NOTICE OF RATE/TARIFF CHANGE TO BE PROVIDED TO CUSTOMERS

Page 21 of 27

12473

CCN Number

Company Name

submitted a rate change application to the Texas Commission on Environmental Quality (Commission). The posed rates listed on the next page will apply to service received after the effective date provided below. If the nmission receives protests to the proposed increase from 10 percent of the ratepayers or from any affected nicipality before the 91st day after the proposed effective date, a public hearing will be scheduled to determine if the posed rates are reasonable. Protests should be mailed to:

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

nless protests are received from 10 percent of the ratepayers or the Commission staff requests a hearing, no hearing will held and rates will be effective as proposed. Please read the following information carefully:

Cape Tranquility, Mt Sylvan, Country Club, Friendship, Rosewood, Stallion Lake, Garden Valley, Garden Acres

Cape Tranquility, Mt Sylvan, Country Club, Fliel	nusinp, riodovi	Change		
Subdivisions or S	Systems Affected by I	Rate Change	75700	903-597-5788
	Tyler	TX	75708	
7891 Hwy 271	City	State	Zip	Telephone
Company Address	Oity		June 2, 2	2010
\$45,433.28		Date C	Customer N	Notice Mailed
Annual Revenue Increase				ach month
January 2, 2009		Date	Meters Ty	pically Read
Date of Last Rate Change		-		

EFFECTIVE DATE OF PROPOSED INCREASE: August 2, 2010

BILLING COMPARISON

Water:	LAIDIII.	10,000 gallons:		LVIOUITA	30,000 gallons: 30,000 gallons:	
Sewer:	Existing	10,000 gallons:	\$ N/A /mo	- 1 topooss		\$ N/A /mo

The proposed rates will apply to all service rendered after the effective date and will be reflected on the bill you receive approximately 3

In the event that the application is set for hearing, the specific rates requested by the utility may be decreased or increased by order (the Commission. If the Commission orders a lower rate to be set, the utility may be ordered to refund or credit against future bills a sums collected during the pendency of the rate proceeding in excess of the rate finally ordered plus interest. You may inspect a copy the rate change application at your utility's office or at the Commission's office at Park 35 - Building F, 12015 Park 35 Circle, Suite 310 Austin, Texas, west side of IH-35, south of Yager Lane. Additional information about the application can be obtained by contacting the Utilities and Districts Section at 512/239-4691. Information about how you can participate in the rate setting process can be obtained. contacting the Public Interest Counsel at 512/239-6363.

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

Page 22 of 27 -0-0 40422 (12/18/08)

OLIDDENT S	DATES	PROPOSED					
CURRENT F		Monthly base rate including 1000 gallons					
onthly base rate including	1000 gallone	Meter Size:					
eter Size:		Residential					
esidential			\$ 38.85				
/8" x 3/4"	\$ 34.90	3/4"	\$ 57.13				
/4"	\$ 52.35	⊣	\$ 93.68				
н	\$ 87.25	- 1" -	\$ 185.05				
-1/2"	\$ 174.50	1-1/2"	\$ 294.70				
	\$ 279.20	2"	\$ 550.55				
3"	\$ 523.50	3"	\$ 550.00				
Gallonage Charge:		Gallonage Charge:	additional 1000 gallons				
\$ <u>2.30</u> for each over the minimum	additional 1000 gallons	over the minimum					
Miscellaneous Fees		Miscellaneous Fees	T a 000 00				
	\$ 800.00	Tap fee	\$ 900.00				
Tap fee Reconnect fee: Non-payment (Maximum - \$25.00)	\$ 25.00	Reconnect fee" Non-payment (Maximum - \$25.00)	\$ 25.00				
•	\$ 40.00	Customer's request	\$ 40.00				
Customer's request	÷ 22.00	Transfer fee	\$ 30.00				
	\$ 30.00						
Transfer fee Late charge	\$ 4.00	Late charge (Indicate either \$5.00 or 10%)	\$ 5.00				
Late charge	\$ 4.00	either \$5.00 or 10%)	1.05.00				
Late charge Returned check charge	\$ 4.00 \$ 25.00	Late charge (Indicate either \$5.00 or 10%) Returned check charge Deposit (Maximum \$50.00)	1 25 20				
Late charge	\$ 4.00	Returned check charge	\$ 25.00				

Regulatory Assessment of 1% is added to base rate and gallonage charges

WATER & SEWER TARIFF PAGES

TCEQ-10423 (12/18/08)

exas Water	Systems, Inc
Water Utility	Name)

W	ater T	ariff	Page	No. 2
Revision	Date	/	/_	

SECTION 1.0 - RATE SCHEDULE

ction	1.01	<u> </u>	<u>lates</u>

Monthly base rate including 1000 gallons

Meter Size:

Residential

5/8" x 3/4" \$ 38.85

3/4" \$ 57.13

1" \$ 93.68

1-1/2" \$ 185.05

2" \$ 294.70

3" \$ 550.55

Gallonage Charge: \$ 2.30 for each additional 1000 gallons over the minimum

Regulatory Assessment Fee1%

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

Section 1.02 - Miscellaneous Fees

TAP FEE \$ 900.00

TAP FEE IS BASED ON THE UTILITY'S ACTUAL COST FOR MATERIALS AND LABOR FOR STANDARD RESIDENTIAL CONNECTION OF 5/8"x3/4" METER.

RECONNECTION FEE

T

L

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

b)	Non payment of bill (Maximum \$25.00) Customer's request Or other reasons listed under Section 20CF of this tariff		<u>40</u> . <u>00</u>	
TO ANOTED EEE	EE WILL BE CHARGED FOR CHANGING AN ACCOUNT NAME AT THE SAME SERV	\$ VICE LOCATION W	30.00 HEN THE SERVICE	E IS NOT
DISCONNECTED.	lot more than \$5.00 or 10%)(Indicate one)	\$	<u>5</u> . <u>00</u>	
A ONE TIME PENA	ALTY MADE ON DELINQUENT BILLS BUT MAY NOT BE APPLIED TO ANY BALANCE	TO WHICH THE P	ENALTY WAS APF	LIED IN A
PREVIOUS BILLIN				

RETURNED CHECK CHARGE\$ 25.00

CUSTOMER DEPOSIT (Maximum \$50)\$ 50.00

METER TEST FEE (actual cost of testing the meter up to).....\$ 25.00

THIS FEE MAY BE CHARGED IF A CUSTOMER REQUESTS A SECOND METER TEST WITHIN A TWO YEAR PERIOD AND THE TEST INDICATES THAT THE METER IS RECORDING ACCURATELY.

RATES LISTED ARE EFFECTIVE ONLY IF THIS PAGE HAS TCEQ APPROVAL STAMP

TCEQ-10423 (12/18/08)

Page 25 of 27

INCOME TAX TABLE

TCEQ-10423 (12/18/08) Page 26 of 27

											_	_			
INCOME TAX TABLE															
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	ess than	The tax	is Mor	re than Le	ess than	The tax		W 20 5 1	50.501		0,166	75,000	75,5	501	21,091
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TCEQ-10423 (12/18/08)



TEXAS COMPTROLLER OF PUBLIC ACCOUNTS

SUSAN COMBS · COMPTROLLER · AUSTIN, TEXAS 78774

March 22, 2010

CERTIFICATE OF ACCOUNT STATUS

THE STATE OF TEXAS COUNTY OF TRAVIS

I, Susan Combs, Comptroller of Public Accounts of the State of Texas, DO HEREBY CERTIFY that according to the records of this office

TEXAS WATER SYSTEMS, INC.

is, as of this date, in good standing with this office having no franchise tax reports or payments due at this time. This certificate is valid through the date that the next franchise tax report will be due May 17, 2010.

This certificate does not make a representation as to the status of the entity's registration, if any, with the Texas Secretary of State.

This certificate is valid for the purpose of conversion when the converted entity is subject to franchise tax as required by law. This certificate is not valid for any other filing with the Texas Secretary of State.

