TCEQ REGULATORY GUIDANCE

Environmental Assistance Division
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Managing Small Public Water Systems: Part D, Compliance

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Introduction

The State of Texas has numerous regulations regarding the operation of public water systems. These regulations focus primarily on protecting the health and welfare of people. To help ensure compliance with these regulations, the TCEQ conducts investigations, provides assistance, and—when necessary, may pursue enforcement actions to ensure safe drinking water.

Part D of *Managing Small Public Water Systems* is designed to help you—the manager or operator of a small public water system (PWS)—become familiar with the rules for operating small public water systems, and understand the investigation and enforcement process.

This document covers:

- how to get organized to demonstrate compliance with the rules
- requirements for monitoring, reporting, and record keeping
- common violations related to drinking water
- an enforcement scenario for a water system

To view or download the complete series of this guide, go to the TCEQ Web page Water Compliance Resources <www.tceq.texas.gov/assistance/water>.

If you do not have Internet access, call SBLGA's hotline number, 800-447-2827, for a paper copy of the complete series.

Note: This publication is not a substitute for the actual rules. To obtain the most current, official copy of state rules, contact the Secretary of State's office at 512-305-9623. The rules are also available online at <texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=4&ti=30&pt=1&ch=290>.

Compliance

All owners of drinking-water systems are required to report the status of their compliance with the rules. All records required by the rules must be retained at the plant site or be easily available for review by a TCEQ representative. This is one way an investigator evaluates compliance.

General Compliance: Questions and Answers

There's so much to do. Where do I start?

1. **Obtain a copy of the rules.** Keep a copy of the rules in your official records **and** a working copy readily available. Make notes on them, highlight important information, and use them to help you achieve and maintain compliance.
2. **Become the expert.** Know the requirements for your system and keep track of those requirements using charts, logs, or other methods. The tables at the end of this module and the Operations and Maintenance Manual in Part C will help you get started, or you can develop your own system for tracking your requirements.
3. **Develop and maintain a filing system.** Keep all records of monitoring and reporting activities—including supporting documents, such as your sampling and monitoring plans—in a file by month and year. Be diligent in maintaining your filing system. Include copies of correspondence with the TCEQ, engineers, and personnel.
4. **Train your staff.** Once you have your filing system in place, train other personnel on how it is organized. Periodic refresher training is advisable—especially when new employees are hired.
5. **Seek help.** If you need help getting organized or help with compliance, read the section "I Need More Help with Compliance" later in this module.

What are some of the records I need to keep?

Operation and maintenance records

- routine maintenance records for equipment
- records of construction and repairs to the water system and distribution lines
- staffing and training records
- documentation of start-up and operating procedures

Part C of this series, *Operations and Maintenance*, contains useful tools and tables to assist with some requirements related to keeping these records.

Laboratory and sampling records

- sampling records noting the date, time, and location of sampling; the name of the individual who took the sample or measurement; the sample type; and any preservation information
- laboratory reports, noting the analyst's name, the date and time of analysis, the method of analysis or measurement, quality-assurance data for each sample set, and a copy of the completed chain-of-custody form
- calibration records for lab instruments, such as readings of pH meters, chlorine analyzers, and turbidimeters
- records of in-house lab analyses, if applicable

Self-monitoring records

Records of:

- disinfectant residual monitoring
- water production
- amounts of chemicals used

How long must records be retained?

Your system is required to maintain records of all operation and maintenance activities. It is important to keep these records organized, either in a paper file or stored electronically, so they can be accessed for review during inspections. For a detailed list of required records and retention time of these records, read 30 TAC 290.46(f).* Use the Record-Retention Guide at the end of this module as a quick reference.

What are some of the reports I may need to submit?

The chart Monitoring, Reporting, and Record-Keeping Requirements at the end of this module lists some of the reports you may need to submit. This chart is a good tool to help you keep track of your specific monitoring and reporting frequencies and which documents need to be submitted to the TCEQ or kept on-site.

* Short for 'Title 30, Texas Administrative Code, Subsection 290.46(f).'

Where can I find help with submitting reports?

The same chart also lists resources where you can find assistance with each requirement such as completing Monthly Operating Reports, Consumer Confidence Reports, and Public Notices.

I am scheduled for an investigation by our regional investigator. What should I do?

Investigations can be stressful, but there are steps you can take to reduce the stress:

- **Allocate time.** Schedule the investigation when you can devote uninterrupted time with your investigator. It isn't always possible to attend meetings without outside distractions, but it is always best to avoid unnecessary interruptions if possible.
- **Ask questions.** If you have questions or concerns about the investigation, ask the investigator before the meeting. The investigator will answer your questions, allowing you to better prepare. Ask about the extent of the investigation. Some investigations are focused on specific processes or areas. During the exit interview, ask about potential violations, if any, and try to correct them as soon as possible.
- **Be prepared.** Record keeping is one of the most important elements of maintaining and demonstrating compliance with regulatory requirements. Make sure your records are readily available and in good order prior to the investigator's arrival.
- **Be helpful.** Answer all of the investigator's questions honestly and thoroughly. If any information you supply is proprietary or if any areas of your facility contain proprietary information, let the investigator know. Otherwise, the information becomes part of the agency's public record. The same applies to photographs of your facility or operations.

