

The Texas Natural Resource Conservation Commission (commission) adopts the repeal of Chapter 284, Subchapter A, §§284.1-284.15, Sam Rayburn Reservoir; Subchapter B, §§284.21-284.35, Toledo Bend Reservoir; Subchapter C, §§284.41-284.55, Lake Tawakoni Reservoir; Subchapter D, §§284.61-284.75, Lake Fork Reservoir; Subchapter E, §§284.81-284.96, Lake Brownwood; Subchapter F, §§284.101-284.115, Lake Limestone; Subchapter G, §§284.121-284.135, Lumberton Municipal Utility District in Hardin County; Subchapter I, §§284.161-284.174, Lake Crook Watershed; Subchapter J, §§284.181-284.192, Lake Palestine; Subchapter K, §§284.201-284.216, Livingston Reservoir; Subchapter L, §§284.221-284.237, Lake Ray Hubbard; Subchapter M, §§284.261-284.274, Greenbelt Reservoir; Subchapter N, §§284.281-284.294, Cedar Creek Reservoir; Subchapter O, §§284.311-284.326, Lake Granbury; Subchapter P, §§284.341-284.356, Somerville Reservoir; Subchapter Q, §§284.371-284.386, Possum Kingdom Lake; Subchapter R, §§284.401-284.414, Richland Creek Reservoir; Subchapter S, §§284.421-284.434, Mackenzie Reservoir; Subchapter T, §§284.451-284.464, Lake Lavon; Subchapter U, §§284.481-284.496, Lake Conroe; Subchapter V, §§284.511-284.523, Lake Bob Sandlin; Subchapter W, §§284.531-284.543, Eagle Mountain Lake; Subchapter X, §§284.551-284.560 and 284.562-284.564, Lake Bridgeport; and Subchapter Y, §§284.581-284.604, Highland Lakes. The repeals are adopted without changes to the proposed text as published in the December 17, 1999 issue of the *Texas Register* (24 TexReg 11229).

BACKGROUND AND SUMMARY OF THE FACTUAL BASIS FOR THE REPEALS

The repeal of Chapter 284 is adopted because the chapter is no longer based on statutory authority and has been superceded by rules contained in 30 TAC Chapter 285, On-Site Sewage Facilities. Prior to 1987, Texas Water Code (TWC), §26.031 granted to the Texas Water Commission the authority to

regulate certain on-site sewage facilities (OSSF) in the state. The rules developed under §26.031 authorized river authorities and special districts to regulate OSSF systems within their areas of jurisdiction, primarily around lakes and reservoirs. The Texas Water Commission adopted Chapter 284 to implement this statute. In 1987, TWC, §26.031 was repealed, and House Bill 1875 was passed, which gave authority to the Texas Department of Health to regulate OSSF systems in Texas. The OSSF program and the authority to regulate OSSF systems was returned to the commission in 1992; however, that authority is now under Texas Health and Safety Code, Chapter 366, and is regulated under Chapter 285.

As published in the Rules Review section of this issue of the *Texas Register*, the commission is also adopting the review of this chapter in accordance with the requirements of Texas Government Code, §2001.039, and the General Appropriations Act, Article IX, §9-10.13, 76th Legislature, 1999. The commission has determined under its review of the rules in Chapter 284 that the reason for their adoption no longer exists. The Notice of Intention to Review was published for comment in the December 17, 1999 issue of the *Texas Register* (24 TexReg 11544).

FINAL REGULATORY IMPACT ANALYSIS

The commission has reviewed the rulemaking in light of the regulatory analysis requirements of Texas Government Code, §2001.0225, and has determined that the rulemaking is not subject to §2001.0225 because it does not meet the definition of a “major environmental rule” as defined in that statute.

“Major environmental rule” is a rule which has the specific intent to protect the environment or reduce risks to human health from environmental exposure, and that may adversely affect in a material way the

economy, a sector of the economy, productivity, competition, jobs, the environment, or the public health and safety of the state or a sector of the state. Because the specific intent of this rulemaking is to repeal outdated rules, remove ambiguity and confusion with existing rules, and not add regulatory requirements to existing rules, the rulemaking is not anticipated to have an adverse effect on the economy or a sector of the economy and does not meet the definition of a “major environmental rule.” In addition, the repeal of Chapter 284 does not meet any of the four applicability requirements of a “major environmental rule.” The repeals do not exceed a standard set by federal law because there is no federal equivalent standard, the repeals do not exceed an express requirement of state law because the expressed requirement has been repealed, the repeals do not exceed a requirement of a delegation agreement because the commission is not a party to a delegation agreement with the federal government concerning a state and federal program that would be applicable to this program, and the repeals are based on a lack of specific statutory authority for the rules.

TAKINGS IMPACT ASSESSMENT

The commission has prepared a takings impact assessment for repeal of this chapter under Texas Government Code, §2007.043. The repeal of this chapter is based on a lack of statutory authority to continue these rules. The repeal would not affect private property because it is intended to eliminate ambiguity between old, outdated rules and the existing rules under Chapter 285. The commission, therefore, concludes that repeal of rules under Chapter 284 will not in itself constitute a takings of private property under Texas Government Code, Chapter 2007.

COASTAL MANAGEMENT PROGRAM CONSISTENCY REVIEW

The commission has determined that the repeal of these rules does not relate to an action subject to the Texas Coastal Management Program (CMP) in accordance with the Coastal Coordination Act of 1991, as amended (Texas Natural Resources Code, §§33.201 et seq.), and the commission's rules in 30 TAC Chapter 281, Subchapter B, concerning Consistency with the CMP. While these rules concern on-site sewage disposal, they govern lakes that are not in the geographic area subject to the CMP.

