



Control Number: 44046



Item Number: 37

Addendum StartPage: 0

December 30, 2015

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PUBLIC UTILITY COMMISSION
FILING CLERK

PUC Docket 44046

Application of Laguna Vista, Ltd. And Laguna Tres, Inc. for Sale, Transfer, Merger in Hood County

Documentation of Resolution of Outstanding TCEQ Violations identified by PUC Staff

During a settlement conference call between the Applicants and the PUC staff on December 30, 2015, the PUC Staff identified the following reported violations of PUC rules by the Applicants. The Applicants provided verbal information to the Staff on the status of each of these violations. The following document, signed by Ike Thomas, Applicants' President, certifies that the information provided to the Staff was and is correct.

1. **Notice of Violation of Chlorine Monitoring Routine.**
Laguna Tres Subdivision Water System has corrected its chlorine monitoring routine and is now in compliance with TCEQ regulations.
2. **Failure to Document Notice to Customers of Chlorine Monitoring Violation.**
The Laguna Tres Subdivision Water System provided written notice by USPS mail to affected customers. The attached TCEQ affidavit form and notice copy have been submitted to the TCEQ.
3. **Failure to Document Adequate Disinfection of Interconnecting Water Main.**
The Applicants failed to document to TCEQ satisfaction that the interconnecting water main was properly disinfected per TCEQ rules prior to its being placed into commercial operation. The water main has been in normal use transporting disinfected water. Any residual contaminants have since been disinfected through this flow of chlorinated water. Subsequent routine testing of the water systems has not indicated any contamination as a result of the use of this interconnecting water line.
4. **Documentation of Additional Steps Necessary to Convert the Interconnecting Water Main from Interim to Permanent Use.**
The Applicants' Consulting engineer has filed the appropriate documentation with the TCEQ and is awaiting final action by that agency.
5. **Inadequate Well Production Capacity.**
The TCEQ documented that the Laguna Vista Subdivision Water System experienced an episode of inadequate water production during normal operations. The interconnection between the two affiliated water systems was made to remedy this problem. This was reported in the request for approval of

the interconnecting line. The TCEQ has taken no further action on this alleged production violation.

6. Failure to Update Drought Contingency Plan.

The TCEQ alleged that the Laguna Vista Subdivision Water System failed to demonstrate it had updated its drought contingency plan within the five year period required by law. The drought contingency plan has since been updated.

7. Failure to Provide Proper Ownership Signage.

The TCEQ alleged that the Laguna Vista Subdivision Water System failed to maintain signage at its facilities properly identifying the ownership of the water system. Compliance signage has been installed.

8. Approval of Water Well.

The TCEQ notified the Applicants that it was unable to approve one of the system's water wells based upon the as-built drawings filed by the consulting engineer. The consulting engineer followed up with the TCEQ on this matter and the well has been approved. A copy of the approval letter is attached hereto.

Very truly yours,



Ike Thomas
President, Laguna Vista, Ltd. and
Laguna Tres, Inc.

Bryan W. Shaw, Ph.D., P.E., *Chairman*
 Toby Baker, *Commissioner*
 Richard A. Hyde, P.E., *Executive Director*



PWS_1110019_CO_20150828_Plan Ltr

Texas Commission on Environmental Quality
Protecting Texas by Reducing and Preventing Pollution

August 28, 2015

Mr. Phillip Barnett, P.E.
 Barnett Herron Engineering, Inc.
 P.O. Box 2230
 Weatherford, Texas 76086

Re: Laguna Tres Subdivision - Public Water System ID No. 1110019
As-built Well No. 8 (formerly identified as Well No. 2)
 Engineer Contact Telephone: (817) 599-4278
 Plan Review Log No. P-08242015-140
 Hood County, Texas

CN600695985; RN101275451

Dear Mr. Barnett:

On August 24, 2015 and August 25, 2015 the Texas Commission on Environmental Quality (TCEQ) received your letter dated August 21, 2015 submitting as-built well No. 8 report for the above referenced public water system. Based on our review of the information submitted, the as-built well generally meets the minimum requirements of Title 30 Texas Administrative Code (TAC) Chapter 290 - Rules and Regulations for Public Water Systems and the constructed well is **authorized for use** based on the conditions noted below and may now be **temporarily** placed into service provided the following conditions are met:

1. The well report and sanitary control easements identified the well as Well No. 2. The bacteriological analysis report, chemical analysis report and 36 hour pump test report identified as Well No. 7. **The water system and/or water well driller must revise the required reports to reflect the correct well number and make available to TCEQ staff upon request.** The revised water well report must be filed with the Texas Department of Licensing and Regulation.
2. **According to your email dated August 27, 2015, the well depth, pump setting depth and well location is incorrect in the State of Texas Well Report. You must revise the State of Texas Well Report and made available to TCEQ staff upon request.**

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3. Groundwater sources shall be located so that there will be no danger of pollution from flooding or from unsanitary surroundings, such as privies, sewage, sewage treatment plants, livestock and animal pens, solid waste disposal sites or underground petroleum and chemical storage tanks and liquid transmission pipelines, or abandoned and improperly sealed wells. **The setback distances pertaining to the pollution hazard with respect to ground water source is specified in 30 TAC Section 290.41(c)(1)(A)-(E). The water system must evaluate the pollution hazard within the required setback distances. If any pollution hazard is discovered, the water system shall provide the required information to the TCEQ's Utilities and Technical Review Team at the address indicated at the end of this letter.**
4. All completed well units shall be protected by intruder-resistant fences, the gates of which are provided with locks or shall be enclosed in 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 as required in accordance with 30 TAC Section 290.41(c)(3)(O). **The photographs and as-built plan did not show the intruder-resistant fences or lockable gates or well houses to protect the well. The water system shall provide the protection of the well from the trespassers and shall meet the above requirements.**
5. The well collection piping and connecting waterlines must meet the requirements 30 TAC Section 290.44.

The wells continued use is contingent upon the following conditions:

1. The water system must contact the **TCEQ's Drinking Water Quality Team in Austin at (512) 239-4691** to arrange for the collection of the official chemical samples which must be completed within 120 days from the date of this letter.
2. If official chemical analysis testing confirms that a regulated constituent does not meet primary or secondary standards additional treatment, blending, or public notice may be required. The Drinking Water Quality Team will notify the water system of any additional special requirements for this public water supply source. Plans for any proposed water treatment and blending must be reviewed and approved by the Utilities Technical Review Team.

The as-built well submittal consisted of the following:

- As-built plan and eight photographs of the well;

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- State of Texas Well Report (Tracking No. 182630);
- Material setting and cementing data;
- 36-hour pumping test results showing production at 39 gallons per minute (gpm);
- Executed and recorded sanitary control easement;
- U. S. Geological Survey 7.5 minute map showing the well location;
- Three bacteriological sampling results showing no coliform contamination on 08/09/2015, 08/10/2015 and 08/11/2015; and
- Chemical analysis results.

The well completion data describes construction of the following:

- One (1) public water supply well drilled to 168 feet with 150 linear feet (lf) of 6-inch outside diameter (od) pressure cemented standard dimensional ratio (SDR) 17 polyvinyl (PVC) casing;
- 40 lf of 6-inch od SDR 17 slot PVC screen with 62 lf of gravel pack; and
- The well is rated for 39 gpm. The design capacity of the pump is unknown.

Well No. 8 (previously identified as well No. 2) is located approximately 0.4 miles southeast of the intersection of State Highway 51 and Farm-to-Market Road 422 in Hood County.

Texas Water Code Section 36.0015 allows for the creation of groundwater conservation districts (GCD) as the preferred method of groundwater management. GCD's manage groundwater in many counties and are authorized to regulate production and spacing of water wells. **Public water systems drilling wells within an existing GCD are responsible for meeting the GCD requirements.** The authorization provided in this letter does not affect GCD authority to manage groundwater or issue permits.

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

<https://www.tceq.texas.gov/drinkingwater/udpubs.html>

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:

<https://www.tceq.texas.gov/drinkingwater/planrev.html/#status>

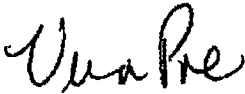
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You can download most of the well construction checklists and the latest revision of 30 TAC Chapter 290 – Rules and Regulations for Public Water Systems from this site.

