

**STAGE IV - CRITICAL WATER USE RESTRICTIONS:**

**Target:** Achieve a 40 percent reduction in total water use (example: total water use, daily water demand, etc.)

The water utility will implement Stage IV when any one of the selected triggers is reached:

Supply-Based Triggers: (check at least one and fill in the appropriate value)

- ☐ Well level reaches \_\_\_\_\_ ft. (m.s.l.)
- ☐ Overnight recovery rate reaches \_\_\_\_\_ ft.
- ☐ Reservoir elevation reaches \_\_\_\_\_ ft. (m.s.l.)
- ☐ Stream flow reaches \_\_\_\_\_ cfs at USGS gage # \_\_\_\_\_
- ☐ Wholesale supplier's drought Stage IV
- ☐ Annual water use equals \_\_\_\_\_ % of well permit/Water Right/purchased water contract amount
- ☐ Supply contamination
- X Other Inline Utilities LLC will routinely check the U.S. Drought Monitor website to be informed of the status of the Houston area (See Appendix 2, U.S. Drought Monitor). If the Houston area is categorized as "D3: Drought- Extreme" they will initiate Stage IV conservation measures.

Demand- or Capacity-Based Triggers: (check at least one and fill in the appropriate value)

Operational Measures:

The utility shall visually inspect lines and repair leaks on a daily basis. Flushing is prohibited except for dead end mains and only between the hours of 9:00 p.m. and 3:00 a.m. Emergency interconnects or alternative supply arrangements shall be initiated. All meters shall be read as often as necessary to insure compliance with this program for the benefit of all the customers. *Describe additional measures, if any, to be implemented directly to manage limited water supplies and/or reduce water demand.*

Mandatory Water Use Restrictions: (all outdoor use of water is prohibited)

1. Irrigation of landscaped areas is absolutely prohibited.
2. Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is absolutely prohibited.

**SYSTEM OUTAGE or SUPPLY CONTAMINATION**

Notify TCEQ Regional Office immediately.

## APPENDIX A – SAMPLE SERVICE AGREEMENT

From 30 TAC Chapter 290.47(b), Appendix B

### SERVICE AGREEMENT

- I. PURPOSE. The NAME OF WATER SYSTEM is responsible for protecting the drinking water supply from contamination or pollution which could result from improper private water distribution system construction or configuration. The purpose of this service agreement is to notify each customer of the restrictions which are in place to provide this protection. The utility enforces these restrictions to ensure the public health and welfare. Each customer must sign this agreement before the NAME OF WATER SYSTEM will begin service. In addition, 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 this agreement.
- II. RESTRICTIONS. The following unacceptable practices are prohibited by State regulations.
  - A. No direct connection between the public drinking water supply and a potential source of contamination is permitted. Potential sources of contamination shall be isolated from the public water system by an air-gap or an appropriate backflow prevention device.

APPENDIX A -- SAMPLE SERVICE AGREEMENT (Continued)

III.

SERVICE AGREEMENT. The following are the terms of the service agreement between the NAME OF WATER SYSTEM (the Water System) and NAME OF CUSTOMER (the Customer).

- A. The Water System will maintain a copy of this agreement as long as the Customer and/or the premises is connected to the Water System.
- B. The Customer shall allow his property to be inspected for possible cross-connections and other potential contamination hazards. These inspections shall be conducted by the Water System or its designated agent prior to initiating new water service; when there is reason to believe that cross-connections or other potential contamination hazards exist; or after any major changes to the private water distribution facilities. The inspections shall be conducted during the Water System's normal business hours.
- C. The Water System shall notify the Customer in writing of any cross-connection or other potential contamination hazard which has been identified during the initial inspection or the periodic reinspection.

APPENDIX B – APPLICATION FOR SERVICE  
(Utility Must Attach Blank Copy)

**APPENDIX 1**

**BILL INSERT**

### **BILL INSERT**

Inline Utilities LLC, 10100 Bodreaux Rd, Tomball, TX 77375 has provided an updated Drought Contingency Plan to the Texas Commission on Environmental Quality for the Water Utility service provided at Cottage Gardens Subdivision, Sugarberry Place Subdivision, and the proposed CCN area located in Tomball, TX. This Drought Contingency Plan is available for review upon request by contacting Inline Utilities LLC at the address above or by calling (281) 655-1800.

Any comment you would like to make concerning the Drought Contingency Plan should be directed to Inline Utilities LLC, 10100 Bodreaux Rd, Tomball, TX 77375 or via telephone (281) 655-1800.

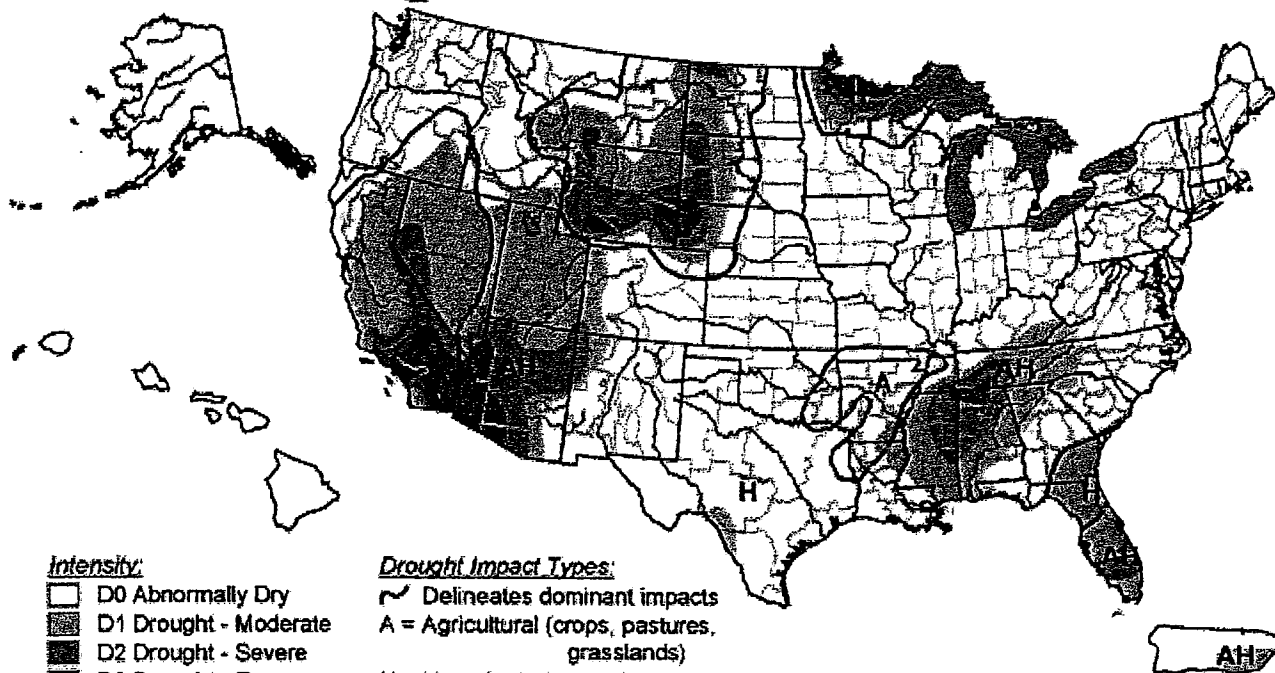
**APPENDIX 2**

**U.S. DROUGHT MONITOR**



# U.S. Drought Monitor

April 10, 2007  
Valid 6 a.m. EDT



## Intensity:

- ☐ D0 Abnormally Dry
- ☐ D1 Drought - Moderate
- ☐ D2 Drought - Severe
- ☐ D3 Drought - Extreme
- ☐ D4 Drought - Exceptional