GIVEN UNDER MY HAND AND SEAL OF OFFICE in the City of Austin, this 22nd day of March 2010 A.D.

. Susan Combs

Texas Comptroller

Taxpayer number: 17522535883

File number: 0109227500

Form 05-304 (Rev. 12-07/17)

Attachment 2

SECTION IB - MISCELLANEOUS INFORMATION

D. Water Utilities

System Name	TCEQ PWS ID#	County	Rate Increase Applicable?
Cape Tranquility Water System	1070176	Henderson	Yes
Mt. Sylvan Water System	2120034	Smith	Yes
Country Club Water System	2300021	Upshur	Yes
Friendship Water System	2300020	Upshur	Yes
Rosewood Water System	2300026	Upshur	Yes
Stallion Lake Water System	2120104	Smith	Yes
Garden Valley Water System	2120081	Smith	Yes
Garden Acres Water System	O920031	Gregg	Yes

Buddy Garcia, Chairman Larry R. Soward, Commissioner Bryan W. Shaw, Ph.D., Commissioner Mark R. Vickery, P.G., Executive Director



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 21, 2010

Mr. Glenn Trimble, Owner Texas Water Systems Inc. PO Box 131945 Tyler, TX 75713

Notice of Compliance with the Record Review Investigation of: Re:

Cape Tranquility Water System, Located on CR 4202 in Henderson County, Texas RN101392025, TCEQ Additional ID: 1070176, Investigation No. 787494

Dear Mr. Trimble:

This letter is to inform you that Texas Commission on Environmental Quality (TCEQ) Tyler Region Office has received adequate compliance documentation on June 23, 2008, May 20, 2009, and January 6, 2010 to resolve the alleged violation(s) documented during the Comprehensive Compliance Investigation of the above-referenced regulated entity conducted on April 24, 2008. Based on the information submitted, no further action is required concerning this investigation.

The Texas Commission on Environmental Quality appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions, please feel free to contact Mr. Daniel Dawson at the Tyler Region Office at 903-535-5122.

Sincerely, Willin Tilson

William Gibson PWS Work Leader Tyler Region Office

WDG/DED

(Rev 9/20/07)

CAPE TRANQUILITY SYSTEM

Investigation # 787494

Investigation Date: 01/07/2010

HENDERSON COUNTY,

Additional ID(s):

1070176

ALLEGED VIOLATION(S) NOTED AND RESOLVED

Track No: 332751

30 TAC Chapter 290.43(c)(8)

Alleged Violation:

Investigation: 671149

Comment Date: 05/14/2008

Failure to cover and design, fabricate, erect, test and disinfect in strict accordance with current American Water Works Association (AWWA) standards, all facilities for potable water storage.

During the investigation occurring 04/24/08, the investigator observed that the pressure tank had significant corrosion on some valves, and according to the inspection forms and Mr. Trimble, the interior is pitted in places.

Investigation: 787494

Comment Date: 01/07/2010

Resolution: On 05/21/2009, the TCEQ Tyler Office received documentation, including a statement and an invoice of work completed, showing that the pressure tank had been repaired.

Track No: 332752

30 TAC Chapter 290.46(m)

Alleged Violation:

Investigation: 671149

Comment Date: 05/14/2008

Failure to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment. The grounds and facilities shall be maintained in a manner so as to minimize the possibility of the harboring of rodents, insects, and other disease vectors, and in such a way as to prevent other conditions that might cause the contamination of the water.

During the investigation occurring 04/24/08, the investigator observed that the fence around the plant is heavily covered by vines and other vegetation. The vegetation should be cleared from the fence, especially off of the barbed wire, to ensure the fence remains intruder resistant.

Investigation: 787494

Comment Date: 01/07/2010

Resolution: On 01/06/2010, the TCEQ Tyler Office received photographs from the water system showing that they had replaced the fence and barbed wire surrounding the plant. The photographs clearly showed no vines on the fence tops.

Track No: 332753

30 TAC Chapter 290.42(e)(4)(C)

Alleged Violation:

Investigation: 671149

Comment Date: 05/14/2008

Failure to properly install the high level vent in the chlorination room The chlorination room

Page 1 of 2

CAPE TRANQUILITY SYSTEM

Investigation # 787494

lition, if the room igh level and floor level screened vents. contains more than one operating 150 pound cylinder of chlorine, a fan which is located at and draws air in through the top vent and discharges to the outside atmosphere through the floor level vent must be provided, with the fan switch located outside the enclosure.

During the investigation occurring 04/24/08, the investigator observed that the chlorine room only had a low level vent, and not a high level vent.

Investigation: 787494

Comment Date: 01/07/2010

See previous comments.

Resolution: On 06/23/2008 the TCEQ Tyler Office received a photograph from the water system showing that an upper vent had been installed in the chlorine room.

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 5, 2010

CERTIFIED MAIL 91 7108 2133 3934 8772 2668 RETURN RECEIPT REQUESTED

Mr. Glenn Trimble, President Mount Sylvan Water System 7891 US 271 Tyler, Texas 75708

Review of Records Submitted for Notice of Violation dated January 7, 2009 for: Re:

Mount Sylvan Water System, CR 437 & SH 110 N, northwest of Tyler (Smith County), Texas RN 101195238, TCEQ Additional ID 2120034, Investigation No. 709086

Dear Mr. Trimble:

The Texas Commission on Environmental Quality (TCEQ) Tyler Region Office has completed a review of the compliance plan that you submitted on February 6, 2009 for resolving the alleged violation dealing with inadequate storage tank capacity (violation track no. 353219). This alleged violation was noted during the investigation of the above-referenced facility conducted on December 18, 2008. The compliance plan appears to identify necessary corrective action for the alleged violation. We will monitor your progress in implementing the corrective action. You should submit compliance documentation to our office by May 6, 2010 demonstrating that the alleged violation has been resolved. Please be advised, though, that if we determine during follow-up monitoring that you are not working toward compliance or the problem has escalated, further enforcement action will be considered.

The Texas Commission on Environmental Quality appreciates your assistance in this matter and anticipates that you will resolve the alleged violation as required in order to protect the State's environment. If you or members of your staff have any questions, please feel free to contact Samantha Smith in the Tyler Region Office at 903-535-5159.

Sincerely,

William D. Gibson, Team Leader

Tyler Region Office

WDS/SSS

Enclosure: Summary of Unresolved Investigation Findings

MOUNT SYLVAN WATER SYSTEM

Investigation # 709086

Investigation Date: 12/21/2009

SMITH COUNTY,

2120034 Additional ID(s):

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

Compliance Due Date: 05/06/2010 Track No: 353219

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

Alleged Violation:

Comment Date: 01/02/2009 Investigation: 722109

Failure to meet this Agency's "Minimum Water System Capacity Requirements". These requirements include a total storage tank capacity of 200 gallons per connection [§290.45(b)(1)(C)(ii)]. During the investigation on December 18, 2008, the investigator documented that Mr. Trimble reported in the course of their conversation that Mount Sylvan served 226 connections.

Total storage capacity required: 200 gal / conn X 226 conn = 45,200 gallons. Total storage capacity provided: 20,000 + 21,000 = 41,000 gallons. 41,000 gallons provided are 91% of 45,200 gallons required, resulting in a 9% deficiency.

Your water system must be modified to meet these requirements to assure an adequate supply of water at all times. Please be advised that public water systems shall notify the executive director prior to making any significant change or addition to the system's production, treatment, storage, or distribution facilities. Public water systems shall submit plans and specifications for the proposed changes upon

The water system may request an exception to these requirements by writing to TCEQ, Water Supply Division, Public Drinking Water Section, Technical Review & Oversight, MC 155, P.O. Box 13087, Austin, TX 78711-3087; phone: (512) 239-6967.

Comment Date: 12/21/2009 Investigation: 709086

Failure to meet a total storage tank capacity requirement of 200 gallons per connection.