HEARING AND COMMENTERS

A public hearing on the proposed rules repeal and on the proposed rules review was scheduled for January 11, 2000; however, no one appeared at the hearing to testify. Also, no written comments on the proposal or the rules review were received by the commission during the comment period.

One comment letter was received after the close of the comment period from Booth, Ahrens and Werkenthin, P. C. representing the Tarrant Regional Water District (District). The District is opposed to the repeal of the subchapters under which it regulates OSSF around its reservoirs (Subchapters N, R, W, and X), because the District believes that the repeals will leave the District's reservoirs unprotected from contamination until the agency takes action on the District's proposed orders to replace the Chapter 284 rules.

The commission responds that the repeal of Chapter 284 is based upon a lack of statutory authority for the rules to exist. Chapter 284 has been superceded by rules contained in Chapter 285, On-Site Sewage Facilities. If the District wishes to continue oversight of the OSSF program,

it will need to get an order under Chapter 285 to be the commission's authorized agent. If the District's proposed orders are not approved by the time the repeal of Chapter 284 takes effect, the jurisdiction over the OSSF program around the reservoirs in question will default to the local county if it has an approved order under Chapter 285, or to the commission. The local county or the commission will administer the program until the order authorizing the District's program is approved. Thus, the District's reservoirs will continue to be protected.

STATUTORY AUTHORITY

The repeals are adopted under TWC, §5.103 and §5.105, which authorize the commission to adopt rules necessary to carry out its responsibilities and duties under the TWC and other laws of Texas. Since the statutory authority upon which this chapter was based, TWC, §26.031, was repealed by Acts 1987, 70th Legislature, Chapter 406, §2, effective September 1, 1989, and has been replaced by a program to regulate OSSF systems under Texas Health and Safety Code, Chapter 366, which is implemented through existing Chapter 285, the rules are no longer necessary. The review and repeal of the rules is authorized under the requirements of Texas Government Code, §2001.039, and the General Appropriations Act, Article IX, §9-10.13, 76th Legislature, 1999.

SUBCHAPTER A : SAM RAYBURN RESERVOIR

§§284.1-284.15

- §284.1. Definitions.**
- §284.2. Regulated Zone.**
- §284.3. Discharge of Sewage within the Regulated Zone.**
- §284.4. Licensing Function.**
- §284.5. Licensing Requirements.**
- §284.6. Approval of Subdivision Plans for Private Sewage Facilities.**
- §284.7. Existing Private Sewage Facilities.**
- §284.8. Connection of Private Sewage Facilities to Organized Waste Collection, Treatment, and Disposal Systems.**
- §284.9. Terms and Conditions for Granting Exceptions.**
- §284.10. Terms and Conditions of Appeal.**
- §284.11. Cooperative Agreement.**
- §284.12. Fees.**
- §284.13. Enforcement.**
- §284.14. Severability Clause.**
- §284.15. Fee Schedule.**

SUBCHAPTER B : TOLEDO BEND RESERVOIR

§§284.21-284.35

STATUTORY AUTHORITY

The repeals are adopted under TWC, §5.103 and §5.105, which authorize the commission to adopt rules necessary to carry out its responsibilities and duties under the TWC and other laws of Texas.

Since the statutory authority upon which this chapter was based, TWC, §26.031, was repealed by Acts 1987, 70th Legislature, Chapter 406, §2, effective September 1, 1989, and has been replaced by a program to regulate OSSF systems under Texas Health and Safety Code, Chapter 366, which is regulated under the commission's existing Chapter 285, the rule is no longer necessary. The review and repeal of the rules is authorized under the requirements of Texas Government Code, §2001.039, and the General Appropriations Act, Article IX, §9-10.13, 76th Legislature, 1999.

- §284.21. Definitions.**
- §284.22. Regulated Area.**
- §284.23. Discharge of Sewage within the Regulated Area.**
- §284.24. Licensing Function.**
- §284.25. Licensing Requirements for New Private Sewage Facilities.**
- §284.26. Approval of Subdivision Plans for Private Sewage Facilities.**
- §284.27. Existing Private Sewage Facilities.**
- §284.28. Connection of Private Sewage Facilities to Organized Waste Collection, Treatment, and Disposal Systems.**

- §284.29. Terms and Conditions for Granting Exceptions.**
- §284.30. Terms and Conditions for Appeal to the Executive Director and the Commission.**
- §284.31. Cooperative Agreement.**
- §284.32. Fees.**
- §284.33. Enforcement.**
- §284.34. Severability Clause.**
- §284.35. Fee Schedule.**

SUBCHAPTER C : LAKE TAWAKONI RESERVOIR

§§284.41-284.55

STATUTORY AUTHORITY

The repeals are adopted under TWC, §5.103 and §5.105, which authorize the commission to adopt rules necessary to carry out its responsibilities and duties under the TWC and other laws of Texas.

Since the statutory authority upon which this chapter was based, TWC, §26.031, was repealed by Acts 1987, 70th Legislature, Chapter 406, §2, effective September 1, 1989, and has been replaced by a program to regulate OSSF systems under Texas Health and Safety Code, Chapter 366, which is regulated under the commission's existing Chapter 285, the rule is no longer necessary. The review and repeal of the rules is authorized under the requirements of Texas Government Code, §2001.039, and the General Appropriations Act, Article IX, §9-10.13, 76th Legislature, 1999.

- §284.41. Definitions.**
- §284.42. Regulated Area.**
- §284.43. Discharge of Sewage Within the Regulated Area.**
- §284.44. Licensing Function.**
- §284.45. Licensing Requirements for New Private Sewage Facilities.**
- §284.46. Approval of Subdivision Plans for Sewage Facilities.**
- §284.47. Existing Private Sewage Facilities.**
- §284.48. Connection of Private Sewage Facilities to Organized Waste Collection, Treatment, and Disposal Systems.**

§284.49. Terms and Conditions for Granting Exceptions.

