

**PLUMBING CODE**

Only those materials listed below under "BUILDING SERVICE LINES" or materials as required by the Texas Commission on Environmental Quality ("TCEQ") are approved for use. The Southern Building Code shall govern on method of installation, pipe sizing, fixture count and all general requirements, insofar as they apply to water supply and sewage collection systems, and to the extent that they are not contradictory to TCEQ Customer Service Inspection Requirements.

**BUILDING SERVICE LINES**

- A. Waste pipe material shall be of the following material only:
1. Schedule 40 ABS or PVC Plastic
  2. Schedule 35 PVC Plastic
  3. For temperatures in excess of one hundred degrees (100<sup>o</sup>) Fahrenheit, schedule 40 CPVC Plastic, ASTM Designation D-3034 MUST BE USED
  4. Cast iron hub type soil pipe extra heavy service weight, ASTM A-74, with rubber ring and gasket. "No-Hub" pipe is not permitted below grade
  5. SIX INCH ONLY shall be not less than ABS-SDR 35.0
  6. ABS composite truss pipe may be used for eight-inch (8") diameter and above
  7. Ductile iron pipe (push-on joint) conforming to ANSI A21.51
- B. Water pipe material shall be:
1. Schedule 40 galvanized steel pipe, ASTM A-53
  2. Seamless copper tubing Type K, L or M, ASTM B-88
  3. Type 1 PVC 1120 and PVC 1220, 160 psi minimum pressure rating, ASTM D-1784
  4. Ductile iron pipe (push-on joint) conforming to ANSI A 21.51
  5. Polyethylene for one inch (1") and smaller ASTM Designation D-2239
- C. Diameter of Service Lines:
1. Residential service lines shall be sized according to the Southern Building Code and in no case shall be smaller than three-fourths inch (3/4") for water or four inch (4") waste
  2. commercial service lines shall be sized according to the Southern Building Code and in no case shall be smaller than one

inch (1") for water and four inch (4") for waste unless special approval is obtained

- D. Solvent for ABS shall be ASTM Designation D-2235. Solvent for PVC shall be STM Designation D-2564. Industrial polychemical solvent 795 shall be used for joining PVC to ABS

**GRADE (WASTE LINES)**

- A. Minimum grade for four-inch (4") sewer pipe shall be 1% (one-foot drop/hundred feet), with a maximum grade of 2% (two-foot drop/hundred feet).
- B. Minimum grade for six-inch (6") sewer pipe shall be 0.7% (8.5 inch-drop/hundred feet), with a maximum grade of 1.5% (18 inch-drop/hundred feet)

**CONNECTION OF BUILDING STUB-OUTS TO SERVICE LINES**

- A. Building tie-on connections shall be made directly to the stub at the foundation on all waste outlets. Septic tanks and all grease traps must be bypassed. Septic tanks and grease traps should be pumped out, sides broken down, and then filled with dirt or sand. (This applies to existing residences being connected.)
- B. Type of Waste Connections: Watertight adapter shall be used at house connections. All other connections shall be solvent weld.
- C. No drain rim shall be installed less than one (1) foot above the top of the nearest manhole.

**FITTINGS AND CLEANOUTS**

- A. No bends or turns at any point shall be greater than 45°.
- B. Each horizontal drainage pipe shall be provided with cleanout at its upper terminal, and each such run of piping which is more than 90 feet shall be provided with cleanout for each 90 feet or fraction thereof in the length of such piping.
- C. Each cleanout shall be installed so that it opens in a direction opposite to the flow of the waste and, except in the case of "wye" branch and ending-of-line cleanouts, cleanouts shall be installed vertically above the flow of the pipe
- D. Cleanout should be made with airtight mechanical plug

**UNDER SLAB PLUMBING**

Under-slab pipe and fittings shall be cast iron, Schedule 40 PVC

**COMPLIANCE WITH TCEQ AND/OR COUNTY HEALTH DEPARTMENT INSPECTOR (" APPROVING AUTHORITY")**

- A. Unless exception is granted by the Approving Authority, the public sanitary sewer system shall be used by all persons discharging wastewater.
- B. Unless authorized by the Texas Commission on Environmental Quality, no person may

deposit or discharge any waste included in Subsection A of this Section on public or private property or into or adjacent to any: (1) natural outlet, (2) water course, (3) storm sewer or (4) other area within the jurisdiction of the District.

- C. The Approving Authority shall verify before discharge that wastes authorized to be discharged will receive suitable treatment within the provisions of the laws, regulations, ordinances, rules and orders of federal, state and local governments.

#### **APPROVING AUTHORITY REQUIREMENTS**

- A. If discharges or proposed discharges to sewer may: (i) deleteriously affect wastewater facilities, processes, equipment or receiving waters, (ii) create a hazard to life or health or (iii) create a public nuisance, the Approving Authority shall require:
1. Pre-treatment to an acceptable condition for discharge to the public sewers;
  2. Control over the quantities and rates of discharge; and
  3. Payment to cover the cost of hauling and treating the wastes.
- B. The Approving Authority is entitled to determine whether a discharge of proposed discharge is included under Subsection A of this Section
- C. The Approving Authority shall reject wastes when it determines that a discharge or proposed discharge does not meet the requirements of Subsection A of this Section.

#### **APPROVING AUTHORITY REVIEW AND APPROVAL**

- A. If pre-treatment or control is required, the Approving Authority shall review and approve design and installation of equipment and processes. A fee will be charged to cover the cost of said review.
- B. The design and installation of equipment and processes must conform to all applicable statutes, codes, ordinances and other laws.
- C. Any person responsible for discharges requiring pre-treatment, flow equalizing or other facilities shall provide and maintain the facilities in effective operating condition at his own expense.

#### **REQUIREMENTS FOR TRAPS**

- A. Discharges requiring a trap include: (i) grease or waste containing grease in amounts that will impede or stop the flow in the public sewers, (ii) oil, (iii) sand, (iv) flammable wastes and (v) other harmful ingredients. Any person responsible for discharges requiring a trap shall at his own expense and as required by the Approving Authority:
1. Provide equipment and facilities of a type and capacity approved by the Approving Authority;
  2. Locate the trap in a manner that provides ready and easy accessibility for cleaning and inspection; and
  3. Maintain the trap in effective operating condition acceptable to the Approving Authority to protect the overall operation of the

wastewater treatment plant.

**REQUIREMENTS FOR BUILDING SEWERS**

- A. Any person responsible for discharges through a building sewer carrying industrial wastes shall, at his own expense and as required by the Approving Authority:
  - 1. Install an accessible control manhole;
  - 2. Install meters and other appurtenances to facilitate observation sampling and measurement of the waste;
  - 3. Install safety equipment and facilities (ventilation, steps, etc.) where needed; and
  - 4. Maintain the equipment and facilities.
- B. No industrial waste will be discharged into the District's system without formal approval by the Approving Authority.

**SAMPLING AND TESTING**

- A. Sampling shall be conducted according to customarily accepted methods, reflecting the effect of constituents upon the sewage works and determining the existence of hazards to health, life, limb and property.
- B. Examination and analyses of the characteristics of waters and wastes required shall be: (i) conducted in accordance with the latest edition of "Standard Methods" and (ii) determined from suitable samples taken at the control manhole provided or other control point authorized by the Approving Authority.
- C. BOD and suspended solids shall be determined from composition sampling, except to detect unauthorized discharges.
- D. The Approving Authority shall determine which users or classes of users may contribute wastewater that is greater strength than normal domestic wastewater. All users or classes of users so identified shall be samples for flow BOD, TSS and pH at least annually.
- E. The Approving Authority may select an independent firm or laboratory to determine flow, BOD and suspended solids, if necessary. Flow may alternately be determined by water meter measurements if no other flow device is available and no other source of raw water is used.
- F. Any and all charges required for the above shall be paid by the user.

**PROHIBITED DISCHARGES**

- A. No person may discharge to public sewers any waste which by itself or by interaction with other wastes may: (i) injure or interfere with wastewater treatment processes or facilities; (ii) constitute a hazard to humans or animals; or (iii) create a hazard in receiving waters of the wastewater treatment plant effluent.
- B. All discharges shall conform to requirements of this ordinance.

**CHEMICAL DISCHARGES**

- A. No discharge to public sewers may contain:
  - 1. Cyanide greater than .01 mg/l;
  - 2. Fluoride other than those contained in the public water supply;
  - 3. Chlorides in concentrations greater than 250 mg/l;
  - 4. Gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas; or
  - 5. Substances causing an excessive chemical oxygen demand (COD).
  
- B. No waste or wastewater discharged or public waters may contain:
  - 1. Strong acid, iron-pickling wastes or concentrated plating solutions whether neutralized or not;
  - 2. Fats, wax, grease or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between 32° and 150° Fahrenheit (0° and 65° Centigrade).
  - 3. Objectionable or toxic substances, exerting an excessive chlorine requirement to such degrees that any such material received in the composite wastewater treatment works exceeds the limits established by the Approving Authority for such materials; or
  - 4. Obnoxious, toxic or poisonous solids, liquids or gases in quantities sufficient to violate the provisions of Section (12)A.
  
- C. No waste, wastewater or other substance may be discharged into public sewers which has a pH lower than 6.0 or higher than 9.0 or any other corrosive property capable of causing damage or hazard to structures, equipment and/or personnel at the wastewater facilities.
  
- D. All waste, wastewater or other substance containing phenols, hydrogen sulfide or other taste and odor producing substances, shall conform to concentration limits established by the Approving Authority. After treatment of the composite wastewater, concentration limits may not exceed the requirements established by state, federal or other agencies with jurisdiction over discharges to receiving waters.

**HAZARDOUS METALS AND TOXIC MATERIALS**

- A. No discharges may contain concentration of hazardous metals other than amounts specified by the State Water Code.
  
- B. The materials, their concentration parameters and rules governing same are as promulgated under authority of Sections 5.131 and 5.132, Texas Water Code - HAZARDOUS METALS, and in accordance with Texas Water Commission Rules 156.19.

- C. No other hazardous metals or toxic materials may be discharged into public sewers without a permit from the Approving Authority specifying conditions of pre-treatment, concentration, volumes and other applicable provisions.

**PARTICULATE SIZE**

- A. No person may discharge garbage or other solids into public sewers unless it is shredded to a degree that all particles can be carried freely under the flow conditions normally prevailing in public sewers. Particles greater than one-half inch (1/2") in any dimensions are prohibited.
- B. The Approving Authority is entitled to review and approve the installation and operation of any garbage grinder equipped with a motor of 3/4 HP (0.76 HP metric) or greater.

**STORM WATER AND OTHER UNPOLLUTED DRAINAGE**

- A. No person may discharge to public sanitary sewers: (i) unpolluted storm water, surface water, ground water, swimming pools, roof run-off or subsurface drainage, (ii) unpolluted cooling water, (iii) unpolluted industrial process water or (iv) other unpolluted drainage, or make new connections from inflow sources.
- B. In compliance with the Texas Water Quality Act and other statutes, the Approving Authority may designate storm sewers and other water courses into which unpolluted drainage described in Subsection A of this Section may be discharged.

**TEMPERATURE**

No person may discharge liquid or vapor having a temperature higher than 150o Fahrenheit (65o Centigrade) or any substance that causes the temperature of the total wastewater treatment plant influent to increase at a rate of 10o Fahrenheit or more per hour, or combined total increase of plant influent to 110o Fahrenheit.

**RADIOACTIVE WASTES**

- A. No person may discharge radioactive wastes or isotopes into public sewers without the permission of the Approving Authority.
- B. The Approving Authority may establish, in compliance with applicable state and federal regulation, regulations for discharge of radioactive wastes into public sewers.

**IMPAIRMENT OF FACILITIES**

- A. No person may discharge into public sewers any substance capable of causing: (i) obstruction to the flow in sewers, (ii) interference with the operation of treatment processes of facilities, or (iii) excessive loading of treatment facilities.
- B. No person may discharge into public sewers any substance that may: (i) deposit grease or oil in the sewer lines in such a manner as to clog the sewers, (ii) overload skimming and grease handling equipment, (iii) pass to the receiving waters without being effectively treated by normal wastewater treatment processes due to the non-amenability of the substance to bacterial action or (iv) deleteriously affect the treatment process due to excessive quantities.
- C. No person may discharge any substance into public sewers which: (i) is not amenable to

treatment or reduction by the processes and facilities employed, or (ii) is amenable to treatment only to such a degree that the treatment plant effluent cannot meet the requirements of the agencies having jurisdiction over discharge to the receiving waters.

- D. The Approving Authority shall regulate the flow and concentration of slugs when they may: (i) impair the treatment process, (ii) cause damage to collection facilities, (iii) incur treatment costs exceeding those for normal wastewater, or (iv) render the effluent unfit for stream disposal or industrial use.

