

**Summary of Investigation Findings****FALL CREEK UTILITY WATER SYSTEM****Investigation # 253390****7001 GARRETT RANCH RD****Investigation Date: 10/27/2003****GRANBURY, HOOD COUNTY, TX 76049****Additional ID(s): 1110114****OUTSTANDING ALLEGED VIOLATIONS****Track No: 45491****Compliance Due Date: 9/30/03****30 TAC Chapter 290.42(k)****Alleged Violation:****Investigation: 253390****Comment Date: 10/28/2003**

Failure to compile and maintain current a thorough plant operations manual for operator review and reference.

A thorough plant operations manual must be compiled and kept up to date for operator review and reference. This manual should be of sufficient detail to provide the operator with routine maintenance and repair procedures 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.

**Investigation: 60746****Comment Date: 06/02/2003**

Failure to compile and maintain current a thorough plant operations manual for operator review and reference.

A thorough plant operations manual must be compiled and kept up to date for operator review and reference. This manual should be of sufficient detail to provide the operator with routine maintenance and repair procedures 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.

**Recommended Corrective Action:** Submit a copy of an adequate plant operations manual for the system.

**ALLEGED VIOLATIONS NOTED AND RESOLVED****Track No: 45490****30 TAC Chapter 290.46(f)****Alleged Violation:****Investigation: 253390****Comment Date: 10/28/2003**

Failure to compile monthly operating reports.

**Investigation: 60746****Comment Date: 06/02/2003**

Failure to compile monthly operating reports.

All public water systems shall maintain a record of operations.

Systems that serve fewer than 250 connections, serve fewer than 750 people, and use only groundwater or purchased treated water shall maintain a record of the amount of each chemical used each week;

Systems that serve fewer than 250 connections, serve fewer than 750 people, and use only groundwater or purchase treated water shall maintain a record of the amount of water treated each week;

**FALL CREEK UTILITY WATER SYSTEM**

**Investigation # 253390**

**Recommended Corrective Action:** Submit copies of current monthly operating reports.

**Resolution:** Ms. Charlotte Garret submitted copies of current Monthly Operating Reports.



Protecting Texas  
by Reducing and  
Preventing Pollution

# FAX TRANSMITTAL 7

DATE: 04/20/2004NUMBER OF PAGES (including this cover sheet): ☐

TO: Name Marvin Morgan  
Organization Marvin Morgan CPA  
FAX Number 512-292-3846

FROM: TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
Name Joe R. Martinez  
Division/Region Region 4 D/FW  
Telephone Number 817/588-5803  
FAX Number 817/588-5701

**NOTES:****RE: Fall Creek Utility**

The June 30, 2003 Letter is the original Notice of Violation Letter & Summary of Violations. The November 21, 2003 is a letter that was sent out after Ms. Garret submitted compliance documentation for some of the outstanding violations. The summary of violations lists the things that are still outstanding and things that have been resolved.

Robert J. Huston, *Chairman*  
R. B. "Ralph" Marquez, *Commissioner*  
Kathleen Hartnett White, *Commissioner*  
Margaret Hoffman, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texans by Reducing and Preventing Pollution*

June 26, 2003

**CERTIFIED MAIL 7001 2510 0008 1600 0601**  
**RETURN RECEIPT REQUESTED**

Ms. Charlotte Garrett, Owner  
Fall Creek Utility Company, Inc.  
P.O. Box 954  
Granbury, Texas 76048

Re: Notice of Enforcement for Comprehensive Compliance Investigation at:  
Lake Granbury RV Park, 7001 Ranch House Road, Granbury (Hood County), Texas  
TCEQ ID No.: 13809-001

Dear Ms. Garrett:

On May 19, 2003 and June 5, 2003, Carrie Landrum of the Texas Commission on Environmental Quality (TCEQ) Dallas/Ft. Worth Region Office conducted an investigation of the above-referenced facility to evaluate compliance with applicable requirements for wastewater treatment. During the investigation, certain outstanding alleged violations were identified. Enclosed is a copy of the investigation report which lists the investigation findings.

