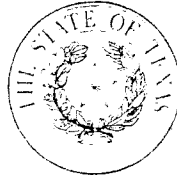


**Comprehensive Compliance
Evaluation Investigation**

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



PWS/101093/ICO

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 12, 2012

Mr. Shannon Marsh, Managing Member
J & S Water Company LLC
PO BOX 279
New Waverly, Texas 77358

RECEIVED

JUN 01 2012

TCEQ
CENTRAL FILE ROOM

Re: Comprehensive Compliance Investigation at:
Aldine Village Subdivision, 711 Corvette Ct., Houston, Harris County, Texas
Regulated Entity No.: RN101282671
TCEQ ID No.: 1010931, Investigation No.: 983222

Dear Mr. Marsh:

On January 18, 2012, Mr. Cedric Flemming of the Texas Commission on Environmental Quality (TCEQ) Houston Region Office conducted an investigation of the above-referenced facility to evaluate compliance with the applicable requirements for public water supply systems. No violations are being alleged as a result of the investigation; however, during the investigation, the investigator resolved an apparent instance of noncompliance noted during the previous investigation dated April 11, 2008. No further response from you is necessary concerning this investigation.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions regarding these matters, please feel free to contact Mr. Cedric Flemming in the Houston Region Office at (713)767-3650.

Sincerely,

A handwritten signature in cursive script that reads "Leticia De Leon".

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

LD/CBF/ra

cc: Harris County Public Health and Environmental Services

MAR 16 12 13:51

Summary of Investigation Findings

ALDINE VILLAGE SUBDIVISION

Investigation # 983222

, HARRIS COUNTY,

Investigation Date: 01/18/2012

Additional ID(s): 1010931

ALLEGED VIOLATION(S) NOTED AND RESOLVED

Track No: 306160

30 TAC Chapter 290.46(m)

Alleged Violation:

Investigation: 639643

Comment Date: 4/4/2008

Operating Practices for Public Water Systems

Failure to properly maintain the regulated entity by not repairing the inoperable fan in the chlorine house.

Investigation: 983222

Comment Date: 2/7/2012

Failure to properly maintain the regulated entity by not repairing the inoperable fan in the chlorine house.

Recommended Corrective Action: Submit copy of the work order to verify compliance.

Resolution: During the investigation dated 01/18/2012, the fan in the chlorine house was operating as intended.

Bryan W. Shaw, Ph.D., *Chairman*
Carlos Rubinstein, *Commissioner*
Toby Baker, *Commissioner*
Zak Covar, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 6, 2012

Shannon Marsh, Owner
Utilities Investment Company, Inc
P.O. Box 279
New Waverly, Texas 77358

Re: Notice of Violation for Compliance Evaluation Investigation at: Aldine Village
Wastewater Treatment Plant, 813 Hollyvale Drive, Houston, Harris County, Texas
TCEQ ID No.: WQ0013882-001, EPA ID No.: TX00769

Dear Mr. Marsh:

On July 11, 2012, Ms. Mary Hopkins of the Texas Commission on Environmental Quality (TCEQ) Houston Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable water quality requirements. Enclosed is a summary which lists the investigation findings. During the investigation, a concern was noted which was an alleged noncompliance. Through subsequent corrective action, this noncompliance has been resolved.

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.

If you or members of your staff have any questions, please feel free to contact Ms. Mary Hopkins in the Houston Region Office at 713-767-3675.

Sincerely,

A handwritten signature in dark ink, appearing to read 'BS' followed by a flourish.

Barbara Sullivan
Team Leader
Water Quality Management
Region 12 Houston

BSS/MVH/cs

Enclosures: Summary of Investigation Findings

ALDINE VILLAGE 813 HOLLYVALE DR HOUSTON, HARRIS COUNTY, TX 77060	Investigation # 1008687 Investigation Date: 07/11/2012
Additional ID(s): TX0070769 WQ0013882001	

ALLEGED VIOLATION(S) NOTED AND RESOLVED

Track No: 476184
30 TAC Chapter 305.125(1)
PERMIT WQ0013882-001
Effluent Limitations and Monitoring Requirements No. 2

Alleged Violation:

Investigation: 1008687 Comment Date: 08/17/2012

Failed to maintain compliance with the permitted effluent limits. Specifically, the grab sample collected during the investigation was not compliant with the single grab limit of 4.0 mg/L for total chlorine residual. The result of the total chlorine analysis was 4.46 mg/L. Compliance with the permitted effluent limits must be maintained.

Recommended Corrective Action: Submit documentation describing the action taken to prevent the recurrence of total chlorine residual violations and documentation that the total chlorine residual is compliant.

Resolution: On August 23, 2012, the Region 12 Office received documentation that the facility was compliant with the effluent limits for total chlorine.



Application and Instructions to Transfer a Wastewater Permit or CAFO Permit

Submission Checklist - Submit This with the Application

Indicate If The Following Are Included In The Application. Additional Blank Spaces Provided for Referencing Applicant's Attachments to the application.

Attachments	Y	N
Required Signature Pages	✓	
Copy Of The Check or Payment Voucher Submitted For Transfer Application Processing Fee	✓	
Core Data Form - Required To Complete Transfer Application	✓	
Lease Agreements - if applicable		✓
Proof of Ownership - Required for CAFO Permits		✓

For Commission Use Only

Permit Number WQ00 _____ EPA I.D. No. _____

Expiration Date _____ County _____ Region _____

1. Applicant General Information

What is the Legal Name of the entity (applicant) applying for this permit? *(The legal name must be spelled exactly as filed with the Texas Secretary of State, County, or in the legal document forming the entity.)*

a. **Facility Owner:** UIC 13, LLC

What is the applicant's mailing address (for use on the permit and permit correspondence) as recognized by the US Postal Service? You may verify the address at:

<http://zip4.usps.com/zip4/welcome.jsp>

Street Number/Name _____ Street type _____ **OR**

P.O. Box 279 City NEW WAVERLY State TX Zip code 77358

Telephone number (281) 590-4359 Fax number (936) 344-9838

Email address: AQUAPUREWATER1@HOTMAIL.COM

Tax Identification Number issued by the State Comptroller 043833352

Charter Number issued by the Texas Secretary of State 80056031

If the applicant is currently a customer with TCEQ, what is the Customer Number (CN)? Search for your CN at:

<http://www12.tceq.texas.gov/crpub/index.cfm?fuseaction=cust.CustSearch>

CN 602975252

If the owner has not yet received a Customer Reference Number a complete Core Data Form(TCEQ-10400) listing the owner as the customer and this facility as the regulated entity must be attached to this application.

b. **Co-Permittee Information** - (Complete only if the operator is required to apply as a co-permittee)

Co-Permittee Name: _____

What is the mailing address (for use on the permit and permit correspondence) as recognized by the US Postal Service? You may verify the address at:

<http://zip4.usps.com/zip4/welcome.jsp>Mailing

Street Number/Name _____ Street type _____ **OR**

P.O. Box _____ City _____ State TX Zip code _____

Telephone number _____ Fax number _____

Email address: _____

Tax Identification Number issued by the State Comptroller _____

Charter Number issued by the Texas Secretary of State _____

If the applicant is currently a customer with TCEQ, what is the Customer Number (CN)? Search for your CN at:

<http://www12.tceq.texas.gov/crpub/index.cfm?fuseaction=cust.CustSearch>

CN _____

If the owner has not yet received a Customer Reference Number a complete Core Data Form (TCEQ-10400) listing the owner as the customer and this facility as the regulated entity must be attached to this application.

