

## HISTORY PAGE

### CHAPTER 39 PUBLIC NOTICE

Rule Project No. 2024-003-039-LS

Updates to Public Participation Rules to Implement Sunset Legislation

Amendments to: §§39.402, 39.403, 39.405, 39.407, 39.409, 39.411, 39.412, 39.419, 39.420, 39.423, 39.425, 39.426, 39.501, 39.503, 39.509, 39.551, 39.601, 39.603, 39.604, 39.605, 39.651, 39.707, 39.803, 39.804, 39.807, 39.808, 39.809, 39.810, 39.903, and 39.1009

New: §§39.1, 39.405, 39.409, 39.419, 39.501, 39.503, 39.606, 39.804

Date Adopted: January 28, 2026

Date Filed with the Secretary of State: January 29, 2026

Date Published in the *Texas Register*: February 13, 2026

Date Effective: February 18, 2026

Rule Log No. 2023-037-039-LS

Quadrennial Review of Chapter 39

Date Adopted: April 10, 2024

Date Filed with the Secretary of State: April 12, 2024

Date Published in the *Texas Register*: April 26, 2024

Date Effective: April 12, 2024

Rule Project No. 2020-018-039-LS

Amend Public Notice & Participation Requirements

Amendments to: §§39.405, 39.412; 39.418, 39.419, 39.423, 39.503, 39.602, 39.604, and 39.651

New: §39.426

Date Adopted: August 25, 2021

Date Filed with the Secretary of State: August 27, 2021

Date Published in the *Texas Register*: September 10, 2021

Date Effective: September 19, 2021

Rule Project No. 2016-022-331-WS

Permit Streamlining Pre-Injection Units

Amendment to: §39.403

Date Adopted: December 16, 2020

Date Filed with the Secretary of State: December 18, 2020

Date Published in the *Texas Register*: January 1, 2021

Date Effective: January 7, 2021

Rule Project No. 2019-121-033-LS

Amendments and New Rules to Implement Quadrennial Review of Public Notice and Procedural Rules

Amendments to: §§39.402, 39.403, 39.501, 39.503, and 39.709  
New: §§39.1001, 39.1003, 39.1005, 39.1007, 39.1009, and 39.1011  
Date Adopted: April 22, 2020  
Date Filed with the Secretary of State: April 24, 2020  
Date Published in the *Texas Register*: May 8, 2020  
Date Effective: May 14, 2020

Rule Project No. 2019-120-039-LS  
Post Quadrennial Review of Public Notice and Procedural Rules: Amendments and SIP Revisions  
Amendments to: §§39.405, 39.411, 39.419, 39.420, 39.601, 39.603  
Date Adopted: April 22, 2020  
Date Filed with the Secretary of State: April 24, 2020  
Date Published in the *Texas Register*: May 8, 2020  
Date Effective: May 14, 2020

Rule Project No. 2019-119-039-LS  
Permit Streamlining Pre-Injection Units  
Repealed: §§39.1, 39.3, 39.5, 39.7, 39.9, 39.11, 39.13, 39.15, 39.17, 39.19, 39.21, 39.23, 39.25, 39.101, 39.103, 39.105 - 39.107, 39.109, 39.151, 39.201, 39.251, and 39.253  
Date Adopted: April 22, 2020  
Date Filed with the Secretary of State: April 24, 2020  
Date Published in the *Texas Register*: May 8, 2020  
Date Effective: May 14, 2020

Rule Project No. 2019-013-039-LS  
Quadrennial Review of Chapter 39  
Date Adopted: June 12, 2019  
Date Filed with the Secretary of State: June 14, 2019  
Date Published in the *Texas Register*: June 28, 2019  
Date Effective: June 14, 2019

Rule Project No. 2017-027-039-LS  
SB 1045: Public Notice Requirements for Certain Air Permit Applications  
Amendments to: §39.411 and §39.603  
Date Adopted: May 9, 2018  
Date Filed with the Secretary of State: May 11, 2018  
Date Published in the *Texas Register*: May 25, 2018  
Date Effective: May 31, 2018

Rule Project No. 2016-030-039-LS  
Concrete Batch Plant Notice  
Amendments to: §39.411 and §39.603  
Date Adopted: December 7, 2016