## Drought Impact Types:

- ☐ Delineates dominant impacts
- A = Agricultural (crops, pastures, grasslands)
- H = Hydrological (water)

The Drought Monitor focuses on broad-scale conditions.  
Local conditions may vary. See accompanying text summary  
for forecast statements.

<http://drought.unl.edu/dm>



Released Thursday, April 12, 2007

Author: Thomas Hartmann, NOAA

**ATTACHMENT 10**  
**MOST RECENT TCEQ INVESTIGATIONS**

# Investigation Report

INLINE UTILITIES LLC

## INLINE DEVELOPMENT

RN102984218

Investigation # 21194

Incident #

Investigator: JEANNETTE MOCK

Site Classification

DOMESTIC MINOR

Conducted: 01/03/2003 -- 01/03/2003

No Industry Code Assigned

Program(s): WASTEWATER

Investigation Type : Site Assessment

Location :

Additional ID(s) : WQ013942-002

Address: 9850 1/2 BOUDREAUX RD; TOMBALL, TX 77375

Activity Type : WW SITE ASSESS - Site assessment for ww p

Principal(s) :

Role

Name

RESPONDENT

INLINE UTILITIES LLC

Contact(s) :

Role

Title

Name

Phone

Regulated Entity Contact

OWNER

MR MICHAEL  
MARTZ

Other Staff Member(s) :

Role

Name

SUPERVISOR

JOHN WARD

### Associated Check List

Checklist Name

Unit Name

WQ INVESTIGATION TYPES

Inline Development

WQ DOMESTIC OR INDUSTRIAL WASTEWATER S

Inline Development

Investigation Comments :

No Violations Associated to this Investigation

Signed Smou  
Environmental Investigator

Date 1/8/03

Signed John R. Ward  
Supervisor

Date 1-10-03

**Attachments: (in order of final report submittal)**

☐ Enforcement Action Request (EAR)

☐ Maps, Plans, Sketches

☐ Letter to Facility (specify type) : \_\_\_\_\_

☐ Photographs

☐ Investigation Report

☐ Correspondence from the facility

☐ Sample Analysis Results

☐ Other (specify) : \_\_\_\_\_

☐ Manifests

☐ NOR

\_\_\_\_\_  
\_\_\_\_\_

# Texas Commission on Environmental Quality

## WQ DOMESTIC OR INDUSTRIAL WASTEWATER SITE ASSESSMENT REPORT Checklist

Unit Name : Inline Development

Investigation # :21194

Facility Name : INLINE DEVELOPMENT

County : HARRIS

TCEQ Investigator : JEANNETTE MOCK

Item No.	Description	Answer	Comments	Due Date
1	Nature or business of regulated entity producing wastewater/waste:	Apartment Community		
2	If an amendment application, indicate changes requested by the applicant:			
3	Is the location of the waste treatment facilities as described in the application? If no, describe and indicate on an attached map.	YES		
4	Is the discharge route or disposal site as described in the application? If no, describe and indicate on an attached map.	YES		
5	Are any alternate discharge routes or disposal sites available? If yes, describe and indicate on an attached map.	NO		
6	Is the general character of the areas adjacent to the disposal area as shown on the application map? If no, describe.	YES		
7	Is there any residential property within 500 feet of the plant site? If yes, estimate distance.	NO		
8	Downstream land area is: (industrial, residential, commercial, undeveloped, agricultural, other (specify))	Undeveloped		
9	For discharge to a watercourse, is a domestic water supply intake located within 500 feet downstream of the processed discharge? If yes, describe.	NO		
10	Are there regional wastewater systems and/or existing wastewater systems within the area? If yes, describe.	NO		
11	Land Application?	NOT APPLICABLE		
11a	Is the disposal area as described in the application? If no, describe.	NOT APPLICABLE		
11b	Is the disposal system as described in the application? If no, describe.	NOT APPLICABLE		
12	Existing facilities?	NOT APPLICABLE		
12a	Are treatment units as described in the application? If no, describe.	NOT APPLICABLE		
12b	Are sludge management and disposal practices as described in the application? If no, describe.	NOT APPLICABLE		
12c	Describe the present operation and condition of existing facilities:	Not applicable. Plant not built.		
13	Are you aware of any public opposition to the use of this site or route of discharge? Comments:	NO		
14	Additional comments:	NOT APPLICABLE		

21	SW CCI MS4 PHASE I - Comprehensive compliance investigation for entity with Phase I Municipal Separate Storm Sewer System Permit	NO		
22	SW CCI MS4 PHASE II - Comprehensive compliance investigation for entity with Phase II Municipal Separate Storm Sewer System Permit	NO		
23	SW CONSTRUCTION - Comprehensive compliance investigation for entity with Stormwater Construction General Permit	NO		
24	SW RECON - Reconnaissance investigation for entity subject to stormwater requirements	NO		
25	SW FI - Follow-up stormwater compliance investigation	NO		
26	SW COMPLAINT - Complaint investigation	NO		
27	SW FRR - Record review	NO		
28	SW ENF FI - Enforcement Follow up investigation	NO		
29	SGE CCI TRANSPORT - Comprehensive compliance investigation for transporter	NO		
30	SGE ENF FI TRANSPORT - Enforcement Follow-up investigation for transporter	NO		
31	SGE NON-GRANT CCI BFU - Comprehensive compliance investigation for beneficial use sites not counted towards the 319 grant by R4 and R12.	NO		
32	SGE NON-GRANT FI BFU - Follow-up investigations for beneficial use conducted by R4 or R12 not counted toward the 319 grant.	NO		
33	SGE SITE ASSESS - Site assessment for beneficial use registration application	NO		
34	SGE COMPLAINT - Complaint investigation	NO		
35	SGE GRANT CCI BFU - Comprehensive compliance investigation for beneficial use counted towards the 319 grant by R4 or R12.	NO		
36	SGE GRANT FI BFU - Follow-up investigation for beneficial use counted towards the 319 grant by R4 or R12.	NO		
37	SGE FRR - Record review	NO		
38	SGE ENF FI - Enforcement Follow up investigation	NO		
39	WR COMPLAINT - Water Rights Complaint	NO		
40	WR TEMP PERMIT - Water Rights Temporary Permit	NO		
41	WR FRR - Record Review	NO		

