



PUBLIC WATER SYSTEMS
**PLAN REVIEW &
EXCEPTIONS**

Plan and Technical Review Section
Water Supply Division
Plan Review Team

Craig Stowell, P.E., Team Leader

Technical Review and Oversight Team
Regina Frisancho, Work Leader

Why Submit Plans?

- *Public Water Systems must notify the TCEQ about any proposed new system or significant changes to existing systems.*
- *Statutes and Regulations:*
 - TAC 290 Subpart D
 - Texas Health & Safety Code
 - Federal Safe Drinking Water Act

Who Submits Plans?

- *Public Water Systems have 15 service connections or serve 25 or more individuals at least 60 days out of a year.*
- *Professional Engineers (P.E.) Licensed in the State of Texas*
 - §290.39(d)(1) Plans, specifications, and related documents will not be considered unless they have been prepared under the direction of a licensed professional engineer. All engineering documents must have engineering seals, signatures, and dates affixed in accordance with the rules of the Texas Board of Professional Engineers.

When Do We Submit Plans?

- *BEFORE STARTING CONSTRUCTION:*
 - No person may begin construction of a public drinking water supply system until the TCEQ determines that the system is financially stable and technically sound and can supply adequate quantities of safe drinking water.
- *IF SIGNIFICANT CHANGE TO EXISTING SYSTEM IS PLANNED:*
 - Significant changes shall not be instituted without prior approval§290.39(j)

What's A Significant Change?

- *Potential Health Hazard: §290.39(j)(1)(B)&(C)*
- *Increase or Decrease in Capacity: §290.39(j)(1)(A)*
- *Distribution expansion, waterlines (Greater Than 10% connections)*
- *Disinfection §290.39(j)(1)(B)*
 - Disinfectant
 - Application point
 - Monitoring point
 - Residual §290.39(j)(1)(C)
- *ANY OTHER MATERIAL CHANGES specified by TCEQ. §290.39(j)(1)(E)*

What To Submit?

- *Existing System:*
 - *Cover Letter §290.39(h)(1)*
 - *TCEQ 10233 Submittal Form*
 - *Engineering Report §290.39(e)(1) - New system, SWTP, or deficiencies*
 - *Engineering Plans and Technical Specifications §290.39(j)(2)(B)*
 - *Well Completion Data*
- *New Proposed System:*
 - *Financial Ability Form (TCEQ-20841)*
 - *Financial Statements*
 - *Business Plan §290.39(f) for Privately owned new public water systems*
 - *Request for Service*

How To Submit?

- *We prefer Electronic Submittals!*
 - PTRS@TCEQ.Texas.Gov
No Hard copy follow-up required
- *Mail:*
 - Plan Review Team - MC-159*
 - Texas Commission on Environmental Quality*
 - P.O. Box 13087*
 - Austin, TX 78711-3087*
- *Hand Deliver:*
 - 12015 Park Circle, Bldg. F, 3rd. Floor*
 - Austin, TX 78753*

Website

Submit Public Water System Plans for Review

<https://www.tceq.texas.gov/drinkingwater/planrev.html>

Forms and Checklists for Submitting Plans or Specifications for Public Water Systems

<https://www.tceq.texas.gov/drinkingwater/udpubs.html>

Questions

Craig A. Stowell, P.E., Team Leader

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512-239-4633



Exceptions:

Proposing Another Way to
Meet the Intent of the Rules

PLAN & TECHNICAL REVIEW SECTION
TECHNICAL REVIEW AND OVERSIGHT TEAM

REGINA FRISANCHO, WORK LEADER

Scope

Present the procedural requirements to request an exception to propose another way to meet the intent of the rules under 30 TAC 290, Subchapter D



Exceptions (variances) are allowed:

- ▶ Allowed as described in 30 TAC §290.39 (I)
 - ▶ Requests are considered on an individual basis.
 - ▶ Must demonstrate that the exception will not compromise public health or result in a degradation of service or water quality.



