

1006, STEVE, UCC: 41, 11/11

mailed to
TCEQ 5/26

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



RECEIVED

APR 15 2011

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ACTING TEXAS

Protecting Texas by Reducing and Preventing Pollution

April 12, 2011

CERTIFIED MAIL - RETURN RECEIPT REQUESTED 91 7108 2133 3935 2103 8151

Corporate Service Company dba CSC-Lawyers Incorporating Service Company,
Registered Agent
Aqua Utilities, Inc.
211 East 7th Street, Suite 620
Austin, Texas 78701-3218

Re: **Public Water System**
Aqua Utilities, Inc. dba Saddle Club Water
Public Water Supply ID No. 1840130; RN101239622
Enforcement Case No. 41326

Dear Sir/Madam:

On February 23, 2011, a member of our Drinking Water Quality Team conducted a record review of a public water system owned and operated by Aqua Utilities, Inc. dba Saddle Club Water ("the Respondent") and determined that the system is not in compliance with applicable laws and regulations pertaining to public drinking water systems.

We propose that the Texas Commission on Environmental Quality ("Commission" or "TCEQ") and the Respondent enter into the enclosed Compliance Agreement ("CA"). The CA lists the alleged violations addressed by this action and any specific technical requirements necessary to resolve the violations. We are proposing this one time offer to defer formal enforcement and penalties, if the Respondent agrees to sign the CA and to comply with all its provisions within the applicable time frames. We believe that handling this matter expeditiously could save the Respondent and the TCEQ a significant amount of time, as well as the expense associated with litigation.

Please review the CA, affix your signature and the date, and return it to this office within 30 days after the date of this letter. A copy of the CA is provided for your files. Also, enclosed for your convenience is a return envelope. **If the CA is not signed and postmarked within 30 days after the date of this letter**, we will assume that the Respondent does not wish to participate in this informal process, and formal enforcement action may be initiated, including the assessment of administrative penalties.

Corporate Service Company dba CSC-Lawyers Incorporating Service
Company
Page 2

If you observe any inaccuracies in the document, please contact us immediately so that an amended CA can be considered within the 30-day deadline. If you have any questions, please contact Ms. Andrea Linson-Mgbeoduru of my staff at (512) 239-1482.

Sincerely,



Anna Brulloths, Manager
Enforcement Division
Texas Commission on Environmental Quality

AB/aclm

Enclosures: Original CA, File Copy, Return Envelope

cc: Mr. Sid Slocum, Manager, Water Section, Dallas/Fort Worth Regional Office,
TCEQ
Mr. Elston Johnson, R.S, Manager, Public Drinking Water Section, MC 155
Mr. Steve Blackhurst, Regulatory and Compliance Manager, Aqua Utilities, Inc.,
1106 Clayton Lane, Suite 400W, Austin, Texas 78723

Texas Commission on Environmental Quality
Compliance Agreement

Aqua Utilities, Inc. dba Saddle Club Water
Enforcement Case No. 41326
RN101239622
Public Water Supply ID No. 1840130
Parker County, Texas

The Texas Commission on Environmental Quality ("Commission" or "TCEQ") is the state agency charged with enforcing TEX. HEALTH & SAFETY CODE ch. 341 (the "Code") and the regulations promulgated pursuant to the Code.

Aqua Utilities, Inc. dba Saddle Club Water ("the Respondent") owns and operates a public drinking water system that provides water for human consumption in Parker County, Texas ("the Facility").

This Facility is in substantial violation of the TCEQ's requirements found in the Code and 30 TEX. ADMIN. CODE ch. 290. It has been determined that the Respondent's water treatment and operation are deficient due to its failure to comply with the maximum contaminant level ("MCL") requirement for gross alpha particle activity. The Respondent will be required to correct all violations listed in the following paragraphs to ensure a reduction of risk to the public health and comply with the Commission treatment requirements.

Violations

The Respondent failed to comply with the MCL of 15 picoCuries per liter ("pCi/L") for gross alpha particle activity, as shown in Table 1 referencing the violations, in violation of 30 TEX. ADMIN. CODE § 290.108(f)(1) and (b)(1)(B), and TEX. HEALTH & SAFETY CODE § 341.0315(c).

Table 1. Displaying Violation Details

Entry Point	Quarter Exceeding MCL	Running Annual Average in pCi/L
001	4 th Quarter 2009	18
001	1 st Quarter 2010	19

Table 1 lists the Entry Point, Date of Exceedance and Running Annual Average in pCi/L

In response to these violations and in an effort to eliminate the potential threat to public health, the Respondent and the Commission have entered into this Compliance Agreement ("CA").

Provisions

The provisions of this CA are as follows:

1. This CA does not exempt the Respondent from any of the applicable requirements of 30 TEX. ADMIN. CODE ch. 290. The Respondent must comply with these regulations including, but not limited to chemical sampling, microbial sampling, disinfectant residuals, public notification, plan review and regionalization. Specifically, the Respondent must continue to notify each customer in writing of the existing water quality violations and provide a copy of this notice to the Commission using the enclosed mandatory notification language. This notification requirement shall continue until the Respondent can provide water that meets the Commission's Drinking Water Standards. Where appropriate, the notice should be multilingual.
2. Within 60 days after the effective date of this CA, the Respondent shall submit a up-to-date chemical and microbiological monitoring plan to the Commission for review that meets the requirements set forth in 30 Tex. Admin. Code § 290.121. The monitoring plan must be re-submitted for review if any modifications are made to the Facility.
3. Within 120 days after the effective date of this CA, the Respondent shall complete a feasibility investigation that delineates the options for achieving compliant gross alpha particle activity concentrations in the water the Facility provides for human consumption. The Respondent shall prepare and submit a written report or an engineering study regarding the results of the feasibility investigation and shall include a tentative schedule describing additional studies, tests, or other methods that may be utilized to achieve compliance.
4. Every six (6) months starting from the effective date of this CA, the Respondent shall submit a progress report to the TCEQ describing the results of its evaluation of the feasibility investigation report or engineering study. These reports shall include information regarding actions taken by the Respondent to provide water to its customers which meets the Commission's Drinking Water Standards.
5. Engineering plans and specifications for any proposed upgrades or changes to the Facility or the Facility's treatment methods must be submitted for Commission review and approval prior to commencing construction and/or implementing an alternative treatment option, as required by 30 TEX. ADMIN. CODE § 290.39. Plans and specifications shall be submitted to:

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

6. Within two years of obtaining TCEQ approval of a viable treatment option or of obtaining an alternate source of water that meets the Commission's Drinking Water Standards, the Respondent shall provide water to its customers which meets the Commission's Drinking Water Standards.
7. The public notification, chemical and microbiological monitoring plan, feasibility investigation report or engineering study, and progress reports (Provision Nos. 1, 2, 3, and 4) shall be submitted to:

Order Compliance Team
Enforcement Division, Mc 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

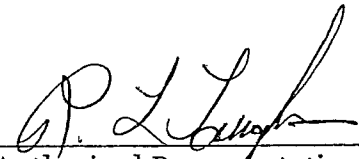
Public Drinking Water Section
Water Supply Division, Mc 155
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

8. This CA shall terminate three years from the effective date or when compliance with the Commission's Drinking Water Standards is achieved, whichever occurs first.

