

RULE NO.: R161-20.11

NOTICE OF PROPOSED RULE

POSTING DATE: July 13, 2020

The Director of the Department of Austin Water proposes to adopt the following rule on or after August 14, 2020.

Comments on the proposed rule are requested from the public. Comments should be submitted to Mr. Eric Langhout, P.E.; Austin Water, 3907 S. Industrial Dr., Suite 236, Austin, Texas 78744, 512-972-0073, or via email at Eric.Langhout@austintexas.gov. To be considered, comments must be submitted before August 14, 2020, the 32nd day after the date this notice is posted. A summary of the written comments received will be included in the notice of rule adoption that must be posted for the rule to become effective.

An affordability impact statement regarding the proposed rule has been obtained and is available for inspection or copying at the address noted in the preceding paragraph.

EFFECTIVE DATE OF PROPOSED RULE

A rule proposed in this notice may not become effective before the effective date established by a separate notice of rule adoption. A notice of rule adoption may not be posted before August 14, 2020 (the 32nd day after the date of this notice) or not after September 21, 2020 (the 70th day after the date of this notice).

If a proposed rule is not adopted on or before September 21, 2020, it is automatically withdrawn and cannot be adopted without first posting a new notice of a proposed rule.

TEXT OF PROPOSED RULE

The text of the proposed rule, indicating changes from the current text, is attached to this notice.

BRIEF EXPLANATION OF PROPOSED RULE

R161-20.11: Proposed revision to the UCM 2.5, 2.9.0, 2.9.1, 2.9.2, 2.9.3, 2.9.4

Rule 1 – UCM 2.5, 2.9.0, 2.9.1, 2.9.2, 2.9.3, 2.9.4

- Section 2.5.1.F.19 – This language is being added to ensure the plans contain a Key Map when needed because of long lines in multiple sheets.
- Section 2.9.0 – We are moving all the information in 2.9.1 to 2.9.0. The new section 2.9.1 will now be called General Criteria for Water, Reclaimed Water, and Wastewater Systems, and will house information that is the same for Water, Reclaimed Water, and Wastewater instead of placing that information in all three sections. In the second paragraph, we are updating the name to Austin Water. In the new third paragraph, in response to new legislation, we have decided to propose a change to our UCM. We did this to align our criteria manual with state regulations, improve transparency to external stakeholders, and provide necessary guidance for a more efficient plan review process. In the fourth paragraph, “Registered” is redundant as Professional Engineer implies that they are Registered. In the fourth paragraph, we are creating more acronyms in ETJ, TCEQ, and AULCC and correcting the sentence by using “by” instead of “in”. Section H is being added as required.
- Section 2.9.1.A.1&2 – This language was taken from 2.9.2.G.1&2, 2.9.3.E.1&2, and 2.9.4.H.1&2. This section was created to place all information that is the same for Section 2.9.2 Water Systems, 2.9.3 Reclaimed Water Systems, and 2.9.4 Wastewater Systems.
- Section 2.9.1.A.3 – This language is being added to inform Engineers and Developers that private utility lines will not be allowed to run inside a PUE or specific public utility easement. It will only be allowed to cross the easement.
- Section 2.9.1.B - Section 1 & 2 are being relocated here from Sections 2.9.2.B.2, 2.9.3.B.3 & 4, and 2.9.4.C.4. Section 3 is to establish requirements for vertical separation between AW and all other utilities.
- Section 2.9.1.C - This language is being relocated here from Sections 2.9.2.B.20, 2.9.3.B.15, and 2.9.4.C.10.
- Section 2.9.2.A.3.b – This is being changed because adding specific chapter numbers to the UCM will cause us to go through the rules posting process when the number changes in the future.
- Section 2.9.2.B.2 – This language is being edited and relocated to 2.9.1.B.1 & 2.

- Section 2.9.2.B.4 – This is being changed because the Section number has changed.
- Section 2.9.2.B.20 – This language is being relocated to 2.9.1.C.
- Section 2.9.2.C.9 – Austin Water wants to pull this requirement for now so we can come up with more detailed language that represents when we want this to occur and to include a Standard Detail. We are adding new language to require all valves 24" and larger to be supported by a concrete foundation. Currently, Standard Detail 511-AW-01 already requires this for valves up to 16".
- Section 2.9.2.F.1 – This is being changed because adding specific chapter numbers to the UCM will cause us to go through the rules posting process when the number changes in the future.
- Section 2.9.2.G.1&2 – The language is being relocated to 2.9.1.A.1 & 2.
- Section 2.9.3.B.1 – This is being removed because the 4" line size is rarely used and has a maximum length of 200'. The removal may prevent or minimize the generation of water hammers and will reduce the number of fittings and appurtenances stocked by the warehouse. The minimum pipe diameter (6") for reclaimed water is less than the minimum pipe diameter (8") for the drinking water system.
- Section 2.9.3.B.3 & 4 – This language is being relocated to 2.9.1.B.1 & 2.
- Section 2.9.3.B.15 – This language is being relocated to 2.9.1.C.
- Section 2.9.3.C.9 – Austin Water wants to pull this requirement for now so we can come up with more detailed language that represents when we want this to occur and to include a Standard Detail. We are adding new language to require all valves 24" and larger to be supported by a concrete foundation. Currently, Standard Detail 511-AW-01 already requires this for valves up to 16".
- Section 2.9.3.E.1&2 – The language is being relocated to 2.9.1.A.1 & 2.
- Section 2.9.4.C.4 – This language is being relocated to 2.9.1.B.1 & 2.
- Section 2.9.4.C.8 – This reference is being removed so we don't add specific chapter number to the LDC that will be changed soon.
- Section 2.9.4.C.10 – This language is being relocated to 2.9.1.C.
- Section 2.9.4.D.1.i – This is being changed because adding specific chapter numbers to the UCM will cause us to go through the rules posting process when the number changes in the future.
- Section 2.9.4.G.4 – The information is being changed to reflect our new TCEQ requirements and the new Standard Detail 520-AW-01A.

- Section 2.9.4.G.5 – The last sentence is being deleted. AW does not want to specify that every item can be allowed by variance. It is understood that every rule may be able to be altered by a variance.
- Section 2.9.4.H.1&2 – The language is being relocated to 2.9.1.A.1 & 2.

AUTHORITY FOR ADOPTION OF PROPOSED RULE

The authority and procedure for adoption of a rule to assist in the implementation, administration, or enforcement of a provision of the City Code is provided in Chapter 1-2 of the City Code. The authority to regulate construction requirements is established in Section 552.001 of the Texas Local Government Code and Title 15 of the City Code.

CERTIFICATION BY CITY ATTORNEY


By signing this Notice of Proposed Rule R161-20.11, the City Attorney certifies the City Attorney has reviewed the rule and finds that adoption of the rule is a valid exercise of the Director's administrative authority.

REVIEWED AND APPROVED



Greg Meszards, Director
Austin Water

Date: 06/24/2020



Anne L. Morgan
City Attorney

Date: 6/24/2020

This Notice of Proposed Rule was posted on the City website by the City Clerk. Date and time stamp is on the front of the notice.