

Recommended Corrective Action: Submit tank inspection form to verify compliance.

Resolution: Facility provided a copy of the interior pressure tank inspection report at the July 22, 2008 inspection.

Track No: 142898

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

Alleged Violation:

Investigation: 152119

Comment Date: 09/04/2003

Capacity Requirements

Failure to meet this Agency's "Minimum Water System Capacity Requirements." These requirements include a well capacity of 0.6 gallons per minute per connection. Specifically, with 90 connections, your system is required to provide at least 54 gallons per minute of well capacity. Currently, your system provides 50 gallons per minute of well capacity.

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, Surveillance and Technical Assistance, MC 155, P.O. Box 13087, Austin, TX 78711-3087; phone: (512) 239-6020.
Investigation: 614431

Comment Date: 01/12/2008

Failure to provide adequate well capacity.

Investigation: 681126

Comment Date: 08/20/2008

Failure to provide adequate well capacity.

Recommended Corrective Action: Submit letter to verify compliance.

Resolution: Facility had 85 connections at the time of the July 22, 2008 inspection and is required to provide 0.6GPM/Conn. $0.6\text{Gal/Conn} \times 85 \text{ Conn} = 51\text{GPM}$
The facility well was timed at 61GPM which is adequate well capacity for 85 connections.

ADDITIONAL ISSUES**Description**

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

Additional Comments

Please be aware that the facility still has an outstanding violation for the following:

Track #142899
30 Tex. Admin. Code §290.45(b)(1)(C)(iii)
Capacity Requirement
Failure to meet this Agency's "Minimum Water System Capacity Requirement." This requirement includes a service pump capacity such that each pump station or pressure plane must have two or more pumps with a total capacity of 2.0 gallons per minute per connection.

At the time of this inspection this facility did not have any service pumps and is required to provide a minimum of 170 gallons per minute of service pump capacity. This is calculated in the following manner.

2.0GPM/ Conn X 85 Conn = 170GPM

This violation is part of your compliance agreement please continue working towards resolving this issue.

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

Please be aware that this facility still has an outstanding violation for the following:

Track #142895
30 Tex. Admin. Code §290.46(v) Operating Practices for Public Water Systems
Failure to install all water system electrical wiring in a securely mounted conduit in compliance with a local or national electrical code.

This violation is part of your compliance agreement please continue working towards resolving this issue.

**Texas Commission on Environmental Quality
Investigation Report
COMMUNITY UTILITY COMPANY
CN600643779**

HEATHERGATE ESTATES

RN101204303

Investigation # 866703 Incident #
 Investigator: MARGARITA SALCEDO Site Classification
 Conducted: 10/07/2010 -- 10/07/2010 No Industry Code Assigned
 Program(s): PUBLIC WATER SYSTEM/SUPPLY

Investigation Type : Compliance Invest File Review Location : End of Heathergate of FM2100;
 Key Map 339E

Additional ID(s) : 1011302

Address : , Activity Type :

Principal(s) :

Role	Name
RESPONDENT	COMMUNITY UTILITY COMPANY INC
RESPONDENT	COMMUNITY UTILITY COMPANY

Contact(s) :

Role	Title	Name	Phone
Regulated Entity Contact	CO-OWNER	MR MICHAEL MARTIN	
Regulated Entity Contact	PRESIDENT	MR MITCHELL MARTIN	

Other Staff Member(s) :

Role	Name
Supervisor	ERIC REESE

Associated Check List

<u>Checklist Name</u>	<u>Unit Name</u>
COMPLIANCE WITH RESOLUTION RECORD REVIEW	1996-1015-PWS-E

Investigation Comments :

Investigation to resolve duplicate violations.
ALLEGED VIOLATION(S) NOTED AND RESOLVED

Track No: 119884 Resolution Status Date: 10/7/2010
 Violation Start Date: Unknown Violation End Date:10/7/2010

30 TAC Chapter 290.46(m)

Alleged Violation:

HEATHERGATE ESTATES -

10/7/2010 Inv. # - 866703

Page 2 of 3

Investigation: 152121 Comment Date: 08/28/2003
Operating Practices for Public Water Systems
Failure to properly maintain the regulated entities by not fixing the barbed wire along the right side of the plant.

Investigation: 614432 Comment Date: 01/12/2008
Failure to fix the barbed wire along the right side of the plant.

Investigation: 866703 Comment Date: 10/07/2010
Failure to fix the barbed wire along the right side of the plant.

Recommended Corrective Action: Submit letter, photo or work-order to verify compliance.

Resolution: This violation is a duplicate of violation track No. 401147; therefore, this violation is being resolved.

Track No: 119887 **Resolution Status Date: 10/7/2010**
Violation Start Date: Unknown **Violation End Date: 10/7/2010**

30 TAC Chapter 290.46(v)

Alleged Violation:

Investigation: 152121 Comment Date: 08/28/2003
Operating Practices for Public Water Systems
Failure to install all water system electrical wiring in a securely mounted conduit in compliance with a local or national electrical code.

Investigation: 614432 Comment Date: 01/12/2008
Failed to provide all plant wiring in an approved electrical conduit.

Investigation: 866703 Comment Date: 10/07/2010
Failure to provide all plant wiring in an approved electrical conduit.

Recommended Corrective Action: Submit letter, photo or work-order to verify compliance.

Resolution: This violation is a duplicate of violation track No. 401148; therefore, this violation is being resolved.

Signed *Marguerite S. Savelle*
Environmental Investigator

Date 10/7/10

Signed *En Rev*
Supervisor

Date 10/7/10

Attachments: (in order of final report submittal)

Enforcement Action Request (EAR)

Letter to Facility (specify type) : _____

Investigation Report

Sample Analysis Results

Manifests

NOR

Maps, Plans, Sketches

Photographs

Correspondence from the facility

Other (specify) :

Attachment D

List of Neighboring Utilities

CCN NO. 11373
CRYSTAL SPRINGS WATER CO., INC
PO BOX 603
PORTER, TEXAS 77365-0603

CCN NO. 10347
CONSUMERS WATER INC
PO BOX 1383
SPRING, TEXAS 77383-1383

CCN NO. 11969
NEW CANEY MUD
PO BOX 1799
NEW CANEY, TEXAS 77357-0000

CCN NO. 11612
QUADVEST INC
PO BOX 409
TOMBALL, TEXAS 77377-0409

CCN NO. 11473
PORTER SUD
22162 WATER WELL RD
PORTER, TEXAS 77365

CCN NO. 11969
NEW CANEY MUD
PO BOX 1799
NEW CANEY, TEXAS 77357

CCN NO. 12671
ORCHARD CROSSING
PO BOX 279
WAVERLY, TEXAS 77358

CITY OF HOUSTON
PO BOX 1562
HOUSTON, TEXAS 77251-1562

CCN NO. 12902
CCN NO. 11157
AQUA TEXAS INC
1106 CLAYTON LN STE 400W
AUSTIN, TEXAS 78723-2476

CCN NO. 10833
SUNBELT FWSD
410 W GULF BANK RD
HOUSTON, TEXAS 77037

CCN NO. 10972
CHAMPS WATER COMPANY
13217A CHRISMAN RD
HOUSTON, TEXAS 77039-4121

CCN NO. 12085
J&S WATER COMPANY LLC
1905 N BATTLEBELL RD
HIGHLANDS, TEXAS 77562-4035

CCN NO. 10963
BLUE BELL MANOR UTILITY CO
1330 BLUE BELL RD
HOUSTON, TEXAS 77038-3012

CCN NO. 11389
SOUTHERN WATER CORP
5710 AIRLINE DR
HOUSTON, TEXAS 77076-4997

Maps

**Texas Commission on Environmental Quality
Investigation Report
COMMUNITY UTILITY COMPANY
CN600643779**

HEATHERGATE ESTATES

RN101204303

Investigation # 866703

Incident #

Investigator: MARGARITA SALCEDO

Site Classification

Conducted: 10/07/2010 -- 10/07/2010

No Industry Code Assigned

Program(s): PUBLIC WATER
SYSTEM/SUPPLY

Investigation Type : Compliance Invest File Review

Location : End of Heathergate of FM2100;
Key Map 339E

Additional ID(s) : 1011302

Address: ; ,

Activity Type :

