

Recent Texas Rules Updates
Beveridge & Diamond, P.C., 2008
Austin, Texas

This section highlights recent significant TCEQ rule activities and includes proposals and adoptions organized by media. Additional information on TCEQ rule developments is available at: <http://www.tceq.state.tx.us/rules/whatsnew.html> . Because the dates anticipated for Commission consideration, public comment, and Texas Register filing may change from time to time, interested persons are encouraged to confirm these dates.

Air Rules

Proposals

Repeal of Chapter 114, Subchapter L

- Commission approval of proposal: February 13, 2008
- Comments due: March 26, 2008

This rulemaking was initiated in response to a petition from the Engine Manufacturers Association. It would repeal existing regulations that require heavy-duty diesel engines (HDDE) for the 2005 and newer model years that are produced for sale or use in Texas to be certified to meet the California emission control standards under Title 13, California Code of Regulations § 1956.8 effective on July 25, 2001.

Waste Rules

Proposals

HB 2654: UIC Class I Nonhazardous Rules for Water Treatment Residuals

- Scheduled for Commission consideration: February 27, 2008

These rules would address the permitting of, and technical standards applied to, Class I injection wells that are used for disposal of non-hazardous desalination concentrate or other non-hazardous water treatment residuals from public water systems.

Water Rules

Proposals

SB 662: Groundwater Availability for Platting

- Commission approval of proposal: February 13, 2008



- Comments due: March 31, 2008

This rulemaking would require that certain plat applicants provide copies of groundwater availability information, estimates, data, calculations, determinations, statements and certifications to the Texas Water Development Board and applicable groundwater conservation districts.

HB 576, HB 1172, HB 1886, HB 2984, HB 3378, HB 3770, SB 657: Water Districts

- Commission approval of proposal: February 13, 2008
- Comments due: March 31, 2008

This rulemaking would amend 30 TAC Chapter 293 to incorporate various changes made by the 80th Legislature that relate to the administration and supervision of water districts, including certain provisions that grant districts expanded authority.

Repeal of 30 TAC Chapter 317 and Proposal of 30 TAC Chapter 217, Design Criteria for Sewerage Systems

- Scheduled for Commission consideration: February 27, 2008

These rules would update the design criteria for wastewater treatment facilities and collection systems. Among other things, the rules would address general administrative provisions, treatment facility design requirements, conventional and alternative collection systems, preliminary treatment units and activated sludge systems.

General Applicability Rules

Proposals

HB 1254: Encouraging Use of Electronic Fee and Electronic Reporting

- Commission approval of proposal: February 13, 2008
- Comments due: March 31, 2008

This rulemaking incorporates the provisions of recent legislation that allows TCEQ to adjust fees as necessary to encourage electronic reporting and use of the agency's electronic document receiving system. However, any changes to agency fees would be initiated through separate rulemakings.