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



PWSI 101327/ICO

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

August 29, 2006

Mr. Michael Merka, President  
Inline Utilities, LLC  
10100 Boudreaux Rd  
Tomball, Texas 77375-7475

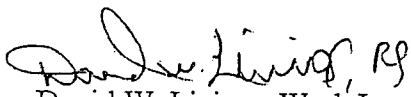
Re: Comprehensive Compliance Investigation at:  
Cottage Gardens, 1027 Sweetnectar, Tomball, Harris County, Texas  
TCEQ ID No. 1013271

Dear Mr. Merka:

On June 29, 2006, Mr. Bobby Holder of the Texas Commission on Environmental Quality (TCEQ), Houston 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. Please be aware that additional violations may be documented based upon further review of records or self-reporting.

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. Bobby Holder in the Houston Region Office at (713)767-3650.

Sincerely,

  
David W. Livings, Work Leader  
Public Water Supply  
Houston Region Office

DWL/BJH/ra

cc: Harris Co. Health Dept.

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



PWSI 101327/ICO

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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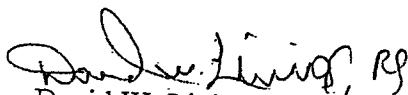
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Sincerely,

  
David W. Livings, Work Leader  
Public Water Supply  
Houston Region Office

DWL/BJH/ra

cc: Harris Co. Health Dept.



PWS 101027100

**Texas Commission on Environmental Quality**  
**Investigation Report**  
**INLINE UTILITIES LLC**  
**CN601479777**

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**COTTAGE GARDENS**

**RN102975737**

**Investigation #** 460249

**Incident #**

**Investigator:** BOBBY HOLDER

**Site Classification**

GW 251-1K CONNECTION

**Conducted:** 06/29/2006 -- 06/29/2006

**No Industry Code Assigned**

**Program(s):** PUBLIC WATER SYSTEM/SUPPLY

**Investigation Type :** Compliance Investigation

**Location :** AT BACK OF MOBILE HOME  
SUBD. 1027 SWEETNECTAR.  
KEY MAP 289U

**Additional ID(s) :** 1013271

**Address:** 10100 BOUDREAUX  
RD; TOMBALL, TX 77375

**Activity Type :** REGION 12 - HOUSTON  
PWSCCIDS - PWS CCI- Comprehensive compliance  
investigation of Discretionary Groundwater, Purchase

**Principal(s) :**

Role	Name
RESPONDENT	INLINE UTILITIES LLC

**Contact(s) :**

Role	Title	Name	Phone
Participated in Investigation	OPERATOR/SUPERVISOR	MR DARREN SHAW	(281) 225-7502
	R		Work (281) 583-6855
Regulated Entity Contact	OWNER	MR MICHAEL MARTZ	Work (281) 655-1800
			(281) 655-7870

**Other Staff Member(s) :**

Role	Name
QA Reviewer	DAVID LIVINGS
Supervisor	DAVID LIVINGS

**Associated Check List**

**Checklist Name**  
PWS GENERIC VIOLATIONS

**Unit Name**  
Generic Violations

**Investigation Comments :**

Introduction  
Summary/General Information  
Name of System: Cottage Gardens PWS ID: 0200102 CCN/Reg: 12080  
Investigation Date: 06/29/2006 TCEQ Investigator: Bobby Holder  
System consists of Ground Water, 2 subm. wells, 1 GST, 1 PT, 3 SP, treatment and distribution.  
Surveyed with: Darren Shaw, Operator.  
System Type: Comm  
Area Served: Cottage Gardens Subd.. Exit interview conducted with: Darren Shaw  
Type of Letter Sent: GC  
The System does not have Superior status

**Additional Contacts / Title**  
Mike Martz, President

**Phone Number**  
281-655-1800

0.85 Mg/L Free Tested psi: 51 Location Tested: 10110 Berry Patch Ln

## Chemical Analysis

Type	Latest Date	Compliant?
Min	11.10.03	Y
Metals	11.10.03	N* Fe= 0.393 mg/L, sequestering-OK
NO2/NO3	Unk	Y
Radio Chem	11.10.03	Y
VOC	11.10.03	Y
SOC 5	Unk	NA
DBP's	11.10.03	Y

Exceedances and comments: NA

Notification/Date: Annual CCR

Total Well Production: 520 GPM 0.748 MGD

## System Capacities

Capacities:	Required	Provided	Meets
Well Prod.(gpm/conn): 0.6 x 273 Conn:= 163 GPM	520 MGD		Y
EST/Pressure(gal/conn): 20 x 273 Conn:= 0.00546 MG	0.012 MG		Y
Ground/Ttl(gal/conn): 200 x 273 Conn:= 0.0546 MG	0.123 MG		Y
Svc. Pump(gpm/conn): 2 x 273 Conn. = 546 gpm	1435 gpm		Y
Svc. Pump Peaking Factor: NA			

## Background

Current Enforcement Actions: NA

Agreed Orders and Compliance Agreements: NA

Complaints, and other Compliance Issues: NA

## Additional Information

NA

## Conclusions:

NA

## Interconnection Calculations.

NA

## ALLEGED VIOLATIONS NOTED AND RESOLVED

Track No: 184888

Resolution Date: 8/8/2006

30 TAC Chapter 290.46(n)(2)

## Alleged Violation:

Investigation: 342371

Comment Date: 12/03/2004

## Operating Practices for Public Water Systems

Failure to prepare and maintain a map of the distribution system so that valves and mains may be easily located during emergencies.

No distribution map was made available at the time of the investigation.

Investigation: 460249

Comment Date: 08/08/2006

Failure to meet the commission's minimum standards noted in the most recent chemical analysis conducted by the certified laboratory which indicates the quality of the water produced by the system. Specifically, the iron concentration of 0.393 mg/L exceeds the maximum permissible level for this constituent which is 0.3 mg/L.

Elevated iron levels may stain laundry and plumbing fixtures.

Consequently, facilities must be provided to sequester the iron or reduce the concentration of the constituent to acceptable levels. Please be aware that if sequestering facilities prove to be ineffective, the agency will require the concentration of the constituent to be reduced.

Investigation: 460249

Comment Date: 08/08/2006

Failure to provide a maximum permissible level for iron concentration at 0.3 mg/L or less

**Recommended Corrective Action:** Submit documentation showing that the entity is sequestering as per agency regulations to verify compliance.