On February 6, 2009, Mount Sylvan sent correspondence addressing this alleged violation, setting forth a compliance plan deadline of May 6, 2010. On November 9, 2009, Mount Sylvan sent further correspondence informing us of their compliance steps taken to date.

Recommended Corrective Action: Please submit compliance documentation by May 6, 2010. The documentation should demonstrate what actions have been taken to correct the violation and may include photographs, purchase orders, results of analyses, etc.

Track No: 353059

30 TAC Chapter 290.46(s)(1)

Alleged Violation:

Comment Date: 12/23/2008 Investigation: 722109

Failure by the regulated entity to calibrate the well meters at least every three years.

During the investigation on December 18, 2008, the investigator documented that Mr. Trimble reported





Comment Date: 12/21/2009

Comment Date: 12/23/2008

in the course of their conversation that two of the four well meters had not been calibrated during the past three years.

Investigation: 709086

This alleged violation is being resolved in response to this record review investigation, as noted in the "resolution" section.

Resolution: On April 9, 2009, the water system provided test results for the calibration of the meters.

Track No: 353063

30 TAC Chapter 290.46(f)(3)(E)(iv)

30 TAC Chapter 290.46(j)

Alleged Violation:

Investigation: 722109

Failure to complete a customer service inspection certification 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 water distribution facilities.

Copies of properly completed Customer Service Inspection certifications must be kept on file by the regulated entity and made available, upon request, for Commission review. These certifications must be retained for a minimum of ten years.

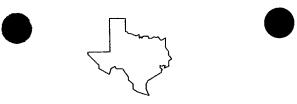
During the investigation on December 18, 2008, the investigator documented that Mr. Trimble reported in the course of their conversation that only one of the new service connections had a completed customer service inspection certification, namely for Mr. Joe Bill Thompson.

Since the previous comprehensive compliance investigation in January 2007, twenty four service connections have reportedly been added to Mount Sylvan's distribution; therefore, twenty three (23) service connections are unaccounted for with regard to customer service inspections. Mr. Trimble said that Mount Sylvan was backlogged with respect to CSIs.

Investigation: 709086 Comment Date: 12/21/2009

This alleged violation is being resolved in response to this record review investigation, as noted in the "resolution" section.

Resolution: On April 9, 2009, the water system provided copies of the results from 23 previously unaccounted-for CSIs.



TEXAS WATER SYSTEMS Inc

An Investor Owned Utility

May 4, 2010

Mr. William D. Gipson, Work Leader TCEQ Region 5 2916 Teague Drive Tyler, Texas 75701-3756

Re: Violation Notice for Investigation of Mt. Sylvan PWS ID #2120034, December 18, 2008

Track # 353219 GST Capacity

Hun G Trimble

Dear Mr. Gipson:

We submit the following compliance update for the Mt. Sylvan System on the track at issue:

In July, 2009 we completed a deal for a tank package that was supposed to include 2-20,000 gallon ground storage tanks, one of which would be destined for Mt Sylvan (Letters of 7/14/09 & 7/22/09 attached). In early fall, we learned that the 2 larger tanks were only 16,800 gal. Disappointed, we didn't withdraw, but told our engineer to submit for review that size tank, which was approved by Austin in Nov. 09 (letter of 11/20/09 attached). Then in January, Walnut Grove WSC accepted an offer we made them on removal of a 60,000 gal. bolted tank (offer letter of 12/29/09 attached). It is a unit that is three panels tall, and if we re-erect the best panels to 2/3 of that height, we could produce a 40,000 gal. GST, which is much more suited to the needs of Mt Sylvan than the smaller 16,800 gal. tank. With these changes, we request a 12 month extension on the compliance deadline to May 6,2011, in order to redesign, amend plans, tear down, move & re-erect the tank we really need.

Sincerely,

Glenn E. Trimble General Manager



TEXAS WATER SYSTEMS Inc

An Investor Owned Utility

July 22, 2009

Little Hope-Moore WSC 2749 FM 16 Canton, Texas 75103 FAX: 903-963-1525 Phone: 903-567-5821

Re: Tank Purchase

Gentlemen:

Thank you for your acceptance of our offer of terms for the purchase of three storage tanks and two pressure tanks at \$36,000.00. We hereby acknowledge receipt of your Board approval letter of July 14.

We also submit an adjustment on release of the first installment of \$20,000.00 to a mail date of July 27, due to our office manager's vacation this week.

Sincerely,

Glenn E. Trimble
General Manager

GET/ds

Little Hope-Moore Water Supply Corporation

2749 FM 16

(903) 567-5821

Carton, TX 75103-6070

July 14, 2009

Clarification of the final offer from Texas Water Systems to buy water tanks from Little Hope-Moore WSC. This is an addendum to the letter from TWSI submitted by Glenn E. Trimble. Mr. Trimble and I talked on the phone about the changes listed below.

TWSI agrees to buy two twenty thousand gallon tanks, one twelve thousand gallon tank and two pressure tanks at a total price of \$36,000.00 to be paid as below:

\$20,000.00 cash paid to LHMWSC during the week of July 20, 2009. At that time, upon acceptance of this offer, one 20,000 gallon tank will be released for removal to TWSI.

A further \$16,000.00 will be paid by TWSI to LHMWSC before December 31, 2009, as funds become available to TWSI. When this final amount has been paid, the other 20,000 gallon tank, the 12,000 gallon tank and the two pressure tanks will be released for removal.

TWSI will stand all costs of removal and transportation of all tanks.

The above offer is approved on 7/2/09 by the Board of Directors of LHMWSC, signatures below:

Mike Jordan, President

Herb Marlow, Secretary/ Treasurer_

Signature date: 7/2/4

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



PWS ID / 2120034/co contappr.doc

Texas Commission on Environmental Quality

Protecting Texas by Reducing and Preventing Pollution

November 20, 2009

MR. CHARLES A. THOMSON, P.E. TEXAS PUMP & WATER SYSTEMS, INC. 7891 U.S. HWY. 271 TYLER, TEXAS 75708

Re: MOUNT SYLVAN WATER SYSTEM - Public Water System I.D. #2120034

Proposed Ground Storage Tank No. #3 @ Plant #2 Engineer Contact Telephone: (903) 806-2377

Plan Review Log Number 200911-013 SMITH County, Texas

CN600629893;

RN101195238

Dear MR. THOMSON:

The planning material received on November 2, 2009, with your letter dated November 20, 2009 for the proposed ground storage tank, has been reviewed. The project generally meets the minimum requirements of the TCEQ's Chapter §290 - Rules and Regulations for Public Water Systems (Rules) and is conditionally approved for construction.

The submittal consisted of 2 sheets of engineering drawings, an engineering report and technical specifications. The approved project consists of:

 One new 16,800 gallon welded AWWA D100-96 (latest revision) welded steel ground storage tank complete with accessories, tank piping, valves, fittings and appurtenances.

This approval is for the construction of the above listed items only.

The MOUNT SYLVAN WATER SYSTEM public water supply system provides water treatment for the system.

An appointed engineer must notify the TCEQ's Region Office 5 at (903) 535-5100 when construction will start.

Please keep in mind that upon completion of the water works project, the engineer or owner will

MR. CHARLES A. THOMSON, P.E.

Page 2

November 20, 2009

notify the commission's Water Supply Division, in writing, as to its completion and attest to the fact that the work has been completed essentially according to the plans and change orders on file with the commission as required in §290.39(h)(3) of the Rules.

Please refer to the Utilities Technical Review Team's Log No. 200911-013 in all correspondence for this project. This will help complete our review and prevent it from being considered a new project.

Please complete a copy of the most current Public Water System Plan Review Submittal form for future submittal to TCEQ for review of improvements to a Public Water System. Every blank on the form must be completed to minimize any delays in review of your project. The document is available on our website at the address shown below.

http://www.tceq.state.tx.us/assets/public/permitting/forms/10233.pdf

For future reference, you can review part of the Utilities Technical Review Team's database to see if we have received your project. This is available on the TCEQ's homepage on the Internet at the following address:

http://www.tceq.state.tx.us/assets/public/permitting/watersupply/ud/planrev_list.pdf

You can download most of the well construction checklists and the latest revision of Chapter 290 "Rules and Regulations for Public Water Systems" from this site.

