

1-1 By: Martinez Fischer (Senate Sponsor - Uresti) H.B. No. 1922  
1-2 (In the Senate - Received from the House April 23, 2009;  
1-3 May 1, 2009, read first time and referred to Committee on Natural  
1-4 Resources; May 12, 2009, reported favorably by the following vote:  
1-5 Yeas 9, Nays 0; May 12, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to the authorization of certain reuse water system  
1-9 contributions and discharges.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subchapter B, Chapter 26, Water Code, is amended  
1-12 by adding Section 26.0271 to read as follows:

1-13 Sec. 26.0271. PERMITS AUTHORIZING REUSE WATER SYSTEM  
1-14 CONTRIBUTIONS AND DISCHARGES. (a) This section applies only to  
1-15 wastewater treatment facilities operated by an agency of a  
1-16 home-rule municipality with a population of one million or more.

1-17 (b) In any permit or amendment to a permit issued under this  
1-18 chapter, at the request of the applicant the commission may  
1-19 authorize a wastewater treatment facility to contribute treated  
1-20 domestic wastewater produced by the facility as reclaimed water to  
1-21 a reuse water system if the commission has approved the use of  
1-22 reclaimed water from the wastewater treatment facility.

1-23 (c) In any permit or amendment to a permit issued under this  
1-24 chapter, at the request of the applicant the commission shall  
1-25 authorize, subject to any required approval by the United States  
1-26 Environmental Protection Agency, a wastewater treatment facility  
1-27 to:

1-28 (1) contribute reclaimed water into a reuse water  
1-29 system operated by the agency; and

1-30 (2) discharge reclaimed water contributed to a reuse  
1-31 water system at any outfall for which a discharge from the reuse  
1-32 water system is authorized in any permit issued for any wastewater  
1-33 treatment facility operated by the agency.

1-34 (d) For an effluent limitation violation occurring at an  
1-35 outfall permitted for reuse water system discharges by more than  
1-36 one wastewater treatment facility, the commission shall attribute  
1-37 the violation to the wastewater treatment facility contributing the  
1-38 reclaimed water causing the violation. For a violation that is not  
1-39 directly attributable to a specific wastewater treatment facility,  
1-40 the commission shall attribute the violation to the wastewater  
1-41 treatment facility contributing the greatest volume of reclaimed  
1-42 water to the reuse water system on the date of the violation.

1-43 SECTION 2. (a) The change in law made by Section 26.0271,  
1-44 Water Code, as added by this Act, applies only to permits or  
1-45 amendments to permits issued on or after the effective date of this  
1-46 Act. A permit or permit amendment that was issued before the  
1-47 effective date of this Act is governed by the law in effect at the  
1-48 time the permit or amendment to the permit was issued, and the  
1-49 former law is continued in effect for that purpose.

1-50 (b) It is the intent of the legislature that the change in  
1-51 law made by Section 26.0271, Water Code, as added by this Act, does  
1-52 not in any way alter the current law related to permits, amendments  
1-53 to permits, authorizations, and other approvals for the  
1-54 contribution or discharge of reclaimed water, including the  
1-55 commission's current reclaimed water rules, as applied to any  
1-56 entity other than a wastewater treatment facility operated by an  
1-57 agency of a home-rule municipality with a population of one million  
1-58 or more, including a municipality with a population of less than one  
1-59 million.

1-60 SECTION 3. This Act takes effect immediately if it receives  
1-61 a vote of two-thirds of all the members elected to each house, as  
1-62 provided by Section 39, Article III, Texas Constitution. If this  
1-63 Act does not receive the vote necessary for immediate effect, this  
1-64 Act takes effect September 1, 2009.

1-65 \* \* \* \* \*