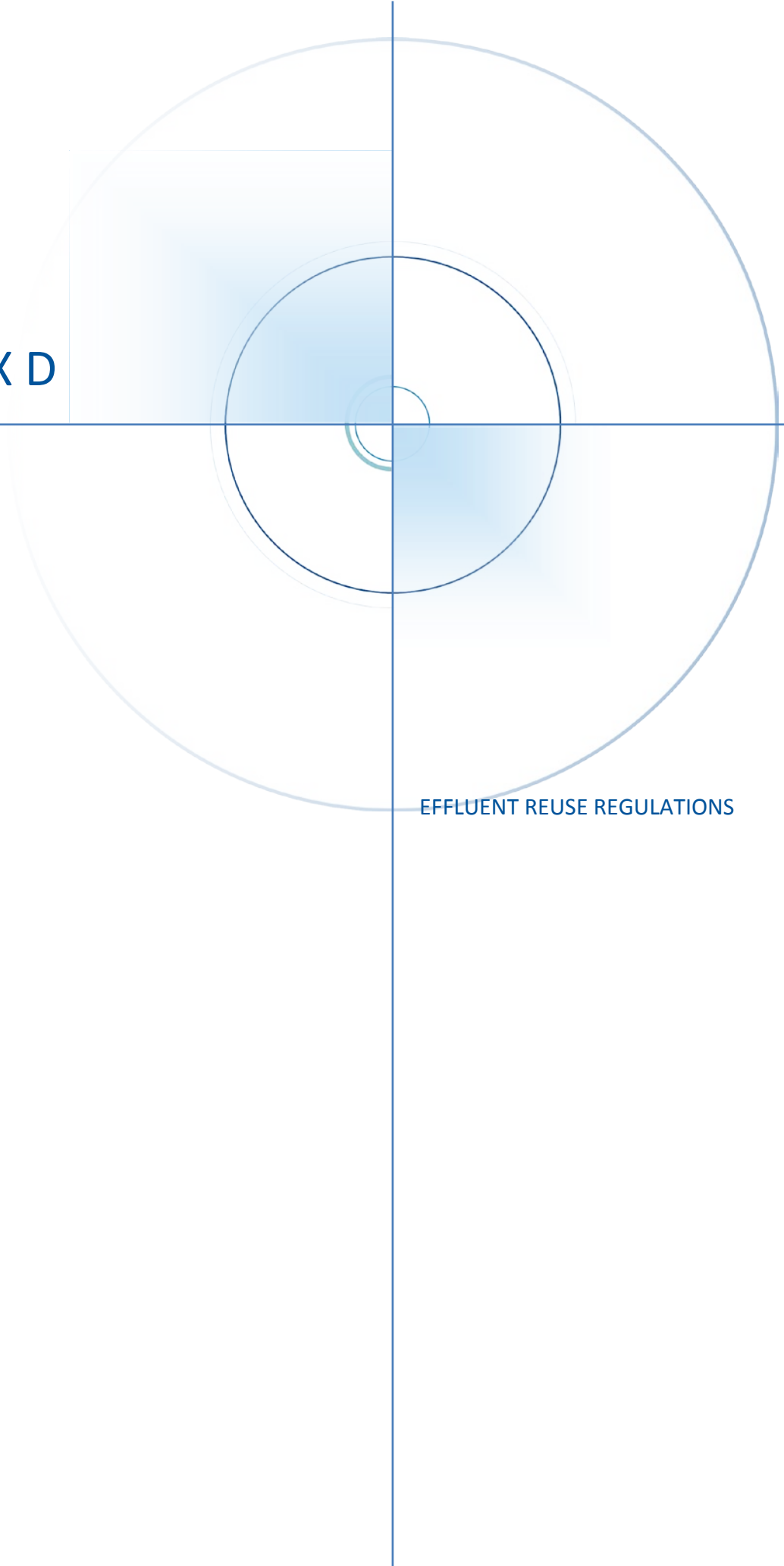


APPENDIX D

EFFLUENT REUSE REGULATIONS



- (3) the proposed end use of industrial reclaimed water is not on-site;
- (4) the proposed end use is not listed in §210.56(b)(2) of this title; or
- (5) the disposal method proposed as an alternative to reuse is not listed in §210.56(b)(1) of this title.

§210.54. Wastes Not Eligible for Coverage.

(a) The following wastes are not eligible for authorization under this subchapter regardless of effluent quality or end use:

- (1) wastewater containing radioactive material regulated under Texas Health and Safety Code, Chapter 401;
- (2) wastewater containing dioxin and furans;
- (3) wastewater containing pesticides;
- (4) wastewater classified as or which is characteristically hazardous as defined by 40 Code of Federal Regulations (CFR) Part 261;
- (5) process wastewater regulated under 40 CFR Parts 400. - 471 with the following exceptions:
 - (A) Part 405 - dairy products processing;
 - (B) Part 406 - grain mills;
 - (C) Part 407 - canned and preserved fruits and vegetables;
 - (D) Part 408 - canned and preserved seafood processing;
 - (E) Part 409 - sugar processing;
 - (F) Part 411 - cement manufacturing;
 - (G) Part 417 - soap and detergent manufacturing;
 - (H) Part 423 - steam electric power generating;
 - (I) Part 434 - coal mining;
 - (J) Part 436 - mineral mining and processing;
 - (K) Part 454 - gum and wood chemicals manufacturing; and

(L) Part 460 - hospital;

(6) septic tank waste, chemical toilet waste, grit trap waste, or grease trap waste;

(7) barge cleaning washwater;

(8) air scrubber wastewater;

(9) any wastewater where a permit by rule authorized under Chapter 321 of this title (relating to Control of Certain Activities by Rule) or commission-issued general permit for land application is available; or

(10) remediated/contaminated groundwater generated from facilities where process wastewater is prohibited for use as listed in paragraph (5) of this subsection.

(b) Producers who could otherwise be eligible to obtain authorization under this chapter, but who do not implement all required applicable conditions of this authorization must apply for and obtain permit coverage.

(c) Discharges into or adjacent to water in the state shall not be authorized under this chapter where prohibited by applicable rules including, but not limited to, Chapter 213 of this title (relating to Edwards Aquifer); Chapter 311 of this title (relating to Watershed Protection); and Chapter 335 of this title (relating to Industrial Solid Waste and Municipal Hazardous Waste).

(d) Any user proposing to irrigate or store wastewater within the boundaries of a playa lake may not obtain authorization under this subchapter and must obtain a Texas Pollutant Discharge Elimination System discharge permit for authorization to discharge into a playa lake.

§210.55. Application Requirements for Authorization.

(a) Level I authorization. Producers eligible for Level I authorization under this subchapter are authorized to use industrial reclaimed water without any notification or approval by the executive director. Effluent sampling is not required for wastes listed in §210.53(a)(1) - (8) of this title (relating to Wastes Eligible for Coverage) with the exception of cooling tower blowdown which must meet the 2,000 milligrams per liter threshold level for total dissolved solids.

(b) Level II authorization. Producers requesting Level II authorization for industrial reclaimed water activities under this subchapter must submit a complete application to the executive director on a form approved by the executive director to request authorization. The use of industrial reclaimed water shall not begin until written authorization is received from the executive director. The application shall include, at a minimum, the following information:

(1) the legal names and addresses of the user, provider, and producer;

(2) contact representative for the applicant and telephone number;