

**Effective: November 26, 2009**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
Permanent Rule Change

Rule Project No. 2009-005-309-PR  
Bacteria Effluent Limitations and Monitoring in Domestic Water Quality Permits

Chapter 210  
Use of Reclaimed Water  
Subchapter C

Chapter 309  
Domestic Wastewater Effluent Limitation and Plant Siting  
Subchapter A

Chapter 319  
General Regulations Incorporated into Permits  
Subchapter A

1. Purpose. This change transmittal provides the page(s) that reflect changes and additions to the Texas Commission on Environmental Quality (commission) Volume of Permanent Rules.
2. Explanation of Change. On November 4, 2009, the commission adopted the amendment of §210.33, *with changes* to the proposed text as published in the June 5, 2009, issue of the *Texas Register* (34 TexReg 3495).

The commission also adopted the amendment of §309.3 *without changes* to the proposed text as published in the June 5, 2009, issue of the *Texas Register* (34 TexReg 3495) and was not republished.

The commission also adopted the amendment of §319.9 and the repeal of §319.10. Section 319.9 was adopted *with changes* to the proposed text and was republished. Section 319.10 was adopted *without changes* to the proposed text as published in the June 5, 2009, issue of the *Texas Register* (34 TexReg 3495) and was not republished.

3. Effects of Change. The rulemaking adds bacteria limits for either *Escherichia coli* (*E. coli*) for fresh water discharges or *Enterococci* for saltwater discharges to Texas Pollutant Discharge Elimination System domestic permits in Chapter 309, sets the frequency of testing for bacteria in Chapter 319, and amends Chapter 210 to allow reuse water providers to choose *E. coli* or fecal coliform bacteria testing to verify disinfection.