

By: Barrientos

S.B. No. 1540

A BILL TO BE ENTITLED

AN ACT

relating to the authority of the Texas Commission on Environmental Quality to issue a permit for land application of treated wastewater in certain situations.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The purpose of this Act is to authorize the Texas Commission on Environmental Quality to issue a water quality permit for a pilot project to reuse treated wastewater effluent in a manner that is protective of the environment and results in conservation of the state's water resources.

SECTION 2. Subchapter B, Chapter 26, Water Code, is amended by adding Section 26.0287 to read as follows:

Sec. 26.0287. PERMIT REQUIREMENTS FOR LAND APPLICATION OF TREATED SEWAGE OR MUNICIPAL OR RECREATIONAL WASTE. (a) The commission may issue a permit for land application of treated sewage, municipal waste, or recreational waste and amendments to that permit that allow the discharge of the treated sewage, municipal waste, or recreational waste into or adjacent to water in the state if the permit requires that:

(1) any treated sewage, municipal waste, or recreational waste have a minimum quality of:

(A) 30-day average five-day carbonaceous biochemical oxygen demand of five milligrams per liter;

(B) 30-day average total suspended solids of five

1 milligrams per liter;

2 (C) 30-day average ammonia-nitrogen of two
3 milligrams per liter;

4 (D) 30-day average phosphorus of one milligram
5 per liter; and

6 (E) sufficient disinfection to reduce 30-day
7 average fecal coliform to 20 colony forming units per 100
8 milliliters or less;

9 (2) the treated sewage, municipal waste, or
10 recreational waste be disposed of by land application;

11 (3) the land application area include area located on
12 lots that are platted as single family residences; and

13 (4) the land application area be located within a
14 priority groundwater management area designated by the commission
15 but not located within a groundwater conservation district.

16 (b) The commission may not require that a person who owns
17 property upon which disposal of the treated sewage, municipal
18 waste, or recreational waste occurs be a permittee and shall only
19 require that the owner of the treatment facilities or disposal
20 system be a permittee.

21 (c) The commission may not issue a permit under this section
22 unless a river authority provides potable water to the area served
23 by the permit.

24 SECTION 3. This Act takes effect immediately if it receives
25 a vote of two-thirds of all the members elected to each house, as
26 provided by Section 39, Article III, Texas Constitution. If this
27 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2005.