Principal(s) :

Role	Name
RESPONDENT	COMMUNITY UTILITY COMPANY INC
RESPONDENT	COMMUNITY UTILITY COMPANY

Contact(s) :

Role	Title	Name	Phone
Regulated Entity Contact	CO-OWNER	MR MICHAEL MARTIN	
Regulated Entity Contact	PRESIDENT	MR MITCHELL MARTIN	

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Alleged Violation:

HEATHERGATE ESTATES -

10/7/2010 Inv. # - 866703

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Resolution: This violation is a duplicate of violation track No. 401148; therefore, this violation is being resolved.

Signed *Marguerite S. Sanchez* Date 10/7/10
Environmental Investigator

Signed *En Res* Date 10/7/10
Supervisor

Attachments: (in order of final report submittal)

Enforcement Action Request (EAR)

Letter to Facility (specify type) : _____

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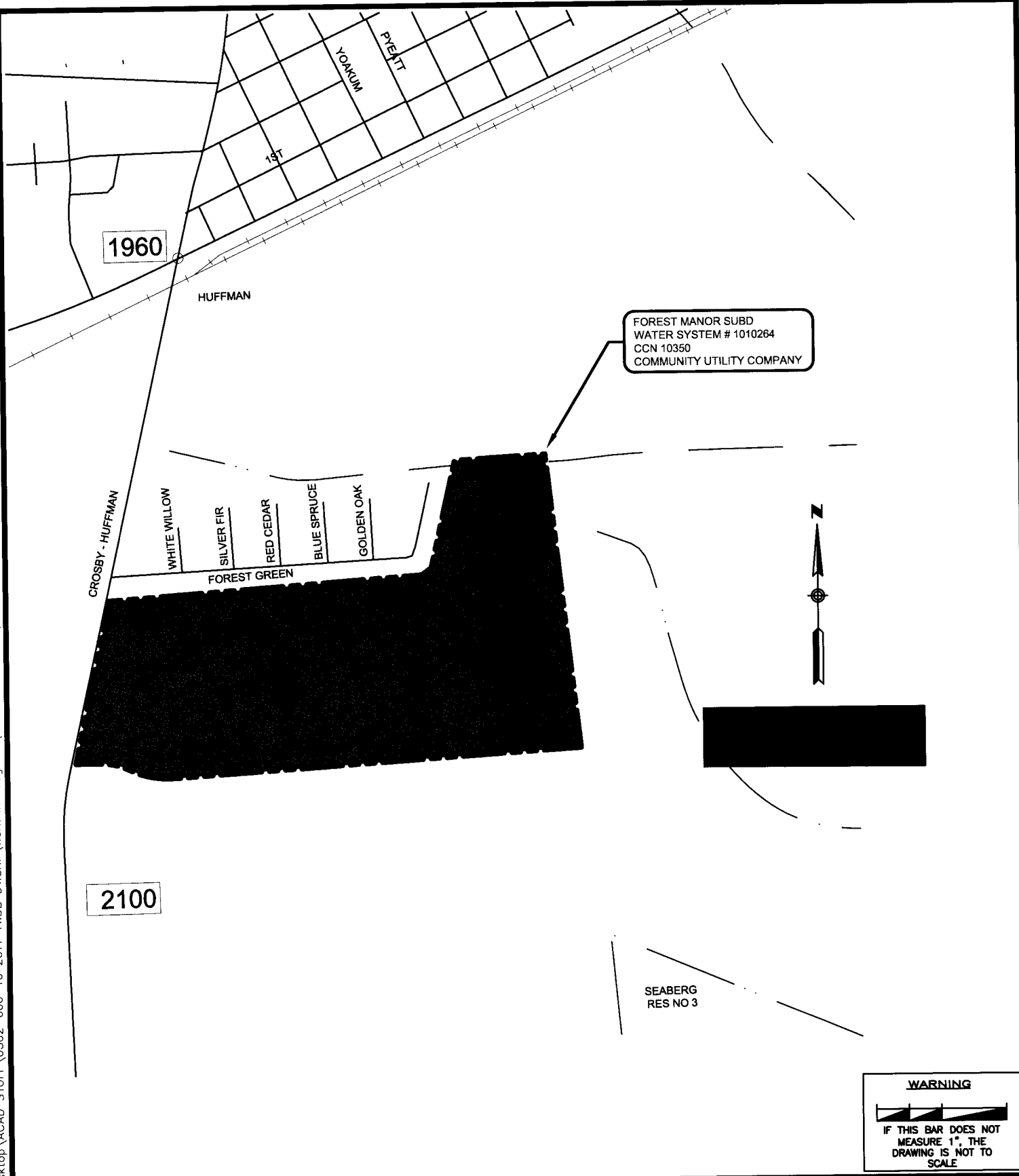
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1330 BLUE BELL RD
HOUSTON, TEXAS 77038-3012

