

Control Number: 42944



Item Number: 1

Addendum StartPage: 0

House Bill (HB) 1600 and Senate Bill (SB) 567 83rd
Legislature, Regular Session, transferred the functions
relating to the economic regulation of water and sewer
utilities from the TCEQ to the PUC effective
September 1, 2014.



APPLICATION TO OBTAIN OR AMEND A WATER/SEWER
CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN)

*CN# CN600735245 *RN# RN101388179 SEP 15 10 11 AM '09 (See Instructions)

PUBLIC UTILITY COMMISSION
FILING CLERK

RECEIVED
TCEQ
WATER SUPPLY DIV.
2010 JUN 28 AM 8 31

PURPOSE OF THIS APPLICATION

OBTAIN ☐ New Water CCN ☐ New Sewer CCN

AMEND ☒ Water CCN # 13063 Sewer CCN # _____

1. APPLICANT INFORMATION

Utility Name: CITY OF THRALL

Utility Address (city/state/zip) P.O. BOX 346, THRALL, TX 76578

Utility Phone Number () (512) 898-5306

Fax () (512) 898-2481

Contact Person: Please provide information about the person to be contacted regarding this application. Indicate if this person is the owner, operator, engineer, attorney, accountant manager, or other title related to the applicant.

Name: TROY MARX

Title: MAYOR

Address: P.O. BOX 346

Telephone () (512) 898-5306

City THRALL

St TX

Zip 76578-0346

Fax () (512) 898-2481

E-mail: tmarx@riverbend.com

County(ies) in which service is proposed WILLIAMSON

A. Check the appropriate box and provide information regarding the legal status of the applicant:

<input type="checkbox"/>	Investor owned utility
<input type="checkbox"/>	Individual
<input type="checkbox"/>	Home or Property Owners Association
<input type="checkbox"/>	Partnership
<input type="checkbox"/>	For-profit corporation
<input checked="" type="checkbox"/>	Non-profit, member-owned, member-controlled cooperative corporation (Water Code Chapter 67, Water Supply or Sewer Service Corporation)
<input checked="" type="checkbox"/>	Municipality
<input type="checkbox"/>	District
<input type="checkbox"/>	Other Please Explain: _____

- B. If the applicant is a For-Profit business or corporation, please include the following information: N/A
- Provide a copy of the corporation's ACertification of Account Status@ from the Texas State Comptroller of Public Accounts.
 - Provide the corporation's charter number as recorded with the Office of the Texas Secretary of State.
 - Provide a listing of all stockholders and their respective percentages of ownership.
 - Provide a copy of the company's organizational chart, if available.
 - Provide a list of all directors and disclose the tile of each individual.
 - Provide a list of all affiliated organizations (if any) and explain the relationship with the applicant.

- C. If the applicant is a Water Code Chapter 67 water supply or sewer service corporation: **N/A**
- Provide a copy of the Articles of Incorporation and By-Laws.
 - Provide the corporation's charter number as recorded with the Office of the Texas Secretary of State.
 - Identify all members including name, address, title, and telephone number.
 - Provide a copy of the corporation's Certificate of Account Status from the Texas Comptroller of Public Accounts.

2. LOCATION INFORMATION

- A. Are there people already living in the proposed area?

YES _____ NO X

If YES, are any currently receiving utility service?

YES _____ NO _____ if YES, from Whom? _____

Demonstrate the Need for Service by providing the following:

- B. Have you received any requests for service in the requested service area?

YES X NO _____ if YES, provide the following:

- Describe the service area and circumstances driving the need for service in the requested area. Indicate the name(s) and address(es) of landowner(s), prospective landowner(s), tenant(s), or resident(s) that have requested service; and/or
- Describe the economic need(s) for service in the requested area (i.e. plat approvals, recent annexation(s) or annexation request(s), building permits, septic tank permits, hospitals, etc.); and/or
- Discuss in detail the environmental need(s) for service in the requested area (i.e. failing septic tanks in the requested area, fueling wells, etc.); and/or
- Provide copies of any written applications or requests for service in the requested area; and/or **See Attachment 1 for a copy of the Thrall I.S.D. service request.**
- Provide copies of any reports and/or market studies demonstrating existing or anticipated growth in the requested area. If no, please justify the need for service in the proposed area.
- If none of these items exist or are available, please justify the need for service in the proposed area in writing.

Note: Failure to demonstrate a need for additional service in the proposed service area may result in the delay and /or possible denial of the application.

- C. Is any portion of the proposed service area inside an incorporated city or district?

YES _____ NO X

If YES, within the corporate limits of: _____

Provide a copy of any franchise, permit, or consent granted by the city or district. If not available please explain: _____

- D. Is any portion of the proposed service area inside another utility's CCN area?

YES _____ NO X

If YES, has the current CCN holder agreed to decertify the proposed area?

YES _____ NO _____

If NO, are you seeking dual or single certification of the area? Explain why decertification of the area is in the public interest.

3. **MAP REQUIREMENTS:**
Attach the following hard copy maps with each copy of the application:
- A. A general location map delineating the proposed service area with enough detail to accurately locate the proposed area within the county. **(See Attachment 2 for General Location Map.)**
 - B. A map showing only the proposed area by: **(See Attachment 3 for Prop. Thrall CCN Map.)**
 - i. metes and bounds survey certified by a licensed state or register professional land surveyor; or
 - ii. projectable digital data with metadata (proposed areas should be in a single record and clearly labeled). Also, a data disk labeled with the applicant's name must be provided; or
 - iii. following verifiable natural and man-made landmarks; or
 - iv. a copy of recorded plat map with metes and bounds.
 - C. A written description of the proposed service area. **(See Attachment 4 for written description of proposed service area.)**
 - D. Provide separate and additional maps of the proposed area(s) to show the following:
 - i. all facilities, illustrating separately facilities for production, transmission, and distribution of the applicant's service(s); and **(See Attachment 5 for Thrall Water Distribution Map)**
 - ii. any facilities, customers or area currently being served outside the applicant's certificated area(s). **N/A**
- Note:** Failure to provide adequate mapping information may result in the delay or possible denial of your application. Digital data submitted in a format other than ESRI ArcGIS may result in the delay or inability to review applicant's mapping information.

4. **NEW SYSTEM INFORMATION OR UTILITIES REQUESTING A CCN FOR THE FIRST TIME**
- A. Please provide the following information: **N/A**
 - i. a list of public drinking water supply system(s) or sewer system(s) within a 2 mile radius of the proposed system;
 - ii. copies of written requests seeking to obtain service from each of the public drinking water systems or sewer systems listed in #4.A.i above or documentation that it is not economically feasible to obtain service from each entity;
 - iii. copies of written responses from each system or evidence that they did not reply; and
 - iv. for sewer utilities, documentation showing that you have obtained or applied for a wastewater discharge permit.
 - B. Were your requests for service denied? **N/A**
 - i. If yes, please provide documentation of the denial of service and go to 4.C.
 - ii. If no, please provide a detailed analysis which justifies your reasons for not accepting service. A separate analysis must be prepared and submitted for each utility that granted your request for service.
 - C. Please summarize how the proposed utility system will be constructed and describe each projected construction phase, if any: **No new facilities are proposed.**

 - D. Date of plat approval, if required: **N/A**
Approved by: **N/A**_____
 - E. Date Plans & Specifications submitted for approval **N/A** Log No. **N/A**
Attach copy of approval letter if available.
 - F. Date construction is scheduled to commence **N/A**_____
 - G. Date service is scheduled to commence **N/A**_____

5. EXISTING SYSTEM INFORMATION

A. Please provide the following information for each water and/or sewer system, attach additional sheets if necessary.

i.

Water system's TCEQ Public Water System identification number(s):

2

4

6

0

0

1

5

;

;

;

;

ii.

Sewer system's TCEQ Discharge Permit number(s)

W

Q

0

0

1

3

4

4

8

0

0

1

;

W

Q

-

- iii

Date of last inspection

05/13/2008
- iv

Attach a copy of the most recent inspection report letter.

(See Attachment 6)
- v.

For each system deficiency listed in the inspection report letter, attach a brief explanation listing the actions taken or being taken by the utility to correct the listed deficiencies, including the proposed completion dates.

(See Attachment 6)

B. Provide the following information about the utility's certified operators

Name	Classes	License Number
ROBERT WALLA	CLASS B WW, CLASS C GW	WW0025106 WG0010266
BRIAN JOHLE	CLASS D WW, CLASS D W	WW0036771 WO0023247

- Attach additional sheet(s) if necessary -

C. Using the current number of customers, is any facility component in systems named in #5A above operating at 85% or greater of minimum standard capacity?
YES X NO

Attach an explanation listing the actions to be taken to make system improvements including proposed completion dates (See 291.93(3)(A) of TCEQ Rules). (See Attachment 7)

D. List in the table below, the number of existing and/or proposed metered and non-metered connections (by size). The proposed number should reflect the information presented in the business plan or financial documentation and reflect the number of service requests identified in Question 2.b in the application.

