Status Update and Overview of Changes being made to 30 TAC Chapters 210 and 321 P for SB 1289 Implementation

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TCEQ regulations involved in Senate Bill 1289

- **30 TAC Chapter 210**
  - authorizes producers, providers, and users of reclaimed water
  - promotes sustainability
  - protects public health
- **30 TAC Chapter 321 Subchapter P**
  - authorizes the construction and operation of reclaimed water production facilities
  - generates reclaimed water that can be used instead of potable or raw water

Current Implementation Status

- Legal and Management review

Overview of proposed rule changes to 30 TAC Chapter 210

(subject to change during rulemaking process)

- revised the definition of “permit or permitted” in §210.3(20).
- added another reference to the list of regulations associated with types of reclaimed water activities in §210.2(b).

Overview of proposed rule changes to 30 TAC Chapter 321 P

(subject to change during rulemaking process)

- No TPDES / TLAP permit is required for reclaimed water production facilities, except as outlined in §210.5, so long as:
  - the owner is also the owner of the associated domestic wastewater treatment facility.

OR

  - the owner has permission or consent from the owner/operator of the associated domestic wastewater.

Overview of proposed rule changes to 30 TAC Chapter 321 P

(subject to change during rulemaking process)

- Authorizations will be automatically cancelled if the TPDES / TLAP permit for the associated domestic wastewater treatment facility expires or is suspended / cancelled / revoked.

Overview of proposed rule changes to 30 TAC Chapter 321 P

(subject to change during rulemaking process)

- Definitions are being added for the following:
  - associated domestic wastewater treatment facility
  - collection system
  - permit

Overview of proposed rule changes to 30 TAC Chapter 321 P

(subject to change during rulemaking process)

- The following three items must be submitted concurrently:
  - 210 beneficial reuse authorization application
  - 321 P reclaimed water production facility application
  - complete set of engineering design plans and specs

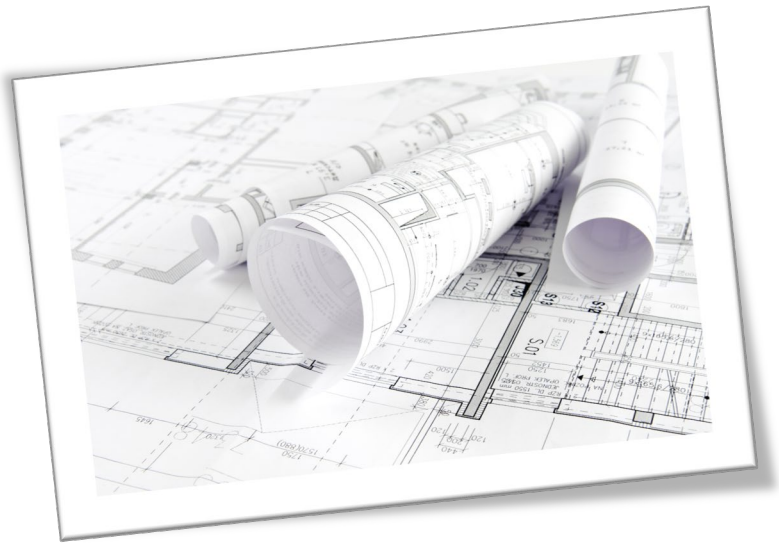
Overview of proposed rule changes to 30 TAC Chapter 321 P

(subject to change during rulemaking process)

- Reclaimed water production facility authorizations will be terminated if the permission/consent is withdrawn
- Reclaimed water production facility owners/operators must notify TCEQ in writing and cease operations within five business days

Process for issuing 321 P authorizations prior to the adoptions of rules

- To date, under the SB 1289 statute changes:
  - one authorization has been issued
  - one application is currently under review
- A reopener clause is being included in issued authorizations.
- The statement about automatic termination if associated TDPES / TLAP permit goes away is being revised.



Questions?

Thank You!

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