

§ 341.039. GRAYWATER STANDARDS. (a) The commission by rule shall adopt and implement minimum standards for the use and reuse of graywater for:

- (1) irrigation and other agricultural purposes;
- (2) domestic use, to the extent consistent with

Subsection (c);

- (3) commercial purposes; and
- (4) industrial purposes.

(b) The standards adopted by the commission under

Subsection (a) must assure that the use of graywater is not a nuisance and does not damage the quality of surface water and groundwater in this state.

(c) The commission may not require a permit for the domestic use of less than 400 gallons of graywater each day if the graywater:

- (1) originates from a private residence;
- (2) is used by the occupants of that residence for gardening, composting, or landscaping at the residence;
- (3) is collected using a system that overflows into a sewage collection or on-site wastewater treatment and disposal system;
- (4) is stored in tanks that:
  - (A) are clearly labeled as nonpotable water;
  - (B) restrict access, especially to children; and
  - (C) eliminate habitat for mosquitoes and other

vectors;

(5) uses piping clearly identified as a nonpotable water conduit, including identification through the use of purple pipe, purple tape, or similar markings;

(6) is generated without the formation of ponds or pools of graywater;

(7) does not create runoff across the property lines or onto any paved surface; and

(8) is distributed by a surface or subsurface system that does not spray into the air.

(d) Each builder is encouraged to:

(1) install plumbing in new housing in a manner that provides the capacity to collect graywater from all allowable sources; and

(2) design and install a subsurface graywater system around the foundation of new housing in a way that minimizes foundation movement or cracking.

(e) In this section, "graywater" means wastewater from clothes-washing machines, showers, bathtubs, hand-washing lavatories, and sinks that are not used for disposal of hazardous or toxic ingredients. The term does not include wastewater:

- (1) that has come in contact with toilet waste;
- (2) from the washing of material, including diapers, soiled with human excreta; or
- (3) from sinks used for food preparation or disposal.

Acts 1989, 71st Leg., ch. 678, § 1, eff. Sept. 1, 1989. Amended by Acts 1993, 73rd Leg., ch. 233, § 2, eff. Aug. 30, 1993; Acts 1995, 74th Leg., ch. 76, § 11.16, eff. Sept. 1, 1995; Acts 2003, 78th Leg., ch. 689, § 2, eff. Sept. 1, 2003.