CCN NO. 11389
SOUTHERN WATER CORP
5710 AIRLINE DR
HOUSTON, TEXAS 77076-4997

Maps

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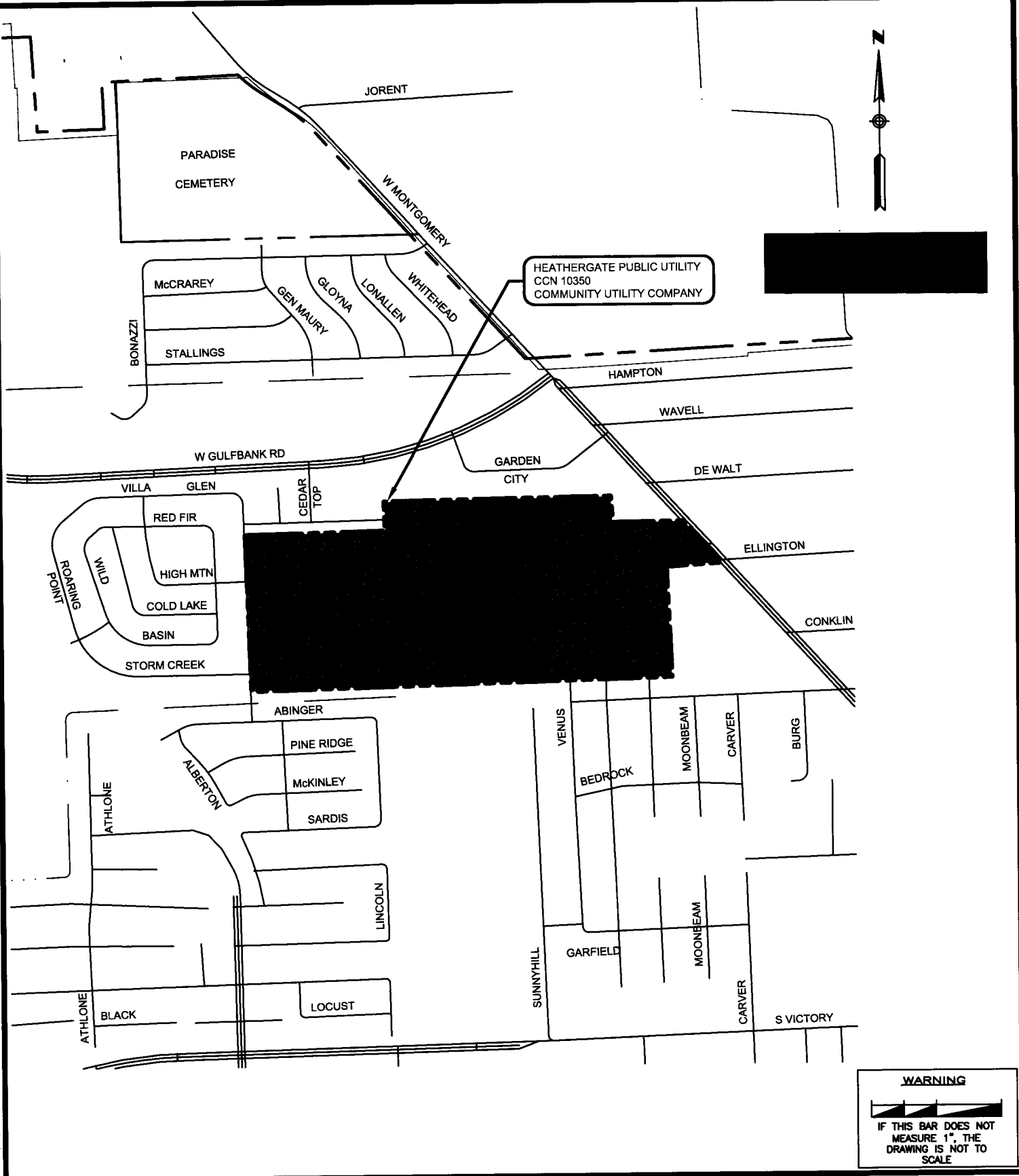
CCN AMENDMENT APPLICATION
FOREST MANOR SUBDIVISION LARGE SCALE MAP

COMMUNITY UTILITY COMPANY
 HARRIS AND MONTGOMERY COUNTIES, TEXAS



Southwest Engineers, Inc.
 Civil - Environmental - Planning
 Gonzales Austin
 www.swengineers.com
 TBPE No. F-1909

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HEATHERGATE PUBLIC UTILITY
 CCN 10350
 COMMUNITY UTILITY COMPANY

WARNING
 IF THIS BAR DOES NOT
 MEASURE 1", THE
 DRAWING IS NOT TO
 SCALE

CCN AMENDMENT APPLICATION
 HEATHERGATE PUBLIC UTILITY COMPANY LARGE SCALE MAP

COMMUNITY UTILITY COMPANY
 HARRIS AND MONTGOMERY COUNTIES, TEXAS

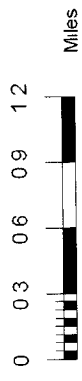


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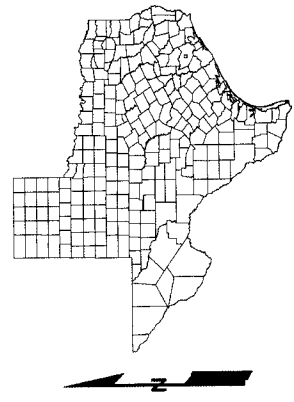
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087
For more information
concerning this map, please contact the
Water Supply Division at (512) 239-4691.
09/22/2011

