



Texas Commission on Environmental Quality

Guidelines for Licensed Water Treatment Specialist (WTS) and Water Well Drillers and Pump Installers Jurisdiction

General Information

Both private and public potable water systems have “water treatment” activities that may be regulated by both the Texas Department of Licensing and Regulation (TDLR) and the Texas Commission on Environmental Quality (TCEQ). This guidance is provided to assist with cross jurisdictional questions of authority between these agencies.

Individuals/Consumers

If you are a residential customer of a public water system or a homeowner with a private water well and wish to install or maintain your own water treatment system, you are not required to hire a licensed person. Private landowners are not required to contract with licensed Water Well Drillers, Installers, or Water Treatment Specialists for any of their treatment needs if they install and maintain this equipment themselves. However, if you agree to do business conducted under a contract agreement (fee for service), and you are connected to a public or a private water system, then that contract must be with a person who holds a license issued by the TCEQ, TDLR, or the Texas State Board of Plumbing Examiners.

Water Systems

If your system provides potable water for the public’s use and of a certain size, then you may be considered a Public Water System (PWS). If you own a private potable water system or public potable water system then you are required to ensure your system meets TDLR, TCEQ, and TSBPE requirements for the protection of public health and safety in specific areas of operation.

Water Treatment and Equipment

In broad terms, most equipment, including chlorinators, water treatment equipment, inline filters/sand separators, pumps and pressure tanks, installed by the water well driller or pump installer at the well site (on the well side of the main valve to the house), will fall under the authority of the TDLR licensed water well driller or TDLR licensed pump installer.

Most equipment, including chlorinators, water treatment equipment, and inline filters/sand separators, installed on the house side of the main valve to the house

(including any garages or attachments to the residence) will fall under the authority of the TCEQ licensed water treatment specialist

The function of a treatment system supersedes the location of equipment. Depending on circumstances, some duties may crossover past the valve boundary. Further, there are unique situations where jurisdiction may have overlap. These can be found in the table and diagram in Appendix A.

Regulatory Authority

When groundwater has been captured by a well and produced to the surface, the water is the responsibility of the landowner. State law does not provide any state agency with the authority to regulate the use or production of groundwater for landowners. **Additionally, private residential wells not associated with potable water systems are excluded from this guidance.** Private landowners are not required to contract with Plumbers, Water Well Drillers, Installers, or Water Treatment Specialists for any of their treatment needs, unless they do this work under contract and are connected to a private or public water system.

Water Well Drillers and Pump Installers are licensed by TDLR in accordance with Chapters 1901 and 1902 of the Texas Occupations Code. The agency sets standards for water well completions, pump installations and has jurisdiction over well driller and pump installer activities.

Water Treatment Specialists (WTS) are licensed by TCEQ in accordance with Texas Water Code Chapter 37, Texas Health and Safety Code Chapter 341, and Texas Occupations Code Chapter 1904. The agency sets standards and licensing requirements to safeguard the health and safety of citizens as it relates to potable water treatment equipment and appliances in public or private water systems.

Exemptions from WTS certification

The following individuals are exempt from WTS licensing requirements:

- (a) Individuals who are licensed under the Texas Occupations Code, Chapter 1301(Plumbers)
- (b) Employees of industrial facilities who install or service water treatment equipment at their facilities
- (c) Employees of public water systems installing water treatment equipment at their system who hold a Class C license or higher: and (d) Employees of registered operations companies installing water treatment equipment at the facilities for which the operations company has a contract to operate and who hold a Class C license or higher

Definitions

Water well driller means a person who drills, bores, cores, or constructs a water well in this state. The term includes the owner or operator of a well or the contractor or drilling supervisor. The term does not include a person who:

- (A) drills, bores, cores, or constructs a water well on the person's own property for the person's own use; or
- (B) assists in constructing a water well under the direct supervision of a driller and is not primarily responsible for the drilling operation. [Occupations Code 1901.001\(15\)](#)

Installer means a person who installs or repairs well pumps and equipment. The term does not include a person who:

- (A) installs or repairs well pumps and equipment on the person's own property for the person's own use; or
- (B) assists in pump installation under the direct supervision of an installer and is not primarily responsible for the installation. [Occupations Code 1902.001\(5\)](#)

