

Beuf

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 17, 2007

CERTIFIED MAIL 91 7108 2133 3933 8894 9331
RETURN RECEIPT REQUESTED

DEC 18 2007
TYL

Mr. Steve Blackhurst, Regulatory Compliance Manager
Aqua Development Inc.
1106 Clayton Ln, Ste 400W
Austin, TX 78723-1066

Re: Notice of Violation for the Comprehensive Compliance Investigation at:
Lake Palestine Water Company,
Located on Pinewood Trail W of FM 315, S of Chandler in Henderson County
PWS ID No.: 1070198

Dear Mr. Blackhurst:

On October 26, 2007, Mr. Kevin Glanton 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 systems. No violations were documented during the investigation.

In addition, as outlined in the attached Summary of Investigation Findings, Mr. Glanton observed compliance documentation which indicates that outstanding violations from a previous investigation have been resolved. Therefore, no further action is required concerning the previous 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. Kevin Glanton in the Tyler Region Office at (903) 535-5133.

Sincerely,

William D. Gibson, Team Leader
Tyler Region Office

WDG/KG/kg

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

Mr. Steve Blackhurst
December 17, 2007
Page 2

The Texas Commission on Environmental Quality 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 violation(s) documented in this notice. Should you choose to do so, you must notify the Tyler Region 5 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 Mr. Kevin Glanton in the Tyler Region Office at (903) 535-5133.

Sincerely,

William D. Gibson, Work Leader
Tyler Region Office

WDG/rkg

Enclosures: Summary of Investigation Findings
Obtaining TCEQ Rules

Summary of Investigation Findings

LAKE PALESTINE WATER CO

Investigation # 611048

, HENDERSON COUNTY,

Investigation Date: 10/25/2007

Additional ID(s): 1070198

ALLEGED VIOLATIONS NOTED AND RESOLVED

Track No: 295891

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

Alleged Violation:

Investigation: 611048

Comment Date: 12/05/2007

Failure to provide the Twin Oaks Well with a concrete sealing block that slopes to drain away from the well head at not less than 0.25 inches per foot.

During the investigation on 10/25/2007, the investigator observed that Lake Palestine Water Co failed to provide a sealing block for well 2 that slopes to drain away from the well head at not less than 0.25 inches per foot.

Recommended Corrective Action:

Resolution: Pictures were received on 12/03/2007 demonstrating that the sealing block slope had been corrected.

Track No: 295892

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

Alleged Violation:

Investigation: 611048

Comment Date: 12/05/2007

Failure to replace the cracked concrete sealing block surrounding the Parkside Well with a properly constructed and installed sealing block.

During the investigation on 10/25/2007, the investigator observed that Lake Palestine Water Co failed to replace the cracked concrete sealing block surrounding the Parkside Well with a properly constructed and installed sealing block.

Recommended Corrective Action:

Resolution: Pictures were received on 12/04/2007 demonstrating that the sealing block had been replaced.

Brief

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



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

September 24, 2007

Mr. Steve Blackhurst, Regulatory Compliance Manager
Aqua Development Inc.
1421 Wells Branch Pkwy, Ste 105
Pflugerville, TX 78660

RECEIVED
OCT 12 2007

BY:

Re: Comprehensive Compliance Investigation at:
Lake Utility Co,
Located on CR 1213 off CR 59 in Henderson County
PWS ID No.: 1070059

Dear Mr. Blackhurst:

On August 3, 2007, Mr. Kevin Glanton 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 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. Kevin Glanton in the Tyler Region Office at (903) 535-5133.

Sincerely,

William D. Gibson, Team Leader
Tyler Region Office

WDG/KG/kg

TCEQ Complaint Report

09/12/2007
5:53:37PM

Incident No: 97338

Media Type: Water

Start Date: July 11 07 **Start Time:** 12:00 am

Received Date: 07/11/2007

Method : LETTER

Staff Member: KGLANTON

Status: Closed

Status Date: 09/12/2007

Priority: Within 14 Calendar Days

Regulated Entity: Lake Utility Co

RN102675782

Address:

Henderson County

Physical Location: LOCATED OFF 2495 ON LAKE ATHENS IN HENDERSON COUNTY.

Responsible Party: Aqua Utilities Inc

Title: Regulatory & Compliance Manager

Address: 1421 Wells Branch Pkwy Ste 105, Pflugerville, TX 78660

Work Phone: (512)670-7625

Number Complaining: 19

Frequency: Current

Alleged Source: Lake Utility Co

Program Group: Public Water
System/Supply

Nature: Wsq

Effect: General

Initial Problem:

The complainant contacted the Region 5 office by letter alleging that the water from Lake Utility Co. Water Supply occasionally has rust colored particulates (a letter with more detail is attached).

Comments:

Mr. Kevin Glanton, TCEQ Region Five Investigator, conducted a comprehensive compliance investigation (CCI) of the Lake Utility Co. water supply on 08/03/2007 in response to a complaint. Lake Utility was represented by Mr. Gary Douglas, Area Coordinator, Larue office, Mr. Wayne Brewer, Operator, Larue Office, and Mr. Larry Mitchell, Environmental Compliance Coordinator, Pflugerville office. The complaint about the rust colored particles was discussed. Records regarding monthly flushing, weekly disinfectant residual readings, complaint logs and work orders, and monthly bacteriological sample results were reviewed by the investigator, as well as other routine records required to be reviewed during CCIs. Chemical analyses results of regulated contaminants and secondary constituents were also discussed and reviewed during the CCI. In addition, the system facilities were inspected. Finally, the disinfectant residual and pressure was checked at 6461 Crestview and 6154 Sherwood. A bottle of water was collected from a tap at 6154 Sherwood for a visual inspection of its clarity. The disinfectant residuals and pressure readings were above the minimum required state regulatory parameters, and the water appeared clear, and has remained clear to the date of this report. No violations of the items reviewed during the CCI were noted.

In addition, Mr. Glanton requested a chemical analyses report from Debra Cerda and Marie Kripfer, with TCEQ's Public Drinking Water Quality Team in Austin. A chemical analyses report was provided and is attached to this report. No violations regarding exceedances of maximum contaminant levels (MCL) of regulated contaminants or secondary constituents have been noted by the Public Drinking Water Quality Team.

Regarding possible visual discoloration of the water, the tested iron levels have been below the secondary constituent levels, which are non-health related. However, there are traces of iron in the water, as is the case in most East Texas ground water sources. During the CCI, Mr. Douglas commented that a flush valve had been mowed over that had been connected to an old service line tap adjacent to the fish hatchery, but it was repaired under pressure, which would not allow sediment

TCEQ Complaint Report

09/12/2007
5:53:37PM

in the lines. Mr. Douglas also stated that sometimes air may get in the line on Crestview when flushing is done in the lower elevation areas. Thus Aqua Texas may install an air relief valve on Crestview Street. Boil water notices were issued for loss of pressure due to power outages or mechanical failures on 05/15/2006, 06/25/2006, and 10/20/2006.

Finally, the complainant was referred to Toxicology Section, of TCEQ's Chief Engineer's Office, regarding health concerns or risks with the water quality. However, no violations are noted from the CCI and chemical analyses results.

Action Taken / Closure Comments:

An investigation was conducted on 08/03/2007.
Investigation #: 594327

Water Quality Summary -

LAKE UTILITY CO

PWS ID# 1070059

Region 5

HENDERSON County

PUBLIC
DRINKING
WATER



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

TCEQ

SOC5

LAB ID	TCEQ ID	Collected:	5/15/1995	Lab: X	Data Entry:
Chemical		POE: 001	Well:		

VOC

LAB ID	TCEQ ID	Collected:	5/15/1995	Lab: X	Data Entry:
Chemical		POE: 001	Well:		

LAB ID	TCEQ ID	Collected:	7/17/1997	Lab: X	Data Entry:
Chemical		POE: 001	Well:		

LAB ID	TCEQ ID	Collected:	3/5/1998	Lab: T	Data Entry:	RBE	4/30/1998
Chemical		POE: 001	Well:				

LAB ID	TCEQ ID	Collected:	6/29/1999 MD	Lab: T	Data Entry:	FGA	7/28/1999
Chemical		POE: 001	Well:				

BROMODICHLOROMETHANE 0.8
CHLOROFORM 0.6

LAB ID	TCEQ ID	Collected:	8/10/2000 ADA	Lab: T	Data Entry:	MRO	9/25/2000
Chemical		POE: 001	Well:				

BROMODICHLOROMETHANE 1.1
CHLOROFORM 1.3
DIBROMOCHLOROMETHANE 0.8

LAB ID	TCEQ ID	Collected:	11/6/2002 MD	Lab: T	Data Entry:	LEP	12/11/2002
Chemical		POE: 001	Well:				

BROMODICHLOROMETHANE .9
CHLOROFORM .8
DIBROMOCHLOROMETHANE .8

LAB ID	TCEQ ID	Collected:	6/16/2005 GG	Lab: T	Data Entry:	EDR	7/1/2005
Chemical	0520626	POE: 001	Well:				