The investigator plans to sample. What are my options?

Sampling may be required during routine investigations. When the investigator calls to schedule an investigation, ask if sampling will be conducted. You may have the option to split samples with the investigator. If you plan to conduct sample splits, make sure you have the necessary equipment and tools available for sampling the specified medium.

What records do I need to have available for an investigation?

Records required to be available to the TCEQ investigator will depend on the size and type of system you operate. For general guidance to help prepare for an investigation go to <www.tceq.texas.gov/assets/public/assistance/sblga/pws_records_required.pdf>. Some records listed may not be applicable for your specific system.

I Need More Help with Compliance

You can find more help at our Public Water Supply: Compliance Resources Web page at <www.tceq.texas.gov/goto/help4pws> for small-business owners and local governments that operate public water systems in Texas. Some of the resources include:

- compliance checklists
- rules and guidance documents for public water systems
- a discussion of operator licensing and requirements
- operations and management resources

Another resource offered by the SBLGA section is the EnviroMentor Program. This assistance is free and confidential and does not lead to inspections, citations, or fines.

EnviroMentors are qualified professionals with technical or legal expertise on environmental issues. They volunteer to help small businesses, local governments, and independent school districts with state environmental rules. Many EnviroMentors are private-sector consultants—some are engineers; others are successful professionals (for example, a water-system operator) who give peer-to-peer advice.

To receive free, confidential help from an EnviroMentor, you must:

- be a small business with 100 or fewer employees, or a local government (a city with population of 50,000 or less, or a county with 100,000 or less) or an independent school district with 100,000 students or less
- be unable to afford to hire a consultant
- be committed to complying with state rules to protect the environment, and to correcting violations as soon as possible

The TCEQ also has a program called Financial, Managerial and Technical Assistance. It pays contractors to help public water systems and wastewater systems comply with the regulations.

For more information about either program, please call the SBLGA Hotline at 800-447-2827.

Drinking-Water Violations: Questions and Answers

I received a Notice of Violation for my public water system. Is it serious?

It depends on the type of violation. An NOV means your facility is out of compliance with one or more rules. Violations are categorized based on the severity of their threat to human health or the environment.

Category A violations are the most serious, while Category B and C violations pose a less severe threat.

I received a Notice of Enforcement instead of an NOV; what does that mean?

When a violation is discovered either during an inspection at the regulated entity's location or through a records review, the investigator will determine the category of the violation as listed in the enforcement initiation criteria. Most violations are quickly corrected in response to Notices of Violation. An NOV documents the violations discovered during the inspection, specifies a time frame to respond, and requires documentation of compliance. When the regulated entity provides the required documentation, the violation is resolved.

If a Category A or consecutive repeat B violation is identified, you will be sent an NOE instead of an NOV. The NOE documents the violations and explains that the case has been referred to enforcement.

The notice also lets respondents know that they can appeal the NOE if they believe the violations were cited in error and there is new information that was not previously evaluated by the investigator.

The TCEQ is authorized to enforce correction of the violations which may include penalties to deter future noncompliance—typically through administrative orders that are issued by the TCEQ commissioners.

How do I respond to an NOV or an NOE?

The regulated entity or "respondent" must respond to the NOV or NOE, preferably in writing, within a set compliance period. The NOV or NOE will

let you know that you may request a meeting to discuss your case if you believe the violations were cited in error or new information is available that was not previously evaluated. If violations issued under an NOV are not resolved within the requested time frame, you may be issued an NOE and assessed a financial penalty.

What does "enforcement" mean?

"Enforcement" is the process used to respond to serious or continuing environmental violations by requiring corrective actions and by assessing monetary penalties against businesses or individuals for those violations.

What is an "enforcement action"?

An "enforcement action" is an action taken to obtain a legally binding obligation from a person or organization to achieve and maintain compliance.

How does the TCEQ determine whether an enforcement action is warranted?

The TCEQ conducts different types of investigations. When a violation is noted during any of these investigations, depending on the severity, it is categorized as a Category A, B, or C violation. Whether it is an on-site field investigation, a complaint investigation or a record review, any of these may prompt the agency to initiate enforcement action if the violation is a Category A violation or a repeat Category B violation.

I haven't had an investigation, but I got an NOV. How did that happen?

Records-review investigations are often used to evaluate compliance. These investigations do not include an on-site visit. If the records review determines that reports sent to the TCEQ are missing information or have not been submitted at all, you may receive a Notice of Violation.