- c. **Individual information** - Pursuant to the Texas Water Code 26.027(b), supply the following information when the applicant is an individual.

Male Female

Full Legal Name:

First _____ Middle _____ Last _____

State ID Number: _____ Date of Birth _____

Street Number/Name _____ Street type _____

Telephone number _____ Fax number _____

Email address: _____

If the applicant is currently a customer with TCEQ, what is the Customer Number (CN)? Search for your CN at:

<http://www12.tceq.texas.gov/crpub/index.cfm?fuseaction=cust.CustSearch>

CN _____

If the owner has not yet received a Customer Reference Number a complete Core Data Form (TCEQ-10400) listing the owner as the customer and this facility as the regulated entity must be attached to this application.

2. Contact Information

a. Application Contact

Identify the person, including a complete mailing address, telephone number, and fax number, authorized to act for the applicant during the processing of the transfer application. The person identified will be contacted if additional information is needed during the transfer process.

First/Last Name: SHANNON MARSH

Street Number/Name _____ Street type _____ OR

P.O. Box 279 City NEW WAVERLY State TX Zip code 77358

Telephone number (281) 590-4359 Fax number (936) 344-9838

Email address: AQUAPUREWATER1@HOTMAIL.COM

b. Permit Contact:

Identify the person, including a complete mailing address, telephone number, and fax number, that can be contacted by the agency as needed throughout the term of the permit/registration.

First/Last Name: SHANNON MARSH

Street Number/Name _____ Street type _____ OR

P.O. Box 279 City NEW WAVERLY State TX Zip code 77358

Telephone number (281) 590-4359 Fax number (936) 344-9838

Email address: AQUAPUREWATER1@HOTMAIL.COM

3. Permit/Registration Information

a. What is the TCEQ Water Quality Permit No.? 13882-001

b. What is the EPA ID No.: TX 0011762

c. What is the permit expiration date?: 12/1/17

d. Check if applicable (for POTWs only)

The permit to be transferred requires implementation of an approved pretreatment program by a POTW. (Note: The transferee must contact the Stormwater and Pretreatment Team staff before this application may be processed.)

e. Check if applicable (for domestic reclaimed water authorizations)

There is a domestic reclaimed water authorization associated with this permit. (Note: The domestic reclaimed water authorization associated with this permit will be transferred. If you do not want the domestic reclaimed water authorization transferred, please state this and the authorization will be cancelled on the same date the transfer took place.)

4. Site Information

a. TCEQ issued RE Reference Number (RN): Search TCEQ's Central Registry to see if the larger site may already be registered as a regulated site at:
<http://www12.tceq.texas.gov/crpub/index.cfm?fusaction=regent.RNSearch>
RN 102807070

b. Site Name: ALDINE VILLAGE

c. County in which the facility is located HARRIS

d. Owner of the land where the facility is/will be: (if not the same as the facility owner, please see instructions) UIC 13, LLC

Street Number: 813 Street Name: HOLLYVALE

City: HOUSTON State: TX ZIP Code: 77060

e. Owner of the effluent disposal site (if not the same as the facility owner, please see instructions) UIC 13, LLC

Street Number: 813 Street Name: HOLLYVALE

City: HOUSTON State: TX ZIP Code: 77060

f. For CAFOs – please provide one of the following:

Warranty Deed

Property Tax Records

Lease – includes authorization to use the land for the duration of the permit. The owner of the land must be the co-permittee

___ Facility Size - indicated in proof of ownership: _____ acres (should be the same as what is authorized in the current permit)

5. The Date Transfer of Ownership/Operator Will Occur

Date: 7/1/14

Please note that the transfer will be processed once the change in ownership occurs. If the anticipated date of transfer of ownership changes, the transferee or the transferor must notify the Applications Review and Processing Team in writing, prior to the above given date. The transferee assumes complete responsibility of the permit/registration once the permit/registration transfer is issued, unless an executed agreement by the transferor and transferee is provided with the transfer application including payment of any outstanding annual fees.

6. Reporting and Billing Information

a. Please provide the mailing address for receiving self-reporting/DMR Forms.

Prefix (Mr. Ms, Miss): _____

First/Last Name: SHANNON MARSH Suffix: _____

Title: OWNER Credential: _____

Organization Name: UIC 13, LLC

Billing Mailing Address: P.O. BOX 279

Internal Routing (Mail Code, Etc.): _____

City: NEW WAVERLY State: TX ZIP Code: 77358

Mailing Information if outside USA:

Territory: _____ Country Code: _____ Postal Code: _____

Phone No.: (281) 590-4359 Extension: _____

Fax No.: (936) 344-9838 E-mail Address: AQUAPUREWATER1@HOTMAIL.COM



Did you know you can submit DMR data on line? Go to Sign up now at: <https://www6.tceq.texas.gov/steers/>

- b. The permittee is responsible for paying the annual fee. The annual fee will be assessed to permits active on September 1 of each year. TCEQ will send a bill to the address provided in this section. The permittee is responsible for terminating the permit when it is no longer needed.

Is the billing address the same as the permittee or co-permittee?

Permittee Co-permittee No, fill out this section

Prefix (Mr, Ms, Miss): _____

First/Last Name: _____ Suffix: _____

Title: _____ Credential: _____

Organization Name: _____

Billing Mailing Address: _____

Internal Routing (Mail Code, Etc.): _____

City: _____ State: TX ZIP Code: _____

Mailing Information if outside USA.

Territory: _____ Country Code: _____ Postal Code: _____

Phone No.: _____ Extension: _____

Fax No.: _____ E-mail Address: _____

- c. Delinquent fees owed.

Do you owe fees to the TCEQ? Yes No

If yes, please provide the amount past due, the type of fee, and an identifying number.

- d. Delinquent penalties owed.

Do you owe penalties to the TCEQ? Yes No

If yes, please provide the amount past due, the type of penalty, and an identifying number.

7. Transferor (Current Permittee)

Owner of Permitted Facility

I, SHANNON MARSH Title VP
(Executive Principal Officer / Ranking Elected Official)

consent to the transfer of the permit and I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. I further certify that I am authorized under 30 Texas Administrative Code '305.44 to sign this document and can provide documentation in proof of such authorization upon request.

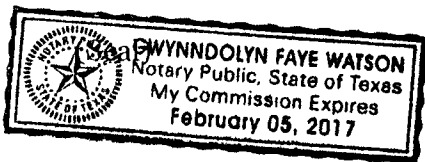
Signature: [Signature] Date: 8/14/14

NOTE: ALL APPLICATIONS MUST BEAR THE SIGNATURE AND SEAL OF NOTARY PUBLIC.

SUBSCRIBED AND SWORN to before me by the said Shannon Marsh

on this 14th day of August, 2014.

My commission expires on the 5th day of February, 2014.



[Signature]
Notary Public
Montgomery
County, Texas

9. Transferee (New Site Owner and/or Operator)

Please refer to page 3 of this application for signature requirements

I, SHANNON MARSH Title V Pres
(Printed name and title of executive officer of at least the level of V.P. or equivalent)

Name of company: UIC 13, LLC

being duly sworn, depose and say: that a change of ownership of the facility for the subject permit has been issued will occur as indicated in the application. As a condition of the transfer, I do hereby declare that:

The transferee will be the owner of the existing treatment facility from which wastewater is discharged, deposited or disposed or the facilities required to comply with the permit will be constructed as described in the application considered by the TCEQ prior to the issuance of the permit.