The Selected Area of Interest

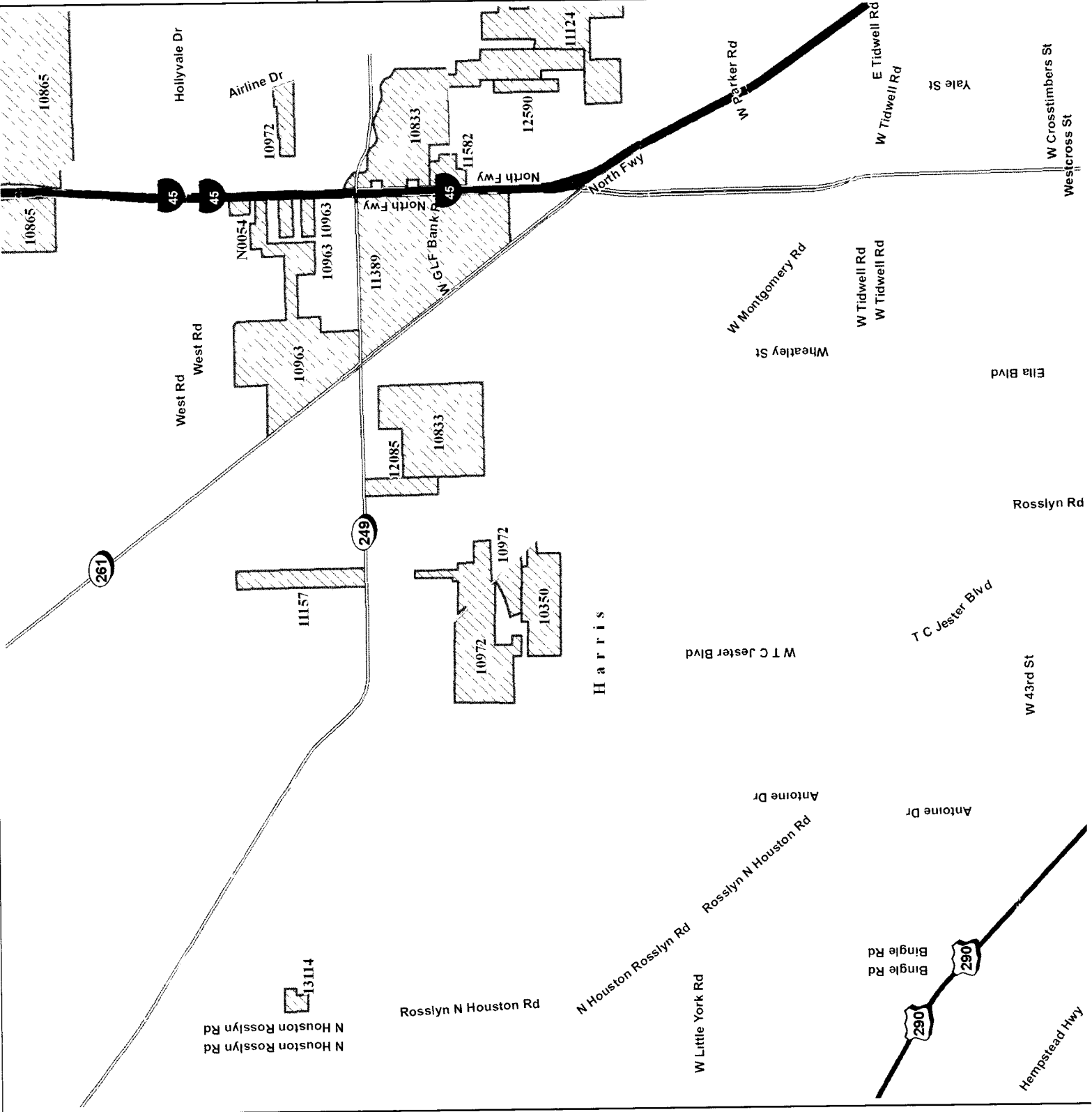


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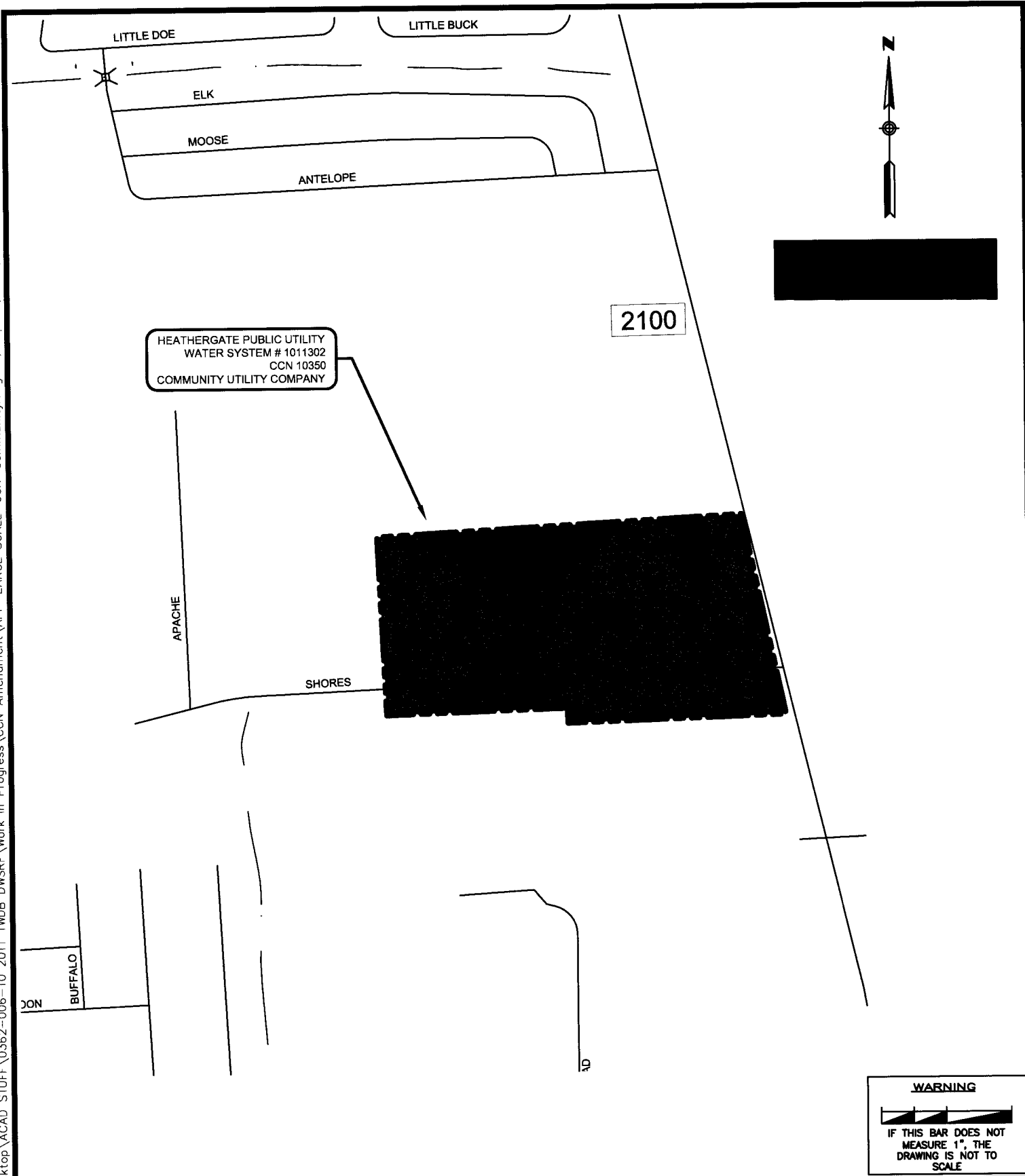
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 - Sewer CCN Facility Line
 - Senate - Districts
 - House - Districts
 - TCEQ Service Region Boundary
 - County Boundary
 - Sewer CCN Service Area
 - Water CCN Service Area
 - City Boundary
- #### CCN Overlap Key
- Sewer-Water CCN Service Area



Disclaimer:
This map was generated by the Integrated Water Utilities Database (IWUD) from the Texas Commission on Environmental Quality. No claims are made to the accuracy or completeness of the data or to its suitability for a particular use.



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CCN AMENDMENT APPLICATION
HEATHERGATE PUBLIC UTILITY COMPANY LARGE SCALE MAP

