

Sections for Repeal:

Chapter 337. WATER HYGIENE

Subchapter A. DRINKING WATER STANDARDS GOVERNING DRINKING WATER QUALITY AND REPORTING REQUIREMENTS FOR PUBLIC WATER SUPPLY SYSTEMS.

§337.12. Approved Laboratory.

(a) All samples for chemical, radiological, or bacteriological analysis must be submitted to a laboratory approved by the department, with the exception of turbidity and any control tests, such as chlorine residual, alkalinity, and pH, which are not used to determine compliance with these standards. Such control tests may be run in the plant laboratory.

(b) To be approved by the department to perform microbiological analyses, a laboratory shall be certified in accordance with the requirements of the United States Environmental Protection Agency Manual for the Certification of Laboratories Analyzing Drinking Water, Chapter V, Microbiology, which is herein adopted by reference. Copies are indexed and filed in the Bureau of Laboratories, Texas Department of Health, 1100 West 49th Street, Austin, Texas, and are available for public inspection during regular business hours.

(c) Methods of analysis shall be as specified in 40 Code of Federal Regulations §141.21(f) (microbiological), §141.22(a) (turbidity), §141.23(f) (inorganics), §141.24(e), (f), and (g) (organics), and §141.25 (radionuclides) of the National Primary Drinking Water Regulations, or by any alternative analytical technique as specified by the department and approved by the administrator under 40 Code of Federal Regulations §141.27.

(d) The department adopts by reference the federal regulations referred to in subsection (c) of this section. Copies are available for review in the Division of Water Hygiene, Texas Department of Health, 1100 West 49th Street, Austin, Texas 78756.

§337.18. Fees for Services to Drinking Water Systems.

(a) Purpose and scope.

–(1) The purpose of this section is to establish fees for services provided by the department to drinking water systems.

–(2) The scope of this section covers fees for services such as analyzing drinking water for chemical content, testing for bacteriological quality, inspecting public water systems, reviewing plans for new systems and major improvements to existing systems, and providing technical assistance as required.

(b) Services to public water systems.

–(1) The services which are covered under this subsection do not cover bacteriological testing. Provisions covering bacteriological testing are covered in subsection (c) of this section.

- ~~-(2) The department will provide services to public water systems, as follows:~~
- ~~—(A) analyze drinking water for chemical content;~~
- ~~—(B) inspect public water systems;~~
- ~~—(C) review plans for new systems and major improvements to existing systems; and~~
- ~~—(D) provide technical assistance as needed.~~
- ~~-(3) The fees which the department will charge for services provided to community water systems under this subsection will be according to the following schedule.~~

~~Figure: 25 TAC, 337.18(b)(3)~~

- ~~(4) New public water systems will not be assessed a fee for services until water is supplied to the first connection. Fees will not be assessed to those public water systems which are currently paying another fee to the department which includes an inspection of the water system (i.e., youth camps and migrant labor camps).~~
- ~~-(5) The department will charge a fee of \$25 for services provided under this subsection to noncommunity water systems.~~
- ~~-(6) All fees are due by January 1 of each year, shall be paid by check or money order, and shall be made payable to the Texas Department of Health.~~
- ~~(e) Failure to make payments as required under subsection (b) of this section will subject the violator to the penalty provisions of the Health and Safety Code, Chapter 341.~~

25 TAC, §337.18(b)(3)

<u>NUMBER OF CONNECTIONS*</u>	<u>FEE</u>
1–49	\$50
50–199	100
200–499	250
500–999	400
1,000–1,999	500
2,000–4,999	1,000
5,000–9,999	1,500
10,000–29,999	2,000
30,000–99,999	3,000
100,000–199,999	4,000
200,000 and greater	5,000

~~*Number of connections will be determined from data collected from the latest sanitary survey report. State, federal, and certain community water system installations determined by the department which serve large populations through a few connections shall have the number of connections for fee purposes determined by dividing the population served by a value of 10. Examples of such installations are universities, children’s homes, correctional facilities, military facilities, etc., which generally do not bill customers for water service.~~