Date Filed with the Secretary of State: December 9, 2016  
Date Published in the *Texas Register*: December 23, 2016  
Date Effective: December 29, 2016

Rule Project No. 2015-029-295-OW  
HB 2031 and HB 4097: Marine Seawater Desalination  
New: §§39.901 - 39.903  
Date Adopted: November 16, 2016  
Date Filed with the Secretary of State: November 18, 2016  
Date Published in the *Texas Register*: December 2, 2016  
Date Effective: December 8, 2016

Rule Project No. 2015-022-331-WS  
HB 655: Aquifer Storage and Recovery  
Amendment to: §39.651  
Date Adopted: April 27, 2016  
Date Filed with the Secretary of State: April 29, 2016  
Date Published in the *Texas Register*: May 13, 2016  
Date Effective: May 19, 2016

Rule Project No. 2015-018-080-LS  
SB 709 and SB 1267: Contested Case Hearings and Post Hearings  
Amendments to: §§39.405, 39.419, and 39.602  
Date Adopted: December 9, 2015  
Date Filed with the Secretary of State: December 11, 2015  
Date Published in the *Texas Register*: December 25, 2015  
Date Effective: December 31, 2015

Rule Project No. 2013-040-116-AI  
HB 788: Greenhouse Gas Permitting  
Amendments to: §§39.411, 39.419, and 39.420  
New: §39.412  
Date Adopted: March 26, 2014  
Date Filed with the Secretary of State: March 28, 2014  
Date Published in the *Texas Register*: April 11, 2014  
Date Effective: April 17, 2014

Rule Project No. 2010-004-039-LS  
Public Participation for Air Permitting  
Amendments to: §§39.106, 39.403, 39.405, 39.409, 39.411, 39.418 - 39.420,  
39.501, 39.551, 39.601 - 39.605, 39.651, 39.653, and 39.709  
Repeal of: §§39.402, 39.404, and 39.606  
New: §39.402  
Date Adopted: June 2, 2010  
Date Filed with the Secretary of State: June 4, 2010

Date Published in the *Texas Register*: June 18, 2010  
Date Effective: June 24, 2010

Rule Project No. 2009-028-295-LS  
Notice Changes for Certain Water Applications  
Amendment to: §39.551  
Date Adopted: December 9, 2009  
Date Filed with the Secretary of State: December 11, 2009  
Date Published in the *Texas Register*: December 25, 2009  
Date Effective: December 31, 2009

Rule Project No. 2007-029-336-PR  
HB 3838, SB 1604: Phase 2 of Implementation of Radioactive Material Disposal and Source Material Recovery Requirements  
Amendments to: §§39.403, 39.651, 39.653, 39.702, 39.703, and 39.707  
New: §39.655  
Date Adopted: February 11, 2009  
Date Filed with the Secretary of State: February 20, 2009  
Date Published in the *Texas Register*: March 6, 2009  
Date Effective: March 12, 2009

Rule Project No. 2007-028-336-PR  
SB 1064: Uranium Mining and Radioactive Waste (Phase 1)  
Amendments to: §§39.702, 39.703, 39.707, and 39.709  
Date Adopted: January 30, 2008  
Date Filed with the Secretary of State: February 8, 2008  
Date Published in the *Texas Register*: February 22, 2008  
Date Effective: February 28, 2008

Rule Project No. 2005-068-039-LS  
HB 1609: Public Meetings for New Solid Waste Applications  
Amendments to: §§39.501, 39.503, and 39.651  
Date Adopted: June 28, 2006  
Date Filed with the Secretary of State: June 29, 2006  
Date Published in the *Texas Register*: July 14, 2006  
Date Effective: July 19, 2006

Rule Project No. 2005-053-091-PR  
HB 2201: FutureGen/Clean Coal  
Amendments to: §§39.403, 39.411, 39.419, and 39.420  
Repeal of: §39.404  
New: §39.404  
Date Adopted: February 22, 2006  
Date Filed with the Secretary of State: March 9, 2006  
Date Published in the *Texas Register*: March 24, 2006