In return for the Respondent's agreement and adherence to these terms, the Commission will withhold further enforcement actions related to the violations addressed by this CA. Should unforeseen circumstances indicate a need to alter the above mentioned schedule, the Respondent must immediately notify the Commission so that an amendment to this CA can be discussed.


Compliance Agreement
Aqua Utilities, Inc. dba Saddle Club Water
Page 4

The effective date of this CA is the signature date of the Respondent's authorized representative. Acceptance of the terms of this CA is indicated by the signatures below.

DER
LEM


Authorized Representative of
Aqua Utilities, Inc. dba Saddle Club Water
Title President
Date 5/25/11

R. L. Laughman
Printed Name of Authorized Representative of
Aqua Utilities, Inc. dba Saddle Club Water



Anna Brulloths, Manager
Drinking Water and Special Functions Section
Enforcement Division
Date 4/11/2011

Compliance History

Customer/Respondent/Owner-Operator: CN602787509 Aqua Utilities, Inc. Classification: AVERAGE Rating: 1.70
Regulated Entity: RN101239622 SADDLE CLUB WATER Classification: Site Rating:
ID Number(s): PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 1840130
WATER LICENSING LICENSE 1840130
Location: 4 MILES WEST OF WEATEHRFORD ON HWY 80, SOUTH SIDE OF HIGHWAY, PARKER COUNTY, TX
TCEQ Region: REGION 04 - DFW METROPLEX
Date Compliance History Prepared: March 7, 2011
Agency Decision Requiring Compliance History: Enforcement
Compliance Period: March 07, 2006 to March 07, 2011
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History
Name: Andrea Linson Phone: 512-239-1482

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? Yes
2. Has there been a (known) change in ownership/operator of the site during the compliance period? Yes
3. If Yes, who is the current owner/operator? Aqua Utilities, Inc.
4. If Yes, who was/were the prior owner(s)/operator(s)? Saddle Club Water Co. Inc.
5. When did the change(s) in owner or operator occur? November 18, 2008

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgments, and consent decrees of the State of Texas and the federal government.
N/A
 - B. Any criminal convictions of the state of Texas and the federal government.
N/A
 - C. Chronic excessive emissions events.
N/A
 - D. The approval dates of investigations. (CCEDS Inv. Track. No.)
N/A
 - E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)
N/A
 - F. Environmental audits.
N/A
 - G. Type of environmental management systems (EMSs).
N/A
 - H. Voluntary on-site compliance assessment dates.
N/A
 - I. Participation in a voluntary pollution reduction program.
N/A
 - J. Early compliance.
N/A
- Sites Outside of Texas
N/A

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

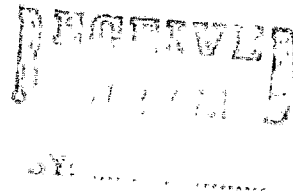


TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

November 23, 2010

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



Re: Comprehensive Compliance Investigation at:
Safari Water System,
Located off of SH 175 SE of Athens on Quail Hollow Ct. in Henderson County
PWS ID No.: 1070247

Dear Mr. Blackhurst:

On October 20 -22, 2010, Ms. Angela Hicks 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 Ms. Hicks in the Tyler Region Office at (903) 535-5122.

Sincerely,

A handwritten signature in black ink, "William D. Gibson", written in a cursive style.

William D. Gibson, Work Leader
Tyler Region Office

WDG/AH

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

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Kathleen Hartnett White, *Chairman*
Larry R. Soward, *Commissioner*
Martin A. Hubert, *Commissioner*
Glenn Shankle, *Executive Director*



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FEB 02 2007

BY:.....

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 30, 2007

Mr. Steve Blackhurst, Regional Environmental Compliance Manager
Aqua Texas Inc.
1421 Wells Branch Pkwy, Ste 105
Pflugerville, TX 78660

Re: Compliance Evaluation Investigation at:
Sage Meadows, 11940B Buttercup, Justin, Denton County, Texas
PWS ID No: 0610164

Dear Mr. Blackhurst,

The Texas Commission on Environmental Quality (TCEQ) D/FW Region Office has received the compliance documentation that you submitted January 3, 2007 for the alleged violations noted during the investigation of the above-referenced facility conducted on August 22, 2006. The compliance documentation contained in your response appears to indicate that corrective action has been taken for 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 Ms. Erin Tanski in the D/FW Region Office at Phone #(817)588-5853.

Sincerely,

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

Charles Marshall
Work Leader Public Water Supply Section
D/FW Region Office
Texas Commission on Environmental Quality

CLM/emt

cc: TCEQ-Austin
Enclosures: 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

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Summary of Investigation Findings

SAGE MEADOWS PWS
11940B BUTTERCUP LN
JUSTIN, DENTON COUNTY, TX 76247
Additional ID(s): 0610222

Investigation # 536997
Investigation Date: 01/16/2007

ALLEGED VIOLATIONS NOTED AND RESOLVED

Track No: 253874
30 TAC Chapter 290.45(b)(1)(D)(iv)

Alleged Violation:
Investigation: 512813

Comment Date: 9/14/2006

Failure to meet this Agency's "Minimum Water System Capacity Requirements." These requirements include: pressure maintenance facilities consisting of either 100 gallons per connection of elevated storage or a pressure tank capacity of 20 gallons per connection (maximum capacity of 30,000 gallons for up to 2500 connections). Elevated storage capacity of 100 gallons per connection is required for systems with over 2,500 connections.

