



Ms. Kris Hogan
MC205, Office of Legal Services
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

July 29, 2019

Re: Rule Project Number 2016-042-309-OW
Proposed Revisions to 30 TAC Chapters 222 and 309

Dear Ms. Hogan,

The Lower Colorado River Authority (LCRA) is a conservation and reclamation district created by the Texas Legislature with a responsibility to protect the waters of the lower Colorado River basin.

LCRA participated in the stakeholder process led by the cities of Austin and Dripping Springs to revise Title 30 TAC Chapter 222 Subsurface Area Drip Dispersal Systems and Chapter 309 Domestic Wastewater Effluent Limitation and Plant Siting prior to presentation of a rulemaking petition to TCEQ. LCRA subsequently participated in the stakeholder process held by the TCEQ Executive Director on the proposed revisions to the above chapters to facilitate and incentivize beneficial reuse of treated effluent in conjunction with Texas Land Application Program (TLAP) permits.

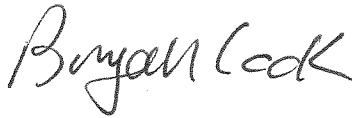
The proposed concept allows voluntary and optional means for capital investment to be used for beneficial reuse infrastructure instead of TLAP disposal infrastructure that may ultimately be unneeded or unused due to dedicated firm demands for reuse of reclaimed water for beneficial purposes. LCRA supports these proposed changes to promote water conservation and reduce demands on potable water supplies for non-potable uses while protecting water quality of our natural resources. The proposed rule changes encourage and incentivize beneficial reuse and will facilitate and support wastewater reuse as a recommended water management strategy in the State Water Plan for Texas.

As proposed, the rule would allow historic reclaimed water use data for existing facilities to be used to determine credit for reductions in required irrigable acreage for TLAP permittees seeking treatment capacity expansions. In addition to historic reclaimed water reuse data to demonstrate firm demand, LCRA requests that the rule include the authority for TCEQ Executive Director staff to accept information that would provide allowances for volumes of reclaimed water demand that can be demonstrated and guaranteed through contractual obligations from end users. The TLAP permittee shall demonstrate projected uses and include reasonable assumptions based on realistic conditions, types of use, and other data typically incorporated into water balance demonstrations.

LCRA also requests consideration for contractually available storage by reclaimed water end-users as part of the overall storage requirements for the TLAP system. A distributed system of storage with reclaimed water stored at the site of the end user could reduce storage requirements at the TLAP facility and allow TLAP permittees to expand treatment capacity without an expensive and possibly redundant or unnecessary expansion of the onsite storage at the TLAP facility site. The distributed storage facilities at the end-user locations should conform to all 30 TAC Chapter 210 requirements for effluent storage and be contractually obligated solely for effluent storage prior to beneficial reuse. No comingling of stormwater or water from other sources should be allowed to ensure the full capacity is available for effluent storage at all times.

LCRA respectfully requests your consideration of our comments and encourages adoption of the proposed rulemaking. Please contact me at (512) 578-3258 if you have questions or need additional information.

Sincerely,

A handwritten signature in black ink that reads "Bryan Cook". The signature is written in a cursive, slightly slanted style.

Bryan Cook, Manager
Water Quality Protection