ALLEGED VIOLATION(S) NOTIED AND RESOLVED ASSOCIATIED TO A NOTICE OF VIOLATION

Track No: 296779

30 TAC Chapter 290.45(b)(1)(C)(iv)

Alleged Violation: Investigation: 609577

Comment Date: 12/18/2007

Failure to provide 20 gallons/connection pressure tank capacity.

Failure to meet this Agency 's "Minimum Water System Capacity Requirements" These requirements include: a pressure tank capacity of 20 gallons per connection The system has one pressure tank with total of 3,000 gallons capacity. The system is required to provide at least 3080 gallons pressure tank capacity based on the number of connections (154x 20 = 3080).

Investigation: 933119 Comment Date: 06/14/2011

Fallure to have a pressure tank capacity of 20 gallons per connection.

OBSERVATION:

On the day of the investigation, the water system's one, 3,000-gallon pressure tank could not provide a capacity of 20 gallons per connection (system provided ~ 96.15 % of required capacity).

Investigation: 1120477 Comment Date: 10/09/2013

Failure to have a pressure tank capacity of 20 galions per connection.

Recommended Corrective Action: Submit documentation which verifies that the pressure tank capacity for the water system is at least 20 gallons per connection.

Resolution: At the time of the investigation, it was noted that the system has added a new 5,000-gallon pressure tank. The system can meet 20 gallons per connection pressure tank capacity.

Track No: 437699

30 TAC Chapter 290,42(a)

Alleged Violation:

Investigation: 933119

Comment Date: 06/14/2011

Failure to protect chlorine cylinders from adverse weather conditions at the Grande Casa pump station.

290.42(e)(4)(B)

Housing for gas chlorination equipment and cylinders of chlorine shall be in separate buildings or separate rooms with impervious walls or partitions separating all mechanical and electrical equipment from the chlorine facilities. Housing shall be located above ground level as a measure of safety. Equipment and cylinders may be installed on the outside of the buildings when protected from adverse weather conditions and vandalism.

Investigation: 1120477

Comment Date: 10/09/2013

Failure to protect chlorine cylinders from adverse weather conditions at the Grande Casa

pump station.

Recommended Corrective Action: Submit documentation indicating that the chlorine

cylinders at the Grande Casa pump station are protected from adverse weather conditions. Resolution: At the time of the investigation, it was noted that the system has moved the chlorine cylinders in the enclosed covered area protected from the adverse weather condition.

ADDITIONALISSUES

Description Item 3

Additional Comments
30 TEX. ADMIN. CODE, §290.106 and/or §290.118
Failure to meet the commission's minimum standards noted in the most recent chemical analysis conducted by the certified laboratory which indicates the quality of the water produced by the system. The Fluoride, Sulfate and Dissolved Solids concentrations are 3.7, 357, and 1240 mg/l, respectively. The maximum permissible levels of these constituent are 2.0, 300, and 1000 mg/l. A drinking water supply which exceeds the Secondary Constituent Levels may not be used without written approval from the commission.

The system is required to notify customers of this violation and repeat public notice shall be issued at least once a year for as long as the violation exists. Also submit a request to the executive director for continued use of the water for public consumption.

PWS/0700063/CO/09-25-13/CCI/NOV

Texas Commission on Environmental Quality Investigation Report

Walter J. Carroll Water Company, Inc. CN600666507

GRANDE CASA

RN102688041

Investigation #1120477

Incident #

Investigator:

IMRAN KHAWAJA

Site Classification

GW 51-250 CONNECTION

Conducted:

09/19/2013 -- 09/25/2013

SIC Code: 4941

Program(s):

PUBLIC WATER

SYSTEM/SUPPLY

Investigation Type: Compliance Investigation

Location: INTERSECTION OF OLD

MAYPEARL AND GRANDE CASA

Additional ID(s): 0700063

Address: 531 GRANDE CASA RD;

Activity Type: REGION 04 - DFW METROPLEX

WAXAHACHIE, TX 75167

PWSCCIGWCM - CCI GW PURCHASE -

COMMUNITY MANDATORY

Principal(s):

Role

Name

RESPONDENT

WALTER J CARROLL WATER COMPANY INC

Contact(s):

Role

Molifinet

Title

Name

Phone

Participated in investigation

OWNER/OPERATOR

OWNER/OPERATOR

MR WALTER J

CARROLL

Cell

Work

Work

(214) 808-0274 (972) 617-0317

Opp

FACILITY

OPERATOR

MR RICK REEDER

(972) 617-0817

Participated in Investigation

FACILITY

MR RICK REEDER

Regulated Enlity Contact

OPERATOR FACILITY **OPERATOR**

MR RICK REEDER

CARROLL

Regulated Entity Mail Contact

MR WALTER J

(972) 617-0817

Other Staff Member(s):

Role

Name

Supervisor QA Reviewer

CHARLES MARSHALL CHARLES MARSHALL

Associated Check List

Checklist Name

Unit Name

PWS EMERGENCY POWER INITIATIVE

PWS INVESTIGATION - EQUIPMENT MONITORING

Emergency Power

AND SAMPLING revised 06/2013

Equipment Monitoring

PWS STANDARD FIELD

Grande Casa

Investigation Comments:

INTRODUCTION

Mr. Walter Carroll, Owner of Carroll Water Company, received prior notification of the investigation by Imran Khawaja on September 5, 2013. A list of required records was faxed to Mr. Carroll which outlined records to be provided during the investigations of four systems scheduled for September 19, 2013. The document reviews for all four systems (owned by Mr. Carroll) were conducted on September 19, 2013 with Mr. Carroll. The inspections of the all four system's facilities including Grande Casa (PWS ID#0700063) were conducted on September 25, 2013 with Mr. Rick Reeder, Operator.

The exit interview explaining the result of the investigations for all four systems, were conducted with Mr. Reeder on September 25, 2013. Three alleged violations were cited at the time of the current investigation and a Notice of Violation letter was sent to the system.

GENERAL FACILITY AND PROCESS INFORMATION

*Specific facility information, such as tank volumes, pump capacities, etc. can be found in the PUBLIC WATER SYSTEM DATA SHEET attached to the end of this compliance investigation report.

Grande Casa water system serves 157 connections through 157 meters with an approximate population of 471 people, based on three persons per connection, and secures water from one well (Well #1-G0700063A) which produced 130 GPM on the day of the investigation.

The water from Well #1 (G0700063A) is injected with gaseous chlorine prior to entering a 50,000-gallon ground storage tank. The water is then delivered to the distribution system via 2 service pumps (one at 5 HP / 100 GPM and one at 20 HP / 400 GPM) and pressure is maintained by two pressure tanks (5,000 & 3,000-gallon).

EXCEPTION / ALTERNATIVE CAPACITY REQUIREMENT None

BACKGROUND

The last compliance investigation at Grande Casa was conducted on June 13, 2011. Two violations were documented at the time of the investigation. Both violations were resolved at the time of the current investigation.

RECORD REVIEW

The following records were reviewed during the investigation:

- Bacteriological sampling results
- Quarterly disinfection reports
- Monthly Operating Reports
- Monitoring Plans
- Tank Inspection Reports
- Plumbing Ordinances or Service Agreements
- Customer Service Inspections
- Drought Contingency Plans
- Plant Operations Manual
- Complaint Records
- Consumer Confidence Reports
- Meter Calibration Records

RESOLVED VIOLATION COMMENTS None

ADDITIONAL ISSUES

30 TEX. ADMIN. CODE, §290.106 and/or §290.118
Failure to meet the commission's minimum standards noted in the most recent chemical analysis

Page 4 of 6

30 TAC Chapter 290.46(s)(1)

Alleged Violation: Investigation: 1120477

Comment Date: 10/22/2013

Failure to calibrate well meter, on Well #1 (G0700063A) as required by 30 TAC 290.41(c) (3)(N) at least once every three years. On the day of the investigation, the system had gone an unknown time without calibrating raw water meter for well#1.

Recommended Corrective Action: Submit calibration certificate for Well#1 (G0700063A) raw water meter.

Track No: 517397

Compliance Due Date: 01/30/2014 Violation Start Date: Unknown

30 TAC Chapter 290.46(f)(3)(A)(iii)

Alleged Violation: Investigation: 1120477

Comment Date: 10/22/2013

Failure to compile and maintain records of complaints received by the facility and the results of any subsequent investigation.