Water System			Sewer System		
Connection	Existing	Proposed	Connection	Existing	Proposed
5/8" or 3/4" meter	323	N/A	Residential		
1" meter or larger	5	1	Commercial		
Non-Metered	N/A	0	Industrial		
Other:	N/A	0	Other:		
Total Water	328	1	Total Sewer		

E. If this application is for a water CCN only, please explain how sewer service is or will be provided:

Sewer service will be provided by the City of Thrall. The City currently provides sewer service to residents within its City limits. The City currently does not hold a sewer CCN as there are no other sewer service providers in the area.

F. If this application is for a sewer CCN only, please explain how water service is or will be provided:

N/A

G Effect of Granting a Certificate Amendment.
Explain in detail the effect of granting of a certificate or an amendment, including, but not limited to regionalization, compliance and economic effects on the following: (See Attachment 8)

- i the applicant,
- ii any retail public utility of the same kind already serving the proximate area; and
- iii any landowner(s) in the requested area.

H Do you currently purchase or plan to purchase water or sewer treatment capacity from another source?

- i No (skip the rest of this question and go to #6)
- ii Water X Yes

Purchased on a X regular seasonal Emergency basis?

Source	% of total treatment
NOACK WSC	100%

iii Sewer treatment capacity

iv Yes N/A

Purchased on a regular seasonal Emergency basis?

Source	% of total treatment

vi Provide a signed and dated copy of the most current water or sewer treatment capacity purchase agreement or contract. (See Attachment 9)

- I. Ability to Provide Adequate Service.
Describe the ability of the applicant to provide adequate service, including meeting the standards of the commission, taking both of the following items into consideration: **(See Attachment 10)**
- i. the current and projected density, and
 - ii. the land use of the requested area.

- J Effect on the Land.
Explain the effect on the land to be included in the certificated area. **(See Attachment 11)**

6. FINANCIAL INFORMATION

- A. For new systems and for applicants with existing CCNs who are constructing a new stand alone system: **N/A**
- i. the applicant must provide an analysis of all necessary costs for constructing, operating, and maintaining the system, and the source of that capital (such as a financial statement for the developing entity) for which the CCN is requested for at least the first five years. In addition, if service has been offered by an existing water service provider as stated in #4.A., but the applicant has determined that the cost of service as finally offered renders the project not economically feasible, the applicant must provide a comparison analysis of all necessary costs for acquiring and continuing to receive service from the existing system for the same period.
 - ii. Attach projected profit and loss statements, cash flow worksheets, and balance sheets (projected five year financial plan worksheet is attached) for each of the first five years of operation. Income from rates should correlate to the projected growth in connections, shown on the projected profit and loss statement.
 - iii. Attach a proposed rate schedule or tariff. Describe the procedure for determining the rates and fees and indicate the date of last change, if applicable. Attach copies of any cost of service studies or rate analysis worksheets.
- B. For existing systems:
- i. Attach a profit and loss statement and current balance sheet for existing businesses (end of last fiscal year is acceptable). Describe sources and terms for borrowed capital such as loans, bonds, or notes (profit and loss and balance sheet worksheets are attached, if needed).
 - ii. Attach a proposed rate schedule or tariff.
★NOTE: An existing system may be required to provide the information in 6.A.i. above during the technical review phase if necessary for staff to completely evaluate the application.
- C. Identify any funds you are required to accumulate and restrict by lenders or capital providers.
- D. In lieu of the information in #6.A. thru #6.C., you may provide information concerning loan approvals within the last three (3) years from lending institutions or agencies including the most recent financial audit of the applicant. **(See Attachment 12)**

Note: Failure to provide adequate financial information may result in the delay or possible denial of your application.

7. NOTICE REQUIREMENTS

- A. All proposed notice forms must be completed and submitted with the application. However, do not mail or publish them until you receive written approval from the Commission to do so.
- B. The Commission cannot grant a CCN until proper notice of the application has been given. **Commission rules do not allow a waiver of these notice requirements for CCN applicants.**

- C. **It is the applicant's responsibility to ensure that proper notice is given to all entities that are required to receive notice.**
- D. Recommended notice forms for publication, neighboring cities and systems, landowners with 25 acres or more, and customers are included with this application to use in preparing your proposed notices. (These notice forms are also available in Spanish upon request.)
- E. After reviewing and, if necessary, modifying the proposed notice, the Commission will send the notice to the applicant after the application is accepted for filing along with instructions for publication and/or mailing. Please review the notice carefully and note any additional neighboring utilities which may be included in the acceptance letter.
- F. Notice For Publication:
The applicant shall publish the notice in a newspaper having general circulation in the county or counties where a CCN is being requested, once each week for two consecutive weeks beginning with the week after the notice is received from the Commission. Proof of publication in the form of a publisher's affidavit shall be submitted to the Commission within 30 days of the last publication date. The affidavit shall state with specificity each county in which the newspaper is of general circulation.
- G. Notice To Neighboring Utilities:
i. List all neighboring retail public utilities and cities providing the same utility service within the following vicinities of the applicant's proposed certificate area. **(See Attachment 13)**
ii. For applications for the issuance of a **NEW** CCN, the applicant must mail the notice with a copy of the proposed CCN map to all cities and neighboring retail public utilities providing the same utility service within **five (5) miles** of the requested service area.
iii. For applications for the **AMENDMENT** of a CCN, the applicant must mail the notice with a copy of the proposed CCN map to all cities and neighboring retail public utilities providing the same utility service within **two (2) miles** of the requested service area.
- H. Notice to Customers
Investor Owned Utilities (IOUs) that are currently providing service without a CCN must provide individual mailed notice to all current customers. The notice must contain the current rates, the date those rates were instituted and any other information required in the application. The notice must also list all zip codes affected by the application.
- I. The Commission may require the applicant to deliver notice to other affected persons or agencies.

Do not publish or send copies of the proposed notices to anyone at the time you submit the application to the Commission. Wait until you receive written authorization to do so. This will occur after the Commission has reviewed the notices for completeness, and your application has been accepted for filing. Once the application is accepted for filing, you will receive written authorization to provide notice. Please check the notices for accuracy before providing them to the public. It is the applicant's burden to ensure that correct and accurate notice is provided.

OATH

STATE OF **TEXAS**

COUNTY OF **WILLIAMSON**

I, **TROY MARX**, being duly sworn, file this application as **MAYOR OF THRALL** (indicate relationship to Applicant, that is, owner, member of partnership, title as officer of corporation, or other authorized representative of Applicant); that, in such capacity, I am qualified and authorized to file and verify such application, am personally familiar with the maps and financial information filed with this application, and have complied with all the requirements contained in this application; and, that all such statements made and matters set forth therein are true and correct. I further state that the application is made in good faith and that this application does not duplicate any filing presently before the Texas Commission on Environmental Quality.

I further represent that the application form has not been changed, altered or amended from its original form available only from the Commission.

I further represent that the Applicant will provide continuous and adequate service to all customers and qualified applicants for service within its certificated service area.

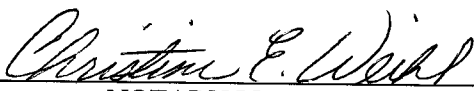

AFFIANT
(Utility's Authorized Representative)

If the Affiant to this form is any person other than the sole owner, partner, officer of the Applicant, or its attorney, a properly verified Power of Attorney must be enclosed.

SUBSCRIBED AND SWORN TO BEFORE ME, a Notary Public in and for the State of Texas, this day 21ST of July, 20 09.

SEAL




NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS

Christine E. Wehl
PRINT OR TYPE NAME OF NOTARY

MY COMMISSION EXPIRES 3-19-2013

Notice for Publication

NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE
AND NECESSITY (CCN) TO PROVIDE WATER/SEWER UTILITY
SERVICE IN WILLIAMSON COUNTY(IES), TEXAS

Name of Applicant CITY OF THRALL has filed an application
for a CCN to obtain or amend CCN No. 13063 / and to decertify a portion(s) of
N/A with the Texas Commission on Environmental Quality to provide
(Name of Decertificated Utility)
WATER (specify 1) water or 2) sewer or 3) water & sewer) utility service in
WILLIAMSON County(ies).

The proposed utility service area is located approximately adjacent to the
city limits of Thrall [City or Town] Texas, and is generally bounded on the north by
Stiles Addition and Black & Baker subdivisions ;on the east by County Road 424 and the Thrall I.S.D.
property ;on the south by the City of Thrall property south of Long Branch Creek ;and on the west
by the Emil Kelm property.

