

REVIEW OF AGENCY RULES

This section contains notices of state agency rules review as directed by the Texas Government Code, §2001.039. Included here are (1) notices of *plan to review*; (2)

notices of *intention to review*, which invite public comment to specified rules; and (3) notices of *readoption*, which summarize public comment to specified rules. The complete text of an agency's *plan to review* is available after it is filed with the Secretary of State on the Secretary of State's web site (<http://www.sos.state.tx.us/texreg>). The complete text of an agency's rule being reviewed and considered for *readoption* is available in the *Texas Administrative Code* on the web site (<http://www.sos.state.tx.us/tac>).

For questions about the content and subject matter of rules, please contact the state agency that is reviewing the rules. Questions about the web site and printed copies of these notices may be directed to the *Texas Register* office.

Proposed Rule Reviews

Texas Department of Licensing and Regulation

Title 16, Part 4

The Texas Department of Licensing and Regulation (Department) files this notice of intent to review and consider for re-adoption, revision, or repeal, Title 16, Texas Administrative Code, Chapter 76, Water Well Drillers and Pump Installers. This review and consideration is being conducted in accordance with the requirements of Texas Government Code, §2001.039.

An assessment will be made by the Department as to whether the reasons for adopting or readopting these rules continue to exist. Each rule will be reviewed to determine whether it is obsolete, whether the rule reflects current legal and policy considerations, and whether the rule reflects current procedures of the Department.

Any questions or written comments pertaining to this rule review may be submitted by mail to Neta Lamas, Legal Assistant, General Counsel's Office, Texas Department of Licensing and Regulation, P.O. Box 12157, Austin, Texas 78711, or by facsimile to (512) 475-3032, or electronically to erule.comments@tdlr.texas.gov. The deadline for comments is 30 days after publication in the *Texas Register*.

Any proposed changes to these rules as a result of the rule review will be published in the Proposed Rules Section of the *Texas Register*. The proposed rules will be open for public comment prior to final adoption or repeal by the Department in accordance with the requirements of the Administrative Procedure Act, Texas Government Code, Chapter 2001.

§76.1 Purpose of Rules

§76.10 Definitions

§76.20 Licensing Requirements--General

§76.21 Requirements for Issuance of a Driller or Pump Installer License

§76.22 Applications for Licenses and Renewals

§76.23 Examinations

§76.24 License Renewal

§76.25 Continuing Education

§76.26 A Person Assisting Licensed Driller or Licensed Pump Installers

§76.27 Registration for Driller and/or Pump Installer Apprenticeship.

§76.28 Standards of Conduct--Apprentice and Supervising Licensee

§76.30 Exemptions

§76.62 Responsibilities of the Department--Injurious Water or Constituents

§76.65 Advisory Council

§76.70 Responsibilities of the Licensee--State Well Reports

§76.71 Responsibilities of the Licensee--Reporting Injurious Water or Constituents

§76.72 Responsibilities of the Licensee and Landowner--Well Drilling, Completion, Capping and Plugging

§76.73 Responsibilities of the Licensee--Standards of Completion for Public Water System Wells

§76.74 Responsibilities of the Licensee--Marking Vehicles and Equipment

§76.75 Responsibilities of the Licensee--Representations

§76.76 Responsibilities of the Licensee--Unauthorized Practice

§76.78 Responsibilities of the Licensee--Adherence to Manufacturer's Recommended Well Construction Materials and Equipment

§76.80 Fees

§76.90 Disciplinary Actions

§76.100 Technical Requirements--Locations and Standards of Completion for Wells

§76.101 Technical Requirements--Standards of Completion for Water Wells Encountering Water Injurious to Vegetation, Land or Other Water

§76.102 Technical Requirements--Standards for Wells Producing Water Injurious to Vegetation, Land or Other Water

§76.103 Technical Requirements--Re-completions

§76.104 Technical Requirements--Standards for Capping and Plugging of Wells and Plugging Wells that Penetrate Injurious Water Zones

§76.105 Technical Requirements--Standards for Water Wells (Drilled before June 1, 1983)

§76.106 Technical Requirements--Water Distribution and Delivery Systems

§76.107 Technical Requirements--Chemical Injection, Chemigation, and Foreign Substance Systems

§76.108 Technical Requirements--Pump Installation

§76.109 Technical Requirements--Variances--Alternative Procedures

§76.110 Appeals--Variances

§76.111 Memorandum of Understanding between the Texas Department of Licensing and Regulation and the Texas Commission on Environmental Quality

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Executive Director

Texas Department of Licensing and Regulation

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