§290.45(b)(1)(D)(iv) an elevated storage capacity of 100 gallons per connection or a pressure tank capacity of 20 gallons per connection. If pressure tanks are used, a maximum capacity of 30,000 gallons is sufficient for up to 2,500 connections. An elevated storage capacity of 100 gallons per connection is required for systems with more than 2,500 connections. Alternate methods of pressure maintenance may be proposed and will be approved if the criteria contained in subsection (g)(5) of this section are met.

Investigation: 536997

Comment Date: 1/18/2007

Failure to meet this Agency's "Minimum Water System Capacity Requirements." These requirements include: pressure maintenance facilities consisting of either 100 gallons per connection of elevated storage or a pressure tank capacity of 20 gallons per connection (maximum capacity of 30,000 gallons for up to 2500 connections). Elevated storage capacity of 100 gallons per connection is required for systems with over 2,500 connections.

Recommended Corrective Action: Submit documentation verifying that Sage Meadows provides a minimum pressure storage capacity of 20 gallons per connection for the 258 connections the system serves.

Resolution: On January 3, 2007, Mr. Larry Mitchell submitted a letter stating that he requested that Sage Meadows be merged with Foxbane, Riggs Place, and Double Tree (combined PWS ID # 0610164). Mr. Mitchell submitted a copy of the letter that was submitted to Marlo Wanielista-Berg, TCEQ OPRR, dated October 12, 2006. The merging of these four systems would provide 14,500 gallons of pressure storage and would resolve the alleged violation. On January 9, 2007, Mike Lannen, TCEQ OPRR, contacted the D/FW Regional office and stated that the system's request to merge the systems was granted.

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 27, 2009

RECEIVED
JAN 28 2009

BY:

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

Re: Notice of Compliance with Notice of Violation dated April 27, 2006
Sandy Acres Addition, Parker County, Texas
RN102693645, TCEQ Additional ID 1840098, Investigation No. 700726

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 January 12, 2009 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,

Charles Marshall
PWS Work Leader
D/FW Region Office

CLM/ref

Duke

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



Asst
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JUL 02 2010

AQUA TEXAS

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

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:
Sandy Beach Subdivision, 3500 Sandy Beach Dr., Granbury, Hood County, Texas
RN102693025; TCEQ ID No.1110026; Investigation No.826218

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.

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

(Rev 6/15/05)

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Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 20, 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

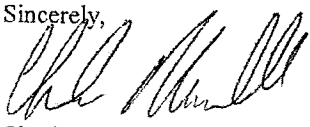
Re: Comprehensive Compliance Investigation at:
Saratoga Estates Water System, Denton County, Texas
TCEQ ID No.:0610163, RN No. 102688090, Investigation No. 706884

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. No violations are being alleged as a result of the investigation. No further submittal from you is required concerning this investigation.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions 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

Dieter

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

July 14, 2010

RECEIVED
JUL 19 2010

BY:

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

Re: Compliance Evaluation Investigation at: Savanna Estates, 1.5 miles west of Hwy 287,
South side of Hicks Rd., Tarrant County, Texas
TCEQ ID No.: 2200338, Investigation No. 826556, RN102685401

Dear Mr. Blackhurst:

On June 22, 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 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. 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

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Bryan W. Shaw, Ph.D., *Commissioner*
Glenn Shankle, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution
February 29, 2008

RECEIVED

MAR 13 2008

AQUA TEXAS

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

Re: Notice of Compliance with Notice of Violation (NOV) dated November 12, 2007:
Shady Hills Estates, 9425 CR 528, Burleson (Johnson County), Texas RN102681129, TCEQ
Additional ID: 1260071, Investigation No. 599133

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 February 6, 2008 to resolve the alleged violations documented during the investigation of the above-referenced regulated entity conducted on October 9, 2007. 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. Joe Martinez in the D/FW Region Office at (817)588-5803.

Sincerely,

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

Charles Marshall
PWS Work Leader
D/FW Region Office

jrm/CLM

cc:

bcc:

(Rev. 9/20/07)

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Summary of Investigation Findings

SHADY HILLS ESTATES WATER SYSTEM , JOHNSON COUNTY, Additional ID(s): 1260071	Investigation # 636288 Investigation Date: 02/21/2008
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ALLEGED VIOLATIONS NOTED AND RESOLVED

Track No: 291433

30 TAC Chapter 290.46(m)

Alleged Violation:
 Investigation: 599133

Comment Date: 10/25/2007

Failure to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment. These practices should include the paint on the pressure tank at pump station #1.

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

Investigation: 613441

Comment Date: 01/04/2008

Failure to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment. These practices should include the paint on the pressure tank at pump station #1.

NOTE: On December 14, 2007 Mr. Larry Mitchell submitted documentation for the alleged violation, however, this documentation can not be accepted at this time. The documentation that was submitted states that it is a "cost estimate" for the painting of a hydro tank. The "Recommended Corrective Action" that was sent to Aqua Texas stated that Aqua Texas should "Submit photographs showing that the pressure tank has been repainted." Also, it is unclear if the work has been completed based on the documentation that has been submitted.

Investigation: 636288

Comment Date: 02/21/2008

Failure to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment. These practices should include the paint on the pressure tank at pump station #1.

Recommended Corrective Action: Submit photographs showing that the pressure tank has been repainted.

Resolution: On February 6, 2008 Mr. Larry Mitchell submitted photographs of the painted pressure tanks. These photographs appear to resolve the alleged violation.

Noted

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 9, 2009

**CERTIFIED MAIL 91 3408 2133 3931 5019 1721
RETURN RECEIPT REQUESTED**

RECEIVED
JAN 14 2009

BY:.....

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

Re: Unresolved Alleged Violations for PWS Compliance Evaluation Investigation at:
Shady Meadows Estates, 3200 Chloie, Burleson (Johnson County), Texas
RN102682432, TCEQ Additional ID: 1260072, Investigation No. 721194

Dear Mr. Blackhurst:

The Texas Commission on Environmental Quality (TCEQ) D/FW Region Office has previously requested that you submit compliance documentation for the alleged violations noted during the investigation of the above-referenced facility conducted on October 9, 2007. We have received acceptable compliance documentation from you for all of the alleged violations except those listed in the enclosed summary.

Please be advised that you are responsible for correcting these remaining problems. These unresolved alleged violations will be placed in your file to be evaluated during any subsequent investigation. If you or members of your staff have any questions, please feel free to contact Mr. Joe Martinez in the D/FW Region Office at Phone #(817)588-5803.