Where can I find examples of the different types of violations for drinking water—A, B, and C?

The Enforcement Initiation Criteria comprise a system for classifying violations by severity (A, B, or C), so we can determine the appropriate

level of enforcement for each violation. You may review the entire EIC online at <www.tceq.texas.gov/goto/eic>.

I have a fine. What are my options?

Pay the fine. Sometimes the TCEQ will defer part of the fine for prompt response. If you can't pay all or part of the proposed fine, you may speak with your enforcement coordinator about claiming financial inability to pay and what documents are needed for evaluating your claim.

A payment plan may be another option. Payment plans are frequently worked out between respondents and their enforcement coordinator if they indicate that they cannot pay the entire penalty in one payment. You can also participate in a Supplemental Environmental Project.

What is a Supplemental Environmental Project?

A SEP is a project that prevents pollution, reduces the amount of pollution reaching the environment or enhances its quality, or contributes to public awareness of environmental matters. You may negotiate an agreement to perform a SEP in return for an offset of the administrative penalty; local governments may be able to offset 100 percent. It is extremely important to contact your enforcement coordinator early in the enforcement process to see if you are eligible for a SEP project. Visit the SEP Web page for more information at <www.tceq.texas.gov/legal/sep>.

When is an agreement made?

An agreed order is used when you agree to the terms and conditions of the administrative order, which may include technical requirements and a penalty. Once you agree with the terms and conditions set forth in the proposed agreed order and the penalty amount, the case is set for approval at either the TCEQ commissioners' or the executive director's agenda meeting, held monthly in our central office. The commissioners or the executive director makes a final decision about the penalty the respondent must pay. After the agenda meeting, you can settle the case by paying the penalty and signing the order within 60 days of receiving it.

Can I contest the enforcement action?

Yes, if you contest the enforcement action or do not settle the case within 60 days of the date on the letter, the case is referred to our Litigation Division. You may request an administrative hearing, which is held in

front of an administrative law judge with the State Office of Administrative Hearings. However, a settlement could still occur at any time before a final decision on the enforcement order. You will receive an Executive Director's Preliminary Report and Petition (EDPRP), notifying you of the violations, the penalty assessed and of any corrective actions needed to come into compliance with the regulations. This document is not an order, but a petition filed with our Chief Clerk's Office to start the administrative-hearing process. After the hearing, the judge makes a recommendation to the TCEQ commissioners about an enforcement order. At an agenda meeting, the commissioners consider this recommendation and then make the final decision whether to issue, deny, or modify the judge's decision.

What is a default order?

If a respondent does not file a timely answer to the EDPRP, the commissioners may issue a default order. If the respondent fails to comply with the default order, then the executive director may refer the case to the Office of the Attorney General for civil enforcement in a court of law.

When does the process end for an enforcement case with an agreed order?

Once the respondent complies with the enforcement order, including payment of any penalty and compliance with all technical requirements of the order, the TCEQ will send a letter to the respondent indicating that the requirements of the order have been fulfilled. The respondent is responsible for meeting the terms of the agreed order for five years after its effective date.

Where can I get more information about investigations, violations, and enforcement?

The publications *The TCEQ Has Inspected Your Business. What Does This Mean to You?* (RG-344) and *Penalty Policy* (RG-253) discuss investigations and enforcement. These publications can be viewed or downloaded at <www.tceq.texas.gov/publications/search-pubs> by entering the publication number in the search box. You may also call 512-239-0028 to get a copy.

Common Drinking-Water Violations

Which violations can result in automatic enforcement for a water system?

The following Category A violations are examples of what may be discovered during an on-site investigation or during a records review by regional or central-office personnel.

- Failure to:
  - obtain approval for plans and specifications
  - provide treatment facilities necessary to meet the minimum surface water–treatment requirements of 30 TAC 290.42 and 290.111
  - provide disinfection equipment to maintain the required minimum disinfection residual
  - issue a Boil Water notice within 24 hours
- If the TCEQ determines that the system's water source is considered groundwater under the influence of surface water, or GUI, then the system must begin proper treatment of the water within 18 months of that determination
- Second occurrence of an investigator-documented low pressure (< 20 psi) within a period of 12 months when the cause was preventable by proper operation and maintenance
- Second occurrence of an outage for the same cause when the cause was preventable by proper operation and maintenance
- Greater than 50 percent deficiency of capacity requirements
- Failure to notify the commission of system reactivation in writing

Monitoring and reporting violations

Water systems are required to monitor the water quality to make sure it is safe for public consumption. Since some contaminants have a greater potential to make people sick, there are stricter consequences for failing to monitor and report these water quality parameters. A point-based system is used for ranking the severity and frequency of violations, giving more points for more severe violations.