§284.50. Terms and Conditions of Appeal.

§284.51. Cooperative Agreement.

§284.52. Fees.

§284.53. Enforcement.

§284.54. Severability Clause.

§284.55. Fee Schedule.

SUBCHAPTER D : LAKE FORK RESERVOIR

§§284.61-284.75

STATUTORY AUTHORITY

The repeals are adopted under TWC, §5.103 and §5.105, which authorize the commission to adopt rules necessary to carry out its responsibilities and duties under the TWC and other laws of Texas. Since the statutory authority upon which this chapter was based, TWC, §26.031, was repealed by Acts 1987, 70th Legislature, Chapter 406, §2, effective September 1, 1989, and has been replaced by a program to regulate OSSF systems under Texas Health and Safety Code, Chapter 366, which is regulated under the commission's existing Chapter 285, the rule is no longer necessary. The review and repeal of the rules is authorized under the requirements of Texas Government Code, §2001.039, and the General Appropriations Act, Article IX, §9-10.13, 76th Legislature, 1999.

- §284.61. Definitions.**
- §284.62. Regulated Area.**
- §284.63. Regulations Controlling the Discharge of Sewage Within the Regulated Area.**
- §284.64. Licensing Function.**
- §284.65. Licensing Requirements for New Private Sewage Facilities.**
- §284.66. Approval of Subdivision Plans for Private Sewage Facilities.**
- §284.67. Existing Private Sewage Facilities.**
- §284.68. Connection of Private Sewage Facilities to Organized Waste Collection, Treatment, and Disposal Systems.**

- §284.69. Terms and Conditions for Granting Exceptions.**
- §284.70. Terms and Conditions for Appeal.**
- §284.71. Cooperative Agreement.**
- §284.72. Fees.**
- §284.73. Enforcement.**
- §284.74. Severability Clause.**
- §284.75. Fee Schedule.**

SUBCHAPTER E : LAKE BROWNWOOD

§§284.81-284.96

STATUTORY AUTHORITY

The repeals are adopted under TWC, §5.103 and §5.105, which authorize the commission to adopt rules necessary to carry out its responsibilities and duties under the TWC and other laws of Texas.

Since the statutory authority upon which this chapter was based, TWC, §26.031, was repealed by Acts 1987, 70th Legislature, Chapter 406, §2, effective September 1, 1989, and has been replaced by a program to regulate OSSF systems under Texas Health and Safety Code, Chapter 366, which is regulated under the commission's existing Chapter 285, the rule is no longer necessary. The review and repeal of the rules is authorized under the requirements of Texas Government Code, §2001.039, and the General Appropriations Act, Article IX, §9-10.13, 76th Legislature, 1999.

- §284.81. Definitions.**
- §284.82. Regulated Area.**
- §284.83. Restricted Zone.**
- §284.84. Regulations Controlling the Discharge of Sewage within the Regulated Area.**
- §284.85. Authority Designated To Perform Licensing Functions.**
- §284.86. Licensing Requirements for New Private Sewage Facilities.**
- §284.87. Existing Private Sewage Facilities.**
- §284.88. Revocation or Suspension of License.**
- §284.89. Transfer of Licenses.**

- §284.90. License Fee.**
- §284.91. Connection of Private Sewage Facility To Organized Disposal System.**
- §284.92. Exceptions.**
- §284.93. Terms and Conditions of Appeal.**
- §284.94. Enforcement of This Subchapter.**
- §284.95. Severability.**
- §284.96. Fee Schedule.**

SUBCHAPTER F : LAKE LIMESTONE

§§284.101-284.115

STATUTORY AUTHORITY

The repeals are adopted under TWC, §5.103 and §5.105, which authorize the commission to adopt rules necessary to carry out its responsibilities and duties under the TWC and other laws of Texas.

Since the statutory authority upon which this chapter was based, TWC, §26.031, was repealed by Acts 1987, 70th Legislature, Chapter 406, §2, effective September 1, 1989, and has been replaced by a program to regulate OSSF systems under Texas Health and Safety Code, Chapter 366, which is regulated under the commission's existing Chapter 285, the rule is no longer necessary. The review and repeal of the rules is authorized under the requirements of Texas Government Code, §2001.039, and the General Appropriations Act, Article IX, §9-10.13, 76th Legislature, 1999.

- §284.101. Definitions.**
- §284.102. Regulated Area and Restricted Zone.**
- §284.103. Discharge of Sewage Within the Regulated Area.**
- §284.104. Authority Designated to Perform Licensing Functions of this Order.**
- §284.105. Licensing Requirements for New Private Sewage Facilities.**
- §284.106. Existing Private Sewage Facilities.**
- §284.107. Revocation or Suspension of Licenses.**
- §284.108. Transfer of Licenses.**
- §284.109. Connection of Private Sewage Facility to Organized Disposal Systems.**

- §284.110. Exceptions.**
- §284.111. Terms and Conditions for Appeal.**
- §284.112. License Fees.**
- §284.113. Enforcement.**
- §284.114. Severability.**
- §284.115. Fee Schedule.**

SUBCHAPTER G : LUMBERTON MUNICIPAL UTILITY DISTRICT IN HARDIN COUNTY

§§284.121-284.135

STATUTORY AUTHORITY

The repeals are adopted under TWC, §5.103 and §5.105, which authorize the commission to adopt rules necessary to carry out its responsibilities and duties under the TWC and other laws of Texas.