Date Effective: March 29, 2006

Rule Project No. 2005-014-039-LS

Alternative Language Newspaper Notice

Amendments to: §§39.405, 39.418, 39.419, 39.503, 39.603, 39.604, and 39.651

Date Adopted: November 9, 2005

Date Filed with the Secretary of State: November 10, 2005

Date Published in the *Texas Register*: November 25, 2005

Date Effective: November 30, 2005

Rule Project No. 2004-030-336-PR

Licensing of Commercial Disposal of Natural Occurring Radioactive Materials (NORM) Waste

Amendments to: §§39.703, 39.707, and 39.709

Date Adopted: June 29, 2005

Date Filed with the Secretary of State: July 1, 2005

Date Published in the *Texas Register*: July 15, 2005

Date Effective: July 21, 2005

Rule Project No. 2004-036-305-WS

Unutilized Municipal Solid Waste Permits

New: §39.510

Date Adopted: May 11, 2005

Date Filed with the Secretary of State: May 13, 2005

Date Published in the *Texas Register*: May 27, 2005

Date Effective: June 2, 2005

Rule Log No. 2003-037-336-WS

HB 1567 and HB 1678: Low-level Radioactive Waste Disposal Rules

Amendments to: §§39.703, 39.707, and 39.709

Date Adopted: December 17, 2003

Date Filed with the Secretary of State: December 19, 2003

Date Published in the *Texas Register*: January 2, 2004

Date Effective: January 8, 2004

Rule Log No. 2003-023-039-AD

Quadrennial Review of Chapter 39

Date Adopted: August 22, 2003

Date Filed with the Secretary of State: August 26, 2003

Date Published in the *Texas Register*: September 5, 2003

Date Effective: August 26, 2003

Rule Log No. 2000-048-335-WS

HB 2912, Art 05 and 09: Orders for Closure and Post Closure

Amendment to: §39.420

New: §§39.801 - 39.810  
Date Adopted: January 8, 2003  
Date Filed with the Secretary of State: January 10, 2003  
Date Published in the *Texas Register*: January 24, 2003  
Date Effective: January 30, 2003

Rule Log No. 2000-055-331-WS  
Regulating Surface Facilities Underground Injection Control  
Amendment to: §39.403  
Date Adopted: December 18, 2002  
Date Filed with the Secretary of State: December 20, 2002  
Date Published in the *Texas Register*: January 3, 2003  
Date Effective: January 9, 2003

Rule Log No. 2001-028-039-AD  
HB 2912, HB 2947, and SB 688: Notice Requirements  
Amendments to: §§39.403, 39.405, 39.501, and 39.503  
Date Adopted: July 24, 2002  
Date Filed with the Secretary of State: July 26, 2002  
Date Published in the *Texas Register*: August 9, 2002  
Date Effective: August 15, 2002

Rule Log No. 2001-076-116-AI  
Grandfathered Facilities  
New: §39.404  
Amendments to: §§39.411, 39.419, 39.420, 39.603, 39.604, and 39.606  
Date Adopted: May 22, 2002  
Date Filed with the Secretary of State: May 23, 2002  
Date Published in the *Texas Register*: June 7, 2002  
Date Effective: June 12, 2002

Rule Log No. 1997-186-305-WS  
MSW Permit Modifications  
Amendments to: §39.105 and §39.403  
New: §39.106  
Date Adopted: December 5, 2001  
Date Filed with the Secretary of State: December 10, 2001  
Date Published in the *Texas Register*: December 28, 2001  
Date Effective: December 30, 2001

Rule Log No. 2001-028b-055-AD  
SB 688: Direct Referral Requirements  
Amendment to: §39.420  
Date Adopted: December 5, 2001  
Date Filed with the Secretary of State: December 7, 2001

Date Published in the *Texas Register*: December 21, 2001  
Date Effective: December 27, 2001

Rule Log No. 2001-028a-039-AD  
HB 2518: Air Notice Regulations, Chapter 39, Public Notice  
New: §39.402  
Date Adopted: October 24, 2001  
Date Filed with the Secretary of State: October 24, 2001  
Date Published in the *Texas Register*: November 9, 2001  
Date Effective: November 13, 2001

Rule Log No. 2000-040-039-AD  
Public Notice - MS4  
Amendment to: §39.551  
Date Adopted: August 8, 2001  
Date Filed with the Secretary of State: August 9, 2001  
Date Published in the *Texas Register*: August 24, 2001  
Date Effective: August 29, 2001