**Resolution:** System is now using polyphosphates to sequester the high iron concentrations.

Signed

B. Holder

Environmental Investigator

Date

8/28/06

Signed

D. J. Linn

Supervisor

Date

8/28/2006

**Attachments: (in order of final report submittal)**

☐ Enforcement Action Request (EAR)

☒ Letter to Facility (specify type) : GC

Investigation Report

☐ Sample Analysis Results

☐ Manifests

☐ NOR

☒ Maps, Plans, Sketches

☐ Photographs

☐ Correspondence from the facility

☒ Other (specify) :

Final HAZARDOUS

COTTAGE GARDENS  
10100 BOUDREAUX RD  
TOMBALL, HARRIS COUNTY, TX 77375  
Additional ID(s): 1013271

Investigation # 460249  
Investigation Date: 06/29/2006

**ALLEGED VIOLATIONS NOTED AND RESOLVED**

Track No: 184888

30 TAC Chapter 290.46(n)(2)

**Alleged Violation:**

Investigation: 342371

Comment Date: 12/3/2004

Operating Practices for Public Water Systems

Failure to prepare and maintain a map of the distribution system so that valves and mains may be easily located during emergencies.

No distribution map was made available at the time of the investigation.

Investigation: 460249

Comment Date: 8/8/2006

Failure to provide at the time of the investigation a distribution map.

**Recommended Corrective Action:** Submit a copy of the accurate distribution map as per agency regulations to verify compliance.

**Resolution:** Distribution map is now available on site. Violation resolved via follow up inspection on 06/23/2006.

Track No: 184889

30 TAC Chapter 290.45(b)(1)(D)(v)

**Alleged Violation:**

Investigation: 342371

Comment Date: 12/3/2004

Requirements

Failure to provide emergency power to deliver water to the distribution system in the event of the loss of normal power supply or an emergency interconnection with another public water supply. Under emergency conditions, the combined systems must be able to supply at least 0.35 gallons per minute per connection.

At the time of the investigation, no emergency power nor an interconnect with another public water system was provided. The entity serves 273 connections.

Investigation: 460249

Comment Date: 8/8/2006

Failure to provide emergency power to deliver water to the distribution system in the event of the loss of normal power supply or an emergency interconnection with another public water supply.

**Recommended Corrective Action:** Submit a photo, invoice, or work order, showing that emergency power or an emergency interconnect with another public water system has been obtained as per agency regulations to verify compliance.

**Resolution:** System now has a gas generator onsite. Violation resolved via follow up inspection on 06/23/2006.

Track No: 184890

30 TAC Chapter 290.42(e)(4)(A)

**Alleged Violation:**  
Investigation: 342371

Comment Date: 12/3/2004

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Disinfection

Failure to provide a small bottle of fresh ammonia solution which must be readily accessible outside the chlorinator room, to test for possible chlorine leakage.

At the time of the investigation, no ammonia solution was provided.

Investigation: 460249

Comment Date: 8/8/2006

---

Failure to provide ammonia solution as per agency regulations.

**Recommended Corrective Action:** Submit a photo, invoice, or work order, showing that an ammonia solution is provided as per agency regulations to verify compliance.

**Resolution:** Ammonia bottle was provided during follow up inspection on 06/23/2006

---

Track No: 184892

30 TAC Chapter 290.118[G]

30 TAC Chapter 290.42(b)(2)[G]

**Alleged Violation:**  
Investigation: 342371

Comment Date: 12/3/2004

---

Chemical Analysis

Failure to meet the commission's minimum standards noted in the most recent chemical analysis conducted by the certified laboratory which indicates the quality of the water produced by the system. Specifically, the iron concentration of 0.393 mg/L exceeds the maximum permissible level for this constituent which is 0.3 mg/L.

Elevated iron levels may stain laundry and plumbing fixtures.

Consequently, facilities must be provided to sequester the iron or reduce the concentration of the constituent to acceptable levels. Please be aware that if sequestering facilities prove to be ineffective, the agency will require the concentration of the constituent to be reduced.

Investigation: 460249

Comment Date: 8/8/2006

---

Failure to provide a maximum permissible level for iron concentration at 0.3 mg/L or less

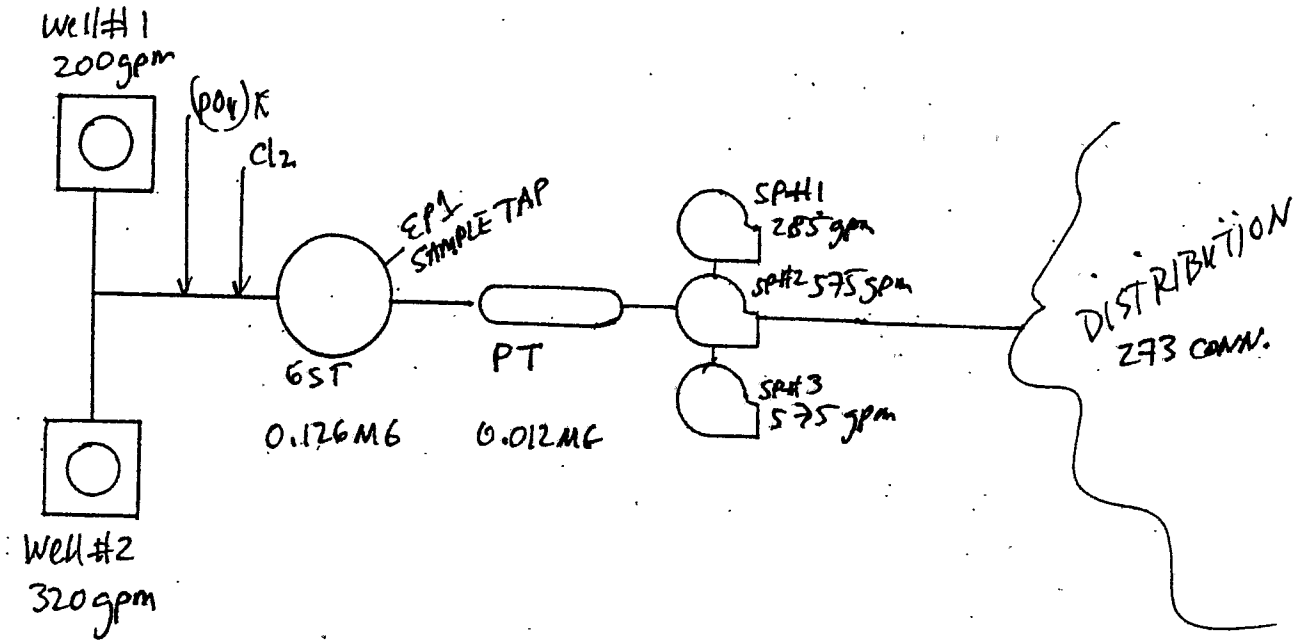
**Recommended Corrective Action:** Submit documentation showing that the entity is sequestering as per agency regulations to verify compliance.

