

**SUBCHAPTER A : PURPOSE, APPLICABILITY, AND DEFINITIONS**  
**§§35.1 - 35.3**  
**Effective December 10, 1998**

**§35.1. Purpose.**

The purpose of this chapter is to implement the commission's authority under Texas Water Code, Chapter 5, Subchapter L, to issue temporary or emergency mandatory, permissive, or prohibitory orders and by those orders to issue temporary permits or temporarily suspend or amend permit conditions.

Adopted November 18, 1998

Effective December 10, 1998

**§35.2. Applicability.**

This chapter applies to any application under Texas Water Code, Chapter 5, Subchapter L, to issue temporary or emergency mandatory, permissive, or prohibitory orders.

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**§35.3. Definitions.**

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

(1) **Emergency order** - An order which must be issued immediately, in order to protect human health or safety or the environment, or for other reasons specified by statute. Specific requirements for an emergency order are specified in the rules in this chapter relating to each program.

(2) **Severe property damage** - Substantial physical damage to property, damage to treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a discharge. Severe property damage does not mean economic loss caused by delays in production.

(3) **Temporary order** - An order of short duration which must be issued as quickly as possible or which might allow an authorization for a short term activity, setting conditions and limitations that will adequately protect human health or safety or the environment, or for the reasons specified in §35.302 of this title (relating to Application for Emergency and Temporary Orders to Discharge). Specific requirements for a temporary order are specified in the rules in this chapter relating to each program.

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