

The Texas Natural Resource Conservation Commission (commission) proposes 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.

BACKGROUND AND SUMMARY OF THE FACTUAL BASIS FOR THE PROPOSED RULES

Chapter 284 is proposed for repeal because the chapter lacks statutory authority and is redundant with 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 In 1987, TWC, §26.031 was repealed, and House Bill 1875 was passed. House Bill 1875 gave authority to regulate OSSF to the Texas Department of Health. 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 implemented through Chapter 285. Because Chapter 285 supersedes Chapter 284, Chapter 284 is proposed for repeal.

As published in the Rules Review section of this issue of the *Texas Register*, the commission is also proposing 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 made a preliminary assessment under its review of the rules in Chapter 284 that the reason for their adoption no longer continues to exist.

FISCAL NOTE

Bob Orozco, Technical Specialist with Strategic Planning and Appropriations, has determined that for the first five-year period after the proposed repeal of Chapter 284, Private Sewage Facilities, there will be no significant adverse fiscal implications for the commission and other units of state or local government as a result of the repeal. Chapter 284 contained procedures for the regulation of private sewage facilities in the vicinity of various lakes and reservoirs in Texas.

Chapter 284 is repealed because the statutory authority was eliminated. The repeal of Chapter 284 will also eliminate redundancy with Chapter 285, On-Site Sewage Facilities, which provides installers,

homeowners, and authorized agents with guidance for the installation of OSSF.

PUBLIC BENEFIT

Mr. Orozco has also determined that for each year of the first five years after the proposed repeal of Chapter 284, the public benefit anticipated from the repeal will be removal of ambiguity between old, outdated rules and rules promulgated under Chapter 285. No significant adverse economic effects are anticipated to any person or business as a result of repealing the provisions of Chapter 284 of the rules. Guidance for installers, homeowners, and authorized agents regarding the installation of on-site sewage facilities is currently contained in Chapter 285.

SMALL BUSINESS AND MICRO-BUSINESS ANALYSES

No significant adverse economic effects are anticipated to any small business or micro-business as a result of repealing the provisions of Chapter 284 of the rules. The repeal will remove ambiguity between old, outdated rules and existing rules promulgated under Chapter 285. Guidance for installers, homeowners, and authorized agents regarding the installation of on-site sewage facilities is currently contained in Chapter 285.

DRAFT REGULATORY IMPACT ANALYSIS

The commission has reviewed the proposed 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 proposed rulemaking is to repeal outdated rules and remove ambiguity and confusion with existing rules, and the proposed rulemaking does 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 proposed repeal of Chapter 284 does not meet any of the four applicability requirements of a “major environmental rule.” The proposed repeal does not exceed a standard set by federal law, exceed an express requirement of state law, nor exceed a requirement of a delegation agreement.

TAKINGS IMPACT ASSESSMENT

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

COASTAL MANAGEMENT PROGRAM CONSISTENCY REVIEW

The commission has determined that the proposed 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.

PUBLIC HEARING

A public hearing on this proposal and on the proposed rules review will be held in Austin on January 11, 2000 at 2:00 p.m. in Building F, Room 5108, at the Texas Natural Resource Conservation Commission Complex, 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 in order of registration. Open discussion will not occur during the hearing; however, an agency staff member will be available to discuss the proposal 30 minutes before the hearing and will answer questions before and after the hearing.

Persons with disabilities who have special communication or other accommodation needs, who are planning to attend the hearing, should contact the Office of Environmental Policy, Analysis, and Assessment at (512) 239-4900. Requests should be made as far in advance as possible.

SUBMITTAL OF COMMENTS

Comments may be submitted to Lisa Martin, Office of Environmental Policy, Analysis, and Assessment, MC 205, P. O. Box 13087, Austin, Texas 78711-3087 or faxed to (512) 239-4808. All comments should reference Rule Log Number 99067-284-WT. Comments must be received by 5:00 p.m., January 18, 2000. For further information, please contact Warren Samuelson, (512) 239-4799.

STATUTORY AUTHORITY

The repeals are proposed 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.

No other codes, statutes, or rules will be affected by this proposal.

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 proposed 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.

No other codes, statutes, or rules will be affected by this proposal.

§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 proposed 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.

No other codes, statutes, or rules will be affected by this proposal.

- §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 proposed 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.

No other codes, statutes, or rules will be affected by this proposal.

- §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 proposed 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.

No other codes, statutes, or rules will be affected by this proposal.

- §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 proposed 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.

No other codes, statutes, or rules will be affected by this proposal.

- §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 proposed 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.

No other codes, statutes, or rules will be affected by this proposal.

§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 proposed 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.

No other codes, statutes, or rules will be affected by this proposal.

- §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 proposed 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.

No other codes, statutes, or rules will be affected by this proposal.

- §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 proposed 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 proposed 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.

No other codes, statutes, or rules will be affected by this proposal.

- §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 proposed 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.

No other codes, statutes, or rules will be affected by this proposal.

- §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 proposed 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.

No other codes, statutes, or rules will be affected by this proposal.

- §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 proposed 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.

No other codes, statutes, or rules will be affected by this proposal.

- §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 proposed 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 proposed 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.

No other codes, statutes, or rules will be affected by this proposal.

- §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 proposed 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.

No other codes, statutes, or rules will be affected by this proposal.

- §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 proposed 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.

No other codes, statutes, or rules will be affected by this proposal.

- §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 proposed 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.

No other codes, statutes, or rules will be affected by this proposal.

§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 proposed 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.

No other codes, statutes, or rules will be affected by this proposal.

- §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 proposed 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.

No other codes, statutes, or rules will be affected by this proposal.

- §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 proposed 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.

No other codes, statutes, or rules will be affected by this proposal.

- §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 proposed 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 proposed 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.

No other codes, statutes, or rules will be affected by this proposal.

- §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.**