

Texas

Water loss is a particularly important issue in Texas, where approximately 95% of the population is served by public water suppliers. The US Geological Survey (USGS) estimates that in 2015 (the most recent year available), Texas's public water suppliers withdrew an average of about 2,885.33 million gallons of water per day for treatment and distribution to customers. Those public water suppliers face enormous challenges when it comes to replacing and repairing their systems. The U.S. Environmental Protection Agency (EPA) recently found a 20-year capital improvement need of more than \$45.15 billion for Texas's water systems to continue to provide safe drinking water.

Texas is a leader in water loss auditing, the first state to require annual water loss reporting as a general requirement for most municipal water suppliers. The agency with jurisdiction over water loss reporting is the Texas Water Development Board. In accordance with section 16.0121 of the Texas Water Code, annual water audits are required for all retail water suppliers, except that water suppliers with 3,300 or fewer connections that do not receive financial assistance from the Board are to file an audit report every five years. Audits are submitted to the Board.

In key respects, the Board pioneered the development of statewide water audit reporting. The Board adopted an audit format that is similar to the AWWA Free Water Audit Software, using standard AWWA terminology. The Board also developed a data grading scale, which is similar, but not identical to, the AWWA format.

HB 3605 enacted in 2013 requires a retail public utility that receives financial assistance from the Board to use part of that assistance to mitigate water loss if the utility's water loss exceeds thresholds set by rule by the Board. (HB 949 enacted in 2015 allows the Board to waive that requirement at the request of the retail public utility, if the utility is satisfactorily addressing its water loss.) Water loss thresholds for applicants for financial assistance were established by rule and appear in §358.6 of Title 31, Part 10 of the Texas Administrative Code. Thresholds are in place for both apparent losses and real losses. For apparent losses, the performance threshold is based upon a customer meter accuracy of at least 95 %. For real losses, the threshold is a multiple of a utility's "unavoidable annual real loss," which is computed by the water loss software based on the number of connections, miles of distribution lines, and operating pressure.

In 2013, Texas enacted HB 1461, which added a new section 13.148 to the Texas Water Code requiring each retail public utility that files a water audit report with the Board to also directly notify its customers of the water loss reported in the audit. The notice may be provided with the system's annual consumer confidence report or with the next bill customers receive after the audit report has been filed.

U.S. Geological Survey's "Estimated Use of Water in the United States County-Level Data for 2015", September 28, 2017- <https://www.sciencebase.gov/catalog/item/59a96d18e4b07e1a023db323>

EPA's "Drinking Water Infrastructure Needs Survey and Assessment, Sixth Report to Congress", March 2018 - https://www.epa.gov/sites/production/files/2018-03/documents/sixth_drinking_water_infrastructure_needs_survey_and_assessment.pdf

State Code References:

TX Water Code 16.0121: <http://www.statutes.legis.state.tx.us/SOTWDocs/WA/htm/WA.16.htm>

TX Water Code 13.148: <http://www.statutes.legis.state.tx.us/Docs/WA/htm/WA.13.htm>

State Regulations (Texas Administrative Code) Title 31, Part 10, Rule §358.6 --

[http://texreg.sos.state.tx.us/public/readtac\\$ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=31&pt=10&ch=358&rl=6](http://texreg.sos.state.tx.us/public/readtac$ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=31&pt=10&ch=358&rl=6)

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<http://www.twdb.texas.gov/conservation/municipal/waterloss/>