In the listing of alleged violations, we have cited applicable requirements, including TCEQ rules. If you would like to obtain a copy of the applicable TCEQ rules, you may contact any of the sources listed in the enclosed brochure entitled "Obtaining TCEQ Rules." The Legislature has granted the TCEQ enforcement powers to ensure compliance with environmental regulatory requirements. Because of the apparent seriousness of the alleged violations, enforcement action has been initiated. Additional violations may be cited upon further review. We encourage you to immediately begin taking actions to address the outstanding alleged violations.

If you or members of your staff have any questions regarding these matters, please feel free to contact Carrie Landrum in the Dallas/Ft. Worth Region Office at 817-588-5847.

Sincerely,

A handwritten signature in black ink, appearing to read "Sid Slocum".

Sid Slocum, Water Section Manager  
Dallas/Ft. Worth Region Office

Bob Ferry 817 588-5814  
back mon Mar. 2

SS/cl

Enclosures: Investigation Report No. 112737  
Laboratory results and chain of custody  
*Obtaining TCEQ Rules*

REPLY TO: REGION 4 • 2301 GRAVEL DR. • FORT WORTH, TEXAS 76118-6951 • 817/588-5800 • FAX 817/588-5700

P.O. Box 13087 • Austin, Texas 78711-3087 • 512/239-1000 • Internet address: [www.tceq.state.tx.us](http://www.tceq.state.tx.us)

MWD-13809-CO

**Texas Commission on Environmental Quality****Investigation Report****FALL CREEK UTILITY COMPANY INC****FALL CREEK UTILITY WWTP****RN101609766****Investigation #** 112737**Incident #** 21881**Investigator:** CARRIE LANDRUM**Site Classification**

DOMESTIC LAND DISPOSAL

**Conducted:** 05/19/2003 – 06/05/2003**SIC Code:** 4952**Program(s):** WASTEWATER**Investigation Type :** Compliance Investigation**Location :** 7001 RANCH HOUSE RD IN  
HOOD COUNTY**Additional ID(s) :** WQ0013809001**Address:** 7001 RANCH HOUSE  
RD; GRANBURY, TX 76048**Activity Type :** WW CCI Discretionary - Comprehensive  
compliance investigation  
WW COMPLAINT - Complaint investigation**Principal(s) :****Role****Name**

RESPONDENT

FALL CREEK UTILITY COMPANY INC

**Contact(s) :****Role****Title****Name****Phone**

Participated in Investigation

OPERATOR

DONALD COLE

Other (817) 901-2222

Regulated Entity Mail Contact

OWNER

MS CHARLOTTE  
GARRETT

Work (817) 219-7092

Home (817) 573-6509

Cell (817) 578-7340

**Other Staff Member(s) :****Role****Name**

SUPERVISOR

SIDNEY SLOCUM

QA REVIEWER

KAREN SMITH

**Associated Check List****Checklist Name****Unit Name**

WQ INVESTIGATION TYPES

Lake Granbury RV park

WQ GENERAL CCI CHECKLIST

Lake Granbury RV park

WQ LAND APPLICATION CHECKLIST

Lake Granbury RV park

WQ DOMESTIC CCI

Lake Granbury RV Park

**FALL CREEK UTILITY WWTP -****5/19/03 to 6/5/03****Page 2 of 5****Investigation Comments :****INTRODUCTION**

Fall Creek Utility Company was investigated on May 19, 2003 to determine compliance with applicable wastewater treatment regulations. A records review with the owner of the facility was conducted on June 5, 2003. The compliance investigation was initiated as a result of a complaint regarding surfacing sewage on the subsurface drainfield adjacent to the RV park; therefore the owner of the facility was not notified prior to the investigation. This investigation is considered a discretionary investigation. An exit interview, explaining the results of the investigation, was conducted on June 5, 2003 with Charlotte Garrett, facility owner, and Donald Cole, operator. A NOE letter was issued on June 26, 2003.