CHLOROFORM 1.7
DIBROMOCHLOROMETHANE 1.1
DICHLOROBROMOMETHANE 1.6

Comments: VOC

Inorganic Results Summary

LAKE UTILITY CO
PWS # 1070059

C/O STANLEY MCCURLEY - OWNER
PO BOX 668
CHANDLER TX 757580668

REGION 5



Lab ID	RESULT	Error (±)	Entry Point	Date	Comments	Well
Aluminum						
			Cont. ID MCL = 0.05		Secondary	
EP803772	< 0.04 mg/l		1002 001	3/5/1998		
EP102457	< 0.05 mg/l		1002 001	1/29/2001		
EP514268	< 0.02 mg/l		1002 001	6/16/2005		
Antimony						
			Cont. ID MCL = 0.006			
EP803772	< 0.002 mg/l		1074 001	3/5/1998		
EP102457	< 0.004 mg/l		1074 001	1/29/2001		
EP514268	< 0.001 mg/l		1074 001	6/16/2005		
Arsenic						
			Cont. ID MCL = 0.01			
EP803772	< 0.002 mg/l		1005 001	3/5/1998		
EP102457	< 0.002 mg/l		1005 001	1/29/2001		
EP514268	< 0.002 mg/l		1005 001	6/16/2005		
Barium						
			Cont. ID MCL = 2			
EP803772	0.066 mg/l		1010 001	3/5/1998		
EP102457	0.065 mg/l		1010 001	1/29/2001		
EP514268	0.0627 mg/l		1010 001	6/16/2005		
Beryllium						
			Cont. ID MCL = 0.004			
EP803772	< 0.001 mg/l		1075 001	3/5/1998		
EP102457	< 0.001 mg/l		1075 001	1/29/2001		
EP514268	< 0.0008 mg/l		1075 001	6/16/2005		
Bicarbonate						
			Cont. ID			
EP803750	122 mg/l		1928 001	3/5/1998		
EP102370	133 mg/l		1928 001	1/29/2001		RCL1.25
EP306469	131 mg/l		1928 001	5/1/2003		RCL1.23F
EP606906	131 mg/l		1928 0 001	3/29/2006		
Cadmium						
			Cont. ID MCL = 0.005			
EP803772	< 0.0012 mg/l		1015 001	3/5/1998		
EP102457	< 0.0012 mg/l		1015 001	1/29/2001		
EP514268	< 0.001 mg/l		1015 001	6/16/2005		
Calcium						
			Cont. ID			
EP803750	11 mg/l		1016 001	3/5/1998		
EP102457	9.72 mg/l		1016 001	1/29/2001		
EP514268	10.1 mg/l		1016 001	6/16/2005		
Carbonate						
			Cont. ID			
EP803750	0 mg/l		1929 001	3/5/1998		
EP102370	0 mg/l		1929 001	1/29/2001		RCL1.25
EP306469	0 mg/l		1929 001	5/1/2003		RCL1.23F
EP606906	0 mg/l		1929 0 001	3/29/2006		



Lab ID	RESULT	Error (±)	Entry Point	Date	Comments	Well
Chloride						
		Cont. ID	MCL = 300	Secondary		
EP803750	12 mg/l	1017	001	3/5/1998		
EP102370	9 mg/l	1017	001	1/29/2001		RCL1.25
EP306469	10 mg/l	1017	001	5/1/2003		RCL1.23F
EP606906	11 mg/l	1017	0 001	3/29/2006		
Chromium						
		Cont. ID	MCL = 0.1			
EP803772	< 0.01 mg/l	1020	001	3/5/1998		
EP102457	< 0.01 mg/l	1020	001	1/29/2001		
EP514268	< 0.01 mg/l	1020	001	6/16/2005		
Copper						
		Cont. ID	MCL = 1	Secondary		
EP803772	< 0.006 mg/l	1022	001	3/5/1998		
EP102457	< 0.006 mg/l	1022	001	1/29/2001		
EP514268	0.0022 mg/l	1022	001	6/16/2005		
Dil. Conduct (umhos/cm)						
		Cont. ID				
EP803750	274	1926	001	3/5/1998		
EP102370	280	1926	001	1/29/2001		RCL1.25
EP306469	280	1926	001	5/1/2003		RCL1.23F
EP606906	280	1926	0 001	3/29/2006		
Dissolved solids						
		Cont. ID	MCL = 1000	Secondary		
EP803750	155 mg/l	1930	001	3/5/1998		
EP102370	155 mg/l	1930	001	1/29/2001		RCL1.25
EP306469	170 mg/l	1930	001	5/1/2003		RCL1.23F
EP606906	183 mg/l	1930	0 001	3/29/2006		
Fluoride						
		Cont. ID	MCL = 2	Secondary		
EP803750	0.1 mg/l	1025	001	3/5/1998		
EP102370	< 0.1 mg/l	1025	001	1/29/2001		RCL1.25
EP306469	0.1 mg/l	1025	001	5/1/2003		RCL1.23F
EP606906	0.1 mg/l	1025	0 001	3/29/2006		
Gross Alpha						
		Cont. ID	MCL = 15			
EP102499	< 2 pCi/l	4000	001	1/29/2001		
Gross Alpha Particle Activity						
		Cont. ID	MCL = 15			
EP514279	< 2 pCi/l	4109	001	6/16/2005		
Gross Beta						
		Cont. ID	MCL = 50			
EP102499	< 4 pCi/l	4100	001	1/29/2001		
EP514279	< 4 pCi/l	4100	001	6/16/2005		
Iron						
		Cont. ID	MCL = 0.3	Secondary		
EP803772	0.02 mg/l	1028	001	3/5/1998		
EP102457	0.011 mg/l	1028	001	1/29/2001		
EP514268	0.015 mg/l	1028	001	6/16/2005		
Lead						
		Cont. ID				
EP803772	< 0.001 mg/l	1030	001	3/5/1998		
EP102457	< 0.0011 mg/l	1030	001	1/29/2001		
EP514268	< 0.001 mg/l	1030	001	6/16/2005		

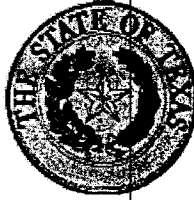


Lab ID	RESULT	Error (±)	Entry Point	Date	Comments	Well
Magnesium		Cont. ID				
EP803750	1 mg/l	1031	001	3/5/1998		
EP102457	< 1 mg/l	1031	001	1/29/2001		
EP514268	< 1 mg/l	1031	001	6/16/2005		
Manganese		Cont. ID	MCL = 0.05	Secondary		
EP803772	0.019 mg/l	1032	001	3/5/1998		
EP102457	0.021 mg/l	1032	001	1/29/2001		
EP514268	0.0231 mg/l	1032	001	6/16/2005		
Mercury		Cont. ID	MCL = 0.002			
EP803772	< 0.0003 mg/l	1035	001	3/5/1998		
EP102457	< 0.0004 mg/l	1035	001	1/29/2001		
EP514268	< 0.0004 mg/l	1035	001	6/16/2005		
Nickel		Cont. ID				
EP803772	< 0.02 mg/l	1036	001	3/5/1998		
EP102457	< 0.02 mg/l	1036	001	1/29/2001		
EP514268	< 0.001 mg/l	1036	001	6/16/2005		
Nitrate		Cont. ID	MCL = 10			
EP803750	0.09 mg/l	1038	001	3/5/1998		
EP102370	0.03 mg/l	1040	001	1/29/2001		RCL1.25
EP306469	0.03 mg/l	1040	001	5/1/2003		RCL1.23F
EP415330	0.01 mg/l	1040	001	7/6/2004	NITRATE	
EP514237	0.04 mg/l	1040	001	6/16/2005	NITRATE	
EP606906	0.04 mg/l	1040	0 001	3/29/2006		
Nitrite		Cont. ID	MCL = 1			
EP803750	< 0.01 mg/l	1041	001	3/5/1998		
Nitrogen, Nitrate (As N)		Cont. ID	MCL = 10			
0702744001	< 0.05 mg/L	1040	001	2/20/2007		
P. Alkalinity as CaCO3		Cont. ID				
EP803750	0 mg/l	1931	001	3/5/1998		
EP102370	0 mg/l	1931	001	1/29/2001		RCL1.25
EP306469	0 mg/l	1931	001	5/1/2003		RCL1.23F
EP606906	0 mg/l	1931	0 001	3/29/2006		
pH		Cont. ID				
EP803750	7.4	1925	001	3/5/1998		
EP102370	7.6	1925	001	1/29/2001		RCL1.25
EP306469	7.5	1925	001	5/1/2003		RCL1.23F
EP606906	8.8	1925	0 001	3/29/2006		
Radium 228		Cont. ID				
EP514279	< 1 pCi/l	4030	001	6/16/2005		
Selenium		Cont. ID	MCL = 0.05			
EP803772	< 0.002 mg/l	1045	001	3/5/1998		
EP102457	< 0.0025 mg/l	1045	001	1/29/2001		
EP514268	< 0.003 mg/l	1045	001	6/16/2005		