The transferee possesses a copy of the permit, understands the terms and conditions therein, and does accept and assume all obligations of the permit.

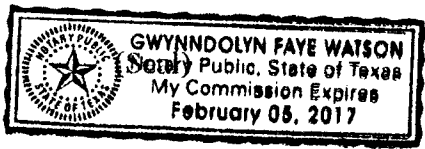
The transferee assumes financial responsibility for the proper maintenance and operation of all waste treatment and disposal facilities required by the permit or which may be required to comply with the permit terms and conditions. The transferee certifies that the transfer is not made for the purpose of avoiding liability for improper actions carried out prior to the date of transfer. Neither is the transfer made for the purpose of transferring responsibility for improper operations to an insolvent entity.

The transferee certifies under penalty of law that this document is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for known violations and revocation of this permit.

Signature: [Signature] Date: 8/14/14

SUBSCRIBED AND SWORN to before me by the said Shannon Marsh on this 14th day of August, 2014

My commission expires on the 5th day of February, 2017.



[Signature]
Notary Public
Montgomery
County, Texas

** Operator is required to sign only if operator is required to be a co-permittee.

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



PWS/1011253/CO

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 14, 2011

RECEIVED
SEP 22 2011
TEXAS COMMISSION
ON
ENVIRONMENTAL QUALITY

Mr. Shannon Marsh, President
J & S Water Company, LLC
P. O. Box 279
New Waverly, Texas 77358-0279

Re: Comprehensive Compliance Investigation at:
Azalea Estates MH Community, 7902 Alexandria Ct., Spring, Harris County, Texas
TCEQ ID No. 1011253, Investigation No. 949429

Dear Mr. Marsh:

On July 25, 2011, Mr. Sune Nantah of the Texas Commission on Environmental Quality (TCEQ) Houston Region Office conducted an investigation of the above-referenced facility to evaluate compliance with the applicable requirements for public water supply systems. No violations are being alleged as a result of the investigation; however, please see the attached Additional Issue.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions regarding these matters, please feel free to contact Mr. Sune Nantah in the Houston Region Office at (713)767-3650.

Sincerely,

Handwritten signature of Leticia De Leon in cursive.

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

RECEIVED

JUL 01 2012

TCEQ
CENTRAL FILE ROOM

LD/SN/ra

cc: Harris County Public Health and Environmental Services

Enclosure: Summary of Investigation Findings

Summary of Investigation Findings

AZALEA ESTATES MOBILE HOME COMMUN

Investigation # 949429

, HARRIS COUNTY,

Investigation Date: 07/25/2011

Additional ID(s): 1011253

No Violations Associated to this Investigation

ADDITIONAL ISSUES

Description

MINIMUM WATER SYSTEM CAPACITY REQUIREMENTS: Meets applicable 290.45 standards?

Additional Comments

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.

Specifically, it was noted on this investigation that the water well and the pressure tank have reached 93% and 90% of their capacities respectively. This was based on 18 connections.

1.5 GPM x 18 connections = 27GPM (Required well production)

29GPM (Provided well production)

27 GPM /29 GPM x 100% = 93%

50 Gal per connection x 18 connections = 0.0009 MG (Required Pressure Tank)

0.001 MG (Pressure Tank Provided)

0.0009 MG / 0.001 MG x 100% = 90%

Submit a planning report 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.

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



PWS/1010283 ICO

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

November 14, 2011

RECEIVED

JUN 20 2012

TCEQ
CENTRAL FILE ROOM

Mr. Shannon Marsh, President
J & S Water Company LLC
PO Box 279
New Waverly, Texas, 77358-0279

Re: Notice of Violation for the Compliance Evaluation Investigation at:
Cottonwood Park Water System, 11202 Cora St., Houston, Harris County
Regulated Entity No.: 101278042, TCEQ ID No.: 1010283, Investigation No.:
956418

Dear Mr. Marsh:

On September 22, 2011, Ms. Dawn Olivo of the Texas Commission on Environmental Quality (TCEQ) Houston Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for Public Water Supply. Enclosed is a summary which lists the investigation findings. During the investigation, certain outstanding alleged violations were identified for which compliance documentation is required. Based on the information you have provided, the TCEQ has adequate documentation to resolve the alleged violations. Therefore, no further action is required.

if you or members of your staff have any questions, please feel free to contact Ms. Dawn Olivo in the Houston Region Office at 713/767-3650.

Sincerely,

A handwritten signature in cursive script that reads "Leticia DeLeon".

Leticia DeLeon, PWS Team Leader
Houston Region Office

LD/DBO/ra

cc: Harris County Public Health and Environmental Services

Enclosures: Summary of Investigation Findings

COTTONWOOD PARK WATER SYSTEM

Investigation # 956418

Investigation Date: 09/22/2011

, HARRIS COUNTY,

Additional ID(s): 1010283

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

Track No: 306477

30 TAC Chapter 290.46(m)

Alleged Violation:

Investigation: 637397

Comment Date: 3/31/2008

Operating Practices for Public Water Systems

Failure to properly maintain the regulated entity by not repairing the well meter.

At the time of the inspection the meter on the well was not turning properly.

Investigation: 956418

Comment Date: 11/7/2011

Operating Practices for Public Water Systems

Failure to properly maintain the regulated entity by not repairing the well meter.

At the time of the inspection the meter on the well was not turning properly.

Recommended Corrective Action: Submit work order indicating meter has been repaired, tested, or replaced to verify compliance.

Resolution: During a Comprehensive Compliance Inspection on September 22, 2011, the well meter was functioning properly.

Track No: 306481

30 TAC Chapter 290.46(t)

Alleged Violation:

Investigation: 637397

Comment Date: 3/31/2008

Operating Practices for Public Water Systems

Failure to post a legible sign at each of its production, treatment, and storage facilities by each community system. The sign must be located in plain view of the public and must provide the name of the regulated entity and an emergency telephone number where a responsible official can be contacted.

At the time of this inspection the facility did not have an emergency sign posted.

Investigation: 956418

Comment Date: 11/7/2011

Operating Practices for Public Water Systems

Failure to post a legible sign at each of its production, treatment, and storage facilities by each community system. The sign must be located in plain view of the public and must provide the name of the regulated entity and an emergency telephone number where a responsible official can be contacted.

At the time of this inspection the facility did not have an emergency sign posted.

Recommended Corrective Action: Submit photo of posted emergency sign to verify compliance.

Resolution: On September 22, 2011, during a Comprehensive Compliance Inspection, the investigator noted there was an acceptable sign at the entrance to the plant.

Track No: 306489

30 TAC Chapter 290.46(m)

Alleged Violation:

Investigation: 637397

Comment Date: 4/7/2008

Operating Practices for Public Water Systems

Failure to properly maintain the regulated entity by not repairing the barbed wire on the westside of the fence.

The barbed wire on the westside of the fence was very loose.

Investigation: 956418

Comment Date: 11/7/2011

Operating Practices for Public Water Systems

Failure to properly maintain the regulated entity by not repairing the barbed wire on the westside of the fence.

The barbed wire on the westside of the fence was very loose.

Recommended Corrective Action: Submit photo or work order indicating the barbed wire has been repaired.

Resolution: A work order was submitted on November 8, 2011 that shows the barbed wire on the fence was replaced or tightened where it was loose. The work order was signed by Shannon Marsh.

