

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



Bary

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 20, 2010

CERTIFIED MAIL 91 7108 2133 3934 5495 7666
RETURN RECEIPT REQUESTED

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

RECEIVED
18 APR 2010

Re: Comprehensive Compliance Investigation at:
WWW Water System, Located off CR 246 (Smith Co.), TX
RN102685161, PWS ID No.: 2120077, Investigation No. 793984

BY:

Dear Mr. Blackhurst:

The Texas Commission on Environmental Quality (TCEQ) Tyler Region Office has previously requested that you submit a compliance plan for the alleged violations noted during the investigation of the above-referenced facility conducted on December 17, 2009. We have received a compliance schedule for the following alleged violation by Track number: 386954. It is noted that you have indicated corrective action will be achieved according to this schedule, which was submitted to TCEQ on February 22, 2010, by Velvin & Weeks Consulting Engineers, Inc. TCEQ approves this schedule. Please submit to this office by September 30, 2010, a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for the aforementioned violation.

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 Phone (903) 535-5133.

Sincerely,

Handwritten signature of William D. Gibson in cursive.

William D. Gibson, Work Leader
Tyler Region Office

WDG/rkg

Enclosure: Summary of Investigation Findings

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

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

Printed on recycled paper using soy-based ink.

Summary of Investigation Findings

WWW WATER SYSTEM , SMITH COUNTY, Additional ID(s): 2120077	Investigation # 793984 Investigation Date: 02/26/2010
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OUTSTANDING ALLEGED VIOLATION(S) ASSOCIATED TO A NOTICE OF VIOLATION

Track No: 386954 Compliance Due Date: 09/30/2010
30 TAC Chapter 290.45(b)(1)(A)(ii)

Alleged Violation:

Investigation: 789320

Comment Date: 2/3/2010

Failure to meet this Agency's "Minimum Water System Capacity Requirements." These requirements include: an elevated storage capacity of 100 gallons per connection or a pressure tank capacity of 20 gallons per connection.

During the investigation on 12/17/2009, the investigator documented that WWW Water System failed to provide a minimum of 50 gallons per connection of pressure tank capacity. The minimum is at least 50 gallons per connection x 42 connections, which equals 2,100 gallons. The pressure tank capacity provided is 2,000 gallons.

Your water system must be modified to meet this/ these requirement(s) to assure an adequate supply of water at all times.

Please be advised that public water systems shall notify the executive director prior to making any significant change or addition to the system's production, treatment, storage, or distribution facilities. Public water systems shall submit plans and specifications for the proposed changes upon request.

The water system may request an exception to these requirements by writing to TCEQ, Water Supply Division, Public Drinking Water Section, Technical Review & Oversight, MC 155, P.O. Box 13087, Austin, TX 78711-3087; phone: (512) 239-4798.

Investigation: 793984

Comment Date: 4/15/2010

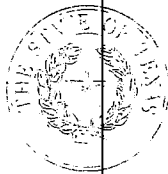
Failure to provide the minimum pressure tank capacity.

During a file record review on 02/26/2010, a compliance plan submitted by the system's engineer was reviewed, which included a corrective action date of 08/2010.

Recommended Corrective Action: Please submit compliance documentation by 09/30/2010. The documentation should demonstrate what actions have been taken and may include photographs, purchase orders, results of analyses, etc.

Tom

Bryan W. Shaw, Ph.D., *Chairman*
Buddy Garcia, *Commissioner*
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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 18, 2009

**CERTIFIED MAIL 91 7108 2133 3936 7309 7273
RETURN RECEIPT REQUESTED**

RECEIVED
SEP 21 2009

BY:

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

Re: Notice of Violation for the Compliance Evaluation Investigation at:
Aqua Vista Utilities Company, Kerr County, Texas,
RN1012827472, TCEQ Additional ID 1330062, Investigation No. 767411:

Dear Mr. Blackhurst:

On July 28, 2008, Mr. Don White of the Texas Commission on Environmental Quality (TCEQ) San Antonio 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. Please submit to this office by January 10, 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 San Antonio Region Office within 10 days from the date of this letter. At that time, the Water Section Program Manager will schedule a violation review meeting to be conducted (*within 21 days from the date of this letter OR specified date at specific time*). 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.

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

Mr. Steve Blackhurst
September 18, 2009
Page 2

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,



Joy Thurston-Cook
Water Section Work Leader
San Antonio Region Office
Texas Commission on Environmental Quality

JTC/DCW/adj

Enclosures: Summary of Investigation Findings
 Obtaining TCEQ Rules

Summary of Investigation Findings

AQUA VISTA UTILITIES

, KERR COUNTY,

Additional ID(s): 1330062

Investigation # 767411

Investigation Date: 07/28/2009

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

Track No: 374929 Compliance Due Date: 01/10/2010
30 TAC Chapter 290.46(v)

Alleged Violation:

Investigation: 767411

Comment Date: 08/28/2009

Failure to have all electrical wiring securely installed in compliance with a local or national electrical code. Specifically the power supply wiring going into the top of the well head needs to be installed in a securely mounted conduit.

Recommended Corrective Action: Have the electrical power supply wiring going into the top of the well mounted inside a securely mounted conduit.

Please submit to this office by the Compliance Due Date, photographs or invoices documenting that the electrical power supply wiring for the well is installed inside a securely mounted conduit.

Track No: 374938 Compliance Due Date: 01/10/2010
30 TAC Chapter 290.46(m)(4)

Alleged Violation:

Investigation: 767411

Comment Date: 08/28/2009

Failure to maintain both the 0.020 MG ground storage tanks and the 0.0025 MG pressure tank in a watertight condition. All of these tanks were observed having water leaks.

Recommended Corrective Action: Replace or repair both of the 0.020 MG ground storage tanks and the 0.0025 MG pressure tank so that all of your storage tanks and pressure tanks are maintained in a watertight condition.

Please submit to this Office by the Compliance Due Date, photographs or invoices documenting that the ground storage tanks and the pressure tank are now being maintained in a watertight condition.

Track No: 374940 Compliance Due Date: 01/10/2010
30 TAC Chapter 290.43(d)(3)

Alleged Violation:

Investigation: 767411

Comment Date: 08/28/2009

Failure to maintain a device to readily determine air-water-volume for all pressure tanks greater than 1,000 gallon capacity.

Recommended Corrective Action: Install a site glass or other device to readily determine the air-water-volume for the 0.0025 MG pressure tank.

Please submit to this Office by the Compliance Due Date, photographs or invoices documenting that the site glass or other device for determining the air-water-volume in the 0.0025 MG pressure tank has been installed.

Track No: 374945 Compliance Due Date: 01/10/2010

Alleged Violation:

Investigation: 767411

Comment Date: 08/28/2009

Failure to provide a water level indicator on the elevated ground storage tank.

Recommended Corrective Action: Install a water level indicator on the elevated ground storage tank. The indicator can be a float with a moving target, an ultrasonic indicator or a pressure gauge calibrated in feet of water.

Please submit to this Office by the Compliance Due Date, invoices or photographs documenting that you have installed a water level indicator on the elevated ground storage tank.

Track No: 374946 **Compliance Due Date:** 01/10/2010
30 TAC Chapter 290.41(c)(3)(J)

Alleged Violation:

Investigation: 767411

Comment Date: 08/28/2009

Failure to have a concrete sealing block extending at least three feet from the well casing in all directions, with a minimum thickness of six inches and sloped to drain away at not less than 0.25 inches per foot. There was a sealing block around the well head, however the thickness was in question, it did not appear to have any slope and it had numerous cracks in it.

Recommended Corrective Action: Provide a sealing block in accordance with the previously described specifications.

Please submit to this Office by the Compliance Due Date, photographs or invoices documenting that a properly constructed concrete sealing block has been installed around the well head.



f

Aqua Texas, Inc.
1106 Clayton Lane, Suite 400W
Austin, Texas 78723

T: 512-990-4400
F: 512-990-4411
www.aqua-texas.com

August 18, 2010

Ms. Joy Thurston-Cook
Water Section Work Leader
TCEQ-San Antonio Region Office
14250 Judson Rd.
San Antonio, Texas 78233-4480

Re: Aqua Vista Water System, PWS I.D. # 1330062, RN1012827472, Investigation No. 767411

Dear Ms. Thurston-Cook:

On July 28, 2009, Mr. Don White conducted a compliance investigation at the referenced public water system. Your letter of September 18, 2009, contained several outstanding alleged violations. We apologize for this late reply and want to update you on what we are doing to correct these alleged violations. Rather than correct these issues we ask that we be allowed to move forward with our plan to replace the ground storage and pressure tanks. The same size tanks will be installed and the items listed in your letter will be corrected when this work is done. Other construction work is being done and the well sealing slab will be replaced or repaired at this time and the well electric cable will be installed in conduit. We have the monies budgeted for this project and we anticipate the work to be completed by the end of the year.

If you have questions regarding this letter you may contact me by phone at (512) 990-4400 ext. 109 or by email at LEMitchell@Aquaamerica.com.

Best Regards,

Larry E. Mitchell
Environmental Compliance Coordinator

cc: Tom Myers, Field Supervisor, Central Texas, Aqua Texas
Mike Pickel, Senior Engineer, Environmental Compliance, Aqua America, Inc.

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

Quri

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 10, 2011

**CERTIFIED MAIL 91 7108 2133 3935 2115 2352
RETURN RECEIPT REQUESTED**

RECEIVED
AUG 15 2011

BY:.....