According to 30 TAC §290.46(f)(3)(A)(iii) the date, location, and nature of water quality, pressure, or outage complaints received by the system and the results of any subsequent complaint investigation must be recorded and maintained on file by the water system. At the time of the investigation, the system failed to provide or maintain records of complaints received by the system.

Recommended Corrective Action: Submit copies of current records indicating that the system is maintaining records of the date, location, and nature of water quality, pressure, or outage complaints received by the system.

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

Track No: 296779

Resolution Status Date: 10/22/2013

Violation Start Date: Unknown

Violation End Date:10/9/2013

30 TAC Chapter 290.45(b)(1)(C)(iv)

Alleged Violation:

Investigation: 609577

Comment Date: 12/18/2007

Failure to provide 20 gallons/connection pressure tank capacity.

Failure to meet this Agency 's "Minimum Water System Capacity Requirements" These requirements include: a pressure tank capacity of 20 gallons per connection The system has one pressure tank with total of 3,000 gallons capacity. The system is required to provide at least 3080 gallons pressure tank capacity based on the number of connections (154x 20 = 3080).

Investigation: 933119

Comment Date: 06/14/2011

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

OBSERVATION:

On the day of the investigation, the water system's one, 3,000-gallon pressure tank could not provide a capacity of 20 gallons per connection (system provided \sim 96.15 % of

Page 3 of 6

conducted by the certified laboratory which indicates the quality of the water produced by the system. The Fluoride, Sulfate and Dissolved Solids concentrations are 3.7, 357, and 1240 mg/l, respectively. The maximum permissible levels of these constituent are 2.0, 300, and 1000 mg/l. A drinking water supply which exceeds the Secondary Constituent Levels may not be used without written approval from the commission.

The system is required to notify customers of this violation and repeat public notice shall be issued at least once a year for as long as the violation exists. Also submit a request to the executive director for continued use of the water for public consumption.

ADDITIONAL COMMENTS None

OUTSTANDING ALLEGED VIOLATIONS

Tracking # 517386

§290.46(s)(2)(C)(i) - Failure to check the accuracy of the manual disinfectant residual analyzers at least once every 90 days using chlorine solutions of known concentrations. On the day of the investigation, the system had gone an unknown amount of time without check the accuracy their

Tracking # 517393

§290.46(s)(1) - Failure to calibrate raw water meters for Well#1 (G0700063A).

Failure to calibrate well meter, on Well #1 (G0700063A) as required by 30 TAC 290.41(c)(3)(N) at least once every three years. On the day of the investigation, the system had gone an unknown time without calibrating raw water meter for well#1.

Tracking # 517397

Violation of: §290.46(f)(3)(A)(iii)

Failure to compile and maintain records of complaints received by the facility and the results of any subsequent investigation. At the time of the investigation, the system falled to provide or maintain records of complaints received by the system.

	Address of the Contract of the		
	NOV Date Method		
	11/05/2013 WRITTEN		
	- A OUT	STANDING AUTEGED VIOLATION(S)	
_	Application of the second of t	AMENDUDO PALLEGED VIOLATION(S) ASSESSED A SECOND PROPERTY OF THE SEC	7
	LEASE BLAME AND SELECTION	CIA LEDITO A NOTICE OF VIOLATION	<u> </u>
	Track No: 517386		Ē.

Track No: 517386

Compliance Due Date: 01/30/2014 Violation Start Date: Unknown

30 TAC Chapter 290.46(s)(2)(C)(i)

Alleged Violation: Investigation: 1120477

Comment Date: 10/22/2013

Failure to check the accuracy of the manual disinfectant residual analyzers at least once every 90 days using chlorine solutions of known concentrations.

30 TAC 290.46(s)(2)(C)(i) states that chemical disinfectant residual analyzers shall be properly calibrated and accuracy of manual disinfectant residual analyzers shall be verified at least once every 90 days using chlorine solutions of known concentrations.

Recommended Corrective Action: Submit a copy of the accuracy check records to the regional office that verifies that the accuracy of the manual disinfectant residual analyzers is occurring at least every 90 days and that a record is being maintained of these results.

Track No: 517393

Compliance Due Date: 01/30/2014 Violation Start Date: Unknown

GRANDE CASA - WAXAHACHIE 9/19/2013 to 9/25/2013 Inv.#-1120477

Page 5 of 6

required capacity).

Investigation: 1120477

Comment Date: 10/09/2013

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

Recommended Corrective Action: Submit documentation which verifies that the pressure tank capacity for the water system is at least 20 gallons per connection.

Resolution: At the time of the investigation, it was noted that the system has added a new 5,000-gallon pressure tank. The system can meet 20 gallons per connection pressure tank capacity.

Track No: 437699

Resolution Status Date: 10/22/2013

Violation Start Date: Unknown Violation End Date:10/22/2013

30 TAC Chapter 290.42(a)

Alleged Violation: Investigation: 933119

Comment Date: 06/14/2011

Failure to protect chlorine cylinders from adverse weather conditions at the Grande Casa pump station.

290.42(e)(4)(B)

Housing for gas chlorination equipment and cylinders of chlorine shall be in separate buildings or separate rooms with impervious walls or partitions separating all mechanical and electrical equipment from the chlorine facilities. Housing shall be located above ground level as a measure of safety. Equipment and cylinders may be installed on the outside of the buildings when protected from adverse weather conditions and vandalism.

Investigation: 1120477

Comment Date: 10/09/2013

Failure to protect chlorine cylinders from adverse weather conditions at the Grande Casa pump station.

Recommended Corrective Action: Submit documentation indicating that the chlorine cylinders at the Grande Casa pump station are protected from adverse weather conditions.

Resolution: At the time of the investigation, it was noted that the system has moved the chlorine cylinders in the enclosed covered area protected from the adverse weather condition.

Additional Issues

Description

Item 3

Additional Comments

30 TEX. ADMIN. CODE, §290.106 and/or §290.118

Failure to meet the commission's minimum standards noted in the most recent chemical analysis conducted by the certified laboratory which indicates the quality of the water produced by the system. The Fluoride, Sulfate and Dissolved Solids concentrations are 3.7, 357, and 1240 mg/l, respectively. The maximum permissible levels of these constituent are 2.0, 300, and 1000 mg/l. A drinking water supply which exceeds the Secondary Constituent Levels may not be used without written approval from the commission.

The system is required to notify customers of this violation and repeat public notice shall be issued at least once a year for as long as the violation exists. Also submit a request to the executive director for continued use of the water for public consumption.

GRANDE CASA - WAXAHACHIE 9/19/2013 to 9/25/2013 Inv. # - 1120477

Page 6 of 6	,
SignedA	Date 10/23/13
Signed Supervisor	Date 18/30/13
Attachments: (in order of final report submittal) Enforcement Action Request (EAR) Letter to Facility (specify type):	Maps, Plans, Sketches Photographs Correspondence from the facility Other (specify):

PUBLIC WATER SYSTEM DATA

Name of System: Grande Casa

CCN Number: 11543 PWS ID: 700063
Classification: Not Applicable Type: Community

Region Number: 4

Interconnect with Other

PWS: No Name of PWS I/C:

Type I/C:

Retail Service Connections: Retail Meters: 157

Retail Population: 471

Wholesale Master 0 Wholesale Service Connections: 0

Wholesale Population:

Total Well Capacity: 130 GPM 0.187 MGD

Raw Capacity: GPM MGD

Total Elevated Storage: 0 MG Total Storage Capacity: 0.0500 MG

Pressure Tank
Capacity 0.0080

Capacity: 0.0080

Maximum Daily
Unknown MGD Date: 09/09/9999

Usage: Unknown MGD Date: 09/09/9999

Average Daily 0.07155 MGD Time 09/01/2012to 08/31/2013

Wholesale Contract: Maximum Purchase Rate :

No. of Samples Required: 1 No. of Samples Submitted: 1

No. of Raw Samples Required: No. of Raw Samples

Submitted:

Non-Comm Dates of 09/09/9999 to 09/09/9999

WATER STORAGE TANKS

HD 0.003 MG ST Grande Casa & Old Maypearl (PS#1) GR 0.05 MG ST Grande Casa & Old Maypearl (PS#1)	720	elongy Wellenfell :	Capacing	Type
GR 0.05 MG ST Grande Casa & Old Maypearl (PS#1)			0.003 MG	
		MG ST	0.05 MG	
HD 0.005 MG ST Grande Casa & Old Maypearl (PS#1)			0.005 MG	HD