#### WATER CONSERVATION SECTION

- A. GENERAL - Automatic-flushing devices of the siphonic design shall not be used to operate urinals.
- B. HOT WATER PIPES - All aboveground hot water piping shall be insulated.
- C. WATER CLOSETS - Water closets, either wall-mounted or flushometer operated shall be designed, manufactured and installed to be operable and adequately flushed with no more than 2.0 gallons per flushing cycle when tested in accordance with applicable standards. All other water closets and toilets shall have no more than 1.6 gallons per flushing cycle when tested in accordance with applicable standards.
- D. URINALS - Urinals shall be designed, manufactured and installed to be operable and adequately flushed with no more than 1.0 gallon of water per flush.
- E. LAVATORY FACILITIES
1. Public Facilities:
- Faucets for public lavatories shall be equipped with outlet devices which limit the flow of water to a maximum of 0.5 gpm at 60 psi pressure or be equipped with self-closing valves that limit the delivery to a maximum of 0.25 gallon of hot water for recirculating systems and to a maximum of 0.5 gallon for non-recirculating systems.
- EXCEPTION:* Separate lavatories for physically handicapped persons shall not be equipped with self-closing valves.
2. Private Facilities:
- Faucets for private lavatories shall be designed, manufactured and installed to deliver water at a flow rate not to exceed 2.2 gpm at 6-psi pressure when tested in accordance with applicable standards.
- F. SHOWER HEADS - Showerheads shall be designed, manufactured and installed to deliver water at a rate not to exceed 2.75 gpm at 80 psi pressure when tested in accordance with applicable standards.
- G. SINK FAUCETS - Sink faucets shall be designed, manufactured and installed to deliver water at a rate not to exceed 2.2 gpm at 60 psi pressure when tested in accordance with applicable standards.
- H. SWIMMING POOLS - All swimming pools installed in areas covered by the Certificates of

Convenience and Necessity issued to DOUGLAS UTILITY COMPANY shall be equipped with recirculating filtration equipment.

- I. DRINKING WATER FOUNTAINS - All drinking water fountains must be equipped with self-closing valves.
- J. ORNAMENTAL FOUNTAINS - All ornamental fountains installed in areas covered by the Certificates of Convenience and Necessity issued to DOUGLAS UTILITY COMPANY shall be equipped with recirculating water equipment.



**DOUGLAS UTILITY COMPANY**  
32 E. Rivercrest Drive, Houston, Texas 77042  
(713) 783-4553

**CONTRACT/APPLICATION FOR UTILITY SERVICE**

All utility services to be provided hereunder shall be subject to all terms and conditions of Utility's state-approved tariff(s) and the rules of the Texas Commission on Environmental Quality ("TCEQ")

This Contract/Application for Utility Service ("Contract/Application") is by and between DOUGLAS UTILITY COMPANY, a Texas corporation, ("Utility") and the applicant ("Customer" or "Applicant") whose name and signature is shown below at the end of this document.

**CUSTOMER LIABILITY:** Customer shall be liable for any damage or injury to Utility-owned property or personnel by the customer or others under his control. Customer agrees to take no action to create a health or safety hazard or otherwise endanger, injure, damage or threaten Utility's plant, its personnel, or its customers

**LIMITATION ON UTILITY'S PRODUCT/SERVICE LIABILITY:** Public water utilities are required to deliver water to the customer's side of the meter or service connection which meets the potability and pressure standards of the TCEQ. Utility will not accept liability for any injury or damage occurring on the customer's side of the meter. Utility will not accept liability for injuries or damages to persons or property due to disruption of water service caused by: (1) acts of God, (2) acts of third parties not subject to the control of Utility, (3) electrical power failures, or (4) termination of water service pursuant to Utility's tariff and the TCEQ rules.

**FIRE PROTECTION:** Utility is not required by law and does not provide fire prevention or fire fighting services. Utility therefore does not accept liability for fire-related injuries or damages to persons or property caused or aggravated by the availability (or lack thereof) of water or water pressure (or lack thereof) during fire emergencies.

**PLUMBING CODE:** Utility has adopted the Southern Plumbing Code. Utility has further adopted its own specific plumbing rules contained in its tariff. Any extensions and/or new facilities shall comply with that code and all standards established by the TCEQ. Where conflicts arise, the more stringent standard must be followed. The piping and other equipment on the premises furnished by the Customer will be maintained by the Customer at all times in conformity with the requirements of the applicable regulatory authorities and all tariffed service rules of Utility. No other water service will be used by the Customer on the same property in conjunction with Utility's service, either by means of a cross-over valve or any other connection. Customer shall not connect, or allow any other person or party to connect, onto any water lines on his premises.

The following undesirable plumbing practices are prohibited by state regulations. Other prohibitions are found in the Southern Plumbing Code and/or Utility's tariff.

- A. No direct connection between the public drinking water supply and a potential source of contamination is permitted. Potential sources of contamination shall be isolated from the public drinking water system by an air-gap only.
- B. No cross-connection between the public drinking water supply and a private water system is permitted. These potential threats to the public drinking water supply shall be eliminated at the service connection by the installation of an air-gap only.

- C. No connection that allows water to return to the public drinking water supply is permitted.
- D. No pipe or pipe fitting which contains more than 8.0% lead may be used for the installation or repair of plumbing at any connection that provides water for human use.
- E. No solder or flux that contains more than 0.2% lead can be used for the installation or repair of plumbing of any connection that provides water for human use.

**RIGHT OF ACCESS AND EASEMENTS:** Utility will have the right of access and use of the Customer's premises at all reasonable times for the purpose of installing, inspecting or repairing water mains or other equipment used in connection with its provision of water service, or for the purpose of removing its property and disconnecting lines, and for all other purposes necessary to the operation of Utility's system. If the property to be served does not have dedicated, recorded public utility easements available for Utility's use in providing water utility service to the property, the Applicant (or the Applicant's landlord in the case of a tenant applicant) shall be required to provide Utility with a recorded permanent easement as a condition of service. Such easement shall be in a location acceptable to Utility and shall be for a corridor no less than fifteen (15) feet in width.

**LANDLORD GUARANTEE:** Applications by tenants must be countersigned by the fee owner of the property. By signing the application, the landlord grants all required rights of access and easements.

**PLUMBING INSPECTION:** State law requires applicants for service at new consuming facilities or facilities which have undergone extensive plumbing modifications to deliver to Utility a certificate that their facilities have been inspected by a state-licensed inspector and that they are free of cross-connections and potential hazards to public health and safety. When potential sources of contamination are identified that require the installation of a backflow prevention device, such backflow flow prevention device shall be installed, tested and maintained at the customer's expense.

**SEWER REGULATIONS:** *(only if sewer service provided)* The utility only provides "sewage" collection and disposal service to the public. This service is limited to the collection, treatment and disposal of waterborne human waste and waste from domestic activities such as washing, bathing, and food preparation. This service does not include the collection, treatment or disposal of waste of such high BOD or TSS characteristics that it cannot reasonably be processed by the utility's state-approved wastewater treatment plant within the parameters of the utility's wastewater discharge permit. **THIS SERVICE DOES NOT INCLUDE THE COLLECTION AND DISPOSAL OF STORM WATERS OR RUN OFF WATERS, WHICH MAY NOT BE DIVERTED INTO OR DRAINED INTO THE UTILITY'S COLLECTION SYSTEM. NO GREASE, OIL, SOLVENT, PAINT, OR OTHER TOXIC CHEMICAL COMPOUND MAY BE DIVERTED INTO OR DRAINED INTO THE UTILITY'S COLLECTION SYSTEM.** It shall be the customer's responsibility to maintain the service line and appurtenances in good operating condition, i.e., clear of obstruction, defects, or blockage. If there is excessive, infiltration or inflow or failure to provide proper pretreatment, the utility may require the customer to repair the line or eliminate the infiltration or inflow or take such actions necessary to correct the problem.

**CUSTOMER AGREEMENT:** By signing this application for public utility service, I agree to comply with utility's rules and tariff and all rules and regulations of applicable regulatory agencies. I guarantee prompt payment of all utility bills for the service address printed above. I will remain responsible for utility bills until the day service is terminated at my request. I agree to take no action to create a health hazard or otherwise endanger, injure, damage or threaten utility's plant, its personnel, or its customers. I agree to put no unsafe, non-domestic service demands on utility's system without notice to and permission from utility.

1. Name of applicant\*: \_\_\_\_\_  
Applicant is: Landowner \_\_\_\_\_ Tenant \_\_\_\_\_  
Driver Lic. # \_\_\_\_\_ SS# \_\_\_\_\_

\* This is the person or other entity in whose name service will be rendered and who will responsible of all service and other bills unless otherwise indicated in No. 10 and signatures blocks below.

2. Address or location of requested service. (Attach plat or drawing if new development):

Subdivision: \_\_\_\_\_ Block: \_\_\_\_\_ Lot: \_\_\_\_\_

3. Type of service: Water \_\_\_\_\_ Sewer\*\* \_\_\_\_\_ Both\*\* \_\_\_\_\_  
residential \_\_\_\_\_ permanent \_\_\_\_\_  
commercial \_\_\_\_\_ temporary \_\_\_\_\_  
industrial \_\_\_\_\_ temporary service termination  
developer \_\_\_\_\_ date: \_\_\_\_\_

4. Purpose for which water is to be used: Residential \_\_\_\_\_ Other \_\_\_\_\_  
(Explain) \_\_\_\_\_

List all toxic or hazardous chemicals to be used at service location excluding normal domestic cleaning agents typically used in a home or office.\*\*

6. Will any waste generated at this service location require special treatment?\*

yes \_\_\_\_\_ no \_\_\_\_\_ What type \_\_\_\_\_  
Why is special treatment needed \_\_\_\_\_

7. Will service location have food grinder, grease trap or grinder pump for force main service?\*

yes \_\_\_\_\_ no \_\_\_\_\_ type \_\_\_\_\_

8. Water volume and pressure requirements (to be completed by other than residential applicant):

Gallons: Annual \_\_\_\_\_ highest day \_\_\_\_\_

Pressure required: Low \_\_\_\_\_ Average \_\_\_\_\_ High \_\_\_\_\_

Special service requirements: \_\_\_\_\_

9. Will a deposit be paid? yes \_\_\_ no \_\_\_

If no deposit, reason for exemption. \_\_\_\_\_

10. Person responsible for utility service bills (if not the applicant named above):

Name: \_\_\_\_\_

Relationship to Applicant: \_\_\_\_\_

Drivers Lic. # \_\_\_\_\_ SS # \_\_\_\_\_

Telephone (\_\_\_\_) \_\_\_\_ - \_\_\_\_\_ Home \_\_\_\_\_ Business \_\_\_\_\_

Billing address if different from service location address.  
\_\_\_\_\_

11. Date of application: \_\_\_\_\_ Date to begin service: \_\_\_\_\_

12. Is public utility easement required? yes \_\_\_\_\_ no \_\_\_\_\_ Recording date: \_\_\_\_\_

Recording information: Vol. \_\_\_\_\_ Page \_\_\_\_\_, Plat/Real Property Records of \_\_\_\_\_ County, TX

\*\* only if sewer service is provided

**APPLICANT**

\_\_\_\_\_

BY: \_\_\_\_\_, Title \_\_\_\_\_  
*(To be signed by the person applying for service)*

**LANDLORD**

BY: \_\_\_\_\_, Title \_\_\_\_\_  
*(By signing, the landlord grants all required rights of access to the Utility. Landlord must sign if the applicant is a tenant.)*

**GUARANTOR or ALTERNATE BILL PAYER in No. 10 above**

BY: \_\_\_\_\_, Title \_\_\_\_\_  
*(By signing, guarantor guarantees payment for all water utility charges, related fees and damage caused by applicant.)*

**UTILITY**

BY: \_\_\_\_\_      \_\_\_\_\_  
Utility Representative      Acceptance Date

**DOUGLAS UTILITY COMPANY**  
32 E Rivercrest Dr, Houston, Texas 77042  
(713) 783-4553

## AGREEMENT FOR TEMPORARY WATER SERVICE

The water utility service applicant indicated below ("Customer") has applied for water utility service from **DOUGLAS UTILITY COMPANY**, a Texas corporation ("Utility"), at the service location indicated below. Under state public health and water utility service regulations [30 TAC 290.46(j)], Utility may not provide continuous potable water utility service to any new construction, to any existing service location where significant plumbing modifications have been made, or to any location where Utility has reason to believe that a cross-connection or other undesirable or unsafe condition exists until the service applicant or customer presents Utility with an executed Customer Service Inspection Certificate (30 TAC 290.47-Appendix D). It is Customer's sole obligation and responsibility, at his/her expense, to have the necessary inspection performed by a properly licensed inspector. Neither Utility nor its operators perform customer service inspections on behalf of Utility.