If you have any questions please contact me at (512)239-0844 or the Internet address: "hgraham@tceq.state.tx.us" or if by correspondence, include MC 153 in the letterhead address below.

Sincerely,

HEIDI GRAHAM, E.I.T.

Utilities Technical Review Team Water Supply Division MC-153

VERA POE, P.E., Team Leader Utilities Technical Review Team Water Supply Division MC-153

VP/HG



11.

TEXAS WATER SYSTEMS Inc

An Investor Owned Utility

December 29, 2009

Board of Directors Walnut Grove WSC P O Box 269 Whitehouse, Texas 75791

Re: Project Bid; FM 346 Abandoned Plant Disposal

Gentlemen:

We have some interest in the two storage tanks at the old plant south of the Rhones Quarter Road, FM 346 junction. You are probably aware that the pressure tank, having no ASME certification, cannot be employed on another public water system by rule. In calculating an offer to completely dismantle the system, leaving only a graded lot and perhaps some in-ground valve boxes, we have factored in crew and equipment time, crane, special equipment rentals, transport, bolted tank hardware and repair, erection crew to rebuild the bolted tank, and sandblast and recoat on both tanks. Even if we do erection and refurbishing in-house, this tab looks like \$23,000 plus. A tank rework company involved would probably add nearly \$20,000 to the cost of someone trying to do this with more outside help.

In spite of the significant expense, for the sake of some consideration to establish an offer, we would pay Walnut Grove \$1,000 cash at contract initiation to pursue this project. A proposed time completion window would be 12 months.

Contingencies would include:

- 1. Fulfilled commitment by a neighboring land owner for vehicle access;
- 2. System operator assistance in insuring line mains are isolated;
- 3. No underground piping changes or new valving required to permanently isolate.
- 4. Texas Water Systems, Inc. will take ownership of all material observed during visit with Danny Grimes.

Thank you for your consideration.

Sincerely,

Glenn E. Trimble General Manager Bryan W. Shaw, Ph.D., Chairman Buddy Garcia, Commissioner Carlos Rubinstein, Commissioner Mark R. Vickery, P.G., Executive Director



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 12, 2010

Mr. Glenn Trimble, President Texas Water Systems Inc. P.O. Box 131945 Tyler, TX 75713

Re:

Comprehensive Compliance Investigation at:

Country Club Estates, Located on Fairway Dr off of FM 2685, (Upshur County), Texas RN101440592, TCEQ Additional ID 2300021, Investigation No. 792339

Dear Mr. Trimble:

On February 2, 2010, Mr. Clayton Nicolardi of the Texas Commission on Environmental Quality (TCEQ) Tyler Region Office conducted an investigation of the above-referenced facility to evaluate compliance with applicable requirements for public water systems. No violations were documented during the investigation.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions regarding these matters, please feel free to contact Mr. Nicolardi in the Tyler Region Office at (903)535-5162.

Sincerely,

William D. Gibson, Work Leader

William Throm

Tyler Region Office

WDG/pcn



TEXAS WATER SYSTEMS Inc

An Investor Owned Utility

April 19, 2010

Mr. William D. Gibson TCEQ Region 5 2916 Teague Drive Tyler, Texas 75701-3734

Re: Compliance Requirements for Inspection of March 19, 2010 Friendship Water Supply, PWS #2300020 Track Numbers 389242 and 389377

Dear Mr. Gibson:

Regarding the track numbers referenced above, we intend to obtain compliance by construction of a second water plant. We have secured the property site and have already excavated and leveled the plant location. We have also staked out a well site and have procured all but one of the needed sanitary easements. We also have in our inventory a ground storage tank and a pressure tank for this project.

We request approval of a deadline of April 1, 2011, to obtain approval of completed plans by Plan and Review; and approval of a deadline of April 1, 2012, to complete plant construction.

Sincerely,

Glenn E. Trimble General Manager

cc: Mr. Clayton Nicolardi Mr. James Brown Bryan W. Shaw, Ph.D., Chairman
Buddy Garcia, Commissioner
Carlos Rubinstein, Commissioner
Mark R. Vickery, P.G., Executive Director



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 19, 2010

CERTIFIED MAIL 91 7108 2133 3933 5495 7888 RETURN RECEIPT REQUESTED

Mr. Glenn Trimble, President Friendship Water Supply PO Box 131945 Tyler, TX 75713

Re:

Notice of Violation for the Comprehensive Compliance Investigation at:

Friendship Water Supply, Located off FM 852 NW of SH 154 in Upshur County, Texas

RN101210292, PWS No.: 2300020, Investigation No. 792336

Dear Mr. Trimble:

On February 2, 2010, Mr. Clayton Nicolardi of the Texas Commission on Environmental Quality (TCEQ) Tyler Region Office conducted an investigation of the above-referenced system to evaluate compliance with applicable requirements for public water supply systems. Enclosed is a summary which lists the investigation findings. During the investigation, certain outstanding alleged violations were identified for which compliance documentation is required. Please submit to this office by April 19, 2010, a compliance plan for outstanding alleged violations 389242 and 389377. The plan should include the proposed actions to be taken to correct the alleged violations and a schedule for the completion of the corrections. If the violations have already been corrected, please submit compliance documentation, such as a photograph, purchase order, etc, demonstrating what actions were taken.

In the listing of alleged violations, we have cited applicable requirements, including TCEQ rules. If you would like to obtain a copy of the applicable TCEQ rules, you may contact any of the sources listed in the enclosed brochure entitled "Obtaining TCEQ Rules."

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

Mr. Glenn Trimble March 19, 2010 Page 2

If you have additional information that we are unaware of, you have the opportunity to contest the violations documented in this notice. Should you choose to do so, you must notify the Tyler Region Office within 10 days from the date of this letter. At that time, Mr. C. Noel Luper, P. E., will schedule a violation review meeting to be conducted within 21 days from the date of this letter. However, please be advised that if you decide to participate in the violation review process, the TCEQ may still require you to adhere to the compliance schedule included in the attached Summary of Investigation Findings until an official decision is made regarding the status of any or all of the contested violations.

If you or members of your staff have any questions, please feel free to contact Mr. Clayton Nicolardi in the Tyler Region Office at (903) 535-5162.

Sincerely,

William D. Gibson, Work Leader

Tyler Region Office

WDG/pcn

Enclosures: Summary of Investigation Findings

Obtaining TCEQ Rules



FRIENDSHIP WATER SYSTEM

Investigation # 792336

Investigation Date: 02/02/2010

UPSHUR COUNTY,

Additional ID(s):

2300020

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

Track No: 389242

Compliance Due Date: To Be Determined

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

Alleged Violation:

Investigation: 792336

Comment Date: 3/2/2010

Failure to meet this Agency's "Minimum Water System Capacity Requirements." These requirements include: a minimum production capacity of 0.6 gallons per minute connection.

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

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

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

The investigator documented during the investigation by reviewing facility infrastructure that the water system does not provide the minimum production capacity of 0.6 gallons per minute per connection. Calculations are as follows:

Required: 0.6 GPM X 68 Connections = 41 GPM

Provided: 38 GPM Deficiency: 7.32 %

Recommended Corrective Action: Please submit a compliance plan by April 19, 2010. The plan should include the proposed actions to be taken to correct the alleged violation and a schedule for the completion of the corrections. If this violation has already been corrected, please submit compliance documentation, photographs, purchase orders, results of analyses, etc., demonstrating what actions were taken.

Track No: 389377 Compliance Due Date: To Be Determined

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

Alleged Violation:

Investigation: 792336

Comment Date: 3/3/2010

Failure to meet this Agency's "Minimum Water System Capacity Requirements." These requirements include: a minimum total storage capacity of 200 gallons per connection.

