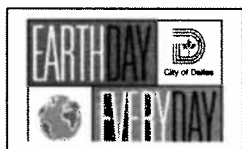


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**LEGAL AND OTHER REQUIREMENTS PROCEDURE
REGULATORY MATRIX**

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The purpose of this document is to assist City departments within the EMS in preparing their list of Legal and Other Requirements. This document is not intended to serve as a comprehensive list of Citywide Legal and Other Requirements. Departments may have department-specific Legal and Other Requirements that are not included here that directly relate to their environmental aspects. Departments must list those requirements on their department-specific Legal and Other Requirements list.

Legal Requirements

Type	Title	Regulatory Agency	Notes
Air	40 CFR 60.751 Air Permits	EPA	Municipal Solid Waste Landfill – Air Emission Standard of Performance.
Air	40 CFR 68 – Accidental Chemical Release	EPA	Accidental air release of regulated chemicals and their threshold quantity.
Air - Government Bldg	25 TAC 297	TXDHS	Air Quality in Government Buildings - voluntary guidelines for ventilation and indoor air pollution.
Air	30 TAC 106 Air Quality Permit by Rule	TCEQ	Exemptions and/or minor permitting requirements of stationary air emission sources which have a minor impact to the environment. Examples of affected processes - emergency/back-up generators, water treatment, boilers, etc.
Air	30 TAC 115.211-219 VOC Control	TCEQ	Vapor control requirements for VOC loading and unloading operations.
Air	30 TAC 115.221-229	TCEQ	Stage I Air Fuel Dispensing (gasoline only) - delivery records and leak testing.

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Air	30 TAC 115.234 – 239 –VOC control from transport vessels	TCEQ	Leak testing requirements for vessels that deliver gasoline.
Air	30 TAC 115.240-249	TCEQ	Air/Fuel Dispensing - Stage II Vapor Recovery (gasoline only) - Training, recordkeeping and equipment testing.
Air	Chapter 5A - Dallas City Code	COD	Air Pollution Ordinances for facilities with a design capacity of \geq 100 tons of any one pollutant/year but whose actual emission could be less than 5 tons/year. This includes dry cleaners that use trichloroethylene, perchloroethylene and naphtha. It also includes used car lots.
Asbestos	40 CFR 61.140-148	EPA	National Air Emission Std for Asbestos.
Asbestos	40 CFR 61.154	EPA	Disposal of Asbestos in Landfill.
Asbestos	25 TAC 295.31 - 295.73 - Asbestos	TXDHS	Texas regulations regarding asbestos abatement operations, recordkeeping, training & compliance.
Asbestos	30 TAC 330.171 - Municipal Solid Waste	TCEQ	Disposal of Asbestos in Landfill.
Asbestos	29 CFR 1910.1001	OSHA	Employee safety regarding asbestos for general industry.
Asbestos	29 CFR 1926.1101 - Asbestos Containing Building Materials	OSHA	Employee safety regarding asbestos for construction type activities.
Consent Decree	Consent Decree	EPA	Implement an EMS at 11 City facilities per the ISO 14001 Standard as supplemented by Consent Decree Appendix E. Submit an implementation plan. Submit development plans by facility. Report on Environmental Metrics annually and provide semi-annual progress reports. Achieve ISO 14001 certification through third party external audit.
Endangered Species	31 TAC 51 – 69	Texas Parks and Wildlife	See for information on Wildlife, Fishery, Parks & Resource Protection 31 TAC 69.8 contains list of endangered and threatened plants 31 TAC 69.175 contains list of endangered and threatened non-game animals.
Fire Code	Applicable section that have or may have potential environmental impact	DFR	Contact the DFR Fire Marshal office to determine which sections of the Fire Code are applicable to your operations.
Energy Efficiency	Senate Bill 5	Texas	State Implemented Plan to comply with the Federal Clean Air Act. It requires political subdivisions in 41 counties to reduce electric consumption by 5%/year for 5 years beginning January 1, 2002.
Green Building	Ordinance 27131	COD	Two phase implementation of ordinance requirements for commercial and residential buildings. The first phase, beginning October 1, 2009, will focus on energy efficiency and water conservation requirements. The second phase, beginning October 1, 2011, will focus on expanding the initiatives for the new buildings into a comprehensive green building requirement.

