

Item 7 – Memorandum of Understanding with TDLR & TCEQ

The District has been invited to join in a Memorandum of Understanding (MOU) with the Texas Department of Licensing & Regulation (TDLR) and the Texas Commission of Environmental Quality (TCEQ) to assist in the abatement of abandoned or deteriorated water wells. The original MOU was set in place during 2005. Many groundwater conservation districts have been formed in the interim. These agencies are seeking to enact a new MOU.

The original MOU is in a separate folder in the File Browser for your review.

It is the recommendation that the Board enter into the Memorandum of Understanding with the TDLR and TCEQ by Board Resolution to assist in the abatement of abandoned and deteriorated water wells within the District.



TEXAS DEPARTMENT OF LICENSING & REGULATION

P.O. Box 12157 • Austin, Texas 78711-2871 • www.tdlr.texas.gov

(512) 334-5540 • FAX (512) 463-8616 • water.well@tdlr.texas.gov

November 21, 2019

Mr. Alan Day
General Manager
Brazos Valley Groundwater Conservation District

Re: Texas Occupations Code § 1901.257 Memorandum of Understanding (MOU) between the Texas Department of Licensing and Regulation (Department), the Texas Commission on Environmental Quality (TCEQ) and Groundwater Conservation Districts (GCD).

Dear Mr. Day:

The Department invites you to join the MOU and to adopt a resolution joining with the Department and TCEQ to address abandoned wells in Texas and protect a precious resource, groundwater. The MOU was developed to coordinate efforts between the groundwater conservation districts, the Department, and TCEQ to coordinate investigative procedures for referrals of complaints regarding abandoned and/or deteriorated wells.

These wells not only serve as conduits or channels for contamination to reach groundwater but can also be a hazard to human and animal life. A previous invitation was mailed out to all GCDs in 2005 after the statute was enacted, however since then more districts have been added. The department would now like your district to join with the department to abate abandoned wells.

Property owners who possess abandoned and/or deteriorated wells are the responsible party for either plugging or bringing the wells into compliance with 16 Texas Administrative Code (TAC) § 76.100 well construction specifications. The Department looks forward to working with the district in the process of abandoned/deteriorated well investigation, identification, and compliance assurance.

The Department is dedicated to working with the districts, industry, regulatory agencies, and the public to insure protection and conservation of the groundwater of the state and the effects to the welfare, property, economy, and security of the public relating to well drilling, water well pump installation, and well plugging activities. Any questions concerning this matter should be directed to the Water Well Driller/Pump Installer Section at 512/334-5539 or by email at David.Gunn@tdlr.texas.gov.

Sincerely,

David Gunn, Manager
Water Well Driller/Pump Installer Section
Regulatory Program Management Division
TDLR

Attachment: MOU

Alan Day

From: Cynthia Lopez
Sent: Thursday, November 21, 2019 9:35 AM
To: Alan Day
Subject: FW: MOU
Attachments: Brazos.Valley.GCD.Res.Ltr.doc; Original MOU for GCD.pdf

Alan,

FYI

From: Adam Foster [mailto:Adam.Foster@tdlr.texas.gov]
Sent: Thursday, November 21, 2019 9:22 AM
To: Cynthia Lopez
Subject: MOU

Dear Mr. Day -

Attached is a letter inviting your district to join the Memorandum of Understanding (MOU) with the department and TCEQ to address abandoned wells. If your board approves the MOU, please send us a copy of the adopted resolution.

Thank you,

Adam Foster
Hydrologist
Water Well Program
Texas Department of Licensing and Regulation
O: 512.334.5538
C: 512.202.8167