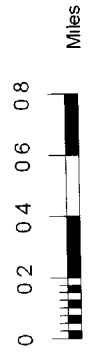
COMMUNITY UTILITY COMPANY
 HARRIS AND MONTGOMERY COUNTIES, TEXAS



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 Gonzales Austin
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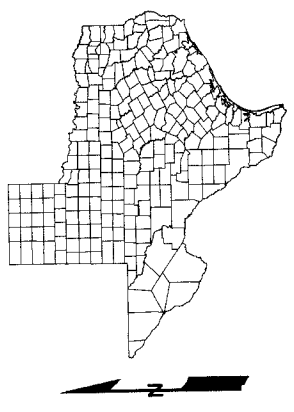
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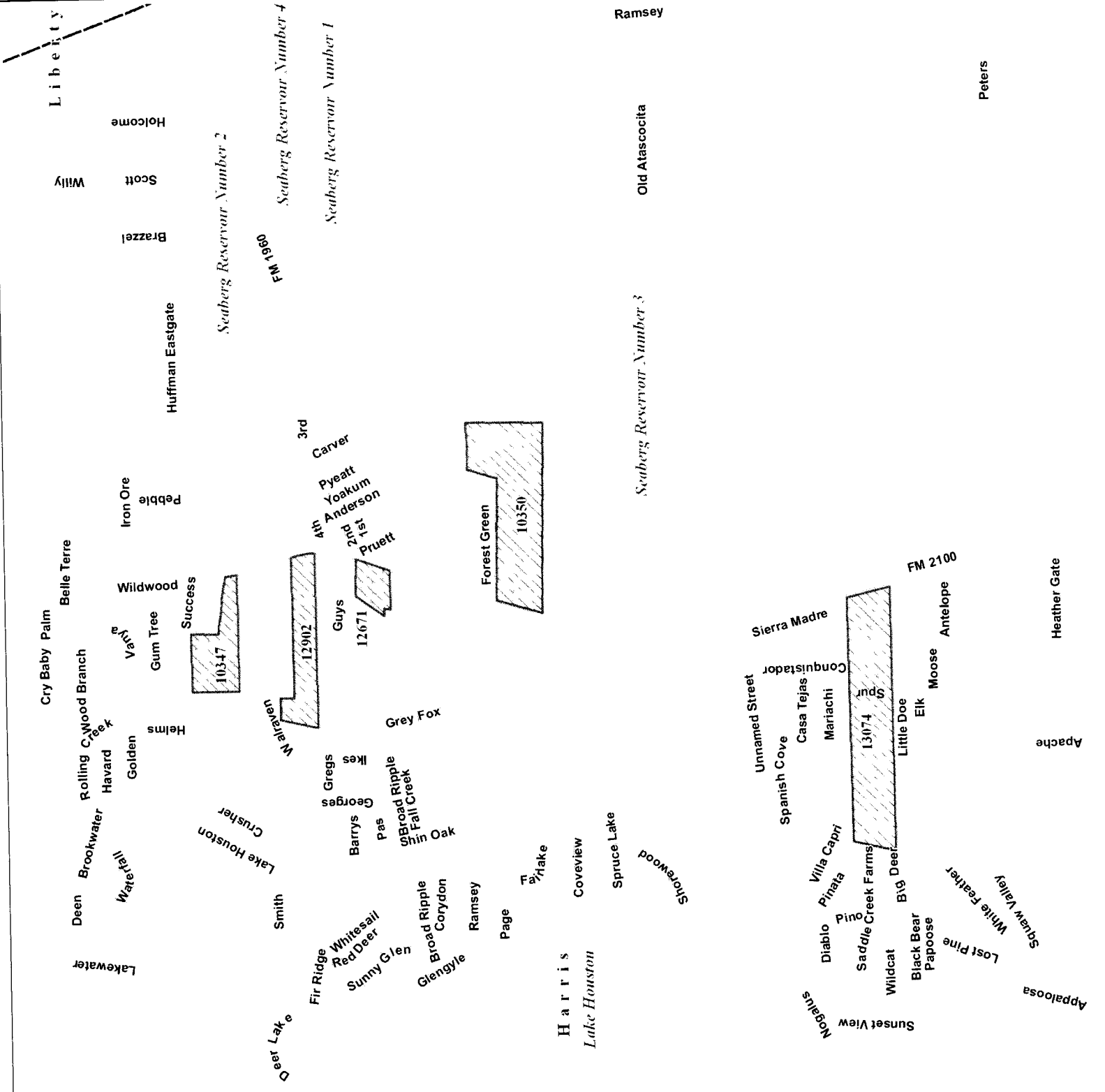


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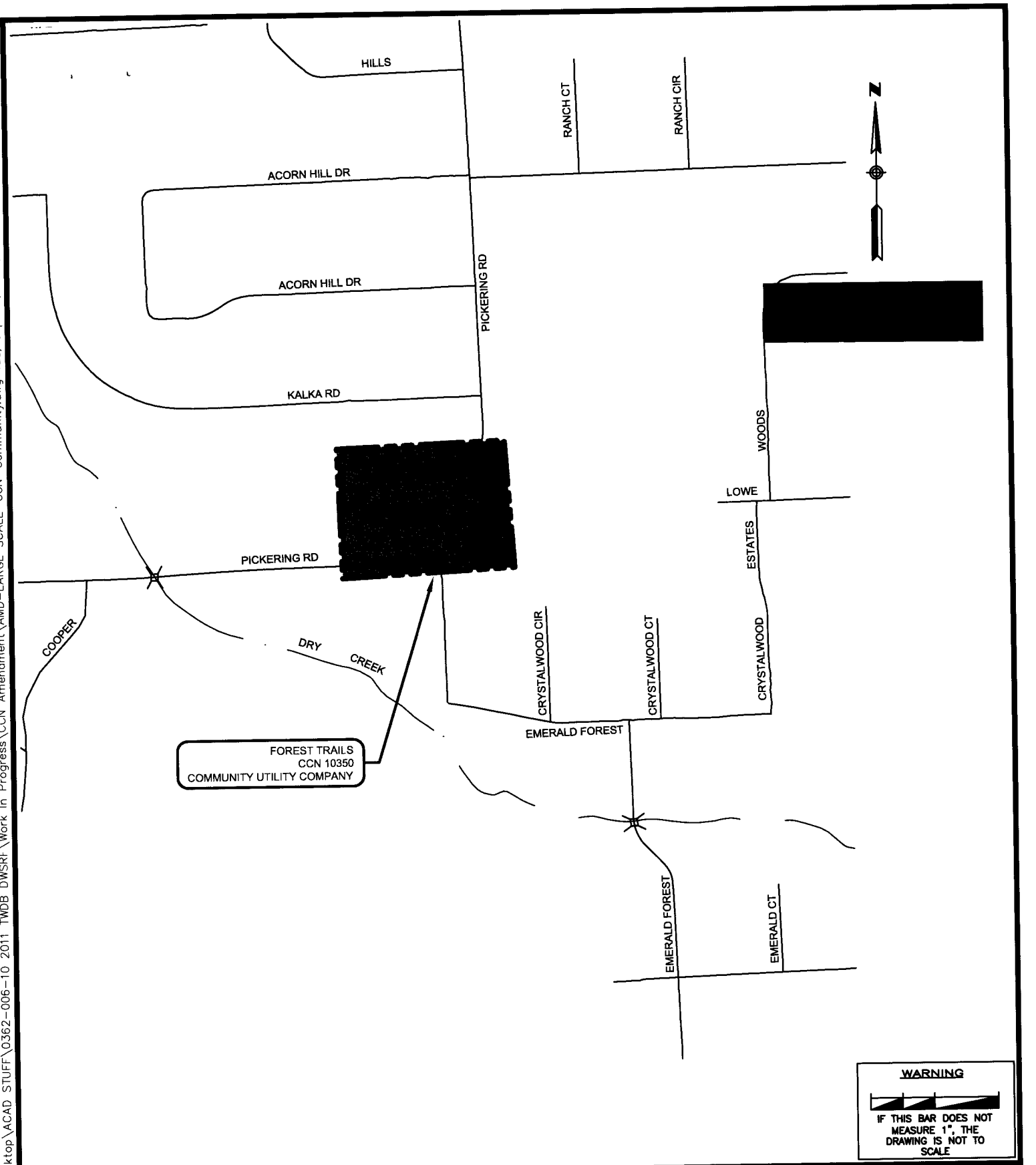
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FOREST TRAILS LARGE SCALE MAP

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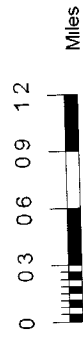
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Protecting Texas by
Reducing and
Preventing Pollution