Sincerely,

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

CM/jrm

Enclosure: Summary of Unresolved Investigation Findings

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Summary of Investigation Findings

SHADY MEADOWS ESTATES PWS , JOHNSON COUNTY, Additional ID(s): 1260072	Investigation # 721194 Investigation Date: 12/11/2008
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**OUTSTANDING ALLEGED VIOLATION(S)
ASSOCIATED TO A NOTICE OF VIOLATION**

Track No: 116025 Compliance Due Date: To Be Determined
30 TAC Chapter 290.41(c)(1)(F)

Alleged Violation:

Investigation: 721194 Comment Date: 12/11/2008

Failure to make available sanitary control easements for well #1 and well #2 at the time of inspection, or executive director approval for a substitute authorized in §290.41(c)(1)(F)(iv). A sanitary easement, or approved substitute, covering all property within 150 feet of each well location must be secured from adjacent landowners and recorded at the county courthouse to ensure that hazards will not develop in each well area. Residential type wells within the easement must be constructed to public water well standards. A copy of the recorded document must be submitted for our records.

Investigation: 704013 Comment Date: 09/26/2008

Failure to make available sanitary control easements for well #1 and well #2 at the time of inspection, or executive director approval for a substitute authorized in §290.41(c)(1)(F)(iv).
Investigation: 636365 Comment Date: 02/21/2008

Failure to make available sanitary control easements for well #1 and well #2 at the time of inspection, or executive director approval for a substitute authorized in §290.41(c)(1)(F)(iv).
Investigation: 599342 Comment Date: 11/01/2007

Failure to make available sanitary control easements for well #1 and well #2 at the time of inspection, or executive director approval for a substitute authorized in §290.41(c)(1)(F)(iv). A sanitary easement, or approved substitute, covering all property within 150 feet of each well location must be secured from adjacent landowners and recorded at the county courthouse to ensure that hazards will not develop in each well area. Residential type wells within the easement must be constructed to public water well standards. A copy of the recorded document must be submitted for our records.

Note: The system entered into a Compliance Agreement issued December 4, 2000. The sanitary control easements were a provision of the agreement. The due date for the Compliance Agreement was June 30, 2005. Since the system has not complied, it is being referred to enforcement.

§290.41(c)(1)(F) 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.

Investigation: 151064 Comment Date: 08/20/2003

Failure to secure sanitary easement.

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

Track No: 291578
30 TAC Chapter 290.46(i)

Alleged Violation:

Investigation: 721194

Comment Date: 12/11/2008

Failure to adopt an adequate plumbing ordinance, regulations or a service agreement with provisions for proper enforcement.

Investigation: 704013

Comment Date: 09/26/2008

Failure to adopt an adequate plumbing ordinance, regulations or a service agreement with provisions for proper enforcement.

NOTE: On August, 1, 2008 Mr. Larry Mitchell submitted a letter which stated that this water system has not had any new customers which would have signed service agreements. When this water system has a new customer, they will be required to sign a service agreement and a copy will be provided to the TCEQ as compliance documentation.

Investigation: 636365

Comment Date: 02/21/2008

Failure to adopt an adequate plumbing ordinance, regulations or a service agreement with provisions for proper enforcement. Potential cross-connections or other undesirable plumbing practices must be prohibited. The ordinance or regulations must also prohibit the use of pipes and pipe fittings that contain more than 8.0 percent lead or solders and flux that contain more than 0.2 percent lead.

NOTE: On January 17, 2008 Mr. Larry Mitchell submitted documentation which stated that Aqua Texas is now using a new service agreement form and a process that ensures that all customers sign a service agreement whether they are a new connection or a transfer of service. This alleged violation can not be resolved at this time. Aqua Texas should submit either copies of current service agreements which have been signed by Shady Meadows customers or submit copies of the current service agreement forms if customers have not yet signed the new forms.

Investigation: 599342

Comment Date: 10/29/2007

Failure to adopt an adequate plumbing ordinance, regulations or a service agreement with provisions for proper enforcement. Potential cross-connections or other undesirable plumbing practices must be prohibited. The ordinance or regulations must also prohibit the use of pipes and pipe fittings that contain more than 8.0 percent lead or solders and flux that contain more than 0.2 percent lead.

§290.46(i) Plumbing ordinance. Public water systems must adopt an adequate plumbing ordinance, regulations, or service agreement with provisions for proper enforcement to insure that neither cross-connections nor other unacceptable plumbing practices are permitted. See §290.47(b) of this title (relating to Appendices). Should sanitary control of the distribution system not reside with the purveyor, the entity retaining sanitary control shall be responsible for establishing and enforcing adequate regulations in this regard. The use of pipes and pipe fittings that contain more than 8.0% lead or solders and flux that contain more than 0.2% lead is prohibited for installation or repair of any public water supply and for installation or repair of any plumbing in a residential or nonresidential facility providing water for human consumption and connected to a public drinking water supply system. This requirement may be waived for lead joints that are necessary for repairs to cast iron pipe.

Recommended Corrective Action: Submit copies of signed service agreements.

Resolution: On October 15, 2008 Mr. Larry Mitchell submitted a copy of a current service agreement that was recently signed by a customer. This appears to adequately address the alleged violation.

Alapre

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

December 14, 2009

RECEIVED
DEC 16 2009
BY:

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

Re: Notice of Compliance with Notice of Violation (NOV) dated July 22, 2009:
Shale Creek Water System, SH 114 and Shale Creek Blvd., Denton County, Texas
RN102687282, TCEQ Additional ID 0610238, Investigation No. 748746

Dear Mr. Blackhurst:

This letter is to inform you that Texas Commission on Environmental Quality (TCEQ) Dallas / Fort Worth (DFW) Region Office has received adequate compliance documentation on November 20, 2009, to resolve the alleged violation(s) documented during the investigation of the above-referenced regulated entity conducted on June 10, 2009. 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 DFW Region Office at (817) 588-5814.

Sincerely,

Charles Marshall
PWS Work Leader
DFW Region Office

Enclosures: Summary of Investigation Findings

Summary of Investigation Findings

SHALE CREEK COMMUNITY

Investigation # 784027

, DENTON COUNTY,

Investigation Date: 11/30/2009

Additional ID(s): 0610238

ALLEGED VIOLATION(S) NOTED AND RESOLVED

Track No: 369967

30 TAC Chapter 290.45(a)

Alleged Violation:

Investigation: 748746

Comment Date: 07/08/2009

Failure to provide 0.6 gpm per connection. For 332 connections, the wells should provide 199 gpm. The flows from the two wells were measured at 184 gpm on the day of the investigation. This is 7.5% lower than the required volume.