Since the statutory authority upon which this chapter was based, TWC, §26.031, was repealed by Acts 1987, 70th Legislature, Chapter 406, §2, effective September 1, 1989, and has been replaced by a program to regulate OSSF systems under Texas Health and Safety Code, Chapter 366, which is regulated under the commission's existing Chapter 285, the rule is no longer necessary. The review and repeal of the rules is authorized under the requirements of Texas Government Code, §2001.039, and the General Appropriations Act, Article IX, §9-10.13, 76th Legislature, 1999.

- §284.121. Definitions.**
- §284.122. Regulated Area.**
- §284.123. Discharge of Sewage Within the Regulated Area.**
- §284.124. Licensing Functions.**
- §284.125. Licensing Requirements for New Private Sewage Facilities.**
- §284.126. Approval of Subdivision Plans for Private Sewage Facilities.**
- §284.127. Existing Private Sewage Disposal System.**
- §284.128. Connection of Private Sewage Facilities to Organized Waste Collection, Treatment, and Disposal Systems.**

- §284.129. Registration of Installers and Maintainers.**
- §284.130. Terms and Conditions for Granting Exceptions.**
- §284.131. Terms and Conditions for Appeal.**
- §284.132. License Fees.**
- §284.133. Enforcement.**
- §284.134. Severability Clause.**
- §284.135. Fee Schedule.**

SUBCHAPTER I : LAKE CROOK WATERSHED

§§284.161-284.174

STATUTORY AUTHORITY

The repeals are adopted under TWC, §5.103 and §5.105, which authorize the commission to adopt rules necessary to carry out its responsibilities and duties under the TWC and other laws of Texas.

Since the statutory authority upon which this chapter was based, TWC, §26.031, was repealed by Acts 1987, 70th Legislature, Chapter 406, §2, effective September 1, 1989, and has been replaced by a program to regulate OSSF systems under Texas Health and Safety Code, Chapter 366, which is regulated under the commission's existing Chapter 285, the rule is no longer necessary. The review and repeal of the rules is authorized under the requirements of Texas Government Code, §2001.039, and the General Appropriations Act, Article IX, §9-10.13, 76th Legislature, 1999.

- §284.161. Definitions.**
- §284.162. Sewerage Facilities.**
- §284.163. Delegation of Licensing Function.**
- §284.164. Licenses for Private Sewage Facilities in the Lake Crook Watershed.**
- §284.165. Procedure for Obtaining Approval for Planned Subdivisions Utilizing Private Sewage Facilities.**
- §284.166. Licensing Procedure; Fees.**
- §284.167. Term of License.**
- §284.168. Operation and Maintenance.**

§284.169. Existing Sewage Disposal Facilities and Existing Subdivisions.

§284.170. Exceptions.

§284.171. Terms and Conditions for Appeal.

§284.172. Enforcement of this Subchapter.

§284.173. Severability.

§284.174. Fee Schedule.

SUBCHAPTER J : LAKE PALESTINE

§§284.181-284.192

STATUTORY AUTHORITY

The repeals are adopted under TWC, §5.103 and §5.105, which authorize the commission to adopt rules necessary to carry out its responsibilities and duties under the TWC and other laws of Texas.

Since the statutory authority upon which this chapter was based, TWC, §26.031, was repealed by Acts 1987, 70th Legislature, Chapter 406, §2, effective September 1, 1989, and has been replaced by a program to regulate OSSF systems under Texas Health and Safety Code, Chapter 366, which is regulated under the commission's existing Chapter 285, the rule is no longer necessary. The review and repeal of the rules is authorized under the requirements of Texas Government Code, §2001.039, and the General Appropriations Act, Article IX, §9-10.13, 76th Legislature, 1999.

- §284.181. Definitions.**
- §284.182. Restricted Zone.**
- §284.183. Water Quality Zone.**
- §284.184. Local Authority Designated to Perform Licensing Functions of this Subchapter.**
- §284.185. Existing Private Sewage Facilities.**
- §284.186. Licensing Requirements for New Private Sewage Facilities.**
- §284.187. Connection of Private Sewage Facility to Organized Waste Collection, Treatment, and Disposal Systems.**
- §284.188. Terms and Conditions for Granting of Exceptions.**

§284.189. Terms and Conditions for Appeal.

§284.190. Enforcement of this Subchapter.

§284.191. Severability Clause.

§284.192. Fee Schedule.

SUBCHAPTER K : LIVINGSTON RESERVOIR

§§284.201-284.216

STATUTORY AUTHORITY

The repeals are adopted under TWC, §5.103 and §5.105, which authorize the commission to adopt rules necessary to carry out its responsibilities and duties under the TWC and other laws of Texas.

Since the statutory authority upon which this chapter was based, TWC, §26.031, was repealed by Acts 1987, 70th Legislature, Chapter 406, §2, effective September 1, 1989, and has been replaced by a program to regulate OSSF systems under Texas Health and Safety Code, Chapter 366, which is regulated under the commission's existing Chapter 285, the rule is no longer necessary. The review and repeal of the rules is authorized under the requirements of Texas Government Code, §2001.039, and the General Appropriations Act, Article IX, §9-10.13, 76th Legislature, 1999.

- §284.201. Definitions.**
- §284.202. Restricted Area.**
- §284.203. Water Quality Area.**
- §284.204. Regulations Controlling the Discharge of Sewage Within the Restricted Area.**
- §284.205. Regulations Controlling the Discharge of Sewage Within the Water Quality Area.**
- §284.206. Licensing Functions.**
- §284.207. Licensing Requirements for Private Sewage Facilities.**
- §284.208. Approval of Subdivision Plans for Private Sewage Facilities.**
- §284.209. Existing Private Sewage Disposal Systems.**

- §284.210. Connection of Private Sewage Facilities to Organized Waste Collection, Treatment, and Disposal Systems.**
- §284.211. Terms and Conditions for Granting Exceptions.**
- §284.212. Terms and Conditions of Appeal.**
- §284.213. Fees.**
- §284.214. Enforcement of this Subchapter.**
- §284.215. Severability Clause.**
- §284.216. Fee Schedule.**

SUBCHAPTER L : LAKE RAY HUBBARD

§§284.221-284.237

STATUTORY AUTHORITY

The repeals are adopted under TWC, §5.103 and §5.105, which authorize the commission to adopt rules necessary to carry out its responsibilities and duties under the TWC and other laws of Texas.