Procedural Requirements

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When are exceptions allowed?

Who can submit an exception request?

What is required in the exception submittal?

When do you submit exception requests?

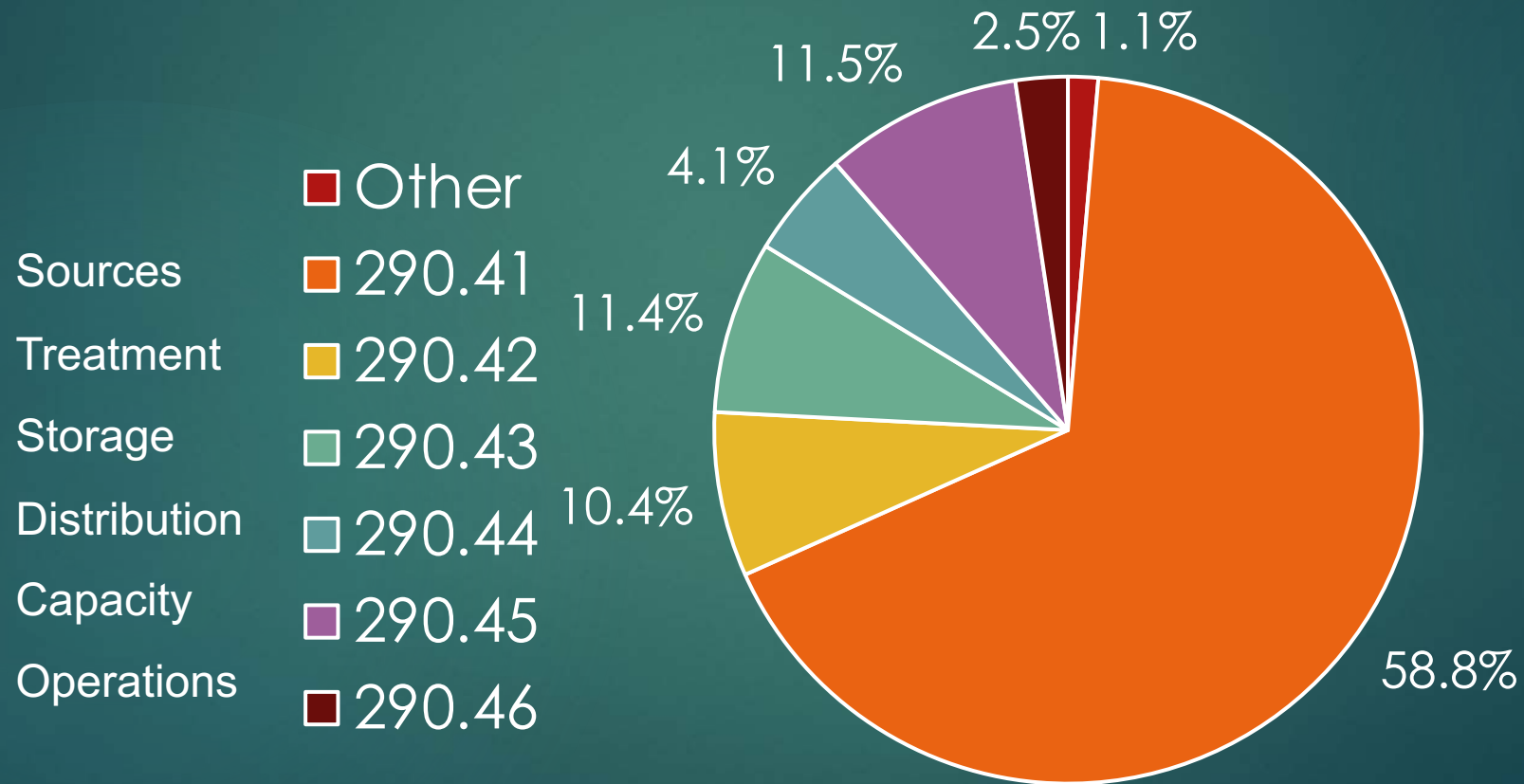
Where do you send exception requests?