The total area being requested includes approximately 47.6 acres and 0 current customers.
The proposed amendment affects customers and/or areas located in the following zip code(s):

76578								

(List All Affected Zip Codes)

A copy of the proposed service area map is available at (Utility Address and Phone Number):
104 S. MAIN STREET, THRALL, TX 76578 (512) 898-5306

A request for a public hearing must be in writing. You must state (1) your name, mailing address, and
daytime telephone number; (2) the applicant's name, application number or another recognizable reference to
this application; (3) the statement, "I/we request a public hearing"; (4) a brief description of how you or the
persons you represent, would be adversely affected by the granting of the application for a CCN; and (5) your
proposed adjustment to the application or CCN which would satisfy your concerns and cause you to withdraw
your request for a hearing.

Persons who wish to intervene or comment should write the:
Texas Commission on Environmental Quality
Water Supply Division
Utilities and Districts Section, MC-153
P. O. Box 13087
Austin, TX 78711-3087

within thirty (30) days from the date of this publication or notice. A public hearing will be held only if a
legally sufficient hearing request is received or if the Commission on its own motion requests a hearing. Only
those individuals who submit a written hearing request or a written request to be notified if a hearing is set
will receive notice if a hearing is scheduled.

If a public hearing is requested, the Executive Director will not issue the CCN and will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, the SOAH will submit a recommendation to the Commission for final decision. If an evidentiary hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

If you are a landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the proposed area, you may request to be excluded from the proposed area (or Aopt out@) by providing written notice to the Commission within (30) days from the date that notice was provided by the applicant. All requests to opt out of the requested service area must include a scaled, general location map and a metes and bounds description of the tract of land.

Persons who meet the requirements to opt out, and wish to request this option should file the required documents with the:

Texas Commission on Environmental Quality
Water Supply Division
Utilities and Districts Section, MC-153
P. O. Box 13087
Austin, TX 78711-3087

A copy of the request to opt out of the proposed area must also be sent to the applicant. Staff may request additional information regarding your request.

Si desea informacion en Espanol, puede llamar al 1-512-239-0200.

Notice to Neighboring Systems, Landowners and Cities

NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE
AND NECESSITY (CCN) TO PROVIDE WATER/SEWER UTILITY
SERVICE IN WILLIAMSON COUNTY(IES), TEXAS

To: _____ Date Notice Mailed _____, 20 ____
(Neighboring System, Landowner or City)

(Address)

City State Zip

Name of Applicant CITY OF THRALL has filed an application
for a CCN /to amend CCN No. 13063 / and to decertify a portion(s) of
N/A with the Texas Commission on Environmental Quality to provide
(Name of Decertificated Utility)
WATER (specify 1) water or 2) sewer or 3) water & sewer) utility service in
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The proposed utility service area is located approximately adjacent to the
city limits of Thrall ,[City or Town] Texas, and is generally bounded on the north by
Stiles Addition and Black & Baker subdivisions ;on the east by County Road 424 and the Thrall I.S.D.
property ;on the south by the City of Thrall property south of Long Branch Creek ;and on the west
by The Emil Kelm Property.

See enclosed map of the proposed service area.

The total area being requested includes approximately 47.6 acres and 0 current customers.
The proposed amendment affects customers and/or areas located in the following zip code(s):

76578								

A request for a public hearing must be in writing. You must state (1) your name, mailing address, and daytime telephone number; (2) the applicant's name, application number or another recognizable reference to this application; (3) the statement, "I/we request a public hearing"; (4) a brief description of how you or the persons you represent, would be adversely affected by the granting of the application for a CCN; and (5) your proposed adjustment to the application or CCN which would satisfy your concerns and cause you to withdraw your request for a hearing.

Persons who wish to intervene or comment should write the:

Texas Commission on Environmental Quality
Water Supply Division
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P. O. Box 13087
Austin, TX 78711-3087

within thirty (30) days from the date of this publication or notice. A public hearing will be held only if a legally sufficient hearing request is received or if the Commission on its own motion requests a hearing. Only those individuals who submit a written hearing request or a written request to be notified if a hearing is set will receive notice if a hearing is scheduled.

If a public hearing is requested, the Executive Director will not issue the CCN and will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, the SOAH will submit a recommendation to the Commission for final decision. If an evidentiary hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

If you are a landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the proposed area, you may request to be excluded from the proposed area (or Aopt out@) by providing written notice to the Commission within (30) days from the date that notice was provided by the applicant. All requests to opt out of the requested service area must include a scaled, general location map and a metes and bounds description of the tract of land.

Persons who meet the requirements to opt out, and wish to request this option should file the required documents with the:

Texas Commission on Environmental Quality
Water Supply Division
Utilities and Districts Section, MC-153
P. O. Box 13087
Austin, TX 78711-3087

A copy of the request to opt out of the proposed area must also be sent to the applicant. Staff may request additional information regarding your request.

Si desea informacion en Espanol, puede llamar al 1-512-239-0200.

Notice to Customers of IOUs in Proposed Area

NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN)
TO PROVIDE WATER/SEWER UTILITY SERVICE IN WILLIAMSON COUNTY

Dear Customer: _____ Date Notice Mailed _____, 20 ____

Name of Applicant CITY OF THRALL has filed an application
for a CCN /to amend CCN No. 13063 / and to decertify a portion(s) of
N/A with the Texas Commission on Environmental Quality to provide
(Name of Decertificated Utility)

WATER (specify 1) water or 2) sewer or 3) water & sewer) utility service in
WILLIAMSON County(ies).

The proposed utility service area is located approximately adjacent to the
city limits of Thrall, [City or Town] Texas.

A copy of the proposed service area map is available at the Utility Address and Phone Number:
104 S. MAIN STREET, THRALL, TX 76578 (512) 898-5306

The proposed amendment affects customers and/or areas located in the following zip code(s):

76578								

The current utility rates which were first effective on _____, 20 ____

- Monthly Flat Rate of \$ _____ per connection
- OR-

- Monthly Base Rate including 2,000 gallons per connection for:

5/8" meter	\$ 20.00
1" meter	\$ 20.00
1 1/2" meter	\$ 20.00
2" meter	\$ 20.00
Other _____	\$ _____

Gallonge charge of \$ 4.05 Per 1,000
Gallons above minimum (**\$5.00 Per 1,000 for school**)

Miscellaneous Fees	
Regulatory Assessment	1%
Tap Fee (Average Actual Cost)	\$ _____
Reconnection fee:	\$ _____
-Non Payment (\$25.00 max)	\$ _____
-Transfer	\$ _____
-Customer's request	\$ _____
Late fee	\$5.00 or 10%
Returned Check charge	\$ 25.00
Customer Deposit (\$50.00 max)	\$ _____
Meter test fee (Actual Cost not Exceed \$25.00)	\$ _____
Other Fees	\$ _____

Your utility service rates and fees cannot be changed by this application. If you are currently paying rates, those rates must remain in effect unchanged. Rates may only be increased if the utility files and gives notice of a separate rate change application.

A request for a public hearing must be in writing. You must state (1) your name, mailing address, and daytime telephone number; (2) the applicant's name, application number or another recognizable reference to this application; (3) the statement, "I/we request a public hearing"; (4) a brief description of how you or the persons you represent, would be adversely affected by the granting of the application for a CCN; and (5) your proposed adjustment to the application or CCN which would satisfy your concerns and cause you to withdraw your request for a hearing.

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If a public hearing is requested, the Executive Director will not issue the CCN and will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, the SOAH will submit a recommendation to the Commission for final decision. If an evidentiary hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

IF A HEARING IS HELD, it is important that you or your representative attend to present your concerns. Your request serves only to cause a hearing to be held and is not used during the hearing

If you are a landowner with a tract of land at least 25 acres or more, and is partially or wholly located within the proposed area, you may request to be excluded from the proposed area (or Aopt out@) by providing written notice to the Commission within (30) days from the date that notice was provided by the applicant. All requests to opt out of the requested service area must include a scaled, general location map and a metes and bounds description of the tract of land.

Persons who meet the requirements to opt out, and wish to request this option should file the required documents with the:

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A copy of the request to opt out of the proposed area must also be sent to the applicant. Staff may request additional information regarding your request.