Since the statutory authority upon which this chapter was based, TWC, §26.031, was repealed by Acts 1987, 70th Legislature, Chapter 406, §2, effective September 1, 1989, and has been replaced by a program to regulate OSSF systems under Texas Health and Safety Code, Chapter 366, which is regulated under the commission's existing Chapter 285, the rule is no longer necessary. The review and repeal of the rules is authorized under the requirements of Texas Government Code, §2001.039, and the General Appropriations Act, Article IX, §9-10.13, 76th Legislature, 1999.

- §284.221. Definitions.**
- §284.222. Restricted Zone.**
- §284.223. Water Quality Zone.**
- §284.224. Sewerage Facilities.**
- §284.225. Discharge of Sewage.**
- §284.226. Licensing Functions.**
- §284.227. Licenses for Private Sewage Facilities in Restricted and Water Quality Zones.**
- §284.228. License Procedures for Construction of New Private Sewage Facilities.**

- §284.229. Procedure for Obtaining Approval for Planned Subdivisions Utilizing Private Sewage Facilities.**
- §284.230. Term of Licenses.**
- §284.231. Operation and Maintenance.**
- §284.232. Existing Private Sewage Facilities.**
- §284.233. Exceptions.**
- §284.234. Terms and Conditions of Appeal.**
- §284.235. Severability Clause.**
- §284.236. Enforcement.**
- §284.237. Fee Schedule.**

SUBCHAPTER M : GREENBELT RESERVOIR

§§284.261-284.274

STATUTORY AUTHORITY

The repeals are adopted under TWC, §5.103 and §5.105, which authorize the commission to adopt rules necessary to carry out its responsibilities and duties under the TWC and other laws of Texas.

Since the statutory authority upon which this chapter was based, TWC, §26.031, was repealed by Acts 1987, 70th Legislature, Chapter 406, §2, effective September 1, 1989, and has been replaced by a program to regulate OSSF systems under Texas Health and Safety Code, Chapter 366, which is regulated under the commission's existing Chapter 285, the rule is no longer necessary. The review and repeal of the rules is authorized under the requirements of Texas Government Code, §2001.039, and the General Appropriations Act, Article IX, §9-10.13, 76th Legislature, 1999.

- §284.261. Definitions.**
- §284.262. Licensing Area.**
- §284.263. Sewage Facilities.**
- §284.264. Discharge of Sewage.**
- §284.265. Licensing Function and Requirements.**
- §284.266. Approval of Subdivision Plans for Private Sewage Facilities.**
- §284.267. Existing Private Sewage Facilities.**
- §284.268. Connection of Private Sewage Facility to Organized Waste Collection, Treatment, and Disposal Systems.**

§284.269. Terms and Conditions for Granting of Exceptions.

§284.270. Terms and Conditions for Appeal.

§284.271. Fees.

§284.272. Enforcement of this Subchapter.

§284.273. Severability Clause.

§284.274. Fee Schedule.

SUBCHAPTER N : CEDAR CREEK RESERVOIR

§§284.281-284.294

STATUTORY AUTHORITY

The repeals are adopted under TWC, §5.103 and §5.105, which authorize the commission to adopt rules necessary to carry out its responsibilities and duties under the TWC and other laws of Texas.

Since the statutory authority upon which this chapter was based, TWC, §26.031, was repealed by Acts 1987, 70th Legislature, Chapter 406, §2, effective September 1, 1989, and has been replaced by a program to regulate OSSF systems under Texas Health and Safety Code, Chapter 366, which is regulated under the commission's existing Chapter 285, the rule is no longer necessary. The review and repeal of the rules is authorized under the requirements of Texas Government Code, §2001.039, and the General Appropriations Act, Article IX, §9-10.13, 76th Legislature, 1999.

- §284.281. Definitions.**
- §284.282. Regulated Area.**
- §284.283. Discharge of Sewage Within the Regulated Area.**
- §284.284. Licensing Functions.**
- §284.285. Licensing Requirements for New Private Sewage Facilities.**
- §284.286. Approval of Subdivision Plans for Private Sewage Facilities and Commercial Systems.**
- §284.287. Existing Private Sewage Facilities and Existing Commercial Systems.**

- §284.288. Connection of Private Sewage Facilities and Commercial Systems to Organized Waste Collection, Treatment, and Disposal Systems.**
- §284.289. Terms and Conditions for Granting Exceptions.**
- §284.290. Terms and Conditions of Appeal.**
- §284.291. License Fees.**
- §284.292. Enforcement.**
- §284.293. Severability Clause.**
- §284.294. Fee Schedule.**

SUBCHAPTER O : LAKE GRANBURY

§§284.311-284.326

STATUTORY AUTHORITY

The repeals are adopted under TWC, §5.103 and §5.105, which authorize the commission to adopt rules necessary to carry out its responsibilities and duties under the TWC and other laws of Texas.

Since the statutory authority upon which this chapter was based, TWC, §26.031, was repealed by Acts 1987, 70th Legislature, Chapter 406, §2, effective September 1, 1989, and has been replaced by a program to regulate OSSF systems under Texas Health and Safety Code, Chapter 366, which is regulated under the commission's existing Chapter 285, the rule is no longer necessary. The review and repeal of the rules is authorized under the requirements of Texas Government Code, §2001.039, and the General Appropriations Act, Article IX, §9-10.13, 76th Legislature, 1999.