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

Re: Notice of Violation for the Focused Investigation of:
Barton Creek Lakeside Water System, Lauren Drive, Spicewood (Travis County), Texas
PWS ID No. 2270282; Regulated Entity ID No. 102673274

Dear Mr. Blackhurst:

On July 13, 2010, Ms. Shea Cockrell of the Texas Commission on Environmental Quality (TCEQ) Austin Region Office conducted an investigation of the above-referenced facility to evaluate compliance with applicable requirements for public water systems. Enclosed is a summary which lists the investigation findings. During the investigation, an alleged violation was noted that has been resolved based on subsequent corrective action. In addition, an outstanding alleged violation was identified for which compliance documentation is required. Please submit to this office by **October 10, 2011** a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for the outstanding alleged violation.

In the listing of the alleged violations, we have cited applicable requirements, including TCEQ rules. Please note that both the rules themselves and the agency brochure entitled *Obtaining TCEQ Rules* (GI 032) are located on our agency website at <http://www.tceq.state.tx.us> for your reference. If you would like a hard copy of this brochure mailed to you, you may call and request one from either the Austin Region Office at (512) 339-2929 or the Central Office Publications Ordering Team at 512-239-0028.

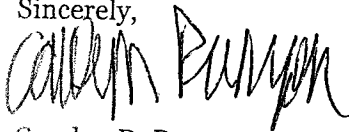
The Texas Commission on Environmental Quality appreciates your assistance in this matter. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements. We anticipate that you will resolve the alleged violation as required in order to protect the State's environment.

Mr. Steve Blackhurst
August 10, 2011
Page 2

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 Austin Region Office within 10 days from the date of this letter. At that time, I will schedule a violation review meeting to be conducted within 21 days from the date of this letter. However, please be advised that if you decide to participate in the violation review process, the TCEQ may still require you to adhere to the compliance schedule included in the attached Summary of Investigation Findings until an official decision is made regarding the status of any or all of the contested violations.

If you or members of your staff have any questions, please feel free to contact Ms. Cockrell in the Austin Region Office at (512) 339-2929.

Sincerely,



Carolyn D. Runyon
Water Section Manager
Austin Region Office

CDR/sc

cc: Ms. Jerri Strain, Field Supervisor, Aqua Texas, Inc., 1502 San Juan Drive, Austin, Texas
78733

Enclosures: Summary of Investigation Findings

Summary of Investigation Findings

BARTON CREEK LAKESIDE

Investigation # 943379

100 LAUREN DR

Investigation Date: 06/14/2011

SPICEWOOD, TRAVIS COUNTY, TX 78669

Additional ID(s): 2270282

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

Track No: 443079 Compliance Due Date: 10/10/2011
30 TAC Chapter 290.46(f)(3)(A)(vi)

Alleged Violation:

Investigation: 943379

Comment Date: 8/5/2011

Failure to maintain adequate maintenance logs for the leak and water line repairs occurring on Waterfall Hills Parkway between June 3 and 10, 2011. Specifically, there are no records showing that the repaired water line was disinfected according to AWWA standards prior to being placed back into service, which is required by 30 TAC 290.46(g).

Recommended Corrective Action: Maintenance records for water system facilities must be maintained for a period of at least two years. Maintenance records should include leak repair activities which show that repaired water lines are disinfected in accordance with AWWA standards as required by 30 TAC 290.46(g).

Please submit appropriate documentation, including copies of maintenance records or logs showing that the required information is being maintained for line repairs. Compliance documentation must be submitted to the TCEQ Austin Region Office by October 10, 2011.

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

Track No: 443066
30 TAC Chapter 290.44(h)

Alleged Violation:

Investigation: 943379

Comment Date: 8/9/2011

Failure to have the backflow prevention device at the Lakeside Utilities Wastewater Treatment Plant tested annually. At the time of the investigation, the backflow prevention assembly was in need of maintenance and had not been calibrated since February 9, 2005.

Recommended Corrective Action: All backflow prevention assemblies installed at connections with a health hazard risk must be tested at least annually by a recognized backflow prevention assembly tester and be certified to be operating within specifications.

Resolution: On August 5, 2011, Ms. Jerri Strain, Field Supervisor, submitted documentation showing that compliance had been achieved. The compliance documentation included a backflow prevention assembly test report showing that the the device had been replaced and tested upon installation.

ADDITIONAL ISSUES

Description

Additional Comments

Summary of Investigation Findings

BARTON CREEK LAKESIDE
 100 LAUREN DR
 SPICEWOOD, TRAVIS COUNTY, TX 78669

Investigation # 943379
 Investigation Date: 06/14/2011

Additional ID(s): 2270282

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

Track No: 443079 Compliance Due Date: 10/10/2011
 30 TAC Chapter 290.46(f)(3)(A)(vi)

Alleged Violation:

Investigation: 943379

Comment Date: 8/5/2011

Failure to maintain adequate maintenance logs for the leak and water line repairs occurring on Waterfall Hills Parkway between June 3 and 10, 2011. Specifically, there are no records showing that the repaired water line was disinfected according to AWWA standards prior to being placed back into service, which is required by 30 TAC 290.46(g).

Recommended Corrective Action: Maintenance records for water system facilities must be maintained for a period of at least two years. Maintenance records should include leak repair activities which show that repaired water lines are disinfected in accordance with AWWA standards as required by 30 TAC 290.46(g).

Please submit appropriate documentation, including copies of maintenance records or logs showing that the required information is being maintained for line repairs. Compliance documentation must be submitted to the TCEQ Austin Region Office by October 10, 2011.

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

Track No: 443066
 30 TAC Chapter 290.44(h)

Alleged Violation:

Investigation: 943379

Comment Date: 8/9/2011

Failure to have the backflow prevention device at the Lakeside Utilities Wastewater Treatment Plant tested annually. At the time of the investigation, the backflow prevention assembly was in need of maintenance and had not been calibrated since February 9, 2005.

Recommended Corrective Action: All backflow prevention assemblies installed at connections with a health hazard risk must be tested at least annually by a recognized backflow prevention assembly tester and be certified to be operating within specifications.

Resolution: On August 5, 2011, Ms. Jerri Strain, Field Supervisor, submitted documentation showing that compliance had been achieved. The compliance documentation included a backflow prevention assembly test report showing that the the device had been replaced and tested upon installation.

ADDITIONAL ISSUES

Description

Additional Comments

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



Tom

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 3, 2011

**CERTIFIED MAIL No.: 91 7108 2133 3938 5437 1734
RETURN RECEIPT REQUESTED**

RECEIVED
AUG 05 2011

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

BY:

Re: Notice of Violation for the Comprehensive Compliance Investigation at:
Bear Paw Water System, Kerr County, Texas
Regulated Entity No.: RN102675717, TCEQ ID No.: 1330126, Investigation No. 940988

Dear Mr. Blackhurst:

On July 5, 2011, Mr. Don White of the Texas Commission on Environmental Quality (TCEQ) San Antonio 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. During the investigation three outstanding alleged violations were identified for which compliance documentation is required. Please submit to this office by September 29, 2011 and November 29, 2011 written descriptions of the corrective action taken and the required documentation demonstrating that compliance has been achieved for the outstanding alleged violations. Please note the "Additional Issue" described in the Summary of Investigation Findings.

In the listing of the alleged violation, we have cited applicable requirements, including TCEQ rules. Please note that both the rules themselves and the agency brochure entitled *Obtaining TCEQ Rules* (GI 032) are located on our agency website at <http://www.tceq.state.tx.us> for your reference. If you would like a hard copy of this brochure mailed to you, you may call and request one from either the San Antonio Region Office at 210-490-3096 or the Central Office Publications Ordering Team at 512-239-0028.

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 requirement. 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 documented in this notice. Should you choose to do so, you must notify the San Antonio Region Office within 10 days from the date of this letter. At that time, Water Program Manager, Ms. Lynn Bumguardner 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

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

Mr. Steve Blackhurst
August 2, 2011
Page 2

TCEQ may still require you to adhere to the compliance schedule included in the enclosed 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. 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/DW/eg

Enclosures: Summary of Investigation Findings
Distribution System Pressure Monitoring Data

BEAR PAW WATER SYSTEM	Investigation # 940988
, KERR COUNTY,	Investigation Date: 07/05/2011
Additional ID(s): 1330126	

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

Track No: 441420 Compliance Due Date: 11/29/2011
30 TAC Chapter 290.45(b)(1)(C)(i)

Alleged Violation:

Investigation: 940988

Comment Date: 7/18/2011

Failure to meet the Commission's minimum water system capacity requirements, specifically failure to provide a minimum of 0.6 gpm of well production per connection. With 113 connections you are required to have a minimum of 67.8 gpm of well production. During the investigation conducted on 07/05/2011, your total well production was measured at 54.7 gpm.

Recommended Corrective Action: Increase your well production capacity to provide a minimum of 0.6 gpm per connection plus additional capacity to meet the growing needs of the distribution system.

Please submit to this Office by the Compliance Due Date, documentation demonstrating that you have increased your well production capacity to meet the requirements of this rule or a detailed plan with specific dates and timelines for adding additional well production capacity to this system.

Track No: 441424 Compliance Due Date: 09/29/2011
30 TAC Chapter 290.44(d)

Alleged Violation:

Investigation: 940988

Comment Date: 7/18/2011

Failure to maintain a minimum of 35 psi. of water pressure throughout the distribution system. An eight day continuous pressure monitoring study of the Highlands Ranch Subdivision documented two episodes where the minimum distribution pressure fell below 20 psi. Copies of the pressure monitoring data is attached to this investigation report.

Recommended Corrective Action: Take the appropriate engineering, operational and water conservation measures necessary to insure that the minimum pressure of 35 psi. will be maintained continuously throughout the distribution system.

Please submit to this Office by the Compliance Due Date, a detailed description of the engineering, operational and/or water conservation measures you have taken to insure that the minimum pressure of 35 psi. will be maintained continuously throughout the distribution system.

Track No: 441426 Compliance Due Date: 09/29/2011
30 TAC Chapter 290.46(m)

Alleged Violation:

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 as to prevent other conditions that might cause the contamination of the water.