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Idling	Ordinance 26766	COD	Vehicle with a gross weight over 14,000 lbs are not allowed to idle for more than 5 minutes during ozone season (April – October of each year). Certain exemptions apply (e.g. - Emergency/law enforcement motor vehicles and school buses are exempt). Ordinance will be enforced by City Marshal's Office beginning in April 2008.
Laboratories	30 TAC 25	TCEQ	Accreditation and certification requirements for environmental testing labs.
Lead Std -	29 CFR 1926.62 - employee exposure	OSHA	OSHA Standards for lead in building materials and construction activities.
Mold Assessments	25 TAC 295.301 – 338	TXDHS	Requirements for individuals/companies who provide mold assessments and remediation for others. It includes training and compliance requirements.
Oil Recycling	40 CFR 279.20-24	EPA	Used oil generators rules for collection & recycling.
Oil Recycling	30 TAC 324.6	TCEQ	Used oil generators rules for collection & recycling.
Oil, Gas and Surface Mining	16 TAC	Texas Railroad Commission	Requirements for pipelines of oil and gas as well as surfacing mining and alternative fuel research.
Permits	30 TAC 305	TCEQ	Consolidation of permits such as sewer, storm water and hazardous waste operations into one permit.
Permits - Signature	30 TAC 305.44	TCEQ	Requirements that person who sign permit applications shall be either a principal executive officer or a ranking elected official.
Pesticides, Herbicides, & Insecticides	40 CFR 156	EPA	Labeling requirements for regulated products.
Pesticides, Herbicides, & Insecticides	40 CFR 165	EPA	Requirements for container management – refillable and non refillable.
Pesticides, Herbicides, & Insecticides	40 CFR 166	EPA	Exemption of Federal and State Agencies for Use of Pesticides under Emergency Conditions.
Pesticides, Herbicides, & Insecticides	40 CFR 171	EPA	Certification requirements for Commercial and Private Pesticide Applicators as it relates to applicator's competency and maintenance of State Plans.
Pesticides	4 TAC 7 - Pesticides	TXDAG	Labeling of pesticide, application methods and restrictions.