- §284.311. Definitions.**
- §284.312. Regulated Area.**
- §284.313. Restricted Zone.**
- §284.314. Regulations Controlling the Discharge of Sewage Within the Regulated Area.**
- §284.315. Authority Designated to Perform Licensing Functions.**
- §284.316. Licensing Requirements for New Private Sewage Facilities.**
- §284.317. Existing Private Sewage Facilities.**
- §284.318. Revocation or Suspension of Licenses.**
- §284.319. Transfer of Licenses.**

- §284.320. Fees.**
- §284.321. Connection of Private Sewage Facility to Organized Disposal System.**
- §284.322. Exceptions.**
- §284.323. Terms and Conditions of Appeal.**
- §284.324. Enforcement of This Subchapter.**
- §284.325. Severability.**
- §284.326. Fee Schedule.**

SUBCHAPTER P : SOMERVILLE RESERVOIR

§§284.341-284.356

STATUTORY AUTHORITY

The repeals are adopted under TWC, §5.103 and §5.105, which authorize the commission to adopt rules necessary to carry out its responsibilities and duties under the TWC and other laws of Texas. Since the statutory authority upon which this chapter was based, TWC, §26.031, was repealed by Acts 1987, 70th Legislature, Chapter 406, §2, effective September 1, 1989, and has been replaced by a program to regulate OSSF systems under Texas Health and Safety Code, Chapter 366, which is regulated under the commission's existing Chapter 285, the rule is no longer necessary. The review and repeal of the rules is authorized under the requirements of Texas Government Code, §2001.039, and the General Appropriations Act, Article IX, §9-10.13, 76th Legislature, 1999.

- §284.341. Definitions.**
- §284.342. Regulated Area.**
- §284.343. Restricted Zone.**
- §284.344. Regulations Controlling the Discharge of Sewage Within a Regulated Area.**
- §284.345. Authority Designated to Perform Licensing Functions.**
- §284.346. Licensing Requirements for New Private Sewage Facilities.**
- §284.347. Existing Private Sewage Facilities.**
- §284.348. Revocation or Suspension of Licenses.**
- §284.349. Transfer of Licenses.**

- §284.350. Fees.**
- §284.351. Connection of Private Sewage Facility to Organized Disposal System.**
- §284.352. Exceptions.**
- §284.353. Terms and Conditions of Appeal.**
- §284.354. Enforcement of this Subchapter.**
- §284.355. Severability.**
- §284.356. Fee Schedule.**

SUBCHAPTER Q : POSSUM KINGDOM LAKE

§§284.371-284.386

STATUTORY AUTHORITY

The repeals are adopted under TWC, §5.103 and §5.105, which authorize the commission to adopt rules necessary to carry out its responsibilities and duties under the TWC and other laws of Texas.

Since the statutory authority upon which this chapter was based, TWC, §26.031, was repealed by Acts 1987, 70th Legislature, Chapter 406, §2, effective September 1, 1989, and has been replaced by a program to regulate OSSF systems under Texas Health and Safety Code, Chapter 366, which is regulated under the commission's existing Chapter 285, the rule is no longer necessary. The review and repeal of the rules is authorized under the requirements of Texas Government Code, §2001.039, and the General Appropriations Act, Article IX, §9-10.13, 76th Legislature, 1999.

- §284.371. Definitions.**
- §284.372. Regulated Area.**
- §284.373. Restricted Zone.**
- §284.374. Regulations Controlling the Discharge of Sewage Within the Regulated Area.**
- §284.375. Authority Designated to Perform Licensing Functions.**
- §284.376. Licensing Requirements for New Private Sewage Facilities.**
- §284.377. Existing Private Sewage Facilities.**
- §284.378. Revocation or Suspension of Licenses.**
- §284.379. Transfer of Licenses.**

- §284.380. Fees.**
- §284.381. Connection of Private Sewage Facility to Organized Disposal System.**
- §284.382. Exceptions.**
- §284.383. Terms and Conditions of Appeal.**
- §284.384. Enforcement of This Subchapter.**
- §284.385. Severability.**
- §284.386. Fee Schedule.**

SUBCHAPTER R : RICHLAND CREEK RESERVOIR

§§284.401-284.414

STATUTORY AUTHORITY

The repeals are adopted under TWC, §5.103 and §5.105, which authorize the commission to adopt rules necessary to carry out its responsibilities and duties under the TWC and other laws of Texas.

Since the statutory authority upon which this chapter was based, TWC, §26.031, was repealed by Acts 1987, 70th Legislature, Chapter 406, §2, effective September 1, 1989, and has been replaced by a program to regulate OSSF systems under Texas Health and Safety Code, Chapter 366, which is regulated under the commission's existing Chapter 285, the rule is no longer necessary. The review and repeal of the rules is authorized under the requirements of Texas Government Code, §2001.039, and the General Appropriations Act, Article IX, §9-10.13, 76th Legislature, 1999.

- §284.401. Definitions.**
- §284.402. Regulated Area.**
- §284.403. Discharge of Sewage Within the Regulated Area.**
- §284.404. Licensing Functions.**
- §284.405. Licensing Requirements for New Private Sewage Facilities.**
- §284.406. Approval of Subdivision Plans for Private Sewage Facilities.**
- §284.407. Existing Private Sewage Disposal Systems.**
- §284.408. Connection of Private Sewage Facility to Organized Waste Collection, Treatment, and Disposal Systems**

§284.409. Terms and Conditions for Granting Exceptions.

§284.410. Terms and Conditions of Appeal.

§284.411. License Fees.

§284.412. Enforcement.

§284.413. Severability Clause.

§284.414. Fee Schedule.

