



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

NOTICE OF PUBLIC HEARING ON A PROPOSED REVISION TO 30 TAC CHAPTER 290

The Texas Commission on Environmental Quality (commission) will conduct a public hearing to receive testimony regarding a proposed revision to 30 Texas Administrative Code (TAC) Chapter 290, Public Drinking Water, §290.44, under the requirements of Texas Government Code, Chapter 2001, Subchapter B.

The proposed rulemaking would implement House Bill 2781 from the 83rd Legislature, 2013, Regular Session, relating to structures that have rainwater harvesting systems (RWHS) and are connected to a public water system (PWS). The proposed rulemaking would amend §290.44(j) and its subdivisions to: remove the phrase "for indoor use" from §290.44(j); amend §290.44(j)(1) to require that a privately owned RWHS with a capacity of more than 500 gallons that is connected to a PWS for a back-up supply must have a backflow prevention assembly or an air gap at the storage facility for the harvested rainwater; remove the word "indoor" from the phrase "for indoor potable purposes" in §290.44(j)(2); remove the phrase "for use for potable purposes" from renumbered §290.44(j)(3); and add §290.44(j)(4) to require that the PWS used as a back-up supply for the RWHS may be connected only to the water storage tank and may not be connected to the plumbing of a structure.

The commission will hold a public hearing on this proposal in Austin on November 5, 2013, at 10:00 a.m. in Building E, Room 201S, at the commission's central office located at 12100 Park 35 Circle. The hearing is structured for the receipt of oral or written comments by interested persons. Individuals may present oral statements when called upon in order of registration. Open discussion will not be permitted during the hearing; however, commission staff members will be available to discuss the proposal 30 minutes prior to the hearing.

Persons who have special communication or other accommodation needs who are planning to attend the hearing should contact Sandy Wong, Office of Legal Services at (512) 239-1802. Requests should be made as far in advance as possible.

Written comments may be submitted to Charlotte Horn, MC 205, Office of Legal Services, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087, or faxed to (512) 239-4808. Electronic comments may be submitted at: <http://www5.tceq.texas.gov/rules/ecomments/>. File size restrictions may apply to comments being submitted via the *eComments* system. All comments should reference Rule Project Number 2013-043-290-OW. The comment period closes November 12, 2013. Copies of the proposed rulemaking can be obtained from the commission's Web site at http://www.tceq.texas.gov/nav/rules/propose_adopt.html. For further information, please contact Cindy Haynie, Water Supply Division, Plan and Technical Review Section, (512) 239 - 3465.