**GENERAL FACILITY AND PROCESS INFORMATION**

Fall Creek Utility Company's wastewater treatment facility consists of a primary sedimentation system using septic tanks. Treatment units include a lift station, two septic tanks with a total capacity of 17,700 gallons, pumps, piping and absorption trenches. The permittee is authorized to dispose of treated effluent at a daily average flow not to exceed 0.0057 MGD via subsurface drainfields with an application rate not to exceed 0.26 gallons per square foot per day. The primary source of wastewater is domestic sewage from the Lake Granbury RV Park. The facility has made no significant plant modifications and/or collection system upgrades since the last comprehensive investigation.

Effluent samples were not collected from the septic tanks on the day of the investigation; however, this "no discharge" facility is required by their permit to sample from the septic tank on a weekly basis. Samples are taken via a sampling port installed on the second septic tank. The land disposal site appears to be poorly operated. Surfacing effluent was noted on one edge of the disposal field in an area that is covered with sand and is void of vegetation. Surfacing effluent had also been noted in this same general area during a previous complaint investigation conducted on October 7, 2002. This is a repeat B violation and will be referred for enforcement action as required by the current Enforcement Initiation Criteria.

Effluent samples collected by Talem Laboratory are analyzed for BOD5 and pH. The owner stated that solids had not been removed from the treatment system. The owner claims that the addition of a "bacterial agent" to the septic tanks twice a week has eliminated the need to remove solids from the tanks. No records are kept demonstrating that solids accumulation in the tanks has ever been monitored. Flow is estimated from water usage at the RV park. The water meter is read five times/week. The Lake Granbury RV Park has 60 connections, approximately 35 of which are permanent residents. Water records reviewed by the inspector indicate that water use ranges between 2430 and 2640 gallons/day with 3000 gallons/day being the maximum water use.

**BACKGROUND**

A file review and/or record review was conducted to evaluate historical compliance issues concerning the facility prior to the date of the investigation. This review was conducted to determine what concerns, if any, should be further studied during the upcoming investigation. This review process indicated the facility failed to respond to the Notice of Violation resulting from the complaint investigation conducted on 10/7/2002. Surfacing sewage was noted during this complaint investigation and the owner was advised to repair the drainfield and submit corrective action documentation to the Region office. The facility also failed to respond to the Notice of Violation resulting from an annual compliance investigation conducted on 2/15/2002. The facility was cited for effluent violations and failure to submit written reports for effluent violations that exceed the permitted limit by more than 40%. The facility was advised to submit a compliance plan for meeting the permitted limits.

The current compliance investigation indicates that effluent samples continue to consistently exceed

**FALL CREEK UTILITY WWTP -****5/19/03 to 6/5/03****Page 3 of 5**

the permitted limit for BOD5. The facility also consistently fails to submit written reports for effluent violations. The facility is not required to submit Discharge Monitoring Reports, only to maintain monitoring records on a monthly basis.

**ADDITIONAL INFORMATION**

During the current complaint investigation conducted on May 19, 2003, it was noted that additional sand had been placed in the area where surfacing sewage had been documented during the previous complaint investigation on 10/7/2002. The owner stated that the sand was applied in an effort to level out the drainfield. There is no information in the facility file which indicates how the system was installed or if proper installation techniques and materials were used. Apparently, this information is not required for a septic system permitted under the TCEQ Wastewater Program, nor does the TCEQ Wastewater Permits Section require an inspection of the system prior to it being covered with soil, as is required of all septic systems installed under the TCEQ On-Site Sewage Facilities Program.

**OUTSTANDING ALLEGED VIOLATIONS****Track No: 56723      Compliance Due Date: No Date Entered****30 TAC Chapter 305.125(1)****Alleged Violation:**  
**Investigation: 112737****Comment Date: 06/18/2003**

Failure to monitor the accumulation of solids in the septic tanks at least once every six months. Removal of solids should be done as necessary to achieve optimum efficiency. Records of the dates of inspection and dates on which solids were removed should be maintained.

