

By: _____

____.B. No. _____

A BILL TO BE ENTITLED

AN ACT

relating to a restriction on permits authorizing discharges of sewage effluent into any water in the contributing or recharge zone of the San Antonio or Barton Springs segment of the Edwards Aquifer.

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

SECTION 1. Subchapter B, Chapter 26, Water Code, is amended by adding Section 26.0465 to read as follows:

Sec. 26.0465. RESTRICTION ON PERMITS FOR DISCHARGES OF SEWAGE EFFLUENT INTO WATER IN CERTAIN ZONES OF EDWARDS AQUIFER.

(a) The commission may not:

(1) issue a new permit authorizing the discharge of sewage effluent into any water in the contributing or recharge zone of the San Antonio or Barton Springs segment of the Edwards Aquifer; or

(2) amend a permit that was issued before September 1, 2009, to authorize an increase in the amount of sewage effluent that may be discharged into any water in the contributing or recharge zone of the San Antonio or Barton Springs segment of the Edwards Aquifer.

(b) This section does not affect the authority of the commission to issue a new permit authorizing one or more of the following discharges or to amend a permit to authorize an increase in one or more of the following discharges:

(1) a discharge of storm water runoff from:

(A) an industrial facility;

(B) a municipal storm sewer system that is separate and distinct from the municipality's wastewater collection system; or

(C) construction activity;

(2) a discharge from:

(A) firefighting activity;

(B) the flushing of a fire hydrant;

(C) a potable water source, including the flushing of drinking fountain water or a water line;

(D) an air conditioner or compressor if the discharge consists of uncontaminated condensate;

(E) lawn watering or similar irrigation work;

(F) pavement wash-down without the use of detergents or other chemicals if a spill or leak of toxic or hazardous material has not occurred or all spilled or leaked material has been removed;

(G) a routine external building wash-down that

does not use detergents or other compounds;

(H) a foundation or footing drain if the discharge is not contaminated with a solvent or other process material; or

(I) the spray-down of a lumber or wood product storage yard if chemical additives are not used in the spray-down water and chemicals are not applied to the lumber or wood products during storage;

(3) a discharge of uncontaminated groundwater or spring water; or

(4) a discharge of storm water or groundwater seepage from mine dewatering activity at a construction, sand and gravel, industrial sand, or crushed stone mining facility.

SECTION 2. This Act takes effect September 1, 2009.