Recommended Corrective Action: Clean up the Bear Paw, entry point 001 water plant in a manner that insures the good working condition and general appearance of the system's facilities and equipment.

Please submit to this Office by the Compliance Due Date, photographs documenting that the Bear Paw, entry point 001 water plant has been cleaned up and discarded debris has been disposed of off-site.

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

<p>Track No: 205888 30 TAC Chapter 290.43(e)</p> <p>Alleged Violation: Investigation: 393325</p>	<p>Comment Date: 5/25/2005</p>
<p>Failure to remove all overhanging limbs over the intruder resistant fence in order to make the fence intruder resistant. Investigation: 940988</p>	<p>Comment Date: 7/18/2011</p>
<p>Failure to remove overhanging limbs from the security fence at entry point 001 in the Bear Paw Water System. Recommended Corrective Action: Remove all overhanging limbs. Submit photo of completed work. Resolution: It was noted during the most recent CCI of this facility that the limbs overhanging the security fence at entry point 001 had been removed.</p>	
<p>Track No: 370115 30 TAC Chapter 290.41(c)(3)(A)</p> <p>Alleged Violation: Investigation: 761683</p>	<p>Comment Date: 7/10/2009</p>
<p>Failure to submit as-built plans and well completion data for the well and water plant in the Highlands Subdivision and having that well approved by the TCEQ before placing it into service as a public water supply well. Investigation: 940988</p>	<p>Comment Date: 7/18/2011</p>
<p>Failure to submit as-built plans and well completion data for well #2 in the Highlands Ranch Subdivision. Recommended Corrective Action: Have a licensed professional engineer submit as-built plans and well completion data for the well and water plant on Skye and Mull in the Highlands Subdivision so that it may be approved by the TCEQ as an approved public water supply well and water system. Please submit to this Office by the Compliance Due Date, a copy of the letter from the TCEQ Central Office approving this well for interim public water supply use. Resolution: It was noted during the most recent CCI of this facility that the water system had submitted as-built plans and well completion data for the well in the Highlands Ranch Subdivision.</p>	

ADDITIONAL ISSUES

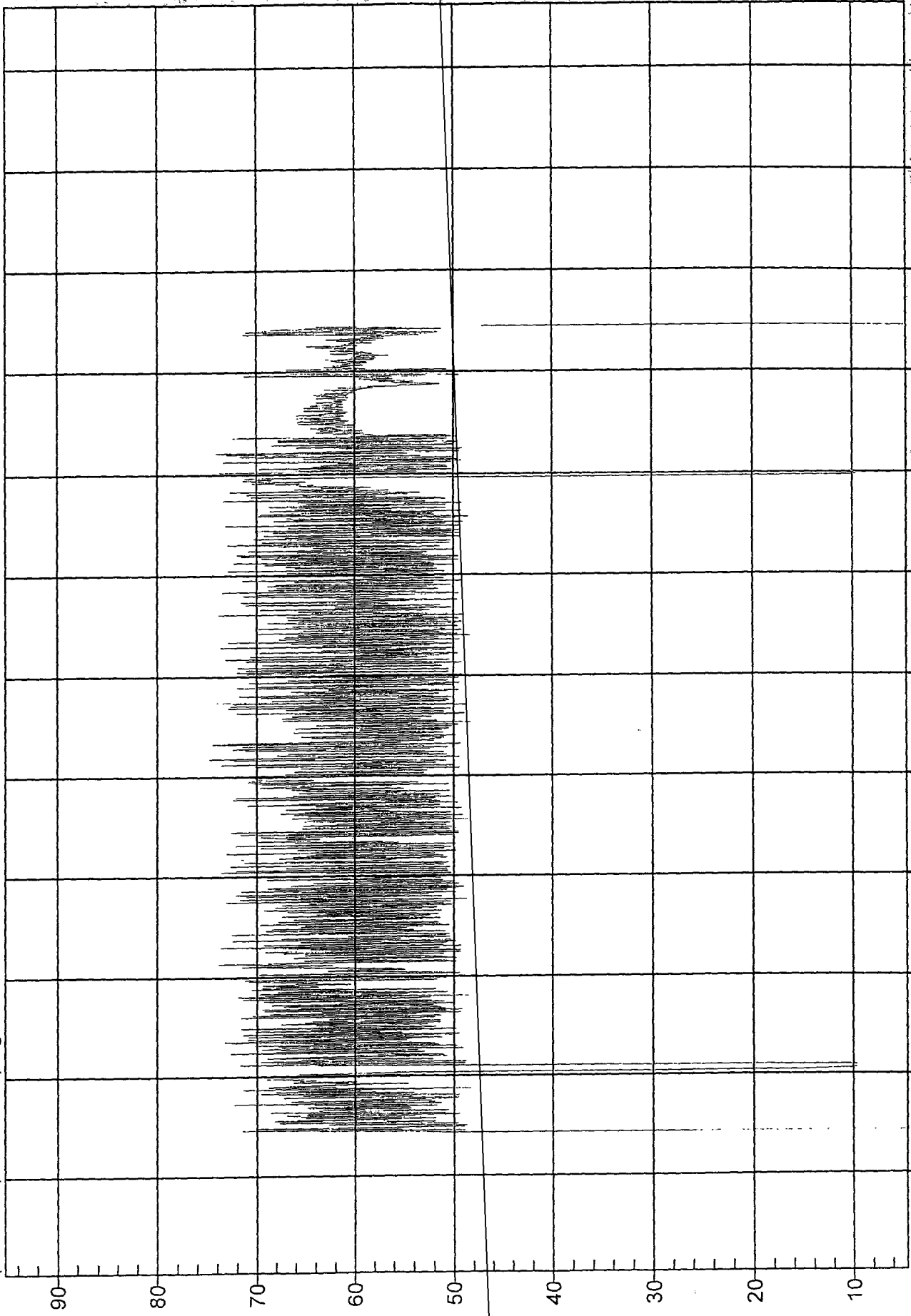
Description
Item 6

Additional Comments

30 TAC 290.45(b)(1)(C)(iv) The Commission's pressure tank capacity requirements require a minimum of 20 gallons of pressure tank capacity per connection. The Highlands Ranch Subdivision water plant (entry point 002) does not have enough pressure tank capacity to meet the minimum pressure tank capacity requirement without sharing the pressure tank capacity provided by the Bear Paw, entry point 001 water plant. For this reason the interconnection between these two water plants and distribution systems must remain open.

Downloaded Data - Thursday, July 14, 2011

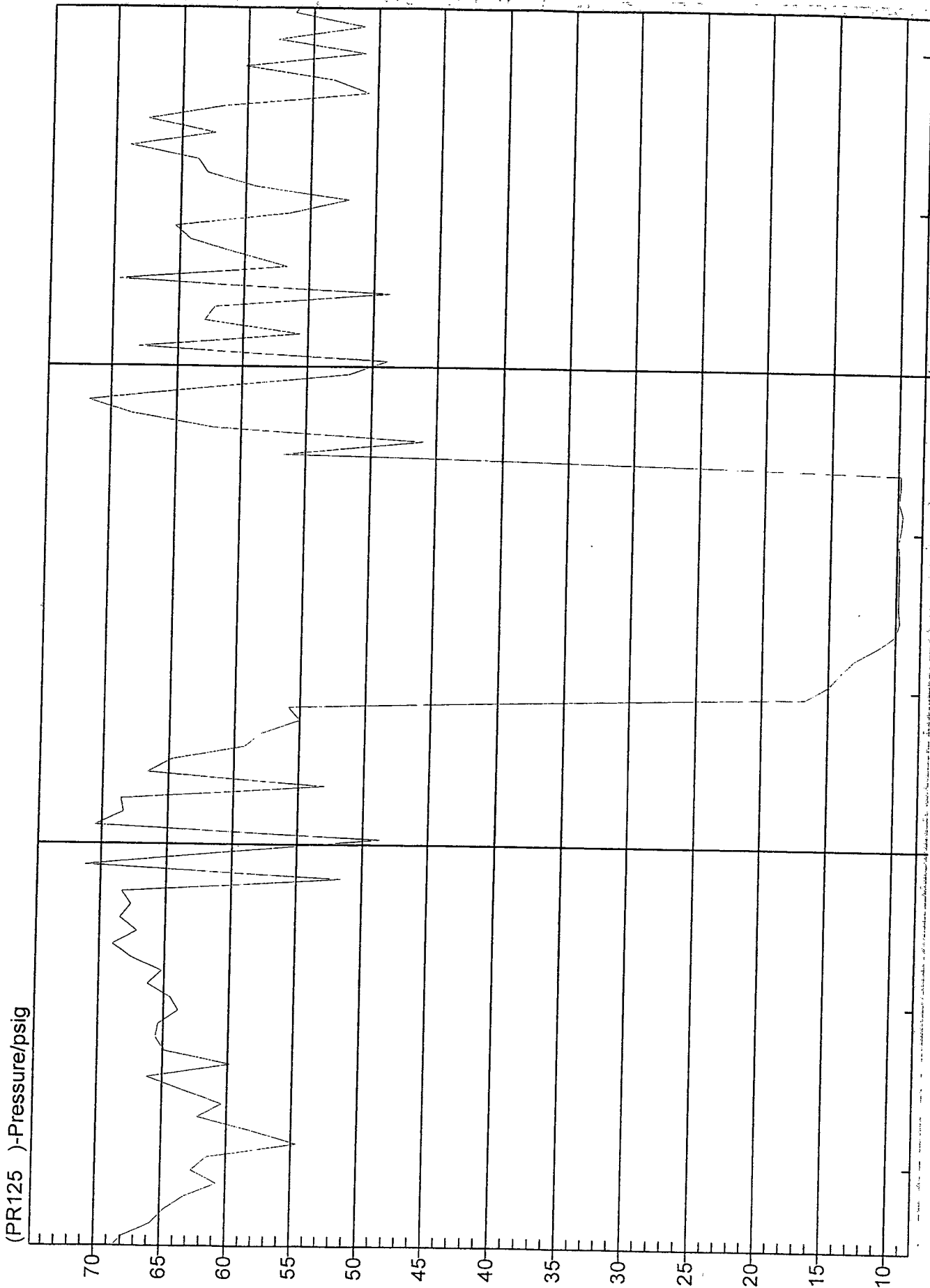
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Date/Time