**Recommended Corrective Action:** Begin monitoring the solids in the tanks every six months and keep a log of these inspections. Also keep trip tickets for any solids removed from the tanks.

**Resolution:****Track No: 56738      Compliance Due Date: No Date Entered****TWC Chapter 28.121****PERMIT 13809-001****Special Provisions No. 4****Alleged Violation:**  
**Investigation: 112737****Comment Date: 06/20/2003**

Unauthorized discharge of wastewater and failure to maintain subsurface treatment units so as to prevent contamination of surface water and prevent the occurrence of nuisance conditions. Surfacing wastewater was observed on the drain field during the investigation on May 19, 2003. The grab sample collected from the surface of the drain field on the day of the investigation had a fecal coliform count of >200,000 cfu/100 ml. This is a repeat B violation which requires referral for enforcement action.

**Recommended Corrective Action:** The owner was advised to have the wastewater system evaluated and repaired by a licensed septic system installer. The problem area should be excavated in order to make necessary repairs. Submit documentation showing that the repairs have been completed.

**Resolution:****Track No: 56754      Compliance Due Date: No Date Entered****30 TAC Chapter 305.125(1)****Alleged Violation:**  
**Investigation: 112737****Comment Date: 06/18/2003**

**FALL CREEK UTILITY WWTP -**

5/19/03 to 6/5/03

Page 4 of 5

Failure to meet the permitted grab sample limit of 100 mg/L for BOD5. Laboratory results for the period under review (January 2003 - April 2003) indicated BOD5 levels consistently between 230 mg/L and 360 mg/L.

**Recommended Corrective Action:** Submit a plan for complying with the permitted limits.

**Resolution:**

**Track No:** 62129      **Compliance Due Date:** No Date Entered  
**30 TAC Chapter 305.125(1)**

**Alleged Violation:**  
**Investigation:** 112737

**Comment Date:** 06/20/2003

Failure to submit written notification for effluent violations that deviate by more than 40% from the permitted limit. Every grab sample analyzed for BOD5 during the period under review (January 2003 - April 2003) exceeded the permitted limit of 100 mg/L by more than 40%.

**Recommended Corrective Action:**

**Resolution:**

**Track No:** 62151      **Compliance Due Date:** No Date Entered  
**30 TAC Chapter 325.106**

**Alleged Violation:**  
**Investigation:** 112737

**Comment Date:** 06/20/2003

Allowing an individual with an inadequate level of certification to perform a regulated activity. The facility owner holds a class C wastewater license; however, the facility operator responsible for maintaining the drain field does not hold a wastewater license.

**Recommended Corrective Action:** Employ an individual with adequate certification to maintain the wastewater facility.

**Resolution:**

### **Areas of Concern**

#### **Description**

If no, has a change of address been submitted?

Describe any plant modifications and or collection system upgrades since the last comprehensive compliance investigation.

#### **OTHER COMMENTS**

#### **Additional Comments**

The mailing address on the permit is not the correct mailing address. Please complete and submit a change of address form.

Additional sand/soil has been applied to the drain field in an attempt to level the drain field and/or prevent surfacing of sewage. The owner was advised that modifying the surface of the drain field is not an acceptable method of correcting areas of surfacing wastewater.

To date, the wastewater treatment system has not been able to achieve the required treatment needed to meet the permitted limit for BOD5. Septic tank systems should be able to achieve a 30 to 40% reduction in BOD5. Raw wastewater typically has a BOD5 of around 250 mg/L. The influent wastewater BOD5 for this KV park is unknown; however, BOD5 levels obtained from the sampling port on the second tank appear to be very high, indicating little



## FALL CREEK UTILITY WWTP -

5/19/03 to 6/5/03

Page 5 of 5

or no treatment is being achieved prior to disposal in the subsurface drainfield. The Region office has recommended that the owner seek a major amendment to the permit during the next renewal in order to request the elimination of the sampling requirement. The details of the treatment system should also be reiterated to the permitting staff in order to clarify any misinterpretation of the type of treatment system being used. Should this prove to be unsuccessful, the permittee will need to seek another alternative to meet the effluent limits set forth in the permit. It is also recommended that the facility monitor and remove any septic solids that have accumulated in the bottom of the septic tanks and may be contributing to the high BOD5 problem.