Water systems that exceed the point threshold will escalate to formal enforcement action. The point system weighs the following violations more heavily, making it easier for a water system to reach the point threshold if they experience these violations:

- repeat monitoring violations of the Revised Total Coliform Rule
- monitoring and reporting violations related to nitrates
- other health-based violations

You can learn more about the point system on the TCEQ's Web page: <www.tceq.texas.gov/goto/dwer>. At the end of this document, you can find tables outlining the requirements for sampling, reporting, record keeping, and monitoring that a water system must follow. Use these tables to help stay in compliance with the TCEQ's requirements and avoid violations.

Example Drinking-Water Enforcement Scenario

Purpose

The purpose of this scenario is to show how a small water system can go to enforcement for reporting violations found during a TCEQ records review, even when no major violations are discovered during an investigation.

Background on the drinking-water system

Coldwater Creek Water Supply Corporation is a fictitious groundwater system which serves 200 customers on the outskirts of Medium City.

Violations found during a comprehensive compliance investigation

The water system received a routine compliance investigation by regional TCEQ personnel, which resulted in the following violations:

- The intruder-resistant fence was not high enough.
- The well house had a small hole near the foundation that showed evidence of rodent activity.

Actions taken to resolve the violations

Within a week of the investigation, the water system corrected the violations and documented its compliance **in writing** by submitting receipts for fencing supplies and labor, as well as photographs of the fencing and the repair to the well house.

Did the water system receive formal notice of these violations?

No. An NOV was not issued to the system since it quickly resolved the violations noted during the investigation.

Was an enforcement action initiated due to the investigation findings?

No. The regional investigation didn't result in an NOE. However, the water system received an NOE from the TCEQ's Enforcement Division for violating the agency's monitoring requirements, along with not preparing and submitting the certificate of delivery for its Consumer Confidence Report (CCR), which are Category A violations. The NOE resulted in an agreed order.

Why did the water system end up in enforcement even though it resolved the violations noted during the investigation?

Enforcement actions can be initiated either as a result of an on-site investigation **or** from a records review by the TCEQ's regional or central office.

During a routine records review, TCEQ discovered that some Disinfectant Level Quarterly Operating Reports (DLQORs) and the CCR certificate were missing.

How were the violations resolved?

The system was issued an agreed order requiring it to submit the CCR certificate of delivery and to begin submitting DLQORs to the TCEQ on time. This requirement will be satisfied upon two consecutive quarters of compliant reporting.

Conclusion

A records review conducted by the regional or central office in Austin can generate its own set of enforcement actions.

Table: Groundwater-System Sampling

How will this table assist with the required sampling at my water system?

All public water systems are required to sample for chemical and microbiological contaminants. The types of contaminants and monitoring frequency are dependent upon the type of PWS and sample results history.

You can go to the Drinking Water Watch Web page <www.tceq.texas.gov/goto/dww> to verify information about your water system, including sample results and sampling schedules for your facility. This table provides you with the water quality sampling schedule for both community and non-transient non-community water systems that use groundwater as their only source of drinking water. Use this chart to check whether you are complying with the sampling requirements. Please note that sampling requirements can become complex for a water system when sample results indicate contaminant exceedances. For additional assistance please contact the Water Supply Division at 512-239-4691.

How do we determine the cost for required sampling at my water system?

Use the online tool <www.tceq.texas.gov/goto/costestimate> to calculate the expected sampling costs for your water system. The tool takes you through a step-by-step process to first determine which specific samples a water system must collect and analyze, then you can enter this information into the cost-estimate tool to determine total expected cost.

Definitions and Abbreviations

Entry point—Where the finished (treated) water enters the distribution system

HAA5—the five most common haloacetic acids

MCL—maximum contaminant level

NELAP—National Environmental Laboratory Accreditation Program

Raw water—water before treatment

SOCs—synthetic organic compounds

30 TAC—Title 30, Texas Administrative Code

TTHM—total trihalomethanes

VOCs—volatile organic compounds

PWS Routine Sampling Requirements

Community and Non-Transient Non-Community Groundwater Systems

Sample Type	Number of Samples, Frequency	NELAP LAB Required?	Who Collects?
Raw-Water Sampling			
Coliform bacteria[a]	Monthly[b]	Yes	Operator
Entry-Point Sampling			
Bromate (if using ozone)	Monthly	Yes	Operator
Chlorine dioxide (if using)	1 sample daily for each entry point using chlorine dioxide	No	Operator
Chlorite (if using chlorine dioxide)	1 sample daily for each entry point using chlorine dioxide	No	Operator
Disinfectant level	≤ 500 people = 1 sample daily 501–1,000 = 2 samples daily 1,001–2,500 = 3 samples daily 2,501–3,300 = 4 samples daily	Yes	Operator
Inorganic chemicals as listed in 30 TAC 290.106(b) except for nitrate and nitrite (see below)	Once every 3 years	Yes	TCEQ contractor
Inorganic chemicals, nitrate, 30 TAC 290.106(c)(6)	Annually	Yes	TCEQ contractor
Nitrite, 30 TAC 290.106(c)(7)	Once every 9 years		
Secondary constituents as listed in 30 TAC 290.105(b) and 290.118(b)	Once every 3 years	Yes	TCEQ contractor

