

Richard Ross

See attached letter with comments.

July 16, 2026

Texas Commission on Environmental Quality
Texas Regulatory Efficiency Office (TREO)
Submitted via Smart Comment Portal

Re: Stakeholder Comments on Proposed Improvements to TCEQ Rules - 30 TAC Chapters 25, 210, and 285

To the TREO Rule Review Team:

Thank you for the opportunity to comment on the rules identified for potential improvement through the Texas Regulatory Efficiency Office's rule review process. We appreciate TCEQ's proactive effort to identify rules that may be obsolete, duplicative, or overly burdensome, and we are glad to support an initiative aimed at improving clarity and reducing unnecessary complexity. As a water reuse technology company with experience working alongside authorities having jurisdiction in Texas, Florida, California, Hawaii, and several other states, we offer the following comments on a subset of the items identified in the July draft of the Proposed Improvements to TCEQ Rules. Our comments are intended to support the intent of the existing rules - enabling broad implementation of water reuse while protecting public health - while helping achieve the clarity and efficiency TCEQ is pursuing.

Chapter 25 – Environmental Testing Laboratory Accreditation and Certification

30 TAC §25.1 (Purpose)

As TCEQ revisits the laboratory certification language in this section, we recommend the agency also consider whether field instrumentation should be recognized as an acceptable data source (as an alternative to accredited laboratory testing) for select criteria when requested by a permittee. Allowing this flexibility where appropriate could reduce cost and turnaround time for regulated entities without compromising data quality while simultaneously improving data quantity through the use of online continuous monitoring instrumentation.

Chapter 210 – Use of Reclaimed Water

30 TAC §210.82 (Definitions and General Requirements)

We support TCEQ's plan to streamline this chapter and offer three specific suggestions for consideration:

- Categorization of graywater systems: Consider grouping graywater systems under the same “alternative water reuse systems” category as other systems addressed in Chapter 210. Other states combine these categories which reduces complexity/confusion, improving compliance and tracking for regulated entities all while continuing to protect public health.
- Building condensate - §210.82(a)(1): We recommend the allowable condensate sources be expanded to include “building condensate” generally. Expanding the definition or changing the name of the source to “building condensate” would allow for non-HVAC-related building condensate sources to be collected for reuse in addition to air conditioning HVAC condensate. This can help to ease confusion for developers and engineers while maximizing options for the collection of clean condensate sources in a building.

- Dispersal of treated effluent in remote areas - §210.82(b)(9): We recommend this subsection also be revisited to address on-site sewage facilities (OSSFs) used specifically for dispersal of treated effluent in remote areas with no sewer connection. Treated effluent has less impact on land than untreated wastewater and, given its cleaner nature, could be sited using alternate application rates versus untreated wastewater which relies heavily on native soil characteristics to provide treatment. We note the rule already recognizes a related, practical exemption - permitting overflow from an alternative water reuse system onto the ground when caused by rainwater or stormwater inflow - and see an opportunity to extend that same risk-based approach to treated effluent dispersal.

Chapter 285 – On-site Sewage Facilities

30 TAC §285.1 (Purpose and Applicability)

As TCEQ updates this chapter to address new technologies and more efficient water-saving and water-reduction methods, we recommend the rule include a mechanism to account for the offset created when water reuse reduces the volume of flow directed to an OSSF - for example, through toilet-flushing reuse and similar applications. Recognizing this offset would better align the rule with the water-saving technologies it is intended to accommodate.

We appreciate TCEQ's willingness to engage stakeholders early in this process and welcome the opportunity to discuss any of these comments further. Please do not hesitate to contact us with any questions.

Sincerely,



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