Si desea informacion en Espanol, puede llamar al 1-512-239-0200

HISTORICAL BALANCE SHEETS

	CURRENT YEAR (A)	A-1 YEAR	A-2 YEAR	A-3 YEAR	A-4 YEAR	A-5 YEAR
CURRENT ASSETS						
Cash						
Accounts Receivable						
Inventories						
Income Tax Receivable						
Other						
Total						
FIXED ASSETS						
Land						
Collection/Distribution System						
Buildings						
Equipment						
Other						
Less: Accum. Depreciation or Reserves						
Total						
TOTAL ASSETS						
CURRENT LIABILITIES						
Accounts Payable						
Notes Payable, Current						
Accrued Expenses						
Other						
Total						
LONGTERM LIABILITIES						
Notes Payable, Long-term						
Other						
TOTAL LIABILITIES						
OWNER'S EQUITY						
Paid in Capital						
Retained Equity						
Other						
Current Period Profit or Loss						
TOTAL OWNER'S EQUITY						
TOTAL LIABILITIES AND EQUITY						
WORKING CAPITAL						
CURRENT RATIO						
DEBT TO EQUITY RATIO						
EQUITY TO TOTAL ASSETS						

HISTORICAL INCOME STATEMENT

	CURRENT YEAR (A)	A-1 YEAR	A-2 YEAR	A-3 YEAR	A-4 YEAR	A-5 YEAR
METER NUMBER						
Existing Number of Taps						
New Taps per Year						
Total Meters at Year End						
METER REVENUE						
Fees Per Meter						
Cost Per Meter						
Operating Revenue Per Meter						
GROSS WATER REVENUE						
Fees						
Other						
Gross Income						
OPERATING EXPENSES						
General & Administrative						
Interest						
Other						
NET INCOME						

HISTORICAL EXPENSES STATEMENT

	CURRENT YEAR (A)	A-1 YEAR	A-2 YEAR	A-3 YEAR	A-4 YEAR	A-5 YEAR
GENERAL/ADMINISTRATIVE EXPENSES						
Salaries						
Office Expense						
Computer Expense						
Auto Expense						
Insurance Expense						
Telephone Expense						
Utilities Expense						
Depreciation Expense						
Property Taxes						
Professional Fees						
Other						
Total						
% Increase Per Year						
OPERATIONAL EXPENSES						
Salaries						
Auto Expense						
Utilities Expense						
Depreciation Expense						
Repair & Maintenance						
Supplies						
Other						
Total						
% Increase Per Year						
ASSUMPTIONS						
Interest Rate/Terms						
Utility Cost/gal.						
Depreciation Schedule						
Other						

PROJECTED BALANCE SHEETS

	START UP	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
CURRENT ASSETS						
Cash						
Accounts Receivable						
Inventories						
Income Tax Receivable						
Other						
Total						
FIXED ASSETS						
Land						
Collection/Distribution System						
Buildings						
Equipment						
Other						
Less: Accum. Depreciation or Reserves						
Total						
TOTAL ASSETS						
CURRENT LIABILITIES						
Accounts Payable						
Notes Payable, Current						
Accrued Expenses						
Other						
Total						
LONGTERM LIABILITIES						
Notes Payable, Long-term						
Other						
TOTAL LIABILITIES						
OWNER'S EQUITY						
Paid in Capital						
Retained Equity						
Other						
Current Period Profit or Loss						
TOTAL OWNER'S EQUITY						
TOTAL LIABILITIES AND EQUITY						
WORKING CAPITAL						
CURRENT RATIO						
DEBT TO EQUITY RATIO						
EQUITY TO TOTAL ASSETS						

PROJECTED INCOME STATEMENT						
	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	TOTALS
METER NUMBER	-	-	-	-	-	-
Existing Number of Taps						
New Taps per Year						
Total Meters at Year End						
METER REVENUE						
Fees Per Meter						
Cost Per Meter						
Operating Revenue Per Meter						
GROSS WATER REVENUE						
Fees						
Other						
Gross Income						
OPERATING EXPENSES						
General & Administrative						
Interest						
Other						
NET INCOME						

PROJECTED EXPENSES STATEMENT

	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	TOTALS
GENERAL/ADMINISTRATIVE EXPENSES						
Salaries						
Office Expense						
Computer Expense						
Auto Expense						
Insurance Expense						
Telephone Expense						
Utilities Expense						
Depreciation Expense						
Property Taxes						
Professional Fees						
Other						
Total						
% Increase Per Year						
OPERATIONAL EXPENSES						
Salaries						
Auto Expense						
Utilities Expense						
Depreciation Expense						
Repair & Maintenance						
Supplies						
Other						
Total						
% Increase Per Year						
ASSUMPTIONS						
Interest Rate/Terms						
Utility Cost/gal.						
Depreciation Schedule						
Other						

PROJECTED SOURCES AND USES OF CASH STATEMENTS						
	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	TOTALS
SOURCES OF CASH						
Net Income						
Depreciation (If Funded)						
Loan Proceeds						
Other						
Total Sources						
USES OF CASH						
Net Loss						
Principle Portion of Pmts.						
Fixed Asset Purchase						
Reserve						
Other						
Total Uses						
NET CASH FLOW						
DEBT SERVICE COVERAGE						
Cash Available for Debt						
Service (CADS)						
Net Income (Loss)						
Depreciation, or Reserve Interest						
Total						
REQUIRED DEBT SERVICE (RDS)						
Principle Plus Interest						
DEBT SERVICE COVERAGE RATIO						
CADS Divided by RDS						

ATTACHMENT 1

THRALL I.S.D. SERVICE REQUEST



THRALL INDEPENDENT SCHOOL DISTRICT

Central Administration

www.thrallisd.com

(512) 898-0062 ~ Fax (512) 898-5349 ~ 201 S. Bounds ~ Thrall, Texas 76578



Elementary (512) 898-5293 - Elementary Fax (512) 898-2879 - High School/Middle School (512) 898-5193 - HS/MS Fax (512) 898-2132

TO: Troy Marx
From: Bruce Davis
RE: City Capacity for Water and Sewage
Date: 03/26/2009

As per our conversation regarding the city's capacity for water and sewage services, I request a confirmation letter from the city engineers as to the city's ability to handle a new high school. Initially, the school will be designed for a 200 to 250 student campus with the capabilities to expand to a 300-350 student campus if the needs arise in the future. Overall plans would include a new gym and cafeteria that could be added to the overall project.

In looking at the proposed site (approximately 30 acres) located directly south of the current elementary campus, we would also be looking at a voluntary annexation of the property.

Timing in your reply could become critical as we move to purchase the site. We are moving to the next step with Texas A&M. This information may become critical to us as we proceed.

RECEIVED
ICEQ

WATER SUPPLY DIV.

2010 JAN 28 AM 8 32

CITY OF THRALL
THRALL I.S.D.