Sample Type	Number of Samples, Frequency	NELAP LAB Required?	Who Collects?
Entry-Point Sampling *(continued)*			
Radionuclides (gross alpha, radium, uranium): each contaminant has a different MCL (community systems only)	Once within 90 days of initiating use of a new water source; if results are below detection limits for all contaminants, then once every 9 years If results are above half the MCL but not exceeding the MCL then contaminant is sampled once every 3 years If results are above the detection limit and below half of the MCL then contaminant is sampled once every 6 years If contaminant is detected above MCL, then contaminant must be sampled quarterly	Yes	TCEQ contractor
SOCs (includes pesticides, herbicides)	Initially, quarterly for 4 quarters, then once every 3 years if there are no exceedances or detections	Yes	TCEQ contractor
VOCs (gas, oil)	Initially, quarterly for 4 quarters, then once every 3 years if no exceedances or detections	Yes	TCEQ contractor
Lead and copper in response to a corrosion-control study under the Lead and Copper Rule in 40 CFR 141.80–141.91	Once at each entry point within 180 days from the end of the monitoring period in which the PWS exceeded lead or copper	Yes	Operator or homeowner
Water quality parameters in response to a corrosion-control study under the Lead and Copper Rule	< 500 people = 1 sample at each entry point per quarter (4 consecutive quarters total) after a PWS exceeds either lead or copper 101 to 500 people = 2 samples at each entry point per quarter (4 consecutive quarters) after a PWS exceeds either lead or copper	No	Operator

Sample Type	Number of Samples, Frequency	NELAP LAB Required?	Who Collects?
Distribution-System Sampling			
Asbestos (if there is asbestos cement pipe)	Once during first 3 years of each 9-year cycle	Yes	TCEQ contractor
Coliform	1 to 1,000 people = 1 sample monthly 1,001 to 2,500 people = 2 samples monthly	Yes	Operator
Disinfectant residual at representative locations, free or total chlorine	< 250 connections or < 750 people = 1 sample every 7 days ≥ 250 connections or ≥ 750 people = 1 sample daily	No	Operator
Chlorite	1 set monthly for each entry point that uses chlorine dioxide (3 samples in a set, collected on the same day)	Yes	Operator
Disinfection by-products (TTHM, HAA5)	< 500 people = 1 or 2 sample sites annually 500 to 9999 people = 1 or 2 sample sites annually	Yes	TCEQ contractor
Lead and copper—tap sampling	< 101 people = 5 samples per 6-month period (for 2 periods) 101 to 500 people = 10 samples per 6-month period (for 2 periods) 501 to 3000 people = 20 samples per 6-month period (for 2 periods)	Yes	Operator or homeowner
Water quality parameters as part of a corrosion-control study under the Lead and Copper Rule or new public water system	< 500 people = 1 sample at each entry point and at one distribution-system site per quarter (4 consecutive quarters total) 101 to 500 people = 2 samples at each entry point and at two distribution-system sites per quarter (4 consecutive quarters total)	No	Operator

[a] See 30 TAC 290.109(c)(4) for rules on monitoring raw-groundwater sources.

[b] Groundwater systems may be required to collect monthly raw samples if granted a rule exception by the Technical Review and Oversight Team or as a corrective action under the Ground Water Rule (40 CFR Parts 9, 141, and 142).

Table: Monitoring and Reporting

How will this chart help me monitor and keep records?

You can use the table to check the required monitoring, reporting, and record keeping that applies to your PWS. This table can also help you schedule the monitoring and reporting requirements each year. Use the resources in the column "Guidance" to learn more about each type of record. Copies of records that are sent to the TCEQ should also be kept on-site for investigations.

Monitoring and reporting requirements can become complex for a water system when sample results indicate contaminant exceedances. For additional assistance please contact the Water Supply Division at 512-239-4961.

What abbreviations are used in the table?

