

Action	Section Chapter 222 12/16/2015	Explanation of Changes since 10/12
Add new definitions.	30 TAC §222.5 Definitions. <u>Firm reclaimed water demand means the minimum volume of reclaimed water that can be guaranteed to be beneficially reused over a specified time and includes reclaimed water used for indoor and outdoor purposes.</u>	Added language to the definition: can be used for indoor and outdoor purposes.
Add a new subparagraph.	30 TAC §222.121 Dispersal Zones. (d) The permittee shall include the dispersal zone design in the engineering report, including the following elements: (10) <u>the total volume of firm reclaimed water demand less 20% if the reclaimed water will be land applied, unless the permittee, during the first term of the permit, owns, leases, or otherwise reserves land to apply the total volume of effluent less the volume of firm reclaimed water demand utilized for indoor uses.</u>	Added new language to address concerns with outdoor conditions that may limit a user's ability to utilize reclaimed water for outdoor purposes.
Add a new section	30 TAC §222.128. Reclaimed Water Dispersal Sites. (1) An applicant that relies upon firm reclaimed water demand to reduce the land required for the subsurface area dispersal system required under this Chapter, shall ensure that the indoor and outdoor dispersal sites for the reclaimed water have the appropriate authorization under 30 TAC Chapter 210 (<i>Use of Reclaimed Water</i>). (2) Outdoor R reclaimed water dispersal sites described in subsection (1) must meet the distance standards set in 30 TAC §222.81 (<i>Buffer Zone Requirements</i>).	Added references to indoor and outdoor.
Add new subsection	30 TAC §222.43 Construction Notices to Regional Offices. (e) <u>The addition or modification of users or areas for firm reclaimed water demand does not constitute field layout or construction under this Section.</u>	
Amend existing language and add new section.	30 TAC §222.75 Site Preparation Plan. (a) The applicant shall develop and submit, with the permit application, a site preparation plan that illustrates how site preparation will alleviate potential site-specific limitations and ensure suitability for the subsurface area drip dispersal system of wastewater. This plan must include the following if applicable: (b) <u>A site preparation plan is not necessary for reclaimed water dispersal sites.</u>	
Add a new subsection.	30 TAC §222.157 Soil Sampling. (j) <u>The requirements in this section do not apply to</u>	

Action	Section Chapter 222 12/16/2015	Explanation of Changes since 10/12
--------	-----------------------------------	---------------------------------------

	<u>reclaimed water dispersal sites.</u>	
Add a new section	<p>30 TAC §222.6 Firm Reclaimed Water Demand.</p> <p>(a) An applicant establishes that reclaimed water demand is firm when the applicant:</p> <ol style="list-style-type: none"> (1) demonstrates to the satisfaction of the executive director that it is able to transfer a specific volume of reclaimed water on a periodic basis; (2) demonstrates a specific amount of reclaimed water use by the applicant. <p>(b) An applicant may demonstrate its ability to transfer reclaimed water on a periodic basis when it requires a user to accept a specific amount of reclaimed water by contract or by appropriate regulation.</p> <p>(c) Applicant must provide the executive director with a list of users, <u>type of use</u>, and areas that receive firm reclaimed water demand. <u>Areas receiving firm reclaimed water demand for outdoor irrigation purposes must be shown on a map that identifies the buffer zones in compliance with 30 TAC 222.81 (Buffer Zone Requirements).</u> If the users or areas change, the applicant is required to provide an updated list within 30 days. A change in user or area is not an amendment to the permit.</p> <p>(d) Firm reclaimed water demand include the uses described in 30 TAC §210.32 (<i>Specific Uses of Reclaimed Water</i>).</p> <p>(e) Reclaimed water dispersal sites must meet the standards in 30 TAC §222.128 (<i>Reclaimed Water Dispersal Sites</i>).</p> <p>(f) An applicant cannot rely on a transfer of reclaimed water to a user if the user has been found substantially noncompliant, as described in 30 TAC §70.51, within the last five years.</p> <p>(g) Applicant is responsible for recording the volume of firm reclaimed water demand that is transferred.</p> <p>(h) If firm reclaimed water cannot be applied to reclaimed water dispersal sites or transferred, the applicant must provide an alternative method to dispose the reclaimed water and provide notice to the regional office<u>An applicant that relies on firm reclaimed water demand that will be used for outdoor purposes must demonstrate in the water balance that the firm reclaimed water will not result in an unauthorized discharge to waters of the State or a contamination of groundwater.</u></p>	<p>Subsection (c): added a map requirement for areas that will receive reclaimed water.</p> <p>Subsection (h): deleted reference to alternative disposal method provision and replaced with a reference to water balance for outdoor use of reclaimed water.</p> <p><u>Added a new Subsection (k): Does not allow firm reclaimed water demand to be the same as the volume of permitted wastewater.</u></p>

Action	Section Chapter 222 12/16/2015	Explanation of Changes since 10/12
--------	-----------------------------------	---------------------------------------

	<p>(i) An applicant and, to the extent applicable, user must maintain its authorization under 30 TAC Chapter 210 (<i>Use of Reclaimed Water</i>) during the term of the permit.</p> <p><u>(j)</u> A permittee that relies on firm reclaimed water demand must receive an authorization required by 30 TAC Chapter 210 prior to initiating construction or, if already constructed, operating a subsurface area drip dispersal system.</p> <p><u>(j)(k)</u> <u>In any phase of a permit, the volume of firm reclaimed water demand relied upon must be less than the total permitted volume of wastewater.</u></p>	
--	---	--