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

FRIENDSHIP WATER SYST

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

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

The investigator documented during the investigation by reviewing facility infrastructure that the system does not provide this agency's minimum total storage capacity of at least 200 gallons per connection. Calculations used to evaluate total storage are the following:

Required: 68 Connections X 200 gallons per connection = 0.0136 MG

Provided: 0.0126 MG Deficiency: 7.35%

Recommended Corrective Action: Please submit a compliance plan by April 19, 2010. The plan should include the proposed actions to be taken to correct the alleged violation and a schedule for the completion of the corrections. If this violation has already been corrected, please submit compliance documentation, photographs, purchase orders, results of analyses, etc., demonstrating what actions were taken.

ADDITIONAL ISSUES

Description

Additional Comments

FRIENDSHIP WATER SYST

nvestigation # 792336

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

Failure, by a retail public convy that possesses a certificate of public convenience and necessity that has reached 85% of its capacity as compared to the most restrictive criteria of the commission's minimum capacity requirements in Chapter 290 T.A.C., to submit to the executive director a planning report that clearly explains how the retail public utility will provide the expected service demands to the remaining areas within the boundaries of its certificated area.

- (A) After any commission field inspection, a retail public utility must analyze the system's capacity to determine if it has reached 85% of its capacity. If the retail public utility has reached 85% of its capacity, it must file this report no later than 90 days after the date of a commission letter detailing the results of the inspection. Capacity is considered to be the overall rated capacity in number of residential connection equivalents based on the most restrictive criteria for production, treatment, storage, or pumping. Specifically, it is noted that your pressure tank has reached 91% of its capacity.
- (B) The report should be submitted in writing and should contain the following:
- (i) a brief description of the overall utility system and service area;
- (ii) an analysis of the plant capacity as defined in subparagraph (A) of this paragraph;
- (iii) details on how the retail public utility will provide service to the remaining areas within the boundaries of its certificated area. This includes projections of cost and expected design and installation dates for additional facilities.
- (C) The executive director may waive or limit the reporting requirements if the retail public utility demonstrates that the projected growth of the area will not require the retail public utility to exceed 100% of its current capacity for the next five years.

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 9, 2009

Mr. Glenn Trimble, President Rosewood Water Supply PO Box 131945 Tyler, TX 75713

Re:

Notice of Compliance for Notices of Violation dated July 28, 2008:

Rosewood Water Supply, Located on Mimosa Rd, S of SH 154, Rosewood (Upshur County), TX

RN101182475, PWS ID No.: 2300026, Investigation No. 767915

Dear Mr. Trimble:

This letter is to inform you that the Texas Commission on Environmental Quality (TCEQ) Tyler Region Office received adequate compliance documentation on August 26, 2008 to resolve the alleged violations documented during the investigations of the above-referenced regulated entity conducted on June 18, 2008. Based on the information submitted, no further action is required concerning this investigation.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions, please feel free to contact Mr. Clayton Nicolardi at the Tyler Region Office at 903/535-5162.

Sincerely,

William D. Gibson, Work Leader

Tyler Region Office

WDG:pcn

Enclosure: Summary of Investigation Findings

(Rev 9/20/07)

ROSEWOOD WATER SYSTEM

Investigation # 767915

Investigation Date: 08/31/2009

, UPSHUR COUNTY,

Additional ID(s): 2300026

ALEGEDAVIOLATION(S) NOTED AND RESOLVED:

Track No: 339619

30 TAC Chapter 290.41(c)(3)(J)

Alleged Violation:

Investigation: 686306

Comment Date: 07/16/2008

Comment Date: 09/29/2009

Failure to repair the cracked concrete sealing block surrounding Well Number #2 using a flexible, nontoxic, waterproof compound with a properly constructed and installed sealing block.

The investigator observed during the investigation that the sealing block is cracked on well #2.

Investigation: 767915

This violation has been resolved. Refer to the violation description documented during the previous investigation for violation details and refer to the resolution comments for corrective action information.

Resolution: The water system submitted photographs of the sealed well sealing block.

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 8, 2009

Glenn Trimble, Owner Stallion Lake Ranch Water System PO Box 131945 Tyler, TX 75713

Re:

Bacteriological Aspects of PWS Requirements Focused Investigation at:

Stallion Lake Ranch WS, Located off of the North Frontage Rd. of I-20, 2 miles W of SH 110 in

Smith Co., Texas

RN102321544, TCEQ Additional ID: 2120104, Investigation No. 760002

Dear Mr. Trimble:

On June 24 and 25, 2009, Mr. Dan Dawson of the Texas Commission on Environmental Quality (TCEQ) Tyler Region Office conducted an investigation of the above-referenced operation to evaluate compliance with applicable requirements for public water supplies in regards to bacteriological aspects of PWS requirements. No violations are being alleged as a result of the investigation. In addition, sufficient documentation was submitted on November 07, 2007 to resolve all outstanding violations discovered during the investigation occurring October 9, 2007.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions regarding these matters, please feel free to contact Mr. Dan Dawson in the Tyler Region Office at 903-535-5122.

Sincerely,

William Gibson
PWS Work Leader
Tyler Region Office

WDG/DED

(Rev 6/15/05)

REPLY TO: REGION 5 • 2916 TEAGUE DR. • TYLER, TEXAS 75701-3734 • 903-535-5100 • FAX 903-595-1562

Summary of Investigation Findings

STALLION LAKE RANCH

Investigation # 760002

Investigation Date: 06/24/2009

, SMITH COUNTY,

Additional ID(s): 2120104

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

Track No: 290898

30 TAC Chapter 290.46(s)(1)

Alleged Violation:

Investigation: 598146

Comment Date: 10/16/2007

Failure by the regulated entity to calibrate the well meter at least every three years.

During the investigation on October 9, 2007, the investigator documented that the president reported that the well meters had not been calibrated during the past three years.

Investigation: 760002 Comment Date: 06/25/2009

See previous comments.

Resolution: On 11/07/2007, the water system submitted calibration test records for the flow meters at

both well #1 and well #2. This is sufficient to resolve the violation.

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

December 20, 2007

CERTIFIED MAIL 91 7108 2133 3933 8894 9300 RETURN RECEIPT REQUESTED

Mr. Glenn Trimble, President Garden Valley Resort Water System P.O. Box 131945 Tyler, Texas 75713

Re: Notice of Violation for the Comprehensive Compliance Investigation at: Garden Valley Resort WS, 22049 FM 1995, west of SH 110 in Smith Co.

PWS ID No. 2120081

Dear Mr. Trimble:

On December 7, 2007, Ms. Samantha Smith of the Texas Commission on Environmental Quality (TCEQ) Tyler Region Office conducted an investigation of the above-referenced facility to evaluate compliance with applicable requirements for public water supply systems. Enclosed is a summary which lists the investigation findings. During the investigation, certain outstanding alleged violations were identified for which compliance documentation is required.

Please submit to this office by January 21, 2008, a compliance plan for Outstanding Alleged Violation Track Numbers 210747, 296200, and 296211. The plan should include the proposed actions to be taken to correct the alleged violation and a schedule for the completion of the corrections. If the violation has already been corrected, please submit compliance documentation, such as a photograph, purchase order, etc., demonstrating what actions were taken.

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*.

REPLY TO: REGION 5 • 2916 TEAGUE DR. • TYLER, TEXAS 75701-3734 • 903-535-5100 • FAX 903-595-1562

Mr. Glenn Trimble December 20, 2007 Page 2

The TCEQ appreciates your assistance in this matter. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements. We anticipate that you will resolve the alleged violations as required in order to protect the State's environment. If you have additional information that we are unaware of, you have the opportunity to contest the violations documented in this notice. Should you choose to do so, you must notify the Tyler Region Office within 10 days from the date of this letter. At that time, C. Noel Luper, P.E., Water Program Manager will schedule a violation review meeting to be conducted within 21 days from the date of this letter. However, please be advised that if you decide to participate in the violation review process, the TCEQ may still require you to adhere to the compliance schedule included in the attached Summary of Investigation Findings until an official decision is made regarding the status of any or all of the contested violations.