ANSI/NSF Standard 60—American National Standards Institute and National Sanitation Foundation

BPA—backflow-prevention assembly

BT—bladder tank(s)

C—Community public water system

DLQOR—Disinfection Level Quarterly Operating Report

ET—elevated tank(s)

GUI—source of water is groundwater under the direct influence of surface water

GST—ground storage tank(s)

GW—source of water is groundwater

MCL—maximum contaminant level

MRDL—maximum residual disinfectant level

N/A—not applicable

NTNC—non-transient non-community public water system

PE—professional engineer (licensed in Texas)

PT—pressure tank(s)

PWS—public water system

SP—standpipe(s)

SW—source of water is surface water

TNC—transient non-community public water system

Monitoring, Reporting, and Record-Keeping Requirements

Reports, Manuals, Registrations	Type of PWS: C, TNC, or NTNC	Type of PWS: GW, GUI or SW	Population Served	Monitoring Frequency	Reporting Frequency	Keep On-Site or Send to TCEQ?	Guidance
Chlorine residual monitoring or DLQORs	Any of these	GW, GUI	< 250 connections or < 750 people	Weekly	Quarterly	C, NTNC: send to TCEQ TNC: keep on-site	RG-407—*Disinfectant Residual Reporting for Public Water Systems*: <www.tceq.texas.gov/goto/rg-407>
			≥ 250 connections or ≥ 750 people	Daily	Quarterly		
Monthly operating reports (water production, disinfectant residual, pH, temperature)	Any of these	SW (GW if providing 4-log disinfection per GW rule)	N/A	Daily	Monthly	Send to TCEQ	Fill out the report here: <www.tceq.texas.gov/goto/swmor-forms> Guidance also available: <www.tceq.texas.gov/goto/rg-211>
Accuracy testing of electronic equipment for monitoring disinfectant residual	Any of these	GW, GUI, SW	N/A	Manual analyzers: every 90 days Continuous analyzers: calibrated every 7 days, checked weekly	N/A	Keep on-site	N/A
Flushing of dead-end mains	Any of these	GW, GUI, SW	N/A	Monthly	N/A	Keep on-site	N/A

Reports, Manuals, Registrations	Type of PWS: C, TNC, or NTNC	Type of PWS: GW, GUI or SW	Population Served	Monitoring Frequency	Reporting Frequency	Keep On-Site or Send to TCEQ?	Guidance
Bacteriological monitoring (population dependent) 30 TAC 290.107(c)(2)(A)(iii)	Any of these	GW, GUI, SW	Up to 1,000 people	1 sample monthly	Monthly	Lab will send results to TCEQ	<www.tceq.texas.gov/goto/rg-421> TCEQ's Revised Total Coliform Rule sample siting-plan template included in Part C: *Operations and Maintenance*
			1,001–2,500 people	2 samples monthly			
Tank inspections including BT, GST, ET, SP, and PT	Any of these	GW, GUI, SW	N/A	Annually for exterior and interior of GST, ET, and SP	N/A	Keep on-site	Storage Tank Inspection Form: <www.tceq.texas.gov/assets/public/assistance/sblga/tankinspectform.pdf>
				Annually for exterior of PT and BT Once every 5 years for interior of pressure tank with an inspection port			
Well-meter calibration[a]	Any of these	GW, GUI	N/A	Every 3 years	N/A	Keep on-site	N/A
Approval of chemicals under ANSI/NSF 60	Any of these	GW, GUI, SW	N/A	N/A	N/A	Keep on-site	ANSI/NSF website: <www.nsf.org/>
BPA tests	Any of these	GW, GUI, SW	N/A	N/A	N/A	Keep on-site	Official BPA Test and Maintenance Form: <www.tceq.texas.gov/assets/public/permitting/watersupply/groups/ccc/Form_TCEQ-20700.docx>

Reports, Manuals, Registrations	Type of PWS: C, TNC, or NTNC	Type of PWS: GW, GUI or SW	Population Served	Monitoring Frequency	Reporting Frequency	Keep On-Site or Send to TCEQ?	Guidance
Consumer-confidence report	C	GW, GUI, SW	N/A	N/A	Due July 1 annually	Send to TCEQ and customers	General information: <www.tceq.texas.gov/drinkingwater/ccr>
Copies of all exceptions	Any of these	GW, GUI, SW	N/A	N/A	N/A	Keep on-site	<www.tceq.texas.gov/goto/pws-exception>
Corrosion-control study	Any of these (if lead or copper action-level exceedance)	GW, GUI, SW	N/A	N/A	Within 12 months of ALE violation	Send to TCEQ	Fill out Form TCEQ-20495: <www.tceq.texas.gov/assets/public/permitting/watersupply/pdw/chemicals/lead_copper/TCEQ%20Form%2020495%20CCST.docx>
Customer-service inspection	Any of these	GW, GUI, SW	N/A	N/A	N/A	Keep on-site	Official customer-service-inspection form: <www.tceq.texas.gov/assets/public/permitting/watersupply/groups/ccc/Form_TCEQ-20699.docx>
Distribution map	Any of these	GW, GUI, SW	N/A	N/A	Update as necessary	Keep on-site	N/A
Drought contingency plan (retail suppliers and utilities)[a]	C	GW, GUI, SW	< 3,300 connections	N/A	N/A	Keep on-site	Follow the appropriate model plan for your system: <www.tceq.texas.gov/assets/public/permitting/watersupply/drought/20191.pdf>
			≥ 3,300 connections	N/A	Submit within 90 days of adoption and revise every 5 years		

