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## **DROUGHT CONTINGENCY PLAN**

**Pure Utilities, L. C.  
CCN # 12072  
207 W MILL ST  
Livingston, Texas 77351**

**Original November 2001  
Updated September 2, 2003  
Reviewed June 24, 2005  
Reviewed May 29, 2007  
Reviewed June 13, 2009  
Reviewed July 1, 2011  
Reviewed August 20, 2012  
Reviewed February 20, 2013**

### **Section I: Declaration of Policy, Purpose, and Intent**

In cases of extreme drought, periods of abnormally high usage, system contamination, or extended reduction in ability to supply water due to equipment failure, temporary restrictions may be instituted to limit nonessential water usage. The purpose of the Drought Contingency Plan is to encourage customer conservation in order to maintain supply, storage, or pressure or to comply with the requirements of a court, government agency or other authority.

Pure Utilities, L. C. hereby adopts the following regulations and restrictions on the consumption of water regarding the afore mentioned situations for the purpose of maintaining integrity of domestic water usage, sanitation, and fire protection; also to protect and preserve public health, welfare, and safety and to minimize the adverse affects of water supply shortage or any other water supply emergency.

Water restriction is not a legitimate alternative when the water system does not meet the Texas Commission on Environmental Quality's capacity requirements under normal conditions, nor when the utility fails to take all immediate and necessary steps to replace or repair malfunctioning equipment.

### **Section II: Public Involvement**

Opportunity for the public to provide input into the preparation of the Plan was provided by Pure Utilities, L. C. by means of keeping the information available in our office at 207 W Mill Street, Livingston, TX 77351 and by notifying the customers of the existence of the Plan by placing an ad/notice in local newspapers.

### **Section III: Public Education**

Pure Utilities, L. C. will periodically provide the public with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage as the circumstances require. This information will be provided by means of posting the information in our office at 207 W Mill Street, Livingston, TX 77351 and by advertising the availability of the Plan annually in a local newspaper.

#### **Section IV: Coordination with Regional Water Planning Groups**

The service areas of Pure Utilities, L. C. are located within the TCEQ Region 10 and TCEQ Region 12 water planning areas and Pure Utilities, L. C. has provided a copy of this Plan to both Region 10 and Region 12 water planning groups. The original of this Plan was submitted in November of 2001, and the updated version is being submitted September 2, 2003.

#### **Section V: Declaration**

DECLARATION OF WATER RESTRICTION: When there is an acute water supply shortage to such an extent that normal use patterns can no longer be served, the utility may implement a water restriction program in the following manner.

#### **Section VI: Notice Requirements**

Written notice will be provided to each customer **prior to implementation or termination of each stage of the water restriction program**. Mailed notice must be given to each customer 72 hours prior to the start of water restriction. If notice is hand delivered, the utility cannot enforce the provisions of the plan for 24 hours after notice is provided. The written notice to customers will contain the following information:

- a) the date restrictions will begin,
- b) the circumstances that triggered the restrictions,
- c) the stages of response and explanation of the restrictions to be implemented, and,
- d) an explanation of the consequences for violations.

**The utility must notify the TCEQ by telephone at (512) 239 - 6020, or electronic mail at [watermon@TNRCC.state.tx.us](mailto:watermon@TNRCC.state.tx.us) prior to implementing the program and must notify in writing the Public Drinking Water Section at MC - 155, P.O. Box 13087, Austin, Texas 78711-3087 within five (5) working days of implementation including a copy of the utility's restriction notice. The utility must file a status report of its restriction program with the TCEQ every 30 days that restriction continues.**

#### **Section VII: Violations**

1. First violation - The customer will be notified by written notice of their specific violation.
2. Second violation - After written notice the utility may install a flow restricting device in the line to limit the amount of water which will pass through the meter in a 24-hour period. The utility may charge the customer for the actual cost of installing and removing the flow restricting device, not to exceed \$50.00.

3. Subsequent violations - The utility may discontinue service at the meter for a period of seven (7) days, or until the end of the calendar month, whichever is LESS. The normal reconnect fee of Pure Utilities, L. C. Water System, hereby established as \$ 35.00 will apply for restoration of service.

### **Section VIII: Exemptions or Variances**

The utility may grant any customer an exemption or variance from the drought contingency plan for good cause **upon written request**. A customer who is refused an exemption or variance may appeal such action of the utility by written appeal to the Texas Commission on Environmental Quality. The utility will treat all customers equally concerning exemptions and variances, and shall not discriminate in granting exemptions and variances. No exemption or variance shall be retroactive or otherwise justify any violation of this Plan occurring prior to the issuance of the variance.

