RESOLUTION #05-004

RESOLUTION TO JOIN THE MOU WITH THE TDLR AND TCEQ REGARDING THE INVESTIGATION OF ABANDONED AND DETERIORATED WELLS

THE STATE OF TEXAS §
§
COUNTY OF MONTGOMERY §
§
LONE STAR GROUNDWATER CONSERVATION DISTRICT §

Whereas, Senate Bill 279 was enacted by the 78th Texas Legislature in 2003, which added the provisions of Section 1901.257(c) to the Texas Occupations Code;

Whereas, Section 1901.257(c) of the Texas Occupations Code requires all groundwater conservation districts ("GCD's") in which an abandoned or deteriorated well is located to join into a memorandum of understanding ("MOU") with the Texas Department of Licensing and Regulation ("TDLR") and the Texas Commission on Environmental Quality ("TCEQ") regarding the investigative procedures to be used for complaints of abandoned and deteriorated water wells;

Whereas, the purpose of the MOU between GCD's, the TDLR and the TCEQ is to coordinate the investigatory activities of the governmental entities when an abandoned or deteriorated well has been identified;

Whereas, the TDLR recently adopted a new rule, 16 Texas Administrative Code §76.1011, to enter into the MOU, and provide a method for GCD's to also enter into the MOU to achieve compliance with Section 1901.257(c) of the Texas Occupations Code;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE LONE STAR GROUNDWATER CONSERVATION DISTRICT AS FOLLOWS:

This resolution is hereby adopted to cause the District to join into the MOU with the TDLR and the TCEQ to comply with Section 1901.257(c) of the Texas Occupations Code; and

The General Manager is authorized to take any and all action necessary to implement this resolution and cause the District to join into the MOU with the TDLR and TCEQ, including the submission of a copy of this resolution to the TDLR.

AND IT IS SO ORDERED.

PASSED AND ADOPTED on this 8TH day of March 2005.

LONE STAR GROUNDWATER CONSERVATION DISTRICT

By: _____
Orval R. Love, President

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Richard J. Tramm, Secretary

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