**Resolution:** System is now using polyphosphates to sequester the high iron concentrations.

# PWS - SYSTEM FLOW DIAGRAM

Name of System:	Cottage Gardens		Additional ID(s)	1013271
Investigation #	460249	Investigation Date	06.29.06	

Description of Sources, Treatment, Entry Points and Distribution  
 Labelling: owner's source names and TCEQ wtrsrc code designation, types of treatment and chemicals, entry points to distribution, entry point sample taps, booster disinfection, distribution connections and layout (if possible).



08/03/2006  
9:04:49AM

Texas Commission on Environmental Quality  
Water System Data Sheet

WSDSR

PWS ID:	1013271
PWS Name:	COTTAGE GARDENS

Organization/Mailing Name			
INLINE UTILITIES LLC			
Address	City	St	Zip
10100 BOUDREAUX RD	TOMBALL	TX	77375 - 7475

Responsible Official	Job Title	Phone / E-Mail / Pager
MICHAEL MARTZ	OWNER	(281) 655-1569 BUSPHONE (281) 655-7870 OTHER

*President - 281-225-7502 EMERGENCY*

Owner Type	Owner Type Options: COUNTY, DISTRICT/AUTHORITY, EXEMPT, FEDERAL GOVERNMENT, INVESTOR, MUNICIPALITY, NATIVE AMERICAN, PRIVATE, SUBMETER \ ALLOCATION, STATE GOVERNMENT, WATER SUPPLY CORPORATION, MISC/UNKNOWN
PRIVATE	

System Type	System Type Options: COMMUNITY, TRANSIENT/NON-COMMUNITY, NON-PUBLIC, NON-TRANSIENT/NON-COMMUNITY
COMMUNITY	

Customer Class	Customer Category	Population Served	# of Connect	# of Meters	# I/C w/other PWS
RESIDENTIAL	MOBILE HOME PARK	819	273	273	0

Total Product (MGD)	Average Daily Consumption	Total Storage (MG)	Elev. Storage (MG)	Booster Pump Cap. (MGD)	Aux.Prod.Cap. Max.Pur.Cap.(MGD)	Pressure Tank Cap.(MG)
0.749	0.045	0.126	0.000	2.066	0.000	0.01200

Activity Status	Deactivation Date	Reason
ACTIVE		SEE COMMENTS

Operator Grade	Number
WATER GRADE C GROUND	1

Last Survey Date	Surveyor	Survey Type	Code	Region	County	Def.Score
10/05/2004	DESHAUNE BLAKE	SURVEY		12	HARRIS	14

*6/29/06*

*Bob Holden*

*12*

*Ø*

*70-514-4459 - Dee Martz  
Holiday Lake HS-*

*At the time of your query this data was the most current information available from our database, which is in real time. Every effort was made to retrieve it according to your query. Thank-you for using WUD.*



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



PWSI 1013084 ICO

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

September 12, 2006

Mr. York Galland, President  
Sugarberry 35 LP  
PO Box 1848  
Provo, Utah 84603-1848

RECEIVED  
SEP 14 2006  
TCEQ

Re: Comprehensive Compliance Evaluation Investigation at:  
Sugarberry Place, 9806 Thistleberry, Tomball, Harris County, Texas  
TCEQ ID No. 1013084

Dear Mr. Shaw:

The Texas Commission on Environmental Quality (TCEQ), Houston Region Office, has received the compliance documentation that you submitted September 6, 2006 for the alleged violation noted during the investigation of the above-referenced facility conducted on July 25, 2006. The compliance documentation contained in your response appears to indicate that corrective action has been taken for the alleged violation. No further submittal from you is required concerning this investigation. Please be aware that additional violations may be documented based upon further review of records or self-reporting.

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. Lan Vu in the Houston Region Office at (713)767-3650.

Sincerely,

A handwritten signature in dark ink, appearing to read "David W. Livings".

David W. Livings, Work Leader  
Public Water Supply  
Houston Region Office

DWL/lhv

cc: Harris Co. Health Dept.  
Mr. Darren Shaw, Operator, Aucoin and Associates Inc, 8765 Spring Cypress Rd, Ste L,  
#173, Spring, TX 77379

Enclosure: Summary of Investigation Findings

# Texas Commission on Environmental Quality

## Investigation Report

### SUGARBERRY 35 LP

### CN602719494

### SUGARBERRY PLACE

RN102673266

Investigation # 511961

Incident #

Investigator: LAN VU

Site Classification

GW 51-250 CONNECTION

Conducted: 09/07/2006 -- 09/07/2006

No Industry Code Assigned

Program(s): PUBLIC WATER SYSTEM/SUPPLY

Investigation Type : Compliance Invest File Review

Location : 9806 THISTLEBERRY  
Key Map 289U

Additional ID(s) : 1013084

Address: 9850 BOUDREAUX RD;  
TOMBALL, TX 77375Activity Type : REGION 12 - HOUSTON  
PWSFRR - PWS NOV Record ReviewPrincipal(s) :

Role

Name

RESPONDENT

SUGARBERRY 35 LP

Contact(s) :

Role

Title

Name

Phone

Regulated Entity Mail Contact

OPERATOR

DARREN SHAW

Work (281) 583-6855

Other Staff Member(s) :

Role

Name

QA Reviewer  
SupervisorMELODY KIRKSEY  
DAVID LIVINGS

### Associated Check List

Checklist Name

PWS GENERIC VIOLATIONS

Unit Name

GENERIC VIOLATIONS

Investigation Comments :

This file review was conducted to resolve an alleged violation noted during the CCI investigation conducted on July 25, 2006. Please see investigation #489017 for more information.

### ALLEGED VIOLATIONS NOTED AND RESOLVED

Track No: 184254

Resolution Date: 9/7/2006

30 TAC Chapter 290.44(h)(4)

Alleged Violation:

Investigation: 340604

Comment Date: 11/22/2004

### Operating Practices for Public Water Systems

Failure by the regulated entity to establish and enforce a plumbing ordinance, regulation, or service agreement with a prohibition of potential cross-connections or other undesirable plumbing practices. Backflow prevention assemblies must be installed at the swimming pool to provide protection against health hazards and must also be tested and certified to be operating within specifications at least annually by a recognized backflow prevention assembly tester. Any assemblies already installed to

## Summary of Investigation Findings

SUGARBERRY PLACE  
9850 BOUDREAUX RD  
TOMBALL, HARRIS COUNTY, TX 77375  
Additional ID(s): 1013084

Investigation # 511961  
Investigation Date: 09/07/2006

### ALLEGED VIOLATIONS NOTED AND RESOLVED

Track No: 184254

30 TAC Chapter 290.44(h)(4)[G]

**Alleged Violation:**

Investigation: 340604

Comment Date: 11/22/2004

**Operating Practices for Public Water Systems**

Failure by the regulated entity to establish and enforce a plumbing ordinance, regulation, or service agreement with a prohibition of potential cross-connections or other undesirable plumbing practices. Backflow prevention assemblies must be installed at the swimming pool to provide protection against health hazards and must also be tested and certified to be operating within specifications at least annually by a recognized backflow prevention assembly tester. Any assemblies already installed to provide protection against health hazards must be tested and certified to be operating with specifications at least annually by a certified backflow prevention assembly tester.