### **Section IX: Criteria for Initiation and Termination of Drought Response Stages**

Unless there is an immediate and extreme reduction in water production, or other absolute necessity to declare an emergency or severe condition, the utility will initially declare Stage I restrictions. If, after a reasonable period of time, demand is not reduced enough to alleviate outages, reduce the risk of outages, or comply with restrictions required by a court, government agency or other authority, Stage II may be implemented with Stage III to follow if necessary.

### **Section X: Application and Definitions**

The provisions of this Plan shall apply to all persons, customers, and property utilizing water provided by Pure Utilities, L. C. Water System. The terms “person” and “customer” as used in this Plan include individuals, corporations, partnerships, associations, and all other legal entities.

For the purposes of this Plan, the following definitions shall apply:

Aesthetic water use: water use for ornamental or decorative purposes such as fountains, reflecting pools, and water gardens.

Commercial and industrial water use: water use which is integral to the operations of commercial and nonprofit establishments and governmental entities such as retail establishments, hotels and motels, restaurants, and office buildings.

Conservation: those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water or increase the recycling and reuse of water so that a supply is conserved and made available for future or alternative uses.

Customer: any person, company, or organization using water supplied by Pure Utilities, L. C..

Domestic water use: water use for personal needs or for household or for sanitary purposes such as drinking, bathing, heating, cooking, sanitation, or for cleaning a residence, business, industry, or institution.

Industrial water use: the use of water in processes designed to convert materials of lower value into forms having greater usability and value.

Landscape irrigation use: water used for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks, and rights-of-way and medians.

Nonessential water use: water uses that are not essential nor required for the protection of public, health, safety, and welfare, including:

- (a) Irrigation of landscape areas, including parks, athletic fields, and golf courses, except otherwise provided under this Plan;
- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane, or other vehicle;
- (c) Use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
- (d) Use of water to wash down buildings or structures for purposes other than immediate fire protection;
- (e) Flushing gutters or permitting water to run or accumulate in any gutter or street;
- (f) Use of water to fill, refill, or add to any indoor or outdoor swimming pools or Jacuzzi-type pools;
- (g) Use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life;
- (h) Failure to repair a controllable leak(s) within a responsible period after having been given notice directing the repair of such leak(s); and;
- (i) Use of water from hydrants for construction purposes or any other purposes other than fire fighting.

Odd numbered address: street addresses, box numbers, or rural postal route numbers ending in 1, 3, 5, 7, or 9.

**STAGE I - MILD WATER USE RESTRICTIONS:**

TRIGGERS: Requirements for initiation

Customers shall be required to comply with the requirements and restrictions on certain nonessential water uses when ground storage tank levels drop below 80%, well capacity reaches 70%, water system pressure drops 20%, water availability drops to 80%.

Requirements for termination

Stage 1 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days.

**STAGE I RESPONSE MEASURES**

Goal: To achieve a voluntary 10% reduction in total water use

Supply management measures

Pure Utilities, L. C. will manage limited water supplies by discontinued flushing, and will reduce water demand by activation and use of alternative water supply where possible.

Voluntary water use restrictions

- (a) Water customers are requested to voluntarily limit the irrigation of landscaped areas to between the hours of 9:00 p.m. and 6:00 a.m..
- (b) All water operations of Pure Utilities, L. C. shall adhere to water use restrictions prescribed for Stage 2 of the Plan.
- (c) Water customers are requested to practice water conservation and to minimize or discontinue water use for nonessential purposes.

**STAGE II - MODERATE WATER USE RESTRICTIONS:**

TRIGGERS: Requirements for initiation

Customers shall be required to comply with the requirements and restrictions on certain nonessential water uses when water levels drop below 70%, well capacity reaches 80%, water system pressure drops 25%, water availability drops to 70%.

Requirements for termination

Stage 2 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days. Upon termination of Stage 2, Stage 1 becomes operative.

## **STAGE II RESPONSE MEASURES**

Goal: Achieve a 20% reduction in total water use.

### Supply management measures

Pure Utilities, L. C. will reduce or discontinue flushing of water mains, reduce or discontinue irrigation of public landscaped areas; and use an alternative source, if possible.

### Water use restrictions

Under threat of penalty for violation, the following water use restrictions shall apply to all persons:

- (a) Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems is limited to the hours of 9:00 p.m. and 6:00 a.m.. However, irrigation of landscaped areas is permitted at anytime if it is by means of a hand-held hose, a faucet-filled bucket or watering can of five (5) gallons or less, or drip irrigation system.
- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited except between 9:00 p.m. and 6:00 a.m.. Such washing, when allowed, shall be done with a hand-held bucket or a hand-held hose equipped with a positive shut-off nozzle for quick rinses. Vehicle washing may be done at any time on the immediate premises of a commercial car wash or commercial service station. Further, such washing may be exempted from these regulations if the health, safety, and welfare of the public is contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.
- (c) Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, or "Jacuzzi" type pools is prohibited except between the hours of 9:00 p.m. and 6:00 a.m..
- (d) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a re-circulation system.
- (e) Use of water from hydrants or flush valves shall be limited to maintaining public health, safety, and welfare.
- (f) Use of water for the irrigation of golf courses, parks, and green belt areas is prohibited except by hand-held hose and only on designated watering days between the hours of 9:00 p.m. and 6:00 a.m..
- (g) The following uses of water are defined as nonessential and are prohibited:
  - 1. wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
  - 2. use of water to wash down buildings or structures for purposes other than immediate fire protection;
  - 3. use of water for dust control;

4. flushing gutters or permitting water to run or accumulate in any gutter or street; and
5. failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).