Reports, Manuals, Registrations	Type of PWS: C, TNC, or NTNC	Type of PWS: GW, GUI or SW	Population Served	Monitoring Frequency	Reporting Frequency	Keep On-Site or Send to TCEQ?	Guidance
Emergency-preparedness plan	Any of these if providing overnight accommo-dations and located in an affected county[b]	GW, GUI, SW	N/A	N/A	Once	Send to TCEQ	Fill out this form to create your plan: <www.tceq.texas.gov/goto/epp-harrisfb>
Monitoring plan[b]	Any of these	GW, GUI, SW	N/A	N/A	N/A	GW: Keep on-site SW/GUI: Send to TCEQ	See model plan: <www.tceq.texas.gov/goto/rg-384>
Operations and maintenance manual	Any of these	GW, GUI, SW	N/A	N/A	N/A	Keep on-site	See the manual in Part C: *Operations and Maintenance*
Plans and specifications (submitted by PE)	Any of these	GW, GUI, SW	N/A	N/A	Once for TCEQ approval	Send to TCEQ	<www.tceq.texas.gov/goto/pws-planreview>
Public notices	Any of these	GW, GUI, SW	N/A	N/A	Post if exceed MCL, or MRDL, or have acute treatment-technique violation, or if received an NOV for monitoring and reporting violation	Send to TCEQ	Fill out the appropriate public notice template for the specific type of violation: <www.tceq.texas.gov/goto/swmor-pn>

Reports, Manuals, Registrations	Type of PWS: C, TNC, or NTNC	Type of PWS: GW, GUI or SW	Population Served	Monitoring Frequency	Reporting Frequency	Keep On-Site or Send to TCEQ?	Guidance
Sanitary control easements for well(s) (needed for PWS plan approval) or the required exceptions	Any of these	GW, GUI	N/A	N/A	N/A	Send to TCEQ with plans	Sample Sanitary Control Easements or Exception to the Easements: Form (TCEQ-20698 <www.tceq.texas.gov/assets/public/permitting/watersupply/ud/Sanitary%20Control%20Easement%20(3).docx> **or** <www.tceq.texas.gov/assets/public/permitting/watersupply/pdw/Sanitary_Control_Easement_Exception_Checklist.pdf>
Service agreements and plumbing ordinance	C, NTNC	GW, GUI, SW	N/A	N/A	N/A	Keep on-site	*Establishing and Managing an Effective Cross-Connection Control Program* (RG-478): <www.tceq.texas.gov/goto/rg-478>
Well-completion data	Any of these	GW, GUI	N/A	N/A	N/A	Keep on-site	View your well report: <www.tceq.texas.gov/goto/waterwellview>

[a] Please note that well-meter calibrations, drought contingency plans and monitoring plans may be required by your local groundwater-conservation district.

[b] "Affected utility" means a retail public utility, exempt utility, or provider or conveyor of potable- or raw-water service to more than one customer in a county with a population of 3.3 million or more or in a county with a population of 550,000 or more adjacent to a county with a population of 3.3 million or more. [Texas Water Code Section 13.1395(a)(1)(A–B).]

Table: Operational Record Retention

How will this table assist with the record-retention requirements?

All public water systems are required to maintain a record of water-works operation and maintenance activities and submit operating reports. These records must be organized and copies kept on file or stored electronically, and must be accessible for review during inspections. This chart lists records and the length of time they must be kept. For your reference, the applicable rule citation is listed for each record. If you need more information or clarification, 30 TAC 290.46(f) contains the complete rule wording. Use this table as a quick reference guide.

Record-Retention Guide

Operational Record	No less than 2 years	No less than 3 years	No less than 5 years	No less than 10 years	No less than 12 years	For as long as they are applicable to the system (for affected utilities)[a]
Amount of chemicals used each day **290.46(f)(3)(A)(i)**	X					
Volume of water treated each day **290.46(f)(3)(A)(ii)**	X					
Complaints and results of investigations (water quality, pressure, or outages) **290.46(f)(3)(A)(iii)**	X					
Dates that dead-end mains were flushed **290.46(f)(3)(A)(iv)**	X					
Dates that storage tanks and other facilities were cleaned **290.46(f)(3)(A)(v)**	X					
Maintenance records for water system equipment and facilities **290.46(f)(3)(A)(vi)**	X					
Daily or monthly records of part-time operators (for systems that do not hire full-time operators) **290.46(f)(3)(A)(vii)**	X					