Lab ID	RESULT	Cont. ID	Error (±)	Entry Point	MCL	Date	Comments	Well
Silver								
					MCL = 0.1		Secondary	
EP803772	< 0.01 mg/l	1050	001			3/5/1998		
EP102457	< 0.01 mg/l	1050	001			1/29/2001		
EP514268	< 0.01 mg/l	1050	001			6/16/2005		
Sodium								
EP803772	49 mg/l	1052	001			3/5/1998		
EP803750	50 mg/l	1052	001			3/5/1998		
EP102457	45.8 mg/l	1052	001			1/29/2001		
EP514268	48.9 mg/l	1052	001			6/16/2005		
Sulfate								
					MCL = 300		Secondary	
EP803750	20 mg/l	1055	001			3/5/1998		
EP102370	19 mg/l	1055	001			1/29/2001		RCL1.25
EP306469	20 mg/l	1055	001			5/1/2003		RCL1.23F
EP606906	20 mg/l	1055	0 001			3/29/2006		
Thallium								
					MCL = 0.002			
EP803772	< 0.001 mg/l	1085	001			3/5/1998		
EP102457	< 0.001 mg/l	1085	001			1/29/2001		
EP514268	< 0.0004 mg/l	1085	001			6/16/2005		
Tot. Alka. as CaCO3								
EP803750	100 mg/l	1927	001			3/5/1998		
EP102370	109 mg/l	1927	001			1/29/2001		RCL1.25
EP306469	107 mg/l	1927	001			5/1/2003		RCL1.23F
EP606906	107 mg/l	1927	0 001			3/29/2006		
Total Hardness as CaCO3								
EP803750	29 mg/l	1915	001			3/5/1998		
EP102370	28 mg/l	1915	001			1/29/2001		RCL1.25
EP514268	25.2 mg/l	1915	001			6/16/2005		
Tritium								
EP102499	< 500 pCi/l	4102	001			1/29/2001		
Zinc								
					MCL = 5		Secondary	
EP803772	0.03 mg/l	1095	001			3/5/1998		
EP102457	0.25 mg/l	1095	001			1/29/2001		
EP514268	0.0714 mg/l	1095	001			6/16/2005		





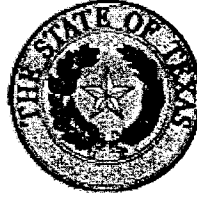
Texas Commission on Environmental Quality
Trihalomethane Report

PWS ID 1070059 LAKE UTILITY CO

Results for Quarter 3 of 2004:

Lab #	TCEQ ID#	Collected	Residual	Location	CHCl3	CHBrCl2	CHBr2Cl	CHBr3	TOTAL
EP415361	0321329	7/6/2004	mg/L	THM/SAMPLE SITE 3	0.00	0.00	0.00	0.00	0.00

Quarterly Average: 0.00
Running Annual Average: 0.00



Texas Commission on Environmental Quality
Haloacetic Acid Report

PWS ID 1070059 LAKE UTILITY CO

Results for Quarter # 3 of 2004:

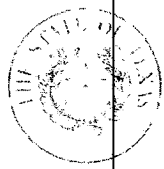
Lab ID #	TCEQ ID#	Collected	Residual	Location	1CIAA	2CIAA	3CIAA	1BrAA	2BrAA	Total
EP415351	0321327	7/6/2004	mg/L	HAA/SAMPLE SITE 3	0	0	0	0	0	0.00

Quarterly Average: 0.00
Running Annual Average: 0.00

1CIAA - Chloroacetic Acid; 2CIAA - DiChloroacetic Acid; 3CIAA - Trichloroacetic Acid
1BrAA - Bromoacetic Acid; 2BrAA - DiBromoacetic Acid

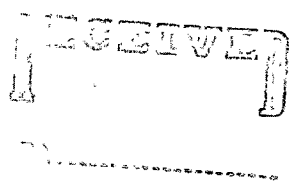
hala

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

September 16, 2008



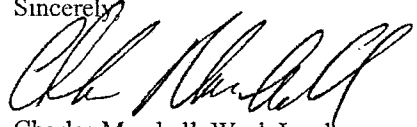
Steve Blackhurst, Regional Environmental Compliance Manager
Aqua Texas, Inc.
1106 Clayton Ln. Ste. 400W
Austin, TX 78723

Re: Comprehensive Compliance Investigation
Lakeside Hills, Mambrino Hwy. and Power Plant Ct., Granbury, Hood County, Texas
PWS ID No: 1110078

Dear Mr. Blackhurst:

The Texas Commission on Environmental Quality (TCEQ), D/FW Region Office, has received the compliance documentation submitted November 5, 2007 for the alleged violation(s) noted during the investigation of the above-referenced facility conducted on July 17, 2007. The compliance documentation contained in your response appears to indicate that corrective action has been taken for all the alleged violations. No further submittal from you 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 regarding these matters, please feel free to contact Mr. Brandon Cooper in the D/FW Region Office at 817-588-5830.

Sincerely,

Charles Marshall, Work Leader
Dallas/Fort Worth Region Office

CM/bc

Enclosed: Summary of Investigation Findings

REPLY TO: REGION 4-DALLAS/FORT WORTH • 2309 GRAVEL DR. • FORT WORTH, TEXAS 76118-6951 • 817-588-5800 • FAX 817-588-5700

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

Summary of Investigation Findings

SUNCHASE MEADOWS

Investigation # 701793

, HOOD COUNTY,

Investigation Date: 09/02/2008

Additional ID(s): 1110087

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

Track No: 283971

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

Alleged Violation:

Investigation: 572587

Comment Date: 08/16/2007

Violation of: §290.45(b)(1)(C)(i)

Failure to provide a minimum well capacity of 0.6 gallons per minute per connection.

According to 30 TAC §290.45(b)(1)(C)(i), for systems with 50 to 250 connections, the system must have a well capacity of 0.6 gpm per connection. Based on the well pumping amount as observed on the day of the investigation, the Sunchase Meadows water system has an inadequate well pumping capacity. The minimum capacity required to provide a minimum 0.6 gpm/connection with 111 connections, is 67 GPM. Based on the well production provided, the system is providing 57 gpm, resulting in a capacity deficiency of 10 gpm.

Investigation: 701793

Comment Date: 09/02/2008

Violation of: §290.45(b)(1)(D)(i)

Failure to provide a minimum well capacity of 0.6 gallons per minute per connection.

Recommended Corrective Action: Submit documentation indicating that the Sunchase Meadows water system has reached a minimum operating well capacity of 0.6 gallons per minute per connection.

Resolution: Documentation received on 11/05/2007 included copies of a letter stating the system is currently running two wells with a total capacity of 112 gpm, with a current system requirement of 58.8 gpm/connection. A TCEQ letter of approval for the use of the new well was also submitted. Based on review of the documentation provided, it appears that the system is currently providing a sufficient production capacity.

Sicker

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 19, 2009

Mr. Steve Blackhurst, P.E., Regional Environmental Compliance Manager
Aqua Texas, Inc.
1106 Clayton Lane, Suite 400W
Austin, TX 76723

RECEIVED
JAN 23 2009

Re: Comprehensive Compliance Investigation at:
Lakewood Ridge Estates Water System, Denton County, Texas
TCEQ ID No.:0610196, RN No. 102675899, Investigation No. 706881

BY:

Dear Mr. Blackhurst:

On November 18, 2008, Mr. Robert E. Ferry of the Texas Commission on Environmental Quality (TCEQ), D/FW Metroplex Region Office conducted an investigation of the above-referenced facility to evaluate compliance with applicable requirements for public water supply systems. During the investigation, some concerns were noted which were alleged noncompliances that have been resolved as an Area of Concern and subsequent corrective action. Based on the information you have provided, the TCEQ has adequate documentation to resolve the alleged violation. Therefore, no further action is required.

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. Ferry in the D/FW Metroplex Region Office at (817) 588-5814.

Sincerely,

Charles Marshall
Work Leader, Public Water Supply Section
D/FW Regional Office

CM/ref

Summary of Investigation Findings

LAKWOOD RIDGE ADDITION
4427A SODA RIDGE RD
SOUTHLAKE, DENTON COUNTY, TX 76092

Investigation # 706881

Investigation Date: 11/15/2008

Additional ID(s): 0610196

AREA OF CONCERN

Track No: 353327
30 TAC Chapter 290.46(m)

Alleged Violation:

Investigation: 706881

Comment Date: 01/05/2009

Failure to properly maintain the fence. Excessive growth was noted along the fence along with some missing strands of barbed wire.

Recommended Corrective Action: Make all needed repairs.

Resolution: Photographs were submitted by Mr. Smethers on December 3, 2008, showing that the excessive vegetation had been removed and that the fence had been repaired.

ADDITIONAL ISSUES

Description

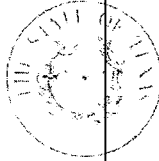
Other violations noted during the investigation? (If non-compliant then describe violation in the comment section.)

Additional Comments

The amount of chlorine used shall be recorded as per 290.46(f)(3)(A)(i). The weekly measurements listed on the monthly report only record the inches of liquid chlorine. This information can be used to calculate the volume used. However, a direct measurement of volume is what is intended by the rule. Please begin calculating and recording the amount of chlorine being used.

This additional issue was noted in the NOV letters sent to Aqua Texas for Investigation # 706877 (Dove Hollow) and Investigation # 706889 (Trail Creek) dated 01/12/2009. This issue relates to all of the Aqua Texas systems in this region.

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



Black

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 25, 2010

Mr. Steve Blackhurst, P.E., Environmental Compliance Manager
Aqua Texas, Inc.
1106 Clayton Lane, Ste. 400 W
Austin, TX 78723

RECEIVED

Re: Comprehensive Compliance Investigation at:
Lame Duck Water System, Bosque County, Texas
TCEQ ID No.: PWS ID No.: 0180072, RN102671567

BY:

Dear Mr. Blackhurst:

On September 10, 2010, Mr. John Egbuluese and Mr. Richard Monreal, R.S., of the Texas Commission on Environmental Quality (TCEQ) Waco Regional Office conducted an investigation of the above-referenced facility to evaluate compliance with applicable requirements for a public water supply. No violations are being alleged as a result of 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. Richard Monreal in the Waco Regional Office at (254) 751-0335.

