

By: Puente

H.B. No. 2661

Substitute the following for H.B. No. 2661:

By: Cook of Colorado

C.S.H.B. No. 2661

A BILL TO BE ENTITLED

AN ACT

relating to the use of graywater.

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

SECTION 1. Section 26.0311, Water Code, is amended to read as follows:

Sec. 26.0311. STANDARDS FOR CONTROL OF GRAYWATER [~~GREYWATER~~]. (a) In this section, "graywater" [~~"greywater"~~] means wastewater from clothes washing machines, showers, bathtubs, handwashing lavatories, and sinks that are not used for disposal of hazardous or toxic ingredients. The term does not include wastewater:

(1) that has come in contact with toilet waste;

(2) from the washing of material, including diapers, soiled with human excreta; or

(3) from sinks used for food preparation or disposal.

(b) The commission by rule shall adopt and implement minimum standards for the use of graywater for:

(1) [~~greywater—in~~] irrigation and [~~for~~] other agricultural purposes;

(2) [~~7~~] domestic use, to the extent consistent with Section 341.039, Health and Safety Code;

(3) [~~7~~] commercial purposes; [~~7~~] and

(4) industrial purposes.

(c) The standards adopted by the commission under

1 Subsection (b) must ~~[that will]~~ assure that the use of graywater is  
2 ~~[greywater will]~~ not ~~[be]~~ a nuisance and does not ~~[or]~~ damage the  
3 quality of surface water and groundwater in this state.

4 SECTION 2. Section 341.039, Health and Safety Code, is  
5 amended to read as follows:

6 Sec. 341.039. GRAYWATER STANDARDS. (a) The commission  
7 ~~[and the Texas State Board of Plumbing Examiners]~~ by rule shall  
8 adopt and implement minimum standards for the use and reuse of  
9 graywater for:

10 (1) [in] irrigation and [for] other agricultural  
11 purposes;

12 (2) [r] domestic use, to the extent consistent with  
13 Subsection (c);

14 (3) [r] commercial purposes; [r] and

15 (4) industrial purposes.

16 (b) The standards adopted by the commission under  
17 Subsection (a) must ~~[to]~~ assure that the use of graywater is not a  
18 nuisance and does not damage the quality of surface water and  
19 groundwater in this state.

20 (c) The commission may not require a permit for the domestic  
21 use of less than 400 gallons of graywater each day if the graywater:

22 (1) originates from a private residence;

23 (2) is used by the occupants of that residence for  
24 gardening, composting, or landscaping at the residence;

25 (3) is collected using a system that overflows into a  
26 sewage collection or on-site wastewater treatment and disposal  
27 system;

1           (4) is stored in tanks that:

2                   (A) are clearly labeled as nonpotable water;

3                   (B) restrict access, especially to children; and

4                   (C) eliminate habitat for mosquitoes and other  
5 vectors;

6           (5) uses piping clearly identified as a nonpotable  
7 water conduit, including identification through the use of purple  
8 pipe, purple tape, or similar markings;

9           (6) is generated without the formation of ponds or  
10 pools of graywater;

11           (7) does not create runoff across the property lines  
12 or onto any paved surface; and

13           (8) is distributed by a surface or subsurface system  
14 that does not spray into the air.

15           (d) Each builder is encouraged to:

16                   (1) install plumbing in new housing in a manner that  
17 provides the capacity to collect graywater from all allowable  
18 sources; and

19                   (2) design and install a subsurface graywater system  
20 around the foundation of new housing in a way that minimizes  
21 foundation movement or cracking.

22           (e) [~~(b)~~] In this section, "graywater" means wastewater  
23 from clothes-washing machines, showers, bathtubs, hand-washing  
24 lavatories, and sinks that are not used for disposal of hazardous or  
25 toxic ingredients. The term does not include wastewater:

26                   (1) that has come in contact with toilet waste;

27                   (2) from the washing of material, including diapers,

1 soiled with human excreta; or

2 (3) from sinks used for food preparation or disposal.

3 SECTION 3. Section 366.012(a), Health and Safety Code, is  
4 amended to read as follows:

5 (a) To assure the effective and efficient administration of  
6 this chapter, the commission shall:

7 (1) adopt rules governing the installation of on-site  
8 sewage disposal systems, including rules concerning the:

9 (A) review and approval of on-site sewage  
10 disposal systems; and

11 (B) temporary waiver of a permit for an emergency  
12 repair; and

13 (2) adopt rules under this chapter that:

14 (A) encourage the use of economically feasible  
15 alternative techniques and technologies for on-site sewage  
16 disposal systems that can be used in soils not suitable for  
17 conventional on-site sewage disposal; and

18 (B) address the separation of graywater, as  
19 defined by Section 341.039, in a residence served by an on-site  
20 sewage disposal system.

21 SECTION 4. Not later than June 1, 2004, the Texas Commission  
22 on Environmental Quality by rule shall:

23 (1) adopt and implement minimum standards for the use  
24 of graywater under Section 26.0311, Water Code, as amended by this  
25 Act; and

26 (2) address the separation of graywater in a residence  
27 served by an on-site sewage disposal system under Section

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1 366.012(a), Health and Safety Code, as amended by this Act.

2 SECTION 5. This Act takes effect September 1, 2003.