Investigation: 784027

Comment Date: 11/30/2009

Failure to provide 0.6 gpm per connection.

Recommended Corrective Action: Submit to this office by October 20, 2009, a letter stating when the new wells were activated and what the flow rates are for these wells. Show that the new wells enable the facility to meet the 0.6 gpm per connection requirements.

Resolution: The letter dated November 17, 2009, explained that two new wells have been drilled and are in the process of being placed on-line. One of the wells produces over 300 gpm. This will enable the facility to meet the 0.6 gpm per connection requirement.

Mike

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution
July 24, 2009

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

RECEIVED
JUL 27 2009

BY:

Re: Compliance Evaluation Investigation at:
Shangri-La, 148 Shangri-La, (Parker County), Texas
RN102688603, TCEQ Additional ID: 1840021, Investigation No. 746194

Dear Mr. Blackhurst

On June 18, 2009, Joe Martinez 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. Joe Martinez in the D/FW Region Office at Phone #(817)588-5803.

Sincerely,

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

CM/jrm

(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

Reckie

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

July 14, 2010

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

RECEIVED
JUL 17 2010

Re: Compliance Evaluation Investigation at: Silver Creek Estates
Intersection of Silver Creek & Cliff Manor, Tarrant County, Texas
TCEQ ID No.: 2200277, Investigation No. 826544, RN102692035

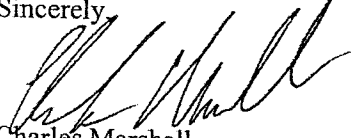
BY:

Dear Mr. Blackhurst:

On June 22, 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 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. 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

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

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Nicke

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 22, 2009

RECEIVED
JUL 22 2009

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

BY:.....

Re: Compliance Evaluation Investigation at:
Singing Meadows Subdivision, 288 CR 4721, Wise County, Texas
TCEQ ID No. 2490031

Dear Mr. Blackhurst:

On June 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; 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. 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

Enclosure: 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

SINGING MEADOWS SUBDIVISION

288 PRIVATE ROAD 4721

RHOME, WISE COUNTY, TX 76078

Investigation # 748546

Investigation Date: 06/15/2009

Additional ID(s): 2490031

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

30 Tex. Admin. Code, §291.93(3) Certificate of Convenience and Necessity
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.

The system has reached 94.28% of its total well production capacity.

A Capacity of 0.6 gpm per connection well production capacity (Required = $44 \times 0.6 = 26.4$ gpm compared to total well capacity of 28 gpm is provided) or 94.28%.

Compliance Documentation: Submit a compliance plan within 90 days.

Dickie

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

July 14, 2010

RECEIVED
JUL 17 2010

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

BY:

Re: Compliance Evaluation Investigation at: Slay Estates, 0.4 miles North of Ten Mile Rd.
on Eagle Mountain Lake, Tarrant County, Texas
TCEQ ID No.: 2200072, Inv. No. 826535, RN102653607

Dear Mr. Blackhurst:

On May 21, 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 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. 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

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

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Mark

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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

March 11, 2009

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

RECEIVED
MAR 12 2009

Re: Comprehensive Compliance Investigation at:
Smith Water Company, McLennan County, Texas BY:.....
TCEQ ID No.: PWS 1550091, RN102686375

Dear Mr. Blackhurst:

On January 16, 2009, Ms. Christa Ellis 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 Region Office at 254-751-0335.

Sincerely,

Richard Monreal
Water and Waste Section Work Leader
Waco Region Office

RM/ce/ps

cc: Mark A. Kocian, Waco Area Field Supervisor
Mr. Larry Mitchell, Environmental Compliance Coordinator

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

SMITH WATER CO , MCLENNAN COUNTY, Additional ID(s): 1550091	Investigation # 723053 Investigation Date: 01/16/2009
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AREA OF CONCERN

Track No: 354093
30 TAC Chapter 290.42(e)(4)(C)

Alleged Violation:

Investigation: 723053

Comment Date: 01/16/2009

Failure to screen the upper vent in the chlorine enclosure.

Adequate ventilation, which includes both high level and floor level screened vents, shall be provided for all enclosures in which gas chlorine is being stored or fed. Enclosures containing more than one operating 150-pound cylinder of chlorine shall also provide forced air ventilation which includes: screened and louvered floor level and high level vents; a fan which is located at and draws air in through the top vent and discharges to the outside atmosphere through the floor level vent; and a fan switch located outside the enclosure. Alternately, systems may install negative pressure ventilation as long as the facilities also have gas containment and treatment as prescribed by the current International Fire Code (IFC).

It was noted during the investigation that the upper vent in the chlorine enclosure was not properly screened.

Resolution: On January 23, 2009 photographic compliance documentation was received in the Waco Regional Office. This documentation shows that the upper vent in the chlorine enclosure has been adequately screened. The violation is resolved.

Track No: 354095
30 TAC Chapter 290.41(c)(3)(L)

Alleged Violation:

Investigation: 723053

Comment Date: 01/16/2009

Failure to have the well blow off valve terminate in a downward direction.

If a well blow-off line is provided, its discharge shall terminate in a downward direction and at a point which will not be submerged by flood waters.

It was noted during the investigation that the well blow-off line does not terminate in a downward direction.

Resolution: On January 23, 2009 photographic compliance documentation was received in the Waco Regional Office. This documentation shows that the well blow off valve now terminates in a downward direction. The violation is resolved.

Track No: 354096
30 TAC Chapter 290.46(w)

Alleged Violation:

Investigation: 723053

Comment Date: 01/16/2009

Failure to establish internal procedures to notify the TCEQ of an event that may negatively impact the production or delivery of safe and adequate drinking water.

Security. All systems shall maintain internal procedures to notify the executive director by a toll-free reporting phone number immediately of the following events, if the event may negatively impact the production or delivery of safe and adequate drinking water:

- (1) an unusual or unexplained unauthorized entry at property of the public water system;
- (2) an act of terrorism against the public water system;
- (3) an unauthorized attempt to probe for or gain access to proprietary information that supports the key activities of the public water system;
- (4) a theft of property that supports the key activities of the public water system; or
- (5) a natural disaster, accident, or act that results in damage to the public water system.