WATER SOURCES

No "Gods Des Els Sonics Omiese	Location	ı Stat	us Rumo Type Tsi; li GRM: (Stanistopy PM-Daie
1 G0700063A Well#1	Grande Casa	0	Submersible 130	09/25/2013

SERVICE PUMPS

हिलागांग याग	गण्या (अधिकार)	: Location
1	5 HP / 100 GPM	Grande Casa & Old Maypearl (PS#1)
2		Grande Casa & Old Maypearl (PS#1)

SYSTEM CAPACITIES

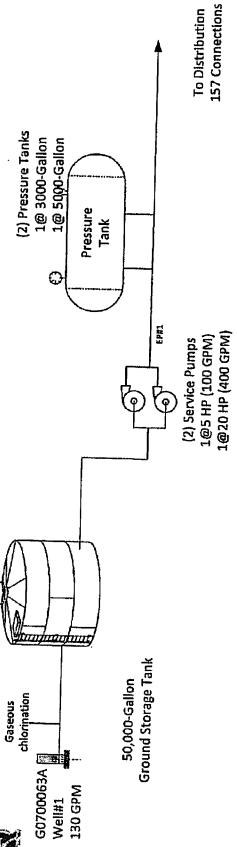
Pressure Plane Number: 1 Name: Pressure Plane#1

System Capacities			. Kequire	di Pirovialed
TVENT FOODUCTION	0.6	GPM Conn X 157	Conn = 94.2	GPM 130
Elevated Pressure Storage	20	Gal/Conn X 157	Conn = 0.00314	MG 0.008
Ground/Total Storage	200	Gal/Conn X 157	Conn = 0.0314	MG 0.050
Service Pump Capacity	2.0	GPM/Conn X 157	Conn = 314	GPM 500
Service Pump Peaking Factor		MDD/1440 X	**	GPM
Tested PSI: 52 Tested	d CL2:	1.20 Free Location	on: 314 Vineyard St	reet

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY PUBLIC WATER SYSTEM DIAGRAM TCEQ REGION 04

Survey Conducted on 09/19 & 25/2013 Investigator: Imran Khawaja

Grande Casa TCEQ ID # 0700063





Texas Commission on Environmental Quality

PWS INVESTIGATION - EQUIPMENT MONITORING AND SAMPLING revised 06/2013 Checklist

Unit Name: Equipment Monitoring

Investigation # :1120477 Facility Name : GRANDE CASA County: ELLIS TCEQ Investigator: IMRAN KHAWAJA

Item No.	Description	Answer	Comments	Du
	EQUIPMENT MONITORING SECTION			Dat
1	Was an Anemometer used during this investigation?	NO	·	
2	Was the Area RAE Multi-Gas Monitor used during this investigation?	5 NO		
3	Was the Civil Defense V-700 Radiation Survey Instrument used during this investigation?	NO		
4	Was the DataRAM(TM) Real-Time Aerosol Monitor used during this investigation?	NO		
5	Was the Dissolved Oxygen Meter used during this Investigation?	NO		
3	Was the Drager Gas Detector Pump/Tube System used during this investigation?	МО		
7	Was the El Paso Method for Measurement of Air-Strippable VOCs in Water used during this investigation?	NO		
3	Was the Garmin GPSMap 60CS GPS Receiver used during this investigation?	NO		
)	Was the Garmin RINO 130 GPS Receiver used during this investigation?	NO		
10	Was the GAS FindIR used during this investigation?	NO		
1	Was the Hach Model 2100P Portable Turbidimeter used during this investigation?	NO		
2	Was the Hach Pocket Colorimeter used during this Investigation?	YES		
3	Was the Hach Pocket Turbidimeter used during this Investigation?	NO		
4	Was the Haz-Dust 5000 Environmental Particulate Air Monitor (EPAM) used during this investigation?	NO		
5	Was the Hydrolab DataSpade® 4 and Hydrolab MiniSonde® Water Quality Multiprobes used during this investigation?	NO		
3	Was the IDEXX Collien® and IDEXX Enterolen® Methods used during this investigation?	NO		
7	Was the Jerome 831-X Hydrogen Suifide (H2S) Analyzer used during this investigation?	NO		
	Was the LANDTEC GEM 2000(TM) Landfill Gas analyzer used during this investigation?	NO		
	Was the Ludium Model 14C Geiger Mueller (GM) counter used during this investigation?	NO		
,	Was the Ludkum Model 19 Micro R Meter used during this investigation?	NO		
	Was the Marsh-McBirney Flo-Male 2000 Electromagnetic Flow Meter used during this Investigation?	NO		
	Was the Minister ages such in	NO		
	Was the MICAN SOCO A. Lie	VŌ		
	Was the MSA Passport® PID II Organic Vapor Monitor used during this investigation?	VO		
\dashv	Video the Maril	VO O		
1	Mar the faultime C Div. Markley	10		

	·		į.	
27	Was the Niton® XLI 700 Series X-Ray Fluorescence	NO		
	(ARCE) Environmental Analyzer used during this	1.		
28	(IVESICIATION?	_1		
LU	Was the ORS Interface Probe(TM) used during this	NO		
-	#Ivesigation?	1		
29	Was the pH Meter used during this investigation?	NO		1
		1,5		
30	Was the Portable Organic Vapor Monitor (OVM)			ļ
	I TIUIUNIIZIIINI I WIACINC HEAD SURIAM MALA	NO		
	I Investigation?	ı		
31	Was the Pressure Gauge used during this			
	investigation?	YES		
32	Was the Pressure Recorder used during this			
	investigation?	NO		
33]		1
<i>J.</i>	Was the ORAE Multi-gas Monitor used during this	NO		
	inagenAg(i(t)) t	1		
14	Was the Sample Collection of VOCs in Ambient Air	NO		
	Using rassivated, Statistee Steel Confetence	1,0		
	i uuimu inis invesiinstan?	ł		l
5	Was the Sampling of Microscopic Characteristics	NO		
	used outing this investigation?	1,0		
ß	Was the Self Contained Breathing Apparetus (SCOOL	112		
	used during this Investigation?	NO		
7	Was the O-M-1-			i
•	Was the Smith-Root Boat Mounted and Backpack	NO		
	Electrofishers used during this investigation?			
8	Was the Soniek Flowtracker used during this	NO		1
	investigation?	1 -		
9	Was the TESTO 350 Portable Flue Gas Analyzer used	<u> </u>		i
	during this investigation?	NO		
j				į
_	Was the Toxic Vapor Analyzer (TVA) 1000B Flame lonization Detector (FID) used during this	NO		
	investigation?	1		
1	Mae the Travello Describer			i i
•	Was the TravellR Portable FT-IR Infrared Analysis System used during this investigation?	NO		
2	Typical dised during this investigation?			
3	Was the VRAE Multi Gas Monitor used during this	NO		1
	I was end anoth.	1 -		
3	Was the Water Level Indicator used during this	NO		
	#IVESUGATION?	NO		
,	Was the Weatherpak 2000 used during this			
	investigation?	NO		
1			1	
	Was any other equipment used during this	NO		
	investigation that is not listed above? If YES, list the equipment in the Comment section.			
	SAMPLING SECTION			ı
	141-11			
	Was there sampling conducted for Elfluent?	NO		
	1	-		
	Was there sampling conducted for Groundwaler?	NC)		
	. 2 Olympianidist	NO		
	Was there sampling conducted for			!
	Leachate/Contaminated Water?	NO.		
	TAPE IN THE PROPERTY AND THE PARTY OF THE PA		1	
	Was there sampling conducted for PWS Chemical?	VO.		
	L			
	Was there sampling conducted for Sediment/Soil?	10		1
	2	NO.		+
	Was there sampling conducted for Spilis/Unauthorized	·		
1	Discharge?	10		
	Was there sampling conducted for Surface Water?	Ю		
		_		
	Mag three courts			i
	veas there any other type of sampling conducted			
	Was there any other type of sampling conducted during this investigation? If YES, include it in the Comment section.	10		