TCEQ

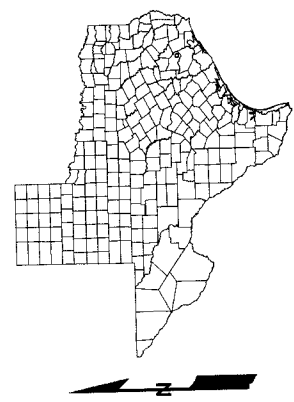
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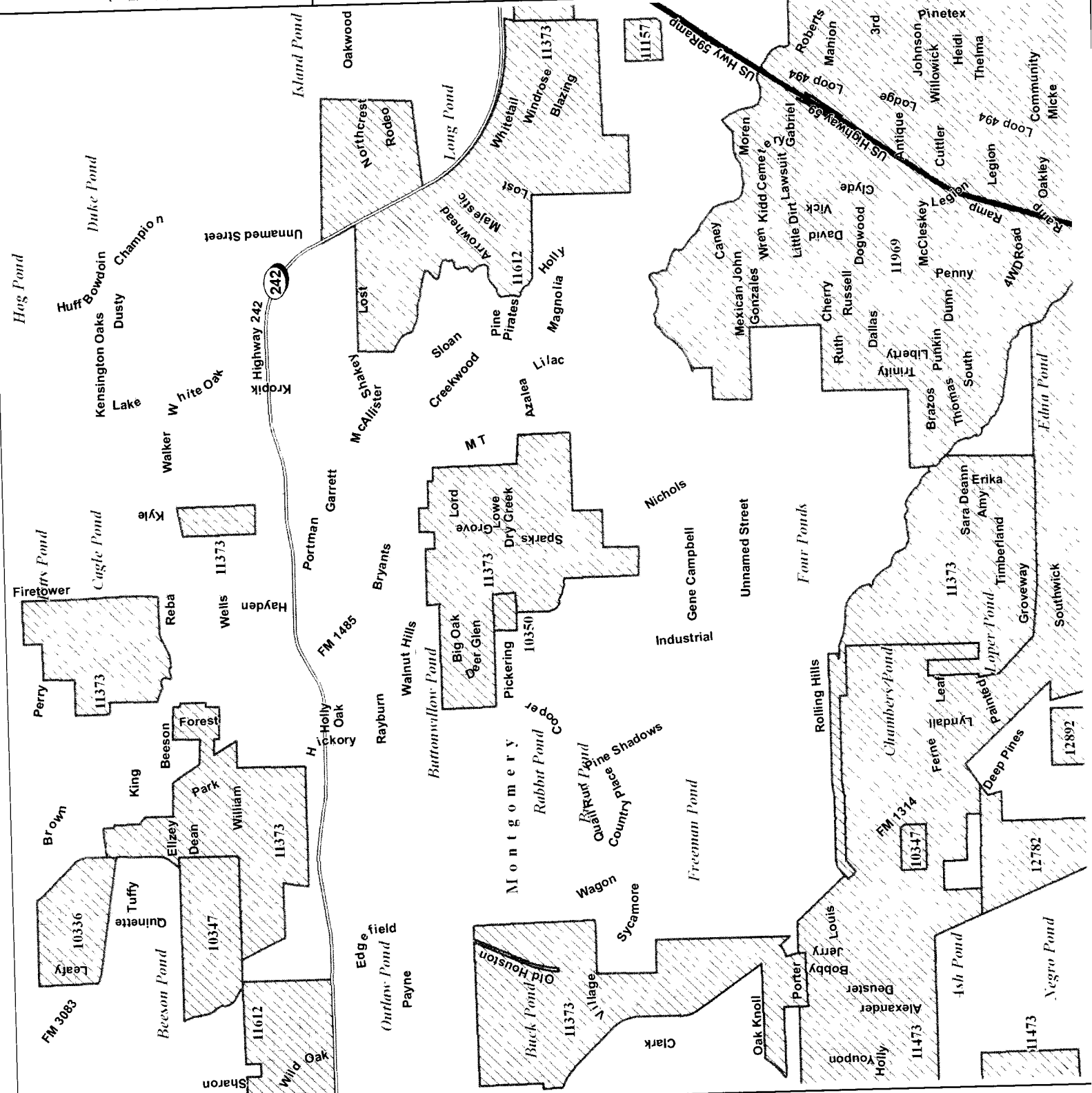


Legend

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- CCN Overlap Key**
- Sewer-Water CCN Service Area



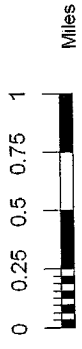
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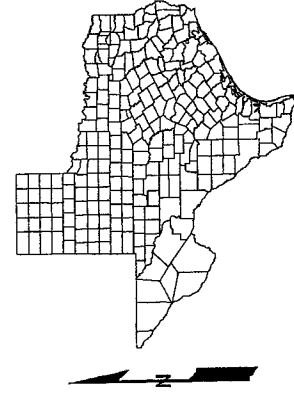
Texas Commission on Environmental Quality
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02/15/2011

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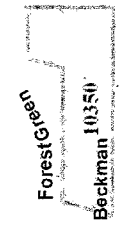


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Seaberg Reservoir Number 3

Cedar Bayou

To: Administrative Reviewer

Date Complete: April 12, 2012

From: Cartographer-Utilities & Districts Section

Subject: Overlap & Notice Check for Administrative Review No. A-012-12/37266-12
Community Utility Company (10350) to amend and to also decertify in Harris and
Montgomery counties

- X 1. No new overlap of service areas exists.
2. An overlap:
3. Dual certification:
4. An overlap exists with the city limits of:
5. If this is a Sale, Transfer, or Merger, is additional area being requested?
7. Map submitted is digital request digital data.

9. Utility notice was sufficient.
- X 10. Utility notice was insufficient. In addition to those systems listed in the application, they will also need to notify:

TWO MILES:

Blue Bell Manor Utility (10963)

SCF Water Company (13074)

Champ's Water Company (10972)

Quadvest (11612)

J & S Water Co. (12085)

Aqua Texas (13203)

Sunbelt FWSD (10833)

Southern Water Corp (11389)

Consumers Water (10347)

Crystal Springs Water (11373)

Orchard Crossing (12671)

MBC Water Systems (proposed 37112-S)

Coastal Water Authority

East Montgomery Co Improvement District

East Montgomery Co MUD 3

Forest Hills MUD

Gulf Coast Waste Disposal Authority

Forest Manor – amendment

On the north by FM 1960

On the east by approximately 700 ft. east of Rain Forest Dr.

On the south by approximately 150 ft. south of Beckman Dr.

On the West by FM 2100

Heathergate Estates – amendment

On the north by approximately 250 ft. north of Heathergate Lane

On the east by FM 2100

On the south by approximately 400 ft. south of Indian Shore Rd.

On the west by approximately 300 ft. west of Berry Thicket

12. Other comments:



Kent Steelman

To: Administrative Reviewer

Date Complete: October 13, 2011

From: Cartographer-Utilities & Districts Section

Subject: Overlap & Notice Check for Administrative Review No. A-107-11/37160-11
Community Utility Company (10350) to amend and to also decertify in Harris and
Montgomery counties

1. No new overlap of service areas exists.
2. An overlap:
3. Dual certification:
4. An overlap exists with the city limits of:
5. If this is a Sale, Transfer, or Merger, is additional area being requested?

7. Map submitted is digital request digital data.

9. Utility notice was sufficient.
10. Utility notice was insufficient. In addition to those systems listed in the application, they will also need to notify:

TWO MILES:

All cities and etj's within 2 miles of proposed area

11. Notice: **DO NOT NOTICE**
- X 12. Other comments: **Maps do not meet requirements. Please submit the following. (maps should be clearly labeled with intent (amend/decertify), maps should show only proposed CCN no existing unless decertifying, no digital data or metes and bounds in application, no facility maps)**
 - A. A general location map delineating the proposed service area with enough detail to accurately locate the proposed area within the county.
 - B. A map showing only the proposed area by:
 - i. metes and bounds survey certified by a licensed state or register professional land surveyor; or
 - ii. projectable digital data with metadata (proposed areas should be in a single record and clearly labeled). Also, a data disk labeled with the applicant's name must be

B & D ENVIRONMENTAL, INC.