### **STAGE III- SEVERE WATER USE RESTRICTIONS:**

#### **TRIGGERS: Requirements for initiation:**

Customers shall be required to comply with the requirements and restrictions for Stage 3 of this Plan when ground storage tank water levels drop below 60%, well capacity reaches 85%, water system pressure drops 30%, water availability drops to 60%.

#### **Requirements for termination:**

Stage 3 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days. Upon termination of Stage 3, Stage 2 becomes operative.

### **STAGE III RESPONSE MEASURES**

Goal: Achieve a 30% reduction in total water use, and daily water demand, ECT..

#### **Supply Management Measures:**

Pure Utilities, L. C. will limit water supplies and/or reduce water demand by: reduced or discontinued flushing of water mains, reduced or discontinued irrigation of public landscaped areas; use of alternative supply sources.

Water Use Restrictions: All requirements of Stage 2 shall remain in effect during Stage 3 except:

- (a) Irrigation of landscaped areas shall be limited to designated watering hours of between 12:00 midnight and 3:00 a.m.. The use of hand-held hoses, hand-held buckets, drip irrigation, or permanently installed automatic sprinkler systems only. The use of hose-end sprinklers is prohibited at all times.
- (b) The watering of golf course tees is prohibited unless the golf course utilizes a water source other than that provided by Pure Utilities, L. C. Water System.
- (c) The use of water for construction purposes from designated fire hydrants under special permit is to be discontinued.

### **STAGE IV CRITICAL WATER SHORTAGE**

#### **TRIGGERS: Requirements for initiation**

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 4 of this Plan when ground storage tank water levels drop below

50%, well capacity reaches 90%, water system pressure drops 35%, water availability drops to 50%.

Requirements for termination

Stage 4 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days. Upon termination of Stage 4, Stage 3 becomes operative.

**STAGE IV RESPONSE MEASURES**

Goal: Achieve a 40% reduction in total water use, daily water demand, ECT..

Supply management measures

Pure Utilities, L. C. will limit water supplies and/or reduce water demand by: reduced or discontinued flushing of water mains, reduced or discontinued irrigation of public landscaped areas; use of alternative supply sources.

Water use restrictions

All requirements of Stage 2 and 3 shall remain in effect during Stage 4 except:

- (a) Irrigation of landscaped areas shall be limited to designated watering hours of between 12:00 midnight and 3:00 a.m.. The use of hand-held hoses, hand-held buckets, drip irrigation only. The use of permanently installed automatic sprinkler systems or hose-end sprinklers is prohibited at all times.
- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle not occurring on the immediate premises of a commercial car wash or commercial service station and not in the interest of immediate public health, safety, and welfare, is strictly prohibited. Further, such vehicle washing at commercial car washes and commercial service stations is prohibited.
- (c) Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, or “Jacuzzi” type pools is prohibited.
- (d) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a re-circulation system.
- (e) No applications for new, additional, expanded, or increased-in-size water service connections, meters, service lines, pipeline extensions, mains, or water service facilities of any kind shall be approved, and time limits for approval of such applications are hereby suspended for such time as this drought response stage or a higher-numbered stage shall be in effect.

**STAGE V EMERGENCY WATER SHORTAGE CONDITIONS**

TRIGGERS: Requirements for initiation

Customers shall be required to comply with the requirements and restrictions for Stage 5 of this Plan when Pure Utilities, L. C. determines that a water supply emergency exists based upon:

1. Major water line breaks, or pump or system failures occur, which cause unprecedented loss of capability to provide water service; or
2. Natural or man-made contamination of the water supply source(s).

Requirements for termination

Stage 5 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days.

**STAGE V RESPONSE MEASURES**

Goal: Achieve a 50% reduction in total water use, daily water demand, etc.

Supply management measures

Pure Utilities, L. C. will limit water supplies and/or reduce water demand by: reduced or discontinued flushing of water mains, reduced or discontinued irrigation of public landscaped areas; use of alternative supply sources; use of reclaimed water for non-potable uses.

Water use restrictions

All requirements of Stage 2, 3, and 4 shall remain in effect during Stage 5 except:

- (a) Irrigation of landscaped areas is absolutely prohibited.
- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane, or other vehicle is absolutely prohibited.

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