

Texas Commission on Environmental Quality



DECISION OF THE COMMISSION REGARDING THE PETITION FOR RULEMAKING FILED BY THE IRRIGATOR ADVISORY COUNCIL


Docket No. 2017-1198-PET
Rule Project No. 2017-042-PET-NR

On October 4, 2017, the Texas Commission on Environmental Quality (Commission) considered the petition for rulemaking filed by the Irrigator Advisory Council (petitioner). The petitioner, filed the petition on August 14, 2017, and requested that the Commission initiate rulemaking to amend 30 TAC Chapter 344, Landscape Irrigation, Subchapter E, Backflow Prevention and Cross-Connections, § 344.52, Installation of Backflow Prevention Device. The petitioner requested that the Commission amend §344.52, Installation of Backflow Prevention Device, to revise the acceptable methods for backflow prevention. The petitioner recommends eliminating authorization of "double check valves" in irrigation system service and recommends adding reference to "spill resistant vacuum breakers" as an authorized alternative. The petitioner also recommends inserting requirements for in-line filter or strainers per manufacturer's recommendation. In addition, the petition requests the Commission amend references from the term "backflow prevention device" to the term "backflow prevention assembly" to align with 30 TAC Chapter 290, Public Drinking Water.

IT IS THEREFORE ORDERED BY THE COMMISSION, pursuant to Administrative Procedure Act, Texas Government Code, § 2001.021 and Texas Water Code, § 5.102 and § 5.103, to instruct the Executive Director to examine the issues raised in the petition and to initiate rulemaking. As part of the rulemaking proceeding, the Commission instructs the Executive Director to initiate stakeholder engagement (and to report back to the Commission with findings and recommended actions, if any, within 12 months of this agenda).

This Decision constitutes the decision of the Commission required by the Texas Government Code, § 2001.021(c).

TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY


Bryan W. Shaw, Ph.D., P.E., Chairman

10-10-17
Date Signed