Notwithstanding this inspection requirement before permanent water service can be provided, Utility is allowed to provide Customer with temporary water service for construction purposes only. Utility agrees to provide such temporary construction water service at its standard rates and conditions of service upon Customer's agreement that:

1. **The water service provided will be used for construction, testing or landscaping purposes only.**
2. **The water provided will not be consumed by humans or absorbed into the human body. This water is not to be used for washing or bathing of humans. It will not be used for cleaning utensils used in cooking or eating. It will not be used for cooking or preparing food. This water will not be used for any purpose described or suggested in 30 TAC §290.38(23) as constituting "human consumption."**
3. **Customer will notify Utility in writing when to initiate the temporary construction service.**
4. **Customer will notify Utility in writing when construction at the indicated service location has ended,**
5. **Customer agrees not to occupy or reside in the indicated service location until Customer has delivered a fully executed Customer Service Inspection Certificate to Utility.**

If Customer fails to abide by any provision of this agreement, water service to the indicated service location will be terminated and will not be restored under any circumstances until a fully executed Customer Service Inspection Certificate has been delivered to Utility. Termination will be made without notice if, in the opinion of Utility's licensed operator(s), Customer's service creates an immediate hazard to public health and safety. If no such hazard exists, Customer shall be notified and given a limited time to come into compliance. Utility's state-approved reconnect fee will be charged as a condition of service restoration if temporary water service is terminated for breach of this agreement.

1. Customer name: \_\_\_\_\_

2. Customer's billing address: \_\_\_\_\_  
\_\_\_\_\_

3. Customer's phone number: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

4. Service location: \_\_\_\_\_  
\_\_\_\_\_

Subdivision: \_\_\_\_\_

Entered into in \_\_\_\_\_ County, Texas on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**Customer:**

BY: \_\_\_\_\_

**Utility:**

BY: \_\_\_\_\_

**SEWER UTILITY TARIFF**

For

DOUGLAS UTILITY COMPANY

32 E Rivercrest Drive, Houston, Texas 77042 (713) 783-4553

This tariff is effective for utility operations under the following Certificate(s) of Convenience and Necessity:

20527

This tariff is effective in the following county(ies):

Harris

This tariff is effective in the following cities or unincorporated towns (if any):

None

This tariff is effective in the following subdivisions or systems:

Fountainview

This tariff is effective for the following water quality permit number(s):

WQ 0011200-001

**TABLE OF CONTENTS**

The above utility lists the following sections of its tariff (if additional pages are needed for a section, all pages should be numbered consecutively):

SECTION  
PAGE

- 1.0 RATE SCHEDULE
- 2.0 SERVICE RULES
- 3.0 EXTENSION POLICY

APPENDIX A SERVICE AGREEMENTS

**SECTION 1.0 - RATE SCHEDULE**

Section 1.01 – Rates (based on metered water consumption)

<u>Meter Size</u>	<u>Monthly Minimum Rate</u> (Includes -0- Gallons)	<u>Gallonge Charge</u>
5/8" X 3/4"	\$ 14.50	\$3.00 per 1000 gallons
3/4"	\$ 21.75	
1"	\$ 36.25	
1 2"	\$ 72.50	
2"	\$ 116.00	
3"	\$ 217.50	
4"	\$ 362.50	
6"	\$ 725.00	
8"	\$1,160.00	

**REGULATORY ASSESSMENT** 1.0%  
 A REGULATORY ASSESSMENT, EQUAL TO ONE PERCENT OF THE CHARGE FOR RETAIL SEWER SERVICE ONLY, SHALL BE COLLECTED FROM EACH RETAIL CUSTOMER

**FORM OF PAYMENT:** THE UTILITY WILL ACCEPT THE FOLLOWING FORM(S) OF PAYMENT :  
 Cash x, Check x, Money Order x, Discover   , MasterCard x, Visa x  
 (THE UTILITY MAY REQUIRE EXACT CHANGE FOR PAYMENTS AND MAY REFUSE TO ACCEPT PAYMENTS MADE USING MORE THAN \$1.00 IN SMALL COINS. A WRITTEN RECEIPT WILL BE GIVEN FOR CASH PAYMENTS.)

**TAP FEE (5/8 X 3/4-inch water meter)** \$650.00 <sup>x</sup>  
 Where a new connection is required at a lot which has not previously had service and the connection not otherwise paid for by the developer.

**TAP FEE (larger water meter)** Actual cost of that tap  
 Where a new connection is required at a lot which has not previously had service and the connection not otherwise paid for by the developer.

**SEWER CONNECTION INSPECTION FEE (Residential)** \$50.00  
 Where a new sewer connection is required at a lot which has not previously had service and the connection not otherwise paid for by the developer.

**SEWER CONNECTION INSPECTION FEE (Non-Residential)** Actual cost  
 Where a new sewer connection is required at a lot which has not previously had service and the connection not otherwise paid for by the developer.

**PLAN REVIEW FEE (Non - Residential)** \$200.00  
 Where a facility is being constructed and the utility needs to review the plans before construction is begun. <sup>x</sup>

**RECONNECTION FEE**  
 THE RECONNECT FEE WILL BE CHARGED BEFORE SERVICE CAN BE RESTORED TO A CUSTOMER WHO HAS BEEN DISCONNECTED FOR THE FOLLOWING REASONS:

- a) Non payment of bill \$25.00 ✓
  - b) Customer's request \$50.00 <sup>x</sup>
- OR OTHER REASONS LISTED UNDER SECTION 2.0 OF THIS TARIFF

**TRANSFER FEE** \$25.00 ✓  
 THE TRANSFER FEE WILL BE CHARGED FOR CHANGING AN ACCOUNT NAME AT THE SAME SERVICE LOCATION WHEN THE SERVICE IS NOT DISCONNECTED

87



LATE CHARGE

\$5.00

A ONE-TIME PENALTY MAY BE MADE ON DELINQUENT BILLS BUT MAY NOT BE APPLIED TO ANY BALANCE TO WHICH THE PENALTY WAS APPLIED IN A PREVIOUS BILLING.

SECTION 1.0 - RATE SCHEDULE

RETURNED CHECK CHARGE

\$30.00 ✕

CUSTOMER DEPOSIT RESIDENTIAL

\$50.00 ✓

COMMERCIAL AND NON-RESIDENTIAL DEPOSIT

1/6th est. annual bill

## SECTION 2.0--SERVICE RULES AND REGULATIONS

### Section 2.01--Texas Commission on Environmental Quality Rules

The utility will have the most current Texas Commission on Environmental Quality Rules, Chapter 291, Water Rates, available at its office for reference purposes. The Rules and this tariff shall be available for public inspection and reproduction at a reasonable cost. The latest Rules or Commission approved changes to the Rules supersede any rules or requirements in this tariff.

### Section 2.02--Application for and Provision of Sewer Service

All applications for service will be made on the utility's standard application or contract form (attached in the Appendix to this tariff) and will be signed by the applicant before sewer service is provided by the utility. A separate application or contract will be made for each service at each separate location.

After the applicant has met all the requirements, conditions and regulations for service, the utility will install service connections, which may include a utility cut-off valve and/or take all necessary actions to initiate service. The utility will serve each qualified applicant for service within 5 working days unless line extensions or new facilities are required. If construction is required to fill the order and if it cannot be completed within 30 days, the utility will provide the applicant with a written explanation of the construction required and an expected date of service.

Where service has previously been provided, the utility will reconnect the service within one working day after the applicant has met the requirements for reconnection.

The customer will be responsible for furnishing and laying the necessary customer service pipe from the connection location to the place of use.

### Section 2.03--Refusal of Service

The utility may decline to serve an applicant until the applicant has complied with the regulations of the regulatory agencies (state and municipal regulations) and for the reasons outlined in the TCEQ Rules. In the event that the utility refuses to serve an applicant, the utility will inform the applicant in writing of the basis of its refusal. The utility is also required to inform the applicant that a complaint may be filed with the Commission.

### Section 2.04--Customer Deposits

If a residential applicant cannot establish credit to the satisfaction of the utility, the applicant will be required to pay a deposit as provided for in Section 1.02 of this tariff. The utility will keep records of the deposit and credit interest in accordance with TCEQ Rules.

## SECTION 2.0--SERVICE RULES AND REGULATIONS (CONT.)

Residential applicants 65 years of age or older may not be required to pay deposits unless the applicant has an outstanding account balance with the utility or another water or sewer utility which accrued within the last two years.

Nonresidential applicants who cannot establish credit to the satisfaction of the utility may be required to make a deposit that does not exceed an amount equivalent to one-sixth of the estimated annual billings.

Refund of deposit - If service is not connected, or after disconnection of service, the utility will promptly refund the customer's deposit plus accrued interest or the balance, if any, in excess of the unpaid bills for service furnished. The utility may refund the deposit at any time prior to termination of utility service but must refund the deposit plus interest for any customer who has paid 18 consecutive billings without being delinquent.

### Section 2.05--Meter Requirements, Readings, and Testing

It is not a requirement that the utility use meters to measure the quantity of sewage disposed of by individual customers. One connection is required for each residential, commercial or industrial facility in accordance with the TCEQ Rules.

### Section 2.06--Billing

Bills from the utility will be mailed monthly unless otherwise authorized by the Commission. The due date of the bills for utility service will be at least twenty (20) days from the date of issuance. The postmark on the bill or, if there is no postmark on the bill, the recorded date of mailing by the utility will constitute proof of the date of issuance. If the due date falls on a holiday or weekend, the due date for payment purposes will be the next work day after the due date.

A late penalty of \$5.00 will be charged on bills received after the due date. The penalty on delinquent bills will not be applied to any balance to which the penalty was applied in a previous billing. The utility must maintain a record of the date of mailing to charge the late penalty.

Each bill will provide all information required by the TCEQ Rules. For each of the systems it operates, the utility will maintain and note on the monthly billing a telephone number (or numbers) which may be reached by a local call by customers. At the utility's option, a toll-free telephone number or the equivalent may be provided.

## SECTION 2.0--SERVICE RULES AND REGULATIONS (CONT.)

In the event of a dispute between a customer and a utility regarding any bill for utility service, the utility will conduct an investigation and report the results to the customer. If the dispute is

not resolved, the utility will inform the customer that a complaint may be filed with the Commission.

#### Section 2.07--Service Disconnection

Utility service may be disconnected if the bill has not been paid in full by the date listed on the termination notice. The termination date must be at least 10 days after the notice is mailed or hand delivered.

The utility is encouraged to offer a deferred payment plan to a customer who cannot pay an outstanding bill in full and is willing to pay the balance in reasonable installments. However, a customer's utility service may be disconnected if a bill has not been paid or a deferred payment agreement entered into within 30 days from the date of issuance of a bill and if proper notice of termination has been given.

Notice of termination must be a separate mailing or hand delivery in accordance with the TCEQ Rules.

Utility service may also be disconnected without notice for reasons as described in the TCEQ Rules.

Utility personnel must be available to collect payments and to reconnect service on the day of and the day after any disconnection of service unless service was disconnected at the customer's request or due to a hazardous condition.

#### Section 2.08--Reconnection of Service

Service will be reconnected within 24 hours after the past due bill and any other outstanding charges are paid or correction of the conditions which caused service to be disconnected.

#### Section 2.09--Service Interruptions

The utility will make all reasonable efforts to prevent interruptions of service. If interruptions occur, the utility will re-establish service within the shortest possible time. Except for momentary interruptions due to automatic equipment operations, the utility will keep a complete record of all interruptions, both emergency and scheduled and will notify the Commission in writing of any service interruptions affecting the entire system or any major division of the system lasting more than four hours. The notice will explain the cause of the interruptions.

### SECTION 2.0--SERVICE RULES AND REGULATIONS (CONT.)

Prorated Bills - If service is interrupted or seriously impaired for 24 consecutive hours or more, the utility will prorate the monthly base bill in proportion to the time service was not available to reflect this loss of service.

### Section 2.10--Quality of Service

The utility will plan, furnish, and maintain and operate a treatment and collection facility of sufficient size and capacity to provide a continuous and adequate service for all reasonable consumer uses and to treat sewage and discharge the effluent at the quality required by its discharge permit issued by the Commission. Unless otherwise authorized by the Commission, the utility will maintain facilities as described in the TCEQ Rules.

