

By: Puente

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; or

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

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

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

(4) industrial purposes.

(c) The standards adopted by the commission under Subsection (b) must [~~that will~~] assure that the use of graywater is

1 ~~[greywater will]~~ not ~~[be]~~ a nuisance and does not ~~[or]~~ damage the  
2 quality of surface water and groundwater in this state.

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

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

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

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

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

14 (4) industrial purposes.

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

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

21 (1) originates from a private residence;

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

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

27 (4) is stored in tanks that:

1                   (A) are clearly labeled as nonpotable water;  
2                   (B) restrict access, especially to children; and  
3                   (C) eliminate habitat for mosquitoes and other  
4 vectors;

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

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

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

12                  (8) is distributed by drip, bubbler, or other system  
13 that does not spray into the air; and

14                  (9) is collected using a system that maintains a  
15 vertical distance of at least five feet between the graywater  
16 system and the highest seasonal level of the water table.

17                  (d) Each builder is encouraged to:

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

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

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

- 1           (1) that has come in contact with toilet waste; or  
2           (2) from the washing of material, including diapers,  
3 soiled with human excreta.

4           SECTION 3. Not later than January 1, 2004, the Texas  
5 Commission on Environmental Quality by rule shall adopt and  
6 implement minimum standards for the use of graywater under Section  
7 26.0311, Water Code, as amended by this Act.

8           SECTION 4. This Act takes effect September 1, 2003.