TNRCC – FY 1995-2007; TWC – FY 1989-1998.

Gaps: None

Appraisal decision:

Strategic plans are an archival record; this series is coded as archival (“A”) on the retention schedule. The agency has been sending copies to the Texas State Publications Depository Program, which fulfills the archival requirement. Add this note to the Remarks Section of the schedule – “Copies sent to the Texas State Publications Depository Program fulfill the archival requirement.”

Records Series Review

Series Title: State Agencies Coordination Committee

Agency: Texas Commission on Environmental Quality
Office of Administrative Services, Chief Financial Officer

Contact: Connie Green, 512-239-3325

Obsolete record series? No

Ongoing record series? Yes

Annual accumulation: Approximately ½ linear ft.

Agency holdings: Approximately 0.5 linear ft., dating 2007-2009. The records are being housed and generated at TCEQ because the division director is currently serving a two-year term as committee chair. Her term ended October 2009. Future records will be generated and housed by the agency where the new chair is employed.

Description:

Files consist of records of the State Agencies Coordination Committee, a multi-agency committee of which the Texas Commission on Environmental Quality is a member. Files consist mainly of meeting agendas/minutes, and copies of handouts distributed at each meeting. Dates covered are 2007-2009.

Purpose:

These records document the meetings of the State Agency Coordinating Committee (SACC).

Agency program:

The Office of Administrative Services provides service and support to agency staff and external customers. Services include budget and financial administration and contracting with historically underutilized businesses, human-resources management and staff development, information technology, records management, and management and support of assets and physical property.

The Chief Financial Officer's division oversees all budgeting and financial issues in the agency. This office oversees the development of the agency's strategic plan, biennial appropriations request, the annual operating budget, and quarterly performance reports to the legislature and the governor. On fiscal matters, this division is the point of contact for the TCEQ's oversight agencies. The division is involved in bill implementation and preparing fiscal notes that have revenue requirements. It also reviews the annual financial report, monitors revenue and expenditures, estimates revenue collections, and provides fiscal analysis and reporting.

The State Agency Coordinating Committee is a voluntary association composed of representatives of the following state agencies: Texas Department of Aging and Disability Services, Texas Department of Assistive and Rehabilitative Services, Texas Department of Family and Protective Services, Texas Department of Information Resources, Texas Department of State Health Services, Texas Facilities Commission, Texas Commission on Environmental Quality, Texas Department of

Criminal Justice, Texas Department of Insurance, Texas Department of Public Safety, Texas Department of Transportation, Texas Education Agency, Texas Health and Human Services Commission, Texas Parks and Wildlife Department, Texas Workforce Commission, and the Texas Youth Commission. The Deputy Director of each member agency, or a person of similar rank appointed by the Chief Executive Officer, represents the agency on the State Agency Coordinating Committee. The purpose of the State Agency Coordinating Committee (SACC) is to examine administrative and management practices, review problems or issues that have an impact across agency lines, and encourage and foster management practices, which are beneficial and cost-effective for all state agencies.

Arrangement: Chronological by the date of the meeting.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None known

Known related records in other agencies: None known

Publications based on records: None

Internet pages: Copies of the meeting agendas and minutes are posted on the website of the Texas Department of Information Resources, at www.dir.state.tx.us/sacc .

Series data from agency schedule:

Title: State Agencies Coordination Committee

Series item number: 1.1.061

Agency item number: 2061.01

Archival code: None

Retention: FE + 6

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: Records for this committee appear to be scattered among member agencies.

Appraisal decision:

Minutes, agenda and meeting files, all present in this series, are evidence of the committee's work. This a volunteer association of several state agencies and there appears to be no one person responsible for keeping the records, so the Texas State Archives gets them from member agencies. This series is archival, so add the archival code of "A." The records can be transferred to the State Archives once they have fulfilled their retention requirements. According to staff, after 2009 this series will be defunct and can be removed from the schedule once its retention period is complete.

Records Series Review

Series Title: Budget and Planning

Agency: Texas Commission on Environmental Quality
Office of Administrative Services, Information Resources Division

Contacts: Sandra Maldonado, Budget Analyst, Information Resources Division, 512-239-0897
Marcel Nwagwu, Budget Analyst, Information Resources Division, 512-239-4494
Becky Schiffel, Manager, Information Resources Division, 512-239-6034

Obsolete record series? No

Ongoing record series? Yes

Annual accumulation: Approximately 7 cubic ft. of paper documentation and 24 MB of electronic documentation.

Agency holdings: Approximately 24.5 cubic ft. of paper and 170 MB of electronic data. Paper files are located in Budget and Planning staff offices at the TCEQ. Electronic files are located on the OAS server. Hard copies date 2006 thru present, electronic files cover 2001 thru present.