Texas Commission on Environmental Quality

PWS INVESTIGATION - EQUIPMENT MONITORING AND SAMPLING revised 06/2013 Checklist

Unit Name: Equipment Monitoring

Investigation #:1120477 Facility Name: GRANDE CASA County: ELLIS
TCEQ Investigator: IMRAN KHAWAJA

item No.	Description	Answer	Comments	Due
	EQUIPMENT MONITORING SECTION	Allistic	Comments	Date
1	Was an Anemometer used during this investigation?	NO		
2	Was the Area RAE Multi-Gas Monitor used during this investigation?	NO NO		
3	Was the Civil Delense V-700 Redigiles Sugar	NO		
4	Instrument used during this investigation? Was the DataRAM(TM) Real-Time Aerosol Monitor used during this investigation?	NO		
5	Was the Dissolved Orvigen Meter used during this	NO NO		
3	investigation? Was the Drager Gas Detector Pump/Tube System			<u> </u>
7	used during this investigation?	МО		
	Was the El Paso Method for Measurement of Air-Strippable VOCs in Water used during this Investigation?	NO		
3	Was the Garmin GPSMap 60CS GPS Receiver used during this investigation?	NO		
	Was the Garmin RINO 130 GPS Receiver used during this investigation?	NO		
10	Was the GAS FindIR used during this investigation?	NO		
1	Was the Hach Model 2100P Portable Turbidimeter used during this investigation?	NO		
2	Was the Hach Pocket Colorimeter used during this investigation?	YES		
3	Was the Hach Pocket Turbidimeter used during this investigation?	NO		
4	Was the Haz-Dust 5000 Environmental Particulate Air Monitor (EPAM) used during this investigation?	NO		
5	Was the Hydroleb DataSonde® 4 and Hydroleb MiniSonde® Water Ouality Multiprobes used during this investigation?	NO		
3	Was the IDEXX Collero and IDEXX Enterolero Methods used during this investigation?	NO		
	Was the Jerome 631-X Hydrogen Sulfide (H2S) Analyzer used during this investigation?	NO		
	Was the LANDTEC GEM 2000(TM) Landfill Ges analyzer used during this investigation?	NO		
	Was the Ludium Model 14C Geiger Mueller (GM) counter used during this investigation?	NO		
	Was the Ludium Model 19 Micro R Meter used during this investigation?	NO		
	Electromagnetic Flow Meter used during this investigation?	NO		
	Was the MiniRAE 2000 Photolonization Detector used during this investigation?	NO		
	Mine the Militable morn or a second	NO		
1	Was the MSA Passport® PID II Organic Vapor Monitor used during this investigation?	NO		
	Aire the Multi management and the control of the co	NO		
11	Alee the Mc MIDAC Div. At the Co.	40		

F-8-5				
27	Was the Niton® XLI 700 Series X-Ray Fluorescence	NO		
1	(XRF) Environmental Analyzer used during this			
70	investigation?	ì	•	
28	Was the ORS Interface Probe(TM) used during this	NO		
	investigation?	1		
29	Was the pH Meter used during this investigation?	NO		
1	- Living and desiry the tire stiff of this	NO		
30	Was the Dennis Co.			
100	Was the Portable Organic Vapor Monitor (OVM)	NO		
	Photoionization Detector used during this investigation?			
31	Was the December 1			
١.,	Was the Pressure Gauge used during this investigation?	YES		
		1		
32	Was the Pressure Recorder used during this	NO		
	investigation?	1.4		
33	Was the QRAE Multi-gas Monitor used during this	- Lux		
	investigation?	NO		
34				
	Was the Sample Collection of VOCs in Ambient Air	NO		
	Using Passivaled, Stainless Steel Canisters used during this Investigation?	1		
35	Was the Same and t			
	Was the Sampling of Microscopic Characterization used during this investigation?	NO		
	area annual and timestillamous			
36	Was the Self Contained Breathing Apparatus (SCBA)	NO		
	used during this investigation?	יין		
37	Was the Smith-Root Boat Mounted and Backpack			
	Electrofishers used during this investigation?	NO		
38	Microsoft doct doing the hivesugation?			
50	Was the Sontek Flowtracker used during this	NO		
	investigation?			
39	Was the TESTO 350 Portable Flue Gas Analyzer used	I MO		
	during this investigation?	, 1,10		· · · · · · · · · · · · · · · · · · ·
40	Was the Toxic Vapor Analyzer (TVA) 1000B Flame			
	Ionization Detector (FID) used during this	NO		
	investigation?	1		
41	Was the TraveliR Portable FT-IR Infrared Analysis			
	System used during this investigation?	NO		-
42	Oystoni daed during this investigation?	1		
42	Was the VRAE Multi Gas Monitor used during this	NO		
	investigation?	1		,
43	Was the Water Level Indicator used during this	NO		
	investigation?	L.O		
44	Was the Weatherpak 2000 used during this			
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74	Was any other equipment used during this	NO		
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	Indings refored to violations. Any posential or alleged violations discovered aff conforcement. Conclusions drawn/from this investigation, including additional violations discovered aff		to issues that have arisen during the investigation process between the TCEQ and the regulated entity named above and does not reprusent final TCEQ is the date on this form will be communicated by telephone to the regulated entity representative prior to the issuance of a notice of violation or riolations or potential violations discovered (if any) during the course of this investigation, will be documented in a final investigation report.	re TCEQ and the regulated ent gulated entity representative p of this investigation, will be o	ity named above and does rior to the issuance of a no focumented in a final inve	r not represent final TCEQ stice of violation or stigation report.	7
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09/05/2013

Texas Commission on Environmental Quality

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**** This contact information will be used only in the event of an emergency

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SURVEY

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Code Explanations Monitoring Type Codes: (GW) GROUNDWATER, (GWP) GROUNDWATER - PURCHASED, (GUP) GROUNDWATER UNDER THE INFLUENCE - PURCHASED, (SWP) SURFACE WATER - PURCHASED, (GU) GROUNDWATER UNDER THE INFLUENCE OF SURFACE WATER, (N) NO SOURCES, (SW) SURFACE WATER Activity Status Codes: (A) ACTIVE, (C) CCN CANCELLED, (D) DELETED/DISSOLVED, (G) SB 361, (I) INACTIVE, (M) MERGED/ANNEXED, (N) NON-PUBLIC, (P) PROPOSED, (U) UNKNOWN-NO ACTIVITY OR NON-RESPONSIVE, (W) UTILITY WATER SYS XFER Operational Status Codes: (C) CAPPED, (D) DEMAND, (E) EMERGENCY, (F) FORMER PWS SOURCE, (I) INACTIVE PWS SYSTEM, (N) NON-DRINKING WATER, (O) OPERATING, (P) PLUGGED, (T) TEST, (Y) PWS NOT ACTIVE AND NOT EXPECTED TO BE SO

Source Types: (G) GROUND WATER, (S) SURFACE WATER, (U) GROUND WATER UNDER THE INFLUENCE

- End of Report -

At the time of your query this data was the most current information available from our database, which is in real time. Every effort was made to retrieve it according to your query. Thank-you for using WUD.



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY CERTIFICATION AND EMPLOYMENT REPORT TCEQ REGION 04

ID#: 0700063 SYSTEM INFO: Grande Casa				
1 ''''' V/VVVJ SYSTEMINEO C 3. C.	10#:	0700063	03/07554	
Urange Casa		0700003	SYSTEM INFO:	Grande Casa

Last Name	First Name	License Number	License Type	Exp. Date
Reeder	Rick	WG0008722	C-Groundwater	06/28/2016

Notice to Neighboring Systems and Cities

NOTICE OF APPLICATION TO AMEND CERTIFICATES OF CONVENIENCE AND NECESSITY (CCN) TO PROVIDE WATER AND UTILITY SERVICE IN TRAVIS COUNTY, TEXAS

To:	(Neighboria	ng System or City)		Date Notice Mailed:	, 2015	
	(Address)		Third described to the second			
	(City	State	Zip)			

Austin Water Utility has filed an application with the Public Utility Commission of Texas to amend its Certificate of Convenience and Necessity No. 11157 for the provision of water utility service in Travis County, Texas.

The proposed utility service area is located approximately $\underline{10}$ miles southwest of downtown Austin, Texas, and is generally bounded on the north by \underline{XXXXX} ; on the east by \underline{XXXXX} ; on the south by \underline{XXXXXX} ; and on the west by $\underline{XXXXXXXXXX}$.

See enclosed map of the proposed service area.

The total area for the <u>water CCN</u> being requested includes approximately 11 acres and $\underline{0}$ current customers.

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:

Public Utility Commission of Texas Central Records 1701 N. Congress, P. O. Box 13326 Austin, TX 78711-3326

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 Commission 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.

Si desea informacion en Espanol, puede llamar al 1-512-936-7221.

