

## **BILL ANALYSIS**

C.S.S.B. 1633  
By: Wentworth  
Natural Resources  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

C.S.S.B. 1633 provides for the use of water and salt conserving water softening devices in certain defined situations.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Commission on Environmental Quality in SECTION 1 (Section 366.013, Subchapter B, Health and Safety Code) and SECTION 2 (366.013 (f), Health and Safety Code) of this bill.

### **ANALYSIS**

SECTION 1. Amends Subchapter B, Chapter 366, Health and Safety Code, by adding Sections 366.013 as follows:

Sec. 366.013. INSTALLATION AND USE OF WATER SOFTENERS AND REVERSE OSMOSIS SYSTEMS. (a) Authorizes an owner to install and use a household water softener that discharges effluent into an on-site sewage disposal system only if the installed water softener meets certain requirements.

(b) Authorizes a water softener without a DIR device installed on an on-site sewage disposal system before September 1, 2003, to be continued in use. Provides that the owner must replace the water softener with a new water softener that meet the requirements of Subsection (a) if the owner replaces the water softener or installs a new on-site sewage disposal system for the building or other property served by the existing system.

(c) Authorizes an owner to install and use a point-of-use reverse osmosis system that discharges effluents into an on-site sewage disposal system.

(d) Authorizes an owner to install and use a point of entry reverse osmosis system that discharges effluent into an on-site sewage disposal system if the calculated volume of effluent does not cause hydraulic overloading or has been adequately addressed in the design of the on-site sewage disposal system.

(e) Provides that this section does not apply to certain on-site sewage disposal systems unless the water softener drain line to the system bypasses the treatment system and flows into the pump tank or directly unto the discharge method.

(e) Authorizes an owner to install and use a point-of-use reverse osmosis system that discharges effluent into an on-site sewage disposal system.

(f) Requires the TCEQ to adopt rules for water softeners and reverse osmosis systems.

SECTION 2. Requires the TCEQ to adopt rules and standards.

SECTION 3. Effective Date.

**EFFECTIVE DATE**

September 1, 2003

**COMPARISON OF ORIGINAL TO SUBSTITUTE**

The substitute struck the following language from the original:

(1) Required the Texas Commission on Environmental Quality (TCEQ) to design and make the label required by Subsection (a)(3) available to owners and installers and to the Texas Water Quality Association for distribution to owners and installers. Required the part of the label identifying the system as being equipped with a demand-initiated regeneration control device (DIR device) to be in a font size not smaller than 18 points. Authorized TCEQ to charge a nominal fee for the labels and requires TCEQ to maintain compliance information on its website to allow owners and installers of household water softeners easy access to that information.

(2) Required a water softener installed on an on-site sewage disposal system to be sized, programmed, and calibrated for the most efficient operation possible, as determined by a certified water treatment specialist, for added protection to the environment and for the proper operation of the system.

The substitute also changed requirements regarding the exemptions for use of a DIR device and the requirements regarding installation of a new system after using an exempted system.

The substitute also made technical changes to the types of on-site systems the rules do and do not apply to, and made additional stipulations concerning implementation of the rules.