### Section 2.11--Customer Complaints and Disputes

If a customer or applicant for service lodges a complaint, the utility will promptly make a suitable investigation and advise the complainant of the results. Service will not be disconnected pending completion of the investigation. If the complainant is dissatisfied with the utility's response, the utility must advise the complainant that he has recourse through the Texas Commission on Environmental Quality complaint process. Pending resolution of a complaint, the commission may require continuation or restoration of service.

The utility will maintain a record of all complaints which shows the name and address of the complainant, the date and nature of the complaint and the adjustment or disposition thereof, for a period of two years after the final settlement of the complaint.

## SECTION 2.20 SPECIFIC UTILITY SERVICE RULES AND REGULATIONS

This section contains specific utility service rules in addition to the rules previously listed under Section 2.0. It must be reviewed and approved by the Commission and in compliance with the TCEQ Rules to be effective.

The utility adopts the administrative rules of the Texas Commission on Environmental Quality, as the same may be amended from time to time, as its company specific service rules and regulations. These rules will be kept on file at the company's offices for customer inspection during regular business hours. In the event of a conflict between the TCEQ's amended rules and the provisions of this tariff, the amended rules shall prevail. Where necessary, any conflicting provision of this tariff shall be deemed to have been superseded by the TCEQ rule in question to the degree that the Utility may conduct its lawful business in conformance with all requirements of said rule.

All payments for utility service shall be delivered or mailed to the utility's business office. If the business office fails to receive payment prior to the time of noticed disconnection for non-payment of a delinquent account, service will be terminated as scheduled. Utility service crews shall not be allowed to collect payments on customer accounts in the field.

Payment of an account by any means that has been dishonored and returned by the payor or payee's bank, shall be deemed to be delinquent. All returned payments must be redeemed with cash or valid money order. If a customer has two returned payments within a twelve month period, the customer shall be required to pay a deposit if one has not already been paid.

Customer shall be liable for any damage or injury to utility-owned property or personnel shown to be caused by the customer, his invitees, his agents, his employees, or others directly under his control.

Limitation on Product/Service Liability - The utility will not accept liability for any injury or damage to individuals or their property occurring on the customer's premises. The utility makes no representations or warranties (expressed or implied) that customer's appliances will not be damaged by disruptions of or fluctuations in sewer service whatever the cause. The utility will not accept liability for injuries or damages to persons or property due to disruption of sewer service caused by: (1) acts of God, (2) acts of third parties not subject to the control of the utility if the utility has undertaken such preventive measures as are required by TCEQ rules, (3) electrical power failures in sewer systems not required by TCEQ rule to have auxiliary power supplies, or (4) termination of sewer service pursuant to the utility's tariff and the TCEQ's rules.

## SECTION 2.20 SPECIFIC UTILITY SERVICE RULES AND REGULATIONS

If the services of a registered professional engineer are required as a result of an application for service received by the Utility for service to that applicant's service extension only, such engineer will be selected by the Utility and the applicant, and the applicant shall bear all expenses incurred therein.

If an applicant requires service other than the standard service provided by the utility, such applicant will be required to pay all expenses incurred by the utility in excess of the expenses that would be incurred in providing the standard service and connection. Any applicant who places unique or non-standard service demands on the system may be required to provide contributions in aid of construction (as may be allowed by TCEQ rule) for the actual costs of any additional facilities required to maintain compliance with the Texas Commission on Environmental Quality minimum design criteria for sewer collection, treatment, pumping and discharge.

Any applicant or existing customer required to pay for any costs not specifically set forth in the rate schedule pages of this tariff shall be entitled to a written explanation of such costs prior to payment and/or commencement of construction. If the applicant or existing customer does not believe that these costs are reasonable or necessary, the applicant or existing customer shall have the right to appeal such costs to the TCEQ or such other regulatory authority having jurisdiction over the utility's rates in that portion of the utility's service area in which the applicant's or existing customer's property(ies) is located.

Tap fees may be increased by unique costs not normally incurred as may be permitted by 30 T. A. C. 291.86(b)(1)(C).

The Utility adopts the Uniform Plumbing Code pursuant to TCEQ Rule 290.46(i). The piping and other equipment on the premises furnished by the customer will be maintained by the customer at all times in conformity with the requirements of the TCEQ, the Uniform Plumbing Code and with the service rules and regulations of the Utility. The customer will bring out his

service line to his property line at the point on the customer's property mutually acceptable to the customer and the Utility subject to such requirements as may exist by TCEQ rule.

The utility will have the right of access to the customer's premises at all times reasonable for the purpose of installing, testing, inspecting or repairing sewer mains or other equipment used in connection with its provision of sewer service, or for the purpose of removing its property and disconnecting lines, and for all other purposes necessary to the operation of the utility system including inspecting the customer's plumbing for code, plumbing or tariff violations. The customer shall allow the utility and its personnel access to the customer's property to conduct any tests or inspections required by law. Unless necessary to respond to equipment failure, leak or other condition creating an immediate threat to public health and safety or the continued provision of adequate utility service to others, such entry upon the customer's property shall be during normal business hours.

#### SECTION 2.20 SPECIFIC UTILITY SERVICE RULES AND REGULATIONS

The customer may require any utility representative, employee, contractor, or agent seeking to make such entry identify themselves, their affiliation with the utility, and the purpose of their entry.

Threats to or assaults upon utility personnel shall result in criminal prosecution.

Except in cases where the customer has a contract with the utility for reserve or auxiliary service, no other sewer service will be used by the customer on the same installation in conjunction with the utility's service, either by means of a cross-over valve or any other connection. Customer shall not connect, or allow any other person or party to connect, onto any sewer lines on his premises. Two places shall not be permitted to be supplied with one service pipe where there is a sewer main abutting the premises.

No application, agreement or contract for service may be assigned or transferred without the written consent of the utility.

It is agreed and understood that any and all sewer lines and other equipment furnished by the utility (excepting the customer's individual service lines from the point of connection to customer's structures on customer's premises) are and shall remain the sole property of the utility, and nothing contained herein or in a contract/application for service shall be construed to reflect a sale or transfer of any such lines or equipment to any customer. All tap and extension charges shall be for the privilege of connecting to said sewer lines and for installation, not purchase, of said lines.

Service applicants may be required to comply with any pre-condition to receiving service not printed herein as may exist under TCEQ rule (customer service, health and safety or environmental), USEPA rule, TWDB rule, local regulatory district rule or health department rule. Existing customer shall be required to comply with such rules, including modification of their plumbing and/or consumption patterns, after notice.

The disposal into the utility's sewer collection system of bulk quantities of food or food scraps not previously processed by a grinder or similar garbage disposal unit and grease and oils, except as incidental waste in process or wash water, used in or resulting from food preparation by sewer utility customers engaged in the preparation and/or processing of food for other than domestic consumption for sale to the public shall be prohibited. Specifically included in this prohibition are grease and oils from grease traps to other grease and/or oil storage containers. These substances are defined as "garbage" under Section 361.003 (12) of the Solid Waste Disposal Act, Texas Health and Safety Code, and are not "sewage" as defined by Section 26.001 (7) of the Texas Water Code. The utility only provides "sewage" collection and disposal service to the public. This service is limited to the collection, treatment and disposal of waterborne human waste and waste from domestic activities such as washing, bathing, and food preparation. This service does not include the collection, treatment or disposal of waste of such high BOD or TSS characteristics that it cannot reasonably be processed by the utility's state-approved waste water treatment plant within the

## SECTION 2.20 SPECIFIC UTILITY SERVICE RULES AND REGULATIONS

parameters of the utility's state and federal waste water discharge permits. **THIS SERVICE DOES NOT INCLUDE THE COLLECTION AND DISPOSAL OF STORM WATERS OR RUN OFF WATERS, WHICH MAY NOT BE DIVERTED INTO OR DRAINED INTO THE UTILITY'S COLLECTION SYSTEM.**

Pursuant to Texas Commission on Environmental Quality Rule 291.87(n), the utility may charge for all labor, material, equipment, and other costs necessary to repair to replace all equipment damaged due to service diversion or the discharge of wastes which the system cannot properly treat. This shall include all repair and clean up costs associated with discharges of grease and oils, except as incidental waste in process or wash water, used in or resulting from food preparation by sewer utility customers engaged in the preparation and/or processing of food for other than domestic consumption or for sale to the public discharged from grease traps or other grease and/or oil storage containers. The utility may charge for all costs necessary to correct service diversion or unauthorized taps where there is no equipment damage, including incidents where service is reconnected without authority. The utility may not charge any additional penalty or charge other than actual costs unless such penalty has been expressly approved by the regulatory authority having rate/tariff jurisdiction and filed in the utility's tariff.

Pursuant to Texas Commission on Environmental Quality Rule 291.86(b)(3)(A) and (B), the customer's service line and appurtenances shall be construed in accordance with the laws and regulations of the State of Texas, local plumbing codes, or, in the absence of such local codes, the Uniform Plumbing Code. It shall be the customer's responsibility to maintain the service line and appurtenances in good operating condition, i.e., clear of obstruction, defects, or blockage. If the utility can provide evidence of excessive infiltration or inflow or failure to provide proper pretreatment, the utility may, with the written approval of the TCEQ's executive director, require the customer to repair the line or eliminate the infiltration or inflow or take such actions necessary to correct the problem. If the customer fails to correct the problem within a reasonable time, the utility may disconnect service after proper notice.



In accordance with the requirements of Utility's Wastewater discharge Permit, any and all repairs and maintenance of Utility's lines, tanks, pumps and equipment located on Customer's premises shall be performed exclusively by the Utility.

Copies of the utility's state and federal waste water discharge permits shall be available for public inspection and copying in the utility's business office during normal business hours.

Non-residential customers electing the pretreatment option for sewage with non-standard characteristics may be charged those costs set forth in the utility's extension policy if such pretreatment fails or otherwise causes the utility's facilities to violate their waste-water discharge permits.

## SECTION 2.20 SPECIFIC UTILITY SERVICE RULES AND REGULATIONS

### RESIDENTIAL SINGLE FAMILY GRINDER / SEWAGE STATIONS

Prior to the installation of a grinder / sewage station, the utility must be given a complete listing of all materials and equipment that will be used.

In order to prevent inflow and infiltration, the materials must comply with standard specifications, approved by the TCEQ.

After the utility has approved the proposed grinder / sewage station, the construction may begin. Once the work has been completed, the utility will do an inspection of the grinder / sewage station to ensure the complete installation was as specified.

The customer will retain ownership of receiving tanks or lift stations on the customer's property, and all maintenance, repairs and replacement are the customer's responsibility. The repairs may be performed by anyone selected by the customer, who is competent to perform such repairs. The utility requires that parts and equipment meet the minimum standards approved by the TCEQ, to insure proper and efficient operation of the sewer system.

### MULTI-FAMILY AND COMMERCIAL RECEIVING TANK / LIFT STATIONS

Prior to the installation of a grinder / sewage station, the utility must be given a complete listing of all materials and equipment that will be used, along with the storage for that development.

In order to minimize inflow and infiltration into the collection system, the installation and materials must comply with standard specifications approved by the TCEQ.

After the utility has approved the proposed grinder / sewage station, the construction may begin. Once the work has been completed, the utility will do an inspection of the grinder / sewage station to ensure the complete installation was as specified.

Prior to acceptance of an existing receiving tank or lift station that is being used as an interceptor tank for primary treatment, waste water storage or pump tanks prior to discharge into an alternative or conventional sewage system must be cleaned, inspected, repaired, modified, or replaced if necessary to minimize inflow and infiltration into the collection system.

Existing pumps and tanks must be of adequate size to insure proper pumpage in the event of high flow or if one pump is out of service. If the existing pumps and receiving tanks or lift stations are of inadequate size the utility will not accept liability for backups due to: high flows, one pump out of service, rainfall causing inflow or infiltration, power outages, lack of proper storage capacity, etc.

## SECTION 2.20 SPECIFIC UTILITY SERVICE RULES AND REGULATIONS

If the collection system that discharges into the receiving tank / lift station has an inflow or infiltration problem and collects rainfall discharge, the owner or P.O.A. will correct it within 90 days of written notice from the utility. If no action is taken to correct the problem within 90 days, the utility may take the responsibility to make corrections at the owner's / P.O.A.'s expense. The utility is not responsible for the collection system that discharges into the receiving tank / lift station.

The owner / P.O.A. shall be responsible for the monthly electric bill.

An adequate easement must encompass the receiving tank / lift station by a 15 foot radius and also a 15 foot access easement to the receiving tank / lift station site. If this easement does not exist, one must be created and filed of record.

## SECTION 3.0--EXTENSION POLICY

### Section 3.01--Standard Extension Requirements

LINE EXTENSION AND CONSTRUCTION CHARGES. No contribution in aid of construction may be required of any customer except as provided for in this approved extension policy.