Jul 2011

Downloaded Data Thursday, July 14, 2011



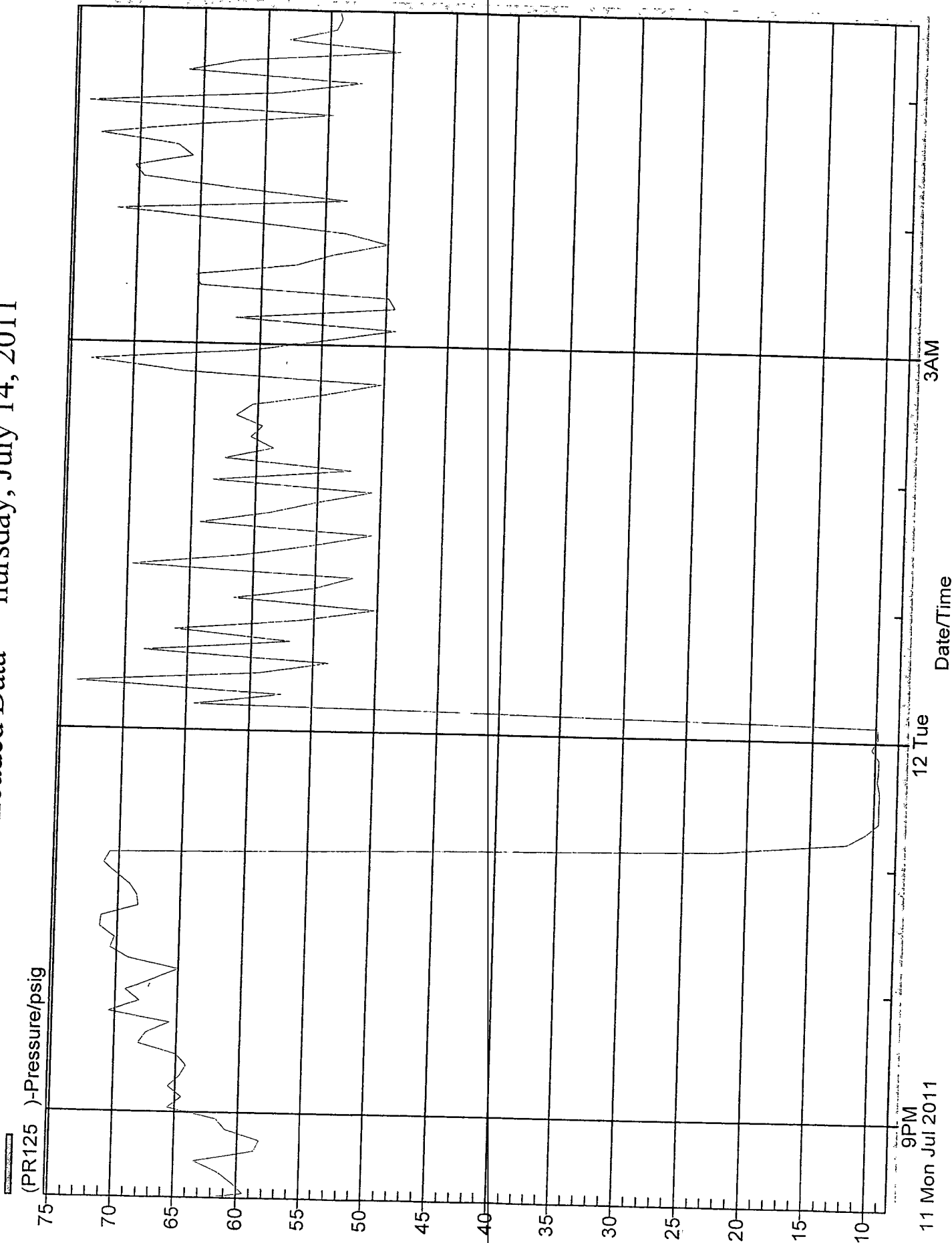
Jul 2011

6 Wed

Day Time

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Downloaded Data - hursday, July 14, 2011





Aqua Texas, Inc.
1106 Clayton Lane, Suite 400W
Austin, Texas 78723

T: 512-990-4400
F: 512-990-4411
www.aqua-texas.com

March 11, 2011

Ms. Joy Thurston-Cook
Water Section Work Leader
TCEQ-San Antonio Region Office
14250 Judson Rd.
San Antonio, Texas 78233-4480

Re: Bear Paw Water System, PWS I.D. # 1330126, RN102675717, Investigation No. 761683

Dear Ms. Thurston-Cook:

On June 17, 2009, Mr. Don White conducted a compliance investigation at the referenced public water system. In your letter of July 20, 2009, was listed an alleged violation, Track No. 370115, for failure to submit as-built plans and well completion data for the well and water plant in the Highlands Subdivision and having that well approved by TCEQ before placing the well into service. You may recall that we purchased several water systems a few years ago from an individual and the Highlands Ranch system was part of the purchase. During negotiations for the purchase we learned that this water system did not have TCEQ approval. We have been working since we purchased the water plant to gain approval for the well. Several letters have been sent from the engineer, John Hewitt, P.E., attempting to gain approval. Most recently, Mr. Hewitt has submitted an exception request for use of this well. I have enclosed his letter for your review and a print out from the WUD database which shows that this exception request letter was received by TCEQ on February 28, 2011 and is under review. Once we have a reply we will be in contact with you and let you know the decision of the person in TROT reviewing this request.

If you have questions regarding this letter you may contact me by phone at (512) 990-4400 ext. 56109 or by email at LEMitchell@Aquaamerica.com.

Best Regards,

A handwritten signature in cursive script that reads "Larry E. Mitchell".

Larry E. Mitchell
Environmental Compliance Coordinator

cc: Brent Reeh, Area Manager, Central Texas, Aqua Texas
Tom Myers, Field Supervisor, Central Texas, Aqua Texas
Mike Pickel, Senior Engineer, Environmental Compliance, Aqua America, Inc.



Hewitt Engineering Inc.

Consulting Engineering Services

February 23, 2011

Technical Review and Oversight Team
Water Supply Division MC -159
TCEQ
P.O. Box 13087
Austin, Texas 78711-3087

**Re: Bear Paw Ranch Water System
Proposed Water System Modifications
Plan Review Log Number P-03172010-087
P.W.S. I.D. No. 1330126; CCN No. 11157**

Dear Technical Review and Oversight Team,

Aqua Texas is in the process of incorporating the adjacent Highlands Ranch water system into the Bear Paw Ranch CCN and combining the water systems. Information on the proposed water system was previously submitted to the TCEQ Utilities Review Team on March 15, 2010 and May 24, 2010 summarizing the existing conditions of the water systems including bacteriological, chemical and radionuclide sample results. Aqua Texas is requesting an exception from TCEQ in order to use the existing water well from the Highlands Ranch water system as a part of the Bear Paw water system.

The existing water plant at Highlands Ranch consists of a water supply well, chlorination facilities, ground storage tank, two booster pumps in a pump building, and a hydropneumatic pressure tank. The existing Highlands Ranch water well was drilled prior to acquisition by Aqua Texas. There is no driller information or well completion data available for this well. Aqua Texas contracted with GeoCam Geophysical and Video Logging Services in June 2009 to provide a downhole video of the well construction and condition. A copy of the video data sheet and DVD of the video survey were provided in the Preliminary Engineering Report previously submitted to TCEQ in March 2010.

Combining the Bear Paw Ranch and Highlands Ranch water systems will result in 109 total existing connections and 166 ultimate connections. The existing capacities for the combined water system facilities exceed the TCEQ requirements. In addition, the Highlands Ranch water system is currently interconnected to the Bear Paw water system through a 3-inch water line extending south from the McKay Road cul-de-sac.

Previously, the TCEQ Utilities Review Team stated that it could not be determined whether the Highlands Ranch well was constructed in accordance with 30 TAC 290.41 and therefore could not approve combining the water systems. The Utilities Review Team questioned the "tear" in the well casing and the original construction method of the well. The well was originally drilled over 30 years ago and Aqua Texas only recently acquired the well. As a result, there is no well completion data available. However, the tear in the well casing from 605.8 to 609 feet is located in the production zone of the Middle Trinity Aquifer for the well.

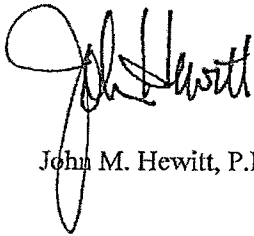
Over the past 30 plus years, there has been no history of contamination or excessive contaminant levels in any of the samples collected over the life of the well. It is assumed that this well has a cement plug above the production zone and the existing casing tear based on similar construction of other wells drilled in the area during the time of completion of this well.

Previous submittals last year to the TCEQ Utilities Review Team have included a USGS topographic quadrangle map showing the location of the well, water samples results from the well, an assessment summary of potential pollution hazards around the well, documentation of a 150-foot sanitary sewer control easement around the well dedicated as part of the subdivision plat, and a copy of the plat.

As previously stated, Aqua Texas is requesting an exception from TCEQ in order to use the Highlands Ranch well in the Bear Paw water system. There has been no history of contamination or excessive contaminant levels in any of the samples collected over the life of this well and Aqua Texas is willing to sample the well on a monthly basis to ensure that there are no future contamination problems. Please feel free to call me at 830-315-8800 or email me at jmhewitt@hewitt-inc.com if you have any questions or would like additional information.