Rule Log No. 1999-071-039-WS  
Mineral Rights Owner Notice Change  
Amendments to: §§39.15, 39.251, and 39.651  
Date Adopted: November 15, 2000  
Date Filed with the Secretary of State: November 17, 2000  
Date Published in the *Texas Register*: December 1, 2000  
Date Effective: December 7, 2000

Rule Log No. 1999-057-336-WS  
Definition of Low Level Radioactive Waste  
Amendments to: §§39.1, 39.5, 39.11, 39.13, 39.17, 39.701, 39.703, 39.707, and  
39.709  
Repeal of: §§39.301 - 39.303, 39.305, 39.307, 39.309, 39.311, and 39.313  
Date Adopted: August 23, 2000  
Date Filed with the Secretary of State: August 25, 2000  
Date Published in the *Texas Register*: September 8, 2000  
Date Effective: September 14, 2000

Rule Log No. 99030-039-AD  
Rules Review of Chapter 39  
Date Adopted: September 2, 1999  
Date Filed with the Secretary of State: September 3, 1999  
Date Published in the *Texas Register*: September 24, 1999  
Date Effective: September 3, 1999

Rule Log No. 99030-039-AD

Public Participation (HB 801)

Amendments to: §§39.1, 39.101, 39.151, 39.201, 39.251, and 39.253

New: §§39.302, 39.351, 39.401, 39.403, 39.405, 39.407, 39.409, 39.411, 39.413, 39.418 - 39.421, 39.423, 39.425, 39.501, 39.503, 39.509, 39.551, 39.553, 39.601 - 39.606, 39.651, 39.653, 39.701 - 39.703, 39.705, 39.707, 39.709, 39.711, and 39.713

Repeal of: §39.401

Date Adopted: September 2, 1999

Date Filed with the Secretary of State: September 3, 1999

Date Published in the *Texas Register*: September 24, 1999

Date Effective: September 23, 1999

Rule Log No. 97129-039-AD

Hazardous Waste Public Participation

Amendments to: §39.13 and §39.103

Date Adopted: July 14, 1999

Date Filed with the Secretary of State: July 19, 1999

Date Published in the *Texas Register*: July 30, 1999

Date Effective: August 8, 1999

Rule Log No. 99003-039-WT

TPDES Minor Amendments

Amendments to: §§39.5, 39.15, 39.17, and 39.151

Date Adopted: May 26, 1999

Date Filed with the Secretary of State: May 28, 1999

Date Published in the *Texas Register*: June 11, 1999

Date Effective: June 17, 1999

Rule Log No. 97170-033-AD

Consolidated Permits

Amendments to: §§39.1, 39.5, and 39.251

New: §39.401

Date Adopted: October 23, 1998

Date Filed with the Secretary of State: November 20, 1998

Date Published in the *Texas Register*: December 4, 1998

Date Effective: December 10, 1998

Rule Log No. 97154-336-WS

Uranium Transfer Bill

Amendments to: §§39.303, 39.305, 39.307, and 39.309

New: §39.313

Date Adopted: July 29, 1998

Date Filed with the Secretary of State: August 14, 1998

Date Published in the *Texas Register*: August 28, 1998

Date Effective: September 3, 1998

Rule Log No. 95031-336-WS

Amendments to: §§39.1, 39.5, 39.11, 39.13, and 39.17

New: §§39.301, 39.303, 39.305, 39.307, 39.309, and 39.311

Date Adopted: May 14, 1997

Date Filed with the Secretary of State: May 16, 1997

Date Published in the *Texas Register*: May 27, 1997

Date Effective: June 5, 1997

Rule Log No. 95124-039-AD

New: §§39.1, 39.3, 39.5, 39.7, 39.9, 39.11, 39.13, 39.15, 39.17, 39.19, 39.21, 39.23, 39.25, 39.101, 39.103, 39.105, 39.107, 39.109, 39.151, 39.201, 39.251, and 39.253

Date Adopted: December 4, 1996

Date Filed with the Secretary of State: December 17, 1996

Date Published in the *Texas Register*: December 27, 1996

Date Effective: January 8, 1997