NEW HIGH SCHOOL WATER SERVICE EXTENSION REQUEST



LEGEND

- CITY OF THRALL
WATER CCN SERVICE BOUNDARY
- NOACK WSC
WATER CCN SERVICE BOUNDARY

HEJL, LEE & ASSOCIATES, INC.
ENGINEERING • SURVEYING • PLANNING

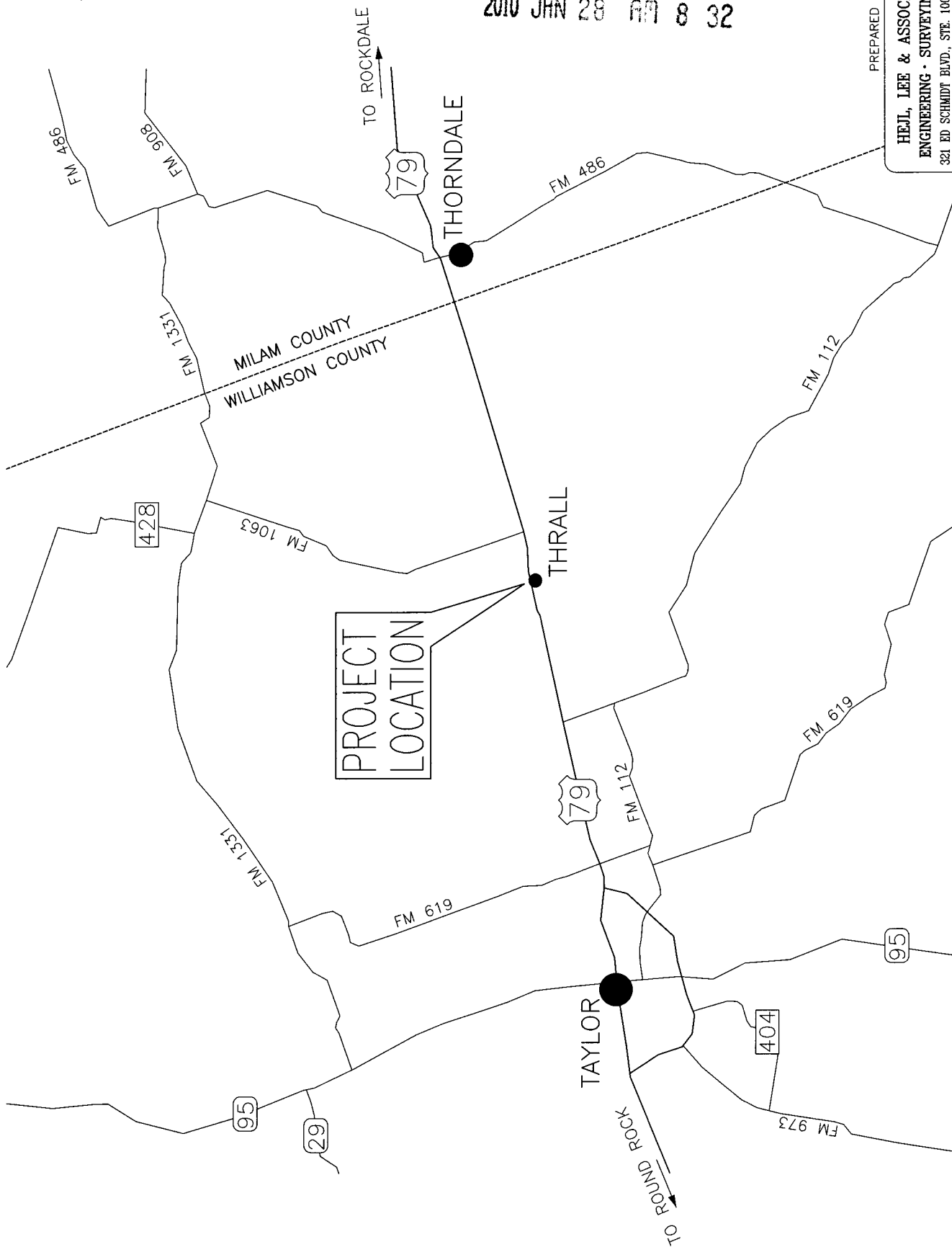
321 ED SCHMIDT BLVD., SUITE 100, HUTTO, TX 78634
Ph: (512) 642-3292 FAX: (512) 642-4230

NOTE(S): AERIAL PHOTO IS GATHERED FROM GOOGLE MAPS.
WATER SERVICE BOUNDARY IS BASED ON THE ICEQ WATER CCN SERVICE AREA MAP.

ATTACHMENT 2

GENERAL LOCATION MAP

GENERAL LOCATION MAP



RECEIVED
TCEQ
WATER SUPPLY DIV.
2010 JAN 28 AM 8 32

PREPARED BY:

HEJL, LEE & ASSOCIATES, INC.
ENGINEERING • SURVEYING • PLANNING
321 ED SCHMIDT BLVD., STE. 100, HUNTO, TX 78634
PH (512) 642-3292 FAX (512) 642-4230
TDE FIRM REGISTRATION NO F-765

ATTACHMENT 3

PROPOSED CITY OF THRALL CCN MAP

OVERSIZED DOCUMENT(S)

TO VIEW

OVERSIZED DOCUMENT(S)

PLEASE GO TO

CENTRAL RECORDS

(512) 936-7180

OVERSIZED DOCUMENT(S)

TO VIEW

OVERSIZED DOCUMENT(S)

PLEASE GO TO

CENTRAL RECORDS

(512) 936-7180

ATTACH

**WRITTEN DESCRIPTION
PROPOSED SOLUTION**

CITY OF THRALL
WATER CCN AMENDMENT
WRITTEN DESCRIPTION OF PROPOSED SERVICE AREA
Water CCN #13063

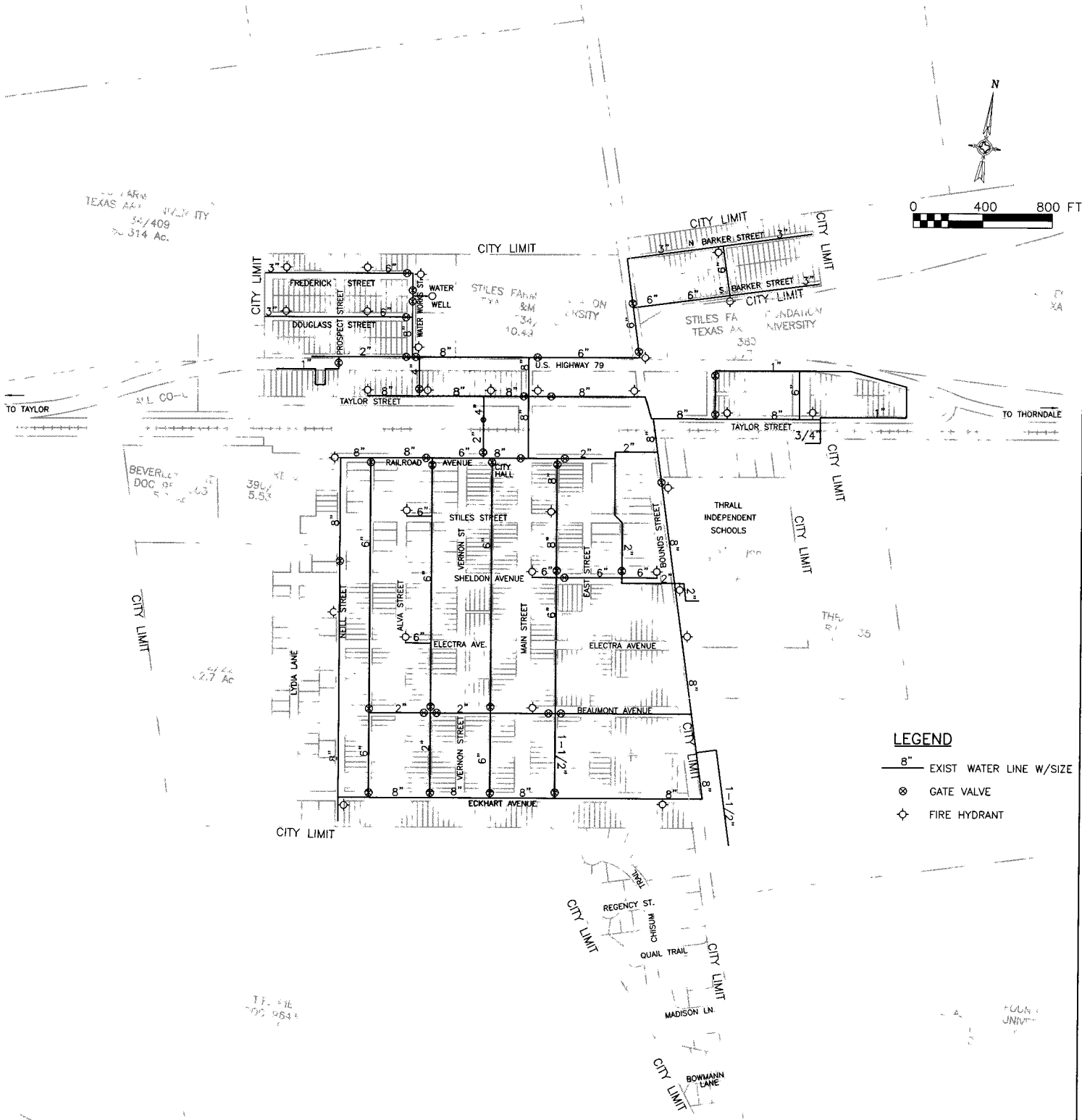
The City of Thrall is located along Hwy. 79 in eastern Williamson County. The proposed amendment to service area include the addition of the following four (4) parcels of land that can best be described as follows:

<u>PARCEL NO.</u>	<u>LOCATION</u>
I.	South of the Thrall ISD property and east of CR 424 (south of US Hwy 79) within the Stiles Farm Foundation Tract, Texas A&M University, Volume 1734 Page 409 Williamson County Records, Approximately 16 Acres.
II.	West of the Emil Kelm and Beverly White properties, north to the I. & G.N. Railroad right-of-way within the T.F. Pierce Tract, Document 9643754, Williamson County Records, Approximately 18 Acres.
III.	North of the north City Limits of Thrall, crossing CR 424 (north of US Hwy 79) within the Stiles Farm Foundation Tract, Texas A&M University, Volume 1734 Page 409, Williamson County Records. Approximately 6 Acres.
IV.	East of the east City Limits of Thrall, crossing US Hwy 79, intersecting the Thrall ISD Tract east property line, within the Stiles Farm Foundation Tract, Texas A&M University, Volume 1734 Page 409, Williamson County Records. Approximately 7.5 Acres.