Attachment EE-4: Docket No. 2001-1379-PWS-E

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN ENFORCEMENT ACTION	§	BEFORE THE
AGAINST WALTER J. CARROLL WATER COMPANY, INC.	§ § §	TEXAS COMMISSION ON
TCEQ PWS NOS. 0700057, 0700058, 0700063, AND 0700064 CCN NO. 11543	89 89 89	ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2001-1379-PWS-E

At its JUL 23 2003 agenda, the Texas Commission on Environmental Quality, ("Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Walter J. Carroll Water Company, Inc. ("Carroll Water") under the authority of TEX. HEALTH & SAFETY CODE ch. 341 (the "Code") and 30 TEX. ADMIN. CODE chs. 290 and 291. The Executive Director of the TCEQ, represented by the Litigation Division, and Carroll Water represented by Jimmy Alan Hall and Randall Wilburn of the law firm of Hall and Kleeman, P.L.L.C., presented this agreement to the Commission.

Carroll Water understands that it has certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, Carroll Water agrees to waive all notice and procedural rights.

It is further understood and agreed that this Agreed Order represents the complete and fully-integrated agreement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Agreed Order are binding upon Carroll Water.

The Commission makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. Carroll Water owns a retail public utility which operates the following four public water systems (the "Facilities"):

- Emerald Forest, PWS No. 0700058, located five miles west of Interstate 35 on FM 1446, Waxahachie, Ellis County;
- Grande Casa, PWS No. 0700063, located at the intersection of Old Maypearl Road and Grande Casa Street, Waxahachie, Ellis County;
- Spanish Grant, PWS No. 0700064, located 11.4 miles west of Interstate 35 on FM 1446, Waxahachie, Ellis County; and
- d. Lakeview Ranchettes, PWS No. 0700057, located at the west edge of Midlothian, a quarter mile west of Highway 67 on Old Ft. Worth Road, Waxahachie, Ellis County.

The Facilities have a total of 391 service connections and serve at least 25 people per day for at least 60 days per year.

- During an inspection conducted on February 7 and 8, 2001, a TCEQ Dallas/Fort Worth ("DFW") Regional Office investigator documented that Carroll Water violated the following requirements:
 - a. Failed to issue a boil water notice within 24 hours following low distribution pressures (below 20 pounds per square inch ("psi")), or water outages. Specifically, on February 1, 2001, equipment failure caused a complete system outage in which there was no recordable pressure at Emerald Forest, PWS No. 0700058.
 - b. Failed to maintain a residual disinfectant of at least 0.2 milligrams per liter ("mg/L") free chlorine in the far reaches of the distribution system and failure to monitor chlorine residuals in the distribution system at least once every seven days at the facilities set-out below.
 - Emerald Forest, PWS No. 0700058. Specifically, the chlorine residuals measured on February 7 and February 8, 2001 were 0.15 mg/L at 131 Oak Hill.
 - 2. Spanish Grant, PWS No. 0700064. Specifically, the chlorine residual measured on February 8, 2001 was 0.15 mg/L at 252 Mesa Road.
 - Lakeview Ranchettes, PWS No. 0700057. Specifically, the chlorine residual measured on February 8, 2001 was 0.10 mg/L at 3351 Cement Valley Road.
 - 4. Grande Casa, PWS No. 0700063. Specifically, the chlorine residuals measured on February 8, 2001 were 0.17 and 0.19 mg/L.

- c. Failed to provide well No. 2 with a flow measuring device to measure production yields and provide for the accumulation of water production data at Spanish Grant, PWS No. 0700064.
- d. Failed to use chemicals which conform to American National Standards Institute/National Sanitation Foundation (ANSI/NSF) Standard 60 for direct additives and ANSI/NSF Standard 61 for indirect additives at Emerald Forest, PWS No. 0700058.
- e. Failed to initiate maintenance and housekeeping practices which ensure the reliability of the systems' facilities and equipment at Emerald Forest, PWS No. 0700058; Lakeview Ranchettes, PWS No. 0700057; Grande Casa, PWS No. 0700063; and Spanish Grant, PWS No. 0700064. Specifically, the pump houses were cluttered and contained spare parts and trash thrown about. Additionally, Carroll Water failed to repair the cracked sealing blocks at well No. 1 at Emerald Forest and well No. 1 at Grande Casa.
- f. Failed to complete a customer service inspection ("CSI") certificate prior to providing continuous water service to new construction, on any existing service when the water purveyor has reason to believe that cross-connections or other potential contaminant hazards exist, or after material improvement, correction, or addition to the private water distribution at the facilities set-out below.
 - Emerald Forest, PWS No. 0700058. Specifically, the number of new connections increased from 42 in November 1999 to 44 in February 2001.
 - 2. Lakeview Ranchettes, PWS No. 0700057. Specifically, the number of new connections increased from 91 in November 1999 to 94 in February 2001.
 - Grande Casa, PWS No. 0700063. Specifically, the number of new connections increased from 129 in November 1999 to 132 in February 2001.
- g. Failed to maintain records of the date, location, and nature of water quality, pressure, or outage complaints received by the system and the results of any subsequent complaint investigation at Emerald Forest, PWS No. 0700058; Lakeview Ranchettes, PWS No. 0700057; Grande Casa, PWS No. 0700063; and Spanish Grant, PWS No. 0700064.
- h. Failed to seal the well head on wells Nos. 1 and 2 with a gasket or sealing compound to prevent the possibility of contaminating the well water at Spanish Grant, PWS. No. 0700064.

- Failed to protect completed well units by intruder-resistant fences, the gates of which are provided with locks or enclosed in locked, ventilated well houses to exclude possible contamination or damage to the facilities by trespassers at Spanish Grant, PWS No. 0700064.
- j. Failed to install the electrical wiring for the wells in a securely mounted conduit in compliance with a local or national electrical code at Emerald Forest, PWS No. 0700058 and Spanish Grant, PWS No. 0700064.
- k. Failed to enclose the ground storage tank with a properly constructed intruder resistant fence at Emerald Forest, PWS No. 0700058, and Spanish Grant, PWS No. 0700064.
- I. Failed to ensure the system's ground storage tank is inspected annually by water system personnel or a contracted inspection service at Emerald Forest, PWS No. 0700058.
- m. Failed to maintain records of annual ground storage tank inspections at Lakeview Ranchettes, PWS No. 0700057; Grande Casa, PWS No. 0700063; and Spanish Grant, PWS No. 0700064.
- n. Failed to ensure the system's pressure tank is inspected annually by water system personnel or a contracted inspection service at Emerald Forest, PWS No. 0700058, and Grande Casa, PWS No. 0700063.
- Failed to maintain records of annual pressure tank inspections at Lakeview Ranchettes, PWS No. 0700057, and Spanish Grant, PWS No. 0700064.
- p. Failed to ensure the ground storage tank was thoroughly tight against leakage at Emerald Forest, PWS No. 0700058, and Grande Casa, PWS No. 0700063.
- q. Failed to provide the ground storage tank vent with a 16-mesh or finer screen fabricated of corrosion-resistant material at Emerald Forest, PWS No. 0700058, and Spanish Grant, PWS No. 0700064.
- r. Failed to provide an accurate and up-to-date map of the distribution system so that valves and mains can be easily located during emergencies at Emerald Forest, PWS No. 0700058; Lakeview Ranchettes, PWS No. 0700057; Grande Casa, PWS No. 0700063; and Spanish Grant, PWS No. 0700064.
- s. Failed to make all reasonable efforts to prevent interruptions of service and make reasonable provisions to meet emergencies resulting from failure of service at Emerald Forest, PWS No. 0700058.

- Failed to provide properly sized water lines throughout the distribution system at Spanish Grant, PWS No. 0700064.
- Failed to equip the ground storage tank with a water level indicator at Spanish Grant, PWS No. 0700064.
- v. Failed to provide the pressure tank with a device for determining the air-water-volume ratio at Spanish Grant, PWS No. 0700064.
- w. Failed to install a backflow prevention assembly or have an adequate internal crossconnection control program where an actual or potential contamination hazard exists at Lakeview Ranchettes, PWS No. 0700057, and Grande Casa, PWS No. 0700063.
- x. Failed to modify the overflow pipe flap valve assembly on the ground storage tank to provide no more than a 1/16 inch gap, in strict accordance with American Water Works Association (AWWA) standards at Grande Casa, PWS No. 0700063.
- Carroll received a notice of enforcement on or about March 10, 2001.
- 4. The Executive Director recognizes that Carroll Water has implemented the following corrective measures as documented during inspections of the Facilities conducted on December 5, 2002:

a. <u>Emerald Forest</u>:

- 1. Began operating the water system's chlorination facilities to maintain a free chlorine residual of 0.2 mg/L in the far reaches of the distribution system, as required by 30 Tex. ADMIN. CODE §§ 290.110(b)(4) and 290.46(d)(2)(A).
- 2. Began operating the Facility so as to provide a minimum pressure of 35 psi throughout the distribution system under normal operating conditions, as required by 30 Tex. ADMIN. CODE § 290.46(r).
- 3. Began conducting and recording the results of disinfectant residual tests taken at representative locations in the distribution system, as required by 30 Tex. ADMIN. CODE § 290.110(c)(5)(b).
- 4. Equipped the vents on the ground storage tank with an approved screen, as required by 30 Tex. ADMIN. CODE § 290.43(c)(1).