When are Exceptions Allowed?

- ▶ If a public water system (PWS) does not meet a TCEQ design standard, they may request an exception by proposing another way it can meet the intent of the rules.

2022 - Exceptions Received per Rule Section

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Who Can Submit Exceptions?

- ▶ Public Water Systems and their representatives
 - ▶ For almost any rule between §290.41-.46
- ▶ Professional Engineers licensed in Texas
 - ▶ Pilot study reports - §290.42(g)
 - ▶ Alternative Capacity Requirement requests for alternatives to elevated storage - §290.45(g)(5)

What is required in an Exception submittal?

- ▶ TCEQ- 20659
- ▶ Signed cover letter
- ▶ Proposed alternative, explanation, supporting documentation



 **Texas Commission on Environmental Quality**
Technical Review and Oversight Team

Exceptions Request Submittal Form

(Please complete this form and submit with your exception request. More instructions on other side)

Requestor Information

Full Name: _____
Last First Title

Address: _____
Address Line 1 (Name of engineering firm or public water system you represent)

Address Line 2 (Street address) _____

City State ZIP Code

Contact Phone: _____ Fax: _____

Alternate Phone: _____

Public Water System (PWS) Information

PWS Name: _____

7-DIGIT PWS ID (REQUIRED): _____ Plant / Facility Description: _____

Type of Exception: _____

30 TAC 290 Rule: _____ TCEQ Well ID(s) if applicable: _____

Summary of Exception Request

Click here to enter text.

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Help with Exception Submittals

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Guidance Documents

- Used by the public and TCEQ Staff
- Available on TCEQ Website

Checklists

- Documentation required

<https://www.tceq.texas.gov/drinkingwater/trot/exception>

Timing of Submittals

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- ▶ **Exception Requests** – approximately 100 days
- ▶ **Alternative Capacity Requests** – 90 days
- ▶ **Pilot studies (membranes, alternate treatment)**
 - ▶ Protocol
 - ▶ Report
 - ▶ Allow time for protocol review, conducting the study, preparing the report, report review, then plan review

When do you submit Exception Requests?

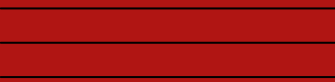
- ▶ Before the PWS is locked into a course of action that will result in a deviation from the rules.
- ▶ To comply in response to an alleged violation noted during a Comprehensive Compliance Inspection (CCI).
- ▶ Before submitting engineering plans and specifications for review and approval.

Where Do You Submit Exception Requests?

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PTRS@tceq.texas.gov



Technical Review and Oversight Team
Plan and Technical Review Section, MC -159
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

Please Note:

- ▶ Any granted exception can be revoked or revised/reissued.
- ▶ As a condition of granting the exception the TCEQ may establish site-specific design, operation, maintenance, and reporting requirements for systems.

Financial, Managerial, & Technical (FMT) Assistance

If you operate a water or wastewater system and would like to arrange for free financial, managerial, or technical assistance, contact our Financial, Managerial and Technical (FMT) program team:

FMT@tceq.texas.gov

<https://www.tceq.texas.gov/drinkingwater/fmt>

(512) 239-4691

Small Business & Local Government Assistance

Free confidential hotline

1-800-447-2827

<http://www.texasenvirohelp.org>

Questions?

WATER SUPPLY MAINLINE: (512) 239-4691

PLAN REVIEW WEBSITE -

WWW.TCEQ.TEXAS.GOV/PERMITTING/WATER_SUPPLY/UD/PLANREV.HTML

EXCEPTION WEBSITE -

WWW.TCEQ.TEXAS.GOV/DRINKINGWATER/TROT/EXCEPTION

PLAN & TECHNICAL REVIEW SECTION GENERAL EMAIL BOX -

PTRS@TCEQ.TEXAS.GOV