

BILL ANALYSIS

S.B. 1289
By: Perry
Environmental Regulation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, rules of the Texas Commission on Environmental Quality require an owner of a reclaimed water treatment facility that treats domestic wastewater for reuse to have a wastewater discharge permit as an alternative means of disposal. More flexibility to dispose treated wastewater without a permit could increase the efficiency of water treatment and production facilities. S.B. 1289 seeks to address this issue by authorizing a wastewater treatment facility or reclaimed water production facility that treats domestic wastewater for reuse to dispose of the treated wastewater without a permit for an alternative means of disposal under certain conditions.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Commission on Environmental Quality in SECTION 1 of this bill.

ANALYSIS

S.B. 1289 amends the Water Code to authorize a wastewater treatment facility or reclaimed water production facility that treats domestic wastewater for reuse to dispose of the treated wastewater without a permit for an alternative means of disposal if the facility disposes of the treated wastewater through a wastewater collection system and the facility has the consent of the operator of the following:

- the wastewater collection system that will receive the treated wastewater; and
- any wastewater treatment facility that will further treat the treated wastewater.

The bill prohibits the owner of a reclaimed water production facility that meets these requirements from being required to be the owner of an associated domestic wastewater treatment facility that is permitted by the Texas Commission on Environmental Quality (TCEQ). The bill requires the TCEQ, as soon as practicable after the bill's effective date, to adopt rules to implement and enforce the bill's provisions.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2023.