



Control Number: 44541



Item Number: 20

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DOCKET NO. 44541

APPLICATION OF CITY OF HEATH TO §
AMEND A CERTIFICATE OF §
CONVENIENCE AND NECESSITY AND §
TO DECERTIFY A PORTION OF §
FORNEY LAKE WATER SUPPLY §
CORPORATION'S SERVICE AREA IN §
ROCKWALL COUNTY §
§

PUBLIC UTILITY COMMISSION

2011 JUN -4 PM 2:37

OF TEXAS
FILED
FILING CLERK

**CITY OF HEATH'S FIRST SUPPLEMENTAL RESPONSE TO COMMISSION
STAFF'S FIRST REQUEST FOR INFORMATION**

Now comes the City of Heath ("Heath") and files its First Supplemental Response to the Commission Staff's First Request for Information. All parties may treat the answers as if the were filed under oath.

The City of Heath files these responses without agreeing to the relevancy of the information sought and without waiving its right to object at the time of hearing to the admissibility of the information provided herein.

Respectfully submitted,



Jim Mathews
State Bar No. 13188700
Mathews & Freeland, LLP
8140 N. Mopac Expy, Suite 2-260
Austin, Texas 78759
Telephone (512) 404-7800
Facsimile (512) 703-2785

Attorneys for the City of Heath

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Heath's First Supplemental Response to the Commission Staff's First Request for Information was served on all parties of record in this proceeding on this 1st day of May, 2015, by hand-delivery, facsimile, electronic mail, and/or First Class Mail.

Arturo Rodriguez, Jr.
Attorney for FLWSC
Russell & Rodriguez LLP
1633 Williams Dr., Building 2, Suite 200
Georgetown, Texas 78632
866-929-1641 (fax)

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Jim Mathews

DOCKET NO. 44541

APPLICATION OF CITY OF HEATH TO § PUBLIC UTILITY COMMISSION
AMEND A CERTIFICATE OF §
CONVENIENCE AND NECESSITY AND § OF TEXAS
TO DECERTIFY A PORTION OF §
FORNEY LAKE WATER SUPPLY §
CORPORATION'S SERVICE AREA IN §
ROCKWALL COUNTY §

Staff 1-3

- 1. Please refer to 16 TAC §24.120(n). Please demonstrate that you have obtained a finding from the TCEQ that you will demonstrate compliance with TCEQ's minimum requirements for public drinking water systems pursuant to 30 TAC Chapter 290, Subchapter B.**

Response:

TCEQ Staff Kayla Murray and Brian Dickey have informed the City of Heath that the results of TCEQ's most recent investigation of Heath's public water system shall constitute TCEQ's finding. A copy of correspondence related to that investigation is at Attachment 1.

Prepared by: David Herbert

Sponsored by: David Herbert

Attachment 1

PWS 1990014/06/20130524/Investigation

Bryan W. Shaw, Ph.D., *Chairman*
Carlos Rubinstein, *Commissioner*
Toby Baker, *Commissioner*
Zak Covar, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 5, 2013

E SIGNATURE CONFIRMATION # 91 3408 2133 3931 8424 5896

RECEIVED

APR 10 2014

TCEQ
CENTRAL FILE ROOM

The Honorable Lorene Liechty, Mayor of Heath
City of Heath
200 Laurence Drive
Heath, Texas 75032

Re: Notice of Violation for Public Water Supply Comprehensive Compliance Investigation at:
City of Heath, 200 Laurence Drive, Heath (Rockwall County), Texas
RN101252864, PWS ID No. 1990014, Investigation No. 1099938

Dear Mayor Liechty:

On May 24, 2013, Ms. Ariel Yeh of the Texas Commission on Environmental Quality (TCEQ) Dallas/Fort Worth (D/FW) Regional 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, an outstanding alleged violation was identified for which compliance documentation is required. Please submit to this office by October 3, 2013, a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for 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 D/FW Regional Office at (817) 588-5800 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 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 documented in this notice. Should you choose to do so, you must notify the D/FW Regional Office within 10 days from the date of this letter. At that time, Mr. Charles Marshall, Public Water Supply Program Team 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.

Mayor Lorene Liechty
Page 2
July 5, 2013

If you or members of your staff have any questions, please feel free to contact Ms. Yeh in the D/FW Regional Office at 817-588-5878.

