

SUBCHAPTER D: SAND AND GRAVEL WASHING

§§321.61-321.66

§321.61. Application of Subchapter.

This subchapter applies to all sand and gravel washing operations. For the purposes of this subchapter, "sand and gravel washing operations" means any person, operation, facility, establishment, or enterprise which washes sand and gravel in such a manner as to separate the sand and gravel from other materials present in the mixture in which the sand and gravel were originally taken from the ground. This definition specifically includes any operation which introduces into washwater any material other than material resulting from such washing of sand and gravel.

§321.62. Exception to Application of Subchapter.

Any person to whom this subchapter applies who does not wish to be regulated by it, shall submit to the executive director an application for a permit pursuant to the Texas Water Code, Chapter 26. This subchapter shall continue to apply to any person except where provisions of a permit supersede provisions of this subchapter.

§321.63. Treatment and Retention Facilities.

Any person who conducts a sand and gravel washing operation and who does not have a permit shall provide necessary retention ponds, dikes, ditches, dams and berms for retaining the process wastewater so that it does not enter any water in the state.

§321.64. Diversion of Runoff.

All uncontaminated runoff shall be diverted around process wastewater treatment and retention facilities.

§321.65. Available Capacity.

The treatment and retention facilities shall at all times provide enough available capacity to retain all process wastewater.

§321.66. Prohibition of Unauthorized Discharge.

Any person owning or operating a sand and gravel washing operation who makes, or proposes to make, any discharge into or adjacent to any water in the state shall submit to the executive director an application for a discharge permit. No person shall make any such discharge without authorization from the commission.