

CHAPTER 6 – ACTIONS ON WASTE AND PROMOTING CONSERVATION

SECTION 6.1 – GROUNDWATER WASTE AND POLLUTION

RULE 6.1.1 – PREVENTION OF WASTE

- a) **Beneficial Use** – Use of groundwater in accordance with the District Rules is for a beneficial purpose as defined in Appendix A of these Rules.
- b) **Defining Waste** – Groundwater shall not be produced within, or used within or outside the District, in such a manner or under such conditions as to constitute waste as defined in Chapter 36 of the Texas Water Code or Appendix A in these Rules. Water shall not be produced from a deteriorated well.

RULE 6.1.2 – POLLUTION

- a) **Contamination of Groundwater** – No person shall pollute or harmfully alter the character of the groundwater aquifers of the District by operating or constructing a well in a manner that causes or allows the introduction of salt water pollutants or other deleterious matter from another stratum, from the surface of the ground, or from the operation of a well.
- b) **Parameter of Groundwater Contamination** – As established by the Board of this District and as clearly defined in Appendix A of these Rules, pollution or contamination of groundwater constitutes waste and shall be treated as such by the District.

RULE 6.1.3 – BOARD ACTION REGARDING WASTE

- a) **Orders to Prevent Waste or Pollution** – After providing notice to affected parties and the opportunity for a hearing, the Board may adopt orders to prohibit or prevent waste or pollution. If the factual basis for the orders is disputed, the Board shall direct that an evidentiary hearing be conducted prior to entry of the order. If the Board determines that an emergency exists requiring the immediate entry of an order to prohibit waste or pollution and protect the public health, safety and welfare, it may enter a temporary order without notice and hearing provided, however, that the temporary order shall continue in effect for the lesser of fifteen (15) calendar days or until a hearing can be conducted.
- b) **Declaration of an Aquifer Emergency Warning** – When the concentration of total dissolved solids (TDS) increases above safe drinking water standards in any groundwater well within the District and/or other contamination or hazardous conditions affecting groundwater quality exists, an Aquifer Emergency Warning may be declared by the Board of Directors.
- c) **District Action on an Aquifer Emergency Warning** – During an Aquifer Emergency Warning, the District may:
 - i. Initiate further detailed analysis to determine whether significant changes have occurred in the water quality;
 - ii. Encourage permittees and other water users within the District to identify and implement measures to conserve water and reduce groundwater pumpage; and,
 - iii. Encourage the interconnection of public and private water systems to prevent health hazards and localized water shortages or depletions.

RULE 6.1.4 – VIOLATIONS AND PENALTIES

- a) **Violations** – A violation of these Rules will have occurred if it is found that a well owner, well operator or other responsible individual, is contaminating, polluting or wasting groundwater.
- b) **Penalties** – Should it be deemed that a violation as specified in a) above has occurred, notification will be provided to TCEQ, TWDB or other appropriate oversight agencies and the CCGCD will cooperate fully in any ensuing investigation. The District also reserves the right to enforce a penalty for the violation as provided for in Section 36.102 of the Texas Water Code and Chapter 9 of these Rules.

SECTION 6.2 – CONSERVATION

RULE 6.2.1 – POLICIES

- a) **Implementation** – The District may implement conservation policies through various program initiatives including public education, technical assistance, special programs, through grants and loans, from support by various local, state and federal programs, industries, foundations, non-profit organizations, public and private individuals, corporations, partnerships, and other interests groups that will further the District's goals of cost-

effective water conservation, pollution prevention, and waste prevention of the District's water resources.

- b) **Submission of Plan to Other Agencies** – Each permittee who is required to prepare, adopt and implement a water conservation plan by another agency of the State of Texas or by any water wholesale provided shall submit a copy of that plan to the District for the District's files in order to assist the District in monitoring the success of water conservation efforts within the District.