Sincerely,



Charles Marshall
Team Leader, Public Water Supply Program
D/FW Regional Office
Texas Commission on Environmental Quality

CM/acy

Enclosure: Summary of Investigation Findings

**Texas Commission on Environmental Quality
Investigation Report**

**City of Heath
CN600735492**

CITY OF HEATH PWS

RN101252864

Investigation # 1099938

Incident #

Investigator: ARIEL YEH

Site Classification

P >1K-10K CONNECTION

Conducted: 05/24/2013 -- 05/24/2013

SIC Code: 4941

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

Investigation Type : Compliance Investigation

Location :

Additional ID(s) : 1990014

**Address: 200 LAURENCE DR; HEATH,
TX 75032**

**Activity Type : REGION 04 - DFW METROPLEX
PWSCCIGWCM - PWSCCOGWCM PWS CCI
Discretionary Groundwater, Purchase,
Community**

Principal(s) :

Role	Name
RESPONDENT	CITY OF HEATH

Contact(s) :

Role	Title	Name	Phone
Notified	ADMINISTRATIVE ASSISTANT	MS SUSAN GARRISON	Work (972) 962-4892
Participated in Investigation	PUBLIC WORKS OPERATIONS MANAGER	MR JOHN LANGSTAFF	Work (972) 961-4894
Participated in Investigation	PUBLIC WORKS DIRECTOR	MR RANDEL DOBBS	Work (972) 771-6228
Regulated Entity Mail Contact	MAYOR	HON LORNE LIECHTY	Work (972) 771-6228
Regulated Entity Contact	PUBLIC WORKS DIRECTOR	MR RANDEL DOBBS	Work (972) 961-4890

Other Staff Member(s) :

Role	Name
QA Reviewer	CHARLES MARSHALL
Supervisor	CHARLES MARSHALL
Investigator	ROBERT FERRY

Associated Check List

<u>Checklist Name</u>	<u>Unit Name</u>
PWS EMERGENCY POWER INITIATIVE	EPI 1990014
PWS STANDARD FIELD	CCI 1990014
PWS INVESTIGATION - EQUIPMENT MONITORING AND SAMPLING revised 06/2013	EMS 1990014

JUL 05 2013

Investigation Comments :

INTRODUCTION

On May 24, 2013, Ms. Ariel Yeh, Texas Commission on Environmental Quality (TCEQ) Environmental Investigator conducted a Comprehensive Compliance Investigation (CCI) at the City of Heath. The purpose of the investigation was to determine compliance with applicable public water system regulations.

Ms. Yeh contacted Ms. Susan Garrison, City of Heath Public Works Administrative Assistant on May 8, 2013, to schedule the investigation. In addition, a records request form was sent to the water system on that date which listed the documents to be reviewed during the investigation.

On May 24, 2013, Ms. Yeh accompanied by Mr. Bob Ferry (TCEQ Environmental Investigator) arrived at the water system office and met with Mr. John Langstaff, City of Heath Operations Manager, and Mr. Larry Dunham, City of Heath Public Works Operations Supervisor, to begin the investigation. At the conclusion of the investigation, an exit interview was conducted and a TCEQ Exit Interview Form, which documented the areas of alleged noncompliance, was provided to Mr. Langstaff.

A Notice of Violation (NOV) letter was sent to the water system as a result of the investigation.

GENERAL FACILITY AND PROCESS INFORMATION

The City of Heath is a community water system that serves a total of 2,050 connections and an approximate population of 5,779 individuals. The water system purchases water from the City of Rockwall (PWS ID# 1990001) and consists of one pressure plane served by one pump station and two elevated tanks within the distribution system.

The Pump Station serving the city is located on T L Townsend Drive, south of the intersection with Interstate 30. The City of Rockwall has a pump station on the east side of the road where a 3.0 MG ground storage tank is located. The use and ownership of this storage tank is shared between the City of Heath, the City of Rockwall, and North Texas Municipal Water District (NTMWD, PWS ID# 0430044), so that each water system owns 1.0 MG of storage capacity. Water is delivered to the Pump Station through a meter from the shared ground storage tank, and then pumped to the distribution system through three service pumps. The water system has disinfection facilities (gaseous chlorine) at the water plant if needed to retreat the purchased water, but this is not normally used.

Two elevated tanks provide the necessary pressure maintenance: the 0.5 MG elevated tank is located behind City Hall and Amy Parks Heath Elementary School on Laurence Drive, and the 1.5 MG elevated tank is located at 2430 North FM 740.