SUBCHAPTER S : MACKENZIE RESERVOIR

§§284.421-284.434

STATUTORY AUTHORITY

The repeals are adopted under TWC, §5.103 and §5.105, which authorize the commission to adopt rules necessary to carry out its responsibilities and duties under the TWC and other laws of Texas.

Since the statutory authority upon which this chapter was based, TWC, §26.031, was repealed by Acts 1987, 70th Legislature, Chapter 406, §2, effective September 1, 1989, and has been replaced by a program to regulate OSSF systems under Texas Health and Safety Code, Chapter 366, which is regulated under the commission's existing Chapter 285, the rule is no longer necessary. The review and repeal of the rules is authorized under the requirements of Texas Government Code, §2001.039, and the General Appropriations Act, Article IX, §9-10.13, 76th Legislature, 1999.

- §284.421. Definitions.**
- §284.422. Regulated Area.**
- §284.423. Discharge of Sewage Within the Regulated Area.**
- §284.424. Licensing Functions.**
- §284.425. Licensing Requirements for New Private Sewage Facilities.**
- §284.426. Approval of Subdivision Plans for Private Sewage Facilities.**
- §284.427. Existing Private Sewage Facilities.**
- §284.428. Connection of Private Sewage Facility to Organized Waste Collection, Treatment, and Disposal Systems.**

§284.429. Terms and Conditions for Granting Exceptions.

§284.430. Terms and Conditions of Appeal.

§284.431. Fees.

§284.432. Enforcement.

§284.433. Severability Clause.

§284.434. Fee Schedule.

SUBCHAPTER T : LAKE LAVON

§§284.451-284.464

STATUTORY AUTHORITY

The repeals are adopted under TWC, §5.103 and §5.105, which authorize the commission to adopt rules necessary to carry out its responsibilities and duties under the TWC and other laws of Texas.

Since the statutory authority upon which this chapter was based, TWC, §26.031, was repealed by Acts 1987, 70th Legislature, Chapter 406, §2, effective September 1, 1989, and has been replaced by a program to regulate OSSF systems under Texas Health and Safety Code, Chapter 366, which is regulated under the commission's existing Chapter 285, the rule is no longer necessary. The review and repeal of the rules is authorized under the requirements of Texas Government Code, §2001.039, and the General Appropriations Act, Article IX, §9-10.13, 76th Legislature, 1999.

- §284.451. Definitions.**
- §284.452. Regulated Area.**
- §284.453. Licensing Authority Designated.**
- §284.454. Rules Covering Licenses for Septic Tanks in the Regulated Area.**
- §284.455. Procedure for Obtaining Approval for a Planned Private Sewage Facility Subdivision.**
- §284.456. License Procedure for New Private Sewage Facilities.**
- §284.457. Term of Licenses.**
- §284.458. Operation and Maintenance.**

§284.459. Existing Private Sewage Facilities.

§284.460. Exceptions.

§284.461. Terms and Conditions of Appeal.

§284.462. Enforcement.

§284.463. Severability Clause.

§284.464. Fee Schedule.

SUBCHAPTER U : LAKE CONROE

§§284.481-284.496

STATUTORY AUTHORITY

The repeals are adopted under TWC, §5.103 and §5.105, which authorize the commission to adopt rules necessary to carry out its responsibilities and duties under the TWC and other laws of Texas.

Since the statutory authority upon which this chapter was based, TWC, §26.031, was repealed by Acts 1987, 70th Legislature, Chapter 406, §2, effective September 1, 1989, and has been replaced by a program to regulate OSSF systems under Texas Health and Safety Code, Chapter 366, which is regulated under the commission's existing Chapter 285, the rule is no longer necessary. The review and repeal of the rules is authorized under the requirements of Texas Government Code, §2001.039, and the General Appropriations Act, Article IX, §9-10.13, 76th Legislature, 1999.

- §284.481. Definitions.**
- §284.482. Restricted Zone.**
- §284.483. Water Quality Zone.**
- §284.484. Sewerage Facilities.**
- §284.485. Discharge of Sewage.**
- §284.486. Licenses for Private Sewage Facilities in Water Quality Zone.**
- §284.487. Licensing Function.**
- §284.488. Procedure for Obtaining Approval for Planned Private Sewage Facility Subdivision.**

- §284.489. License Procedure for New Private Sewage Facilities.**
- §284.490. Term of License.**
- §284.491. Operation and Maintenance.**
- §284.492. Exceptions and Appeal.**
- §284.493. Existing Private Sewage Facilities and Existing Subdivisions.**
- §284.494. Severability.**
- §284.495. Enforcement.**
- §284.496. Fee Schedule.**

SUBCHAPTER V : LAKE BOB SANDLIN

§§284.511-284.523

STATUTORY AUTHORITY

The repeals are adopted under TWC, §5.103 and §5.105, which authorize the commission to adopt rules necessary to carry out its responsibilities and duties under the TWC and other laws of Texas.

Since the statutory authority upon which this chapter was based, TWC, §26.031, was repealed by Acts 1987, 70th Legislature, Chapter 406, §2, effective September 1, 1989, and has been replaced by a program to regulate OSSF systems under Texas Health and Safety Code, Chapter 366, which is regulated under the commission's existing Chapter 285, the rule is no longer necessary. The review and repeal of the rules is authorized under the requirements of Texas Government Code, §2001.039, and the General Appropriations Act, Article IX, §9-10.13, 76th Legislature, 1999.

- §284.511. Definitions.**
- §284.512. Regulated Area.**
- §284.513. Regulations Controlling the Discharge of Sewage within the Regulated Area.**
- §284.514. Licensing Functions.**
- §284.515. Licensing Requirements for New Private Sewage Facilities.**
- §284.516. Approval of Subdivision Plans for Private Sewage Facilities.**
- §284.517. Existing Private Sewage Facilities.**
- §284.518. Connection of Private Sewage Facility to Organized Waste Collection, Treatment and Disposal Systems.**

§284.519. Terms and Conditions for Granting of Exceptions.