Signed

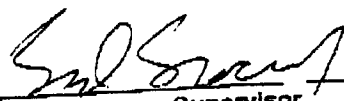


Environmental Investigator

Date

6/20/2003

Signed



Supervisor

Date

6/23/07

## Attachments: (in order of final report submittal)

☒ Enforcement Action Request (EAR)☒ Letter to Facility (specify type): NOE

Investigation Report

☒ Sample Analysis Results☐ Manifests☐ NOR☐ Maps, Plans, Sketches☒ Photographs☐ Correspondence from the facility☐ Other (specify):  
\_\_\_\_\_  
\_\_\_\_\_

**Fall Creek Utility Co., Inc.  
PO Box 954  
Granbury, TX 76048**

August 12, 2003

Carrie Landrum  
Dallas/Fort Worth Region Office #4  
2301 Gravel Dr.  
Fort Worth, TX 76118-6951

RE: Reply to Comprehensive Compliance Investigation at  
Lake Granbury RV Park, 7001 Ranch House Road Granbury  
(Hood County), Texas  
TCMQ JD No.: 13809-001

Dear Ms. Landrum,

Fall Creek Utility Co., Inc. has taken immediate actions to correct the alleged violations. All resolutions are now in place.

Please advise Fall Creek Utility Co., Inc. where we should submit written notification for effluent violations, if needed.

Fall Creek Utility Co., Inc. could also sent copies of MOR's (weekly inspections), if desired.

Sincerely,

Charlotte Garrett, Owner

Fall Creek Utility Co. Inc.  
PO Box 954  
Granbury, TX 76048  
817-573-6509

cagan.elt6503@sbcglobal.net

*1 page 1*

**Track Compliance TAC**

No. 56723  
e Due Date Entered

30 TAC 305.125(1) The permittee has a duty to comply with all permit conditions. Failure to comply with any permit condition is a violation of the permit and its statutes under which it was issued and its grounds for enforcement action, for permit amendment, revocation or suspension, or for denial of a permit renewal application or an application for a permit for another facility.

56738 No Date Entered

TWOC 26.121 no person may discharge sewage, municipal waste, recreational waste, agricultural waste into or adjacent to any water in the state Permit 13809-001 Provision #4

56754 No Date Entered

30 TAC 305.125(1) The permittee has a duty to comply with all permit conditions. Failure to comply with any permit condition is a violation of the permit and its statutes under which it was issued and its grounds for enforcement action, for permit amendment, revocation or suspension, or for denial of a permit renewal application or an application for a permit for another facility.

**Alleged Violation**

Failure to monitor the accumulation of solids in the septic tanks at least once every six months. Removal of solids should be done as necessary to achieve optimum efficiency. Records of the dates of inspection and dates on which solids were removed should be maintained

**Recommended Corrective Action**

Begin monitoring the solids in the tanks every six months and keep a log of these inspections. Also keep trip tickets for any solids removed from the tanks.

Unauthorized discharge of wastewater and failure to maintain subsurface treatment units so as to prevent contamination of surface water and prevent the occurrence of nuisance conditions. Surface wastewater was observed on the drainfield during the investigation on May 19, 2003. The grab sample collected from the surface of the drainfield on the day of the investigation had a fecal coliform count of >200,000 cfu/100 ml. This is a repeat B violation which requires referral for enforcement action.

Failure to meet the permitted grab sample limit of 100 mg/L for BOD5. Laboratory results for the period under review (January 2003 - April 2003) indicated BOD5 levels consistently between 230mg/L and 360 mg/L

Submit a plan for complying with the permitted limits.

The owner was advised to have the wastewater system evaluated and repaired by a licensed septic system installer. The problem area should be excavated in order to make the necessary repairs. Submit documentation showing that the repairs have been completed.