If you or members of your staff have any questions, please feel free to contact Ms. Smith in the Tyler Region Office at (903) 535-5159.

Sincerely,

William D. Gibson, Work Leader

Tyler Region Office

WDG/sss

Enclosures:

Summary of Investigation Findings

Obtaining TCEQ Rules

GARDEN VALLEY RESORT

Investigation # 610596

Investigation Date: 12/07/2007

, SMITH COUNTY,

Additional ID(s): 2120081

OUTSTANDING ALLEGED WOLATIONS

Track No: 210747 Compliance Due Date: No Date Entered

30 TAC Chapter 290.38(25) 30 TAC Chapter 290.43(e) Alleged Violation:

Investigation: 399878

Failure to enclose the pressure maintenance facilities with an intruder-resistant fence with lockable gates or a locked, ventilated house. The gates and doors must be kept locked

whenever the facility if unattended.

It was observed during the investigation on 05/20/2005 that the Garden Valley Resort failed to maintain in good condition the barbed wire at the top of the fence around the pressure tank at plant # 1.

Investigation: 465006

Comment Date: 07/13/2006

Comment Date: 07/12/2005

Above comments still apply. On 6/2/2006, TCEQ Tyler office was informed by telephone that the facility fencing for the new plant will be constructed as the final phase of the new plant's construction, estimated to be several months in the future.

Investigation: 610596

Comment Date: 12/10/2007

See descriptive wording from the previous investigation above.

The entire plant, including the pressure tank, has fairly recently been moved to a new location. The final phase of construction is to build a fence, which is estimated to be accomplished in May 2008.

Recommended Corrective Action: Please submit a compliance plan by January 21, 2007. The plan should include the proposed actions to be taken to correct the alleged violation and a schedule for the completion of the corrections. If this violation has already been corrected, please submit compliance documentation such as photographs, purchase orders, results of analyses, etc., demonstrating what actions were taken.

Track No: 296200 Compliance Due Date: No Date Entered

30 TAC Chapter 290.42(e)(4)(C)

Alleged Violation:

Investigation: 610596

Comment Date: 12/10/2007

Failure to provide the chlorination room with both high level and floor level screened vents. If the room contains more than one operating 150 pound cylinder of chlorine, a fan which is located at and draws air in through the top vent and discharges to the outside atmosphere through the floor level vent must be provided, with the fan switch located outside the enclosure.

During the investigation on December 7, 2007, the investigator observed that the floor level and high level vents were completely covered with tape, preventing the chlorination room from venting.

Recommended Corrective Action: Please submit a compliance plan by January 21, 2007. The plan should include the proposed actions to be taken to correct the alleged violation and a schedule for the completion of the corrections. If this violation has already been corrected, please submit compliance documentation such as photographs, purchase orders, results of



analyses, etc., demonstrating what actions were taken.

Track No: 296211 Compliance Due Date: No Date Entered

30 TAC Chapter 290.43(c)(3)

Alleged Violation: Investigation: 610596

Comment Date: 12/10/2007

Failure to provide an overflow pipe gravity-hinged and weighted cover on the ground storage tank with a good mechanical seal when closed in order to prevent the possible entrance of insects or other contaminants into the water supply. The cover must seat properly with a gap of no more than 1/16 inch.

During the investigation on December 7, 2007, the investigator observed that there was a gap of approximately 1/8 inch at the cover of the overflow pipe of the ground storage tank.

Recommended Corrective Action: Please submit a compliance plan by January 21, 2007. The plan should include the proposed actions to be taken to correct the alleged violation and a schedule for the completion of the corrections. If this violation has already been corrected, please submit compliance documentation such as photographs, purchase orders, results of analyses, etc., demonstrating what actions were taken.

ALLEGED VIOLATIONS NOTED AND RESOLVED

Track No: 210824

30 TAC Chapter 290.38(25) 30 TAC Chapter 290.41(c)(3)(O)

> Alleged Violation: Investigation: 399878

Comment Date: 07/13/2005

Failure to protect the well unit with an intruder-resistant fence with locked gates, or a locked, ventilated well houses to exclude possible contamination or damage to the facilities by trespassers. The gates or wellhouses shall be locked during periods of darkness and when the plant is unattended.

It was observed during the investigation on 05/20/2005 that Garden Valley Resort failed to maintain in good condition the barbed wire at the top of the fence at well # 2.

Investigation: 465006

Comment Date: 07/13/2006

Above comments still apply. On 6/2/2006, TCEQ Tyler office was informed by telephone that the well head fencing for the new plant will be constructed as the final phase of the new plant's construction, estimated to be several months in the future.

Investigation: 610596

Comment Date: 12/10/2007

See descriptive wording from the previous investigation above.

Recommended Corrective Action:

Resolution: During the investigation on December 7, 2007, the investigator observed that there was a locked, ventilated wellhouse protecting Well #2.



TEXAS WATER SYSTEMS Inc

An Investor Owned Utility

Samantha Smith TCEQ Region 5 2916 Teague Dr Tyler, TX 75701-3756

12/17/07

RE: Exhibit document; Garden Valley Inspection of 12/7/07

Dear Ms. Smith:

Enclosed please find photos of the remedial work done on the overflow flap cover for the GST. A gasket of 50% thickness reduction solved the gap problem at the bottom.

We will soon forward pictures of the tape removal from the chlorine room vents.

Thank you,

Glenn E. Trimble

President



TEXAS WATER SYSTEMS Inc

An Investor Owned Utility

William D. Gibson, Work Leader TCEQ Region 5 2916 Teague Dr. Tyler, TX 75701-3756 1/15/08

Re:

Violation Notice for Investigation of Garden Valley

PWS ID #2120081

Dec. 7, 2007

Dear Mr. Gibson:

Our requested compliance schedule for the issues listed per the above investigation is as follows:

- 1. Track #296211: Completed and photos sent to Ms. Samantha Smith on 12/17/07.
- 2. Track #296200: Completed, photos enclosed of the upper vents showing tape removal. Note: the floor level vent is a saw-slotted plastic bucket covering the exhaust fan inlet and it never was obstructed. I think the inspector overlooked the open slots.
- 3. Track #210747: Fence completion by May 31, 2008.

Sincerely,

Glenn E. Trimble

President/General Manager

flux 4 fl with



TEXAS WATER SYSTEMS Inc

An Investor Owned Utility

12/3/08

William D. Gibson, Work Leader TCEQ Region 5 2916 Teague Dr. Tyler, TX 75701-3756

RE: Violation Notice for Investigation of Garden Valley PWS ID # 2120081 Dec. 7, 2007

Dear Mr. Gibson:

Well, rapidly rising costs have jumped ahead of our rate increase schedules, so we've had to buy construction funding with delays, (our rate increase finally takes effect Jan.1.) Thus, we just completed our fence project for Garden Valley, which we had planned for May 31. My record shows this is our only outstanding compliance issue for this system. Please correct me if otherwise.

Photos are enclosed. The old tank shown is being cut up and scrapped, after a closer inspection swayed us to cancel earlier plans to eventually return it to service.

Sincerely,

Glenn E. Trimble

President

Buddy Garcia, Chairman Larry R. Soward, Commissioner Bryan W. Shaw. Ph.D., Commissioner Mark R. Vickery, P.G., Executive Director



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 10, 2009

Mr. Glenn Trimble, President Texas Water Systems Inc. 7891 Hwy 271 Tyler, Texas 75708

Re:

Notice of Compliance with Written Notice of Violation:

Garden Acres Subdivision, South of FM 2206 on Poppy Lane, Gregg County

RN101376705, TCEQ PWS ID 0920031, Investigation No. 764328

Dear Mr. Trimble:

This letter is to inform you that Texas Commission on Environmental Quality (TCEQ) TCEQ Tyler Region Office has received adequate compliance documentation on May 21, 2009, to resolve the alleged violation documented during the investigation of the above-referenced regulated entity conducted on January 27, 2009, 2008. Based on the information submitted, no further action is required concerning this investigation.