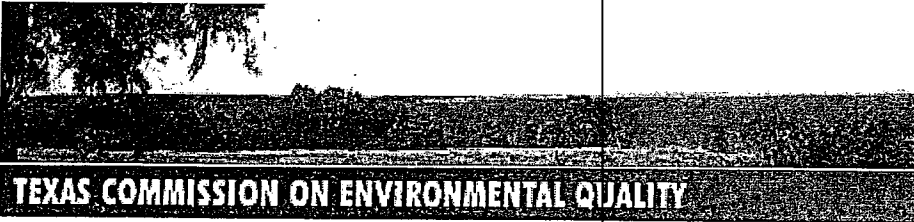
Respectfully,

HEWITT ENGINEERING INC.
Texas Registered Engineering Firm F-10739



John M. Hewitt, P.E., CFM

Cc: Tom Myers, Aqua Texas, Inc.



SITE SEARCH:

please enter search phrase Go

SUBJECT INDEX

- > Air > Water > Waste
- > Search TCEQ Data
- > Agency Organization Map

TCEQ Home

- Districts
- Utilities
- PWSs
- Maps
- Documents
- Reports

WUD Main

? Documents for BEAR PAW WATER SYSTEM (1330126)

*Document Type: (Please select a Document Type)

Value Type:

Value:

Search List



Document Name	Received Date	Final Action Date
EXCEPTION REQUEST	02/28/2011	
NOTICE OF CHANGE 39(J)	08/09/2010	09/13/2010
WATER SYSTEM PLAN REVIEW	05/27/2010	06/30/2010
WATER SYSTEM PLAN REVIEW	03/17/2010	04/27/2010
WATER SYSTEM PLAN REVIEW	10/20/2009	11/05/2009
WATER SYSTEM PLAN REVIEW	10/08/2009	10/21/2009
WATER SYSTEM PLAN REVIEW	09/25/2006	02/14/2007
WATER SYSTEM PLAN REVIEW	04/08/2003	05/14/2003
EXCEPTION REQUEST	11/11/1111	11/23/1999



Occurrences retrieved.

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Version V2.4.1

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



Tom

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

December 15, 2010

CERTIFIED MAIL NO: 91 7108 2133 3938 5442 2672
RETURN RECEIPT REQUESTED

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

RECEIVED
DEC 20 2010

BY: _____

Re: Notice of Violation for the Comprehensive Compliance Investigation at:
Blue Medina Water Supply Corporation, Bandera County, Texas
Regulated Entity No.: 102686409, TCEQ ID No.: 0100030, Investigation No. 880611

Dear Mr. Blackhurst:

On November 11, 2010, Mr. Don White of the Texas Commission on Environmental Quality (TCEQ) San Antonio 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. In addition, a certain outstanding alleged violation was identified for which compliance documentation is required. Please submit to this office by May 25, 2011 a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for the outstanding alleged violation.

In the listing of the alleged violation, we have cited applicable requirements, including TCEQ rules. Please note that both the rules themselves and the agency brochure entitled *Obtaining TCEQ Rules* (GI 032) are located on our agency website at <http://www.tceq.state.tx.us> for your reference. If you would like a hard copy of this brochure mailed to you, you may call and request one from either the San Antonio Region Office at 210-490-3096 or the Central Office Publications Ordering Team at 512-239-0028.

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 requirement. 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 documented in this notice. Should you choose to do so, you must notify the San Antonio Region Office within 10 days from the date of this letter. At that time, Water Section Manager, Ms. Lynn Bumguardner 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

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

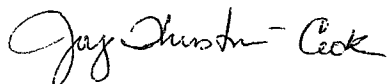
printed on recycled paper using soy-based ink

Mr. Steve Blackhurst
December 15, 2010
Page 2

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. 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

Enclosure: Summary of Investigation Findings

Summary of Investigation Findings

BLUE MEDINA WSC

Investigation # 880611

, BANDERA COUNTY,

Investigation Date: 11/17/2010

Additional ID(s): 0100030

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

Track No: 418946

Compliance Due Date: 05/25/2011

30 TAC Chapter 290.46(n)(2)

Alleged Violation:

Investigation: 880611

Comment Date: 12/7/2010

Failure to maintain an accurate and up-to-date map of the distribution system so that valves and mains can be easily located during emergencies.

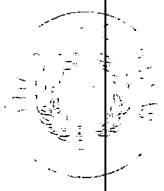
Recommended Corrective Action: Research and develop an accurate and up-to-date map of the distribution system so that valves and mains can be easily located during emergencies.

Please submit to this Office by the Compliance Due Date a copy of your up-to-date map of the Blue Medina WSC distribution system.

Bryan

✓

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

RECEIVED
SPRING

AUG 13 2010

July 30, 2010

AQUA TEXAS, INC.

RECEIVED

BY:

Mr. Robert Laughman, President
Aqua Texas, Inc.
2211 Louetta Road
Spring, Texas 77388

Re: Comprehensive Compliance Investigation at:
Cardinal Valley Water Company, McGregor Rd, Dripping Springs (Hays County), Texas
TCEQ ID No. 1050068; Regulated Entity ID No. 101274835

Dear Mr. Laughman:

On June 10, 2010, Ms. Shea Cockrell of the Texas Commission on Environmental Quality (TCEQ) Austin 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 two additional issues were noted which are discussed in the enclosed Summary of 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 Ms. Cockrell in the Austin Region Office at (512) 339-2929.

Sincerely,

Carolyn Runyon
Water Section Manager
Austin Region Office

CDR/sc

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

Enclosure: Summary of Investigation Findings

Summary of Investigation Findings

CARDINAL VALLEY WATER
1012 STURGEON POINT RD
DERBY, HAYS COUNTY, NY 14047

Investigation # 841342
Investigation Date: 06/10/2010

Additional ID(s): 1050068

No Violations Associated to this Investigation

ADDITIONAL ISSUES

Description

Item #1

Additional Comments

At the time of the investigation, it was noted that many customers have livestock and possibly water troughs. Aqua Texas has not performed any customer service inspections since acquiring the system in 2008. On July 14, 2010, Mr. Brian Robinson, Field Supervisor, submitted an e-mail indicating that Aqua Texas personnel had investigated customer connections with live stock troughs and determined that the troughs were filled through an air gap. It was not clear whether an actual Customer Service Inspection (CSI) was performed. In the future, where cross-connections are suspected, ensure that customer service inspections are performed by individuals with a CSI or plumbing license and that the inspections are documented on the proper form.

Item #2

Well No. 3 (G1050068C) is not cased to a height at least 18 inches above the ground level. The well does not appear to be located in an area at risk of flooding or where stagnant water would pool. The casing must be extended to the proper height during the next re-working of the well or the next time the pump is pulled.

Tom

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

May 29, 2009

CERTIFIED MAIL No.: 91 7108 2133 3936 7310 3547
RETURN RECEIPT REQUESTED

RECEIVED
MAY 29 2009
BY: _____

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

Re: Notice of Violation for the Comprehensive Compliance Investigation at:
Deerwood Subdivision, Gillespie County, Texas,
RN101233849, PWS ID No. 0860098, Investigation No. 746340

Dear Mr. Blackhurst:

On May 6, 2009, Mr. Don White of the Texas Commission on Environmental Quality (TCEQ) San Antonio Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for public water supply systems. Enclosed is a summary which lists the investigation findings. During the investigation one outstanding alleged violation and one "Additional Issue" were identified for which compliance documentation is required. Please submit to this office by July 30, 2009 a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for the outstanding alleged violation and "Additional Issue."

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 the 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 and the Public's health. 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 Region Office within 10 days from the date of this letter. At that time, Mr. Tom Haberle, Water Program Manager will schedule a violation review meeting to be conducted within 21 days of the date of this letter. However, please be advised

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

Mr. Steve Blackhurst
May 29, 2009
Page 2

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. Don White in the San Antonio Region Office at (210) 403-4054.

Sincerely,



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

JTC/DCW/eg

Enclosure: Summary of Investigation Findings

Summary of Investigation Findings

DEERWOOD SUBDIVISION

, GILLESPIE COUNTY,

Additional ID(s): 0860098

Investigation # 746340

Investigation Date: 05/06/2009

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

Track No: 365690

Compliance Due Date: 07/30/2009

30 TAC Chapter 290.46(m)(4)

Alleged Violation:

Investigation: 746340

Comment Date: 05/20/2009

Failure to maintain the pressure storage tank in a watertight condition.

Recommended Corrective Action: Repair the water leak on the welded seam of the 0.003 MG pressure storage tank.

Please submit to this Office by the Compliance Due Date, photographs or invoices documenting that the leak on the 0.003 MG pressure storage tank has been repaired.

ADDITIONAL ISSUES

Description

MINIMUM WATER SYSTEM CAPACITY
REQUIREMENTS

Meets applicable 290.45 standards?

Additional Comments

291.93(3)(A) Public water supply systems whose service demand has consumed 85% or more of their available production, storage or service pump capacity are required to submit a planning report to the Commission detailing their plans for increasing those diminishing capacities. Based on the most recent Commission's capacity calculations, your service area has consumed greater than 85% of your available ground storage tank capacity. You are now required to submit to the Regional TCEQ Office within 90 days, a detailed plan on how you are going to increase your ground storage tank capacity to meet the growing demands of your service area.