ATTACHMENT 5

CITY OF THRALL WATER DISTRIBUTION MAP

CITY OF THRALL WATER DISTRIBUTION MAP



- LEGEND**
- 8" EXIST WATER LINE W/SIZE
 - ⊗ GATE VALVE
 - ◇ FIRE HYDRANT

PREPARED BY:
HEJL, LEE & ASSOCIATES, INC.
ENGINEERING • SURVEYING • PLANNING
321 ED SCHMIDT BLVD., STE. 100, HUTTO, TX 78634
PH. (512) 642-3292 FAX (512) 642-4230
TBPE FIRM REGISTRATION NO F-755

ATTACHMENT 6

TCEQ INSPECTION REPORT & ACTIONS TAKEN TO REMEDY VIOLATIONS

Texas Commission on Environmental Quality
Investigation Report
CITY OF THRALL
CN600735245

CITY OF THRALL

RN101388171

Investigation # 857370

Incident #

Investigator: CHAD AHLGREN

Site Classification

GW 251-1K CONNECTION

Conducted: 05/13/2008 -- 05/13/2008

SIC Code: 4941

NAIC Code: 221310

Program(s): PUBLIC WATER SYSTEM/SUPPLY

Investigation Type : Compliance Investigation

Location : WATER WORKS ROAD

Additional ID(s) : 2460015

Address: ; ,

Activity Type :

REGION 11 - AUSTIN

PWSCCIGWCM - PWSCCIGWCM PWS CCI

Discretionary Groundwater, Purchase, Community

Principal(s) :

Role	Name
RESPONDENT	CITY OF THRALL

Contact(s) :

Role	Title	Name	Phone
Notified	MAYOR	TROY MARX	Work (512) 898-5306
Participated In Investigation	OPERATOR	ROBERT WALLA	Cell (512) 269-7335
			Work (512) 898-5306
Regulated Entity Contact	MAYOR	TROY MARX	Work (512) 898-5306
			(512) 898-2481

Other Staff Member(s) :

Role	Name
Supervisor	HERSCHEL JANUS
QA Reviewer	SHEA COCKRELL

Associated Check List

<u>Checklist Name</u>	<u>Unit Name</u>
2005 PWS A STANDARD FIELD	2460015
PWS GENERIC VIOLATIONS	2460015

Investigation Comments :**INTRODUCTION**

On May 13, 2008, Chad W. Ahlgren, R.S., Environmental Investigator with the TCEQ Austin Region Office, conducted a Comprehensive Compliance Investigation (CCI) at the City of Thrall Public Water System (PWS). The announced investigation was pre-arranged with Mr. Robert Walla, Chief-Certified Operator for the water system, on April 30, 2008, and the CCI was also conducted with him.

During the CCI, operation and maintenance records for the water system were reviewed and a physical inspection of the facility was conducted. Following the CCI, an exit interview form was completed that listed potential violations found during the investigation. The investigator and Mr. Walla signed the Exit Interview Form, and a copy of the form is attached to this report as Attachment Number 1. A Notice of Violation was issued to the facility for four alleged violations in order to facilitate compliance.

GENERAL FACILITY AND PROCESS INFORMATION

The City of Thrall has a registered PWS in the State of Texas, and is listed as PWS ID Number 2460016. The system serves residential and commercial facilities within the City of Thrall. The system's service area is outlined in Certificate of Convenience and Necessity Number 13063, and currently serves approximately 328 connections within its distribution system. The water system has two licensed operator, Mr. Walla (C-groundwater license, WG0010266), and Mr. Brian Johle (D-water, WO0023247). Mr. William Klesling does the customer service inspections for the City (CSI, CI0005136). The responsible official for the system is Mr. Troy Marx, Mayor of the City of Thrall.

The City of Thrall has two sources of water including purchased water and its own groundwater wells. The water system has two groundwater wells, Well Numbers 1 and 2, which were timed during the CCI as pumping at 62 and 52 gallons per minute, respectively. The water system formerly used Well Number 3, but it has been taken off-line and capped since the last CCI. Both wells had a combined production rate of 114 gallons per minute.

Finished drinking water is also purchased from the Noack Water Supply Corporation (PWS ID No. 2460020). Treated surface water is initially purchased from the Brazos River Authority (BRA) Granger Lake Regional Water System (PWS ID No.: 2460155) and then sold to Noack WSC. Noack WSC then re-sells the water to the City of Thrall. The water is delivered via Noack WSC water lines. The City of Thrall can purchase up to 100,000 gallons of water per day (69.4 gallons per minute) from this contract. With a total well production of 114 gallons per minute and a maximum purchased water rate of 69 gallons per minute, the City of Thrall has a total water production of 183 gallons per minute.

Both groundwater wells discharge into two ground storage tanks (both at 0.1 MG) simultaneously, with disinfection by gas chlorination and liquid ammonium sulfate prior to storage. The purchased water enters directly into the ground storage tank and is blended with water from the City of Thrall's wells. Two service pumps (rated at 500 gallons per minute each) take suction from the ground storage tank and discharge to the elevated storage tank (0.05 MG), and then to the distribution system (gravity fed). The City of Thrall has an approved exception request to use chloramines for disinfection purposes, as documented in a TCEQ letter dated December 12, 2007.

BACKGROUND INFORMATION

In preparing for the CCI, a review of system's file was conducted in order to determine if there were any historical compliance issues. Within the last five years, one CCI has been conducted at the facility on October 2, 2003. Eleven violations were documented during the CCI, and results of the investigation are documented in Investigation Number 250699.

The eleven violations were noted for: 1) failure to document chlorine usage; 2) failure obtain the services of a C-groundwater licensed operator; 3) failure to have a water system distribution map; 4) failure to have annual inspection forms for the ground and elevated storage tanks; 5) failure to have a drought contingency plan; 6) failure to adopt a plumbing ordinance or have service agreements; 7) failure to have a backflow prevention device installed at the carwash; 8) failure to have a proper chlorine measuring device; 9) failure to provide enough water production capacity; 10) failure to install the system's well wiring in conduit; 11) failure to provide water level indicators for the storage tanks.

Several of the noted violations were repeat violations from CCI's conducted in previous years. Following the CCI, the City of Thrall was referred to the TCEQ's Enforcement Process due to the apparent seriousness of the violations. On May 19, 2006, a TCEQ letter addressed to the City of Thrall indicated that they had fulfilled the requirements of the Compliance Agreement.

One complaint has been received at the system within the past five years on July 28, 2006. The complaint was documented in Incident Number 79381, with investigation results documented in Investigation Number 511022. An anonymous complainant stated that the City of Thrall did not have a licensed water operator, and that water leaks in the distribution system were left open and unattended with no Boil Water Notices being issued. The complaint was thoroughly investigated, and no outstanding violations were alleged as a result of the investigation.

ADDITIONAL INFORMATION

A review of the system's monthly operating reports indicated that the system has had a maximum daily

demand of 0.136 MGD on July 17, 2008. Between the months of January 2007 and April 2008, the system had an average daily water usage of 0.058 MGD. Water samples were collected by the investigator at two locations in the distribution to test for chlorination and water pressure. The residence at 100 Douglas Road had a water pressure of 52 pounds per square inch (PSI) and total chlorine concentration of 1.73 milligrams per liter (mg/L), while the residence at 602 Bounds Street had a water pressure of 62 PSI and a total chlorine concentration of 1.41 mg/L. Mr. Walla collected additional samples at 602 Bounds Street which indicated a free ammonia concentration of 0.28 mg/L and a monochloramine concentration of 1.21 mg/L.

During the CCI, four violations were noted for: 1) failure to have a plant operations manual, 2) failure to install a backflow prevention device at the car wash, 3) failure to perform calibrations of the system's well meters at least once every three years, and 4) failure to provide enough water production capacity. Substantial compliance was achieved on the violations concerning the plant operations manual and the well meter calibration. Since these two issues were resolved in a timely manner, they were moved to Areas of Concern. The two remaining violations were still outstanding at the time that the Notice of Violation was sent out.

Even though four violations were noted, the facility appeared to be operated in a more compliant manner than was noted during the 2003 CCI. Mr. Walla normally works in wastewater operations, and this CCI served as his first PWS investigation. It was noted that Mr. Walla was actively working to resolve the alleged violations and trying to obtain compliance with TCEQ rules.

<u>NOV Date</u>	<u>Method</u>
05/13/2008	AREA OF CONCERN
06/02/2008	WRITTEN

OUTSTANDING ALLEGED VIOLATIONS

Track No: 335016 Compliance Due Date: 07/29/2008

30 TAC Chapter 290.44(h)(1)(A)
30 TAC Chapter 290.47(i)

Alleged Violation:
Investigation: 657370

Comment Date: 06/02/2008

Failure to install a backflow prevention device at the car wash.