Water Treatment means a business conducted under contract that requires the interpretation of analysis of water samples, including the ability to determine how to treat influent or effluent water, alter or purify water, or add or remove a mineral, chemical, or bacteriological content or substance. The term also includes the installation, exchange, connection, maintenance, service, and repair of potable water treatment equipment and appliances in public or private water systems. [Occupations Code 1904.001\(3\)](#) and [Occupations Code 1301.002\(12\)](#)

Unless the person is licensed by the Texas State Board of Plumbing Examiners, a person must hold a license issued by the TCEQ under Chapter 37, Water Code, if, under a contract, the person:

- (1) installs, exchanges, connects, maintains, or services potable water treatment equipment and appliances in public or private water systems; or
- (2) analyzes water to determine how to treat influent or effluent water, alter or purify water, or add or remove a mineral, chemical, or bacterial content or substance as part of the complete installation, exchange, connection, maintenance, or service of potable water treatment equipment and appliances. [Texas Health and Safety Code \(THSC\) 341.034\(e\)](#)

Public water system is defined as a system for the provision to the public of water for human consumption through pipes or other constructed conveyances, which includes all uses described under the definition for drinking water. For complete definition see [Texas Administrative Code §290.38\(71\)](#)

Appendix A illustrates the areas of authority between the state agencies and lists the specific activities authorized by license type.