Track No: 450529

30 TAC Chapter 290.46(m)(4)

Alleged Violation:

Investigation: 956418

Comment Date: 11/7/2011

Water Leakage

Failure to maintain all related appurtenances in a watertight condition and/or free of excessive solids. In this connection, the leaking service pump no. 2 and the leaking valve at the pressure tank site glass located at the plant must be repaired or replaced as necessary.

Recommended Corrective Action: Submit a photo, receipt and/or work order to verify compliance.

Resolution: A work order was submitted on November 11, 2011 that shows the leaks at service pump #2 and at the site glass were repaired.

Track No: 450530

30 TAC Chapter 290.42(I)

Alleged Violation:

Investigation: 956418

Comment Date: 11/7/2011

Plant Operations Manual

Failure to compile and maintain, a current, and thorough plant operations manual for operator review and reference. This manual should be of sufficient detail to provide the operator with routine maintenance and repair procedure as well as provide telephone numbers of water system personnel, system officials, and local/state/federal agencies to be contacted in the

event of an emergency.

At the time of the inspection, there was no plant operations available for review by the investigator.

Recommended Corrective Action: Submit a copy of your plant operations manual to verify compliance.

Resolution: A Plant Operations Manual was submitted on November 9, 2011.

Track No: 450533

30 TAC Chapter 290.46(i)

Alleged Violation:

Investigation: 956418

Comment Date: 11/7/2011

Operating Practices for Public Water Systems

Failure to adopt an adequate plumbing ordinance, regulations or a service agreement with provisions for proper enforcement. Potential cross-connections or other undesirable plumbing practices must be prohibited. The ordinance or regulations must also prohibit the use of pipes and pipe fittings that contain more than 8.0 percent lead or solders and flux that contain more than 0.2 percent lead.

At the time of the inspection, there were no Customer Service Agreements available for review by the investigator.

Recommended Corrective Action: Submit copies of customer service agreements, for the past year, to verify compliance.

Resolution: A copy of the regulated entity's service agreement was submitted on November 9, 2011.

Bryan W. Shaw, Ph.D., *Chairman*
Carlos Rubinstein, *Commissioner*
Toby Baker, *Commissioner*
Zak Covar, *Executive Director*

PWS/1011792/CO

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 6, 2012

Mr. Mark L. Urback, P.E., Senior Project Engineer
Water Engineers, Inc.
17230 Huffmeister Road, Suite A
Cypress, Texas 77429

RECEIVED

JUN 20 2012

TCEQ
CENTRAL FILE ROOM

Re: Cypress Hill Subdivision- Public Water System ID No. 1011792
Request for an Exception to the Minimum Setback Distance Rule to Livestock
Well No. 1 (TCEQ ID No G1011792A) and Well No. 2 (TCEQ Well ID Unassigned)
Harris County, Texas

CN 602975252;

RN101221125

Dear Mr. Urback:

On February 23, 2012, the Texas Commission on Environmental Quality (TCEQ) received your letter dated February 21, 2012 requesting an exception to the TCEQ's requirement that all well sources used by a public water system have a minimum setback distance of 50 feet from livestock in pastures as specified in Title 30 of the Texas Administrative Code (TAC) §290.41(c)(1)(D). This request is for Well No. 1 (TCEQ ID No G1011792A) and Well No. 2 (TCEQ Well ID Unassigned). Based on our review of the information provided, we are **temporarily granting** your request.

The TCEQ has determined that the inability to meet the minimum setback distance between a public water supply well and livestock in pastures indicate this groundwater source may be susceptible to fecal contamination and result in a risk to public health. Therefore, in accordance with 30 TAC §290.46(b) and §290.109(c)(4)(E), upon receipt of this letter the public water system (PWS) is required to collect one raw water sample per month from the well and submit the sample for bacteriological analysis to a TCEQ-accredited laboratory. Please ensure that the sample is delivered to the laboratory clearly labeled with the TCEQ Source Code for Well No. 1 (G1011792A) and the TCEQ Source Code for Well No. 2 (once the TCEQ Well ID is assigned) marked "raw."

Please note that this monthly monitoring requirement will remain in effect should a final exception be granted following the review of the first year's sample results. These samples are in addition to the normally required monthly distribution bacteriological samples and must be collected at a point prior to the disinfectant injection point. The sample results should be submitted in the same manner as the results of the monthly distribution bacteriological samples.

Mr. Mark L. Urback, P.E.

Page 2 of 3

June 6, 2012

Once twelve (12) consecutive monthly sample results have been received and reviewed, the TCEQ will **evaluate the granting of a final exception**. Additional monitoring and/or treatment may be required based on the results of the raw water bacteriological samples. If any of the samples come back positive, please follow the instructions on Enclosure 1: Instructions for Positive Bacteriological Samples.

Please note that use of a well before receiving interim approval is a violation of 30 TAC §290.39(h)(1) and may result in an enforcement action against the PWS.

We note that you provided material showing water Well No. 1 is approximately 20 feet from the plant fence and water Well No. 2 is approximately 5 feet away from the plant fence. The tract that is adjacent to the well tract has a barn and feeding shed for two horses. The adjacent tract is sloped to a swale that runs along the eastern property line of the plant fence and south of the wells where run-off is conveyed away from the water well site. All animal waste from this property is transported away from the water plant facility. Both wells are pressure cemented and geological confining layers are present in the area.

All exceptions are subject to periodic review and may be revised or revoked if water conditions change or if evidence is found that granting an exception has resulted in the degradation of potable water quality or quantity.

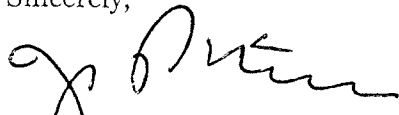
A copy of this letter and all related monitoring data must be maintained for as long as this exception is in effect. These records must be made available to TCEQ staff upon request. If contamination of a well occurs which is not remediated through treatment, a new properly constructed well may be required at another location and abandonment, proper plugging, and sealing of the abandoned well will be required.

Please note that this exception is not intended to waive compliance with any other TCEQ requirement in 30 TAC Chapter 290. This exception cannot be used as a defense in any enforcement action resulting from noncompliance with any other requirement of 30 TAC Chapter 290.

If you have questions concerning this letter, or if we can be of additional assistance, please contact Mr. Jose J. Castillo, P.E. of my staff by email at "jose.castillo@tceq.texas.gov", by telephone at (512) 239-4787, or by correspondence at the following address:

Technical Review & Oversight Team (MC 159)
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Sincerely,



Joe Klumpp, Team Leader
Technical Review and Oversight Team
Plan and Technical Review Section
Water Supply Division
Texas Commission on Environmental Quality

Mr. Mark L. Urback, P.E.

Page 3 of 3

June 6, 2012

jk/jjc

Enclosure 1: Instructions for Positive Bacteriological Samples.

cc: TCEQ Houston Regional Office – R12
Aqua Utilities Inc. dba Aqua Texas, Inc., Attn. Mr. Steve Blackhurst, 1106 Clayton
Lane Suite 400W, Austin, Texas 78723-2476
Ms. Ada Lichaa, Manager, TCEQ Plan & Technical Review Section, (MC 159)
Ms. Vera Poe, P.E., TCEQ Utilities Technical Review Team (MC 159)
Mr. John Schildwachter, TCEQ Drinking Water Protection Team (MC 155)

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



PWSI/011792 ICO

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 7, 2012

Mr. Shannon Marsh, Managing Member
J & S Water Company LLC
P. O. Box 279
New Waverly, Texas 7738-02797

Handwritten initials, possibly "RR", in black ink.

