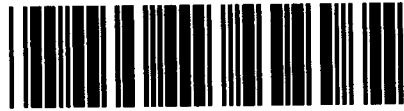




Control Number: 43890



Item Number: 5

Addendum StartPage: 0

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



TEXAS WATER SYSTEMS Inc.
An Investor Owned Utility

RECEIVED

2014 DEC -5 PM 1:33

PUBLIC UTILITY COMMISSION
FILING CLERK

11/6/07

William D. Gibson
TCEQ Region 5
2916 Teague St.
Tyler, TX 75701-9756

RE: Inspection of Stallion Lake System PWS I.D.#2120104, on 10/9/07, an Violation
Notice dated 10/26/07, Track #290898

Dear Mr. Gipson:

Enclosed are meter test results on Well #1 and Well #2 @ Stallion Lake Ranch,
along with test procedures and recent calibration test results on our test meter. Based on
these results, we will soon replace the meter on Well #2.

Sincerely,

Glenn E. Trimble
President/Chief Operator

2014 DEC -5 AM 8:07



TEXAS WATER SYSTEMS Inc
An Investor Owned Utility

STALLION LAKE

Master Meter Test Procedures 10/29/07

Note: Both Well #1 and Well #2 Master Meters were tested by "In Series" Flow through a recently calibrated test meter (04/07 test results enclosed)

Well #1

Test Meter @ 26 GPM S/N 2897317

Start Read: 1067950 Stop Read 1068572

Gals Registered = 622.0

Adjustment factor @ 26GPM= 1.0% under registering

Adjusted precise gallons = 628.2

Well #1 Meter @ 26 GPM

Start Read: 13,206,549 Stop Read 13,207,174

Gals Registered 625.0

Actual gallons 628.2

Net error 0.5% under register or 99.5%

Well #2

Test Meter @ 47 GPM S/N 2897317

Start Read : 1068572.6 Stop Read 1069451.8

Gals Registered 879.2

Adjustment factor over 35 GPM = 0.8% under registering

Adjusted precise gallons = 886.2

Well #2 Meter @ 47 GPM

Start Read : 22042180 Stop Read 22042954

Gals Registered 774.0

Actual gallons 886.2

Net error : 12.7% under register or 87.3%



TWS MANAGEMENT Inc
A Licensed Operating Company

METER TEST CERTIFICATE

Texas Water System, Inc.

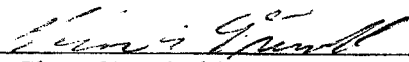
10/29/07

Stallion Lake Ranch
Plant 1 Well #1
1 1/2" Master Meter
Reading: 13,206,549

Flow Rate
26 GPM

Results
0.5% under

Gross Capacity
99.5%

Signature: 
Chief Operator: Glenn E. Trimble

Field Tech: Cortney Sohl



TWS MANAGEMENT Inc
A Licensed Operating Company

METER TEST CERTIFICATE

Texas Water System, Inc.

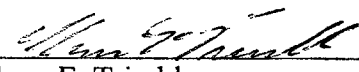
10/29/07

Stallion Lake Ranch
Plant 1 Well #1
11/2" Master Meter
Reading: 22,042,180

Flow Rate
47 GPM

Results
12.7% under

Gross Capacity
87.3%

Signature: 
Chief Operator: Glenn E. Trimble

Field Tech: Cortney Sohl

Summary of Investigation Findings

STALLION LAKE RANCH

Investigation # 598146

, SMITH COUNTY,

Investigation Date: 10/09/2007

Additional ID(s): 2120104

OUTSTANDING ALLEGED VIOLATIONS

Track No: 290898

Compliance Due Date: No Date Entered

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.

Recommended Corrective Action: Please submit a compliance plan by November 26, 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: 290897

30 TAC Chapter 290.43(c)(3)

Alleged Violation:

Investigation: 598146

Comment Date: 10/16/2007

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 October 9, 2007, the investigator observed that there was a gap of approximately 3/8 inch at the cover of the overflow pipe of the ground storage tank.

Recommended Corrective Action:

Resolution: On October 9, 2007, the overflow pipe cover was adjusted by the president during the investigation, thus resolving the alleged violation.

Buddy Garcia, *Chairman*
Larry R. Soward, *Commissioner*
Glenn Shankle, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Protecting Texas by Reducing and Preventing Pollution

October 26 2007

CERTIFIED MAIL 91 7108 2133 3933 8894 9140
RETURN RECEIPT REQUESTED

Mr. Glenn Trimble, President
Stallion Lake Ranch Water System
P.O. Box 131945
Tyler, Texas 75713

Re: Notice of Violation for the Comprehensive Compliance Investigation at:
Stallion Lake Ranch WS, north frontage road of I-20, 2 miles W of SH 110 in Smith Co.
PWS ID No. 2120104

Dear Mr. Trimble:

On October 9, 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 **November 26, 2007**, a compliance plan for Outstanding Alleged Violation Track Numbers **290898**. 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

