

Jon Niermann, *Chairman*
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Kelly Keel, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

NOTICE OF PUBLIC HEARING ON PROPOSED REVISIONS TO 30 TEXAS ADMINISTRATIVE CODE CHAPTERS 290 AND 291

The Texas Commission on Environmental Quality (commission) will conduct a public hearing to receive testimony regarding proposed revisions to 30 Texas Administrative Code (TAC) Chapter 290, Public Drinking Water, §§290.38, 290.45, and 290.46, and Chapter 291, Utility Regulations, §291.143 and §291.161 under the requirements of Texas Water Code (TWC), §13.4132 and §13.1395, Texas Health and Safety Code, §341.033 and §341.0315.

The proposed rulemaking would implement amendments to 30 TAC §291.143 by changing 180 days to a term of no more than 360 days for a temporary utility manager, based on the 360-day duration of the emergency order appointing the temporary manager. The proposed rulemaking also includes the basis for renewing the emergency order under TWC §13.4132. The proposed rulemaking would also amend 30 TAC §290.46(w) and propose new §290.46(w)(6) by adding requirements of notification by a nonindustrial public water supply system of an unplanned condition that causes a system outage, issuance of drinking water advisories, or boil water notice. Additionally, the proposed rulemaking would amend 30 TAC §290.38(3)(B)(ii) and 30 TAC Chapter §291.161(1)(B)(ii) by revising the definition of "affected utility" with the new population of 800,000. Finally, the proposed rulemaking would amend 30 TAC §§290.38(18) and propose new 290.45(j) to establish both a connection equivalency value, and alternative to the equivalency value, for the allowable recreational vehicle site to connection ratio to use for recreational vehicle parks served by the public water system when determining the number of connections.

The commission will hold a hybrid virtual and in-person public hearing on this proposal in Austin on September 12, 2024 at 10:00 AM in Building F, Room 2210 at the commission's central office located at 12100 Park 35 Circle. The hearing is structured for the receipt of oral or written comments by interested persons. Individuals may present oral statements when called upon in order of registration. Open discussion will not be permitted during the hearing; however, commission staff members will be available to discuss the proposal 30 minutes prior to the hearing.

Individuals who plan to attend the hearing virtually and want to provide oral comments and/or want their attendance on record must register by September 10, 2024. To register for the hearing, please email Rules@tceq.texas.gov and provide the following information: your name, your affiliation, your email address, your phone number, and whether or not you plan to provide oral comments during the hearing. Instructions for participating in the hearing will be sent on September 11, 2024, to those who register for the hearing.

For the public who do not wish to provide oral comments but would like to view the hearing, you may do so at no cost at:

<https://events.teams.microsoft.com/event/1edc845c-d424-4035-9209-3f5b3eaa3880@871a83a4-a1ce-4b7a-8156-3bcd93a08fba>

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Persons who have special communication or other accommodation needs who are planning to attend the hearing should contact Sandy Wong, Office of Legal Services at (512) 239-1802 or 1-800-RELAY-TX (TDD). Requests should be made as far in advance as possible.

Written comments may be submitted to Gwen Ricco, MC 205, Office of Legal Services, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087, or faxed to fax4808@tceq.texas.gov. Electronic comments may be submitted at: <https://tceq.commentinput.com/>. File size restrictions may apply to comments being submitted via the TCEQ Public Comment system. All comments should reference **Rule Project Number 2024-015-290-OW**. The comment period closes September 17, 2024. Copies of the proposed rulemaking can be obtained from the commission's website at https://www.tceq.texas.gov/rules/propose_adopt.html. For further information, please contact Rhea Miller, Emergency Preparedness and Response Section, (512) 239-5728.