Appendix A – Areas of Jurisdictional Authority

Figure 1. Visual Representation of the Separation of Jurisdictional Authority

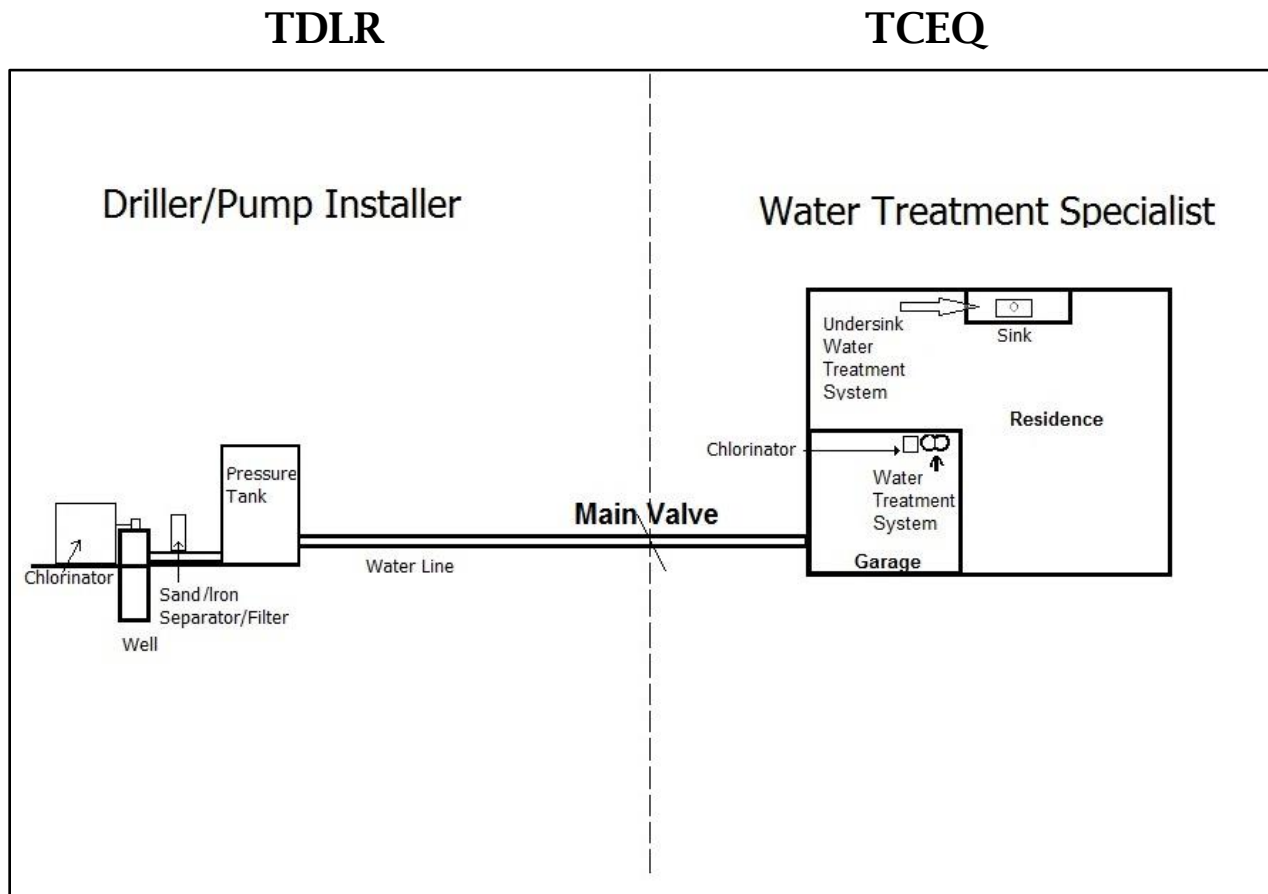


Table 1. Authorized Tasks by License Type

Tasks	TDLR Combination Well Driller/Pump Installer	TCEQ Water Treatment Specialist (WTS)
Well drilling	TDLR	TCEQ
Drop pipe/well casing	X	
Seal well	X	
Water Sampling Analysis	TDLR	TCEQ
Bacteriological sampling (independent lab)	X	X
Bacteriological sampling (field)		X

Tasks	TDLR Combination Well Driller/Pump Installer	TCEQ Water Treatment Specialist (WTS)
Chlorine residual	X	X
Water Testing		X
Water Analysis		X
May identify chemical, mineral, and microbiological water treatment equipment options (retention tank, contact tank, sand filters, post pressure tank)		X
Equipment Installation	TDLR	TCEQ
Pressure Relief Valve	X	
Control center valve	X	
Below ground sand separator	X	
Control Box and wiring (including relay and capacitor)	X	
K-Packer	X	
Pump protection/ motor saver	X	
Wind mill	X	
Well seals	X	
Hand pumps	X	
Jet pumps	X	X
Pressure pumps	X	X
Booster pumps	X	X
Storage tanks	X	X
Check valve	X	X
Pressure switch	X	X
Pressure transducer	X	X
Pressure tank	X	X
Air bleed	X	X

Tasks	TDLR Combination Well Driller/Pump Installer	TCEQ Water Treatment Specialist (WTS)
Vacuum breaker	X	X
Pressure gauge	X	X
Water meter	X	X
Water flow meter	X	X
Flow switch	X	X
Submersible pumps (in tank only)	X	X
Water holding tanks/cisterns		X
Treatment Unit Installation	TDLR	TCEQ
Water Filtering System the provides independent backwash between pressure tank and main valve	X	
Sand Filter	X	X
Sand Separator (centrifugal force) between well head and pressure tank	X	X
Exchanger to cool groundwater	X	X
Polyphosphate equipment installation	X	X
Water Filtration Devices: Cartridge-type and similar	X	X
Acid neutralization		X
Cation exchange equipment		X
Anion exchange equipment		X
Reverse osmosis		X
Distillation equipment		X
Deionization units		X
Water softener equipment: Dealkilizer		X
Exchanger to cool groundwater		X

Tasks	TDLR Combination Well Driller/Pump Installer	TCEQ Water Treatment Specialist (WTS)
Water Filtration Devices: Catalytic, carbon, microfiltration, nanofiltration, ultra-filtration		X
Disinfection	TDLR	TCEQ
Shock chlorination of well casing or column	X	
Chlorination equipment installation	X	X
Ozonation		X
UV Disinfection		X

Note 1: Per Chapters 1901, 1902, and 1904 of the Texas Occupations Code, the above information only applies to private and public potable water systems *under contract* (invoiced for a fee). Private residential wells not associated with a potable water system are excluded from these requirements.

Note 2: As long as licensed water treatment specialists do not drill or repair wells or licensed well drillers/pump installers do not install or repair water treatment systems for a public or private water system, they are not required to obtain the other license.