P.O. BOX 500264
AUSTIN, TEXAS 78750
PHONE NO: (512) 264-9124
FAX NO: (512) 692-1967

EMAIL: bretfenner@yahoo.com

July 16, 2012

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

Re: Application from Mitchell M. Martin d.b.a. Community Utility Company (Community) to Amend Water Certificate of Convenience and Necessity (CCN) No. 10350 and to Decertify a Portion of CCN No. 10350, in Harris and Montgomery Counties; Application No. 37266-C

Dear Ms. Nguyen:

Per your Notice of Deficiency letter of May 30, 2012, enclosed please find a Revenue and Regulatory Assessment Report from Community for calendar year 2011. Also, enclosed is a Check No. 1514 to pay the Community's regulatory assessments fees for 2011. Please forward this report and payment to the correct sections of your commission. Now please proceed with the administrative processing of this application.

Should you have any further questions concerning this application, please do not hesitate to contact me at (512) 264-9124.

Sincerely,



Bret W. Fenner, P.E.
B & D Environmental, Inc.

Enclosures

2012 JUL 17 PM 1 01

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Revenue and Regulatory Assessment Report For PUBLIC UTILITY

UTILITY: COMMUNITY UTILITY COMPANY

ACCOUNT: 10350

Revenue and Regulatory Assessment Report for the Calendar Year 2011	
1. Enter total revenues from retail water and sewer service in year 2011	1. 122,239.22
2. Enter amount collected OR multiply item 1 by 0.01	2. 1,222.39
3. Late payment penalty: 5% - If paid after January 30th and before March 1st - multiply line 2 by 0.05 10% - If paid after March 1st - multiply line 2 by 0.10	3. 122.24
4. Late payment interest, 1% per month if paid after March 31st: a. Multiply line 2 by 0.01 = monthly interest due, then b. Multiply monthly interest due by the number of months payment is made after March 31, rounded to the nearest month.	4. 48.88
5. Amount due and payable (Add lines 2, 3, and 4).	5. 1,393.51

Please note if the utility was inactive for more than a month during the year or experienced other circumstances which affected revenues (attach an additional page if necessary):

I declare that the above information is true and correct to the best of my knowledge and belief.

Signature *[Signature]* Date 7, 11, 12
 Preparer's name Michael Martin Phone number 281-444-7747
 (Please Print)

VIPP Form WC04C5 / TCEQ-20098

Calendar Year 2011 REVENUE & REGULATORY ASSESSMENT REPORT For PUBLIC UTILITY

PLEASE RETURN ENTIRE ORIGINAL FORM
WITH CHECK OR MONEY ORDER PAYABLE TO:



**TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY**

COMMUNITY UTILITY COMPANY
PO BOX 58
SPRING, TX 77383-0058

AMOUNT ENCLOSED	ACCOUNT NO.
	10350

CHECK HERE IF YOUR ADDRESS OR YOUR PHONE NUMBER HAVE CHANGED. PLEASE INDICATE ADDRESS OR PHONE NUMBER CHANGE ON BACK.

PAYMENTS NOT RECEIVED BY JANUARY 30,
WILL RECEIVE A NOTICE OF VIOLATION

0000010350 1533242 00000000000130127

CONFIDENTIAL ITEM

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
TELEPHONE MEMO TO THE FILE

Please complete with typewriter or black pen.

Call to: BRET FENNER

Call from: Kessy NAUMON

Date of call: 7/9/2012

File no.: 37266 C

Phone no.: (512) 204-9124

Subject: Community Utility
Company

Information for file:

7/9/2012 AT 11:26 AM: Bret said he's meeting
with Community to address it ^(fees/NOO) this week,
will call ^{to update} when he does. ^{Told him} ~~to speak~~ that he has
till end of next week.

Signed _____

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
TELEPHONE MEMO TO THE FILE

Please complete with typewriter or black pen.

Call to: Bret Fenner
Date of call: 2/14/12
Phone no.: 512, 264-9124

Call from: Karen B.
File no.: 37266-C
Subject: Community Utility
Company

Information for file: We need Bret to tell us which maps
to use for the application or ~~new~~ maps
for this app only.
showing area

Bret will bring maps & a letter showing which
maps to use on Thursday or Friday.

2/22/12 called again for maps & letter indicating which
maps to use for this application.

2/23/12 - Bret called said he'd send us map info - tomorrow.

3/14/12 Keut indicated he had given map overlap request to Lisa
because it was still not what was needed for mapping.

I called Lisa & left her a v.m.

3/19/12 - Sent email & called Bret for 1 CD including all ^{proposed} areas &
hard copy maps for all ^{proposed} areas.

Signed _____

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

CCN/10350/CO

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

May 30, 2012

**BY FAX TO 512/692-1967 AND
 BY CERTIFIED MAIL**

Mr. Bret W. Fenner, P.E.
 B & D Environmental, Inc.
 P.O. Box 500264
 Austin, Texas 78750

NOTICE OF DEFICIENCY

Re: Application from Mitchell M. Martin dba Community Utility Company, to Amend Certificate of Convenience and Necessity (CCN) No. 10350 and to Decertify a Portion of CCN No. 10350, in Harris and Montgomery Counties; Application No. 37266-C

CN: 603180696; RN: 101458933

Dear Mr. Fenner:

We have received your CCN application for Mitchell M. Martin dba Community Utility Company and it is currently under review. However, the staff of the Texas Commission on Environmental Quality (TCEQ) has determined that payment of the following fees and/or penalties by Mitchell M. Martin dba Community Utility Company is required before we can declare the application administratively complete.

Fees

The fees owed are Regulatory Assessment Fee for the year 2011 in the estimated amount of \$1,200. See enclosed 2011 Regulatory Assessment Fee form.

Please be advised that failure to pay fees/penalties within 30 days from the letter date above will result in additional administrative actions affecting your fee accounts and your application with TCEQ. With respect to fees and/or penalties, these actions may include enforcement and collections efforts to recover the debt owed to the state. Regarding your application, additional administrative actions may include return of your application (forfeiting the application fee), or a contested case hearing that may result in the denial of your application.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Revenue and Regulatory Assessment Report For PUBLIC UTILITY

UTILITY: COMMUNITY UTILITY COMPANY

ACCOUNT: 10350

Revenue and Regulatory Assessment Report for the Calendar Year 2011	
1. Enter total revenues from retail water and sewer service in year 2011	1.
2. Enter amount collected OR multiply item 1 by 0.01	2.
3. Late payment penalty: 5% - If paid after January 30th and before March 1st - multiply line 2 by 0.05 10% - If paid after March 1st - multiply line 2 by 0.10	3.
4. Late payment interest, 1% per month if paid after March 31st: a. Multiply line 2 by 0.01 = monthly interest due, then b. Multiply monthly interest due by the number of months payment is made after March 31, rounded to the nearest month.	4.
5. Amount due and payable (Add lines 2, 3, and 4).	5.

Please note if the utility was inactive for more than a month during the year or experienced other circumstances which affected revenues (attach an additional page if necessary):

I declare that the above information is true and correct to the best of my knowledge and belief.