- 5. Installed all water system electrical wiring in a securely mounted conduit in compliance with a local or national electrical code at well Nos. 1 and 2, as required by 30 Tex. ADMIN. CODE § 290.46(v).
- 6. Began conducting and recording the results of annual inspections of the ground storage tank, as required by 30 Tex. ADMIN. CODE § 290.46(m)(1)(A).
- 7. Began conducting and recording the results of annual inspections of the pressure tank, as required by 30 Tex. ADMIN. CODE § 290.46(m)(1)(B).
- 8. Began using disinfection chemicals that conform to ANSI/NSF Standard 60 for direct additives, as required by 30 Tex. ADMIN. CODE § 290.42(i).
- 9. Initiated maintenance and housekeeping practices to ensure the reliability and general appearance of the system's facilities and equipment, as required by 30 Tex. ADMIN. CODE § 290.46(m).
- Updated the Facility's distribution system map so that the valves and mains may be easily located during emergencies, as required by 30 Tex. ADMIN. CODE § 290.46(n).
- 11. Provided all potable water storage tanks and pressure maintenance facilities with an intruder resistant fence, as required by 30 Tex. ADMIN. CODE § 290.43(e).
- 12. Ensured clearwells and potable water storage tanks are thoroughly tight against leakage, as required by 30 Tex. ADMIN. CODE § 290.43(c)(6).
- 13. Properly repaired the concrete sealing block at well No. 1, as required by 30 TEX. ADMIN. CODE § 290.41(c)(3)(J) and § 290.46(m).
- Additionally, on or about August 2, 2001, Carroll Water interconnected to Buena Vista Bethel Special Utility District.

b. Grande Casa:

- 1. Began conducting and recording the results of disinfectant residual tests taken at representative locations in the distribution system, as required by 30 Tex. ADMIN. CODE § 290.110(c)(5).
- 2. Began conducting and recording the results of annual inspections of the pressure tank, as required by 30 Tex. ADMIN. CODE § 290.46(m)(1)(B).

- 3. Ensured the overflow pipe hinged flap valve on the elevated storage tank fits tight with a gap of no more than 1/16 inch, as required by 30 Tex. ADMIN. CODE § 290.43(c)(3).
- 4. Updated the Facility's distribution system map so that the valves and mains may be easily located during emergencies, as required by 30 Tex. ADMIN. CODE § 290.46(n).
- 5. Ensured clearwells and potable water storage tanks are thoroughly tight against leakage, as required by 30 Tex. ADMIN. CODE § 290.43(c)(6).
- 6. Properly repaired the concrete sealing block at well No. 1, as required by 30 Tex. ADMIN. CODE § 290.41(c)(3)(J).

c. Spanish Grant:

- 1. Began operating the water system's chlorination facilities to maintain a free chlorine residual of 0.2 mg/L in the far reaches of the distribution system, as required by 30 Tex. ADMIN. CODE §§ 290.110(b)(4) and 290.46(d)(2)(A).
- 2. Began conducting and recording the results of disinfectant residual tests taken at representative locations in the distribution system, as required by 30 Tex. ADMIN. CODE § 290.110(c)(5).
- 3. Sealed the wellhead and pump bases at well Nos. 1 and 2 with gaskets or a pliable crack-resistant sealing compound, as required by 30 Tex. ADMIN. CODE § 290.41(c)(3)(K).
- 4. Provided a flow meter for well No. 2 to measure production yields and provide for the accumulation of water production data, as required by 30 Tex. ADMIN. CODE § 290.41(c)(3)(N).
- 5. Equipped the vents on the storage tank with an approved screen, as required by 30 Tex. ADMIN. CODE § 290.43(c)(1).
- 6. Installed all water system electrical wiring in a securely mounted conduit in compliance with a local or national electrical code at well No. 1, as required by 30 Tex. ADMIN. CODE § 290.46(v).
- 7. Provided a water level indicator on the ground storage tank, in accordance with 30 Tex. ADMIN. CODE § 290.43(c)(4).

- 8. Provided well site No. 1 with an intruder resistant fence, as required by 30 Tex. ADMIN. CODE § 290.41(c)(3)(O).
- 9. Provided the ground storage and pressure tanks with an intruder resistant fence, as required by 30 Tex. ADMIN. CODE § 290.43(e).
- Updated the Facility's distribution system map so that the valves and mains may be easily located during emergencies, as required by 30 Tex. ADMIN. CODE § 290.46(n).
- 11. Provided an air-water volume indicator for the pressure tank, in accordance with 30 Tex. ADMIN. CODE § 290.43(d)(3).

d. <u>Lakeview Ranchettes</u>:

- 1. Began operating the water system's chlorination facilities to maintain a free chlorine residual of 0.2 mg/L in the far reaches of the distribution system, as required by 30 Tex. ADMIN. CODE §§ 290.110(b)(4) and 290.46(d)(2)(A).
- 2. Began conducting and recording the results of disinfectant residual tests taken at representative locations in the distribution system, as required by 30 Tex. ADMIN. CODE § 290.110(c)(5).
- 3. Updated the Facility's distribution system map so that the valves and mains may be easily located during emergencies, as required by 30 Tex. ADMIN. CODE § 290.46(n).

CONCLUSIONS OF LAW

- 1. As evidenced by Finding of Fact No. 1, Carroll Water is subject to the jurisdiction of the TCEQ pursuant to Tex. Health & Safety Code ch. 341 and the rules of the Commission.
- 2. As evidenced by Finding of Fact No. 2.a., Carroll Water has failed to issue a boil water notice within 24 hours following low distribution pressures (below 20 psi), or water outages at Emerald Forest, PWS No. 0700058, in violation of 30 Tex. ADMIN. CODE § 290.46(q).
- As evidenced by Finding of Fact No 2.b., Carroll Water failed to maintain a residual disinfectant of at least 0.2 mg/L free chlorine in the far reaches of the distribution system and failure to monitor chlorine residuals in the distribution system at least once every seven days at Emerald Forest, PWS No. 0700058; Spanish Grant, PWS No. 0700064; Lakeview

Ranchettes, PWS No. 0700057; and Grande Casa, PWS No. 0700063, in violation of 30 Tex. ADMIN. CODE §§ 290.46(d)(2)(A), 290.110(b)(4), and 290.110(c)(5)(b)

- 4. As evidenced by Finding of Fact No. 2.c., Carroll Water failed to provide well No. 2 with a flow measuring device to measure production yields and provide for the accumulation of water production data at Spanish Grant, PWS No. 0700064, in violation of 30 Tex. ADMIN. CODE § 290.41(c)(3)(N).
- 5. As evidenced by Finding of Fact No. 2.d., Carroll Water failed to use chemicals which conform to ANSI/NSF Standard 60 for direct additives and ANSI/NSF Standard 61 for indirect additives at Emerald Forest, PWS No. 0700058, in violation of 30 Tex. ADMIN. CODE § 290.42(i).
- As evidenced by Finding of Fact No. 2.e., Carroll Water failed to initiate maintenance and housekeeping practices which ensure the reliability of the systems' facilities and equipment at Emerald Forest, PWS No. 0700058; Lakeview Ranchettes, PWS No. 0700057; Grande Casa, PWS No. 0700063; and Spanish Grant, PWS No. 0700064. Additionally, Respondent failed to repair the cracked sealing blocks at well no. 1 at Emerald Forest and well no. 1 at Grande Casa, in violation of 30 Tex. ADMIN. CODE § 290.46(m).
- As evidenced by Finding of Fact No. 2.f., Carroll Water failed to complete a CSI certificate prior to providing continuous water service to new construction, on any existing service when the water purveyor has reason to believe that cross-connections or other potential contaminant hazards exist, or after material improvement, correction, or addition to the private water distribution at Emerald Forest, PWS 0700058; Lakeview Ranchettes, PWS No. 0700057; and Grande Casa, PWS 0700063, in violation of 30 Tex. ADMIN. CODE § 290.46(j).
- 8. As evidenced by Finding of Fact No. 2.g., Carroll Water failed to maintain records of the date, location, and nature of water quality, pressure, or outage complaints received by the system and the results of any subsequent complaint investigation at Emerald Forest, PWS No. 0700058; Lakeview Ranchettes, PWS No. 0700057; Grande Casa, PWS No. 0700063; and Spanish Grant, PWS No. 0700064, in violation of 30 Tex. ADMIN. CODE § 290.46(f)(3)(A)(iii).
- 9. As evidenced by Finding of Fact No. 2.h., Carroll Water failed to seal the well head on wells Nos. 1 and 2 with a gasket or sealing compound to prevent the possibility of contaminating the well water at Spanish Grant, PWS. No. 0700064, in violation of 30 Tex. ADMIN. CODE § 290.41(c)(3)(K).