Operational Record	No less than 2 years	No less than 3 years	No less than 5 years	No less than 10 years	No less than 12 years	For as long as they are applicable to the system (for affected utilities)[a]
Copies of notices of violation and resulting corrective actions **290.46(f)(3)(B)(i)**		X				
Copies of public notices issued by the water system **290.46(f)(3)(B)(ii)**		X				
Results of disinfectant-residual monitoring from the distribution system **290.46(f)(3)(B)(iii)**		X				
Calibration records for laboratory equipment, flow meters, rate-of-flow controllers, on-line turbidimeters, and on-line disinfectant residual analyzers **290.46(f)(3)(B)(iv)**		X				
Records of backflow prevention device programs **290.46(f)(3)(B)(v)**		X				
Raw surface water monitoring results and source-water monitoring plans **290.46(f)(3)(B)(vi)**		X				

Operational Record	No less than 2 years	No less than 3 years	No less than 5 years	No less than 10 years	No less than 12 years	For as long as they are applicable to the system (for affected utilities)[a]
Notifications to the executive director of 5.5-log *Cryptosporidium* treatment in lieu of raw surface water monitoring **290.46(f)(3)(B)(vii)**		X				
Results of surface water–treatment monitoring used to demonstrate log inactivation or removal **290.46(f)(3)(B)(viii)**		X				
Variances or exceptions granted to the system (for 5 years **after** they are no longer in effect) **290.46(f)(3)(C)(i)**			X			
Concentration-time (CT) studies (for 5 years **after** they are no longer in effect) **290.46(f)(3)(C)(ii)**			X			
Recycling Practices Report form and other records pertaining to site-specific recycle practices for treatment plants that recycle (for 5 years **after** they are no longer in effect) **290.46(f)(3)(C)(iii)**			X			

Operational Record	No less than 2 years	No less than 3 years	No less than 5 years	No less than 10 years	No less than 12 years	For as long as they are applicable to the system (for affected utilities)[a]
Turbidity monitoring results and exception reports for individual filters (for 5 years **after** they are no longer in effect) **290.46(f)(3)(C)(iv)**			X			
Results of microbiological analyses **290.46(f)(3)(D)(i)**			X			
Inspection records for all water-storage and pressure-maintenance facilities **290.46(f)(3)(D)(ii)**			X			
Results of inspection for all pressure filters **290.46(f)(3)(D)(iii)**			X			
Documentation of compliance with state-approved corrective-action plan and schedules (groundwater systems that must take corrective actions) **290.46(f)(3)(D)(iv)**			X			
Documentation of the reason for invalidated fecal-indicator source sample **290.46(f)(3)(D)(v)**			X			

Operational Record	No less than 2 years	No less than 3 years	No less than 5 years	No less than 10 years	No less than 12 years	For as long as they are applicable to the system (for affected utilities)[a]
Notifications to wholesale systems of a distribution coliform positive sample **290.46(f)(3)(D)(vi)**			X			
Documentation of compliance with consumer-confidence report **290.46(f)(3)(D)(vii)**			X			
Monthly operating reports and supporting documentation **290.46(f)(3)(E)(i)**				X		
Results of chemical analyses **290.46(f)(3)(E)(ii)**				X		
Sanitary surveys of the system **290.46(f)(3)(E)(iii)**				X		
Customer-service-inspection reports **290.46(f)(3)(E)(iv)**				X		
Initial distribution-system-evaluation (IDSE) plan and supporting documents **290.46(f)(3)(E)(v)**				X		
State notification of any modifications to an IDSE report **290.46(f)(3)(E)(vi)**				X		

Operational Record	No less than 2 years	No less than 3 years	No less than 5 years	No less than 10 years	No less than 12 years	For as long as they are applicable to the system (for affected utilities)[a]
Copy of any 40/30 IDSE waiver certification[b] **290.46(f)(3)(E)(vii)**				X		
Documentation of corrective actions taken by groundwater systems **290.46(f)(3)(E)(viii)**				X		
Monitoring plans **290.46(f)(3)(E)(ix)**				X		
Records relating to lead and copper requirements **290.46(f)(3)(F)**					X	
Records relating to special studies and pilot projects, special monitoring, and other system-specific matters **290.46(f)(3)(G)**					X	
Approved emergency-preparedness plan and a copy of the approval letter **290.46(f)(5)(A)**						X
All required operating and maintenance records for auxiliary power equipment **290.46(f)(5)(B)**						X

Operational Record	No less than 2 years	No less than 3 years	No less than 5 years	No less than 10 years	No less than 12 years	For as long as they are applicable to the system (for affected utilities)[a]
Manufacturer's specifications for all generators that are a part of the emergency-preparedness plan **290.46(f)(5)(C)**						X

[a] "Affected utility" means a retail public utility, exempt utility, or provider or conveyor of potable- or raw-water service to more than one customer in a county with a population of 3.3 million or more or in a county with a population of 550,000 or more adjacent to a county with a population of 3.3 million or more. [Texas Water Code Section 13.1395(a)(1)(A–B).]

[b] 40/30 IDSE waiver systems must certify that every individual sample taken under 30 TAC 290.113 was less than 0.040 mg/L for TTHM and less than 0.030 mg/L for HAA5.