

## **BILL ANALYSIS**

C.S.H.B. 1922  
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Natural Resources  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

The use of recycled water by water utility systems for non-potable uses reduces pumping and treatment of potable water from the primary water sources of the utility. The San Antonio Water System operates one of the largest recycled water distribution systems in the nation. Over 100 miles long, the system is operated as two independent segments because multiple treatment plants are currently prohibited from contributing recycled water, which becomes intermingled in the system and which would be discharged from multiple outfalls. Although a pipeline interconnection between the two segments exists, it cannot be used to satisfy additional customer demand.

C.S.H.B. 1922 enables the Texas Commission on Environmental Quality, under certain conditions, to authorize, at the request of the applicant, a wastewater treatment facility operated by an agency of a home-rule municipality with a population of one million or more to contribute treated domestic wastewater produced by the facility as reclaimed water to a reuse water system, to contribute reclaimed water into a reuse water system operated by the agency, and to discharge reclaimed water contributed to a reuse water system at certain outfalls.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 1922 amends the Water Code to add provisions that apply only to a wastewater treatment facility operated by an agency of a home-rule municipality with a population of one million or more.

C.S.H.B. 1922 authorizes the Texas Commission on Environmental Quality (TCEQ), in any permit or amendment to a permit issued under the provisions of law governing water quality control, to authorize, at the request of an applicant, a wastewater treatment facility to contribute treated domestic wastewater produced by the facility as reclaimed water to a reuse water system if TCEQ has approved the use of reclaimed water from the wastewater treatment facility.

C.S.H.B. 1922 requires TCEQ, in any permit or amendment to a permit issued under the provisions of law governing water quality control, to authorize, at the request of an applicant and subject to any required approval by the United States Environmental Protection Agency, a wastewater treatment facility to contribute reclaimed water into a reuse water system operated by the agency and to discharge reclaimed water contributed to a reuse water system at any outfall for which a discharge from the reuse water system is authorized in any permit issued for any wastewater treatment facility operated by the agency.

C.S.H.B. 1922 requires TCEQ, for an effluent limitation violation occurring at an outfall permitted for reuse water system discharges by more than one wastewater treatment facility, to attribute the violation to the wastewater treatment facility contributing the reclaimed water

causing the violation. The bill requires TCEQ, for a violation that is not directly attributable to a specific wastewater treatment facility, to attribute the violation to the wastewater treatment facility contributing the greatest volume of reclaimed water to the reuse water system on the date of the violation.

C.S.H.B. 1922 establishes that it is the intent of the legislature that the change in law made by the bill does not in any way alter the current law related to permits, amendments to permits, authorizations, and other approvals for the contribution or discharge of reclaimed water, including TCEQ's current reclaimed water rules, as applied to any entity other than a wastewater treatment facility operated by an agency of a home-rule municipality with a population of one million or more, including a municipality with a population of less than one million.

### **EFFECTIVE DATE**

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

C.S.H.B. 1922 differs from the original by making the Texas Commission on Environmental Quality's (TCEQ) authorization for certain permits relating to a wastewater treatment facility contributing treated domestic wastewater as reclaimed water to a reuse system contingent on a request from the applicant.

C.S.H.B. 1922 differs from the original by making TCEQ's authorization for certain permits relating to a wastewater treatment facility contributing reclaimed water into a reuse system operated by the agency and the discharging of reclaimed water contributed to a reuse system at certain outfalls subject to any required approval by the EPA and by making the authorization contingent on a request from the applicant.

C.S.H.B. 1922 differs from the original by consistently specifying a reuse water system, rather than a reuse system.

C.S.H.B. 1922 differs from the original by establishing that it is the intent of the legislature that the change in law made by the substitute does not in any way alter the current law related to permits, amendments to permits, authorizations, and other approvals for the contribution or discharge of reclaimed water, including the TCEQ's current reclaimed water rules, as applied to any entity other than a wastewater treatment facility operated by an agency of a home-rule municipality with a population of one million or more, including a municipality with a population of less than one million.