Specific facility information such as tank volumes and pump capacities can be found in the Water System Diagram, Water System Data Sheet, and PWS Database Printout.

No exceptions to the rule have been granted to the public water system.

BACKGROUND

The previous CCI, Investigation Number 825332, was conducted on June 2, 2010. A NOV was sent to the City of Heath on July 30, 2010, for four alleged violations cited during the investigation. All the alleged violations were resolved during a File Record Review (FRR) investigation (Investigation Number 894227), conducted on February 3, 2011.

Three complaints have been filed against the water system within the past five years. Incident Number 126602 was received on June 17, 2009, concerning the water system not employing the required type and number of certified operators. Incident Number 141825 was received on June

21, 2010, concerning lacks of adequate fire protection. Incident Number 149572 was received on January 13, 2013, concerning the 1.5 MG elevated tank, MCL Coliform violations and lack of licensed operators. No alleged violations were noted as a result of the complaint investigations.

ADDITIONAL INFORMATION

Record Review

During the investigation, the following records were reviewed: plant operations manual, drought contingency plan, monitoring plan, distribution map, plumbing ordinance, customer service inspections, NSF certifications, monthly operating reports, flushing records, disinfectant residual monitoring records, calibration records for the Hach colorimeters, and bacteriological sampling records for the previous twelve months. The plant operations manual and the customer complaints records did not contain adequate information. This was discussed with the water system personnel and addressed as additional issues.

The investigator noted that the system did not have the tank inspection form for the 0.5 MG elevated tank. Mr. Langstaff stated that the inspection was performed in November 2012, and he would submit the form later on. The investigator also noted that the system did not maintain records for all backflow prevention assemblies. According to 30 Texas Administrative Code (TAC) 290.44(h)(4), all the backflow prevention assemblies listed in 30 TAC 290.47(i), shall be tested upon installation by a recognized backflow prevention assembly tester and certified to be operating within specifications. Backflow prevention assemblies which are installed to provide protection against health hazards must also be tested and certified to be operating within specifications at least annual by a recognized backflow prevention assembly tester. The water system did have annual test records for some premises listed under 30 TAC 290.47(i), but not all of them.

On May 28, 2013, the water system submitted the tank inspection form for the 0.5 MG elevated tank.

Operation and maintenance

An evaluation of the water production and distribution facilities was conducted next. A self-contained breathing apparatus (SCBA) and an emergency power generator were observed at the pump station.

Capacity

During the investigation, the water system capacities were evaluated. See the investigation attachments for a copy of the Water System Diagram, Water System Data Sheet, and PWS Database Printout for further information.

Sampling

During the investigation, the disinfectant residual and distribution pressure were monitored at 6 Brighton Court with the following results:
2.01 milligrams per liter (mg/l) total chlorine and a pressure of 78 pounds per square inch (psi)

ATTACHMENTS

- 1) Water System Diagram, Water System Data Sheet, and PWS Database Printout
- 2) Exit Interview Form
- 3) Certification and Employment Report
- 4) Correspondence from the system

NOV Date 07/05/2013
Method WRITTEN

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

Track No: 505721

Compliance Due Date: 10/03/2013

Violation Start Date: Unknown

30 TAC Chapter 290.44(h)(4)

Alleged Violation:

Investigation: 1099938

Comment Date: 06/19/2013

Failure to have all backflow prevention assemblies tested and certified to be operating within specifications at least annually by a recognized backflow prevention assembly tester.

30 TAC 290.44(h)(4) states that all backflow prevention assemblies that are required according to this section and associated table located in 290.47(i) of this title shall be tested upon installation by a recognized backflow prevention assembly tester and certified to be operating within specifications. Backflow prevention assemblies which are installed to provide protection against health hazards must also be tested and certified to be operating within specifications at least annual by a recognized backflow prevention assembly tester.

During the investigation, it was noted that the system did not have annual backflow prevention assemblies test records for all the premises listed under 30 TAC 290.47(i).

Recommended Corrective Action: Submit documentation to the regional office that demonstrate all backflow prevention assemblies listed under 30 TAC 290.47(i) was tested upon installation and was tested at least annually by a recognized backflow prevention assembly tester.

Additional Issues

Description Item 2

Additional Comments

Please update Plant Operations Manual. A Plant Operations Manual should include the following information: normal operations procedures, maintenance/repairs procedures and emergency telephone numbers.