Since the carwash is considered to be a potential health hazard connection, it is required to have a reduced-pressure principle backflow prevention assembly device or an air gap installed on the potable water supply line. During the investigation it was noted that the carwash did not have any form of backflow prevention device installed on it.

Recommended Corrective Action: To achieve compliance, the City of Thrall shall have a reduced-pressure principle backflow prevention assembly device or an air gap installed on the potable water supply line to the carwash. To verify compliance, please send documentation indicating compliance with this requirement to the TCEQ Region 11 Office by the compliance due date.

Track No: 335139 Compliance Due Date: 07/29/2008

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

Alleged Violation:
Investigation: 657370

Comment Date: 05/28/2008

Failure to provide enough water production capacity.

For community public water systems with more than 250 connections, the system must have two or more wells having a total capacity of 0.6 gallons per minute per connection.

At the time of the investigation, the water system had a total well production capacity of 114 gallons per minute (GPM). With a total well production of 114 GPM and a maximum

purchased water rate of 69 GPM, the City of Thrall has a total water production of 183 GPM. However with 328 current connections, at a rate of 0.6 GPM/connection, the water system is require to have a total water production capacity of at least 196.8 GPM.

Recommended Corrective Action: To achieve compliance, increase the City of Thrall's water production capacity so that it meets the requirement of at least 0.6 GPM/connection per the current connection count. To verify compliance, please send documentation indicating compliance with this requirement by the compliance due date.

AREA OF CONCERN

Track No: 335015

Resolution Date: May 22 08

30 TAC Chapter 290.42(l)

Alleged Violation:

Investigation: 657370

Comment Date: 05/27/2008

Failure to have a plant operations manual for the public water system.

At the time of the investigation, it was noted that City of Thrall did not have a plant operations manual for the public water system as required by 30 TAC 290.42(l).

Recommended Corrective Action: To achieve compliance, the system needs to compile a plant operations manual and keep it available for review and reference. To verify compliance, please send documentation indicating compliance with this requirement to the TCEQ Region 11 Office by the compliance due date.

Resolution: On May 22, 2008, the City of Thrall submitted documentation indicating compliance with this requirement. The violation was therefore considered to be resolved at that time.

Track No: 335016

Resolution Date: May 22 08

30 TAC Chapter 290.46(s)(1)

Alleged Violation:

Investigation: 657370

Comment Date: 05/27/2008

Failure to perform calibrations of the system's well meters at least once every three years.

At the time of the investigation, it was noted that the system had not had its well meters calibrated. Per 30 TAC 290.46(s)(1), well meters required by 30 TAC §290.41(c)(3)(N) shall be calibrated at least once every three years.

Recommended Corrective Action: To achieve compliance, have the system's well meters calibrated and provided documentation indicating compliance with this requirement to the TCEQ Region 11 Office by the compliance due date.

Resolution: On May 22, 2008, the City of Thrall submitted documentation indicating that the well meters for both wells had been calibrated. The violation was therefore considered to be resolved at that time.

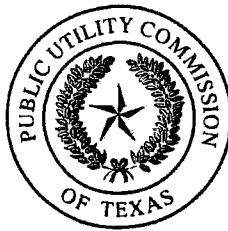
Additional Issues

Description

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

Additional Comments

The City of Thrall formerly had a granted exception request to the sanitary easement requirements for its public water system wells. However, the exception was later revoked in a TCEQ letter dated October 20, 2004. The letter stated that it was understood that the City of Thrall owned all the real property within 150-feet of the well. During the CCI, the City of Thrall submitted documentation indicating they own the land on which the wells and water system facilities are located. However, it is



House Bill (HB) 1600 and Senate Bill (SB) 567 83rd Legislature, Regular Session, transferred the functions and records relating to the economic regulation of water and sewer utilities from the TCEQ to the PUC effective September 1, 2014.

Central Records Personally Identifiable Information Audit

NOTICE OF REDACTION

Documents containing Personally Identifiable Information* have been redacted from electronic posting, in accordance with Texas privacy statutes.

*"Personally Identifiable Information" (PII) is defined to include information that alone or in conjunction with other information identifies an individual, including an individual's: Social security or employer taxpayer identification number, driver's license number, government-issued identification card number, or passport numbers, checking and savings account numbers, credit card numbers, debit card numbers, unique electronic identification number, address, or routing code, electronic mail names or addresses, internet account numbers, or internet identification names, digital signatures, unique biometric data, and mother's maiden name, marriage and any other numbers or information used to access an individual's financial account.

not clear whether or not the City of Thrall owns all the land within 150-feet of the wells (on all sides).

The City of Thrall shall obtain documentation indicating that they own all the land within 150-feet of the public water system's wells. If the City of Thrall does not own all the land within 150-feet of the wells, it shall obtain the necessary sanitary control easements or another approved exception to the sanitary easement requirements. This documentation should be kept on-site and made available for review and inspection during future investigations. This action should be done to maintain compliance with either 30 TAC 290.41(c)(1)(F) or 30 TAC 290.41(c)(1)(F)(vi).

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

All of the City of Thrall's public water system facilities are located on one piece of property on Water Works Road. This property has on it the two ground storage tanks, elevated storage tank, disinfection facilities, service pumps, and the system's two water wells. Also located on-site are four animal pens used to hold stray dogs when needed. These pens are located approximately 75 feet from the City's water wells and ground storage tanks. Since these pens do not qualify as animal feeding lots, they do not appear to be in violation of TCEQ rules. If the City decides to upgrade its kennel facilities in the future, it should consider relocating these pens to an area not adjacent to its water supply.

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

During the CCI, it was noted that public water system's facility fencing was six feet tall with three strands of barbed wire. There were some areas where the barbed wire was loose and needed tightening to help improve its intruder resistance.

Signed

Chad E. Adams
Environmental Investigator

Date

06/02/2008

Signed

J. Hef
Supervisor

Date

6/2/08

Attachments: (in order of final report submittal)

☐ Enforcement Action Request (EAR)
☒ Letter to Facility (specify type) : NOR
Investigation Report
☐ Sample Analysis Results
☐ Manifests
☐ NOR

☒ Maps, Plans, Sketches - Att#3
☒ Photographs - Att#4
☒ Correspondence from the facility - Att#5
☒ Other (specify)
Att#1: Exit Interview Form?
Att#2: Public Water System Data

Buddy Garcia, *Chairman*
Larry R. Soward, *Commissioner*
Bryan W. Shaw, Ph.D., *Commissioner*
Glenn Shankle, *Executive Director*



COPY

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 2, 2008

CERTIFIED MAIL 91 7108 2133 3935 1904 3761
RETURN RECEIPT REQUESTED

The Honorable Troy Marx
Mayor of the City of Thrall
P.O. Box 346
Thrall, Texas 76578

Re: Notice of Violation for the Comprehensive Compliance Investigation at:
City of Thrall Public Water System, Located on Water Works Road, Thrall (Williamson
County), Texas
TCEQ Regulated Entity RN101388171, TCEQ PWS ID No.: 2460015

Dear Mayor Marx:

On May 13 2008, Chad W. Ahlgren, R.S., of the Texas Commission on Environmental Quality (TCEQ) Austin Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for public water systems. Enclosed is a summary which lists the investigation findings. During the investigation, some concerns were noted which were alleged noncompliances that have been resolved as an Area of Concern and subsequent corrective action. In addition, certain outstanding alleged violations were identified for which compliance documentation is required. Please submit to this office by **July 29, 2008**, 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 alleged violations, we have cited applicable requirements, including TCEQ rules. If you would like to obtain a copy of the applicable TCEQ rules, you may contact any of the sources listed in the enclosed brochure entitled "Obtaining TCEQ Rules."

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 violation(s) documented in this notice. Should you choose to do so, you must notify the Austin Region Office within 10 days from the date of this letter. At that time, the PWS Work Leader will

REPLY TO: REGION 11 • 2800 S. INTERSTATE HWY. 35, STE. 100 • AUSTIN, TEXAS 78704-5700 • 512-339-2929 • FAX 512-339-3795

P.O. Box 13087 • Austin, Texas 78711-3087 • 512-239-1000 • Internet address: www.tceq.state.tx.us

07-29-2009 02:33 CITYOFTHRALL 5128982481

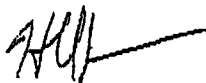
PAGE9

Mayor Marx
June 2, 2008
Page 2

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, please feel free to contact Mr. Ahlgren in the Austin Region Office at (512) 339-2929.