The customer will be given an itemized statement of the costs, options such as rebates to the customer, sharing of construction costs between the utility and the customer, or sharing of costs between the customer and other applicants prior to beginning construction.

The utility will bear the full cost of any oversizing of collection mains necessary to serve other customers in the immediate area. The individual residential customer shall not be charged for any additional treatment capacity or facilities. Contributions in aid of construction may not be required of individual residential customers for treatment capacity or collection facilities unless otherwise approved by the Commission under this specific extension policy.

COST UTILITIES SHALL BEAR. Within its certificate area, the utility will pay the cost of the first 200 feet of any sewer collection line necessary to extend service to an individual residential customer within a platted subdivision. However, if the residential customer requesting service purchased the property after the developer was notified of the need to provide facilities to the utility, the utility may charge for the first 200 feet. The utility must also be able to document that the developer of the subdivision refused to provide facilities compatible with the utility's facilities in accordance with the utility's approved extension policy after receiving a written request from the utility.

Developers may be required to provide contributions in aid of construction in amounts to furnish the system with all facilities necessary to comply with the Texas Commission on Environmental Quality's Rules.

#### SECTION 3.20--SPECIFIC UTILITY EXTENSION POLICY

This section contains the utility's specific extension policy which complies with the requirements already stated under Section 3.01. It must be reviewed and approved by the Commission and in compliance with TCEQ Rules to be effective.

Residential customers not covered under Section 3.01 will be charged the equivalent of the costs of extending service to their property from the nearest collection line even if that line does not have adequate capacity to serve the customer. However, if the customer places unique, non-standard service demands upon the system, the customer may be charged the full cost of extending service to and throughout their property, including the cost of all necessary treatment capacity necessary to meet the service demands anticipated to be created by that property.

Developers will be required to provide contributions in aid of construction in amounts sufficient to furnish the development with all facilities necessary to provide for reasonable local demand requirements and to comply with Texas Commission on Environmental Quality's minimum design criteria for facilities used in collecting, treating, transmitting, and discharging of wastewater effluent. For purposes of this subsection, a developer is one who subdivides or requests more than two connections on a piece of property. Commercial, industrial, and wholesale customers will be treated as developers.

The utility adopts the administrative rules of the Texas Commission on Environmental Quality, as amended from time to time, as its company specific extension policy. These rules will be kept on file at the company's business office for customer inspection during normal business hours.

Non-residential customers generating sewage creating unique or non-standard treatment demands which might reasonably be expected to cause the utility's treatment facilities to operate outside their current waste-water discharge permit parameters may be charged the cost of all studies, engineering plans, permit costs, and collection treatment or discharge facilities construction or modification costs necessary to enable the utility to treat said sewage

within permit limits acceptable to the Texas Commission on Environmental Quality, EPA and other regulatory agencies. In the alternative, the customer may have the option of pre-treating said sewage in such a manner to that it may not reasonably be expected to cause the utility's facilities to operate outside their permit parameters. In such case, the customer shall be required to pay the utility's costs of evaluating such pretreatment processes and cost of obtaining regulatory approval of such pretreatment processes. In the event of the pretreatment facilities of a customer making this election fail and cause the utility's facilities to operate outside their permit parameters, the customer shall indemnify the utility for all costs incurred for clean ups or environmental remediation and all fines, penalties, and costs imposed by regulatory or judicial enforcement actions relating to such permit violations.

### SECTION 3.20--SPECIFIC UTILITY EXTENSION POLICY

Non-residential sewer customers producing water borne waste significantly different from waste generated by residential customers may be required to provide a suitable sampling point at the property line for testing the customer's waste for chemicals or substances, e.g., grease, oils, solvents, pesticides, etc., which can reasonably be believed to have an injurious effect on the Utility's plant and/or its ability to treat and dispose of such wastes within the parameters of the Utility's permit. Utility shall have reasonable access to the sampling point at all times.

Any service extension to a subdivision (recorded or unrecorded) may be subject to the provisions and restrictions of 30 TAC 291.86(d) and this tariff. When a developer wishes to extend the system to prepare to service multiple new connections, the charge shall be the cost of such extension, plus a pro-rata charge based upon the capacities of collection, transmission, storage, treatment and discharge facilities, compliant with the Texas Commission on Environmental Quality minimum design criteria, which must be committed to such extension. As provided by 30 T.A.C. 291.86(d)(4), for purposes of this section, commercial, industrial, and wholesale customers shall be treated as developers.

The imposition of additional extension costs or charges as provided by Sections 2.20 and 3.20 of this tariff shall be subject to appeal as provided in this tariff, TCEQ rules, or the rules of such other regulatory authority as may have jurisdiction over the utility's rates and services. Any applicant required to pay for any costs not specifically set forth in the rate schedule pages of this tariff shall be entitled to a written explanation of such costs prior to payment and/or commencement of construction. If the applicant does not believe that these costs are reasonable or necessary, the applicant shall have the right to appeal such costs to the TCEQ or such other regulatory authority having jurisdiction over the utility's rates in that portion of the utility's service area in which the applicant's property(ies) is located. Unless the TCEQ or other regulatory authority enters interlocutory orders to the contrary, service to the applicant may be delayed until such appeal is resolved.

The Utility will provide a written service application form to the applicant for each request for service received by the Utility's business offices. A separate application shall be required for each potential service location if more than one service connection is desired by any individual applicant. Service applications forms will be available for applicant pick up at the Utility's

business office during normal weekday business hours. Service applications will be sent by prepaid first class United States mail to the address provided by the applicant upon request. Completed applications should be returned by hand delivery in case there are questions which might delay fulfilling the service request. Completed service applications may be submitted by mail if hand delivery is not possible.

The Utility shall serve each qualified service applicant within its certificated service area as soon as practical after receiving a completed service application. All service requests will be fulfilled within the time limits prescribed by TCEQ rules once the applicant has met all conditions precedent to achieving "qualified service applicant" status. If a service request cannot be fulfilled within the required period, the applicant shall be notified in writing of the delay, its cause and the anticipated date that service will be available. The TCEQ service dates shall not become applicable until the service applicant has met all conditions precedent to becoming a "qualified service applicant" as defined herein or by TCEQ rules.

### SECTION 3.20--SPECIFIC UTILITY EXTENSION POLICY

The Utility is not required to extend service to any applicant outside of its certificated service area and will only do so, at the Utility's sole option, under terms and conditions mutually agreeable to the Utility and the applicant and upon extension of the Utility's certificated service area boundaries by the TCEQ. Service applicants may be required to bear the cost of the service area amendment.

A "qualified service applicant" is an applicant who has: (1) met all of the Utility's requirements of service contained in this tariff, TCEQ rules and/or TCEQ order, (2) has made all payments for tap fees and extension charges, (3) has provided all necessary easements and rights-of-way necessary to provide service to the requested location, including staking said easements or rights-of-way where necessary, and (4) has executed a customer service application for each location to which service is being requested.

Where a new tap or service connection is required, the service applicant shall be required to submit a written service application and request that a tap be made. The tap request must be accompanied with a plat, map, diagram or written metes and bounds description of precisely where the applicant desires each tap or service connection is to be made and, if necessary, where the connection is to be installed, along the applicant's property line. The actual point of connection must be readily accessible to Utility personnel for inspection, servicing and testing while being reasonably secure from damage by vehicles and mowers. If the Utility has more than one main adjacent to the service applicant's property, the tap or service connection will be made to the Utility's near service main with adequate capacity to service the applicant's full potential service demand. If the tap or service connection cannot be made at the applicant's desired location, it will be made at another location mutually acceptable to the applicant and the Utility. If no agreement on location can be made, applicant may refer the matter to the TCEQ for resolution. Unless otherwise ordered by the TCEQ, the tap or service connection will not be made until the location dispute is resolved.

The Utility shall require a developer (as defined by TCEQ rule) to provide permanent recorded public utility easements as a condition of service to any location within the developer's

property. The Developer shall be required to obtain all necessary easements and rights-of-way required to extend the Utility's existing service facilities from their nearest point with adequate service capacity (as prescribed by TCEQ rules and local service conditions) to and throughout the Developer's property. The easements shall be sufficient to allow the construction, installation, repair, maintenance, testing, and replacement of any and all utility plant necessary to provide continuous and adequate service to each and every potential service location within the property at full occupancy. Unless otherwise restricted by law, sewage treatment, holding tank sites, lift station sites shall convey with all permanent easements and buffers required by TCEQ rules. Unless otherwise agreed to by the Utility, pipe line right-of-way easements must be at least 15 feet wide to allow adequate room to

### SECTION 3.20--SPECIFIC UTILITY EXTENSION POLICY

facilitate backhoe and other heavy equipment operation and meters. Easements must be provided for all storage, treatment, pressurization and disposal sites which are sufficient to construct and maintain all weather roads as prescribed by TCEQ rules. All easements shall be evidenced, at Developer's expense, by recorded county-approved subdivision plat or by specific assignment supported by metes and bounds survey from a surveyor licensed by the State of Texas.

Prior to the extension of utility service to developers (as defined by TCEQ rules) or new subdivisions, the Developer shall comply with the following:

(a) The Developer shall make a written request for service to property that is to be subdivided and developed. The Developer shall submit to the Utility a proposed plat on a scale of one inch (1") to two hundred feet (200') for review and determination of required easements, utility plant, and plant location. If sewer service is requested, the plat must contain elevation data. A reconcilable deposit in an amount set by the Utility may be required to cover preliminary engineering, legal and copy cost to be incurred by the Utility in reviewing and planning to meet this service request. The plat and/or accompanying information shall identify the type, location and number of houses and other planned structures that will be requiring utility service. If other than residential structures are to be located on the property, all other types of anticipated businesses and their service demands shall be identified with specificity. All areas requiring special irrigation and/or other unique water demands must be identified. To the extent reasonably possible, this information must be precise so that adequate facilities can be designed and constructed to meet all future service demands without hazard to the public, other utility customers and/or the environment.

(b) After the requirements of easements and rights-of-way have been determined, a red line copy will be returned by the Utility to the Developer for final plat preparation.

(c) Copies of all proposed plats and plans must be submitted to the Utility prior to their submission to the county for approval to insure that they are

101

compatible with the adequate long-term utility needs of potential service customers. Copies will be returned after review by the Utility so that necessary changes may be incorporated into the Developer's final submitted plat(s) and plans.

(d) The Utility shall be provided with three (3) certified copies of the final plat(s) approved by the County Commissioners Court. At this time, the Utility will begin engineering the facilities necessary to serve the property. Plans and specifications will be prepared and submitted to the TCEQ by the Utility if required by law. If further plat or plans changes are necessary to accommodate the specific service needs of the property and the anticipated customer demands, the Developer will be so notified. Plat amendments must be obtained by the Developer. The Developer shall be notified when all required TCEQ or other governmental approvals or permits have been received. No construction of utility plant which requires prior TCEQ plans approval shall be commenced until that approval has been received by the Utility and any conditions imposed by the TCEQ in association with its approvals have been satisfied.

(e) The Developer shall be required to post bond or escrow the funds necessary to construct all required utility plant, except individual sewer connections, required to serve the property. Construction shall not commence until funds are available. If the construction is to be done in coordination with the phased development of the property, funds must be provided in advance which are sufficient to complete each phase. No phase or facilities for any phase shall be constructed prior to the bonding or escrowing of all funds associated with that phase.

(f) At the sole option of the Utility, the Developer may be required to execute a Developer Extension Contract setting forth all terms and conditions of extending service to their property including all contributions-in-aid of construction and developer reimbursements, if any.

(g) The Utility may require the Developer to commence construction of subdivision improvements within three (3) months of utility plans approval or the Utility may abate its construction activities until full development construction begins. If the Developer stops construction of subdivision improvements for any purpose, the Utility may abate its construction for a similar period.

(h) As soon as the roads are rough cut and prior to paving, extension lines will need to be constructed at each road crossing. The Developer must notify the Utility sufficiently in advance of this development stage to allow for the necessary utility construction without disruption to other service operations of the Utility. Failure to provide adequate advance notice and cooperation in the construction of necessary utility plant may result in additional delays in obtaining service to the property. The Developer shall be required to pay for all additional costs of road boring or other remedial construction necessary to install adequate utility plant throughout the affected property.

