

Courtney Klaus

PCS submitted a comment letter. Please see the attached letter.



July 16, 2026

Texas Commission on Environmental Quality  
Texas Regulatory Efficiency Office  
[rules@tceq.texas.gov](mailto:rules@tceq.texas.gov)

Re: Harris County Pollution Control Services  
Water Comments on TCEQ Stakeholder Comments on Potential Rule Changes  
Proposed Improvements to TCEQ Rules

To whom it may concern,

Harris County Pollution Control Services (PCS) respectfully submits the following comments as requested by the Texas Commission on Environmental Quality (TCEQ) on agency rules identified for potential improvement through the Texas Regulatory Efficiency Office's (TREO) rule review process.

PCS inspects facilities in Harris County for compliance with environmental laws and regulations, reviews permit applications and submits comments to the TCEQ on permitting actions. PCS also works closely with the TCEQ's Houston Region 12 office, which refers a substantial number of environmental complaints, including nuisance complaints, from Harris County citizens. PCS then investigates these complaints and, when appropriate, issues Violation Notices and refers cases to the Harris County Attorney's Office or District Attorney's Office for civil or criminal enforcement.

Below is a list of comments and concerns identified by PCS.

1. **30 TAC 210.53(a) consists of Wastes Eligible for Coverage.**

**Per the TCEQ this rule is considered overly burdensome. TCEQ recommends amending this section to authorize any allowable non-stormwater wastestream listed in TCEQ's Multi-Sector General Permit (TXR050000) for use as industrial reclaimed water under a Level I authorization as an alternative disposal method.**

***Comment/Recommendation***

According to 30 TAC 210.51(a), the purpose of 30 TAC 210 is to allow the safe utilization of reclaimed water for conservation of surface water and groundwater while ensuring that public health and surface water and groundwater are protected from contamination. Amending this regulation to include non-stormwater wastestreams listed in TCEQ's Multi Sector General Permit (TXR050000) potentially eliminates consideration of the protective limits listed in 30 TAC 210.53(a)(9). The wastewater effluent concentration requirements listed would be excluded, and it could open the door for waste sources that are not eligible for authorization listed in 30 TAC 210.54(a)(5). Specifically, the Multi Sector General Permit (TXR050000), Part III, Section C2 (Pages 118-119) allows process wastewater regulated under 40 Code of Federal Regulations (CFR) Parts 418 (Subpart A), 429 (Subpart I), 443 (Subpart A), and 449 to be discharged, while 30 TAC 210.54(a)(5) does not. As a result, allowing the non-stormwater wastestreams listed in TCEQ's Multi Sector General Permit (TXR050000) could cause confusion between local pollution control agencies and regulated entities.

PCS recommends that the TCEQ include additional clarification and impose regular water quality impact studies and sampling requirements if the regulation is amended to include the non-stormwater wastestreams.

**2. 30 TAC 210.55 consists of Applicability, Purpose, and Scope**

**Per the TCEQ, this rule is overly burdensome. TCEQ recommends amending 210.55 to add a provision to automatically authorize the holder of a TPDES permit to use industrial reclaimed water on site without having to amend their existing permit or having to obtain a separate authorization under 210, Subchapter E.**

***Comment/Recommendation***

This regulation states how regulated entities can currently obtain Level I and II authorizations to discharge industrial reclaimed wastewater. Currently, regulated entities that qualify for Level I authorization are not required to obtain authorization from TCEQ or to conduct effluent sampling under 30 TAC 210.53(a)(1-8). As a result, numerous regulated



entities are potentially discharging industrial reclaimed water without any oversight or documentation confirming there is no impact on the environment or human health.

PCS recommends that TCEQ amend 30 TAC 210.55(a) adding the requirement for regulated entities to request authorization before discharging industrial reclaimed water and regularly conduct effluent samplings.

3. **Per the TCEQ, the following regulations were considered overly burdensome: 30 TAC 210.81, 210.82, 210.83, and 210.84. The TCEQ is recommending streamlining the existing rules due to the statutes requiring the commission to adopt and implement minimum standards for use of graywater from a variety of sources, including toilet and urinal flushing, and in a manner that prevents nuisance conditions and impacts to water quality.**

- **30 TAC 210.81 regarding Applicability**
- **30 TAC 210.82 regarding Definitions and General Requirements**
- **30 TAC 210.83 regarding Residential Use of Graywater and Alternative Onsite Water**
- **30 TAC 210.84 regarding Industrial, Commercial, or Institutional Use of Graywater and Alternative Onsite Water**

#### ***Comment/Recommendation***

Each of these rules establishes essential applicability criteria, definitions, and engineering, operational, and effluent requirements governing graywater and alternative onsite water systems across residential, industrial, commercial, and institutional settings. These provisions are critical for ensuring that regulated entities, residents, and local pollution control agencies can identify system requirements, verify environmental compliance, and maintain protection against nuisance conditions and water quality impacts. Additionally, the TCEQ provided no details on how these citations would be streamlined, nor draft language for the proposed streamlined revisions, or a clear explanation of how the existing requirements impose unnecessary burden(s).