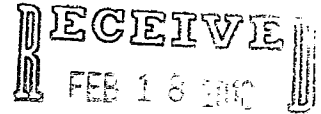
Bryan W. Shaw, Ph.D., *Chairman*
Buddy Garcia, *Commissioner*
Carlos Rubinstein, *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

February 16, 2010



CERTIFIED MAIL #7007 2560 0002 1021 3637
RETURN RECEIPT REQUESTED

BY:

Larry E. Mitchell, Compliance Coordinator
Aqua Texas, Inc.
1106 Clayton Lane, Suite 400W
Austin, Texas 78723

Re: Notice of Violation for the Comprehensive Compliance Investigation at:
Golden Acres Water Company, located at 779 CR 77, Bishop (Nueces County), Texas; TCEQ
Regulated Entity RN102671880, TCEQ PWS ID No. 1780019, CCN 11157, Investigation No.:
791733

Dear Mr. Mitchell:

On January 5, 2010, Corey M. Burke of the Texas Commission on Environmental Quality (TCEQ) Corpus Christi 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. During the investigation, some concerns were noted which were alleged noncompliances that have been resolved as an Area of Concern and subsequent corrective action. In addition, one outstanding alleged violation was identified for which compliance documentation is required. Please submit to this office by March 18, 2010, a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for the outstanding alleged violation.

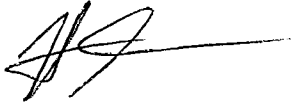
In the listing of alleged violations, we have cited applicable requirements, including TCEQ rules. If you would like to obtain a copy of the applicable TCEQ rules, you may contact any of the sources listed in the enclosed brochure entitled "Obtaining TCEQ Rules."

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. 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 Corpus Christi Region Office within 10 days from the date of this letter. At that time, a 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.

Larry E. Mitchell, Compliance Coordinator
Page 2
February 16, 2010

If you or members of your staff have any questions regarding these matters, please feel free to contact Mr. Burke in the Corpus Christi Region Office at (361) 825-3100.

Sincerely,



Hector Gonzales
Water Section Work Leader
Corpus Christi Region Office

HG/CMB/aa

Enclosures: Summary of Investigation Findings
Obtaining TCEQ Rules

cc: Robert Robinson, Field Supr., Aqua Texas, Inc., 2611 FM 2325, Wimberley, Tx 78676

Summary of Investigation Findings

GOLDEN ACRES WATER CO
779 COUNTY ROAD 77
BISHOP, NUECES COUNTY, TX 78343

Investigation # 791733
Investigation Date: 01/05/2010

Additional ID(s): 1780019

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

Track No: 338743 Compliance Due Date: 03/18/2010
30 TAC Chapter 290.45(f)(2)

Alleged Violation:

Investigation: 685372

Comment Date: 07/07/2008

Failure to secure a written contract, a signed document of specific terms, or a memorandum or letter of understanding between the purchaser and wholesaler which authorizes the purchase of enough water to meet the monthly or annual needs of the purchaser.

Specifically, an investigation conducted on June 26, 2008, revealed that the contract between Nueces WSC (wholesaler) and Golden Acres Water Company (Purchaser) only authorizes the purchase of no more than 100,000 gallons per month. According to the wholesaler, Golden Acres Water Company has been receiving water in excess of the authorized amount. During the last billing cycle which ended on June 10, 2008, Golden Acres Water Company purchased 477,660 gallons from Nueces WSC.

Investigation: 703423

Comment Date: 09/22/2008

This alleged violation continues to remain outstanding. Compliance documentation submitted indicated that the regulated entity was in the process of negotiating the existing contract with Nueces Water Supply Corporation in order to be allowed to purchase water at a rate sufficient to meet the 0.6 gpm per connection requirement. For compliance, the regulated entity must submit compliance documentation indicating that the purchase water contract between the wholesaler and purchaser has been amended to authorize the purchase of enough water to meet the monthly or annual needs of the purchaser. In addition, the contract must specify the maximum rate at which may be drafted on a daily and hourly basis (a uniform purchase rate may be used in the absence of a daily or hourly rate).

Investigation: 791733

Comment Date: 02/12/2010

This alleged violation continues to remain outstanding during the investigation conducted on January 5, 2010. Specifically, the contract between Nueces WSC (wholesaler) and Golden Acres Water Company (purchaser) only authorizes the purchase of no more than 100,000 gallons per month. In the last twelve month reporting period, Golden Acres Water Company used more than 100,000 gallons of water each month. Golden Acres Water Company used as much as 644,000 gallons in July 2009 and as little as 221,000 gallons in October 2009.

Recommended Corrective Action: Submit adequate compliance documentation indicating that the purchase water contract between the wholesaler and purchaser has been amended to authorize the purchase of enough water to meet the monthly or annual needs of the purchaser. Additionally, according to 30 TAC 290.45(f)(3) the contract must specify the maximum rate at which may be drafted on a daily and hourly basis (a uniform purchase rate may be used in the absence of a daily or hourly rates).

AREA OF CONCERN

Track No: 387540
30 TAC Chapter 290.43(c)(1)

Alleged Violation:

Investigation: 791733

Comment Date: 02/11/2010

Failure to adequately screen the roof vent. The investigation conducted on January 5, 2010 documented that the roof vent on the 15,000 gallon ground storage tank was rusted.

Resolution: On February 10, 2010, the facility submitted compliance documentation indicating that compliance with this requirement was achieved on January 18, 2010. Specifically, the roof vent screen was replaced. No further response from the regulated entity is necessary regarding this alleged violation.

Track No: 387541

30 TAC Chapter 290.110(d)(2)(C)

Alleged Violation:

Investigation: 791733

Comment Date: 02/11/2010

Failure to use correct sampling procedures when testing total chlorine residual with a diethyl-p-phenylenediamine (DPD) colorimeter. The investigation conducted on January 5, 2010 documented that the operator was zeroing the colorimeter with distilled water.

Resolution: On February 10, 2010, the facility submitted compliance documentation indicating that compliance with this requirement was achieved on January 18, 2010. Specifically, the operator provided a statement indicating that correct analytical procedures for zeroing the colorimeter were being utilized according to manufactures specification. Furthermore, instructions on properly zeroing the colorimeter were provided during the investigation. No further response from the regulated entity is necessary regarding this alleged violation.

Track No: 387542

30 TAC Chapter 290.46(r)

Alleged Violation:

Investigation: 791733

Comment Date: 02/11/2010

Failure to provide a minimum pressure of 35 pounds per square inch (psi) throughout the distribution system. The investigation conducted on January 5, 2010 documented that the water pressure at the 5100 block of Altheis Street was 31.5 psi.

Resolution: Compliance with this requirement was achieved immediately following the documented deficiency on January 5, 2010. Specifically, the operator increased the water pressure in the distribution system prior to completing the investigation. The pressure was 50 psi when checked a second time at the 5100 block of Altheis Street. No further response from the regulated entity is necessary regarding this alleged violation.

ADDITIONAL ISSUES

Description

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

Additional Comments

The well (Source No. G1780019C) previously utilized by the water system is no longer connected to the water system and may be considered abandoned (collapsed well casing). 30 Texas Administrative Code (TAC) Chapter 290.46(u) states that abandoned public water supply wells owned by the system must be plugged with cement according to 16 TAC Chapter 76 (relating to Water Well Drillers and Water Well Pump Installers). Deteriorated wells must be either plugged with cement or repaired to a non-deteriorated condition. The Texas Department of Licensing and Regulation (TDLR) was notified of the well on February 10, 2010.

Mitchell, Larry E.

From: Sean Ables [SABLES@tceq.state.tx.us]
Sent: Tuesday, October 19, 2010 1:24 PM
To: Mitchell, Larry E.
Subject: RE: Golden Acres Water System, 700 Block CR 77, Bishop. Texas-Certifiedmail # 7006 2760 0004 7906 0910 PWS 1780019

That will work, thanks.

>>> "Mitchell, Larry E." <LEMitchell@aquaaamerica.com> 10/19/2010 11:37 AM >>>
Mr. Stribling,

Attached is a copy of the plugging report for well # 3 at the Golden Acres water system, Nueces County. Is this adequate or do I need to mail it to you.

Sean can you get this in the files there at TCEQ for me or give it to whoever needs to see it.

Thanks.

Larry E. Mitchell
Aqua Texas
Environmental Compliance Coordinator
Phone (512) 990-4400 ext. 109
Fax (512) 990-4411
Cell (512) 748-6284
Gig'em Aggies

-----Original Message-----

From: W.L. Stribling [mailto:W.L.Stribling@license.state.tx.us]
Sent: Friday, September 24, 2010 8:43 AM
To: Mitchell, Larry E.
Subject: Re: Golden Acres Water System, 700 Block CR 77, Bishop. Texas-Certifiedmail # 7006 2760 0004 7906 0910

Mr. Mitchell,

Thank you for responding to the letter I sent. My investigator who met with Golden Acres personnel reported to me that the Company had plans to have the well plugged, the letter is just a formality as the TCEQ reported the well to us, so we must go through the motions. If you would. please keep me informed of the progress and once I receive a State Plugging Report for the well, I'll be happy to close the file on the matter.

If you have any questions for us, please feel free to contact me.

Sincerely,

W.L. Stribling, Project Manager
Well Driller/Pump Installer Program
Compliance Division

TDLR
Ph (512) 463-2966
Fax (512)463-8616

The Texas Department of Licensing and Regulation is the state's umbrella licensing agency, regulating diverse occupations and industries. Please visit the agency's web page at <http://www.license.state.tx.us> to view the list of programs under our umbrella.

Your inquiry was related to the Water Well Driller/Pump Installer Program. There are many items on the water well driller/pump installer's program page that you may find of interest, including the law and administrative rules for water well drillers/pump installers, and answers to many frequently asked questions regarding the Water Well Driller/Pump Installer. To view the program page, visit <http://www.license.state.tx.us/wwd/wwd.htm>.

Our web page also provides you with the opportunity to subscribe to e-mail notification lists. To subscribe to the list for the Water Well Driller/Pump Installer Program, or for any of the other programs we administer, visit <http://www.license.state.tx.us/newsletters/TDLRnotificationLists.asp>.