Sincerely,

Frank Burleson
Water and Waste Section Manager
Waco Regional Office

FB/RM/gb

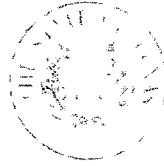
REPLY TO: REGION 9 • 6801 SANGER AVE., STE. 2500 • WACO, TEXAS 76710-7826 • 254-751-0335 • FAX 254-772-9241

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

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Handwritten mark: *held*

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

June 23, 2011

Mr. Steve Blackhurst, Regional Environmental Compliance Manager
Aqua Texas, Inc.
1106 Clayton Lane Ste 400 W
Austin, Texas 78723

RECEIVED
JUN 25 2011

BY:

Re: Public Water Supply Comprehensive Compliance Investigation at:
Lazy Bend Estates, Lazy Bend Estates Drive, Parker County, Texas
RN102684099, PWS ID No.: 1840018, Investigation No.: 915072

Dear Mr. Blackhurst:

On April 28, 2011, Ms. Merissa Ludwig of the Texas Commission on Environmental Quality (TCEQ), Dallas / Fort Worth (D/FW) Region Office, conducted an investigation of the above-referenced facility to evaluate compliance with applicable requirements for public water supply systems. No violations are being alleged as a result of 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 Ms. Ludwig in the D/FW Region Office at (817) 588-5846.

Sincerely,

Charles Marshall
Team Leader, Public Water Supply Section
TCEQ D/FW Region Office

CLM/ml

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



Deakie

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 31, 2011

RECEIVED

SEP 02 2011

AQUA TEXAS

Mr. Larry Mitchell, Environmental Compliance Coordinator
Aqua Utilities, Inc
1106 Clayton Lane
Austin, TX 778723

Re: Focused Investigation at Linkwood Estates Sub., Tarrant County, Texas
ID# 2200061 Investigation # 944542 RN102679321

Dear Mr. Mitchell:

On August 4, 2011, Dan Long of the Texas Commission on Environmental Quality (TCEQ) Dallas/Fort Worth Region Office conducted a focused investigation of the above-referenced facility to evaluate compliance with microbiological requirements for public water supply. No violations are being alleged as a result of 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. Dan Long in the Dallas/Fort Worth Region Office at (817) 588-5859.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles Marshall".

Charles Marshall, PWS Team Leader
Dallas/Fort Worth Region Office

CM/dml

Enclosure, Investigation Report #944542

Texas Commission on Environmental Quality Investigation Report

Aqua Utilities, Inc.
CN602787509

LINKWOOD ESTATES SUBDIVISION

RN102679321

Investigation # 944542

Incident # 158249

Investigator: DANIEL LONG

Site Classification

GW 51-250 CONNECTION

Conducted: 08/04/2011 -- 08/04/2011

SIC Code: 4941

Program(s): PUBLIC WATER
SYSTEM/SUPPLY

Investigation Type : Compliance Investigation

Location : Lat/Long: Wells 1 & 3 -
324312 & 973152; Well 2 - 324245 &
973152, Ft. Worth

Additional ID(s) : 2200061

Address: ; ,

Activity Type : REGION 04 - DFW METROPLEX
PWSCMPL - PWS Complaint
PWSDISGWFC - Distribution System/Groundwater
Focused

Principal(s) :

Role	Name
RESPONDENT	AQUA UTILITIES INC

COPY

Contact(s) :

Role	Title	Name	Phone
Participated in Investigation	FACILITY OPERATOR	MR DICKIE SMETHERS	Work (817) 367-3627 x. 57109
Regulated Entity Contact	FACILITY OPERATOR	MR DICKIE SMETHERS	
Regulated Entity Mail Contact	ENVIRONMENTAL COMPLIANCE COORDINATOR	MR LARRY MITCHELL	Work (512) 990-4400

Other Staff Member(s) :

Role	Name
QA Reviewer	CHARLES MARSHALL
Supervisor	CHARLES MARSHALL

Associated Check List

<u>Checklist Name</u>	<u>Unit Name</u>
PWS FOCUSED INVESTIGATION - DISTRIBUTION RECORDS AND EVALUATION	Linkwood Estates Sud
PWS INVESTIGATION - EQUIPMENT MONITORING AND SAMPLING	Linkwood Estates Sud

Investigation Comments :

LINKWOOD ESTATES SUBDIVISION -

8/4/2011 Inv. # - 944542

Page 2 of 4

Purpose:

The purpose of this investigation is to investigate a complaint, which alleged rusty water provided by the Linkwood Estates Subdivision water system.

Description:

On 8/2/2011, per telephone conversation, the complainant alleged that the drinking water was rusty in color and that there were flakes of rust colored particles in the water. Filters on his secondary treatment unit had to be backwashed or replaced about every two weeks and far more frequently than should be expected.

Comments:

The complainant stated that he had a secondary treatment system, which treated all water into the residence, including outside hydrants, with the exception of one hydrant located adjacent to the treatment unit. This tap was a pretreatment testing tap for the secondary treatment unit. The treatment unit was located near the south gate into the backyard. The complainant stated that, Aqua Texas had taken samples from the residence in the past, while responding to previous complaints. It was believed that the samples had been taken from the outside hydrant, which had received secondary treatment, and would be expected to be clear, therefore the complainant's concern was not substantiated by previous Aqua Texas investigations.

Action Taken:

I reviewed historical chemical analysis of the Linkwood Estates Subdivision (2200061) and determined that the last metals sample was collected 9/17/2009. While each well has its own point of entry into the system, both wells are Paluxy wells, and each are about 300 feet in depth. The wells are about 230 feet apart. Well #1 (POE 001) supplies water at a rate of about 84 gpm, with an iron concentration of about 0.075 mg/l. Well #2 (POE 002) supplies water at a rate of about 27 gpm, with an iron concentration of about 0.193 mg/l. Based on the location of the complainant's residence and the point of entry of these wells into the distribution, it would be reasonable to estimate the blended water to this customer to have an iron concentration of about 0.105 mg/l, which is less than the maximum contaminant level (MCL) of 0.30 mg/l. Even the well having the higher levels of iron is well below the MCL for iron.

Even at low concentrations of iron, the iron can be oxidized by oxygen and chlorine, and could accumulate in the bottom of storage tanks and the joints of pipes. When storage tanks are nearly depleted or should abnormal flow rate occur or a change in normal direction of flow occur in the distribution, the settled iron can be agitated and flushed into the flow of water. Flushing of storage tanks and distribution mains should significantly remove settled particles from the main.

Other possible sources of iron could include any steel distribution piping, and fittings. The Langleier Index (LI), an indicator of water stability, is determined to be 0.367, based on TDS 330 mg/l, calcium 65 mg/l, alkalinity 240 mg/l and pH 7.9, determined at the time of the 9/17/2009 chemical analysis. The Langleier Index of 0.367 does indicate water which is slightly depositing, and should allow a coating of calcium carbonate to form on metal surfaces of pipes and fittings, which will protect the metal surfaces from deterioration or corrosion. The Langleier Index indicates that the water should not be corrosive, and therefore should not be a source for oxidized iron (rust) in the water.

I contacted Aqua Texas on 08/03/2003 to discuss the complaint. The water system stated that most of the distribution piping was PVC, and that the water had some iron pipe, but rusty water had not been known to be excessive. Aqua Texas had no explanation as to the cause of the alleged reddish rusty flakes in the water or brownish tint to the water. It was stated that the water system had not received any similar complaints from other customers.

Aqua Texas would take a sample of the water at the residence of the complainant to observe the clarity. The sample would be taken at about 10:00 AM, on 8/4/2011. The sample would be taken at the service tap, by removing the service meter, which would assure the water was representative of the distribution.

I was unable to meet Aqua Texas at 10:00 AM, but made a visit to the site at about noon the same day. At a location across the street from the complainant's residence, chlorine residual was observed to be greater than 2.2 mg/l (F), and met the minimum required residual of 0.20 mg/l (F). A quart jar of water appeared clear, and there were no rusty flakes observed in the water. The resident at the sample location was interviewed. This customer was unaware of discolored water being a problem in the past.

Upon returning to the office I contacted Dickie Smethers, with Aqua Texas for information which he had obtained at the time of his 10:00 AM site visit. Mr. Smethers stated, Gary (an Aqua Texas operator) met with the complainant (customer), who had called several times in the past. Rather than remove the customer's meter, the sample had been collected from the tap near the treatment unit in the presence of the complainant. The sample was observed to be clear.

Aqua Texas was asked and agreed to flush lines within the distribution.


I then contacted the complainant to inform him as to my findings at the time of my visit, and to confirm the results stated, by Aqua Texas at the time of the complainant's meeting with Aqua Texas earlier that morning. There were no significant discrepancies in the account of the meeting given by Aqua Texas verses that of the complainant. The complainant noted that he was considering drilling his own private well. I informed the complainant that both wells supplying the Linkwood system were Paluxy wells. Any Paluxy well drilled by the complainant should be expected to have similar chemical characteristics, in that the wells were less than 1/4 of a mile from the residence. To drill to the Trinity aquifer would require a considerably deeper well and more expensive. There is no chemical information available for public supply wells drilled into the Trinity in the vicinity.

In summary, the most current chemical analysis do not indicate source water to have excessive iron, the Langleier Index indicates that the water should not be corrosive, and visual observations at the time of the investigation could not substantiated tinted water or reddish flakes in the water. The water system is required to flush dead-end mains monthly or more often if necessary. While the main serving the complainant is not a dead-end line, a flushing program should include flushing the main along Linkcrest Drive.