§284.520. Terms and Conditions of Appeal.

§284.521. Severability Clause.

§284.522. Enforcement.

§284.523. Fee Schedule.

SUBCHAPTER W : EAGLE MOUNTAIN LAKE

§§284.531-284.543

STATUTORY AUTHORITY

The repeals are adopted under TWC, §5.103 and §5.105, which authorize the commission to adopt rules necessary to carry out its responsibilities and duties under the TWC and other laws of Texas.

Since the statutory authority upon which this chapter was based, TWC, §26.031, was repealed by Acts 1987, 70th Legislature, Chapter 406, §2, effective September 1, 1989, and has been replaced by a program to regulate OSSF systems under Texas Health and Safety Code, Chapter 366, which is regulated under the commission's existing Chapter 285, the rule is no longer necessary. The review and repeal of the rules is authorized under the requirements of Texas Government Code, §2001.039, and the General Appropriations Act, Article IX, §9-10.13, 76th Legislature, 1999.

- §284.531. Definitions.**
- §284.532. Regulated Area.**
- §284.533. Discharge of Sewage Within the Regulated Area.**
- §284.534. Licensing Functions.**
- §284.535. Licensing Requirements for New Private Sewage Facilities and New Commercial Systems.**
- §284.536. Approval of Subdivision Plans for Private Sewage Facilities and Commercial Systems.**
- §284.537. Existing Private Sewage Facilities and Existing Commercial Systems.**

- §284.538. Connection of Private Sewage Facility and Commercial Systems to Organized Waste Collection, Treatment and Disposal Systems.**
- §284.539. Terms and Conditions for Granting Exceptions.**
- §284.540. Terms and Conditions of Appeal.**
- §284.541. Enforcement.**
- §284.542. Fee Schedule.**
- §284.543. Severability Clause.**

SUBCHAPTER X : LAKE BRIDGEPORT

§§284.551-284.560,284.562-284.564

STATUTORY AUTHORITY

The repeals are adopted under TWC, §5.103 and §5.105, which authorize the commission to adopt rules necessary to carry out its responsibilities and duties under the TWC and other laws of Texas.

Since the statutory authority upon which this chapter was based, TWC, §26.031, was repealed by Acts 1987, 70th Legislature, Chapter 406, §2, effective September 1, 1989, and has been replaced by a program to regulate OSSF systems under Texas Health and Safety Code, Chapter 366, which is regulated under the commission's existing Chapter 285, the rule is no longer necessary. The review and repeal of the rules is authorized under the requirements of Texas Government Code, §2001.039, and the General Appropriations Act, Article IX, §9-10.13, 76th Legislature, 1999.

- §284.551. Definitions.**
- §284.552. Regulated Area.**
- §284.553. Discharge of Sewage Within the Regulated Area.**
- §284.554. Licensing Functions.**
- §284.555. Licensing Requirements for New Private Sewage Facilities and New Commercial Systems.**
- §284.556. Approval of Subdivision Plans for Private Sewage Facilities and Commercial Systems.**
- §284.557. Existing Private Sewage Facilities and Existing Commercial Systems.**

- §284.558. Connection of Private Sewage Facility and Commercial Systems to Organized Waste Collection, Treatment and Disposal Systems.**
- §284.559. Terms and Conditions for Granting Exceptions.**
- §284.560. Terms and Conditions of Appeal.**
- §284.562. Enforcement.**
- §284.563. Severability Clause.**
- §284.564. Fee Schedule.**

SUBCHAPTER Y : HIGHLAND LAKES

§§284.581-284.604

STATUTORY AUTHORITY

The repeals are adopted under TWC, §5.103 and §5.105, which authorize the commission to adopt rules necessary to carry out its responsibilities and duties under the TWC and other laws of Texas.

Since the statutory authority upon which this chapter was based, TWC, §26.031, was repealed by Acts 1987, 70th Legislature, Chapter 406, §2, effective September 1, 1989, and has been replaced by a program to regulate OSSF systems under Texas Health and Safety Code, Chapter 366, which is regulated under the commission's existing Chapter 285, the rule is no longer necessary. The review and repeal of the rules is authorized under the requirements of Texas Government Code, §2001.039, and the General Appropriations Act, Article IX, §9-10.13, 76th Legislature, 1999.

- §284.581. Definitions.**
- §284.582. Licensing Function.**
- §284.583. Restricted Zones.**
- §284.584. Water Quality Zones.**
- §284.585. Sewerage Facilities.**
- §284.586. Licenses for Septic Tanks in Restricted and Water Quality Zones.**
- §284.587. License Procedures for Construction of New Septic Tank Systems.**
- §284.588. Term of Sewage Facility Licenses.**
- §284.589. Reissuance of Sewage Facility Licenses.**

- §284.590. Operation and Maintenance.**
- §284.591. Exceptions.**
- §284.592. Requirement of a Licensed Installer; Effective Date.**
- §284.593. Procedures to Secure an Installer's License.**
- §284.594. Publication of the Installer License and List of Authorized Installers.**
- §284.595. Term of Installer License.**
- §284.596. Responsibility of Installer.**
- §284.597. Exceptions to Installer Licensing Requirements.**
- §284.598. Installer License Not Transferable.**
- §284.599. Suspension and Cancellation of Installer's Licenses.**
- §284.600. Range of Penalties to Installers.**
- §284.601. Terms and Conditions of Appeal.**
- §284.602. Severability Clause.**
- §284.603. Enforcement of These Regulations.**
- §284.604. Fee Schedule.**