>>> "Mitchell, Larry E." <LEMitchell@aquaamerica.com> 9/24/2010 8:17
AM
>>>
Mr. Stribling,

I am in receipt of your recent letter regarding the abandoned well which formerly was the water supply well for the Golden Acres water system. We are aware that the well needs to be plugged and this issue has been discussed for sometime within this company. We will take the necessary steps in the next several weeks to plug this well. If you have questions you may contact me back by email or at the phone numbers listed below.

Larry E. Mitchell
Aqua Texas
Environmental Compliance Coordinator
Phone (512) 990-4400 ext. 109
Fax (512) 990-4411
Cell (512) 748-6284
Gig'em Aggies



Aqua Texas, Inc.
1106 Clayton Lane, Suite 400W
Austin, Texas 78723

T: 512-990-4400
F: 512-990-4411
www.aqua-texas.com

August 12, 2010

Mr. David M. Kennebeck
Water Section Manager
TCEQ-Corpus Christi Region Office
NRC Bldg., Ste. 1200
6300 Ocean Dr., Unit 5839
Corpus Christi, Texas 78412-5839

Re: Golden Acres Water System, PWS I.D. # 1780019, Investigation # 703423

Dear Mr. Kennebeck:

In response to a letter from Aqua Texas, on September 26, 2008, TCEQ replied and indicated that violations had been noted and resolved from a recent inspection. In that letter the violation Track No. 338743 from investigation # 703423 was indicated as an outstanding alleged violation. I am writing to update you of progress made in acquiring additional water supply for this public water system. On June 7, 2010 representatives of Aqua Texas met with Board Members of Nueces Water Supply Corporation to request an increase in the amount of water they provide. Currently water from Nueces WSC is the only water source for this public water system. Previously the WSC had allowed us 15 gpm total supply after the failure of the well. In the meeting on June 7, we requested the WSC increase the amount to 30 gpm. The Board voted while we were there and agreed to increase the supply to 30 gpm. We have confirmation from them that the restrictor in our supply line has been upgraded to one that will allow 30 gpm flow.

For the 62 current active connections in this water system the requirement to meet 0.6 gpm per connection would be 37.2 gpm. In looking at usage for this system the highest usage month last year was 674,300 gallons or 21,750 gallons average per day. At 30 gpm we can provide 43,200 gallons a day. Although, not in compliance with the 0.6 gpm requirement, it would appear from the numbers provided that we should be able to meet the demand of this system. We have not had supply issues this summer previous to the supply increase. With the increase in supply we believe that we will be able to meet demand.

It is our intention to drill another well for the system. We have had a hydrologist study the area and he believes we can find water with no uranium, but will probably have issues with high TDS and or chlorides. Enclosed is a copy of a letter from the Utilities Technical Review Team to Mr. Clarence Littlefield, P.E., giving approval for construction of well # 4 for the Golden Acres water system. We intend to use the 30 gpm from the WSC and blend the waters to achieve compliance with the 0.6 gpm per connection requirement and the secondary limit requirements for TDS and or chloride. We anticipate the well being in use by the end of the year. Once the new well is in service, we will not require a contract from Nueces WSC that meets TCEQ requirements since they will not be the primary source of water and will not be supplying our monthly or annual needs, but only water for blending.

If you have questions regarding this letter you may contact me by phone at (512) 990-4400 ext. 109 or by email at LEMitchell@Aquaamerica.com.

Sincerely,

Larry E. Mitchell
Environmental Compliance Coordinator

cc: Brian Robinson, Field Supervisor
Mike Pickel, Senior Engineer, Environmental Compliance, Aqua America, Inc.

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



Mika

PWS/1780019/CO
wellcond.doc

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

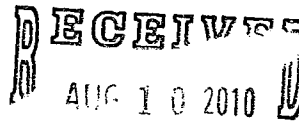
Protecting Texas by Reducing and Preventing Pollution

August 5, 2010

Mr. Clarence L. Littlefield, P.E.
Southwest Engineers, Inc.
307 Saint Lawrence
Gonzales, TX 78629

Re: Golden Acres Water Co - Public Water System I.D. #1780019
Proposed Water Well No. 4
Engineer Contact Telephone: (830) 672-7546
Plan Review Log Number P-07152010-063
Nueces County, Texas

CN602787509; RN102671880



Dear Mr. Littlefield:

The planning material received on July 15, 2010 with your letter dated July 9, 2010 for the proposed water well no. 4 has been reviewed. The project generally meets the minimum requirements of the TCEQ's Chapter 290 - Rules and Regulations for Public Water Systems (Rules) and is **conditionally approved for construction** if the project meets the following requirement(s):

1. The well location shall comply with §290.41(c)(1)(A-F) of the Rules with regard to separation distances from potential pollution hazards and sanitary control easement; and ,
2. The well casing and cementing shall comply with §290.41(c)(3)(B-C) of the Rules.

An appointed engineer must notify the TCEQ's Region 14 Office in Corpus Christi at (361) 825-3100 when construction will start.

The design engineer or water system representative is required to notify the Utilities Technical Review Team in writing by fax (512)239-6972 or email jlOCK@tceq.state.tx.us and cc VPOE@tceq.state.tx.us at least 48 hours before the well casing pressure cementing begins. If pressure cementing is to begin on a Monday, then they must give notification on the preceding Thursday. If pressure cementing is to begin on Tuesday, then they must give notification on the preceding Friday.

Mr Clarence L. Littlefield, P.E.
Page 3
August 5, 2010

<http://www.tceq.state.tx.us/assets/public/permitting/forms/10233.pdf>

For future reference, you can review part of the Utilities Technical Review Team's database to see if we have received your project. This is available on the TCEQ's homepage on the Internet at the following address:

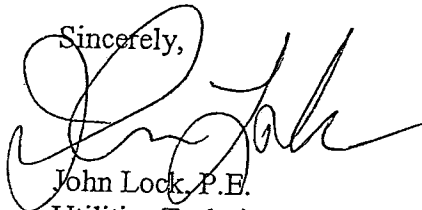
http://www.tceq.state.tx.us/assets/public/permitting/watersupply/ud/planrev_list.pdf

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


If you have any questions please contact John Lock at (512)239-4710 or by email at "jlock@tceq.state.tx.us" or if by correspondence at the following address:

TCEQ
Utilities Technical Review Team, MC-159
P.O. Box 13087
Austin, Texas 78711-3087

Sincerely,



John Lock, P.E.
Utilities Technical Review Team, MC-159
Water Supply Division
Texas Commission on Environmental Quality

for 
Cari-Michel La Caille, Assistant Director
Water Supply Division
Texas Commission on Environmental Quality

JL/CLC/av

Enclosure: "Public Well Completion Data Checklist for Interim Approval"

cc: Golden Acres Water Co., c/o Aqua Texas, 1106 Clayton Ln., Ste 400W, Austin, Tx
78723
TCEQ Central Records PWS File 1780019
TCEQ Region No.14 Office Corpus Christi

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
June 21, 2009

RECEIVED
JUL 22 2009

BY:

CERTIFIED MAIL No.: 91 7108 2133 3936 7310 3851
RETURN RECEIPT REQUESTED

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

Re: Notice of Violation for the Comprehensive Compliance Investigation at:
Guadalupe Heights Utility Company, Kerr County, Texas
RN101198984, PWS ID No. 1330009, Investigation No. 761242

Dear Mr. Blackhurst:

On June 17, 2009, Mr. Don White of the Texas Commission on Environmental Quality (TCEQ) San Antonio Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for public water supply systems. Enclosed is a summary which lists the investigation findings. During the investigation two outstanding alleged violations and two "Additional Issues" were identified for which compliance documentation is required. Please submit to this office by September 25, 2009 a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for the outstanding alleged violations and "Additional Issue."

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 the 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 and the Public's health. If you have additional information that we are unaware of, you have the opportunity to contest the violation(s) documented in this

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

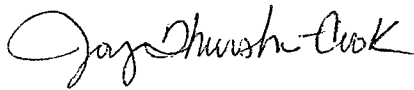
P.O. Box 13087 • Austin, Texas 78711-3087 • 512-239-1000 • Internet address: www.tceq.state.tx.us

Mr. Steve Blackhurst
June 21, 2009
Page 2

notice. Should you choose to do so, you must notify the Region Office within 10 days from the date of this letter. At that time, Mr. Tom Haberle, Water Program Manager will schedule a violation review meeting to be conducted within 21 days of 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. Don White in the San Antonio Region Office at (210) 403-4054.

Sincerely,



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

JTC/DCW/eg

Enclosures: Summary of Investigation Findings
"Obtaining TCEQ Rules"

Summary of Investigation Findings

GUADALUPE HEIGHTS UTILITY

, KERR COUNTY,

Additional ID(s): 1330009

Investigation # 761242

Investigation Date: 06/17/2009

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

Track No: 369817 Compliance Due Date: 09/25/2009
30 TAC Chapter 290.41(c)(3)(N)

Alleged Violation:

Investigation: 761242

Comment Date: 07/07/2009

Failure to provide a "working" flow measuring device (flow meter) on the discharge of well #3 at entry point 002. A flow meter was present but was not working or capable of providing flow measurements.

Recommended Corrective Action: Repair or replace the flow meter on the discharge of well #3 at entry point 002.

Please submit to this Office by the Compliance Due Date, photographs or invoices documenting that the flow meter on the discharge of well #3 at entry point 002 has been repaired or replaced.

Track No: 369827 Compliance Due Date: 09/25/2009
30 TAC Chapter 290.46(v)

Alleged Violation:

Investigation: 761242

Comment Date: 07/09/2009

Failure to insure that all electrical wiring is securely installed in compliance with a local or national electrical code. Specifically, the electrical wiring providing power to the well #2 submersible pump at entry point 001 should be installed and secured in electrical conduit.

Recommended Corrective Action: Install all electrical power supply wiring to well #2 in a secured conduit.