It was noted during the investigation that the Smith Water Co. has not established internal procedures to notify the TCEQ of an event that may negatively impact the production or delivery of safe and adequate drinking water.

Resolution: On January 23, 2009, compliance documentation was received in the Waco Regional Office. This documentation shows that Smith Water Co. has established internal procedures to notify the TCEQ of an even that may negatively impact the production or delivery of safe and adequate drinking water.

Jucke

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 21, 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
BY:

Re: Comprehensive Compliance Investigation at:
Songbird Addition Water System, Denton County, Texas
TCEQ ID No.:0610165, RN No. 102671070, Investigation No. 706885

Dear Mr. Blackhurst:

On November 19, 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. No violations are being alleged as a result of the investigation. No further submittal from you is required concerning this investigation.

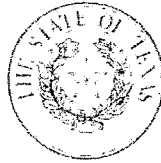
The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions regarding these matters, please feel free to contact Mr. Ferry in the D/FW Metroplex Region Office at (817) 588-5814.

Sincerely,

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

CM/ref

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



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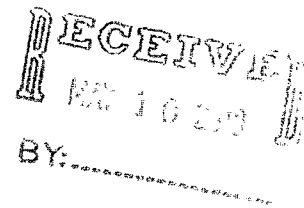
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

May 6, 2010

CERTIFIED MAIL 91 3408 2133 3931 2927 4035
RETURN RECEIPT REQUESTED

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:
Southwood Addition, Tarrant County, Texas
RN102679990, TCEQ Additional ID 2200108, Investigation No. 798514

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

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Steve Blackhurst, Environmental Compliance Manager

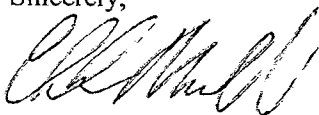
May 6, 2010

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. 798514
Obtaining TCEQ Rules

Summary of Investigation Findings

SOUTHWOOD ADDITION	Investigation # 798514
, TARRANT COUNTY,	Investigation Date: 04/09/2010
Additional ID(s): 2200108	

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

Track No: 290746 Compliance Due Date: 08/06/2010
30 TAC Chapter 290.46(n)(3)

Alleged Violation:

Investigation: 595650

Comment Date: 10/15/2007

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

§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).

An approval letter (log no. 200311-014) dated December 29, 2003, indicates easement and well completion data were received and reviewed for a well drilled in 2003. At the time of the investigation some easement documentation was available, however the system was unable to demonstrate that easement and/or alternate documentation and drilling logs were on file for each of the wells.

Investigation: 798514

Comment Date: 4/9/2010

Failure to keep well completion data on file, to include sanitary control easements and drilling logs, for as long as the wells remains in service. Specifically, acceptable easement documentation is not available for well #2 or well #5, and there are no drilling logs available for well #2.

Recommended Corrective Action: Drilling logs should be located for Southwood well #2. Easements and or alternate easement documentation must be clearly labeled and retained for review in the system's local records for both well #2 and well #5.

Summary of Investigation Findings

SOUTHWOOD ADDITION , TARRANT COUNTY, Additional ID(s): 2200108	Investigation # 798514 Investigation Date: 04/09/2010
--	--

ALLEGED VIOLATION(S) NOTED AND RESOLVED

Track No: 110359

30 TAC Chapter 290.43(d)(3)

Alleged Violation:

Investigation: 150464

Comment Date: 8/15/2003

Failure to provide the pressure tank with a device to readily determine air-water-volume.

Investigation: 798514

Comment Date: 4/9/2010

Failure to provide the pressure tank with a device to readily determine air-water-volume.

Resolution: This violation was initially cited at the time of the 12/4/2000 compliance investigation. At that time the system had two pump stations. The Southwood P/S had a pressure tank under 1000 gallons and therefore was not required to have a device to readily determine air-water-volume. The Shadow Run P/S did have a pressure tank, which would have require a device to readily determine air-water-volume. At the time of the 2003 investigation Shadow Run P/S had been abandoned, as the customers served by this pump station had been transferred to the Bethesda water system. At the time of the 2007 investigation the 990 pressure tank had been replaced with a 5,000 gallon tank, which did have a a device to readily determine air-water-volume.

Track No: 110361

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

Alleged Violation:

Investigation: 150464

Comment Date: 8/15/2003

Failure to provide a well capacity of 0.6 gpm per connection.

Investigation: 798514

Comment Date: 4/9/2010

Failure to provide a well capacity of 0.6 gpm per connection.

Resolution: Prior to 2000 the system had two pump stations and it had twice the service area as it current has. About half the system (Shadow Run Addition) was transferred to the Bethesda water system after failed attempts to construct an additional Trinity well meeting acceptable water quality requirements. With a reduction in connections and the construction of an additional well #5 to serve the remaining customers, adequate production capacity for the system was achieved.

Track No: 115457

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

Alleged Violation:

SOUTHWOOD ADDITION

Investigation # 798514

Investigation: 150464

Comment Date: 8/19/2003

Failed to provide a total storage capacity of 200 gallons per connection.

Investigation: 798514

Comment Date: 4/9/2010

Failed to provide a total storage capacity of 200 gallons per connection.

Resolution: Currently the system requires 14,200 gallons of ground (total) storage capacity. It currently has 48,300 gallons of total storage tank capacity.

Track No: 115464

30 TAC Chapter 290.43(c)

Alleged Violation:

Investigation: 150464

Comment Date: 8/19/2003

Failure to provide a water storage tank in accordance with current AWWA standards.

Investigation: 798514

Comment Date: 4/9/2010

Failure to provide a water storage tank in accordance with current AWWA standards.

Resolution: At the time of the 2007 investigation the system was observed to have two 24,150 gallon galvanized bolted steel tanks, meeting AWWA standards.

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



Alfred

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 21, 2009

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

RECEIVED
JAN 24 2009

BY:

Re: Comprehensive Compliance Investigation at:
Spanish Oaks Addition Water System, Denton County, Texas
TCEQ ID No.:0610214, RN No. 102682242, Investigation No. 706886

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. No violations are being alleged as a result of the investigation. No further submittal from you is required concerning this investigation.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions regarding these matters, please feel free to contact Mr. Ferry in the D/FW Metroplex Region Office at (817) 588-5814.