Because these rules collectively uphold minimum standards mandated by statute and provide fundamental clarity for compliance and enforcement, PCS recommends retaining them in their current form. If further clarity is needed, PCS suggests that TCEQ develop supplemental standard operating procedures (SOPs) rather than revising or repealing the existing regulatory text.

#### 4. 30 TAC 305.62 consists of Amendments:

**Per the TCEQ this rule is overly burdensome. TCEQ recommends revising the regulation to improve effectiveness. TCEQ recommends amending 305.62(c)(1) and (2) to further clarify what is a major amendment and what is a minor amendment. TCEQ is stating that the changes are necessary because existing wording is not clear to TCEQ staff or regulated entities. This has led to both spending significant amounts of time discussing what kind of permit action is needed to accommodate an entity's proposed change, developing and reviewing inappropriate application materials, and payment of incorrect fees. Providing additional clarity on what constitutes each type of amendment would streamline the process and shorten overall timeframes for amended permits.**

**TCEQ recommends amending 305.62 to add a provision that authorizes an existing TPDES or TLAP permit holder to dispose of allowable non-stormwater wastestreams identified under TCEQ's Multi Sector General Permit (TXR050000) without amending their existing permit if discharge will not cause a violation of their maximum flow effluent limitation.**

**This revision would alleviate unnecessary permit actions requiring entities to amend existing permits to add these benign wastestreams.**

#### *Comment/Recommendation*

Currently, 30 TAC 305.62 provides guidance on permit amendments, renewals, transfers, corrections, revocations, and suspensions, and various requirements and qualifications for each permit action. Amending the regulation to allow the current Texas Pollutant Discharge Elimination Systems (TPDES) and Texas Land Application Permits (TLAP) to discharge non-stormwater wastestreams listed under TCEQ's Multi Sector General Permit (TXR050000) automatically could negatively impact human health and the environment.



PCS recommends that TCEQ prohibit current TPDES or TLAP permit holders from discharging non-stormwater wastestreams listed under TCEQ's Multi-Sector General Permit (TXR050000). PCS also recommends that TCEQ verify the compliance history of the TPDES and TLAP permit holders and require follow-up effluent sampling to verify the impact on the environment and human health.

5. **Per the TCEQ, the following regulations were considered duplicative of statute addressed by other TCEQ rules and regulations and otherwise unnecessary: 30 TAC 319.21, 319.24, and 319.26.**
- 30 TAC 319.21 regarding Definitions
  - 30 TAC 319.24 regarding Dilutions
  - 30 TAC 319.26 regarding Toxic Pollutant

**TCEQ recommends repealing these sections because these definitions are located elsewhere in state or federal rules and guidance.**

***Comment/Recommendation***

Each of these regulations provides essential clarity and enforceable requirements that support hazardous metal sampling, effluent accuracy, and protection of the Waters of the State. 30 TAC 319.21 establishes standard terminology for hazardous metal sampling, analysis, and quality requirements. Removing these definitions would create confusion for regulated entities, local government agencies, and the public, especially since a clear alternative source for these terms is not identified or provided. 30 TAC 319.24 prohibits dilution of effluent samples to meet permitted effluent limitations. This regulation is critical to ensure that hazardous metal discharges are accurately represented and do not pose a public or environmental risk. PCS could not identify this prohibition or duplicative coverage elsewhere; therefore, removing this regulation could leave regulated entities and local government agencies without explicit direction. 30 TAC 319.26 allows TCEQ to impose stricter effluent limitations or consider variance requests when discharges may impact Inland or Tidal Waters, ensuring that regulated entities demonstrate no significant adverse impact to water quality. Searches of 30 TAC 305.129 and 307 did not reveal equivalent provisions addressing this specific regulatory function.



Because these sections collectively safeguard water quality, uphold compliance clarity, and prevent undue burden on regulated entities and enforcement agencies, PCS recommends that TCEQ retain 30 TAC 319.21, 319.24, and 319.26. PCS further recommends developing an accessible, consolidated resource rather than repealing the existing regulatory text.

Thank you for the opportunity to provide these concerns regarding the Potential Rule Changes. Should you have any additional questions or concerns, please contact Courtney Klaus at (713) 274-6331 or by email at [courtney.klaus@harriscountytexas.gov](mailto:courtney.klaus@harriscountytexas.gov).

Sincerely,

Mr. Herman Rogers  
Permit Services Manager

cc: Veronyka James- Harris County Judge's Office  
Sarah Utley - Harris County Attorney's Office  
Nicole Bealle - TCEQ Region 12  
Jesse Dickerman - Harris County Pollution Control Services

CK/lw