No Violations Associated to this Investigation

Signed 
Environmental Investigator

Date 8/23/11

Signed 
Supervisor

Date 8/26/11

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) :

Texas Commission on Environmental Quality

PWS INVESTIGATION - EQUIPMENT MONITORING AND SAMPLING Checklist

Unit Name : Linkwood Estates Sud
 Investigation # :944542
 Facility Name : LINKWOOD ESTATES SUBDIVISION

County : TARRANT
 TCEQ Investigator : DANIEL LONG

Item No.	Description	Answer	Comments	Due Date
	EQUIPMENT MONITORING SECTION			
1	Was an Anemometer used during this investigation?	NO		
2	Was the Area RAE Multi-Gas Monitor used during this investigation?	NO		
3	Was the Civil Defense V-700 Radiation Survey Instrument used during this investigation?	NO		
4	Was the DataRAM(TM) Real-Time Aerosol Monitor used during this investigation?	NO		
5	Was the Dissolved Oxygen Meter used during this investigation?	NO		
6	Was the Drager Gas Detector Pump/Tube System used during this investigation?	NO		
7	Was the El Paso Method for Measurement of Air-Strippable VOCs in Water used during this investigation?	NO		
8	Was the Garmin GPSMap 60CS GPS Receiver used during this investigation?	NO		
9	Was the Garmin RINO 130 GPS Receiver used during this investigation?	NO		
10	Was the GAS FindIR used during this investigation?	NO		
11	Was the Hach Model 2100P Portable Turbidimeter used during this investigation?	NO		
12	Was the Hach Pocket Colorimeter used during this investigation?	YES		
13	Was the Hach Pocket Turbidimeter used during this investigation?	NO		
14	Was the Haz-Dust 5000 Environmental Particulate Air Monitor (EPAM) used during this investigation?	NO		
15	Was the Hydrolab DataSonde® 4 and Hydrolab MiniSonde® Water Quality Multiprobes used during this investigation?	NO		
16	Was the IDEXX Collert® and IDEXX Enterolert® Methods used during this investigation?	NO		
17	Was the Jerome 631-X Hydrogen Sulfide (H2S) Analyzer used during this investigation?	NO		
18	Was the LANDTEC GEM 2000(TM) Landfill Gas Analyzer used during this investigation?	NO		
19	Was the Ludlum Model 14C Geiger Mueller (GM) counter used during this investigation?	NO		
20	Was the Ludlum Model 19 Micro R Meter used during this investigation?	NO		
21	Was the Marsh-McBirney Flo-Mate 2000 Electromagnetic Flow Meter used during this investigation?	NO		
22	Was the MiniRAE 2000 Photoionization Detector used during this investigation?	NO		
23	Was the MIRAN 205B SaphiRe Portable Infrared Ambient Analyzer used during this investigation?	NO		
24	Was the MSA Passport® PID II Organic Vapor Monitor used during this investigation?	NO		
25	Was the Multi-parameter Water Quality Monitoring Sonde and Display used during this investigation?	NO		
26	Was the MultiRAE Plus Multi-Gas Monitor used during the investigation?	NO		

27	Was the Niton® XLT 700 Series X-Ray Fluorescence (XRF) Environmental Analyzer used during this investigation?	NO		
28	Was the ORS Interface Probe(TM) used during this investigation?	NO		
29	Was the pH Meter used during this investigation?	NO		
30	Was the Portable Organic Vapor Monitor (OVM) Photoionization Detector used during this investigation?	NO		
31	Was the Pressure Gauge used during this investigation?	YES		
32	Was the Pressure Recorder used during this investigation?	NO		
33	Was the QRAE Multi-gas Monitor used during this investigation?	NO		
34	Was the Sample Collection of VOCs in Ambient Air Using Passivated, Stainless Steel Canisters used during this investigation?	NO		
35	Was the Sampling of Microscopic Characterization used during this investigation?	NO		
36	Was the Self Contained Breathing Apparatus (SCBA) used during this investigation?	NO		
37	Was the Smith-Root Boat Mounted and Backpack Electrofishers used during this investigation?	NO		
38	Was the TESTO 350 Portable Flue Gas Analyzer used during this investigation?	NO		
39	Was the Toxic Vapor Analyzer (TVA) 1000B Flame Ionization Detector (FID) used during this investigation?	NO		
40	Was the TravellR Portable FT-IR Infrared Analysis System used during this investigation?	NO		
41	Was the VRAE Multi Gas Monitor used during this investigation?	NO		
42	Was the Water Level Indicator used during this investigation?	NO		
43	Was the Weatherpak 2000 used during this investigation?	NO		
44	Was any other equipment used during this investigation that is not listed above? If YES, list the equipment in the Comment section	NO		
	SAMPLING SECTION			
1	Was there sampling conducted for Effluent?	NO		
2	Was there sampling conducted for Groundwater?	NO		
3	Was there sampling conducted for Leachate/Contaminated Water?	NO		
4	Was there sampling conducted for PWS Chemical?	NO		
5	Was there sampling conducted for Sediment/Soil?	NO		
6	Was there sampling conducted for Spills/Unauthorized Discharge?	NO		
7	Was there sampling conducted for Surface Water?	NO		
8	Was there any other type of sampling conducted during this investigation? If YES, include it in the Comment section.	YES		Visual inspection for discoloration and rusty colored flakes.

Texas Commission on Environmental Quality

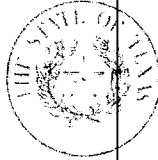
PWS FOCUSED INVESTIGATION - DISTRIBUTION RECORDS AND EVALUATION Checklist

Unit Name : Linkwood Estates Sud
 Investigation # :944542
 Facility Name : LINKWOOD ESTATES SUBDIVISION

County : TARRANT
 TCEQ Investigator : DANIEL LONG

Item No.	Description	Answer	Comments	Due Date
1	Is the system completing/maintaining Monthly Operating Reports?	COMPLIANT		
2	Is the system flushing dead end mains a minimum of once per month?	COMPLIANT		
3	Is the up to date map of the distribution system being maintained?	COMPLIANT		
4	Are the results of the Monthly Bacteriological Analysis kept on file?	COMPLIANT		
5	Are records of complaints being maintained?	COMPLIANT		
6	Is a minimum pressure of 35 psi being maintained throughout the distribution system?	COMPLIANT		
7	Is a minimum chlorine residual of at least 0.2 mg/L (Free) or 0.5 mg/L (Total) maintained throughout the distribution system?	COMPLIANT		
8	Are records of distribution Chlorine Residual readings kept on file?	COMPLIANT		
9	Is a more in depth investigation warranted? If YES, enter one of the following into the Comment area: a. [Applicable Type code] conducted during this investigation or b. In depth investigation will be scheduled at a later date.	NO		
10	Item 1	NOT APPLICABLE		
11	Item 2	NOT APPLICABLE		
12	Item 3	NOT APPLICABLE		
13	Item 4	NOT APPLICABLE		
14	Item 5	NOT APPLICABLE		

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 21, 2008

RECEIVED
OCT 24 2008

BY:

Mr. Steve Blackhurst, P.E., Regional Environmental Compliance Manager
Aqua Texas, Inc.
1106 Clayton Lane, Suite 400W
Austin, TX 76723

Re: Notice of Compliance with Area of Concern noted September 17, 2008
Live Oak Hills WSC, Parker County, Texas
TCEQ ID No.:1840012, RN No. 102672672, Investigation No. 700727

Dear Mr. Blackhurst:

This letter is to inform you that Texas Commission on Environmental Quality (TCEQ) TCEQ D/FW Region Office has received adequate compliance documentation on September 26, 2008 to resolve the alleged violations documented during the investigation of the above-referenced regulated entity conducted on September 17, 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. Robert E. Ferry in the D/FW Region Office at (817)588-5814.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles Marshall".

Charles Marshall
PWS Work Leader
D/FW Region Office

CLM/ref

REPLY TO: REGION 4-DALLAS/FORT WORTH • 2309 GRAVEL DR. • FORT WORTH, TEXAS 76118-6951 • 817-588-5800 • FAX 817-588-5700

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

Summary of Investigation Findings

LIVE OAK HILLS ADDITION
1107 E SANDSTONE ST
LLANO, PARKER COUNTY, TX 78643

Investigation # 700727
Investigation Date: 09/16/2008

Additional ID(s): 1840012

AREA OF CONCERN

Track No: 347333
30 TAC Chapter 290.41(c)(3)(K)

Alleged Violation:

Investigation: 700727

Comment Date: 10/13/2008

Failure to install the casing vent properly. The casing vent did not have the # 16 mesh attached to it.

Recommended Corrective Action: Install the proper sized mesh screening to the vent.

Resolution: An e-mail response was received on 09/26/2008 that addressed the issue. A photograph of the vent with the mesh was included and attached to this report.

Track No: 347334
30 TAC Chapter 290.46(m)

Alleged Violation:

Investigation: 700727

Comment Date: 10/13/2008

Failure to properly maintain the system. The grounds and facilities shall be maintained in such a way as to prevent conditions that might cause the contamination of the groundwater. Erosion had washed out the ground under one of the concrete sealing blocks potentially allowing contaminants to enter the well.

Recommended Corrective Action: Repair the sealing block and submit evidence of the repair by 10/01/2008.

Resolution: An e-mail response was received on 09/26/2008 that addressed the issue. A photograph of the repaired block was included and attached to this report.

Sicker

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

May 6, 2010

ESIGNATURE CONFIRMATION: 91 3408 2133 3931 2927 4028
RETURN RECEIPT REQUESTED

RECEIVED
MAY 13 2010

BY:.....