### SECTION 3.20--SPECIFIC UTILITY EXTENSION POLICY

Within its certificated area, the Utility shall bear the cost of the first 200 feet of any water main or sewer collection line necessary to extend service to an individual residential service applicant within a platted subdivision unless the Utility can document:

(a) that the developer of the subdivision refused to provide facilities compatible with the utility's facilities in accordance with the Utility's approved extension policy after receiving a written request from the Utility; or,

(b) that the Developer defaulted on the terms and conditions of a written agreement or contract existing between the utility and the developer or the terms of this tariff regarding payment for services, extensions, or other requirements; or in the event the Developer declared bankruptcy and was therefore unable to meet obligations; and,

(c) that the residential service applicant purchased the property from the Developer after the Developer was notified of the need to provide facilities to the utility. A residential service applicant may be charged the remaining costs of extending service to his property; provided, however, that the residential service applicant may only be required to pay the cost equivalent to the cost of extending the nearest water main or wastewater collection line, whether or not that line has adequate capacity to serve that residential service applicant. The following criteria shall be considered to determine the residential service applicant's cost for extending service:

(a) the residential service applicant shall not be required to pay for costs of main extensions greater than 2" in diameter for pressure wastewater collection lines and 6" in diameter for gravity wastewater lines.

(b) Exceptions may be granted by the TCEQ Executive Director if:

(1) adequate service cannot be provided to the applicant using the maximum line sizes listed due to distance or elevation, in which case, it shall be the utility's burden to justify that a larger diameter pipe is required for adequate service;

(2) larger minimum line sizes are required under subdivision platting requirements or applicable building codes.

(c) If an exception is granted, the Utility shall establish a proportional cost plan for the specific extension or a rebate plan which may be limited to seven years to return the portion of the applicant's costs for oversizing as new customers are added to ensure that future applicants for service on the line pay at least as much as the initial service applicant.

For purposes of determining the costs that service applicants shall pay, commercial customers with service demands greater than residential customer demands in the certificated area, industrial, and wholesale customers shall be treated as developers.



**DOUGLAS UTILITY COMPANY**  
32 E Rivercrest Dr., Houston, Texas 77042  
(713) 783-4553

## **CONTRACT/APPLICATION FOR UTILITY SERVICE**

All utility services to be provided hereunder shall be subject to all terms and conditions of Utility's state-approved tariff(s) and the rules of the Texas Commission on Environmental Quality ("TCEQ")

This Contract/Application for Utility Service ("Contract/Application") is by and between DOUGLAS UTILITY COMPANY, a Texas corporation, ("Utility") and the applicant ("Customer" or "Applicant") whose name and signature is shown below at the end of this document.

**CUSTOMER LIABILITY:** Customer shall be liable for any damage or injury to Utility-owned property or personnel by the customer or others under his control. Customer agrees to take no action to create a health or safety hazard or otherwise endanger, injure, damage or threaten Utility's plant, its personnel, or its customers.

**LIMITATION ON UTILITY'S PRODUCT/SERVICE LIABILITY:** Public water utilities are required to deliver water to the customer's side of the meter or service connection which meets the potability and pressure standards of the TCEQ. Utility will not accept liability for any injury or damage occurring on the customer's side of the meter. Utility will not accept liability for injuries or damages to persons or property due to disruption of water service caused by: (1) acts of God, (2) acts of third parties not subject to the control of Utility, (3) electrical power failures, or (4) termination of water service pursuant to Utility's tariff and the TCEQ rules.

**FIRE PROTECTION:** Utility is not required by law and does not provide fire prevention or fire fighting services. Utility therefore does not accept liability for fire-related injuries or damages to persons or property caused or aggravated by the availability (or lack thereof) of water or water pressure (or lack thereof) during fire emergencies.

**PLUMBING CODE:** Utility has adopted the Southern Plumbing Code. Utility has further adopted its own specific plumbing rules contained in its tariff. Any extensions and/or new facilities shall comply with that code and all standards established by the TCEQ. Where conflicts arise, the more stringent standard must be followed. The piping and other equipment on the premises furnished by the Customer will be maintained by the Customer at all times in conformity with the requirements of the applicable regulatory authorities and all tariffed service rules of Utility. No other water service will be used by the Customer on the same property in conjunction with Utility's service, either by means of a cross-over valve or any other connection. Customer shall not connect, or allow any other person or party to connect, onto any water lines on his premises.

The following undesirable plumbing practices are prohibited by state regulations. Other prohibitions are found in the Southern Plumbing Code and/or Utility's tariff.

- A. No direct connection between the public drinking water supply and a potential source of contamination is permitted. Potential sources of contamination shall be isolated from the public drinking water system by an air-gap only.
- B. No cross-connection between the public drinking water supply and a private water system is permitted. These potential threats to the public drinking water supply shall be eliminated at the service connection by the installation of an air-gap only.
- C. No connection that allows water to return to the public drinking water supply is permitted.
- D. No pipe or pipe fitting which contains more than 8.0% lead may be used for the installation or repair of plumbing at any connection that provides water for human use.
- E. No solder or flux that contains more than 0.2% lead can be used for the installation or repair of plumbing of any connection that provides water for human use.

104

**RIGHT OF ACCESS AND EASEMENTS:** Utility will have the right of access and use of the Customer's premises at all reasonable times for the purpose of installing, inspecting or repairing water mains or other equipment used in connection with its provision of water service, or for the purpose of removing its property and disconnecting lines, and for all other purposes necessary to the operation of Utility's system. If the property to be served does not have dedicated, recorded public utility easements available for Utility's use in providing water utility service to the property, the Applicant (or the Applicant's landlord in the case of a tenant applicant) shall be required to provide Utility with a recorded permanent easement as a condition of service. Such easement shall be in a location acceptable to Utility and shall be for a corridor no less than fifteen (15) feet in width.

**LANDLORD GUARANTEE:** Applications by tenants must be countersigned by the tcc owner of the property. By signing the application, the landlord grants all required rights of access and easements.

**PLUMBING INSPECTION:** State law requires applicants for service at new consuming facilities or facilities which have undergone extensive plumbing modifications to deliver to Utility a certificate that their facilities have been inspected by a state-licensed inspector and that they are free of cross-connections and potential hazards to public health and safety. When potential sources of contamination are identified that require the installation of a backflow prevention device, such backflow flow prevention device shall be installed, tested and maintained at the customer's expense.

**SEWER REGULATIONS:** *(only if sewer service provided)* The utility only provides "sewage" collection and disposal service to the public. This service is limited to the collection, treatment and disposal of waterborne human waste and waste from domestic activities such as washing, bathing, and food preparation. This service does not include the collection, treatment or disposal of waste of such high BOD or TSS characteristics that it cannot reasonably be processed by the utility's state-approved wastewater treatment plant within the parameters of the utility's wastewater discharge permit. **THIS SERVICE DOES NOT INCLUDE THE COLLECTION AND DISPOSAL OF STORM WATERS OR RUN OFF WATERS, WHICH MAY NOT BE DIVERTED INTO OR DRAINED INTO THE UTILITY'S COLLECTION SYSTEM. NO GREASE, OIL, SOLVENT, PAINT, OR OTHER TOXIC CHEMICAL COMPOUND MAY BE DIVERTED INTO OR DRAINED INTO THE UTILITY'S COLLECTION SYSTEM.** It shall be the customer's responsibility to maintain the service line and appurtenances in good operating condition, i.e., clear of obstruction, defects, or blockage. If there is excessive, infiltration or inflow or failure to provide proper pretreatment, the utility may require the customer to repair the line or eliminate the infiltration or inflow or take such actions necessary to correct the problem.

**CUSTOMER AGREEMENT:** By signing this application for public utility service, I agree to comply with utility's rules and tariff and all rules and regulations of applicable regulatory agencies. I guarantee prompt payment of all utility bills for the service address printed above. I will remain responsible for utility bills until the day service is terminated at my request. I agree to take no action to create a health hazard or otherwise endanger, injure, damage or threaten utility's plant, its personnel, or its customers. I agree to put no unsafe, non-domestic service demands on utility's system without notice to and permission from utility.

1. Name of applicant\*: \_\_\_\_\_  
Applicant is: Landowner \_\_\_\_\_ Tenant \_\_\_\_\_  
Driver Lic. # \_\_\_\_\_ SS# \_\_\_\_\_

\* This is the person or other entity in whose name service will be rendered and who will responsible of all service and other bills unless otherwise indicated in No. 10 and signatures blocks below.

2. Address or location of requested service. (Attach plat or drawing if new development):

Subdivision: \_\_\_\_\_ Block: \_\_\_\_\_ Lot: \_\_\_\_\_

3. Type of service: Water \_\_\_\_\_ Sewer\*\* \_\_\_\_\_ Both\*\* \_\_\_\_\_  
residential \_\_\_\_\_ permanent \_\_\_\_\_  
commercial \_\_\_\_\_ temporary \_\_\_\_\_  
industrial \_\_\_\_\_ temporary service termination \_\_\_\_\_  
developer \_\_\_\_\_ date: \_\_\_\_\_

105

4. Purpose for which water is to be used: Residential \_\_\_\_\_ Other \_\_\_\_\_  
(Explain) \_\_\_\_\_

List all toxic or hazardous chemicals to be used at service location excluding normal domestic cleaning agents typically used in a home or office:\*\*  
\_\_\_\_\_

6. Will any waste generated at this service location require special treatment?\*\*  
yes \_\_\_\_\_ no \_\_\_\_\_ What type \_\_\_\_\_  
Why is special treatment needed \_\_\_\_\_

7. Will service location have food grinder, grease trap or grinder pump for force main service?\*\*  
yes \_\_\_\_\_ no \_\_\_\_\_ type \_\_\_\_\_

8. Water volume and pressure requirements (to be completed by other than residential applicant):  
Gallons: Annual \_\_\_\_\_ highest day \_\_\_\_\_  
Pressure required: Low \_\_\_\_\_ Average \_\_\_\_\_ High \_\_\_\_\_  
Special service requirements: \_\_\_\_\_

9. Will a deposit be paid? yes \_\_\_\_\_ no \_\_\_\_\_  
If no deposit, reason for exemption. \_\_\_\_\_

10. Person responsible for utility service bills (if not the applicant named above):  
Name: \_\_\_\_\_  
Relationship to Applicant: \_\_\_\_\_  
Drivers Lic. # \_\_\_\_\_ SS # \_\_\_\_\_  
Telephone (\_\_\_\_) \_\_\_\_ - \_\_\_\_\_ Home \_\_\_\_\_ Business \_\_\_\_\_  
Billing address if different from service location address.  
\_\_\_\_\_

11. Date of application: \_\_\_\_\_ Date to begin service: \_\_\_\_\_

12. Is public utility easement required? yes \_\_\_\_\_ no \_\_\_\_\_ Recording date: \_\_\_\_\_  
Recording information: Vol. \_\_\_\_\_ Page \_\_\_\_\_, Plat/Real Property Records of \_\_\_\_\_ County, TX

\*\* only if sewer service is provided

**APPLICANT**

\_\_\_\_\_

BY: \_\_\_\_\_, Title \_\_\_\_\_  
(To be signed by the person applying for service)

**LANDLORD**

BY: \_\_\_\_\_, Title \_\_\_\_\_  
(By signing, the landlord grants all required rights of access to the Utility. Landlord must sign if the applicant is a tenant.)

**GUARANTOR or ALTERNATE BILL PAYER in No. 10 above**

BY: \_\_\_\_\_, Title \_\_\_\_\_  
*(By signing, guarantor guarantees payment for all water utility charges, related fees and damage caused by applicant.)*

**UTILITY**

BY: \_\_\_\_\_                      \_\_\_\_\_  
Utility Representative              Acceptance Date

July 26, 2010

**CERTIFIED MAIL #7006 0100 0001 9938 3009  
RETURN RECEIPT REQUESTED**

Mr. Herbert Zieben, Owner  
Douglas Utility Company  
5326W. Belfort Street, Suite 120  
Houston, Texas 77035-3036

Re: Notice of Violation for the Compliance Evaluation Investigation at:  
Fountainview Subdivision, 5619 Aldine Bender, Harris County, Texas  
TCEQ ID No. 1010127, Investigation No. 827660660

Dear Mr. Zieben:

On May 27, 2010, Mr. Huyen D. Luu, P.E. of the Texas Commission on Environmental Quality (TCEQ) Houston Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with the applicable requirements for public water supply systems. Enclosed is a summary which lists the investigation findings. During the investigation, the investigator resolved 3 apparent instances of noncompliances noted during the previous investigation dated January 30, 2006. In addition, other outstanding alleged violations were identified for which compliance documentation is required. Please submit to this office by January 31, 2011, a written description of the corrective action taken and the required documentation demonstrating that compliance has been achieved for these outstanding alleged violations.

The TCEQ appreciates your assistance in this matter. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements. We anticipate that you will resolve the alleged violations as required in order to protect the State's environment.