Sincerely,

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

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

CM/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

FORM NO. 301 (REV. 10/01) • 10/01

Dicke

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 22, 2009

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

RECEIVED
JAN 26 2009

Re: Comprehensive Compliance Investigation at:
Spring Hill Estates, Denton County, Texas
TCEQ ID No.:0610218, RN No. 102674751, Investigation No. 706887

BY:

Dear Mr. Blackhurst:

On November 19, 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. No violations are being alleged as a result of the investigation. However, please be aware of the additional issues that were noted during the investigation and listed in the attached summary. No further submittal from you is required concerning this investigation.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions 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

enc: Summary of Investigation Findings

Summary of Investigation Findings

SPRING HILL ESTATES , DENTON COUNTY, Additional ID(s): 0610218	Investigation # 706887 Investigation Date: 11/14/2008
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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

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

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

The chlorine residual was greater than 5.0 mg/l. Continued high readings such as this could result in the annual average exceeding the 4.0 mg/l maximum allowable level.

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

290.38 (25) - The fence was about 9 inches above ground level at one point. This may not be close enough to surface grade to prevent intruder passage. The adjoining property has an intruder resistant fence surrounding it, which adds extra protection against intruders.

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

November 5, 2008

RECEIVED
NOV 07 2008

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

BY:.....

Re: Notice of Violation for the Comprehensive Compliance Investigation at:
Springtown Subdivision, Parker County, Texas
RN102681566, TCEQ Additional ID 1840015, Investigation No. 700729

Dear Mr. Blackhurst

On September 17, 2008, Mr. Robert E. Ferry of the Texas Commission on Environmental Quality (TCEQ) DFW Regional Office conducted an investigation of the above-referenced facility to evaluate compliance with applicable requirements for wastewater treatment. During the investigation, some concerns were noted which were alleged non-compliances that have been noted and resolved. No further submittal from you is required concerning this investigation.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions regarding these matters, please feel free to contact Mr. Ferry in the D/FW Region Office at (817) 588-5800 or directly at (817) 588-5814.

Sincerely,

A handwritten signature in cursive script, appearing to read "Charles Marshall".

Charles Marshall
PWS Work Leader
DFW Region Office

CM/ref

enc: 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

SPRINGTOWN SUBDIVISION , PARKER COUNTY, Additional ID(s): 1840015	Investigation # 700729 Investigation Date: 09/16/2008
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ALLEGED VIOLATION(S) NOTED AND RESOLVED ASSOCIATED TO A NOTICE OF VIOLATION

Track No: 347842 30 TAC Chapter 290.46(n)(3) Alleged Violation: Investigation: 700729	Comment Date: 10/21/2008 Failure to keep copies of the well completion logs for the wells. Copies of the well completion logs were not available for review during the investigation. Recommended Corrective Action: Submit a copy of the well completion logs to this office. Resolution: A copy of the well drillers log was sent to the office by e-mail on October 15, 2008.
--	---

AREA OF CONCERN

Track No: 347841 30 TAC Chapter 290.46(m) Alleged Violation: Investigation: 700729	Comment Date: 10/21/2008 Failure to properly maintain the system's facilities and equipment. The three strands of barbed wire were so loose that they had come off of the attachments in several places. Recommended Corrective Action: Reattach and tighten the barbed wire. Send photographs to the regional office showing the repairs that have been conducted. Resolution: An e-mail response was received on 09/26/2008 that addressed the issue. A photograph of the repaired fence was included and attached to this report.
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nela

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 15, 2008

Steve Blackhurst, Environmental Compliance Manager
Aqua Texas Inc.
1106 Clayton Ln, suite 400W
Austin, TX 78723-1066

RECEIVED
BY:

Re: Compliance Evaluation Investigation at:
Squaw Creek Subdivision Water System, 1484 County Road 323, Glen Rose
TCEQ ID No.: 2130021

Dear Mr. Blackhurst:

On September 30, 2008, Dan Long, 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 Supply 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. Dan Long in our D/FW Region Office at 817/588-5859.

Sincerely,

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

CM/dml

Enclosures: 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

<p>SQUAW CREEK SUBDIVISION WATER SYSTEM 1484 CR 323 GLEN ROSE, SOMERVELL COUNTY, TX 76043</p> <p>Additional ID(s): 2130021</p>	<p>Investigation # 703216 Investigation Date: 09/18/2008</p>
---	---

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

Track No: 115469
30 TAC Chapter 290.41(c)(1)(D)

Alleged Violation:

Investigation: 703216

Comment Date: 09/25/2008

Failed to certify that all livestock in pastures are not allowed with in 50 feet of water supply wells.

Investigation: 150466

Comment Date: 08/19/2003

Failed to certify that all livestock in pastures are not allowed with in 50 feet of water supply wells.

Resolution: Unresolved Tracking No. 115469, is the same violation cited by the resolved Tracking No. 18146.

Tracking No. 18146, cited at the time of the 10/27/2004 CCI, was resolved per Compliance Evaluation Investigation dated 11/26/2004, based on documentation dated 11/11/2004, received 11/12/2004, depicting a fenced well site.

Withdrawal Comments: Unresolved Tracking No. 115469, is the same violation cited by the resolved Tracking No. 18146.

Tracking No. 18146, cited at the time of the 2004 CCI, was resolved, based on documentation received 11/12/2004, depicting a fenced well site.

Track No: 115472
30 TAC Chapter 290.41(c)(1)(F)

Alleged Violation:

Investigation: 703216

Comment Date: 10/07/2008

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: 150466

Comment Date: 08/19/2003

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.

Resolution: At the time of the 2008 CCI easement documentation was provided for both wells.

Withdrawal Comments: At the time of the 2008 CCI easement documentation was provided for both wells.

ADDITIONAL ISSUES

Description

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

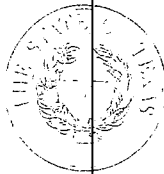
Other violations noted during the investigation? (If non-compliant then describe violation in the comment section.)

Additional Comments

Monthly operation reports should average water usage between meter readings.

The well logs for both wells are similar. The log for well #2 should be verified.

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



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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 27, 2010

2010 AUG 27 10 57 AM
BY:

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

Re: Comprehensive Compliance Investigation at:
Stone Valley, Denton County, Texas
TCEQ ID No.:0610236, RN No. 102679834, Investigation No. 830499

Dear Mr. Blackhurst:

On July 14, 2010, Mr. Robert E. Ferry of the Texas Commission on Environmental Quality (TCEQ), DFW 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 Mr. Ferry in the DFW Region Office at (817) 588-5814.