Description Item 3

Additional Comments

Please update the Customer Complaints System. Customer Complaints records should include the following information: date and location of the complaint, a description and a resolution.

Signed 
Environmental Investigator

Date 6/20/13

Signed 
Supervisor

Date 6/27/13

Attachments: (in order of final report submittal)

- Enforcement Action Request (EAR)
- Letter to Facility (specify type) : NOV
- Investigation Report
- Sample Analysis Results
- Manifests
- NOR

- Maps, Plans, Sketches
- Photographs
- Correspondence from the facility
- Other (specify) :
See "Attachments"
-

Summary of Investigation Findings

CITY OF HEATH PWS
200 LAURENCE DR
HEATH, ROCKWALL COUNTY, TX 75032

Investigation #
1099938
Investigation Date: 05/24/2013

Additional ID(s): 1990014

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

Track No: 505721 Compliance Due Date: 10/03/2013
30 TAC Chapter 290.44(h)(4)

Alleged Violation:

Investigation: 1099938

Comment Date: 06/19/2013

Failure to have all backflow prevention assemblies tested and certified to be operating within specifications at least annually by a recognized backflow prevention assembly tester.

30 TAC 290.44(h)(4) states that all backflow prevention assemblies that are required according to this section and associated table located in 290.47(i) of this title shall be tested upon installation by a recognized backflow prevention assembly tester and certified to be operating within specifications. Backflow prevention assemblies which are installed to provide protection against health hazards must also be tested and certified to be operating within specifications at least annual by a recognized backflow prevention assembly tester.

During the investigation, it was noted that the system did not have annual backflow prevention assemblies test records for all the premises listed under 30 TAC 290.47(i).

Recommended Corrective Action: Submit documentation to the regional office that demonstrate all backflow prevention assemblies listed under 30 TAC 290.47(i) was tested upon installation and was tested at least annually by a recognized backflow prevention assembly tester.

ADDITIONAL ISSUES

Description

Item 2

Additional Comments

Please update Plant Operations Manual. A Plant Operations Manual should include the following information: normal operations procedures, maintenance/repairs procedures and emergency telephone numbers.

Item 3

Please update the Customer Complaints System. Customer Complaints records should include the following information: date and location of the complaint, a description and a resolution.

PUBLIC WATER SYSTEM DATA

Name of System: CITY OF HEATH	
CCN Number: 566851	PWS ID: 1990014
Classification: Not Applicable	Type: Community
Region Number: 4	

Interconnect with Other PWS:	Yes	Name of PWS I/C:	City of Rockwall
Type I/C:	purchase		

Retail Service Connections:	2050	Retail Meters:	2050
Retail Population: 5779			

Wholesale Master Meters:	Wholesale Service Connections:
Wholesale Population:	

Total Well Capacity:	GPM	MGD
Raw Capacity:	GPM	MGD

Total Elevated Storage:	2.0 MG	Total Storage Capacity:	3.0 MG
Pressure Tank Capacity:	0.0		

Maximum Daily Usage:	3.953 MGD	Date:	08/12/2012
Average Daily Usage:	1.417 MGD	Time Period:	05/01/2012to 04/30/2013
Wholesale Contract:	Yes	Maximum Purchase Rate :	3.2 MGD
No. of Samples Required:	6	No. of Samples Submitted:	6
No. of Raw Samples Required:	0	No. of Raw Samples Submitted:	0
Non-Comm Dates of Operation:	09/09/9999 to 09/09/9999		

WATER STORAGE TANKS

Type	Capacity	Material	Location
EL	0.5 MG	ST	City Hall
EL	1.5 MG	ST	2430 N FM 740
GR	1.0 MG*	ST	City of Rockwall Pump Station

SERVICE PUMPS

Pump Number	Output	Location
1	2800 GPM	1748 TL TOWNSEND PUMP STATION
2	4400 GPM	1748 TL TOWNSEND PUMP STATION
3	4400 GPM	1748 TL TOWNSEND PUMP STATION