Investigation: 489017

Comment Date: 8/7/2006

Failure to provide a reduced-pressure principle backflow assembly, which is required to be inspected annually, at the swimming pool. The system had installed a pressure vacuum breaker which has no inspection ports.

Investigation: 511961

Comment Date: 9/7/2006

Failure to provide a reduced-pressure principle backflow assembly at the swimming pool as per agency regulations.

**Recommended Corrective Action:** Submit a copy of the backflow prevention assembly test and maintenance report showing that a reduced-pressure principle backflow assembly has been installed and tested as per agency regulations to verify compliance.

**Resolution:** Per fax received on 09/06/06, the RPZ had been installed and tested on August 3, 2006.

provide protection against health hazards must be tested and certified to be operating with specifications at least annually by a certified backflow prevention assembly tester.

Investigation: 489017

Comment Date: 08/07/2006

Failure to provide a reduced-pressure principle backflow assembly, which is required to be inspected annually, at the swimming pool. The system had installed a pressure vacuum breaker which has no inspection ports.

Investigation: 511961

Comment Date: 09/07/2006

Failure to provide a reduced-pressure principle backflow assembly at the swimming pool as per agency regulations.

**Recommended Corrective Action:** Submit a copy of the backflow prevention assembly test and maintenance report showing that a reduced-pressure principle backflow assembly has been installed and tested as per agency regulations to verify compliance.

**Resolution:** Per fax received on 09/06/06, the RPZ had been installed and tested on August 3, 2006.

Signed

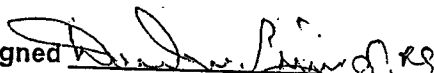


Environmental Investigator

Date

Sept 8, 2006

Signed



Supervisor

Date

SEPT 12, 2006

**Attachments: (in order of final report submittal)**

\_\_\_ Enforcement Action Request (EAR)

☒ Letter to Facility (specify type) : Compliance (LS)

Investigation Report

\_\_\_ Sample Analysis Results

\_\_\_ Manifests

\_\_\_ NOR

\_\_\_ Maps, Plans, Sketches

\_\_\_ Photographs

☒ Correspondence from the facility

\_\_\_ Other (specify) :  
\_\_\_\_\_  
\_\_\_\_\_

AUCOIN AND ASSOCIATES INC.  
8765 SPRING CYPRESS RD.  
SUITE L, # 173  
SPRING, TEXAS 77379  
OFFICE-281-583-6855  
FAX- 281-225-7502

DATE: 9-6-06

OSTA  
SEP 06 2006  
REGION 12

TO: MS. LAN VU

FROM: DARREN  
FAX NO. 713.767.3291

RE: SUGARBERRY BACKFLOW

NO. OF PAGES INCLUDING COVER: 4

REMARKS: I INSTALLED NEW RPZ AT THE  
POOL. HERE IS THE REPORT TO  
CONFIRM THANK YOU  
[Signature]

**AUCOIN AND ASSOCIATES**  
**8765 SPRING CYPRESS-L #173**  
**SPRING, TX 77379**

## BACKFLOW PREVENTION TEST AND MAINTENANCE REPORT

NAME OF PROPERTY: SUGARBERRY PLACE  
 PROPERTY ADDRESS: 4806 THISTLE BERRY  
 CITY: TOMBALL STATE: TX ZIP: 77375 KEY MAP #: \_\_\_\_\_ PHONE #: \_\_\_\_\_  
 MAILING ADDRESS: 8765 SPRING CYPRESS CONTACT PERSON: DARREN SHAW  
SPRING TX 77379

THE BACKFLOW PREVENTION ASSEMBLY DETAILIED HERE ON HAS BEEN TESTED AND MAINTAINED AS REQUIRED BY TNRCC Chapter 290, RULES AND REGULATIONS FOR PUBLIC WATER SYSTEMS, CITIES UNIFORM PLUMBING CODE, AND IS CERTIFIED TO COMPLY WITH THE REQUIREMENTS.

### TYPE OF ASSEMBLY

☒ REDUCED PRESSURE PRINCIPLE (RP)  
☒ DOUBLE CHECK VALVE (DCV)

☐ REDUCED PRESSURE PRINCIPLE-DETECTOR (RPD)  
☐ DOUBLE CHECK VALVE-DETECTOR (DCD)

☐ PRESSURE VACUUM BREAKER (PVB)  
☐ SPILL-RESISTANT PRESSURE VACUUM BREAKER (SRVB)

MANUFACTURER: WILKINS MODEL #: RP2 SIZE: 1" SERIAL NUMBER: 2197169  
 LOCATED AT: POOL DATE INSTALLED: 8-3-06

Is the assembly installed in accordance with manufacturer recommendations and/or City's Uniform Plumbing Code? YES

	REDUCED PRESSURE PRINCIPLE ASSEMBLY			PRESSURE VACUUM BREAKER & SRVB	
	DOUBLE CHECK VALVE ASSEMBLY		RELIEF VALVE	AIR INLET	CHECK VALVE
	CHECK VALVE #1	CHECK VALVE #2			
INITIAL TEST	D.C. CLOSED TIGHT <input type="checkbox"/> RP <u>8.1</u> PSID LEAKED <input type="checkbox"/>	CLOSED TIGHT <input checked="" type="checkbox"/> PSID _____ LEAKED <input type="checkbox"/>	OPENED AT <u>2.9</u> PSID DID NOT OPEN <input type="checkbox"/>	OPENED AT _____ PSID DID NOT OPEN <input checked="" type="checkbox"/>	HELD AT _____ PSID LEAKED <input type="checkbox"/>
REPAIRS AND MATERIAL USED					
FINAL TEST	D.C. CLOSED TIGHT <input type="checkbox"/> RP <u>8.1</u> PSID	CLOSED TIGHT <input checked="" type="checkbox"/> PSID _____	OPENED AT <u>3.0</u> PSID	OPENED AT _____ PSID	HELD AT _____ PSID

TEST GAUGE USED: MAKE, MODEL: WILKINS IN 11050594 CALIBRATION DATE: 11-11-05 (TESTER SIGNATURE)

