

By: Schwertner

S.B. No. 1586

A BILL TO BE ENTITLED

AN ACT

relating to the issuance by the Texas Commission on Environmental  
Quality of permits for certain wastewater treatment facilities.

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

SECTION 1. Subchapter B, Chapter 26, Water Code, is amended  
by adding Section 26.054 to read as follows:

Sec. 26.054. CONDITIONS OF PERMIT FOR PACKAGE PLANT. (a)  
In this section, "package plant" means a pre-manufactured  
wastewater treatment facility with a capacity of less than 500,000  
gallons per day. The term includes an extended aeration plant,  
sequencing batch reactor, or oxidation ditch.

(b) The commission may not issue a permit for a proposed  
package plant that is located within 1,000 feet of a municipal  
wastewater line.

(c) The commission may issue a permit for a proposed package  
plant only if the applicant demonstrates to the commission that:

(1) the applicant will implement measures to ensure  
the security and weatherization of the package plant;

(2) the applicant has financial assurance adequate to  
provide for future maintenance of the package plant;

(3) the owner or operator of a permitted wastewater  
treatment facility or wastewater collection system located within  
three miles of the service area of the proposed package plant has  
affirmatively denied a request by the applicant or the owner of the

1 property to be served by the proposed package plant for the  
2 provision of the same or similar service to be provided by the  
3 proposed package plant;

4 (4) the cumulative effect of the discharge of  
5 wastewater from the proposed package plant considered together with  
6 the discharge of wastewater from other permitted facilities on the  
7 proposed disposal route will not result in an increase in  
8 environmental degradation; and

9 (5) the applicant:

10 (A) does not owe delinquent fees to the  
11 commission;

12 (B) is not subject to an unresolved  
13 administrative order issued by the commission; and

14 (C) within the 10 years preceding the date the  
15 applicant filed the application, has not had a repeated or  
16 unresolved violation that cannot be remediated by a major amendment  
17 to a permit issued by the commission or the operation of a new  
18 permitted facility.

19 SECTION 2. Section 26.054, Water Code, as added by this Act,  
20 applies only to an application for the issuance of a permit that is  
21 filed with the Texas Commission on Environmental Quality on or  
22 after the effective date of this Act.

23 SECTION 3. This Act takes effect September 1, 2025.