Steve Blackhurst, Environmental Compliance Manager
Aqua Texas, Inc.
1106 Clayton Lane, Suite 400 W
Austin, Texas 78723

Re: Notice of Violation for the Compliance Evaluation Investigation at:
Lunar Lane Water System, Tarrant County, Texas
RN102678612, TCEQ Additional ID 2200208, Investigation No. 798526

Dear Mr. Blackhurst:

On April 13, 2010, Dan Long of the Texas Commission on Environmental Quality (TCEQ) Dallas/Fort Worth (D/FW) Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for public water supply. Enclosed is a summary which lists the investigation findings. Certain outstanding alleged violations were identified for which compliance documentation is required. Please submit to this office by August 6, 2010 a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for each of the outstanding alleged violations

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." Copies of applicable federal regulations may be obtained by calling Environmental Protection Agency's Publications at (800) 490-9198.

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 violation(s) documented in this notice. Should you choose to do so, you must notify D/FW Region Office within 10 days from the date of this letter. At that time, Mr. Sid Slocum, Water Section Manager, will schedule a violation review meeting to be conducted *within 21 days from the date of this letter.*

REPLY TO: REGION 4-DALLAS/FORT WORTH • 2309 GRAVEL DR. • FORT WORTH, TEXAS 76118-6951 • 817-588-5800 • FAX 817-588-5700

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

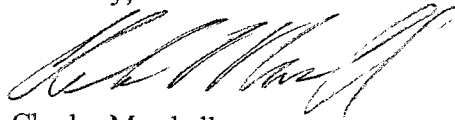
Printed on recycled paper

Steve Blackhurst, Environmental Compliance Manager
May 6, 2010
Page 2

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 regarding these matters, please feel free to contact Mr. Daniel Long in our D/FW Region Office at 817/588-5859.

Sincerely,



Charles Marshall
Team Leader, Public Water Supply Section
D/FW Regional Office

CM/DML

Enclosures: Investigation summary No. 798526
Obtaining TCEQ Rules

Summary of Investigation Findings

LUNAR LANE WATER SYSTEM 13201 OAK GROVE RD S BURLESON, TARRANT COUNTY, TX 76028 Additional ID(s): 2200208	Investigation # 798526 Investigation Date: 04/13/2010
--	--

OUTSTANDING ALLEGED VIOLATION(S)

Track No: 115667 Compliance Due Date: To Be Determined
30 TAC Chapter 290.41(c)(1)(F)

Alleged Violation:

Investigation: 150893

Comment Date: 8/19/2003

Failed to secure easements covering all property within 150 feet of each well location from adjacent landowners and record all deeds at the county courthouse.

Investigation: 798526

Comment Date: 4/14/2010

Failed to secure easements covering all property within 150 feet of each well location from adjacent landowners and record all deeds at the county courthouse.

A sanitary control easement or sanitary control easements covering land within 150 feet of the well, or executive director approval for a substitute authorized by this subsection, shall be obtained. §290.41(c)(1)(F)

Specifically, the well at the end of Whispering Oak must have a fully executed sanitary control easement filed at the Tarrant County courthouse, or obtain an exception.

Track No: 290498 Compliance Due Date: 08/06/2010
30 TAC Chapter 290.46(n)(3)

Alleged Violation:

Investigation: 596552

Comment Date: 10/11/2007

Failure to keep, on file, for as long as the well remains in service, well completion data to include sanitary control easement and drilling log.

§290.46(n)(3) Copies of well completion data such as well material setting data, geological log, sealing information (pressure cementing and surface protection), disinfection information, microbiological sample results, and a chemical analysis report of a representative sample of water from the well shall be kept on file for as long as the well remains in service. (Also refer to §290.41(c)(3)(A) for list of well completion data, to include sanitary control easement)

A letter from Red Weddell, in Public Drinking water Section, dated May 28, 2003, essentially states that wells #1 (2200208D) and well #4 (2200208C) have been granted an exception to the requirement for a sanitary control easement contingent on the monthly collection of raw water samples.

It is further stated, in the May 28, 2003 letter, that well # 5 (2200208E) is no longer in violation of not having an easement because rule change pending at the time of the letter absolved this well of having an easement, based on the water system's ownership of all property within 150 feet of the well.

The May 28, 2003 letter also refers to the water system's statement that well #2 (2200208B) and well #3 (2200208A) have completed easements.

A letter dated 12/18/2002 (Log No. 211-069), from Plan Review, addressed to Hearn Engineering, approves well #2 (2200208B) for use. This letter acknowledges receipt and review of well completion data, to include the sanitary control easement and the drilling log. Aqua Texas should have a copy of this letter as it was included with compliance documentation that Aqua Source submitted January 16, 2003, on Aqua Source letterhead to the agency.

Well #3 (2200208A) is believed to be the original well serving the Lunar Lane Addition, and existed prior to Aqua Texas being the water system owner. While inspecting the site of Well #3, located at the end of Whispering Oaks, a homeowner near the pump station site expressed a grievance for trees cut down, adjacent, and outside of the intruder resistant fence surrounding the pump station. The homeowner stated that she had given a sanitary control easement, as well as, an access easement for the site to the water system. Based on the alleged Grantor's statement, it is very likely that easement documentation also exist for this well site as well.

To summarize, there is reason to believe that all easements or approved alternate documentation for the five Lunar Lane wells do exist, however at the time of the investigation, all documentation could not be made available. Well completion documentation to include easement and drilling logs must be maintained by the water system and made available for review, upon request.

Investigation: 798526

Comment Date: 4/14/2010

Failure to keep, on file, for as long as the well remains in service, well completion data to include sanitary control easement and drilling logs. Specifically, the well at the end of Whispering Oak must have a fully executed sanitary control easement filed at the Tarrant County courthouse, or obtain an exception.

§290.46(n)(3) Copies of well completion data such as well material setting data, geological log, sealing information (pressure cementing and surface protection), disinfection information, microbiological sample results, and a chemical analysis report of a representative sample of water from the well shall be kept on file for as long as the well remains in service. (Also refer to §290.41(c)(3)(A) for list of well completion data, to include sanitary control easement)

Recommended Corrective Action: Documentation dated February 18, 2008 (received February 28, 2008), provided documentation of drilling logs for each well, and easement documentation was provided for Wells G2200208B, G2200208C and G2200208E. Easement documentation for G2200208A and G2200208D were stated to be uncertain. At the time of the 2010 Comprehensive Compliance Investigation, documentation was presented, which demonstrated the system's ownership of all property within 150 feet of well G2200208D. On April 13, 2010, it was stated that preparation and negotiation for an easement for well G2200208A were ongoing, but had not been fully executed.

Submit fully executed easement documentation for well G2200208A or obtain an easement exception.

Withdrawal Comments:

A letter from Red Weddell, in Public Drinking water Section, dated May 28, 2003, essentially states that wells #1 (2200208D) and well #4 (2200208C) have been granted an exception to the requirement for a sanitary control easement contingent on the monthly collection of raw water samples. The May 28, 2003 letter should serve as alternate easement documentation for wells #1 (2200208D) and well #4 (2200208C). This letter should be obtained and maintained by the water system.

It is further stated, in the May 28, 2003 letter, that well # 5 (2200208E) is no longer in violation of not having an easement because rule change pending at the time of the letter absolved this well of having to have an easement, based on the water system's ownership of all property within 150 feet of the well. The aforementioned May 28, 2003 letter along with a recorded deed of property ownership should serve as alternate easement documentation for well # 5 (2200208E). This letter should be obtained and maintained by the water system.

The May 28, 2003 letter also refers to the water system's statement that well #2 (2200208B) and well #3 (2200208A) have completed easements.

A letter dated 12/18/2002 (Log No. 211-069), from Plan Review, addressed to Hearn Engineering, approves well #2 (2200208B) for use. This letter acknowledges receipt and review of well completion data, to include the sanitary control easement and the drilling log. Aqua Texas should have a copy of this letter as it was included with compliance documentation that Aqua Source submitted January 16, 2003, on Aqua Source letterhead to the agency. A copy of the recorded well #2 (2200208B) easement should be obtained and maintained by the water system.

Well #3 (2200208A) is believed to be the original well serving the Lunar Lane Addition, and existed prior to Aqua Texas being the water system owner. While inspecting the site of Well #3, located at the end of Whispering Oaks, a homeowner near the pump station site expressed a grievance for trees cut down, adjacent, and outside of the intruder resistant fence surrounding the pump station. The homeowner stated that she had given a sanitary control easement, as well as, an access easement for the site, but stated nowhere in the easement did it say that Aqua Texas had the right to cut trees on her private property. Based on the alleged Grantor's statement, it is very likely that easement documentation also exist for this well site as well. A copy of the recorded well #3 (2200208B) easement should be obtained and maintained by the water system.

To summarize, there is reason to believe that all easements or approved alternate documentation for the five Lunar Lane wells do exist, however at the time of the investigation, all documentation could not be made available. Well completion documentation to include easement and drilling logs must be maintained by the water system and made available for review, upon request.

ADDITIONAL ISSUES

Description

Is the ground water facility compliant with 290.45(b)(1)(D)(v)?

Additional Comments

§290.45(b)(1)(D)(v) emergency power for systems which serve more than 250 connections and do not meet the elevated storage requirement. Sufficient emergency power must be provided to deliver a minimum of 0.35 gpm per connection to the distribution system in the event of the loss of normal power supply.

The system has recently reached 250 active connections, but has not exceeded 250 active connections. Emergency power will be provided by portable generators.