Description:

Records concern the budget and planning activities of the Information Resources Division in the Office of Administrative Services, Texas Commission on Environmental Quality. Files are electronic and hard copy documentation used in budget preparation, development and maintenance, dating 2001-present. This series consists of copies of forms, spreadsheets, and budget reports generated from USAS, BOEXI, TABS, and Texpend. Salary information may be confidential.

Purpose:

Electronic and hard copy documentation is gathered to assist in budget preparation, development and maintenance.

Agency program:

The Office of Administrative Services provides service and support to agency staff and external customers. Services include budget and financial administration and contracting with historically underutilized businesses, human-resources management and staff development, information technology, records management, and management and support of assets and physical property.

The Information Resources Division is responsible for customer support and maintenance of services such as installation, operation, and physical information technology infrastructure at the TCEQ's Austin and regional locations. The division also administers the agency's Central File Room system through a contract with a commercial records management firm, and coordinates the agency's response to public information requests. The division develops IT budgets, plans, and reports for agency management and other oversight agencies.

Arrangement: Chronological in fiscal year order.

Access constraints: Salary information may be confidential.

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None known

Known related records in other agencies: None known

Publications based on records: Legislative appropriations requests (LARs).

Internet pages: None

Intranet pages: Electronic copies of the budget preparation materials are on the intranet of the Office of Administrative Services at: <\\IR\VOL1\GROUPS\ADMIN\BPU\Budget> and <\\IR\VOL1\GROUPS\ADMIN\Shared\budget>.

Series data from agency schedule:

Title: Budget and Planning

Series item number: 1.1.024

Agency item number: 3710.11

Archival code: R

Retention: AC + 3

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: None

Gaps: None known

Appraisal decision:

This series consists of budget and planning working files for the Information Resources Division of the Office of Administrative Services. The Legislative Appropriation Requests prepared by state agencies are sufficient documentation for budget activities of agencies and they are considered to be archival. This series of budget documents is not archival. Remove the archival review code of "R" and replace it with the archival exemption code of "E."

Records Series Review

Series Title: Agency Operating Policies

Agency: Texas Commission on Environmental Quality
Office of Administrative Services

Contact: Bertha Valderas, 512-239-2112

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: About 2 inches.

Agency holdings: Approximately 2.5 linear ft., dating 1996-present.

Description:

The Office of Administrative Services of the Texas Commission on Environmental Quality is responsible for maintaining and making available to staff the agency's operating policies and procedures. The Division produces the Operating Policy and Procedure Manual, which is updated as processes change or as improvements are identified. Dates covered are 1996-present. All policy documents have a policy statement identified as *Policy*, to guide managers in making decisions and designing processes. Each policy also includes: *Purpose*, which clarifies the purpose of the document; *Authority*, which identifies the foundation of the policy, if applicable; *Effective Date*; and *Revised Dates*, if applicable.

Purpose:

This manual was created to ensure that TCEQ employees have detailed knowledge of agency operating policies and procedures.

Agency program:

The Office of Administrative Services provides service and support to agency staff and external customers. Services include budget and financial administration and contracting with historically underutilized businesses, human-resources management and staff development, information technology, records management, and management and support of assets and physical property.

Arrangement: This is a single document.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None known

Known related records in other agencies: None known

Publications based on records: None

Internet pages: None

Intranet pages: A copy of the agency's policy and procedure manual is maintained on the Administrative Services' intranet pages at <http://home.tceq.state.tx.us/internal/admin/opp/>.

Series data from agency schedule:

Title: Agency operating policies

Series item number: 1.1.070

Agency item number: 3110.14

Archival code: R

Retention: AC+3

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None

Appraisal decision:

Agency policy and procedure manuals are a good source to document the operating policies of the agency and how they are interpreted for staff use. This document concerns policies that affect all divisions and is a good summary source. It has been appraised to be archival. Change the archival review code of "R" to the archival code of "A," and transfer a copy of past editions of the manual at the agency's earliest convenience to the State Archives. Future transfers can commence as the document undergoes significant revisions. The State Archives does not currently accept electronic records so a paper copy of the manual will need to be transferred.

Records Series Review

Series Title: Reports, Administrative

Agency: Texas Commission on Environmental Quality
Office of Administrative Services

Contact: Bertha Valderas, 512-239-2112

Obsolete record series? No

Ongoing record series? Yes
Annual accumulation: Unknown

Agency holdings: Unknown. Report is only available in electronic format, dating 2008-present.

Description:

Records are quarterly internal reports prepared by the Office of Administrative Services (OAS), Texas Commission on Environmental Quality, on information that is collected/monitored by the OAS Divisions (Budget and Planning, Chief Financial Officer, Financial Administration, Human Resources and Staff Development, Support Services, and Information Resources) that affects all areas within the agency. Information included in the updates: interest paid by office, HUB (historically underutilized businesses) expenditures, recruiting and retaining a qualified workforce, significant IT projects, lease information, energy savings plan, etc. This is an electronic document, dating 2008-present. The information in these updates is not summarized into an annual report.