Re: Unresolved Alleged Violation for Compliance Evaluation Investigation at:
Cypress Hill Subdivision, 18208 E. Cypress Hill, Houston, Harris County, Texas
TCEQ ID No.1011792, Investigation No. 982365

Dear Mr. Marsh:

The Texas Commission on Environmental Quality (TCEQ) Houston Region Office has previously requested that you submit compliance documentation for the alleged violations noted during the investigation of the above-referenced facility conducted on July 28, 2011. We have received acceptable compliance documentation from you for all of the alleged violations except for the violation listed as outstanding in the enclosed *Summary of Investigation Findings*. Please be advised that you are responsible for correcting this remaining problem. This unresolved alleged violation will be placed in your file to be evaluated during any subsequent investigation. A repeat of this outstanding violation at a future inspection may result in the initiation of an enforcement action.

If you or members of your staff have any questions regarding these matters, please feel free to contact Ms. Maggie Wright in the Houston Region Office at (713)767-3650.

Sincerely,

Handwritten signature of Leticia De Leon in black ink.
Leticia De Leon, Team Leader
Public Water Supply
Houston Region Office

LD/MW/ra

cc: Harris County Public Health and Environmental Services

Enclosure: *Summary of Investigation Findings*

RECEIVED

APR 18 2012

TCEQ
CENTRAL FILE ROOM

MAR-12 12 13:48

Summary of Investigation Findings

CYPRESS HILL SUBDIVISION

Investigation # 982365

, HARRIS COUNTY,

Investigation Date: 01/26/2012

Additional ID(s): 1011792

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

Track No: 443052 Compliance Due Date: 09/19/2011

30 TAC Chapter 290.41(c)(1)(D)

Alleged Violation:

Investigation: 943404

Comment Date: 8/11/2011

Ground Water Sources and Development

Failure to maintain livestock in pastures at a distance of at least 50 feet from public water supply wells.

At the time of the inspection, the horses were walking along the outside portion of the fenced well site.

Investigation: 982365

Comment Date: 1/26/2012

Failure to maintain livestock in pastures at a distance of at least 50 feet from public water supply wells.

At this time, this violation still exist.

Recommended Corrective Action: Submit a copy of the exception request for the animals (horses) to verify compliance.

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

Track No: 442987

30 TAC Chapter 290.42(I)

Alleged Violation:

Investigation: 943404

Comment Date: 8/4/2011

Plant Operations Manual

Failure to compile and maintain, a current, and thorough plant operations manual for operator review and reference. This manual should be of sufficient detail to provide the operator with routine maintenance and repair procedure as well as provide telephone numbers of water system personnel, system officials, and local/state/federal agencies to be contacted in the event of an emergency

At the time of the inspection, the operator did not provide a copy of the operations manual.

Investigation: 982365

Comment Date: 1/26/2012

Failure to compile and maintain, a current, and thorough plant operations manual for operator

review and reference.

Recommended Corrective Action: Submit a copy of the plant operations manual to verify compliance.

Resolution: A copy of the plant operation manual was faxed by Aqua Pure on 01/13/2012.

Track No: 442988

30 TAC Chapter 290.46(m)(4)

Alleged Violation:

Investigation: 943404

Comment Date: 8/4/2011

Water Leakage

Failure to maintain all pressure maintenance facilities in a watertight condition. In this connection, the leaking gate valve located at the pressure tank must be repaired or replaced as necessary.

At the time of the inspection the pressure tank was leaking at the gate valve.

Investigation: 982365

Comment Date: 1/26/2012

Failure to maintain all pressure maintenance facilities in a watertight condition.

Recommended Corrective Action: Submit a photo to show the leak has been repaired at the gate valve on the pressure tank to verify compliance.

Resolution: Aqua Pure submitted a faxed copy of the repair order. The repair order stated the leak on the valve was repaired.

Track No: 442989

30 TAC Chapter 290.42(e)(5)

Alleged Violation:

Investigation: 943404

Comment Date: 8/4/2011

Disinfection

Failure to maintain the lid of the hypochlorination solution container completely covered and sealed to prevent the entrance of dust, insects, and other contaminants

At the time of the inspection the hypochlorinator solution container's lid was not properly sealed.

Investigation: 982365

Comment Date: 1/26/2012

Failure to maintain the lid of the hypochlorination solution container completely covered and sealed to prevent the entrance of dust, insects, and other contaminants.

Recommended Corrective Action: Submit a photo showing the hypochlorinator solution container's lid has been properly sealed to verify compliance,

Resolution: Aqua Pure submitted a faxed copy of the repair order. The repair order stated the replacement lid was installed on the hypochlorination container.

Track No: 442990

30 TAC Chapter 290.46(m)(1)(A)

Alleged Violation:

Design and Construction of Storage Tanks

Failure to conduct an inspection of the ground storage tank at least annually, to determine that the vents are in place and properly screened, the roof hatches closed and locked, flap valves and gaskets provide adequate protection against insects, rodents, and other vermin, and that the interior and exterior coating systems are continuing to provide adequate protection to all metal surfaces, and that the tank remains in a watertight condition.

At the time of the inspection the operator did not provide a copy of the ground storage tank inspection report form.

Investigation: 982365

Comment Date: 1/26/2012

Failure to conduct an inspection of the ground storage tank at least annually.

Recommended Corrective Action: Submit a copy of the ground storage tank inspection report form to verify compliance.

Resolution: Aqua Pure submitted a faxed copy of the completed ground storage tank inspection form on 01/13/2012.

Track No: 442991**30 TAC Chapter 290.121(a)****Alleged Violation:**

Investigation: 943404

Comment Date: 8/4/2011

Monitoring Plan

Failure to develop and maintain an up to date system monitoring plan. The plan shall identify all bacteriological and chemical locations, describe the sampling frequency, and specify the analytical procedures and laboratories to be used to comply with monitoring requirements. The completed plan must be retained at each water plant, and made available for review during succeeding investigations.

At the time of the inspection the operator provided a copy of the monitoring plan that needed to be updated.

Investigation: 982365

Comment Date: 1/26/2012

Failure to develop and maintain an up to date system monitoring plan.

Recommended Corrective Action: Submit a copy of the updated monitoring plan to verify compliance.

Resolution: A copy of the monitoring plan was faxed by Aqua Pure on 01/13/2012.