Sincerely,

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

Charles Marshall
Work Leader, Public Water Supply Section
DFW Regional Office

CM/ref

Tam

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

February 11, 2009

RECEIVED
FEB 12 2009

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

BY:

Re: Compliance Evaluation Investigation at:
Stonegate Water System, Kendall County, Texas
PWS ID No.: 1300032, RN No. 102681798, Investigation No. 726259

Dear Mr. Blackhurst:

On January 28, 2009, Mr. Don White of the Texas Commission on Environmental Quality (TCEQ) San Antonio 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 and the public's health. If you or members of your staff have any questions regarding these matters, please feel free to contact Mr. Don White in the San Antonio Region Office at 210-403-4054.

Sincerely,

Ms. Joy Thurston-Cook,
Water Section Work Leader
San Antonio Region Office

JTC/DCW/eg

REPLY TO: REGION 13 • 14250 JUDSON RD. • SAN ANTONIO, TEXAS 78233-4480 • 210-490-3096 • FAX 210-545-4329

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*



Vickery

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 27, 2010

RECEIVED
AUG 27 2010

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

BY:

Re: Comprehensive Compliance Investigation at:
Stoney Hills, Denton County, Texas
TCEQ ID No.:0610220, RN No. 101285823, Investigation No. 830498

Dear Mr. Blackhurst:

On July 14, 2010, Mr. Robert E. Ferry of the Texas Commission on Environmental Quality (TCEQ), DFW 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 Mr. Ferry in the DFW Region Office at (817) 588-5814.

Sincerely,

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

Charles Marshall
Work Leader, Public Water Supply Section
DFW Regional Office

CM/ref

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

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FORM NO. 100 (REV. 05/03)

Dickie

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 15, 2009

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

RECEIVED
JUL 18 2009

BY:

Re: Compliance Evaluation Investigation at:
Strawberry Estates, 231 Strawberry Lane, Wise County, Texas
TCEQ ID No. 2490045

Dear Mr. Blackhurst:

On June 11, 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, 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. Imran Khawaja in the Dallas/Fort Worth Region Office at (817) 588-5806.

Sincerely,

Charles Marshall, Work Leader
Dallas/Fort Worth Region Office

CM/ik

Enclosure: 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

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Summary of Investigation Findings

STRAWBERRY ESTATES 231 STRAWBERRY LN RHOME, WISE COUNTY, TX 76078 Additional ID(s): 2490045	Investigation # 748557 Investigation Date: 06/11/2009
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No Violations Associated to this Investigation

ADDITIONAL ISSUES

Description

Other violations noted during the investigation?30 Tex. Admin. Code, §291.93(3) Certificate of Convenience and Necessity
(If non-compliant then describe violation in the comment section.)

Additional Comments

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.

The system has reached 97.77% of its total pressure tank capacity.

A Capacity of 20 gallons per connection pressure tank capacity (Required = $44 \times 20 = 88$ gallons compared to total pressure tank capacity of 900 gallons is provided) or 97.97%.

Compliance Documentation: Submit a compliance plan within 90 days.

Dickie

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 13, 2010

RECEIVED
MAY 15 2010
BY:.....

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

Re: Compliance Evaluation Investigation at: Sun Valley Estates, Tarrant County, Texas
TCEQ ID No.: 2200337, RN102680030, Investigation No. 798520

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 facility to evaluate compliance with applicable requirements for public water supply. No violations are being alleged as a result of the investigation, however please see the attached Investigation Findings.

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 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. 798520

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

File 1 on recycled paper using soy based ink

Summary of Investigation Findings

SUN VALLEY ESTATES WATER SUPPLY 10981 BLUE SKY DR HASLET, TARRANT COUNTY, TX 76052 Additional ID(s): 2200337	Investigation # 798520 Investigation Date: 04/13/2010
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ALLEGED VIOLATION(S) NOTED AND RESOLVED

Track No: 281739

30 TAC Chapter 290.46(i)

Alleged Violation:

Investigation: 570097

Comment Date: 7/26/2007

Failure to establish a service agreement which includes prohibition of potential cross-connections or other undesirable plumbing practices and provisions for proper enforcement, and/or failure to retain and make available for review copies of properly completed and signed service agreements.

Operating Practices for Public Water Systems: Plumbing Ordinance/Service Agreement. Public water systems must adopt an adequate plumbing ordinance, regulations, or service agreement with provisions for proper enforcement to insure that neither cross-connections nor other unacceptable plumbing practices are permitted. Per 290.47(b) of this title (relating to Appendices), the purpose of the service agreement is to notify each customer of the restrictions which are in place to provide protection from contamination or pollution which could result from improper private water distribution system construction or configuration. The utility enforces these restrictions to ensure the public health and welfare. Each customer must sign the service agreement before the water system begins service. In addition, when service to an existing connection has been suspended or terminated, the water system must not re-establish service unless it has a signed copy of the service agreement.

Should sanitary control of the distribution system not reside with the purveyor, the entity retaining sanitary control shall be responsible for establishing and enforcing adequate regulations in this regard. The use of pipes and pipe fittings that contain more than 8.0% lead or solders and flux that contain more than 0.2% lead is prohibited for installation or repair of any public water supply and for installation or repair of any plumbing in a residential or nonresidential facility providing water for human consumption and connected to a public drinking water supply system. This requirement may be waived for lead joints that are necessary for repairs to cast iron pipe.

Investigation: 798520

Comment Date: 5/5/2010

Failure to establish a service agreement which includes prohibition of potential cross-connections or other undesirable plumbing practices and provisions for proper enforcement, and/or failure to retain and make available for review copies of properly completed and signed service agreements.

Recommended Corrective Action: Submit 1) a copy of the service agreement adopted by the water system. The service agreement must prohibit potential cross-connections or other undesirable plumbing practices. The service agreement must also prohibit the use of pipes and pipe fittings that contain more than 8.0 percent lead or solders and flux that contain more than 0.2 percent lead and include provisions for proper enforcement; and 2) a statement signed by system officials that the water system will begin complying with the requirement that each new customer must sign the service agreement before the water system begins providing service. The signed statement must include the provision that when service to an existing connection has been suspended or terminated, the water system will not re-establish service unless it has a signed copy of the service agreement.