

**SUBCHAPTER D: ALTERNATIVE AND PRE-EXISTING RECLAIMED WATER
SYSTEMS**

**§§210.41 - 210.46
Effective February 12, 1997**

§210.41. Applicability of Alternate Reclaimed Water Proposals.

In the event a reclaimed water provider or user proposes to design, construct, or operate a reclaimed water system or to utilize reclaimed water in a manner other than authorized in these rules, the provisions of this subchapter shall apply.

Adopted January 8, 1997

Effective February 12, 1997

§210.42. Request to Executive Director.

(a) If a reclaimed water provider or user proposes to design, construct, or operate a reclaimed water system or to utilize reclaimed water in a manner other than authorized in these rules, the provider or user shall file a request with the executive director, in addition to the notification filed pursuant to §210.4 of this title (relating to Notification), identifying the alternative proposal and requesting approval by the executive director.

(b) The request shall be in writing and shall include information necessary or useful in assisting the executive director in acting on the request for approval of the alternate reclaimed water proposal.

Adopted January 8, 1997

Effective February 12, 1997

§210.43. Action on Alternative Reclaimed Water Proposals.

The executive director shall review an alternate reclaimed water proposal filed under §210.42 of this title (relating to Request to Executive Director). Within 60 days, the executive director shall identify in writing to the requestor any additional information necessary for the executive director to act on the request, and provide the requestor sufficient time to provide such information. Following the receipt of such information, the executive director shall act on the request, either granting or denying the proposal, in whole or in part. If no additional information is requested, the executive director shall act on the request within 60 days, either granting or denying the proposal, in whole or in part.

Adopted January 8, 1997

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§210.44. Pre-existing Reclaimed Water Systems.

A reclaimed water system not already authorized by a commission permit or other written approval, existing on the effective date of these rules, where construction began prior to June 25, 1990, is authorized under this chapter if the provider or user of such a system provides a detailed description of the system to the executive director pursuant to the notification procedures of §210.4 of this title (relating to Notification) and the system is approved by the executive director. Such notification must occur within ninety (90) days of the effective date of these rules. The system is authorized unless the executive director requests additional information pursuant to §210.45 of this title (relating to Actions on Pre-existing Reclaimed Water Systems) or denies such authorization pursuant to the provisions of §210.46 of this title (relating to Denial of Request).

Adopted January 8, 1997

Effective February 12, 1997

§210.45. Action on a Pre-existing Reclaimed Water System.

(a) The executive director may request a reclaimed water user to submit additional information concerning a pre-existing reclaimed water system to be authorized under this subchapter. The additional information may be requested in order to evaluate the potential for significant water quality problems or potential for significant risks to the health or safety of the public, including the need of a project to conform to one or more of the requirements of this chapter. Such request shall be provided in writing to the proposed reclaimed water user within 60 days of the receipt of the notification and shall provide the proposed user not less than 30 days to provide such additional information.

(b) Following the receipt of such information, the executive director shall act on the request, either granting or denying the proposal, in whole or in part. If no additional information is requested, the executive director shall act on the request within 60 days, either granting or denying the proposal, in whole or in part.

Adopted January 8, 1997

Effective February 12, 1997

§210.46. Denial of Request.

The executive director shall not grant an alternate reclaimed water proposal or grant authorization to a pre-existing reclaimed water system which could pose a significant threat to water quality or which represents a significant risk to human health or safety.

Adopted January 22, 1997

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