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5(1) The permittee has a  
with all permit conditions.  
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or an application for a  
facility.

person may discharge  
waste, recreational  
waste into or adjacent  
the state. Permit  
#4

5(1) The permittee has a  
with all permit conditions.  
with any permit  
of the permit and  
it was issued and is  
action, for  
action, for  
for denial of a permit  
or an application for a  
facility.

### Alleged Violation

Failure to monitor the accumulation of  
solids in the septic tanks at least once  
every six months. Removal of solids  
should be done as necessary to achieve  
optimum efficiency. Records of the  
dates of inspection and dates on which  
solids were removed should be  
maintained.

Unauthorized discharge of wastewater  
and failure to maintain subsurface  
treatment units so as to prevent  
contaminator of surface water and  
prevent the occurrence of nuisance  
conditions. Surface wastewater was  
observed on the drainfield during the  
investigation on May 19, 2003. The grab  
sample collected from the surface of the  
drainfield on the day of the investigation  
had a fecal coliform count of >200,000  
cfu/100 ml. This is a repeat B violation  
which requires referral for enforcement  
action.

Failure to meet the permitted grab  
sample limit of 100 mg/L for BOD5.  
Laboratory results for the period under  
review (January 2003 - April 2003)  
indicated BOD5 levels consistently  
between 230mg/L and 360 mg/L.

### Recommended Corrective

#### Action

Begin monitoring the solids in the  
tanks every six months and keep a  
log of these inspections. Also  
keep trip tickets for any solids  
removed from the tanks.

The owner was advised to have  
the wastewater system evaluated  
and repaired by a licensed septic  
system installer. The problem area  
should be excavated in order to  
make the necessary repairs.  
Submit documentation showing  
that the repairs have been  
completed.

Submit a plan for complying with  
the permitted limits.

### Resolution

Started monitoring program  
of tank solids.

Since June 2003, no  
surface wastewater has  
been observed. The owner  
operator has started a  
visual inspection program  
looking for surface  
wastewater. A record of  
the visual inspection  
program will be kept in the  
MOR. If any surface  
wastewater is noted in the  
future the problem area will  
be repaired.

A permit amendment is to  
be filed with new grab  
sample limit per 30 TAC  
317.4(a) of 300 mg/L for  
BOD5

Page 2

62129 No Date  
Entered

30 TAC 305.125(1) The permittee has a duty to comply with all permit conditions. Failure to comply with any permit condition is a violation of the permit and statutes under which it was issued and is grounds for enforcement action, for permit amendment, revocation or suspension, or for denial of a permit renewal application or an application for a permit for another facility.

62151 No Date  
Entered

30 TAC 325.106

Failure to submit written notification for effluent violations that deviate by more than 40% from the permitted limit. Every grab sample analyzed for BOD5 during the period under review (January 2003 - April 2003) exceeded the permitted limit of 100 mg/l by more than 40%.

Allowing a individual to perform a level of certification to perform a regulated activity. The facility owner holds a Class C Wastewater License; however, the facility operator responsible for maintaining the drainfield does not hold a wastewater license.

Employ an individual with adequate certification to maintain the wastewater facility.

Page 3

25(1) The permittee has a permit with all permit conditions. Violation of the permit and which it was issued and is enforcement action, for permit, revocation or denial of a permit for an application for a permit facility.

Failure to submit written notification for effluent violations that deviate by more than 40% from the permitted limit. Every grab sample analyzed for BOD5 during the period under review (January 2003 - April 2003) exceeded the permitted limit of 100 mg/L by more than 40%.

Allowing a individual with an inadequate level of certification to perform a regulated activity. The facility owner holds a Class C Wastewater License; however, the facility operator responsible for maintaining the drainfield does not hold a wastewater license.

Employ an individual with adequate certification to maintain the wastewater facility.

Facility owner has taken over wastewater operations and maintains a Wastewater Grade D License.

Will submit written notification for effluent violations until permit amendment is finalized

917 341 4242

Page 4