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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 26, 2007

Mr. Willie Horton, P.E.
Texas Association of Clean Water Agencies (TACWA)
4545 Groveway
Houston, Texas 77087

Re: Revisions of Whole Effluent Toxicity Testing Procedures

Dear Mr. Horton:

Thank you for your letter with suggestions concerning upcoming revisions of the water quality standards and standards implementation procedures. You expressed concerns about any revisions that would impose additional requirements for sublethal toxicity testing or increase the potential for effluent limits for whole effluent toxicity (WET).

We recognize that wastewater discharge permittees are concerned about these issues, particularly in light of current federal guidelines and recent written communications from the U.S. Environmental Protection Agency (USEPA) that directs states to address sublethal toxicity and to establish WET limits when "reasonable potential" for toxicity exists.

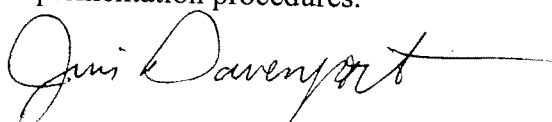
Your letter included an enclosed paper that evaluated the variability inherent in WET testing, along with conclusions and recommendations for WET testing procedures. TCEQ aquatic toxicologists have reviewed the paper, and they have utilized it along with a variety of other sources to develop a very broad range of options to consider for the standards implementation procedures.

This will be a key topic at meetings of the water quality standards advisory workgroup, both at the meeting on June 26th as well as subsequent meetings. We will also post the status of the revisions, meeting schedules, information handouts and summaries for the meetings, at http://www.tceq.state.tx.us/nav/eq/eq_swqs.html; or search for "water quality standards" on the TCEQ home page.

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TCEQ staff and I are also available to meet with representatives of TACWA to discuss WET testing procedures at any time during the revision process. If you'd like more information or to arrange a meeting, please telephone me at: 512/239-4585, email: jdavenpo@tceq.state.tx.us.

Thank you again for your interest in the water quality standards and the standards implementation procedures.



Jim Davenport, Team Leader
Water Quality Standards
Water Quality Division
Texas Commission on Environmental Quality

JD/jp