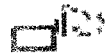
Maps



Water Utilities Application

Lat: 29.998964, Long

12391



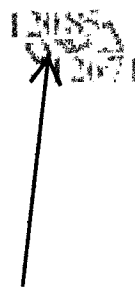
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920 292



Water Transit 2103

12309

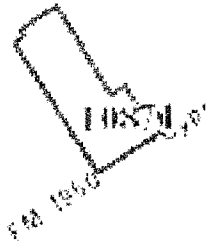


alea Estates S #1011253

US-290 E

US

1236 N 29



1012

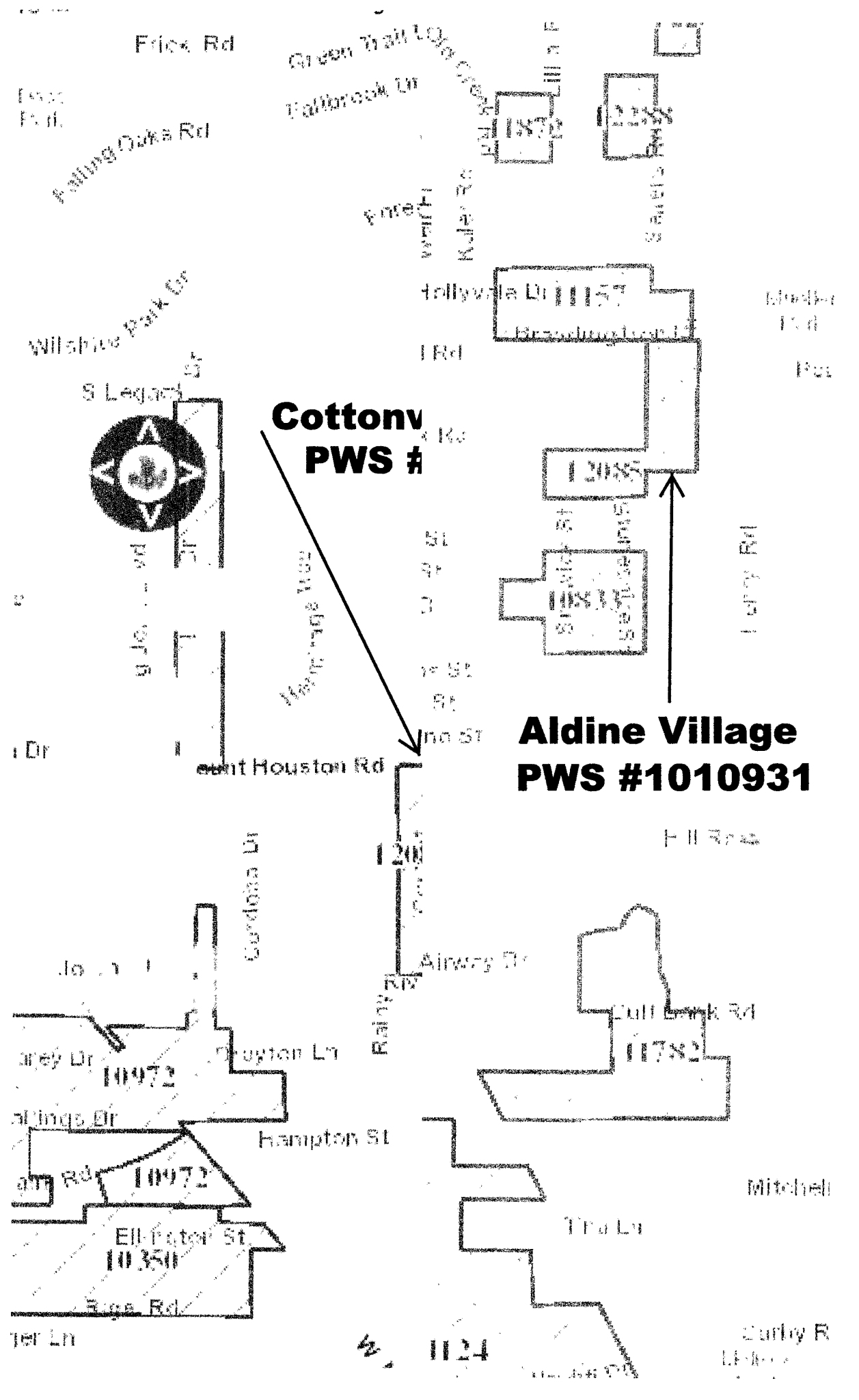
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101 PH3 Tomball PH3 FM 2920 Rd

12321

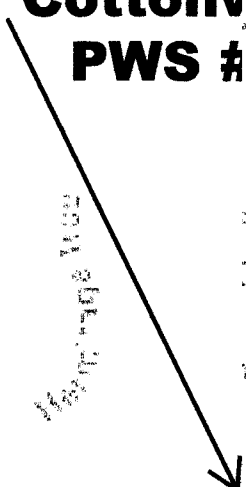


Sam Houston Hwy W Sam Ho



**Cotton
PWS #**

**Aldine Village
PWS #1010931**



Frick Rd
Fanning Oaks Rd
Willabree Park Dr
S Legard
East Houston Rd
Rainey Rd
Hampton St
Ellinger St
Frick Rd
Ter Ln
Green Trail Loop
Fallowbrook Dr
Kulter Rd
Tollywell Dr
11157
12085
10972
10350
11782
1124
Mitchell
Curry R