Sincerely,



Herschel E. Janus
PWS Work Leader
Austin Region Office

HEJ/cwa

Enclosures: Summary of Investigation Findings
Obtaining TCEQ Rules

Summary of Investigation Findings

CITY OF THRALL

Investigation # 657370

Investigation Date: 05/13/

, WILLIAMSON COUNTY,

Additional ID(s): 2460015

OUTSTANDING ALLEGED VIOLATIONS

Track No: 335016 Compliance Due Date: 07/29/2008

30 TAC Chapter 290.44(h)(1)(A)

30 TAC Chapter 290.47(l)

Alleged Violation:

Investigation: 657370

Comment Date: 06/02/

Failure to install a backflow prevention device at the car wash.

Since the carwash is considered to be a potential health hazard connection, it is required to have a reduced-pressure principle backflow prevention assembly device or an air gap installed on the potable water supply line. During the investigation it was noted that the carwash did not have any form of backflow prevention device installed on it.

Recommended Corrective Action: To achieve compliance, the City of Thrall shall have a reduced-pressure principle backflow prevention assembly device or an air gap installed on the potable water supply line to the carwash. To verify compliance, please send documentation indicating compliance with this requirement to the TCEQ Region 11 Office by the compliance date.

Track No: 335139 Compliance Due Date: 07/29/2008

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

Alleged Violation:

Investigation: 657370

Comment Date: 05/28/

Failure to provide enough water production capacity.

For community public water systems with more than 250 connections, the system must have two or more wells having a total capacity of 0.6 gallons per minute per connection.

At the time of the investigation, the water system had a total well production capacity of 114 GPM. With a total well production of 114 GPM and a maximum purchased water rate of 69 GPM, the City of Thrall has a total water production of 183 GPM. However with 328 current connections, at a rate of 0.6 GPM/connection, the water system requires to have a total water production capacity of at least 196.8 GPM.

Recommended Corrective Action: To achieve compliance, increase the City of Thrall's water production capacity so that it meets the requirement of at least 0.6 GPM/connection per connection count. To verify compliance, please send documentation indicating compliance with this requirement by the compliance due date.

AREA OF CONCERN

Track No: 335016

30 TAC Chapter 290.42(l)

Alleged Violation:

Summary of Investigation Findings

Failure to have a plant operations manual for the public water system.

At the time of the investigation, it was noted that City of Thrall did not have a plant operations manual for the public water system as required by 30 TAC 290.42(I).

Recommended Corrective Action: To achieve compliance, the system needs to compile a plant operations manual and keep it available for review and reference. To verify compliance, please send documentation indicating compliance with this requirement to the TCEQ Region 11 Office by the compliance due date.

Resolution: On May 22, 2008, the City of Thrall submitted documentation indicating compliance with this requirement. The violation was therefore considered to be resolved at that time.

Track No: 335018

30 TAC Chapter 290.48(s)(1)

Alleged Violation:

Investigation: 657370

Comment Date: 05/27/2008

Failure to perform calibrations of the system's well meters at least once every three years.

At the time of the investigation, it was noted that the system had not had its well meters calibrated. Per 30 TAC 290.46(s)(1), well meters required by 30 TAC §290.41(c)(3)(N) shall be calibrated at least once every three years.

Recommended Corrective Action: To achieve compliance, have the system's well meters calibrated and provided documentation indicating compliance with this requirement to the TCEQ Region 11 Office by the compliance due date.

Resolution: On May 22, 2008, the City of Thrall submitted documentation indicating that the well meters for both wells had been calibrated. The violation was therefore considered to be resolved at that time.

ADDITIONAL ISSUES

Description

Additional Comments

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

The City of Thrall formerly had a granted exception request to the sanitary easement requirements for its public water system wells. However, the exception was later revoked in a TCEQ letter dated October 20, 2004. The letter stated that it was understood that the City of Thrall owned all the real property within 150-feet of the well. During the CCI, the City of Thrall submitted documentation indicating they own the land on which the wells and water system facilities are located. However, it is not clear whether or not the City of Thrall owns all the land within 150-feet of the wells (on all sides).

The City of Thrall shall obtain documentation indicating that they own all the land within 150-feet of the public water system's wells. If the City of Thrall does not own all the land within 150-feet of the wells, it shall obtain the necessary sanitary control easements or another approved exception to the sanitary easement requirements. This documentation should be kept on-site and made available for review and inspection during future investigations. This action should be done to maintain compliance with either 30 TAC 290.41(c)(1)(F) or 30 TAC 290.41(c)(1)(F)(vi).

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

All of the City of Thrall's public water system facilities are located on one piece of property on Water Works Road. This property has on it the two ground storage tanks, elevated storage tank, disinfection facilities, service pumps, and the system's two water wells. Also located on-site are four animal pens used to hold stray dogs when needed. These pens are located approximately 75 feet from the City's water wells and ground storage tanks. Since these pens do not qualify as animal feeding lots, they do not appear to be in violation of TCEQ rules. If the City decides to upgrade its kennel facilities in the future, it should consider relocating these pens to an area not adjacent to its water supply.

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

During the CCI, it was noted that public water system's facility fencing was six feet tall with three strands of barbed wire. There were some areas where the barbed wire was loose and needed tightening to help improve its intruder resistance.

CITY OF TAYLOR WASTEWATER TREATMENT PLANT
1201 N. Main
Taylor Tx. 76574
512-352-2412
robert.wall@ci.taylor.tx.us

FAX

To: Chad Ahlgren	From: Robert Walla
Fax: 512-339-3795	Pages: 7
Phone:	Date: 5/22/08
Re: Thrall Inspection	cc: Infractions

Comments: Good morning. I have been trying to put together everything possible, but the deed part is proving to be very elusive. But I do have a call in to our engineer this morning, maybe he'll have a bit of good news for me. But anyway, here is what I have so far, and if anything else turns the corner quickly it will be sent to you asap.

Thanks,

Robert Walla

Robert Walla

CITY OF THRALL

P.O. BOX 346
THRALL, TEXAS 76578
(512) 898-6306

Mayor: TROY MARX
Commissioner: JOSEPH PAUSEWANG
Commissioner: J. SCOOTER DUBEC

City Secretary: CHELEEN McQUAIDE
Municipal Court Judge: JERRY FLEMING, SR.
Court Clerk: SHEILA PAUSEWANG

7004 2510 0002 9158 8660

CERTIFIED MAIL
May 16, 2008

Thrall Food Store
P.O. Box 338
Thrall, Texas 76578

Re: Backflow Prevention Assembly

To Whom It May Concern:

On May 13, 2008 Texas Commission on Environmental Quality (TCEQ) conducted a Public Water Supply Compliance inspection on the City of Thrall, which included, but was not limited to, the Thrall Food Store at 109 E. Hwy 79.

At that time, the Violations and/or Records Request included that a Backflow Prevention Assembly is required under Texas Commission on Environmental Quality Rules and Regulations 290.44(h)(4) for the carwash at the Thrall Food Store. Enclosed please find a copy of the Rules and Regulations 290.44(h)(4) and 290.47(i).

In order to avoid any monetary fines or penalty fees, the deadline for compliance with these Rules and Regulations is May 27, 2008. Non-compliance with this request may result in your water and sewer services being terminated.

Should you have any questions or concerns, please feel free to contact Troy Marx at (512) 845-6305.

Thank you for your immediate attention to this matter.

Sincerely,

Cheleen McQuaide

Cheleen McQuaide
City Secretary

cc: file
TCEQ

Enclosures

05-14-2008 22:57 CITYOFTHRALL 5128982481

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T396d

050-0017

Sales & Repairs on:
Water Meters
Control Valves
Ultrasonic Meters



Our Mailing Address:
Fluid Meter Service
P.O. Box 340215
Austin, TX 78734-0215
Our Physical Address:
Fluid Meter Service
7304 McNall Dr., #804
Austin, TX 78729

• AWWA Certified Tests
• Rebuilding of Meters

Phone: 1-800-944-4472
Fax: 1-512-258-4386

City of Thrall

512-898-5306

Robert

PHONE 512-563-6497

DATE	QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
5-13-08	2	Field to 2nd Meter		
		Installed 2nd Well 2" T-10		
		Well #1 Neptune Trident 2" T-10		
		SN: 60166706 RD: 22973300		
		METER 60 GPM TOTAL 100		
		DAN - 61		
	9	1 Well #2 Neptune Trident 2" T-10		
		SN: 60166724 RD: 11840600		
		METER - 55 GPM TOTAL 100		
		DAN - 54		

F3 Pages 05-14-08

NOT AN INVOICE

REMARKS Robert Call - 512 563 6497
FAX: 512 898 2481

Material Transfer Information	
Pick Up By: Robert Waller	Date: 5/14/08
Delivery By:	
Received By:	Date:

May 14 2008 04:27PM P1

FAX NO. 1812584386

FROM: FLUID METERSERVICE CORP.