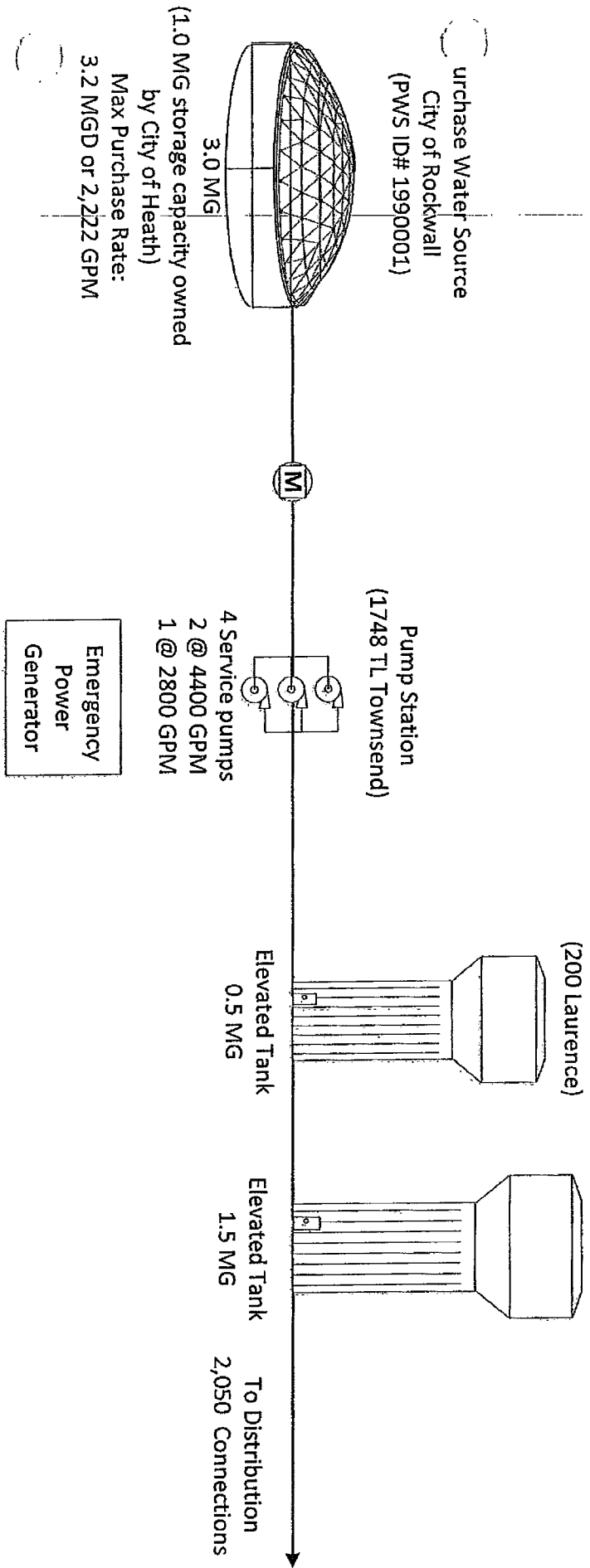
SYSTEM CAPACITIES

Pressure Plane Number: 1 Name: CITY OF HEATH

System Capacities			Required	Provided
Well Production	0.6	GPM Conn X 2050	Conn = 1230	GPM 2222.2
Elevated Pressure Storage	100	Gal/Conn X 2050	Conn = 0.205	MG 2.0
Ground/Total Storage	200	Gal/Conn X 2050	Conn = 0.41	MG 3.0
Service Pump Capacity	2.0	GPM/Conn X 2050	Conn = 4100	GPM 11600
Service Pump Peaking Factor		MDD/1440 X	**	GPM
Tested PSI: 78 Tested CL2: 2.01 Total Location: 6 Brighton Ct.				

**TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
PUBLIC WATER SYSTEM DIAGRAM
TCEQ REGION 04**

City of Heath
TCEQ ID#1990014
Investigator: Ariel Yeh
Investigation Date: 05/24/2013



Texas Commission on Environmental Quality

**PWS INVESTIGATION - EQUIPMENT MONITORING AND SAMPLING revised 06/2013
Checklist**

Unit Name : EMS 1990014	County : ROCKWALL
Investigation #: 1099938	TCEQ Investigator : ARIEL-YEH
Facility Name : CITY OF HEATH PWS	

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

Texas Commission on Environmental Quality
PWS EMERGENCY POWER INITIATIVE Checklist

Unit Name : EPI 1990014	County : ROCKWALL
Investigation # : 1099938	TCEQ Investigator : ARIEL YEH
Facility Name : CITY OF HEATH PWS	