If you have any questions concerning this letter or need further assistance, please contact Pritesh Tripathi at (512)239-3794 or by email at pritesh.tripathi@tceq.texas.gov or by correspondence at the following address:

Utilities Technical Review Team, MC-159
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Sincerely,



John
John Lock, P.E.
Utilities Technical Review Team
Plan and Technical Review Section
Water Supply Division
Texas Commission on Environmental Quality



Vera Poe, P.E., Team Leader
Utilities Technical Review Team
Plan and Technical Review Section
Water Supply Division
Texas Commission on Environmental Quality

PT/JL/VP/av

cc: Laguna Tres Subdivision - Attn: Mr. Harvey Ike Thomas, P.O. Box 2337,
Granbury, Texas 76048-7337



Texas Commission on Environmental Quality

Protecting Texas by Reducing and Preventing Pollution

CERTIFICATE OF DELIVERY OF PUBLIC NOTICE TO CUSTOMERS

Public Water System (PWS) name: Laguna Tires WSC
PWS ID (7-digit number required): 1110019
Type violation: CHLORINE MONITORING, ROUTINE (DBP), MAJOR
Time Period of violation:

The PWS named above has distributed the Public Notice (PN) for the type of violation and time period listed above by:

Mail or direct delivery, to bill-paying customers as required by 30 TAC §290.122(c)(2) (A); and

The information contained in this public notification is correct and complies with required public notification content in accordance with 30 TAC §290.122

and; Make an adequate good-faith effort to reach non-bill-paying consumers by appropriate methods (check all below that apply):

- Posting the PN on the internet at www
Mailing the PN to postal patrons within the service area that do not receive a bill
Advertising the PN in news media
Publication of PN in local newspaper
[X] Posting the PN in public places
Delivery of multiple copies to single bill addresses serving several persons
Delivery to community organizations
Email notification

Date of Delivery to Customers

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is true and correct to the best of my knowledge and belief, and I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

Certified by: Name (print): Billy Martin Title: operations manager
Phone: 940-445-7725 Email: billy@texastainmgmt.com
Signature: Billy Martin Date Signed: 1-21-14

Mail a copy of this completed form and a copy of the Public Notice that was delivered to your customers to:

TCEQ - Drinking Water Quality Team
MC - 155
Attn: Public Notice
P. O. Box 13087
Austin, TX 78711-3087

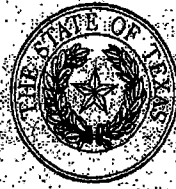
To LAGUNA TRES WATER WSC water system PWS ID 1110019 has violated the monitoring and reporting requirements set by Texas Commission on Environmental Quality (TCEQ) in Title 30, Texas Administrative Code (30 TAC Section 290, Subchapter F. Public water systems are required to properly disinfect water distribution, maintain adequate disinfection residuals within the distribution system, monitor the disinfectant residual at various locations throughout the distribution system and report the results of that monitoring to the TCEQ on a quarterly basis.

Result of regular monitoring are an indicator of whether or not your drinking water is safe from microbial contamination. These violation(s) occurred in the monitoring period(s) 1st and 2nd quarter of 2013.

Monitoring & Reports were taken at proper times. Clerical mix up caused reports not to be filed. All reports have been filed and we are in compliance.

Please share this information with all people who drink this water, especially those who may not have received this notice directly (i.e. people in apartments, nursing homes, schools, and businesses.) You can do this by posting this notice in a public place or distributing copies by hand or email.

If you have any questions regarding this matter, you may contact Billy Martin at 817-579-8100



Texas Commission on Environmental Quality
Protecting Texas by Reducing and Preventing Pollution

CERTIFICATE OF DELIVERY OF PUBLIC NOTICE TO CUSTOMERS

Public Water System (PWS) name: Laguna Vista
PWS ID (7-digit number required): 111 0095
Type violation: **CHLORINE MONITORING, ROUTINE (DBP), MAJOR**
Time Period of violation:

The PWS named above has distributed the Public Notice (PN) for the type of violation and time period listed above by:

Mail or direct delivery, to bill-paying customers as required by 30 TAC §290.122(c)(2) (A); and

The information contained in this public notification is correct and complies with required public notification content in accordance with 30 TAC §290.122

and; Make an adequate good-faith effort to reach non-bill-paying consumers by appropriate methods (check all below that apply):

- Posting the PN on the internet at www.
- Mailing the PN to postal patrons within the service area that do not receive a bill
- Advertising the PN in news media
- Publication of PN in local newspaper
- Posting the PN in public places
- Delivery of multiple copies to single bill addresses serving several persons
- Delivery to community organizations
- Email notification

Date of Delivery to Customers 12-31-13

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

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