If you have additional information that we are unaware of, you have the opportunity to contest the violations documented in this notice. Should you choose to do so, you must notify the Houston Region Office within 10 days from the date of this letter. At that time, Leticia De Leon, Team Leader, will schedule a violation review meeting to be conducted *within 21 days from the date of this letter OR specified date at specific time*. However, please be advised that if you decide to participate in the violation review process, the TCEQ may still require you to adhere to the compliance schedule included in the attached Summary of Investigation Findings until an official decision is made regarding the status of the contested violations.

Mr. Herbert Zieben, Owner  
Page 2  
July 26, 2010

If you or members of your staff have any questions, please feel free to contact Mr. Huyen D. Luu  
in the Houston Region Office at 713/767-3650

Sincerely,

Leticia De Leon, Team Leader  
Public Water Supply  
Houston Region Office

LD/HDL/ra

cc: Harris County Public Health and Environmental Services

Enclosure: Summary of Investigation Findings  
Well plugging report

109

## Summary of Investigation Findings

FOUNTAINVIEW SUBDIVISION  
5619 ALDINE BENDER RD  
HOUSTON, HARRIS COUNTY, TX 77032

Investigation # 827660

Investigation Date: 05/27/2010

Additional ID(s): 1010127

### OUTSTANDING ALLEGED VIOLATION(S) ASSOCIATED TO A NOTICE OF VIOLATION

Track No: 44201 Compliance Due Date: 10/20/2010

30 TAC Chapter 290.45(g)(2)(B)

30 TAC Chapter 291.93(3)

#### Alleged Violation:

Investigation: 60137

Comment Date: 05/19/2003

#### Adequacy of Water Utility Service

Failure, by a retail public utility that possesses a certificate of public convenience and necessity that has reached 85% of its capacity as compared to the most restrictive criteria of the commission's minimum capacity requirements in Chapter 290 T.A.C., to submit to the executive director a planning report that clearly explains how the retail public utility will provide the expected service demands to the remaining areas within the boundaries of its certificated area. A report is not required if the source of supply available to the utility service provider is reduced to below the 85% level due to a court or agency conservation order unless that order is expected to extend for more than 18 months from the date it is entered in which case a report shall be required.

(A) After any commission field inspection, a retail public utility must analyze the system's capacity to determine if it has reached 85% of its capacity. If the retail public utility has reached 85% of its capacity, it must file this report no later than 90 days after the date of a commission letter detailing the results of the inspection. Capacity is considered to be the overall rated capacity in number of residential connection equivalents based on the most restrictive criteria for production, treatment, storage, or pumping. At the time of the investigation the system pressure tank is at 100% and the ground storage is at 93% of its capacity.

(B) The report should be submitted in writing and should contain the following:

(i) a brief description of the overall utility system and service area;

(ii) an analysis of the plant capacity as defined in subparagraph (A) of this paragraph;

(iii) details on how the retail public utility will provide service to the remaining areas within the boundaries of its certificated area. This includes projections of cost and expected design and installation dates for additional facilities.

(C) The executive director may waive or limit the reporting requirements if the retail public utility demonstrates that the projected growth of the area will not require the retail public utility to exceed 100% of its current capacity for the next five years.

(D) Any retail public utility required to file reports under this section of the rules, including those requesting waivers, shall file updated reports within 90 days after the retail public utility receives a copy of each subsequent commission field inspection report until the system demand is below 85% capacity.

Investigation: 453823

Comment Date: 03/16/2006

Failure to submit an 85% planning report.

Specifically, it is noted that your ground storage tanks have reached 108 % of its capacity.  
Specifically, it is noted that your pressure tanks have reached 121 % of its capacity.

This is calculated by the following:

181000 gallons, the required ground storage / 168000 gallons, the provided ground storage  
capacity= 108 % ground storage capacity

18100 gallons, the required pressure tank / 15000 gallons, the provided pressure tank = 121  
% pressure tank capacity

Investigation: 616654

Comment Date: 01/31/2008

Failure to provide an 85% planning report addressing the ground storage and pressure tank  
capacities reaching 85% of their capacity.

Please be advised that you are responsible for correcting this remaining violation.

Investigation: 827660

Comment Date: 07/13/2010

#### Adequacy of Water Utility Service

Failure, by a retail public utility that possesses a certificate of public convenience and  
necessity that has reached 85% of its capacity as compared to the most restrictive criteria of  
the commission's minimum capacity requirements in Chapter 290 T.A.C., to submit to the  
executive director a planning report that clearly explains how the retail public utility will  
provide the expected service demands to the remaining areas within the boundaries of its  
certificated area. A report is not required if the source of supply available to the utility service  
provider is reduced to below the 85% level due to a court or agency conservation order unless  
that order is expected to extend for more than 18 months from the date it is entered in which  
case a report shall be required.

(A) After any commission field inspection, a retail public utility must analyze the system's  
capacity to determine if it has reached 85% of its capacity. If the retail public utility has  
reached 85% of its capacity, it must file this report no later than 90 days after the date of a  
commission letter detailing the results of the inspection. Capacity is considered to be the  
overall rated capacity in number of residential connection equivalents based on the most  
restrictive criteria for production, treatment, storage, or pumping.

(B) The report should be submitted in writing and should contain the following:

(i) a brief description of the overall utility system and service area;

(ii) an analysis of the plant capacity as defined in subparagraph (A) of this paragraph;

(iii) details on how the retail public utility will provide service to the remaining areas within the  
boundaries of its certificated area. This includes projections of cost and expected design and  
installation dates for additional facilities.

(C) The executive director may waive or limit the reporting requirements if the retail public  
utility demonstrates that the projected growth of the area will not require the retail public utility  
to exceed 100% of its current capacity for the next five years.

(D) Any retail public utility required to file reports under this section of the rules, including  
those requesting waivers, shall file updated reports within 90 days after the retail public utility  
receives a copy of each subsequent commission field inspection report until the system  
demand is below 85% capacity.

In this connection, it was noted on this investigation that your ground storage tank has  
reached 85% , pressure tank has reached 90% and well capacity has reached 100% of their  
capacity. This was based on 908 connections.

Compliance Documentation: Submit a planning report within 90 days to TCEQ, Water Supply  
Division, Public Drinking Water Section, Technical Review & Oversight, MC 155, P.O. Box  
13087, Austin, TX 78711-3087; phone number (512) 239-4798.

**Recommended Corrective Action:** Submit the planning report within 90 days to verify  
compliance.



Track No: 405567 Compliance Due Date: 01/20/2010  
 30 TAC Chapter 290.45(b)(1)(D)(i)

**Alleged Violation:**

Investigation: 827660

Comment Date: 07/14/2010

**Capacity Requirements**

Failure to provide a minimum total well capacity of 0.6 gallons per minute per connection. Systems with 250 connections or more must provide two or more wells or an approved emergency interconnection which can supply at least 0.35 gallons per minute per connection in the combined system under emergency conditions.

At the time of the inspection the facility had a total of 908 active connections and is required to provide 0.6 gallons per minute (gpm) per connection (conn). Your well produced a total of 540 gpm and is short a total of 4 gpm. This is calculated in the following manner:

Required 0.6gpm /conn X 908 conn. = 544 gpm Total  
 Short 544 gpm Required - 540 gpm Produced = 4 gpm Total

Also, it was noted during the investigation that the water system does not have interconnection with any other public water system. Well No. 2 at Plant No. 2 (Aldine Bender) is inoperable. If the water well at Plant No.1 is out, the only operable well at Plant No. 2 (well # 1) will not be able to provide at least 0.35 gallons per connection.

Your water system must be modified to meet these requirements to assure an adequate supply of water at all times.

Please be advised that public water systems shall notify the executive director prior to making any significant change or addition to the systems production, treatment, storage, or distribution facilities. Public water systems shall submit plans and specifications for the proposed changes upon request.

The water system may request an exception to these requirements by writing to TCEQ, Water Supply Division, Public Drinking Water Section, Technical Review & Oversight, MC 155, P.O. Box 13087, Austin, TX 78711-3087; phone: (512) 239-4798.

**Recommended Corrective Action:** Submit a compliance plan, engineering report or certification OR a copy of a letter requesting an exception in addition to a compliance plan for final compliance, OR a copy of a letter granting an exception to verify compliance.

Track No: 405572 Compliance Due Date: 01/31/2011  
 30 TAC Chapter 290.46(m)

**Alleged Violation:**

Investigation: 827660

Comment Date: 07/13/2010

**Operating Practices for Public Water Systems**

Failure to properly maintain the regulated entity by not:

1. cleaning and repainting the pressure tank at Plant No. 1.
2. removing the peeling paint from the ground storage tank at Plant No. 1.

**Recommended Corrective Action:** Submit photo or work orders showing that the pressure tank has been cleaned and repainted, and peeling paint from the ground storage tank at plant 1 has been removed.

**ALLEGED VIOLATION(S) NOTED AND RESOLVED  
 ASSOCIATED TO A NOTICE OF VIOLATION**

Track No: 44195

Summary of Investigation Findings

112

**Alleged Violation:**

Investigation: 60137

Comment Date: 05/19/2003

**Design and Construction of Pressure Tanks**

Failure to inspect the pressure tanks annually, to determine that the pressure release device and pressure gauge are working properly, the air-water ratio is being maintained at the proper level, the exterior coating systems are continuing to provide adequate protection to all metal surfaces, and that the tank remains in a watertight condition. Pressure tanks provided with an inspection port must have the interior surface inspected every five years.

The results of these inspections must be recorded and maintained for at least five years, per §290.46(f)(3)(D)(ii). The records must be available for review by Commission staff during annual sanitary surveys of the system.

Investigation: 453823

Comment Date: 03/16/2006

**Capacity Requirements**

Failure to meet this Agency's Minimum Water System Capacity Requirements. These requirements include:

an elevated storage capacity of 100 gallons per connection or a pressure tank capacity of 20 gallons per connection must be provided.

At the time of the investigation the entity provided a pressure tank capacity of 17 gals/connections, based on 905 connections.

This is calculated by the following:  $15000 \text{ gals}/905\text{conn} = 17 \text{ gals/conn}$   
The entity is short 3 gals/conn and 3100 gals of ground storage capacity  
 $20 \text{ gals/conn required} - 17 \text{ gals/conn provided} = 3 \text{ gals/conn}$   
 $18100 \text{ gals required} - 15000 \text{ gals provided} = 3100 \text{ gals}$

Your water system must be modified to meet this requirement to assure an adequate supply of water at all times.

Please be advised that public water systems shall notify the executive director prior to making any significant change or addition to the system's production, treatment, storage, or distribution facilities. Public water systems shall submit plans and specifications for the proposed changes upon request.

The water system may request an exception to this requirement by writing to TCEQ, Water Supply Division, Public Drinking Water Section, Technical Review & Oversight, MC 155, P.O. Box 13087, Austin, TX 78711-3087; phone: (512) 239-4798.

Investigation: 616654

Comment Date: 01/31/2008

Failure to provide a pressure tank capacity of 20 gallons per connection.

Please be advised that you are responsible for correcting this remaining violation.

Investigation: 827660

Comment Date: 07/12/2010

Failure to provide a pressure tank capacity of 20 gallons per connection.

**Recommended Corrective Action:** Submit a compliance plan, engineering report or certification OR a copy of a letter requesting an exception in addition to a compliance plan for final compliance, OR a copy of a letter granting an exception to verify compliance.

**Resolution:** With 908 connections, pressure tank capacity requirement for the system is 18,160 gallons. At the time of the investigation, the system has 2 pressure tanks with total capacity of 20,000 gallons. The violation is resolved.

Track No: 231246

30 TAC Chapter 290.45(b)(1)(D)(ii)

Summary of Investigation Findings

**Alleged Violation:**

Investigation: 453823

Comment Date: 03/15/2006

**Capacity Requirements**

Failure to meet this Agency's Minimum Water System Capacity Requirements. These requirements include:

total storage capacity of 200 gallons per connection.

At the time of the investigation the entity provided a total storage capacity of 186 gals/connections, based on 905 connections.

This is calculated by the following:  $168000 \text{ gals} / 905 \text{ conn} = 186 \text{ gals/conn}$   
The entity is short 14 gals/conn and 13000 gals of ground storage capacity  
 $200 \text{ gals/conn required} - 175 \text{ gals/conn provided} = 14 \text{ gals/conn}$   
 $181000 \text{ gals required} - 168000 \text{ gals provided} = 13000 \text{ gals}$

Your water system must be modified to meet this requirement to assure an adequate supply of water at all times.

Please be advised that public water systems shall notify the executive director prior to making any significant change or addition to the system's production, treatment, storage, or distribution facilities. Public water systems shall submit plans and specifications for the proposed changes upon request.

The water system may request an exception to this requirement by writing to TCEQ, Water Supply Division, Public Drinking Water Section, Technical Review & Oversight, MC 155, P.O. Box 13087, Austin, TX 78711-3087; phone: (512) 239-4798.