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



phalo

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 1, 2010

Steve Blackhurst, Regional Environmental Compliance Manager
Aqua Texas, Inc.
1106 Clayton Lane Suite 400 W
Austin, TX 78723

RECEIVED
JUL 02 2010

BY:

Re: Compliance Evaluation Investigation at:
Mallard Pointe Subdivision, 2201 Hideaway Bay, Granbury, Hood County, Texas
RN102687241; TCEQ ID No.1110112; Investigation No.827081

Dear Mr. Blackhurst,

On May 5, 2010, Ryan Albert of the Texas Commission on Environmental Quality (TCEQ) D/FW Region Office conducted an investigation of the above-referenced facility to evaluate compliance with applicable requirements for public water systems. No violations are being alleged as a result of the investigation; however, please see the attached **Additional Issue**.

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. Ryan Albert in the D/FW Region Office at Phone #(817)588-5819.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles Marshall".

Charles Marshall
Team Leader, Public Water Supply Section
D/FW Regional Office

CM/ra

Enclosure: Summary of Investigation Findings

(Rev 6/15/05)

REPLY TO: REGION 4-DALLAS/FORT WORTH • 2309 GRAVEL DR. • FORT WORTH, TEXAS 76118-6951 • 817-588-5800 • FAX 817-588-5700

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

printed on recycled paper using soy based ink

Summary of Investigation Findings

MALLARD POINTE SUBDIVISION
2701 HIDEAWAY BAY CT
GRANBURY, HOOD COUNTY, TX 76049

Investigation # 827081

Investigation Date: 05/05/2010

Additional ID(s): 1110112

No Violations Associated to this Investigation

ADDITIONAL ISSUES

Description

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

Additional Comments

Mallard Pointe Subdivision has reached 99% of its maximum production capacity based on the number of connections on the day of the investigation.

A retail public utility 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., must 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 report is not required if the source of supply available to the utility service provider is reduced to below the 85% level due to a court or agency conservation order unless that order is expected to extend for more than 18 months from that date it is entered in which case a report shall be required.

Compliance Documentation: Submit a compliance plan within 90 days.

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



Dicker

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

November 20, 2009

Mr. Steve Blackhurst, Environmental Compliance Manager
Aqua Texas, Inc.
1106 Clayton Lane, Suite 400W
Austin, Texas 78723

RECEIVED
NOV 25 2009

BY:

Re: Compliance Evaluation Investigation at:
Mesa Ridge Subdivision, 757 Mesa Ridge Drive, Decatur, Wise County, Texas
TCEQ ID No. 2490047

Dear Mr. Blackhurst:

On October 15, 2009, Imran Khawaja of the Texas Commission on Environmental Quality (TCEQ) Dallas/Fort Worth Region Office conducted an investigation of the above-referenced facility to evaluate compliance with applicable requirements for public water supply. No violations are being alleged as a result of 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. Imran Khawaja in the Dallas/Fort Worth Region Office at (817) 588-5806.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles Marshall".

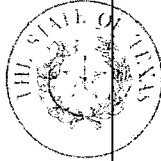
Charles Marshall, Work Leader
Dallas/Fort Worth Region Office

CM/ik

REPLY TO: REGION 4-DALLAS/FORT WORTH • 2309 GRAVEL DR. • FORT WORTH, TEXAS 76118-6951 • 817-588-5800 • FAX 817-588-5700

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

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



Dany

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 14, 2010

Steve Blackhurst, Environmental Compliance Manager
Aqua Texas, Inc.
1106 Clayton Lane, Suite 400 W
Austin, Texas 78723

RECEIVED
JUL 14 2010

BY:

Re: Focused Investigation at: MGM Estates water system, Hunt County, Texas
TCEQ ID No.: 1160087, Investigation No. 827709, RN102673464

Dear Mr. Blackhurst:

On July 7, 2010, Mr. Dan Long of the Texas Commission on Environmental Quality (TCEQ) Dallas/Fort Worth (D/FW) Region Office conducted a field visit of the above-referenced facility to evaluate the status of the referenced public water system. This investigation found that this water system has merged with the Countrywood Estates water system. All facilities have been taken out of service. MGM Estates customers are now served by Countrywood Estates. Since the information obtained appears to adequately address the stipulations associated with the inactivation in this agency's records of a public water system, the MGM Estates water system is officially inactivated as of the date of this letter. There are no alleged violations associated with this investigation, however please refer to the attached Summary of Investigation Findings.

Please remember that the TCEQ's rules define a "Public Water System" as one that supplies drinking water to at least 15 service connections or serves at least 25 individuals at least 60 days out of the year. If at any time in the future the customer base served by this water system increases such that it meets this definition, you or, upon your relinquishing control of this water system, the individual having responsibility for this water system at that time must notify this agency within 30 days of this system's change in status.

REPLY TO: REGION 4-DALLAS/FORT WORTH • 2309 GRAVEL DR. • FORT WORTH, TEXAS 76118-6951 • 817-588-5800 • FAX 817-588-5700

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

Printed on recycled paper with soy-based ink.

Steve Blackhurst, Environmental Compliance Manager
Aqua Texas, Inc.
July 7, 2010

Page 2

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 regarding these matters, please feel free to contact Mr. Dan Long in the D/FW Region Office at (817)588-5859.

Sincerely,



Charles Marshall
Team Leader, Public Water Supply Section
D/FW Regional Office

CM/dml

cc: Alicia Diehl, Water Supply Division, TCEQ, Austin, MC-155
Mike Lannen, Water Supply Division, TCEQ, Austin, MC-155
John Schildwachter, Water Supply Division, TCEQ, Austin, MC-155

Summary of Investigation Findings

<p>M G M ESTATES , HUNT COUNTY, Additional ID(s): 1160087</p>	<p>Investigation # 827709 Investigation Date: 06/22/2010</p>
---	--

ALLEGED VIOLATION(S) NOTED AND RESOLVED

<p>Track No: 115704 30 TAC Chapter 290.45(f)(5)</p> <p>Alleged Violation: Investigation: 150907</p>	<p style="text-align: right;">Comment Date: 8/19/2003</p>
<p>Failure to provide a copy of the amendment to the purchased water contract which specifies the maximum hourly purchase rate. Investigation: 827709</p>	<p style="text-align: right;">Comment Date: 6/18/2010</p>
<p>Failure to provide a copy of the amendment to the purchased water contract which specifies the maximum hourly purchase rate. Resolution: This violation will be resolved, as MGM Estates has been inactivated as a public water system. The system's former customers are now served by the Countrywood Estates water system.</p>	
<p>Track No: 115705 30 TAC Chapter 290.41(c)(1)(F)</p> <p>Alleged Violation: Investigation: 150907</p>	<p style="text-align: right;">Comment Date: 8/19/2003</p>
<p>Failed to secure easements covering all property within 150 feet of each well location from adjacent landowners and record all deeds at the county courthouse. Investigation: 827709</p>	<p style="text-align: right;">Comment Date: 6/18/2010</p>
<p>Failed to secure easements covering all property within 150 feet of each well location from adjacent landowners and record all deeds at the county courthouse. Resolution: This violation will be resolved, as MGM Estates has been inactivated as a public water system. The system's customers are now served by the Countrywood Estates water system. Additionally the system has not had operational wells since 2000, and has therefore been a purchase system since 2000.</p>	
<p>Wells associated with this water system were abandoned and given status of a "Former PWS Source" (F) prior to the sale of the water system to Aqua Texas, Inc., in March of 2000. It would have been appropriate to have withdrawn or resolved this alleged violation at the time of the 2006 or 2008 investigations, as it was "Under Resolution Schedule".</p>	
<p>Track No: 229814 30 TAC Chapter 290.45(f)(5)</p> <p>Alleged Violation:</p>	

Investigation: 451701

Comment Date: 2/24/2006

Failure to secure a contract which specifies a maximum hourly purchase rate for systems which purchase water under direct pressure. The total service pump capacity of the system plus the maximum hourly purchase rate must equal at least a minimum of 2 gallons per minute per connection or provide at least 1,000 gallons per minute and be able to meet peak hourly demands, whichever is less.

Investigation: 516497

Comment Date: 10/17/2006

Failure to secure a contract which specifies a maximum hourly purchase rate for systems which purchase water under direct pressure.

Investigation: 680469

Comment Date: 5/26/2008

Failure to secure a contract which specifies an adequate maximum hourly purchase rate for systems which purchase water under direct pressure. The total service pump capacity of the system plus the maximum hourly purchase rate must equal at least a minimum of 2 gallons per minute per connection or provide at least 1,000 gallons per minute and be able to meet peak hourly demands, whichever is less.

Investigation: 827709

Comment Date: 6/18/2010

Failure to secure a contract which specifies a maximum hourly purchase rate for systems which purchase water under direct pressure. The total service pump capacity of the system plus the maximum hourly purchase rate must equal at least a minimum of 2 gallons per minute per connection or provide at least 1,000 gallons per minute and be able to meet peak hourly demands, whichever is less.

Recommended Corrective Action: Submit an ammended contract which allows for water to be purchased at a rate of at least 2.0 gallons per minute per connection or other documentation which verifies compliance.

Resolution: This violation will be resolved, as MGM Estates has been inactivated as a public water system. The system's customers are now served by the Countrywood Estates water system.

Acta

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 17, 2010

Steve Blackhurst, Regional Environmental Compliance Manager
Aqua Texas, Inc.
1106 Clayton Lane Suite 400 W
Austin, TX 78723

RECEIVED
MAR 22 2010

Re: Compliance Evaluation Investigation at:
Midhaven Estates, Hood County, Texas
RN102676319; TCEQ ID No.1110094; Investigation No. 793638

BY:

Dear Mr. Blackhurst,

On February 18, 2010, Ryan Albert of the Texas Commission on Environmental Quality (TCEQ) D/FW Region Office conducted an investigation of the above-referenced facility to evaluate compliance with applicable requirements for public water systems. No violations are being alleged as a result of 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. Ryan Albert in the D/FW Region Office at Phone #(817)588-5819.