Purpose:

Reports provide quarterly updates to Executive Management and Deputies within the TCEQ on administrative information collected and monitored by the OAS, such as staff recruiting, energy savings, etc.

Agency program:

The Office of Administrative Services provides service and support to agency staff and external customers. Services include budget and financial administration and contracting with historically underutilized businesses, human-resources management and staff development, information technology, records management, and management and support of assets and physical property.

Arrangement: Unknown

Access constraints: The report is only available on the OAS intranet.

Use constraints: None

Indexes or finding aids required for/or an aid to access? None known

Problems: None known

Known related records in other agencies: None known

Publications based on records: None

Internet pages: None

Intranet pages: The OAS Quarterly Update is maintained on the OAS intranet pages at http://home.tceq.state.tx.us/internal/admin/oas_qrtly_report/.

Series data from agency schedule:

Title: Reports, Administrative

Series item number: 1.1.067

Agency item number: 3110.06

Archival code: R

Retention: 4

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: This report is not sent to the Publications Depository.

Gaps: None available before 2008.

Appraisal decision:

This report documents routine administrative information gathered by the Office of Administrative Services, such as staff recruiting energy savings, HUB expenditures, etc. This type of information is not unique to the agency and has no archival value. Remove the archival code “R” and replace it with the archival exemption code of “E.” The nature of the report suggests it could fall under the series item number 4.5.005 – external fiscal reports, instead of 1.1.067.

If the OAD creates new internal reports that fall within the scope of series 1.1.067, these new reports will need to be reviewed for archival value.

Records Series Review

Series Title: Building Construction (Project Files)

Agency: Texas Commission on Environmental Quality
Office of Administrative Services

Contact: Toby Marks, Texas Facilities Commission Building Manager

Obsolete record series? Yes

Ongoing record series? No

Agency holdings: None

Description:

The series formerly consisted of four volumes of submittals for Building A in the Texas Commission on Environmental Quality headquarters complex in Austin. The submittal volumes were transferred to the Texas Facility Commission (TFC) in 2005, when the TFC purchased this complex of buildings.

Purpose:

Building construction project files document the construction of a building.

Agency program:

The Office of Administrative Services provides service and support to agency staff and external customers. Services include budget and financial administration and contracting with historically underutilized businesses, human-resources management and staff development, information technology, records management, and management and support of assets and physical property.

Arrangement: In four book binders.

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: These records are now housed at the Texas Facilities Commission.

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: Building Construction (Project Files)

Series item number: 5.2.002

Agency item number: 3420.06

Archival code: R

Retention: LA + 10 yrs.

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

According to agency staff, when the Texas Facilities Commission purchased the TCEQ buildings in 2005 they also acquired the building construction project files. Unless there are significant regional facilities that the TCEQ owns and may have historic value, this series can be removed from the schedule since it is an empty series. If the agency does have some building construction project files elsewhere for these or other agency buildings, then the series will remain with an archival review code of "R" as appraisal of building construction project files can vary from building to building.

Records Series Review

Series Title: Building Plans and Specifications

Agency: Texas Commission on Environmental Quality
Office of Administrative Services

Contact: Toby Marks, Texas Facilities Commission Building Manager

Obsolete record series? Yes

Ongoing record series? No
Annual accumulation: None

Agency holdings: None

Description:

The series formerly consisted of the blueprints for Building A in the Texas Commission on Environmental Quality headquarters complex in Austin. The blueprints were transferred to the Texas Facility Commission (TFC) in 2005, when the TFC purchased this complex of buildings.

Purpose:

Blueprints provide information on the building design, floor plan, and construction details.

Agency program:

The Office of Administrative Services provides service and support to agency staff and external customers. Services include budget and financial administration and contracting with historically underutilized businesses, human-resources management and staff development, information technology, records management, and management and support of assets and physical property.

Arrangement: N/A

Access constraints: None

Use constraints: None

Indexes or finding aids required for/or an aid to access? None

Problems: None

Known related records in other agencies: These records are now housed at the Texas Facilities Commission.

Publications based on records: None

Internet pages based on records: None

Series data from agency schedule:

Title: Building Plans and Specifications

Series item number: 5.2.003

Agency item number: 3420.07

Archival code: R

Retention: LA

Archival holdings at the Texas State Library and Archives Commission: None

Texas Documents Collection holdings: N/A

Gaps: None known

Appraisal decision:

According to agency staff, when the Texas Facilities Commission purchased the TCEQ buildings in 2005 they also acquired the blueprints. Unless there are significant regional facilities that the TCEQ owns and may have historic value, this series can be removed from the schedule since it is an empty series. If the agency does have some building blueprints elsewhere for these or other agency buildings, then the series will remain with an archival review code of “R” as appraisal of blueprints can vary from building to building.