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

printed on recycled paper using soy-based ink

Mr. Glenn Trimble
October 26, 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

Kathleen Hartnett White, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
Larry R. Soward, *Commissioner*
Glenn Shankle, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 25, 2005

CERTIFIED MAIL Certified # 75005 1820 0001 4433 5430
RETURN RECEIPT REQUESTED

Mr. Glenn E. Trimble, President/Chief Operator
Texas Water Systems Inc.
7891 Hwy 271
Tyler, Texas 75708

Re: Acceptance of Compliance Plan for:
Garden Acres Subdivision,
Located 2 mi W of W Loop 281 on FM 2206 on Poppy Lane in Gregg County, Texas
PWS ID No.: 0920031

Dear Mr. Trimble:

The Texas Commission on Environmental Quality (TCEQ) Tyler Region Office has completed a review of the compliance plan that you submitted July 24, 2006, for resolving the alleged violations regarding the sanitary easement for bordering property tracts and the tree and shrub removal from the fencing. These alleged violations were noted during the investigation of the above-referenced Site conducted on April 28, 2006. The compliance plan appears to identify necessary corrective action for the alleged violations. We will monitor your progress in implementing the corrective action. You should submit the appropriate compliance documentation to our office by October 31, 2006, demonstrating that the alleged violations have been resolved. Please be advised, though, that if we determine during follow-up monitoring that you are not working towards 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 Mr. Tom Erny in the Tyler Region Office at (903) 535-5142.

Sincerely,

A handwritten signature in cursive script that reads "William Gibson".

William Gibson, Work Leader
Tyler Region Office

WDG/THE

REPLY TO: REGION 5 • 2916 TEAGUE DR. • TYLER, TEXAS 75701-3756 • 903/535-5100 • FAX 903/595-1562

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

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OUTSTANDING ALLEGED VIOLATIONS**Track No:** 241480 **Compliance Due Date:** 10/31/2006**30 TAC Chapter 290.41(c)(1)(F)****Alleged Violation:**

Investigation: 464314

Comment Date: 6/16/2006

Failure to make available sanitary control easements for the wells at the time of inspection, or executive director approval for a substitute authorized in §290.41(c)(1)(F)(iv). A sanitary easement covering all property within 150 feet each well location must be secured from adjacent landowners and recorded at the county courthouse to ensure that hazards will not develop in the well area. Residential type wells within the easement must be constructed to public water well standards. An approved substitute, such as a copy of the recorded deed and map demonstrating that the public water system owns all real property within 150 feet of the well, may qualify as an exception to obtaining the easement.

The water system may request an exception to this requirement by contacting the Water Supply Division, Public Drinking Water Section, Surveillance and Technical Assistance at 512-239-6020 or 903-535-5104. Please be reminded that all requests for exceptions must be in writing and supported with adequate documentation.

It was documented during the investigation on 04/28/2006 that Garden Acres Subdivision failed to make available for inspection documentation that a sanitary control easement had been obtained or that a substitute had been approved for the wells.

Investigation: 512727

Comment Date: 9/14/2006

Failure to make available sanitary control easements for the wells at the time of inspection, or executive director approval for a substitute authorized in §290.41(c)(1)(F)(iv). A sanitary easement covering all property within 150 feet each well location must be secured from adjacent landowners and recorded at the county courthouse to ensure that hazards will not develop in the well area. Residential type wells within the easement must be constructed to public water well standards. An approved substitute, such as a copy of the recorded deed and map demonstrating that the public water system owns all real property within 150 feet of the well, may qualify as an exception to obtaining the easement.

During a Record Review investigation performed on September 14, 2006, it was determined that a Compliance Plan had been submitted indicating that this violation will be corrected by October 31, 2006.

Recommended Corrective Action: Texas Water Systems Inc. should submit compliance documentation by October 31, 2006, as proposed in Compliance Plan dated July 20, 2006. The documentation should demonstrate what actions have been taken and may include photographs, purchase orders, results of analyses, etc.

Track No: 241482 **Compliance Due Date:** 09/30/2006**30 TAC Chapter 290.41(c)(3)(O)****Alleged Violation:**

Investigation: 464314

Comment Date: 6/16/2006

Failure to provide an intruder-resistant fence in order to protect the well site. The



TEXAS WATER SYSTEMS Inc
An Investor Owned Utility

June 8, 2007

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

Ref: Garden Acres PWS ID # 0920031
Compliance Investigation Violation Notice of July 22, 2006
Track # 241480

Dear Mr. Gibson:

We encountered considerable cooperation challenges with the Sanitary easement Procurements after we had asked for a compliance date based on what our involved land owners had told us. Nevertheless, enclosed are copies of the full set of recorded instruments for both Garden Acres well.

This should close out all outstanding compliance issues relative to the investigation of April, 2006.

If there are questions or a need for further information, please call.

Sincerely,

Glenn E. Trimble
President

cc: Judson Smith
Texas Water Systems, Inc. Board