Water Utility Application

Lat: 29.916574,

TX

in Pky E

Bellway & S

Alpine Meadows E

20822

Alpine Meadows

Searchong St

Charlton Rd

Fordland St



Ellis Blvd

dine Village

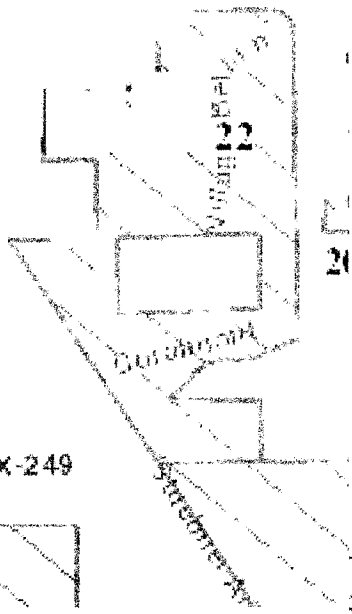
Q No. 13882-001

Stacy Rd

Rd

20385

Lougher Rd



Reevantah Rd

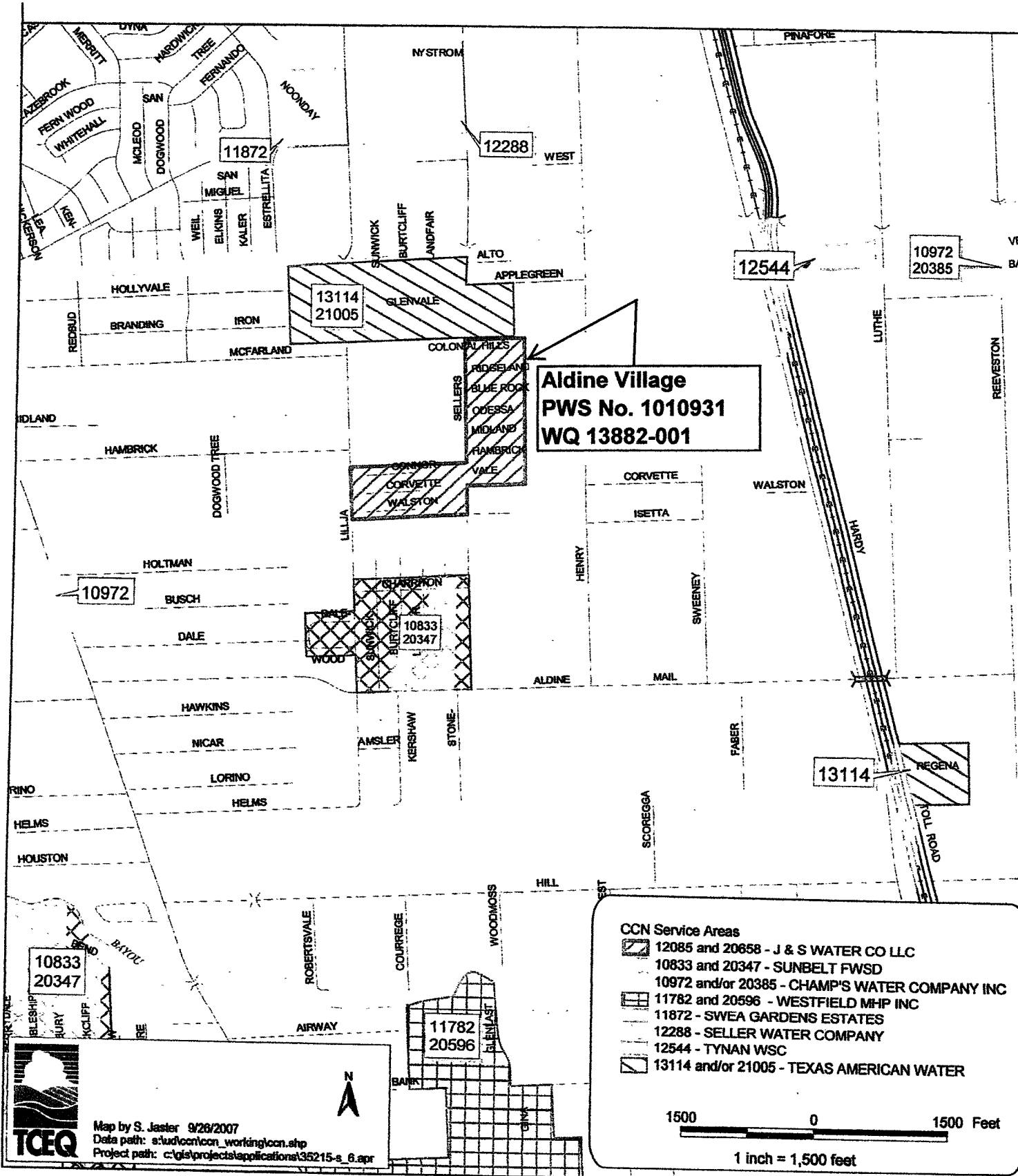
20385

TX-249











Charlton Rd

Isom St

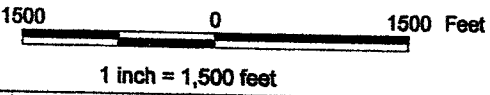


**Aldine Village
PWS No. 1010931
WQ 13882-001**

- CCN Service Areas**
-  12085 and 20658 - J & S WATER CO LLC
 -  10833 and 20347 - SUNBELT FWSD
 -  10972 and/or 20385 - CHAMP'S WATER COMPANY INC
 -  11782 and 20596 - WESTFIELD MHP INC
 -  11782 - SWEA GARDENS ESTATES
 -  12288 - SELLER WATER COMPANY
 -  12544 - TYNAN WSC
 -  13114 and/or 21005 - TEXAS AMERICAN WATER



Map by S. Jaster 9/28/2007
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 Project path: c:\gis\projects\applications\35215-s_6.apr



11157

**Azalea Estates
PWS No. 1011253**

12937

12937

DOERRE

WOOLF

ALEXANDRIA

BYRON

CEDAR

PLEASANT

MEADOW

OAK

EDGE

SHIMMERING

PINES

VALKA

SPRING - CYPRESS

HIDDEN

BAY

BRAND

BREEZE

SWEET

JASMINE

CRK

TRINE

CREST

BRANCHDALE

SWEET

MEADOW

GOLDEN

HAY

GROVE

MAYOLEN

ROCKSIDE

BERRY

ING

ECHO

CLEAR LIGHT

COLONIAL

OAK

FOREST

SHADOWS

RIDGE

FOREST

MAJESTIC

THEISS

MAIL

COLONIAL

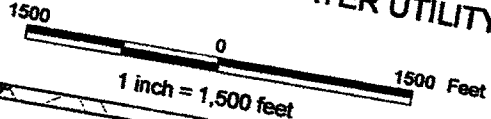
ROUTE

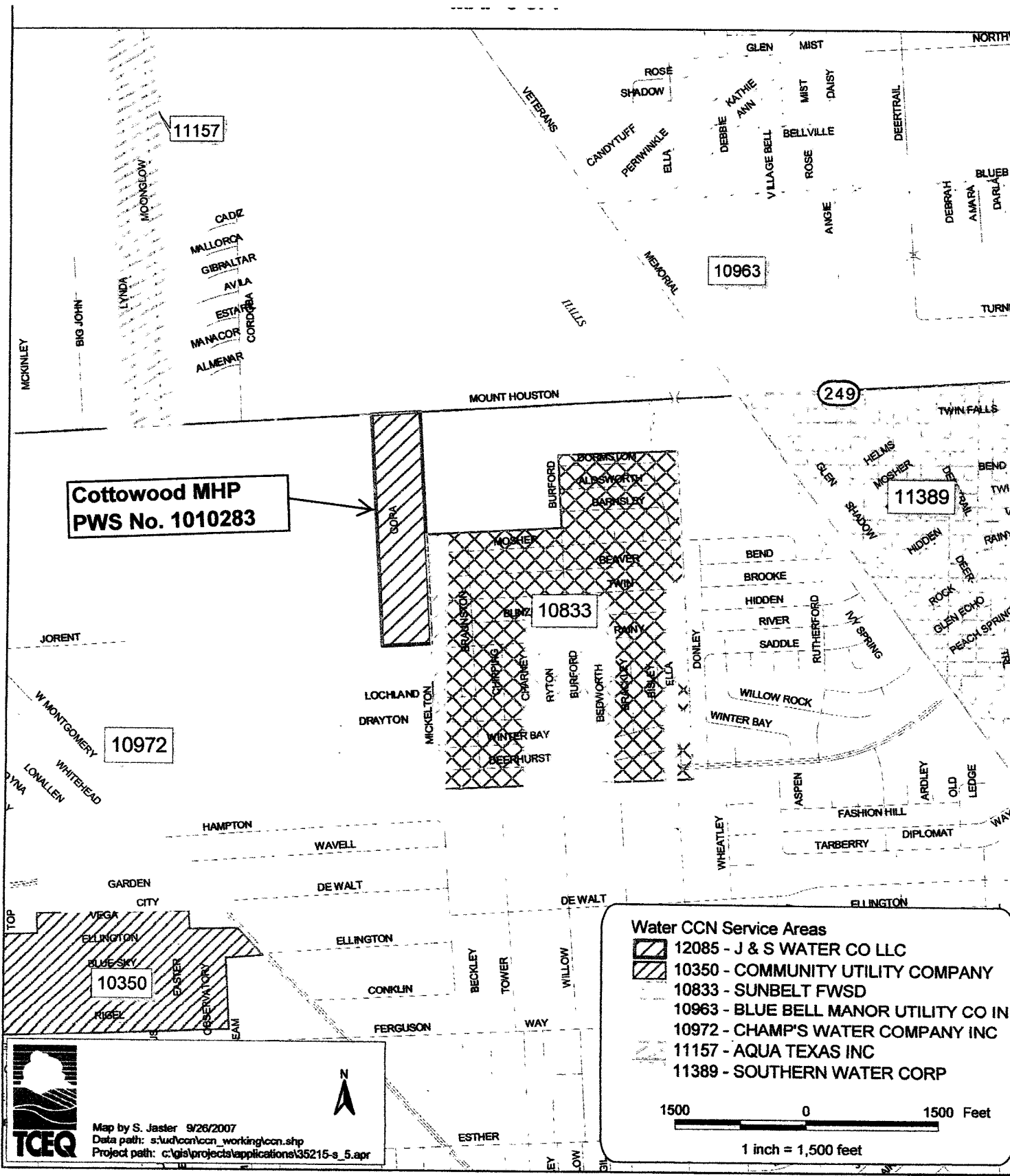


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






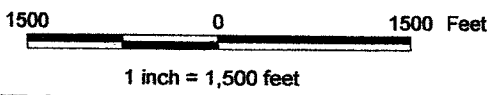
Water CCN Service Areas
12085 - J & S WATER CO LLC
11157 - AQUA TEXAS INC
12937 - T J & N WATER UTILITY