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Pesticides	22 TAC 25.593 - Examining board	TXSPCB	Licensing, compliance and treatment for commercial pesticide operators.
Pesticides	25 TAC 267 - Pesticide Applicators	TXDHS	Texas - pesticide applications in government operations.
Polychlorinated Biphenyl	40 CFR 761 Toxic Substance Control Act – PCB	EPA	Sections 40 -45 marking equipment which contains PCB; Sections 50 – 79 Storage and disposal of PCB material; Sections 120 – 135 Cleanup of spills containing PCB.
Refrigerant Management	40 CFR 82, Subpart B	EPA	Practice for recycling CFCs, HCFCs and their blends during the servicing and disposal of vehicle air conditioning equipment. Contains recovery equipment technicians' certification and recordkeeping requirements.
Refrigerant Management	40 CFR 82, Subpart F	EPA	Practice for recycling CFCs, HCFCs and their blends during the servicing and disposal of residential and commercial air conditioning and refrigeration equipment. Contains technicians' certification and other recordkeeping requirements.
Right to Know	40 CFR 300.1-1105 - Oil and hazardous Substances Contingency Plan	EPA	Regs outlining the national emergency response method for hazardous materials that enter the waterways.
Right to Know - Community	40 CFR 355 - 370	EPA	Chemical list and Tier I, II and III reporting criteria based on threshold storage volume of material onsite and at any one time. Extremely Hazardous Substance threshold is 500 lbs or less. See chemical list.
Right to Know - Community	25 TAC 295.181-183	TXDHS	Chemical list and Tier I, II and III reporting criteria based on threshold storage volume of material onsite and at any one time.
Right to Know - Employee	25 TAC 295.1 - 13	TXDHS	State reg regarding employee chemical right to know law for government agencies and others not under the OSHA law, includes workplace chemical list, MSDSs, written policy, training and labeling.
Spills	40 CFR 112 - Spill Prevention for petroleum storage tanks	EPA	Spill Prevention Control and Countermeasures Plan required for facilities with aggregate above ground storage of 1320 gallons (counting containers of 55 gallons and more) and 42000 gallon of completely buried storage - (oil with potential to enter waterways).
Spills	40 CFR 302.1 - 8	EPA	Reportable quantities of hazardous materials released into the environment & notification requirements.
Spills	30 TAC 327 - Spill Prevention and Control	TCEQ	Reportable quantities of oil and hazardous chemicals (See 40 CFR 302. table for reportable quantities) released on land or water.
Spills	30 TAC 350.31 – 37 Texas Risk Reduction Program	TCEQ	Immediate clean up and remediation of specific chemicals of concern; See 40 CFR 302.4 for list of chemicals and reportable amount.
Tanks	40 CFR 280.10-116	EPA	Underground storage tanks technical standards for installation, removal, operational, management, corrosive protections, leak

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			detection, pressure testing, financial responsibility, etc.
Tanks - UST	30 TAC 37.801 – 895	TCEQ	Financial Assurance requirements for closure, post closure and corrective action of Underground Storage Tanks as required by 30 TAC 334.
Tanks	30 TAC 334.10 Recordkeeping for Underground Storage Tanks	TCEQ	<p>Previous & current registration – retain for 5 years.</p> <p>Self certification forms – filed annually – retain for 5 years.</p> <p>UST delivery certificates – retain for 5 years.</p> <p>Certification for UST installation.</p> <p>Records relating to technical upgrades.</p> <p>Corrosion Protection records.</p> <p>Release detection and testing records.</p> <p>Spill & overfill control records.</p> <p>Repairs and relining records.</p> <p>Records for reuse of used tanks.</p> <p>Temporary removal records.</p> <p>Permanent removal records.</p>
Tanks	30 TAC 334.41-55	TCEQ	Underground storage tanks technical standards for installation, removal, operational, management, corrosive protections, leak detection, pressure testing, financial responsibility etc.
Tanks	30 TAC 334.121 -132	TCEQ	Technical standards for above ground tanks.
Tires	30 TAC 328.51 - 59	TCEQ	<p>Requirements for generator of vehicle tire waste are as follows:</p> <ol style="list-style-type: none"> 1) Monitor tires stored outside for vectors at least once every two weeks. 2) Stack, sort, classify, and arrange good used tires in an organized manner. 3) Document the removal of all scrap tires using manifests, work orders, invoices or other records. 4) Allow only registered scrap tire transporters to remove scrap tires. 5) Ensure that the transporter who collects the tires delivers them to an authorized facility. 6) Comply with all manifesting requirements if transporting own scrap tires without registration.
Vehicles	30 TAC 114.50 - 53	TCEQ	Vehicle air emission testing requirements for non ozone attainment areas = Dallas County.
Waste	30 TAC 330 - Municipal Solid Waste	TCEQ	State environmental landfill requirements such as collection, transportation, surface water, liners, fees, reporting, and closure.