Investigation: 616654

Comment Date: 01/31/2008

Failure to provide a total storage capacity of 200 gallons per connection.

Please be advised that you are responsible for correcting this remaining violation.

Investigation: 827660

Comment Date: 07/12/2010

Failure to provide a total storage capacity of 200 gallons per connection.

**Recommended Corrective Action:** Submit a compliance plan, engineering report or certification OR a copy of a letter requesting an exception in addition to a compliance plan for final compliance, OR a copy of a letter granting an exception to verify compliance.

**Resolution:** With 908 connections, ground storage capacity requirement for the system is 181,600 gallons. At the time of the investigation, the system has three ground storage tanks with total capacity of 213, 000 gallons. The violation is resolved.

---

**Track No:** 231426**30 TAC Chapter 290.46(m)****Alleged Violation:**

Investigation: 453823

Comment Date: 03/16/2006

**Operating Practices for Public Water Systems**

Failure to properly maintain the regulated entity by not removing the pressure tank and ground storage tank at Plant 1.

It was noted that the ground storage tank and pressure tank located at Plant 1 had not been in service since 1999. These pressure and storage facilities need to be removed from the plant.

Investigation: 616654

Comment Date: 01/31/2008

Failure to properly maintain the regulated entity by not removing the pressure tank and ground storage tank at Plant 1 that are not in service.

**Summary of Investigation Findings**

Please be advised that you are responsible for correcting this remaining violation.  
Investigation: 827660 Comment Date: 07/12/2010

Failure to properly maintain the regulated entity by not removing the pressure tank and ground storage tank at Plant 1 that are not in service.

**Recommended Corrective Action:** Submit a photo, invoice, receipt, or work order showing that the out of service pressure tank and ground storage tank at Plant 1 have been removed to verify compliance.

**Resolution:** The unused ground storage tank and pressure tank at plant # 1 have been removed. This violation is resolved.

**ADDITIONAL ISSUES**

**Description**

Other violations noted during the investigation? (If non-compliant then describe violation in the comment section.)

**Additional Comments**

30 TEX. ADMIN. CODE, '290.46(u)  
Abandoned Wells  
Failure to plug an inoperable public water supply well (well#2 At plant #2) owned by the system, with cement according to 16 TAC Chapter 76 (relating to Water Well Drillers and Water Well Pump Installers). This issue shall be treated as an Additional Issue and notice sent to the Well Drills Board of the abandoned well in accordance with agency policy.  
We have enclosed a copy of the plugging report which must be submitted when the operation has been completed.

User: Chip Callegari, Permittee User



View Certification | Download COR | View COR Signature | Download COR Sig. Public Key

DMR Copy of Record

Permit

Permit #: TX0031461

Major:

Permitted Feature: 001 External Outfall

Report Dates & Status

Monitoring Period: From 09/01/12 to 09/30/12

Considerations for Form Completion

FOR TKN SEE OTHER REQUIREMENT NO. 4, PAGE 31 OF PERMIT.

Principal/ Executive Officer

First Name:

Last Name:

No Data Indicator (NODI)

Form NODI: --

Permittee: DOUGLAS UTILITY COMPANY  
 Permittee Address: 1M1 W HWY 59/0.45 W LEE RD HOUSTON, TX 77032  
 Facility: FOUNTAINVIEW WWTF  
 Facility Location: 1M W HWY 55 & APPROX 0.45M W OF LEE RD HOUSTON, TX 77032

Discharge: 001-A DOMESTIC FACILITY - 001  
 DMR Due Date: 10/20/12  
 Status: NetDMR Validated

Title: Telephone:

Parameter Code	Name	Monitoring Location	Season #	Param. NODI	Quantity or Loading			Quality or Concentration			# of Ex.	Frequency of Analysis	Sample Type	
					Qualifier 1	Value 1	Qualifier 2	Value 2	Qualifier 3	Value 3				
00300	Oxygen, dissolved (DO)	1 - Effluent Gross	0	--	Qualifier 1	6.01	=		Qualifier 2	19 - mg/L		19	01/07 - Weekly	GR - GRAB
					Value NODI		Qualifier 3	4 MO MIN	>=		Qualifier 2	19 - mg/L	0	0
00400	pH	1 - Effluent Gross	0	--	Qualifier 1	7.48	=		Qualifier 2	12 - SU		12	01/07 - Weekly	GR - GRAB
					Value NODI		Qualifier 3	6 MINIMUM	>=		Qualifier 2	MAXIMUM	0	0
00530	Solids, total suspended	1 - Effluent Gross	0	--	Qualifier 1	0.8	=		Qualifier 2	26 - lb/d		26	01/07 - Weekly	GR - GRAB
					Value NODI		Qualifier 3	48 DAILY AV	<=		Qualifier 2	15 DAILY AV	60	0

Code	Parameter Name	Monitoring Location	Season #	Param. NODI	Quantity or Loading			Quality or Concentration			# of Ex. Analysis	Frequency of Sample Type
					Qualifier 1	Value 1	Units 1	Qualifier 2	Value 2	Units 2		
00610	Nitrogen, ammonia total (as N)	1 - Effluent Gross	0	--	Sample <	0.04	26 - lb/d	<	0.1	19 - mg/L	0.1/07 - Weekly	GR - GRAB
					Permit Req.	Req Mon DAILY AV			Req Mon DAILY AV	Req Mon SINGGRAB	0.1/07 - Weekly	GR - GRAB
					Value NODI							
50050	Flow, in conduit or thru treatment plant	1 - Effluent Gross	0	--	Sample =	0.153	03 - MGD	=	1.17	19 - mg/L	99/99 - Continuous	TM - TOTAL
					Permit Req.	.38	03 - MGD	<=			05/WK - Five Per Week	IN - INSTAN
					Value NODI	Req Mon DAILY MX						
50060	Chlorine, total residual	1 - Effluent Gross	0	--	Sample			=		19 - mg/L	05/WK - Five Per Week	GR - GRAB
					Permit Req.			>=	1 MO MIN	4 MO MAX	05/WK - Five Per Week	GR - GRAB
					Value NODI							
51040	E. coli	1 - Effluent Gross	0	--	Sample <	1	26 - lb/d	<	3	19 - mg/L	01/07 - Weekly	GR - GRAB
					Permit Req.	32	26 - lb/d	<=			01/07 - Weekly	GR - GRAB
					Value NODI	Req Mon DAILY AV						
80082	BOD, carbonaceous, 05 day, 20 C	1 - Effluent Gross	0	--	Sample <	1	26 - lb/d	<	3	19 - mg/L	01/07 - Weekly	GR - GRAB
					Permit Req.	32	26 - lb/d	<=			01/07 - Weekly	GR - GRAB
					Value NODI	Req Mon DAILY AV						

**Submission Note**

If a parameter row does not contain any values for the Sample nor Effluent Trading, then none of the following fields will be submitted for that row: Units, Number of Excursions, Frequency of Analysis, and Sample Type.

**Edit Check Errors**

No errors.

**Comments**

REVISED: Changed Frequency of Analysis for the Flow Parameter to Continuous, and the sample type to totalizer.

**Attachments**

117



Bryan W. Shaw, Ph.D., *Chairman*  
Buddy Garcia, *Commissioner*  
Carlos Rubinstein, *Commissioner*  
Mark R. Vickery, P.G., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

April 3, 2012

**CERTIFIED MAIL 7010 1670 0000 1183 3358**  
**RETURN RECEIPT REQUESTED**

Herbert Zieben, Board President  
Douglas Utility Company  
32 East Rivercrest Drive  
Houston, Texas 77042

Re: Notice of Violation for the Compliance Evaluation Investigation at:  
Fountainview Wastewater Treatment Plant  
5530 North Sam Houston Parkway East, Houston (Harris County), Texas  
TCEQ ID No.: 11200-001, EPA ID No.: TX0031461

Dear Mr. Zieben:

On February 9, 2012, Denise Tom of the Texas Commission on Environmental Quality (TCEQ) Houston Region Office conducted an investigation of the above-referenced facility to evaluate compliance with applicable requirements for wastewater treatment. Enclosed is a summary which lists the investigation findings. During the investigation, certain outstanding alleged violations were identified for which compliance documentation is required. Please submit to this office by May 3, 2012 a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for each of the outstanding alleged violations.

In the listing of the alleged violations, we have cited applicable requirements, including TCEQ rules. Please note that both the rules themselves and the agency brochure entitled *Obtaining TCEQ Rules* (GI 032) are located on our agency website at <http://www.tceq.state.tx.us> for your reference. If you would like a hard copy of this brochure mailed to you, you may call and request one from either the Houston Region Office at (713) 767-3650 or the Central Office Publications Ordering Team at (512) 239-0028. Copies of applicable federal regulations may be obtained by calling Environmental Protection Agency's Publications at (800) 490-9198.

The TCEQ appreciates your assistance in this matter. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements. Self-reported violations may be subject to enforcement, including penalties, upon review by the Enforcement Division. We anticipate that you will resolve the alleged violations as required in order to protect the State's environment. If you have additional information that we are unaware of, you have the opportunity to contest the violation(s) documented in this notice. Should you choose to do so, you must notify the

TCEQ Region 12 • 5425 Polk St., Ste. H • Houston, Texas 77023-1452 • 713-767-3500 • Fax 713-767-3520

Austin Headquarters: 512-239-1000 • [www.tceq.texas.gov](http://www.tceq.texas.gov) • How is our customer service? [www.tceq.texas.gov/goto/customersurvey](http://www.tceq.texas.gov/goto/customersurvey)

printed on recycled paper using vegetable based ink

119

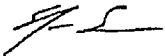


Herbert Zieben  
April 3, 2012  
Page 2

Houston Region Office within 10 days from the date of this letter. At that time, Ms. Elizabeth Sears, Water Quality Team Leader will schedule a violation review meeting to be conducted within 21 days from the date of this letter. However, please be advised that if you decide to participate in the violation review process, the TCEQ may still require you to adhere to the compliance schedule included in the attached Summary of Investigation Findings until an official decision is made regarding the status of any or all of the contested violations.

If you or members of your staff have any questions regarding these matters, please feel free to contact Ms. Tom in the Houston Region Office at (713) 767-3698.

Sincerely,



Elizabeth Sears  
Team Leader  
Water Quality Management  
Region 12 Houston

EWS/DJT/cs

cc: Megan Smith, Compliance Coordinator, TNG Utility Corp., P.O. Box 2749, Spring, Texas  
77383

Enclosure: Summary of Investigation Findings

120

## Summary of Investigation Findings

DOUGLAS UTILITY FOUNTAINVIEW

Investigation # 984076

5326 W BELLFORT ST STE 120  
HOUSTON, HARRIS COUNTY, TX 77035

Investigation Date: 02/09/2012

Additional ID(s): TX0031461  
WQ0011200001

## OUTSTANDING ALLEGED VIOLATION(S)

Track No: 461768 Compliance Due Date: 03/09/2012

30 TAC Chapter 305.125(5)  
30 TAC Chapter 317.4(g)(4)

**Alleged Violation:**

Investigation: 984076

Comment Date: 03/19/2012

Failed to maintain the required number of operational blowers. Specifically, the back-up blower was inoperable. The blowers shall be designed so that the maximum design air requirements can be met with the largest single unit out of service.

**Recommended Corrective Action:** Submit documentation indicating that the back-up blower has been repaired or replaced.

Track No: 461769 Compliance Due Date: 03/09/2012

30 TAC Chapter 317.3(c)

**Alleged Violation:**

Investigation: 984076

Comment Date: 03/27/2012

Failed to provide a standby pump at the lift station. Specifically, a standby pump at the off-site lift station was not available. An operational standby pump shall be provided in order to ensure that the firm pumping capacity be such that the expected peak flow can be pumped to its desired location.

**Recommended Corrective Action:** Submit documentation indicating that a standby pump at the off-site lift station has been installed.

Track No: 461771 Compliance Due Date: 03/09/2012

30 TAC Chapter 317.3(e)(5)

**Alleged Violation:**

Investigation: 984076

Comment Date: 03/19/2012

Failed to provide the required alarm system. Specifically, an audible alarm was not provided at the off-site lift station. An audio-visual alarm system (red flashing light and horn) shall be provided for all lift stations. The alarm system shall be activated in case of power outage, pump failure, or a specified high water level.

**Recommended Corrective Action:** Submit documentation indicating that the required alarm system at the off-site lift station has been installed.

Track No: 461782 Compliance Due Date: 03/09/2012

30 TAC Chapter 319.5(b)

PERMIT WQ0011200001, ELMR, No. 1  
Effluent Limitations and Monitoring Requirements, No. 1, p. 2

**Alleged Violation:**

121