The Texas Commission on Environmental Quality appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions, please feel free to contact Tom Erny at the Tyler Region Office at (903) 535-5142.

Sincerely,

William Gibson PWS Work Leader Tyler Region Office

Enclosures:

Summary of Investigation Findings

Summary of Investigation Findings

GARDEN ACRES SUBDIVISION

Investigation # 764328

Investigation Date: 07/31/2009

, GREGG COUNTY,

Additional ID(s):

0920031

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

Track No: 355661

30 TAC Chapter 290.46(j)

Alleged Violation:

Investigation: 726483

Comment Date: 02/06/2009

Failure to complete a customer service inspection certification 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 water distribution facilities.

At the time of the January 27, 2009, investigation, the investigator documented that the system did not provide copies of customer service inspections. System personnel indicated that customer service inspection had not been performed on the 15 connections that had been added since the last investigation performed in 2006.

Investigation: 745388

Comment Date: 05/11/2009

Please see comments from the previous investigations.

Investigation: 764328

Comment Date: 07/31/2009

Please see comments from the previous investigations.

Resolution: On May 21, 2009, the Tyler Regional office received compliance documentation demonstrating that the facility has corrected this alleged noncompliance by submitting copies of Customer Service Inspections for the 15 new connections.

Attachment #4

Texas Water Systems, Inc., is a Utility Corporation with no payroll, as all operating and management services are contracted by a sister corporate TWS Management, Inc., which is a licensed "Operating Co." (Lic. # WC0000094). Both Corporations have common ownership by TWS Holdings, Inc.

A comprehensive operating management contract is executed for \$17.00 per month per tap according to the attached rate schedule, which lists various regular responsibilities of the operating company.

On issues that go outside of regular operation, such as major repairs and new construction, a rate schedule is attached to describe how this is billed.

These rates apply to both Texas Water Systems, Inc. and other utilities that TWS Management, Inc. works for.

The approximate average total man hours per week that TWS Management, Inc. applies toward the "In-Contract" operating duties for Texas Water Systems, Inc. is 120, in general accord with the following allocations:

Field operations		53 Hrs
Operator Supervisio	n	5 Hrs
Gen. Manager/Chies	f Operations	25 Hrs
Clerical	-	35 Hrs
Bookkeeping		<u>7 Hrs</u>
	Total	125 Hrs

Personnel:

Glenn E. Trimble
"B" Ground Lic. # WG0010237
CSI # CI0005256
General Manager/Chief Operator

General oversight of all areas including compliance and expansion strategy.

Reginald Banks

"D" Water Lic. # WO0021040

Operations Supervisor

Reviews inspection sheets & dispatches minor maintenance priorities, monitors regular duty execution.

David Odle

"C" Ground Lic. # WG0011502

"B-Pat" Lic. # BP0010992

Construction Manager

Oversight of new construction and major repairs, special issues such as large location assignments.

Jason M. Jones

"D" Water Lic. # WO0022497

Construction Foreman

New taps, main construction, major repairs, location work.

Andrew Palmer

"C" Ground Lic. # WG0012205

Support Operator

Meter readings, system surveillance assistance, general maintenance.

Patricia Watkins

"D" Water Lic. # WO0025024

"CSI" Lic. # CI0007810

Administrative Assistant, Inspector

Special operator duties.

EXHIBIT A

System Operation rate structure – Per Tap (Systems over 500) Effective 6/1/08

Level 1: \$5.50 - Basic Operation

- Regular plant/system checks & comprehensive report entrees such as master meter read, GPD usage calculation, plant residual and other monitored levels, site residuals per site plan rotation, Production rate, Rotometer or feed pump settings, scale weights and/or chemical reservoir levels, plant pressure, storage tank level & VP checks, regular static level checks, plant security & maintenance required notes.
- 2. Monthly sample pulls & delivery.
- 3. Monthly maintenance flushing and estimated gallonage reports.
- 4. Disconnects and reconnects.
- 5. Chemical adjustments and regular maintenance such as batching, stock management and cylinder changes.
- 6. Provision of monthly report totals.
- 7. Deal with TCEQ inspector.

Level 2: \$1.00 Meter readings

Level 3: \$1.50 (8.00 inclusive of Levels 1-2) – Expanded operation

- 1. Line locations
- 2. Customer complaint management
- 3. New tap and extension estimates including developer inquiry.
- 4. Minor maintenance labor (work that can be done by 1 man, light truck)
- 5. Incident investigations
- 6. Extension management
- 7. 24 Hour on call availability
- 8. Permit management

Level 4: \$2.50 (10.50 inclusive of Levels 1-3) - Surface maintenance

- 1. Plant grounds maintenance including mowing, trimming, house keeping & cleaning, exterior paint labor.
- 2. Fence maintenance; generally vine & shrub removal, reinforcing, gate adjustments, etc.
- 3. Winterization labor on maintaining heating devices, installing insulation, etc.
- 4. Distribution system maintenance: maintaining, cleaning around valve boxes, cementing valve cuffs, sign maintenance.

- 1. Administrative services, billing.
- 2. Accounts set-up and maintenance.
- 3. Rate issues
- 4. CSI and BF certification monitoring
- 5. Customer administrating complaint management
- 6. Temporary & permanent service agreement management
- 7. TCEQ required reports
- 8. Accounting reports, etc.

Level 6: \$2.50 (17.00 inclusive of Levels 1 - 5) General Management

- 1. General operations management
- 2. Compliance management and strategy
- 3. Expansion and development management including design and specifications and projects over sight
- 4. Rate change applications and formulations
- 5. CCN Territory maintenance, amendment application & rules compliance.
- 6. Plans submittals and management.

Attachment #4

TWS MANAGEMENT, INC. 7891 U. S. Highway 271 Tyler, Texas 75708 (903) 597-4219

SERVICES SCHEDULE Effective 11/01/09

1 man service truck -	\$75.00 per hour
2 man service truck crew -	\$100.00 per hour
3 man service truck crew -	\$135.00 per hour
4 man service truck crew -	\$170.00 per hour
5 man service truck crew -	\$205.00 per hour

Includes time from base or last location through departure from subject jobsite.

Emergency hours @ 1.8 times of above (6 pm to 8 am and 6 pm Friday to 8 am Monday)

Travel - \$1.00 per mile - light trucks - total net trip \$1.00 per mile - heavy trucks - total net trip (Mileage may be one way if another job location follows)

Equipment use - Back hoe - \$350.00 per job/per day or \$50.00 per hour

Trencher use - \$0.60 per foot - \$200.00 minimum

Bore equipment package - \$175.00

Meter sets, routine repairs, special jobs: Per estimate when feasible

Special operator minimum - \$50.00 per hour

Glenn Trimble consult rate - \$100.00 per hour

CSI - \$30.00

CSI recall to check corrections - \$25.00

Labor, transportation and equipment discount for customers with Operating Contract or Special Service Contract - 10%

Attachment 5

SECTION III. PLANT & EQUIPMENT INFORMATION - WATER

A. CUSTOMER CONTRIBUTIONS

Table III. A.