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Waste Chemical, Hazardous	40 CFR 261.1 - 38 - Hazardous Waste Identification	EPA	Definition of solid and hazardous waste, listed waste, characteristics waste and identification of waste; Special requirements for conditionally exempt small quantity generators.
Waste Chemical, Hazardous	40 CFR 262.1 - 44 Hazardous waste management	EPA	Hazardous waste generator's storage, labeling, shipping & recordkeeping requirements.
Waste Chemical, Hazardous	30 TAC 335.61 - 78 Hazardous generators	TCEQ	Industrial/Hazardous waste storage, labeling, shipping & recordkeeping requirements.
Waste Chemical, Hazardous	30 TAC 335 Chapter 6 501.521	TCEQ	Industrial/Hazardous waste classification – determining whether the waste is Class 1, 2, 3 or hazardous.
Waste - Lead Acid batteries	40 CFR 273.2 Lead/Acid batteries	EPA	Universal Waste Management - Lead Acid batteries.
Waste - Lead Acid batteries	30 TAC 335.251	TCEQ	Universal Waste Management - Lead Acid/Batteries.
Waste Mercury Containing	40 CFR 273.4 - Mercury containing equipment	EPA	Universal Waste Management - Mercury containing equipment such as thermostats.
Waste - Mercury Containing Lamps	40 CFR 273.5 - Mercury containing lamps/lights	EPA	Universal Waste Management - Mercury containing lamps/lights.
Waste Mercury Containing Lamps	30 TAC 335.261- Mercury containing waste	TCEQ	Universal Waste Management - Mercury containing lamps/lights Use TCEQ document RG-377 for guidance on handling, labeling, and accumulation requirements.
Waste - Paint	30 TAC 335.262	TCEQ	Universal Waste Management – Paint and paint related materials.
Waste Pesticide	40 CFR 273.3 - Pesticide waste	EPA	Universal Waste Management – Pesticide.
Waste Pesticide	30 TAC 335.261	TCEQ	Universal Waste Management – Pesticide.
Waste Pollution Prevention	30 TAC 335 Q - Waste Reduction Policy	TCEQ	Source reduction and minimization - Submission of a Pollution Prevention Plan to State of Texas - required of large and small quantity generators of chemical/hazardous waste and TRI reporters.
Waste - Used Oil	40 CFR 279.1 – 47 - Standards for Management of Used Oil	EPA	Used Oil Management requirements for generators, collection centers, transporters and transfer facilities.

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Waste - Used Oil	30 TAC 324	TCEQ	Used Oil Management requirements for generators, collection centers, transporters and transfer facilities.
Waste - Used Oil Filters	30 TAC 328.21 - 28	TCEQ	Used Oil Filters Management – General requirements, shipping records, storage limitation & spill prevention.
Waste - Shipping	49 CFR 171-177	DOT	Packaging, labeling & shipping requirements for hazardous waste shipments.
Waste - Shipping	49 CFR 172.700 - 704	DOT	Department of Transportation training requirements for person signing hazardous waste manifest.
Water Storm	40 CFR 122.26, 41-50	EPA	Permitting for storm water discharges and for construction activities which disturbs 5 acres or more of land.
Water Storm	30 TAC 307	TCEQ	Texas Surface Water Quality Standard - Storm Water, surface water and watershed protection.
Water Storm	30 TAC 319	TCEQ	Sampling, monitoring and reporting requirements for effluent discharges.
Water Storm	Chapter 19, Article IX	City Code	Storm water requirements including prohibited discharges, discharge reporting and clean up, and compliance monitoring.
Water	30 TAC 288	TCEQ	Water conservation plans, drought, contingency plans, guidelines and requirements.
Water	SEC. 49-21.1 - Dallas City Code	COD	Conservation Measures - Lawn and Landscape Irrigation.
Water	30 TAC 299 Subchapter A-E	TCEQ	Dams and Reservoirs: design, evaluation, construction and removal.
Water	30 TAC 290 Public Drinking Water Standards	TCEQ	(F) Maximum contaminants allowed in public drinking water. (G) Water saving performance standards for toilets, commercial dishwashers, etc. (H) Reporting requirements for annual customer reports.
Water	30 TAC 308	TCEQ	Requirement for pre-treatment annual report, sludge, soil and groundwater annual report for waste water treatment plant.
Water	30 TAC 312	TCEQ	Requirements for sludge use, disposal and transportation for waste water treatment plant.
Water	40 CFR 136	EPA	Testing standards to detect pollutants in water.
Water	Dallas City Code Chapter 49 Article IV	City Code	Water & Wastewater Quality including, pretreatment, sampling, prohibited waste discharge and industrial waste discharge permits.
Wetland and Stream Mitigation	40 CFR 230 & 33 CFR 325 & 332	EPA & Depart. Of Army, Corps of Engineers	Regulations to offset unavoidable adverse impact to wetlands, streams and other aquatic resources authorized the Clean Water Act section 404 permits and other Department of the Army permits.