Signature _____ Date ____ / ____ / ____

Preparer's name _____ Phone number _____
(Please Print)

VIPP Form WC04C5 / TCEQ-20098

Calendar Year 2011
REVENUE & REGULATORY ASSESSMENT REPORT
For PUBLIC UTILITY

PLEASE RETURN ENTIRE ORIGINAL FORM
WITH CHECK OR MONEY ORDER PAYABLE TO:



**TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY**

COMMUNITY UTILITY COMPANY
PO BOX 58
SPRING, TX 77383-0058

AMOUNT ENCLOSED	ACCOUNT NO.
	10350

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**PAYMENTS NOT RECEIVED BY JANUARY 30,
WILL RECEIVE A NOTICE OF VIOLATION**

0000010350 1533242 00000000000130127

**** Transmit Conf. Report ****

May 29 2012 15:12

P.1

Fax/Phone Number	Mode	Start	Time	Page	Result	Note
96921967	NORMAL	29, 15:12	1'44"	5	* O K	

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



CCN/10350/CO

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

May 30, 2012

**BY FAX TO 512/692-1967 AND
BY CERTIFIED MAIL**

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 B & D Environmental, Inc.
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Please be advised that failure to pay fees/penalties within 30 days from the letter date above will result in additional administrative actions affecting your fee accounts and your application with TCEQ. With respect to fees and/or penalties...

To: Administrative Reviewer

Date Complete: April 12, 2012

From: Cartographer-Utilities & Districts Section

Subject: Overlap & Notice Check for Administrative Review No. A-012-12/37266-12
Community Utility Company (10350) to amend and to also decertify in Harris and
Montgomery counties

- X
1. No new overlap of service areas exists.
 2. An overlap:
 3. Dual certification:
 4. An overlap exists with the city limits of:
 5. If this is a Sale, Transfer, or Merger, is additional area being requested?

 7. Map submitted is digital request digital data.

9. Utility notice was sufficient.

- X
10. Utility notice was insufficient. In addition to those systems listed in the application, they will also need to notify:

TWO MILES:

- Blue Bell Manor Utility (10963)
- SCF Water Company (13074)
- Champ's Water Company (10972)
- Quadvest (11612)
- J & S Water Co. (12085)
- Aqua Texas (13203)
- Sunbelt FWSD (10833)
- Southern Water Corp (11389)
- Consumers Water (10347)
- Crystal Springs Water (11373)
- Orchard Crossing (12671)
- MBC Water Systems (proposed 37112-S)
- Coastal Water Authority
- East Montgomery Co Improvement District
- East Montgomery Co MUD 3
- Forest Hills MUD
- Gulf Coast Waste Disposal Authority

Investigation Violation Information

Tracking Number 424685 Category B Sub Category Repeat

Respondents COMMUNITY UTILITY COMPANY

Regulated Entity HEATHERGATE ESTATES Ref # RN101204303

Affected Unit Programs PWS Detailed Description

Start Date 06/01/2010 Unknown Additional Violation Details

Qualified For Immunity Reported To EPA

Enforcement Violation Information

Status UNDER RESOLUTION SCHEDULE Status Date 02/13/2012 End Date 12/31/3000 00:00 Unknown

EPA N/A Classification MODERATE Resolution Description

Referred Back to Investigations

Findings Of Fact Description Findings Of Fact Number

Allegation

Failed to submit to the Executive Director for approval by the extension due date of May 30, 2010, an adoptable emergency preparedness plan ("EPP") that demonstrates the Facilities' ability to provide emergency operations.

Citations

Regulation	Display	
2B TWC Chapter 13, SubChapter A	13.1395(b)(2)	<input type="checkbox"/> Add...
30 TAC Chapter 290, SubChapter D	290.39(o)(1)	<input type="checkbox"/>
30 TAC Chapter 291, SubChapter L	291.162(a)	<input type="checkbox"/> Delete...

- EC Recommended Changes Permit/Order Violations Technical Requirements Violation Material Violation Type

Save Clear Cancel Print

Handwritten notes:
 1. ...
 2. ...

Handwritten note: NOTE

Investigation Violation Information

Tracking Number 424322 Category B Sub Category Repeat

Respondents COMMUNITY UTILITY COMPANY
GARZA, ISELA

Regulated Entity FOREST MANOR SUBDIVISION Ref # RN101198554

Affected Unit Programs PWS Detailed Description

Start Date 06/01/2010 Unknown Additional Violation Details

Qualified For Immunity Reported To EPA

Enforcement Violation Information

Status UNDER RESOLUTION SCHEDULE Status Date 02/13/2012 End Date 12/31/3000 00:00 Unknown

EPA N/A Classification MODERATE Resolution Description

Referred Back To Investigations

Findings Of Fact Description Findings Of Fact Number

Findings Of Fact Description

Allegation

Failed to adopt and submit to the Executive Director for approval by the extension due date of May 30, 2010, an emergency preparedness plan that demonstrates the Facilities ability to provide emergency operations.

Citations

Regulation	Display	
2B TWC Chapter 13, SubChapter A	13.1395(b)(2)	<input type="button" value="Add..."/>
30 TAC Chapter 290, SubChapter D	290.39(o)(1)	
30 TAC Chapter 291, SubChapter L	291.162(a)	<input type="button" value="Delete..."/>

EC Recommended Changes Permit/Order Violations Technical Requirements Violation Material Violation Type

NOE

Handwritten notes:
 From: [unclear] [unclear] [unclear] [unclear]
 to: [unclear] [unclear] [unclear] [unclear]

Investigation Violation Information

Tracking Number: 98944 Category: B Sub-Category: Repeat:

Respondents: COMMUNITY UTILITY COMPANY

Regulated Entity: HEATHERGATE ESTATES 8/13/1997 Ref #: RN101204303

Affected Unit: Programs: PWS Detailed Description:

Start Date: 08/13/1997 Unknown: Additional Violation Details:

Qualified For Immunity: Reported To EPA:

Enforcement Violation Information

Status: ACTIVE Status Date: 08/16/2010 End Date: Unknown:

EPA: N/A Classification: MODERATE Resolution Description:

Returned Back To Investigations:

Findings Of Fact Description: Findings Of Fact Number:

Allegation

Failed to provide accurate metering devices at each service connection for the accumulation of water usage data.

Citations

Regulation	Display	
30 TAC Chapter 291, SubChapter C	291.44(d)	<input type="button" value="Add..."/>
30 TAC Chapter 291, SubChapter E	291.89(a)[2]	<input type="button" value="Delete..."/>

EC Recommended Changes
 Permit/Order Violations
 Technical Requirements
 Violation Material
 Violation Type

Handwritten notes at the bottom of the page.

My case 307 Filed March

CCEDS Enforcement EAR Violation List

Tracking Number	Cat	Status	Allegation	Star
96250	B	RESOLVED	FAILED TO PROVIDE REQUIRED MAINTENANCE.	01/0
96251	B	RESOLVED	FAILED TO INSPECT GROUND STORAGE AND/OR	01/0
96269	B	RESOLVED	FAILED TO PROVIDE LEGIBLE SIGNS.	01/0
96271	B	RESOLVED	FAILED TO PROVIDE ACCURATE METERING DEVI	01/0

Prints this window or dialog box to the default printer

delivered to the...