- 10. As evidenced by Finding of Fact No. 2.i., Carroll Water failed to protect completed well units by intruder-resistant fences, the gates of which are provided with locks or enclosed in locked, ventilated well houses to exclude possible contamination or damage to the facilities by trespassers at Spanish Grant, PWS No. 0700064, in violation of 30 Tex. ADMIN. CODE § 290.41(c)(3)(O).
- 11. As evidenced by Finding of Fact No. 2.j., Carroll Water failed to install the electrical wiring for the wells in a securely mounted conduit in compliance with a local or national electrical code at Emerald Forest, PWS No. 0700058, and Spanish Grant, PWS No. 0700064, in violation of 30 Tex. ADMIN. CODE § 290.46(v).
- 12. As evidenced by Finding of Fact No. 2.k., Carroll Water failed to enclose the ground storage tank with a properly constructed intruder resistant fence at Emerald Forest, PWS No. 0700058, and Spanish Grant, PWS No. 0700064, in violation of 30 Tex. ADMIN. CODE § 290.43(e).
- As evidenced by Finding of Fact No. 2.1., Carroll Water failed to ensure the system's ground storage tank is inspected annually by water system personnel or a contracted inspection service at Emerald Forest, PWS No. 0700058, in violation of 30 Tex. ADMIN. CODE § 290.46(m)(1)(A).
- 14. As evidenced by Finding of Fact No. 2.m., Carroll Water failed to maintain records of annual ground storage tank inspections at Lakeview Ranchettes, PWS No. 0700057; Grande Casa, PWS No. 0700063; and Spanish Grant, PWS No. 0700064, in violation of 30 Tex. ADMIN. CODE § 290.46(f)(2).
- 15. As evidenced by Finding of Fact No. 2.n., Carroll Water failed to ensure the system's pressure tank is inspected annually by water system personnel or a contracted inspection service at Emerald Forest, PWS No. 0700058, and Grande Casa, PWS No. 0700063, in violation of 30 Tex. ADMIN. CODE § 290.46(m)(1)(B).
- 16. As evidenced by Finding of Fact No. 2.o., Carroll Water failed to maintain records of annual pressure tank inspections at Lakeview Ranchettes, PWS No. 0700057, and Spanish Grant, PWS No. 0700064, in violation of 30 Tex. ADMIN. CODE § 290.46(f)(2).
- 17. As evidenced by Finding of Fact No. 2.p., Carroll Water failed to ensure the ground storage tank was thoroughly tight against leakage at Emerald Forest, PWS No. 0700058, and Grandc Casa, PWS No. 0700063, in violation of 30 Tex. ADMIN. CODE § 290.43(c)(6).
- 18. As evidenced by Finding of Fact No. 2.q., Carroll Water failed to provide the ground storage tank vent with a 16-mesh or finer screen fabricated of corrosion-resistant material at Emerald Forest, PWS No. 0700058, and at Spanish Grant, PWS No. 0700064, in violation of 30 Tex. ADMIN. CODE § 290.43(c)(1).

- 19. As evidenced by Finding of Fact No. 2.r., Carroll Water failed to provide an accurate and upto-date map of the distribution system so that valves and mains can be easily located during emergencies at Emerald Forest, PWS No. 0700058; Lakeview Ranchettes, PWS No. 0700057; Grande Casa, PWS No. 0700063; and Spanish Grant, PWS No. 0700064, in violation of 30 Tex. ADMIN. CODE § 290.46(n).
- 20. As evidenced by Finding of Fact No. 2.s., Carroll Water by failing to make all reasonable efforts to prevent interruptions of service and make reasonable provisions to meet emergencies resulting from failure of service at Emerald Forest, PWS No. 0700058, in violation of 30 Tex. ADMIN. CODE § 291.90(a)(1) and (2).
- 21. As evidenced by Finding of Fact No. 2.t., Carroll Water failed to provide properly sized water lines throughout the distribution system at Spanish Grant, PWS No. 0700064, in violation of 30 Tex. ADMIN. CODE § 290.44(c).
- 22. As evidenced by Finding of Fact No. 2.u., Carroll Water failed to equip the ground storage tank with a water level indicator at Spanish Grant, PWS No. 0700064, in violation of 30 Tex. ADMIN. CODE § 290.43(c)(4).
- 23. As evidenced by Finding of Fact No. 2.v., Carroll Water failed to provide the pressure tank with a device for determining the air-water-volume ratio at Spanish Grant, PWS No. 0700064, in violation of 30 Tex. ADMIN. CODE § 290.43(d)(3).
- 24. As evidenced by Finding of Fact No. 2.w., Carroll Water failed to install a backflow prevention assembly or have an adequate internal cross-connection control program where an actual or potential contamination hazard exists at Lakeview Ranchettes, PWS No. 0700057 and Grande Casa, PWS No. 0700063, in violation of 30 Tex. ADMIN. CODE § 290.44(h).
- 25. As evidenced by Finding of Fact No. 2.x., Carroll Water failed to modify the overflow pipe flap valve assembly on the ground storage tank to provide no more than a 1/16 inch gap, in strict accordance with AWWA standards at Grande Casa, PWS No. 0700063, in violation of 30 Tex. ADMIN. CODE § 290.43(c)(3).
- 26. Pursuant to the Code § 341.049, the Commission has the authority to assess an administrative penalty against Carroll Water for violations of the Code, TCEQ rules, and orders adopted under the Code.
- 27. An administrative penalty in the amount of thirteen thousand eight hundred seventy-six dollars (\$13,876.00) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Financial Assurance Section of the Commission's Financial Administration Division reviewed the financial documentation submitted by

Carroll Water and determined that Carroll Water is unable to pay part of the administrative penalty. Therefore, eight thousand three hundred seventy-six dollars (\$8,376.00) of the penalty is deferred contingent upon Carroll Water's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If Carroll Water fails to timely and satisfactorily comply with all requirements of this Agreed Order, including the payment schedule, the Executive Director may require Carroll Water to pay all or part of the deferred penalty.

Carroll Water has paid four hundred sixty-two dollars (\$462.00) dollars of the undeferred administrative penalty. The remaining amount of five thousand thirty-eight dollars (\$5,038.00) shall be payable in 11 monthly payments of four hundred fifty-eight dollars (\$458.00) dollars each. The first monthly payment shall be paid within 30 days after the effective date of this Agreed Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment. If Carroll Water fails to timely and satisfactorily comply with the payment requirements of this Agreed Order, the Executive Director may, at his option, accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. In addition, the acceleration of any remaining balance constitutes the failure by Carroll Water timely and satisfactorily comply with all the terms of this Agreed Order and the Executive Director may demand payment of any deferred penalty amount.

ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. Carroll Water is assessed an administrative penalty as set forth in Conclusion of Law No. 27 for violations of Tex. Health & Safety Code ch. 341 and the rules of the TCEQ. The imposition of this administrative penalty and Carroll Water's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be sent with the notation "Re: Walter J. Carroll Water Company, Inc.; Docket No. 2001-1379-PWS-E; Enforcement ID No.16096" to:

Financial Administration Division, Revenues Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- Carroll Water shall undertake the following technical requirements at <u>Emerald Forest</u>:
 - a. Immediately upon the effective date of the Commission Order, begin maintaining operational records detailing the date, location, and nature of water quality, pressure, or outage complaints received by the system and the results of any subsequent complaint investigation, as required by 30 Tex. ADMIN. CODE § 290.46(f)(3)(A)(iii).
 - b. Within 15 days after the effective date of the Commission Order, submit written certification of compliance with Ordering Provisions 2.a.
 - c. Within 30 days after the effective date of the Commission Order, begin completing service inspection certifications prior to providing continuous water service to new construction, on any existing service when the water purveyor has reason to believe that cross-connections or other unacceptable plumbing practices exist, or after any material improvement, correction, or addition to the private plumbing facilities, as required by 30 Tex. ADMIN. CODE § 290.46(j).
 - d. Within 45 days after the effective date of the Commission Order, submit written certification of compliance with Ordering Provision 2.c.
- Carroll Water shall undertake the following technical requirements at <u>Grande Casa</u>:
 - a. Immediately upon the effective date of the Commission Order:
 - 1. Begin operating the water system's chlorination facilities to maintain a free chlorine residual of 0.2 mg/L in the far reaches of the distribution system, as required by 30 Tex. ADMIN. CODE §§ 290.110(b)(4) and 290.46(d)(2)(A); and
 - 2. Begin maintaining operational records detailing the date, location, and nature of water quality, pressure, or outage complaints received by the system and the results of any subsequent complaint investigation, as required by 30 Tex. ADMIN. CODE § 290.46(1)(3)(A)(iii).
 - b. Within 15 days after the effective date of the Commission Order, submit written certification of compliance with Ordering Provisions 3.a.1 and 3.a.2.
 - c. Within 30 days after the effective date of the Commission Order:
 - 1. Initiate maintenance and housekeeping practices to ensure the reliability and general appearance of the system's facilities and equipment, as required by 30 Tex. ADMIN. CODE § 290.46(m) which shall include, but not be limited to maintaining the sealing block surrounding the well free of debris and excess vegetation;

- 2. Begin maintaining and making accessible, the results of annual inspections of the ground storage tank, as required by 30 Tex. ADMIN. CODE § 290.46(f)(2); and
- 3. Begin completing service inspection certifications prior to providing continuous water service to new construction, on any existing service when the water purveyor has reason to believe that cross-connections or other unacceptable plumbing practices exist, or after any material improvement, correction, or addition to the private plumbing facilities, as required by 30 Tex. Addin. Code § 290.46(j).
- d. Within 45 days after the effective date of the Commission Order, submit written certification of compliance with Ordering Provisions 3.c.1 through 3.c.3.
- e. Within 90 days after the effective date of the Commission Order, ensure no water connection to any residence or establishment be allowed where an actual or potential contamination hazard exists unless the public water facilities are protected from contamination, as required by 30 Tex. ADMIN. CODE § 290.44(h).
- f. Within 105 days after the effective date of the Commission Order, submit written certification of compliance with Ordering Provision 3.e.
- Carroll Water shall undertake the following technical requirements at <u>Spanish Grant</u>:
 - a. Within 30 days after the effective date of the Commission Order:
 - 1. Begin maintaining operational records detailing the date, location, and nature of water quality, pressure, or outage complaints received by the system and the results of any subsequent complaint investigation, as required by 30 Tex. ADMIN. CODE § 290.46(f)(3)(A)(iii);
 - 2. Initiate maintenance and housekeeping practices to ensure the reliability and general appearance of the system's facilities and equipment, as required by 30 Tex. ADMIN. CODE § 290.46(m) which shall include, but not be limited to maintaining the sealing block surrounding wells No. 1 and No. 2 free of debris and excess vegetation;
 - 3. Begin maintaining and making accessible, the results of annual inspections of the ground storage tank, as required by 30 Tex. ADMIN. CODE § 290.46(f)(2); and

- 4. Begin maintaining and making accessible the results of annual inspections of the pressure tank, as required by 30 Tex. ADMIN. CODE § 290.46(f)(2).
- b. Within 45 days after the effective date of the Commission Order, submit written certification of compliance with Ordering Provisions 4.a.1 through 4.a.4.
- c. Within 180 days after the effective date of the Commission Order, install properly sized distribution water lines, as required by 30 TEX ADMIN. CODE § 290.44(c).
- d. Within 195 days after the effective date of the Commission Order, submit written certification of compliance with Ordering Provision 4.c.
- 5. Carroll Water shall undertake the following technical requirements at <u>Lakeview Ranchettes</u>:
 - Within 30 days after the effective date of the Commission Order:
 - Begin maintaining and making accessible, the results of annual inspections of the pressure tank, as required by 30 Tex. ADMIN. CODE § 290.46(f)(e);
 - 2. Begin maintaining and making accessible, the results of annual inspections of the ground storage tank, as required by 30 Tex. ADMIN. CODE § 290.46(f)(2);
 - 3. Initiate maintenance and housekeeping practices to ensure the reliability and general appearance of the system's facilities and equipment, as required by 30 Tex. ADMIN. CODE § 290.46(m) which shall include, but not be limited to maintaining the sealing block surrounding the well free of debris and excess vegetation;
 - 4. Begin completing service inspection certifications prior to providing continuous water service to new construction, on any existing service when the water purveyor has reason to believe that cross-connections or other unacceptable plumbing practices exist, or after any material improvement, correction, or addition to the private plumbing facilities, as required by 30 Tex. Admin. Code § 290.46(j); and
 - 5. Begin maintaining operational records detailing the date, location, and nature of water quality, pressure, or outage complaints received by the system and the results of any subsequent complaint investigation, as required by 30 Tex. ADMIN. CODE § 290.46(f)(3)(A)(iii).

- b. Within 45 days after the effective date of the Commission Order, submit written certification of compliance with Ordering Provisions 5.a.1. through 5.a.5.
- c. Within 90 days after the effective date of the Commission Order, ensure no water connection to any residence or establishment be allowed where an actual or potential contamination hazard exists unless the public water facilities are protected from contamination, as required by 30 Tex. ADMIN. CODE § 290.44(h).
- d. Within 105 days after the effective date if the Commission Order, submit written certification of compliance with Ordering Provision 5.c.
- e. Submit certification of compliance letters and all other documents required by these Ordering Provisions to:

Mr. Shawn Stewart, Coordinator Enforcement, MC 149 Texas Commission on Environmental Quality P.O. Box 13087 Austin, TX 78711-3087

with a copy to:

Mr. Sid Slocum, Manager Water Section Dallas/Fort Worth Regional Office Texas Commission on Environmental Quality 2301 Gravel Dr. Fort Worth, TX 76118-6951

- 6. The provisions of this Agreed Order shall apply to and be binding upon Carroll Water. Carroll Water is ordered to give notice of this Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
- 7. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by Carroll Water shall be made in writing to the Executive Director. Extensions are not effective until Carroll Water receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.

- 8. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to Carroll Water if the Executive Director determines that Carroll Water has not complied with one or more of the terms or conditions in this Agreed Order.
- This Agreed Order shall terminate five years from its effective date or upon compliance with all terms and conditions set forth in this Agreed Order, whichever is later.
- 10. This Agreed Order, issued by the Commission, shall not be admissible against Carroll Water in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of the Tex. WATER CODE or the Tex. HEALTH & SAFETY CODE.
- 11. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. Pursuant to 30 Tex. Admin. Code § 70.10(b) and Tex. Gov't Code § 2001.142, the effective date is the date of hand-delivery of the Order to Carroll Water, or three days after the date on which the Commission mails notice of the Order to Carroll Water, whichever is earlier.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

I, the undersigned, have read and understand the attached Agreed Order in the matter of Walter J. Carroll Water Company, Inc. I am authorized to agree to the attached Agreed Order on behalf of Walter J. Carroll Water Company, Inc., and do agree to the specified terms and conditions.

I understand that by entering into this Agreed Order, Walter J. Carroll Water Company, Inc. waives certain procedural rights, including, but not limited to, the right to formal notice of violations addressed by this Agreed Order, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal. I agree to the terms of the Agreed Order in lieu of an evidentiary hearing. This Agreed Order constitutes full and final adjudication by the Commission of the violations set forth in this Agreed Order.

Signature

5-8-03
Date

WAITER & CARROLL WATER to have President
Name (printed or typed)
Authorized Representative

Walter J. Carroll Water Company, Inc.

I, the undersigned, on behalf of the Executive Director of the Texas Commission on Environmental Quality, hereby agree to the terms of this Agreed Order in lieu of an evidentiary hearing. This Agreed Order represents full and final adjudication of the violations giving rise to this Agreed Order.

Lydia Gonzalez Gromatzky

Deputy Director

Office of Legal Services

Texas Commission on Environmental Quality

5-20-03

Instructions: Send this signed, original Signature Page and Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Ordering Provision No. 1 of this Agreed Order.