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Other Requirements

Type	Title	Organization(s)	Notes
Air	Texas Emissions Reduction Plan (TERP)	TCEQ/COD-OEQ	City uses funds to achieve fleet conversion to most recent EPA standards. No requirements to apply for funds. City also provides assistance for private businesses and individuals applying for funding.
Air	GreenRide	COD-OEQ	Program that lets city workers log their commute hours.
Air	Air Check	TCEQ/COD-OEQ	Outreach program for DFW area for vehicle grants. No requirements to apply for funds. OEQ helps promote the program.
Air	Air North Texas	NCTCOG	Air quality awareness campaign. Report outreach activities each year.
Air	North Texas Clean Air Coalition (NTCAC)	Various organizations-elected board from various backgrounds	Commute solutions and environmental initiative implementation. No reporting requirements. City of Dallas supports outreach activities and participates in meetings and assists in planning.
Air	Ozone Action Plan	COD	Effective May 1 through October 31. Commute solutions.
Air	Dallas Sustainable Skylines Initiative (DSSI)	COD/EPA/NCTCOG/various private organizations	EPA on a program focusing on sustainability issues, particularly air quality. The Sustainable Skylines Initiatives involves completing several three-year projects to reduce air emissions. OEQ recruits partners and provide quantification assistance.
Air	Texas Clean Air Cities Coalition (TCACC)	Elected Texas mayors/council members, county judges /commissioners, and school board members	Voluntary membership organization of local governments that advocate on behalf of improving Texas' Air quality.
Asbestos	AD 6-14 - Asbestos Containing	COD- EBS	Asbestos in City Buildings.

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	Materials in Buildings		
Community Gardens	Community Gardens	Various non-profits /community groups	Practice water conservation, organic gardening, and creates green space. Program occurs on city property but the gardens are maintained by neighborhood residents and funds are managed by non-profit.
EMP	AD 3-73 – Environmental Management Program	COD	Environmental management program for all City of Dallas employees.
EMS	AD 2-49 – Environmental Management System (EMS)	COD	Environmental Management system for designated City of Dallas Departments.
Green Building	Green Building Program/LEED	COD	Formal green building program for City-owned facilities which states that buildings over 10,000 square feet will be built to Leadership in Energy and Environmental Design (LEED) Silver Standards.
Green Purchasing	Green Cement Policy	COD	Any City project that requires the purchase of cement can only purchase cement from a dry kiln or from a kiln that emits no more than 1.7 tons of NOx per clinker or cement produced.
Pollution Prevention	Daily Pollution Prevention Checklist	COD	Daily Pollution Prevention Checklist used by departments.
Renewable Energy	EPA Green Power Partnership	COD-EBS	Report annually on our % of Green Power procurement.
Spills	AD 2-48 – Spill Prevention, Control and Countermeasures	COD	Spill Prevention, Control and Countermeasures for City of Dallas.
Spills	AD 3-74 - Spill Response Procedures	COD	Spill Response Procedures for City spills.
Vehicle Inspections	AD 6-2 – Inspection of City Vehicles	COD	Vehicle Inspections for City of Dallas.

