

# RRC vs. TCEQ Side-by-Side Comparison

What changed for produced water land application after SB 1145 · Effective September 1, 2025 · Proposed Chapter 309/210 framework

**NOTE:** The TCEQ column reflects the **proposed** Chapter 309/210 framework currently in public comment through June 16, 2026. Final rules are targeted for adoption in August 2026. Requirements shown are anticipated under the proposed framework — verify against final TCEQ rules before making compliance decisions.

## BACKGROUND

Texas Senate Bill 1145 (2025) transferred authority for land application of treated produced water from the Railroad Commission of Texas (RRC) to the Texas Commission on Environmental Quality (TCEQ), effective September 1, 2025. TCEQ is implementing this transfer through proposed amendments to Chapters 309 and 210 of the Texas Administrative Code — currently in public comment through June 16, 2026.

	UNDER RRC (Pre-September 1, 2025)	UNDER TCEQ (Proposed) Chapter 309/210
Permit authority	Railroad Commission of Texas (RRC) — Statewide Rule 8 and related rules	Texas Commission on Environmental Quality (TCEQ) — proposed Chapter 309/210
Permit required for land application?	No formal permit required in most cases. RRC authorization or exception applied.	Formal TCEQ permit anticipated to be required for all land application activities including dust control.
Effluent limits	No specific numeric effluent limits for land-applied produced water. Operator-managed.	Specific numeric limits proposed: TDS, SAR, chloride, metals (arsenic, barium, cadmium, chromium, lead, mercury, selenium), bacteria, pH.
Groundwater monitoring	Minimal to none required for typical land application.	Anticipated to be required — minimum 1 upgradient and 2 downgradient monitoring wells. Quarterly sampling expected.
Site assessment	Operator-managed. No formal site review by regulatory agency.	Anticipated to be required — licensed PE or LPG must conduct site assessment including soil type, slope, setbacks, and groundwater depth.
Public notice	Not required for land application activities.	Anticipated to be required — permit applications expected to be subject to public notice and comment period.
Application rate limits	No formal application rate limits.	Site-specific limits anticipated based on soil type, permeability, and water quality. PE/LPG determination expected to be required.
Dust control (road suppression)	Allowed with limited oversight. Common practice across Permian Basin oilfield roads.	Anticipated to require TCEQ permit. Expected to be subject to same effluent limits and monitoring requirements as other land application.
Agricultural / irrigation reuse	Case-by-case basis. No formal permit pathway.	Formal permit pathway proposed. Stricter limits anticipated — particularly for SAR and bacteria to protect soil and crop quality.
Industrial reuse	Limited framework. Case-by-case authorization.	Formal permit pathway proposed. Water quality requirements anticipated to depend on application type.

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Annual reporting	Limited reporting requirements.	Annual report to TCEQ anticipated to be required — application volumes, water quality results, groundwater monitoring data.
Governing statute	Texas Natural Resources Code — Railroad Commission authority	Texas Water Code — TCEQ authority. Authorized by SB 1145 (2025).
Effective date	Pre-September 1, 2025	September 1, 2025 (transfer effective). Final proposed rules targeted for adoption August 2026.

## WHAT THIS MEANS FOR YOUR OPERATIONS

> **If you currently use produced water for road dust suppression**

This activity is anticipated to require a TCEQ permit under the proposed framework. Assess your current water quality against the proposed effluent limits and begin evaluating the permitting process for when final rules are adopted (anticipated August 2026).

> **If you are planning a new beneficial reuse project**

A formal TCEQ permit pathway is proposed. Engage a licensed PE or environmental attorney early in project planning to understand anticipated site, water quality, and monitoring requirements.

> **If you are a midstream or treatment provider**

Your customers may need to meet new effluent limits under the proposed framework. Water quality specifications for treated produced water destined for land application may materially change — consider reviewing treatment guarantees and contracts in light of the proposed requirements.

> **If you want to influence the final rules**

The public comment window is open through June 16, 2026. If the proposed effluent limits or monitoring requirements would not be technically or economically feasible for your operations, now is the time to say so on the record.

Comment deadline: June 16, 2026. Visit [permianproducedwater.com/regulatory.html](https://permianproducedwater.com/regulatory.html) for a step-by-step guide to filing a public comment, the land application permit checklist, and the effluent limits quick reference card. Find TCEQ-experienced consultants and environmental attorneys serving the Permian Basin in the directory.