	Ia	bie III. A.			
			Amount of		
	Date of	_	Customer	Difference	
Item	installation	Total Cost	Contribution	Difference	
[A]	[B]	[C]	[D]	[E] = [C] - [D]	
Service Lines & Taps	1/1995	5384.31	800.00	4584.31	
Service Lines & Taps	2/1996	813.83	350.00	463.83	
Service Lines & Taps	4/1996	11651.44	2961.00	8690.44	
Service Lines & Taps	1/1998	5400.23	3643.42	1756.81	
Service Lines & Taps	2/1998	2712.88	1340.00	1372.88	
Service Lines & Taps	12/1999	4003.81	330.00	3673.81	
Service Lines & Taps	12/1999	1754.18	850.00	904.18	
Service Lines & Taps	1/2007	203.84	175.00	28.84	
New mains	12/2000	15795.11	7352.00	8443.11	
New mains	12/2001	11133.06	615.00	10518.06	
New mains	12/2002	21166.48	4764.00	16402.48	
New mains	11/2005	4457.28	1536.00	2921.28	
Main Install	12/2005	6024.86	200.00	5824.86	
Main Install	8/2006	3409.74	235.00	3174.74	
Main Install	8/2006	7175.46	2060.00	5115.46	
Main Install	12/2006	7353.18	330.00		
Main Install	3/2007	10136.88	3259.17	6877.71	
Main Install	6/2007	8226.09	1500.00		
Main Install	9/2007	42231.67	10863.75		
Main Install	10/2007	10593.15	7558.00		
Main Install	2/2008	7948.95	3297.97		
Main Install	7/2008	2114.64	1966.00		
Main Install	11/2008	12337.16	10897.82		
Main Install	12/2008	1039.01	775.00		
Main Install	2/2009	17045.46			
Main Install	5/2009	8210.52			
Meter set	9/2005	606.95			
Meter set	9/2005	734.70			
Meter set	10/2005	482.92			
Meter set	10/2005	518.04			
Meter set	10/2005	489.13			
Meter set	10/2005	752.07			
Meter set	10/2005	500.94			
Meter set	11/2005	385.76			
Meter set	11/2005	930.26			
Meter set	12/2005	893.68			
Meter set	12/2005	466.74			
Meter set	12/2005	487.93			
Meter set	12/2005	475.13			
Meter set	12/2005	680.45			
Meter set	12/2005	1338.37		1038.37	

			200.00	016 70
Meter set	12/2005	516.79	300.00	216.79
Meter set	12/2005	510.49	300.00	210.49
Meter set	12/2005	1160.90	300.00	860.90
Meter set	12/2005	574.22	300.00	274.22
Meter set	7/2006	326.80	300.00	26.80
Meter set	7/2006	1423.05	300.00	1123.05
Meter set	7/2006	497.35	300.00	197.35
Meter set	9/2006	1171.91	600.00	571.91
Meter set	10/2006	620.15	300.00	320.15
Meter set	1/2007	144.43	125.00	19.43
Meter set	3/2007	1052.37	300.00	752.37
Meter set	4/2007	472.36	300.00	172.36
Meter set	8/2007	442.94	300.00	142.94
Meter set	9/2007	677.02	300.00	377.02
Meter set	10/2007	668.28	300.00	368.28
Meter set	10/2007	233.59	150.00	83.59
Meter set	10/2007	160.16	150.00	10.16
Meter set	1/2008	447.96	150.00	297.96
Meter set	1/2008	252.68	150.00	102.68
Meter set	4/2008	512.21	150.00	362.21
Meter set	4/2008	286.85	150.00	136.85
Meter set	5/2008	436.08	150.00	286.08
Meter set	5/2008	274.16	150.00	124.16
Meter set	6/2008	2033.20	775.00	1258.20
Meter set	6/2008	388.98	150.00	238.98
Meter set	6/2008	465.48	150.00	315.48
Meter set	6/2008	390.12	150.00	240.12
Meter set	6/2008	309.47	150.00	159.47
Meter set	7/2008	1060.57	825.00	235.57
Meter set	7/2008	236.78	150.00	86.78
Meter set	7/2008	169.76	150.00	19.76
Meter set	4/2009	3831.79	200.00	3631.79
Meter set	4/2009	514.39	400.00	114.39
Meter set	6/2009	1371.05	150.00	1221.05
Meter set	6/2009	1534.90	300.00	1234.90
Meter set	6/2009	193.50	150.00	43.50
Meter set	8/2009	610.16	300.00	310.16
Meter set	10/2009	690.44	300.00	390.44

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Attachment 6

SECTION III. PLANT & EQUIPMENT INFORMATION -WATER

B. ORIGINAL COST & DEPRECIATION SCHEDULE -WATER

[A]	[B]	[B] [C]		[D]	Depreciation					
e u	''	Service		Original Cost				[E] = [D]/[C]	(F)	[G] = [D] - [F]
	Date of Installation	(yı	s)	when	Year	rs in S	ervice	Annual (\$)	Accumulated	Net Book
Item	mstallation	*	**	installed (\$)	Yrs	Mos	Days	Airidai (¢)	(\$)	Value (\$)
Land										
1 Acre plant	Jan 70			2000.00						
Plant lot	Jan 77			1000.00						
Plant lot	Jan 87			9854.00						
Survey	Sept 00			541.25						
Sanitary Easement	July 00			395.00 2703.92						
Sanitary Easement & Plant 2 Easement	July 01 Nov 01			275.00	-					
Harmony lot survey to divide &	1404.01			270.00						
easement recording	Sept 01			756.56						l
Land contracts plant 2	Feb 02			588.00						
Easement	Feb 04			38.00						
Easement	Feb 04			64.00						
Garden Acres acquisition	Mar 07			6345.00						
Land				24560.73						24560.73
										
Wells										
4" x 415' steel	Jan 61	50	30	2075.00		11		0.00		
6" x 419' steel	Aug 64	50	30	4190.00	45	4		0.00	4190.00	0.00
West 4" x 800' galv steel w/ss										
screen	Jan 67	50	30	6200.00	42	11	ļ	0.00	6200.00	0.00
West 4" x 460' rated 40gpm,						ا ا		۰	2700 00	0.00
current 30gpm	Jan 70	50	30	2700.00	39	11	-	0.00	2700.00	0.00
East 6" x 460' rated 35gpm,				0000 00	00	۱.,		0.00	9000.00	0.00
current 35gpm	Jan 77	50	30	9000.00	32	11_	 	0.00	9000.00	0.00
4" x 628' rated 45gpm, current	lan 77	50	30	14000.00	22	11	İ	0.00	14000.00	0.00
42gpm 4" x 830' steel case rated	Jan 77	50	30	14000.00	JE.	- ' ' -	 	0.00	1,000,00	
47gpm, current 30gpm	Aug 82	50	30	16046.89	27	4	ļ	534.90	14442.28	1604.61
Workover, Inv. 17921	Aug 95	50	30	2918.42	14	4	1	97.28		
Well #3 & 4	Dec 01	50	30	12635.59				421.19	3369.50	9266.09
Well #1	Dec 02	50	30	5081.00				169.37		
Well #2	Mar 03	50	30	7410.00	6	9		247.00		
Well head #2 rebuild	Nov 05	50	30	2275.19	4	1		75.84		
Total Wells				84532.09				1545.57	60632.47	23899.62
Well Pumps - 5HP & under							,	1	100000	
5HP pump installation	Dec 85	5	<u> </u>	1368.00				0.00	4	
Original pump	Aug 86	5		2241.00		4		0.00		
Replacement	Jan 93	5_		1561.29		111	├	0.00		
5HP motor replace	Dec 95	5	├	2022.91	-	├─	 	0.00		
5HP well pump	Dec 98	5	 	1277.25			 	0.00		
Plant 2	Dec 01 Dec 01	5	 	3788.76 2553.98		-	 	0.00	4	
Pump replaced	Dec 01	5	+	2638.32	_	 		0.00		
Plant 1, well 1 New pump	Jan 03	5	 	140.00		11	\vdash	0.00		
New pump New pump for well #2	Jul 03	5	 	2329.78		5	†	0.00		
Pump replaced	Apr 04	5		4859.31		8		971.86		0.00
Pump for well #3	Jun 04	5		1662.82		6		332.56	1662.82	0.00
Well pump change & reset	Sep 05	5		4769.73		3		953.95	4769.73	
Pump motor replacement	Jan 06	5		3215.68	4	11		643.14		
Well pump replacement	Jul 06	5		3736.51	3	5		747.30		
Well pump replacement	Mar 07	5		1747.34	2	9		349.47		
Garden Acres acquisition	Mar 07	5		1545.00	2	9		309.00		
Total Well Pumps <5HP	T			41457.68				4307.28	38750.30	2707.3