**Cottowood MHP
PWS No. 1010283**

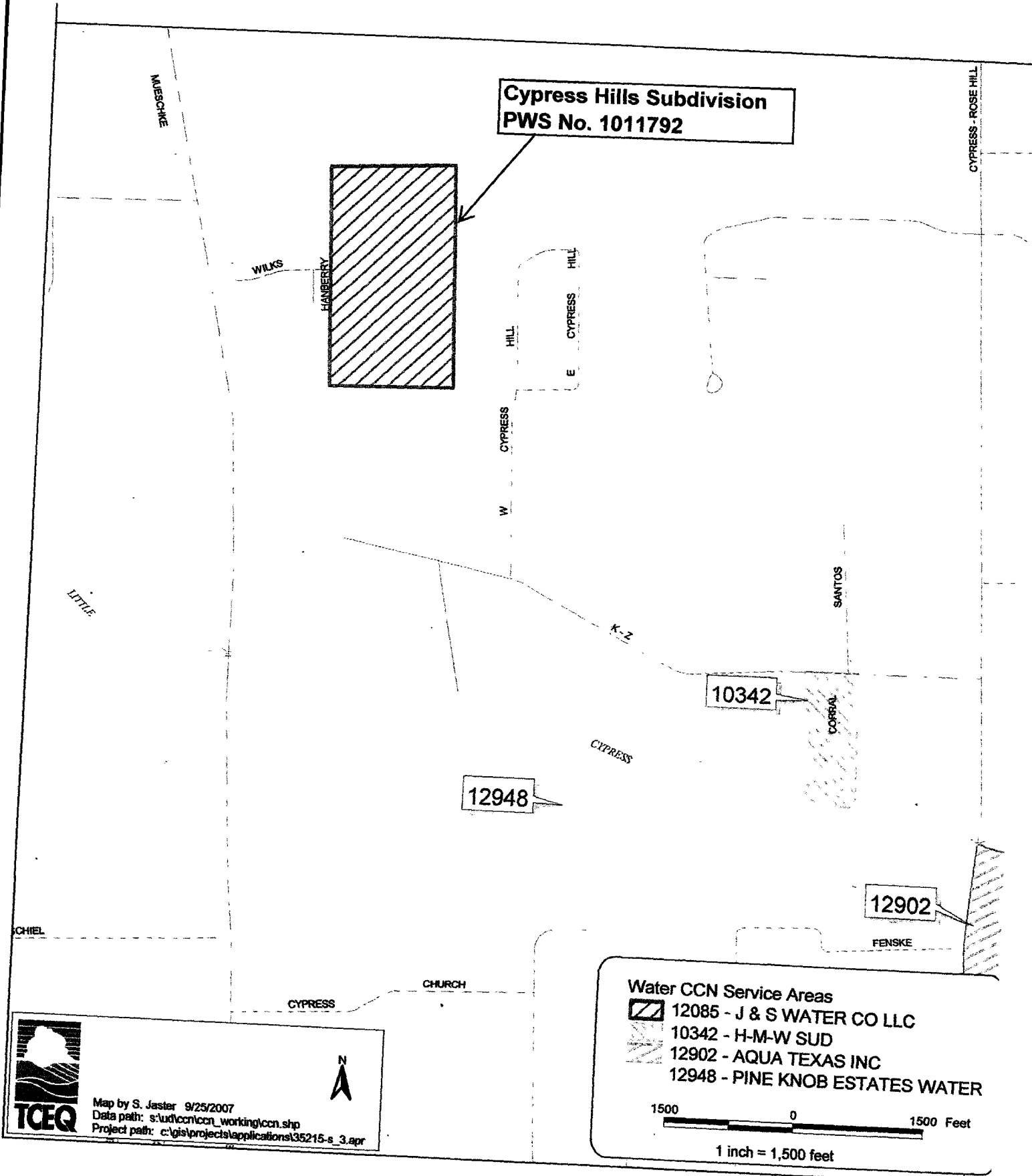
- Water CCN Service Areas**
-  12085 - J & S WATER CO LLC
 -  10350 - COMMUNITY UTILITY COMPANY
 -  10833 - SUNBELT FWSD
 -  10963 - BLUE BELL MANOR UTILITY CO INC
 -  10972 - CHAMP'S WATER COMPANY INC
 -  11157 - AQUA TEXAS INC
 -  11389 - SOUTHERN WATER CORP



Map by S. Jaster 9/26/2007
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


**Cypress Hills Subdivision
PWS No. 1011792**



Map by S. Jaster 9/25/2007
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 Project path: c:\gis\projects\applications\35215-s_3.apr



- Water CCN Service Areas**
-  12085 - J & S WATER CO LLC
 -  10342 - H-M-W SUD
 -  12902 - AQUA TEXAS INC
 -  12948 - PINE KNOB ESTATES WATER

1500 0 1500 Feet

1 inch = 1,500 feet

24. b. 3. Written Description of Service Area

Aldine Village Subdivision (PWS #1010931 & WQ 12382-001)

This area subject to this transaction is located approximately 10 miles north downtown Houston Texas, and is generally bounded on the north by Branding Iron Street; on the east by Henry Street; on the south by Walston Street; and on the west by Lillja Street.

The water system is a ground water system with 326 service meters. The water system has two well that pumps to a tow gallon ground storage tank with a chlorination prior to storage. Three service pumps draw water from storage and discharge through a 1,000 gallon pressure tank and then to the distribution system.

The collection system is transferred through a lift station at the wastewater plant. It is then treated through a package treatment plant prior to discharge.

Azalea Estates Mobile Home Community (PWS #1011253)

This area subject to this transaction is located approximately 23 miles northwest of Houston Texas, and is generally bounded on the north by Hooks Memorial Airport; on the east by Valka Road; on the south by Byron Lane; and on the west by Vivian Court.

The water system is a ground water system with 23 service meters. The water system has one well that pumps to a 1,000 gallon pressure tank and then to the distribution system.

Cottonwood Park Water System (PWS #1010283)

This area subject to this transaction is located approximately 10 miles northwest of downtown Houston, Texas, and is generally bounded on the north by Farm to Market Road 149; on the east by Braunston Road; on the south by Lochland Street; and on the west by Cordoba Drive.

The water system is a ground water system with 56 service meters. The water system has one well that pumps to a 12,500 gallon ground storage tank with a chlorination prior to storage. Two service pumps draw water from storage and discharge through a 7,000 gallon pressure tank and then to the distribution system.

Cypress Hill Subdivision (PWS #1011792)

This area subject to this transaction is located approximately 28 miles northwest of downtown Houston, Texas, and is generally bounded on the north by Juergen Street; on the east by Cypress-Rose Hill Road; on the south by K-Z Road; and on the west by Hanberry Road.

The water system is a ground water system with 37 service meters. The water system has one well that pumps to a 12,500 gallon ground storage tank with a chlorination prior to storage. Two service pumps draw water from storage and discharge through a two gallon pressure tank and then to the distribution system.