

# State regulators vote not to lower water pollution standards

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Texas Commission on Environmental Quality commissioners voted unanimously Wednesday to keep the amount of bacteria allowed in the state's waterways used for swimming and other recreation at the same level as they approved a new set of water quality standards.

Texas waterways that are defined as primary contact recreation -- where people can swim, wade, fish or kayak -- can have up to 126 colonies of E. coli per 100 milliliters of water before being classified as polluted. E. coli is a bacterium associated with human and animal waste.

Commissioners kept that standard rather than increasing it to 206 colonies per 100 milliliters as recommended by the commission's staff.

The reduced standard was supported by wastewater and agricultural groups that said the public would still be safe from contamination and the standard would represent a better use of limited commission resources.

They also said the reduced standard was supported by EPA guidelines in other parts of the nation.

"Partial victory"

Environmental groups and some municipalities, such as Austin, had expressed concern that the reduced standard would lead to more people getting sick and less monitoring of waterways.

Ken Kramer of the Texas Sierra Club called the commissioners' decision "a partial victory for the environment and a clear triumph for public input."

A commission study determined that eight in 1,000 swimmers could get sick in a water body with an E. coli level of 126. At the 206 level, 10 in 1,000 swimmers could become ill, and at 630 parts per 100, as many as 15 swimmers per 1,000 could get sick.

The recreational level for just boating and fishing -- but not swimming -- will allow bacteria levels as high as 630 colonies per 100 milliliters before those waterways would be considered polluted.

The website for the federal Centers for Disease Control and Prevention says it is difficult to determine why some people get sick from E. coli and others do not. Some strains can cause diarrhea, urinary tract infections and respiratory illness. The bacteria can be found in drinking water but are not necessarily harmful.

#### Reduced standards

A commission report in February said the reduced water standards could remove 62 waterways from the 2008 list of impaired water bodies, which could save the commission \$1 million over three years because studies on those waterways would not be required.

Tarrant County waterways in that category include several stretches of the Lower West Fork of the Trinity River, a 2-mile stretch of Marine Creek upstream of the West Fork of the Trinity, a section of the West Fork below the Lake Worth dam to its confluence with Village Creek, a 12-mile section of Bear Creek in Euless, and a 5-mile stretch of Sycamore Creek between Echo Lake and the West Fork.

Kramer expressed concern that the commission is adopting standards to allow some of these impaired waterways to be reclassified and no longer considered polluted.

"I see it as a very real threat," Kramer said. "Chairman [Bryan] Shaw telegraphed to the staff to 'streamline the process.'"

A commission news release Wednesday said the agency told its staff "to consider mechanisms to streamline the process for determining what level of recreation use a waterway can support, through a site-specific use-attainability analysis."

The commission was required by federal law to update its water quality standards and is doing so for the first time since 2000.

"The TCEQ has historically evaluated its water rules periodically to make sure they keep pace with changes in science and technology," said L'Oreal Stepney, deputy director of the office of water.

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