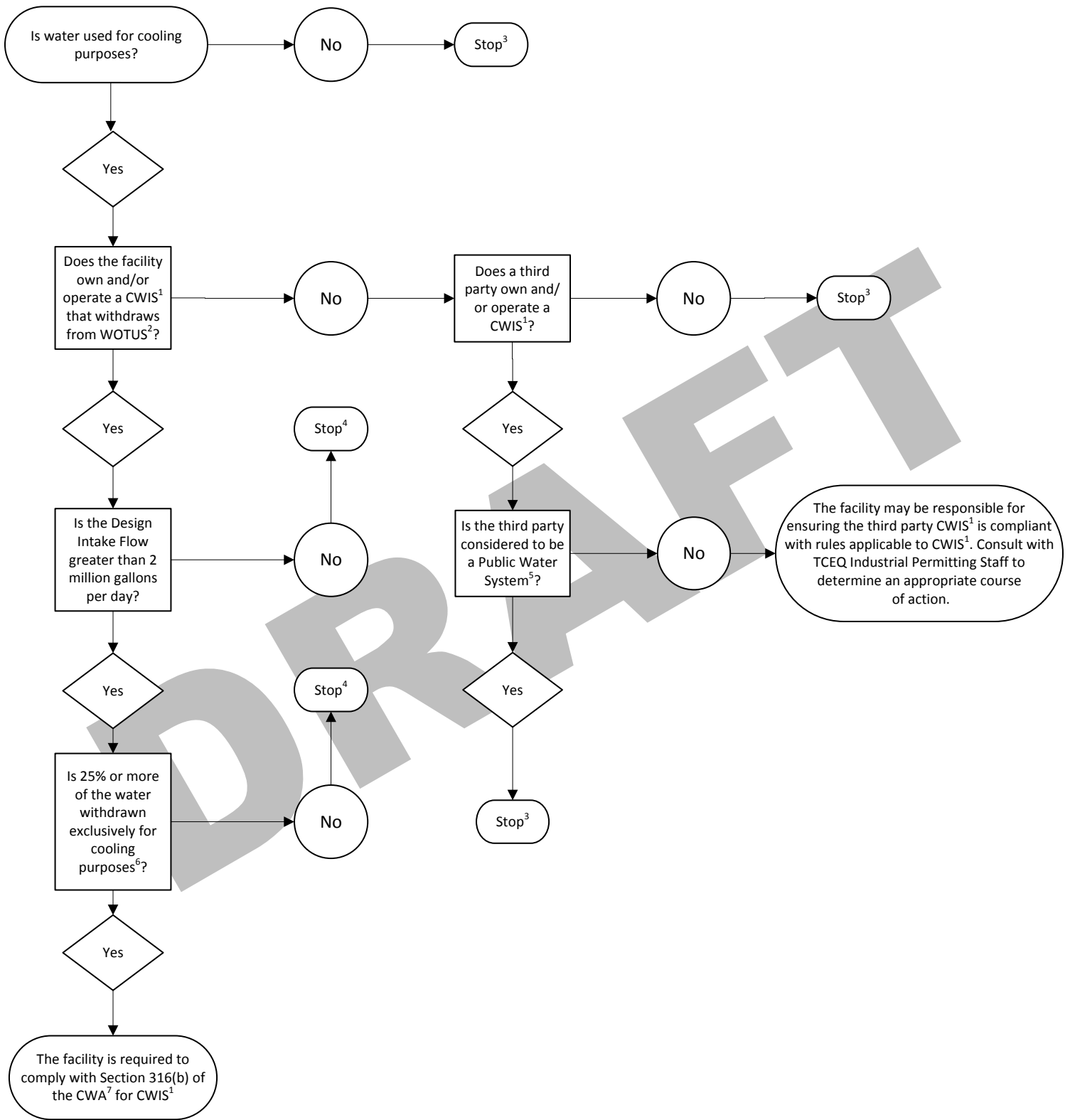


Determination of Applicability of 316(b) Final Rule Flowchart



¹ Cooling Water Intake Structure.

² Waters of the United States. See the Water of the United States Flowchart if unsure.

³ The facility is not subject to Section 316(b) of the CWA⁵.

⁴ The facility is subject to Section 316(b) of the CWA⁵; however, the determination of BTA for minimizing AEI will be determined on best professional judgement basis by the TCEQ.

⁵ If a supplier is registered with the TCEQ as a public water supplier, it is a Public Water System (PWS).

⁶ Excludes reclaimed water, treated effluent and water used in a manufacturing process before/after it is used for cooling purposes..

⁷ Clean Water Act.