Sincerely,

Charles Marshall
Team Leader, Public Water Supply Section
D/FW Regional Office

CM/ra

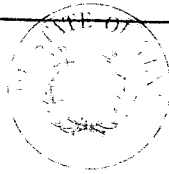
(Rev 6/15/05)

REPLY TO: REGION 4-DALLAS/FORT WORTH • 2309 GRAVEL DR. • FORT WORTH, TEXAS 76118-6951 • 817-588-5800 • FAX 817-588-5700

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

public received upon business hours

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY RECEIVED

Protecting Texas by Reducing and Preventing Pollution

APR 14 2011

April 12, 2011

AQUA TLL

Mr. Steve Blackhurst, Environmental Compliance Manager
Aqua Texas Inc.
1106 Clayton Lane, Suite 400 W
Austin, Texas 78723-1066

Re: Compliance Evaluation Investigation at:
Mountain Lakes Addition, 3233 FM 2481, Erath County, Texas
RN102691367, TCEQ Additional ID 0720037, Investigation No. 895588

Dear Mr. Blackhurst:

On March 18, 2011, Mr. Steven Mindt of the Texas Commission on Environmental Quality (TCEQ) Dallas/Fort Worth Region Office conducted an investigation of the above-referenced facility to evaluate compliance with applicable requirements for public water supply. No violations are being alleged as a result of 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. Steven Mindt in the Dallas/Fort Worth Region Office at (817) 588-5843.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles Marshall".

Charles Marshall, Team Leader
Dallas/Fort Worth Region Office

CM/sm

Enclosure: Summary of Investigation Findings

Summary of Investigation Findings

MOUNTAIN LAKES ADDITION

Investigation # 895588

, ERATH COUNTY,

Investigation Date: 03/18/2011

Additional ID(s): 0720037

No Violations Associated to this Investigation

ADDITIONAL ISSUES

Description

Item #1

Additional Comments

There is a concern about the Customer Service Agreement required under Section 290.46(i) and the accessibility of those records under Section 290.46(f)(2) for review during inspections.

During the inspection Aqua Texas staff indicated that it was their policy to have a signed Customer Service Agreement (CSA) for each connection prior to service, and the signed agreement was then sent to the headquarters and maintained there. If a copy of a particular CSA was requested, it could be sent back to the field office, but that would take some time.

Resolution: Please contact the DFW Regional Office within 30 days to schedule a meeting with the Team Leader to discuss the options available to resolve this issue or provide a copy of the exception or agreement with TCEQ supporting your current policy.

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



Jala

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

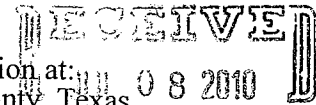
Protecting Texas by Reducing and Preventing Pollution

July 6, 2010

E-SIGNATURE CONFIRMATION 91 3408 2133 3931 7409 2325

Steve Blackhurst, Regional Environmental Compliance Manager
Aqua Texas, Inc.
1106 Clayton Lane Suite 400 W
Austin, TX 78723

Re: Notice of Violation for the Comprehensive Compliance Investigation at:
Mountain View Subdivision, 3811 Mountain Vista Dr., Hood County, Texas
RN102664562; TCEQ ID No.: 1110035; Investigation No. 827341



BY:

Dear Mr. Blackhurst,

On May 6, 2010, Ryan Albert of the Texas Commission on Environmental Quality (TCEQ) D/FW Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for Public Water 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 October 6, 2010 a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for outstanding alleged violations.

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. If you have additional information that we are unaware of, you have the opportunity to contest the violation(s) documented in this notice. Should you choose to do so, you must notify the D/FW Region Office within 10 days from the date of this letter. At that time, Mr. Charles Marshall, PWS Work Leader will schedule a violation review meeting to be conducted within 21 days from the date of this letter.

REPLY TO: REGION 4-DALLAS/FORT WORTH • 2309 GRAVEL DR. • FORT WORTH, TEXAS 76118-6951 • 817-588-5800 • FAX 817-588-5700

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

Printed on recycled paper using soy-based ink

Mr. Steve Blackhurst
Page 2
July 6, 2010

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. Ryan Albert in the D/FW Region Office at (817) 588-5819.

Sincerely,



Charles Marshall
PWS Work Leader
D/FW Region Office

CLM/RA

Enclosure: Summary of Investigation Findings
Obtaining TCEQ Rules

Summary of Investigation Findings

MOUNTAIN VIEW SUBDIVISION
3811 MOUNTAIN VISTA DR
GRANBURY, HOOD COUNTY, TX 76048

Investigation # 827341

Investigation Date: 05/05/2010

Additional ID(s): 1110035

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

Track No: 401302 Compliance Due Date: 10/06/2010
30 TAC Chapter 290.43(c)(6)

Alleged Violation:

Investigation: 827341

Comment Date: 6/16/2010

Failure to maintain the ground storage tank at pump station #2, Caruth Street, in a water-tight condition.

Recommended Corrective Action: Submit documentation showing the ground storage tank leaks have been repaired.

1000 West...

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

June 30, 2010

Steve Blackhurst, Regional Environmental Compliance Manager
Aqua Texas, Inc.
1106 Clayton Lane Suite 400 W
Austin, TX 78723

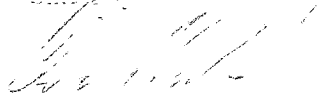
Re: Compliance Evaluation Investigation at:
Nolan Creek Estates, 4310 Kristy Ct., Granbury, Hood County, Texas
RN102672813; TCEQ ID No 1110080; Investigation No.826244

Dear Mr Blackhurst,

On May 5, 2010, Ryan Albert of the Texas Commission on Environmental Quality (TCEQ) DTW Region Office conducted an investigation of the above-referenced facility to evaluate compliance with applicable requirements for public water systems. No violations are being alleged as a result of 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. Ryan Albert in the D/FW Region Office at Phone #(817)588-5819

Sincerely,



Charles Marshall
Team Leader, Public Water Supply Section
D/FW Regional Office

CM/ra

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

August 12, 2010

Mr. Steve Blackhurst, P.E., Environmental Compliance Manager
Aqua Texas, Inc.
1106 Clayton Lane, Suite 400 W
Austin, TX 78723

RECEIVED

BY:

Re: Comprehensive Compliance Investigation at:
North Bosque Estates Water System, McLennan County, Texas
TCEQ ID No.: PWS 1550129, RN 102692969

Dear Mr. Blackhurst:

On June 29, 2010, Ms. Christa Ellis, Ms. Sara Harsley and Mr. John Egbuluese of the Texas Commission on Environmental Quality (TCEQ) Waco Regional Office conducted an investigation of the above-referenced facility to evaluate compliance with applicable requirements for a public water supply. No violations are being alleged as a result of the investigation; however, please see the attached Areas of Concern.

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 Ms. Christa Ellis in the Waco Regional Office at (254) 751-0335.

Sincerely,

A handwritten signature in cursive script that reads "Tim Blackmon".

Tim Blackmon, R.S.
Water and Waste Section Work Leader
Waco Regional Office

TB/ce

cc: Mr. Mark Kocian, Aqua Texas, Inc., Waco Area Field Manager

REPLY TO: REGION 9 • 6801 SANGER AVE., STE. 2500 • WACO, TEXAS 76710-7826 • 254-751-0335 • FAX 254-772-9241

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

Summary of Investigation Findings

NORTH BOSQUE ESTATES WATER SUPPLY

Investigation # 829037

, MCLENNAN COUNTY,

Investigation Date: 06/29/2010

Additional ID(s): 1550129

AREA OF CONCERN

Track No: 407320

30 TAC Chapter 290.43(c)(4)

Alleged Violation:

Investigation: 829037

Comment Date: 8/2/2010

Failure to have a liquid level indicator on all ground storage tanks.

All clearwells and water storage tanks shall have a liquid level indicator located at the tank site. The indicator can be a float with a moving target, an ultrasonic level indicator, or a pressure gauge calibrated in feet of water. If an elevated tank or standpipe has a float with moving target indicator, it must also have a pressure indicator located at ground level. Pressure gauges must not be less than three inches in diameter and calibrated at not more than two-foot intervals. Remote reading gauges at the owner's treatment plant or pumping station will not eliminate the requirement for a gauge at the tank site unless the tank is located at the plant or station.

During the investigation it was noted that there was not a liquid level indicator for one of the two ground storage tanks located at the Main Plant.

Resolution: On July 2, 2010 adequate compliance documentation was receive in the Waco Regional Office. Photographs of an altitude gauge attached on the suction side of the header were submitted by Mr. Mark Kocian.

Track No: 407321

30 TAC Chapter 290.46(s)(2)(C)(i)

Alleged Violation:

Investigation: 829037

Comment Date: 8/2/2010

Failure to calibrate colorimeters at least once every 30 days.

The accuracy of manual disinfectant residual analyzers shall be verified at least once every 30 days using chlorine solutions of known concentrations.

During the June 29, 2010 investigation, it was noted that North Bosque Estates Water System was not calibrating their colorimeters at least once every 30 days. No records could be produced that would verify any colorimeter calibrations were being preformed.

Resolution: On July 2, 2010 adequate compliance documentation was receive in the Waco Regional Office. A copy of a monthly colorimeter calibration record that was implemented and will be used in the future was submitted by Mr. Mark Kocian.