

Texas Association of Resource Conservation & Development Areas, Inc.

Public Water System Assistance Project

SEP No. 2017-03

Project Description

Third-Party Administrator shall coordinate with Local Governments, public and private entities, water supply corporations, and non-profit organizations to expend SEP Funds to repair or replace failing public water systems (“PWSs”) throughout Texas.

Third-Party Administrator shall ensure that all repairs, replacements, and installations made pursuant to this Agreement are performed in compliance with local, state, and federal rules relating to PWSs and performed by a properly licensed individual.

Once a potential PWS has been identified by TCEQ, the Third-Party Administrator shall request that the PWS submit a report detailing the proposed Project including what aspects of the PWS are failing or in disrepair, the corrective actions needed for the PWS, the name of the individual or entity that will be performing the corrective actions, how long the corrective actions are estimated to take, and an estimated line-item budget detailing the cost of the corrective actions. Once that information has been submitted, the Third-Party Administrator shall provide it to TCEQ for review.

During review of each proposed Project, TCEQ shall work closely with the Third-Party Administrator to determine whether the PWS is eligible to perform the proposed Project in accordance with the conditions of this Agreement and the SEP statute (TEX. WATER CODE § 7.067). TCEQ may take the following factors into consideration when determining a PWS’s eligibility to perform a Project pursuant to this Agreement: the cause of the requested corrective actions at the PWS, what action(s) the PWS has taken to address or implement the corrective actions (including cooperation with other state agencies and funding entities), the number of active connections and total population served by the PWS, the PWS’s past TCEQ enforcement history, and a financial assessment of the PWS conducted by TCEQ’s Financial Administration Division. Upon TCEQ’s determination that the PWS is eligible, TCEQ and Third-Party Administrator shall review the estimated line-item budget submitted for the Project and will prioritize the Project based on the impact to human health and the environment.

Upon TCEQ’s approval of a Project, TCEQ shall present the Third-Party Administrator with a written approval of the Allowable SEP Expenses detailing the amount of SEP Funds that can be expended to perform the Project. Once the Third-Party Administrator receives the Allowable SEP Expenses it shall begin to expend the authorized SEP Funds for the Project. Upon completion of the Project, the Third-Party Administrator shall submit documentation to TCEQ demonstrating that the Project has been successfully completed.

Eligible Public Water Systems

In accordance with TEX. WATER CODE § 7.067(a), unless the owner of the PWS is a Local Government, the PWS is not eligible to participate in a Project performed pursuant to this Agreement if the PWS is currently the subject of an ongoing TCEQ enforcement action (“Respondent”) and (1) the Project is necessary to bring the Respondent into compliance with environmental laws, (2) the Project is necessary to remediate environmental harm caused by the Respondent’s alleged violation, or (3) the Respondent has already agreed to perform the Project under a preexisting agreement with a governmental agency.

Environmental Benefit

Safe, reliable drinking water is necessary for human health and household sanitation. PWSs that are noncompliant with TCEQ drinking water rules run the risk of failing to provide continuous water to consumers or providing untreated water to consumers. Untreated water may harbor bacteria, viruses, protozoa (parasitic organisms), helminthes (intestinal worms), and bioaerosols

(inhalable molds and fungi). Consuming untreated water can cause diseases ranging in severity from mild gastroenteritis to life-threatening ailments. Additionally, continuous and properly treated water is necessary for household sanitation including, bathing, brushing teeth, cooking, washing, and flushing toilets.

Eligible Areas and Counties

Statewide

Total Project Budget

This Project has no budget.