REMARKS: NEW RP2

THE ABOVE TEST IS CERTIFIED TO BE TRUE AT THE TIME OF TESTING

FIRM NAME: AUCOIN & ASSOC.  
 FIRM ADDRESS: 8765 SPRING CYPRESS  
1 SPRING TX 77379  
 FIRM PHONE: 281-581-6855

CERTIFIED TESTER: DARREN SHAW  
 CERTIFIED TESTER #: BP0009664  
 TEST DATE: 8-3-06

TEST REPORTS MUST BE KEPT FOR AT LEAST THREE YEARS.  
 TESTING IS REQUIRED UPON INSTALLATION, REPAIR, OR RELOCATION AND ANNUALLY THEREAFTER

Kathleen Hartnett White, *Chairman*  
R. B. "Ralph" Marquez, *Commissioner*  
Larry R. Soward, *Commissioner*  
Glenn Shankle, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

January 10, 2006

Mr. Michael Martz, Owner  
Inline Utilities  
9850 Boudreaux Road  
Tomball, Texas 77375-7475

Re: Compliance Evaluation Investigation at:  
Sugarberry's Place, Tomball, Harris County, Texas  
TCEQ ID No.: WQ0013942-001, EPA ID No.: TX0117633

Dear Mr. Martz:

On November 21, 2005, Jeannette Mock of the Texas Commission on Environmental Quality (TCEQ) Houston Region Office conducted an investigation of the above-referenced facility to evaluate compliance with applicable requirements for wastewater treatment. No violations were documented during the investigation. However, please be advised that self-reported violations may be subject to enforcement, including penalties, upon review by the Enforcement Division.

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. Jeannette Mock in the Houston Region Office at 713-767-3728.

Sincerely,

A handwritten signature in cursive script, appearing to read "Barbara S. Sullivan".

Barbara S. Sullivan  
Work Leader  
Water Quality Management  
Houston Region Office

BSS/jkm/ra

cc: Mr. Pat Aucoin, President Aucoin & Associates, 8765 Spring Cypress Road, Suite L, #173, Spring, Texas 77379

WQ/13942-001-CO

**Texas Commission on Environmental Quality**  
**Investigation Report**  
**INLINE UTILITIES LLC**  
**CN601479777**

**INLINE DEVELOPMENT**

**RN102916988**

**Investigation #** 405237

**Investigator:** JEANNETTE MOCK

**Incident #**

**Site Classification**

DOMESTIC MINOR

**Conducted:** 11/21/2005 -- 11/21/2005

**SIC Code:** 6515

**Program(s):** WASTEWATER

**Investigation Type :** Compliance Investigation

**Location :** ?

**Additional ID(s) :** TPDES0117633  
WQ0013942001

**Address: , ,**

**Activity Type :** REGION 12 - HOUSTON  
WWCCIMDMIN - WW CCI Mandatory Minor

**Principal(s) :**

**Role**

**Name**

RESPONDENT

INLINE UTILITIES LLC

**Contact(s) :**

**Role**

**Title**

**Name**

**Phone**

Regulated Entity Mail Contact

OWNER

MR MICHAEL  
MARTZ

(281) 655-1323  
Work (281) 655-1800  
Cell (713) 202-3401  
Cell (832) 309-9392  
(281) 225-7502  
Work (281) 583-6855

Participated in Investigation

OPERATOR

DARREN SHAW

**Other Staff Member(s) :**

**Role**

**Name**

QA REVIEWER  
SUPERVISOR

MICHELLE RUCKSTUHL  
BARBARA SULLIVAN

**Associated Check List**

**Checklist Name**

**Unit Name**

WQ DOMESTIC CCI  
WQ GENERAL CCI CHECKLIST

Inline  
Inline

**Investigation Comments :**

This is a 0.25 MGD activated sludge plant which is operated in the extended aeration mode (see attached schematic). This facility is operating under the final effluent limits of the permit. The wastewater plant serves a mobile home community.

The permittee has made no modifications since the last inspection. There have not been any unauthorized discharges reported since the last inspection.

The operator for this facility is Darren Shaw, who holds a 'B' wastewater certification, license number WW0023786, which expires on 09/15/2008.

The thirty minute settleable solids concentration in the aeration basin was 28%. The sludge blanket in the clarifier was 2 feet in a 10 foot water depth. The chlorine contact chamber contained no sludge. Gas chlorination is used to disinfect the effluent.



in the clarifier was 2 feet in a 10 foot water depth. The chlorine contact chamber contained no sludge. Gas chlorination is used to disinfect the effluent.

The primary and secondary flow measuring devices for Outfall 001 include a 90 degree V-notch weir with a Milltronics OCM III flow meter and totalizer. Flow measurements were made at Outfall 001 to determine the accuracy of the flow meter. The flow accuracy check for the outfall is attached to this report.

The flow increases during rainfall events and the effluent quality is effected to some extent, but no effluent violations have been documented since the last inspection.

The WWTP has not reached 75% of the permitted capacity.

The Reduced Pressure Zone backflow preventor (RPZ) for the potable water line was tested and certified on August 12, 2005.

BMI, Transporter #22430, hauls sludge to Dincan's Farm, permit number 04456, for land application.

The permittee has a commercial laboratory, North Water District Laboratory, that performs all of the effluent analyses except chlorine residual. The operator performs chlorine residual analysis.

The receiving stream is to a storm water retention pond; thence to Willow Creek; thence to Spring Creek in Segment No. 1008 of the San Jacinto River Basin. No sewage related materials were observed in the retention pond. There was no discharge from the pond at the time of the inspection.

Samples were collected at the time of inspection. See attached sample results.

No Violations Associated to this Investigation

Signed

Smock  
Environmental Investigator

Date

12/27/05

Signed

Barbara S. Sill  
Supervisor

Date

1/9/05

Attachments: (in order of final report submittal)

☐ Enforcement Action Request (EAR)

☒ Letter to Facility (specify type): General

Investigation Report

☒ Sample Analysis Results

☐ Manifests

☐ NOR

☒ Maps, Plans, Sketches

☐ Photographs

☐ Correspondence from the facility

☒ Other (specify):

field notes

**INVESTIGATION SAMPLE RESULTS**  
**TPDES PERMIT NO:**

Regulated Entity Name: Inline Utilities

Authorization ID(s): WQ0013942-001, TX0117633

Date of Investigation: November 21, 2005

Outfall & Parameter	Measured Value	Permit Limit	Type Sample	COC ID No.	Primary Source of Wastewater
001					
Flow (MGD)*	0.06	N/A	Instantaneous	N/A	Domestic
CBOD (mg/L)	3	35	Grab	012063	wastewater
TSS (mg/L)	19	60	Grab	'	'
VSS (mg/L)	14	N/A	Grab	'	'
NH3N (mg/L)	0.27	15	Grab	'	'
Cl2 (mg/L) *	2.1	$\geq 1 \leq 4$	Grab	N/A	'
pH (s.u.) *	7.05	$\geq 6 \leq 9$	Grab	'	'
DO (mg/L)*	5.23	$> 4.0$	Grab	'	'