Please submit to this Office by the Compliance Due Date, photographs or invoices documenting that loose electrical power supply wiring to well #2 at entry point 001 is now inside a securely mounted conduit.

ADDITIONAL ISSUES

Description

WATER SOURCES

Meets applicable 290.41 standards?

Additional Comments

290.41(c)(3)(B) The well casing of well #2 at entry point 001 does not extend 18 inches above the natural ground surface adjacent to the concrete sealing slab. The next time repair work is performed on the well, the casing needs to be extended to meet the requirements of this rule.

MINIMUM WATER SYSTEM CAPACITY REQUIREMENTS

Meets applicable 290.45 standards?

291.93(3)(A) Public water supply systems whose service demand has consumed 85% or more of their available production, storage or service pump capacity are required to submit a planning report to the Commission detailing their plans for increasing those diminishing capacities. Based on the most recent Commission's capacity calculations, your service area has consumed greater than 85% of your available service pump capacity (87.6 %). You are now required to submit to the Regional TCEQ Office within 90 days, a detailed plan on how you are going to increase your service pump capacity to meet the growing demands of your service area.

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



PWS ID / 1330009 /co

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 9, 2010

MR LARRY E. MITCHELL
AQUA TEXAS, INC.
1106 CLAYTON LANE, SUITE 400 WEST
AUSTIN, TEXAS 78723

RECEIVED
MAR 12 2010

BY:

Re: Guadalupe Heights Utility- Public Water System ID. # 1330009
85% Planning Report
Engineer Contact Telephone: (512) 990-4400
Plan Review Log Number P-201002-053
Kerr County, Texas

CN602787509 ; RN101198984

Dear Mr. Mitchell:

The 85% Rule Report received on February 5, 2010 with your letter dated February 4, 2010 has been reviewed. The report indicates that the water system has generally complied with Chapter 91.93(3), Subchapter F of our Rules.

The water system currently has 219 active connections and, according to your letter, all required capacities except service pump capacity is below 85% of existing capacities. Existing service pump capacity is 500 gpm. Required service pump capacity is 438 gpm which is 88% of existing capacity. The system's current service pump capacity is more than adequate to meet the demand of the system, Aqua Texas is not planning make any changes to this system at this time.

Please keep in mind that Aqua Texas, Inc. still needs to file a sale, transfer and merger (STM) application to acquire this water system from Harper Water Company, Inc. The certificate of convenience and necessity (CCN) will remain in the name of Harper Water Company, Inc., until a STM application is submitted and approved in accordance with the TCEQ rules and regulations.

Please keep in mind that within 60 days of project completion the engineer must attest in writing that the project was constructed as described in the approved plans, specifications and any change orders filed with the TCEQ as required in §290.39(c)(3)(C) of the Rules.

Please refer to the Utilities Technical Review Team's Log No. P-201002-053 in all correspondence for this project. This will help complete our review and prevent it from being considered a new project.

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

MR LARRY E. MITCHELL
Page 2
March 9, 2010

<http://www.tceq.state.tx.us/assets/public/permitting/forms/10233.pdf>

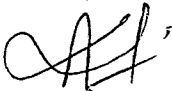
For future reference, you can review part of the Utilities Technical Review Team's database to see if we have received your project. This is available on the TCEQ's homepage on the Internet at the following address:

http://www.tceq.state.tx.us/assets/public/permitting/watersupply/ud/planrev_list.pdf

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

If you have any questions please contact me at (512)239-0680 or the Internet address: "KADHIKAR@tceq.state.tx.us" or if by correspondence, include MC 153 in the letterhead address below.

Sincerely,



Kamal Adhikari
Utilities Technical Review Team
Water Supply Division MC-153
Texas Commission on Environmental Quality



Jerry Salgado, P.E.
Utilities Technical Review Team
Water Supply Division MC-153
Texas Commission on Environmental Quality

KA/JAS/ln

cc: Guadalupe Heights Utility - Attn: Water Utilities Official, 1106 Clayton Lane, Suite 400 West,
Austin, Texas 78723



Aqua Texas, Inc.
1106 Clayton Lane, Suite 400W
Austin, Texas 78723

T: 512-990-4400
F: 512- 990-4411
www.aqua-texas.com

December 7, 2009

Ms. Joy Thurston-Cook
Water Section Work Leader
TCEQ-San Antonio Region Office
14250 Judson Rd.
San Antonio, Texas 78233-4480

Re: Guadalupe Heights Water System, PWS I.D. # 1330009, Investigation # 761242

Dear Ms. Thurston-Cook:

On June 17, 2009, Mr. Don White conducted an investigation at the referenced public water system. Your letter of July 21, 2009, written in response to this investigation, listed two outstanding alleged violations. I will discuss each below:

Track No. 369817- failure to provide a working flow measuring device on the discharge of well # 3 at entry point 002.

Enclosed is a photo of the new well meter at well # 3. You can read the dial in the bottom photo which indicates that 16,646 gallons have been pumped. This low number would indicate that the meter has not been installed very long.

Track No. 369827- failure to insure that all electrical wiring is securely installed in compliance with a local or national electrical code. Specifically, the electrical wiring providing power to the well # 2 pump at entry point 001 should be installed and secured in electrical conduit.

The top photo of the two photos shows that the wiring for the submersible pump for well # 2 at Entry Point 001, has been installed in electrical conduit as required.

We believe that this information should allow you to consider the two alleged violations, Track No's. 369817 and 369827 to be resolved. If you have questions concerning this letter you may contact me by phone at (512) 990-4400 ext. 109 or by email at LEMitchell@Aquaamerica.com.

Sincerely,

Larry E. Mitchell
Environmental Compliance Coordinator

cc: Brent Reeh, Area Manager, Central Texas, Aqua Texas
Tom Myers, Field Supervisor, Central Texas Aqua Texas
Mike Pickel, Senior Engineer, Environmental Compliance, Aqua America, Inc.

jerri ✓

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



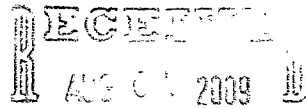
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 29, 2009

CERTIFIED MAIL 91 7108 2133 3935 2306 3526
RETURN RECEIPT REQUESTED

Mr. Steve Blackhurst, P.E.
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:
Hill Country Northwest Cherry Hollow Water System, Lindeman Road, Leander (Travis County), Texas
TCEQ Regulated Entity: RN101502730, TCEQ PWS ID No.: 2270173,
TCEQ Investigation Number 761718

Dear Mr. Blackhurst:

On July 9, 2009, Chad W. Ahlgren, R.S., of the Texas Commission on Environmental Quality (TCEQ) Austin 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, some concerns were noted which were alleged noncompliances that have been resolved as an Area of Concern and subsequent corrective action. In addition, certain outstanding alleged violations were identified for which compliance documentation is required. Please submit to this office by **September 29, 2009**, 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."

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)

REPLY TO: REGION 11 • 2800 S. INTERSTATE HWY. 35, STE. 100 • AUSTIN, TEXAS 78704-5700 • 512-339-2929 • FAX 512-339-3795

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

Mr. Steve Blackhurst
July 29, 2009
Page 2

documented in this notice. Should you choose to do so, you must notify the Austin Region Office within 10 days from the date of this letter. At that time, the PWS Work Leader 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. Ahlgren in the Austin Region Office at (512) 339-2929.

Sincerely,



Herschel E. Janus
PWS Work Leader
Austin Region Office

HEJ/cwa

Enclosures: Summary of Investigation Findings
Obtaining TCEQ Rules

Summary of Investigation Findings

HILL COUNTRY NORTHWEST CHERRY HOLLOW LINDEMAN LANE JONESTOWN, TRAVIS COUNTY, TX 78641 Additional ID(s): 2270173	Investigation # 761718 Investigation Date: 07/09/2009
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OUTSTANDING ALLEGED VIOLATION(S) ASSOCIATED TO A NOTICE OF VIOLATION

Track No: 370116 Compliance Due Date: 09/29/2009
30 TAC Chapter 290.46(m)(1)

Alleged Violation:

Investigation: 761718

Comment Date: 07/10/2009

The system failed to perform annual inspection of the system's two standpipes.

Recommended Corrective Action: To achieve compliance, have annual inspections performed on the system's two standpipes. Please send documentation indicating compliance with this requirement to the TCEQ Austin Region Office by the compliance due date.

Track No: 371167 Compliance Due Date: 09/29/2009
30 TAC Chapter 290.45(b)(1)(D)(i)

Alleged Violation:

Investigation: 761718

Comment Date: 07/21/2009

The public water system failed to provide a well capacity of 0.6 gallons per minute (GPM) per connection.

With 181 connections, the East Pressure Plane is required to provide a well capacity of at least 108.6 GPM. At the time of the CCI, Well Numbers 1 (40 GPM) and 2 (66 GPM) which serve the East Pressure Plane had a combined well capacity of 106 GPM.

With 170 connections, the West Pressure Plane is required to provide a well capacity of at least 102 GPM. At the time of the CCI, Well Numbers 3 (51 GPM) and 4 (40 GPM) which serve the West Pressure Plane had a combined well capacity of 91 GPM.

Recommended Corrective Action: To achieve compliance, the system shall ensure that each connection in both pressure planes is provided with a well capacity of at least 0.6 GPM. Please send documentation indicating compliance with this requirement to the TCEQ Austin Region Office by the compliance due date.

AREA OF CONCERN

Track No: 370117
30 TAC Chapter 290.41(c)(3)(K)
30 TAC Chapter 290.41(c)(3)(L)

Alleged Violation:

Investigation: 761718

Comment Date: 07/10/2009

The system failed to ensure the well casing vent and well blow-off for Well No. 2 terminates in a downward facing direction

Recommended Corrective Action: To achieve compliance, the system shall ensure that the well casing vent and well blow-off both terminate in a downward facing direction. Please send