\* = Field Analysis



# Chain of Custody Record

Nº 012063

Location: <u>None</u>		(Do not fill in this shaded area if the facility information must be confidential)										Permit # <u>13942</u>			
Region: <u>12</u>	Organization #: <u>4212</u>	PCA Code: <u>25071</u>	Program: <u>Water</u>		Sampler telephone number: <u>713-767-3728</u>					Sampler: (please print clearly) <u>JEANNETTE MOCU</u>					
E-Mail ID: <u>MOCU</u>		Sampler: (signature) <u>MOCU</u>		Analyses Requested										REMARKS	
Lab ID Number	Sample ID	Date	Time	# of Bottles	Grab/Comp.	Matrix L,S,M,O,T	CL2	pH	Cond.						
<del>AP03372</del>	<del>field -01 blank</del>	<del>11/14/05</del>	<del>10:30</del>	<del>2</del>	<del>G</del>	<del>L</del>				<del>* CBOD/TSS / NH<sub>3</sub>-N</del>			<del>VSS<sub>500</sub></del>		
<del>AP03373</del>	<del>duplicate -02 blank</del>	<del>11/14/05</del>	<del>10:35</del>	<del>2</del>	<del>G</del>	<del>L</del>				<del>* CBOD/TSS / NH<sub>3</sub>-N</del>			<del>VSS<sub>500</sub></del>		
<del>AP03374</del>	<del>duplicate -03 blank</del>	<del>11/14/05</del>	<del>10:35</del>	<del>2</del>	<del>G</del>	<del>L</del>				<del>* CBOD/TSS / NH<sub>3</sub>-N</del>			<del>VSS<sub>500</sub></del>		
<del>AP03375</del>	<del>duplicate -04 blank</del>	<del>11/14/05</del>	<del>10:35</del>	<del>2</del>	<del>G</del>	<del>L</del>				<del>* CBOD/TSS / NH<sub>3</sub>-N</del>			<del>VSS<sub>500</sub></del>		
<del>AP03376</del>	<del>duplicate -05 blank</del>	<del>11/14/05</del>	<del>10:35</del>	<del>2</del>	<del>G</del>	<del>L</del>				<del>* CBOD/TSS / NH<sub>3</sub>-N</del>			<del>VSS<sub>500</sub></del>		
<del>AP03377</del>	<del>duplicate -06 blank</del>	<del>11/14/05</del>	<del>10:35</del>	<del>2</del>	<del>G</del>	<del>L</del>				<del>* CBOD/TSS / NH<sub>3</sub>-N</del>			<del>VSS<sub>500</sub></del>		
<del>AP03378</del>	<del>duplicate -07 blank</del>	<del>11/14/05</del>	<del>10:35</del>	<del>2</del>	<del>G</del>	<del>L</del>				<del>* CBOD/TSS / NH<sub>3</sub>-N</del>			<del>VSS<sub>500</sub></del>		
<del>AP03379</del>	<del>duplicate -08 blank</del>	<del>11/14/05</del>	<del>10:35</del>	<del>2</del>	<del>G</del>	<del>L</del>				<del>* CBOD/TSS / NH<sub>3</sub>-N</del>			<del>VSS<sub>500</sub></del>		
<del>AP03380</del>	<del>duplicate -09 blank</del>	<del>11/14/05</del>	<del>10:35</del>	<del>2</del>	<del>G</del>	<del>L</del>				<del>* CBOD/TSS / NH<sub>3</sub>-N</del>			<del>VSS<sub>500</sub></del>		
<del>AP03381</del>	<del>duplicate -10 blank</del>	<del>11/14/05</del>	<del>10:35</del>	<del>2</del>	<del>G</del>	<del>L</del>				<del>* CBOD/TSS / NH<sub>3</sub>-N</del>			<del>VSS<sub>500</sub></del>		
Relinquished by: <u>MOCU</u>														Received by: <u>Janice Matthews</u>	
Relinquished by: _____														Received by: _____	
Relinquished by: _____														Received by: _____	
Relinquished by: _____														Received by: _____	
Shipped name: _____														Shipper Number: _____	

AP03372 field -01 blank 11/14/05 10:30 2 G L \* CBOD/TSS / NH<sub>3</sub>-N VSS<sub>500</sub>

AP03373 duplicate -02 blank 11/14/05 10:35 2 G L \* CBOD/TSS / NH<sub>3</sub>-N VSS<sub>500</sub>

AP03374 duplicate -03 blank 11/14/05 10:35 2 G L \* CBOD/TSS / NH<sub>3</sub>-N VSS<sub>500</sub>

AP03375 duplicate -04 blank 11/14/05 10:35 2 G L \* CBOD/TSS / NH<sub>3</sub>-N VSS<sub>500</sub>

AP03376 duplicate -05 blank 11/14/05 10:35 2 G L \* CBOD/TSS / NH<sub>3</sub>-N VSS<sub>500</sub>

AP03377 duplicate -06 blank 11/14/05 10:35 2 G L \* CBOD/TSS / NH<sub>3</sub>-N VSS<sub>500</sub>

AP03378 duplicate -07 blank 11/14/05 10:35 2 G L \* CBOD/TSS / NH<sub>3</sub>-N VSS<sub>500</sub>

AP03379 duplicate -08 blank 11/14/05 10:35 2 G L \* CBOD/TSS / NH<sub>3</sub>-N VSS<sub>500</sub>

AP03380 duplicate -09 blank 11/14/05 10:35 2 G L \* CBOD/TSS / NH<sub>3</sub>-N VSS<sub>500</sub>

AP03381 duplicate -10 blank 11/14/05 10:35 2 G L \* CBOD/TSS / NH<sub>3</sub>-N VSS<sub>500</sub>

Relinquished by: MOCU Received by: Janice Matthews

Relinquished by: \_\_\_\_\_ Received by: \_\_\_\_\_

Relinquished by: \_\_\_\_\_ Received by: \_\_\_\_\_

Relinquished by: \_\_\_\_\_ Received by: \_\_\_\_\_

Shipped name: \_\_\_\_\_ Shipper Number: \_\_\_\_\_

RECEIVED  
DEC 13 2005  
REGION 12

NH<sub>3</sub>-N containers looked like they may have been switched. The containers for the field blank, labeled 01, had color to the sample and the NH<sub>3</sub> containers for the duplicate looked clear like the blank. Switched containers - per collector Jm 11/13/05

For Laboratory Use

Received for analysis: (X) N (X) deg. C

Preservatives: (X) N

COC Seal: (X) Y (X) N