Item No.	Description	Answer	Comments	Due Date
1	Is the ground water facility compliant with 290.45(b)(1) (D)(v)?	NOT APPLICABLE		
2	Does the ground water facility have mechanical power or electric generator?	NO		
3	Does the ground water facility have an emergency interconnection with another public water system that has emergency power?	NO		
4	Does the ground water facility meet the elevated storage requirements?	NO		
5	Is the surface water facility compliant with 290.45(b)(2) (H)?	NOT APPLICABLE		
6	Does the surface water facility have mechanical power or electric generator?	NO		
7	Does the surface water facility have an emergency interconnection with another public water system that has emergency power?	NO		
8	Does the surface water facility meet the elevated storage requirements?	NO		
9	Is the wholesale provider compliant with 290.45(e)(3)?	COMPLIANT	The purchase water system provides the required elevated storage capacity and also has an emergency power generator at the pump station.	
10	Does the wholesale provider have mechanical power or electric generator?	YES		
11	Does the wholesale provider meet the elevated storage requirements?	YES		

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

Texas Commission on Environmental Quality

PWS STANDARD FIELD Checklist

Unit Name : CCI 1990014	County : ROCKWALL
Investigation # : 1099938	TCEQ Investigator : ARIEL YEH
Facility Name : CITY OF HEATH PWS	

Item No.	Description	Answer	Comments	Due Date
1	GENERAL PROVISIONS: Meets applicable 290.39 standards?	COMPLIANT		
2	CESSATION OF CONSTRUCTION AND OPERATIONS: Meets applicable 290.40 standards?	COMPLIANT		
3	WATER SOURCES: Meets applicable 290.41 standards?	COMPLIANT		
4	WATER TREATMENT: Meets applicable 290.42 standards?	COMPLIANT		
5	WATER STORAGE: Meets applicable 290.43 standards?	COMPLIANT		
6	WATER DISTRIBUTION: Meets applicable 290.44 standards?	INDETERMINATE		
7	MINIMUM WATER SYSTEM CAPACITY REQUIREMENTS: Meets applicable 290.45 standards?	COMPLIANT		
8	MINIMUM ACCEPTABLE OPERATING PRACTICES FOR PWS: Meets applicable 290.46 standards?	INDETERMINATE		
9	APPENDICES: Meets applicable 290.47 standards? (Appendices A through J)	COMPLIANT		
10	DRINKING WATER STANDARDS GOVERNING WATER QUALITY AND REPORTING REQUIREMENTS FOR PWS: (SUBCHAPTER F) Meets applicable 290.101 through 290.122 standards?	COMPLIANT		
11	DISTRIBUTION SYSTEM FIELD TESTING ACTIVITIES: (Pressure and Residual Disinfection Level Testing) Meets applicable 290.46(f) and 290.46(d)(2) standards?	COMPLIANT	6 Brighton Ct.: 2.01 mg/L total chlorine, 78 psi.	
12	SWTP FIELD TESTING ACTIVITIES: (pH, Temperature, Disinfectant Residual, Alkalinity, Turbidity, Jar Testing, and Other) Meets applicable 290.42(d)(15)(C) standards?	NOT APPLICABLE		
13	EMERGENCY PREPAREDNESS PLAN (Only applies to Harris County)			
13A	Meets applicable 290.46(f)(5) standards?	NOT APPLICABLE		
13B	Meets applicable 290.45(h) standards?	NOT APPLICABLE		
14	FIRE HYDRANT REQUIREMENTS (Only apply to the City of Houston) - Meets applicable 290.46(x) standards?	NOT APPLICABLE		
15	Item 1	NON COMPLIANT	Failure to have all backflow prevention assemblies tested and certified to be operating within specifications at least annually by a recognized backflow prevention assembly tester.	
Citation: 30 TAC Chapter 290, SubChapter D 290.44(h)(4)				
16	Item 2	ADDITIONAL ISSUE	Please update Plant Operations Manual. A Plant Operations Manual should include the following information: normal operations procedures, maintenance/repairs procedures and emergency telephone numbers.	
17	Item 3	ADDITIONAL ISSUE	Please update the Customer Complaints System. Customer Complaints records should include the following information: date and location of the complaint, a description and a resolution.	
18	Item 4	NOT APPLICABLE		
19	Item 5	NOT APPLICABLE		

Ariel Yeh

From: John Langstaff <jlangstaff@heathtx.com>
Sent: Tuesday, May 28, 2013 10:43 AM
To: Ariel Yeh
Subject: Tank inspection
Attachments: scanner@heathtx.com_20130528_103942.pdf

Ariel,
Attached is a copy of tank inspection.

John Langstaff
Operations Manager
City of Heath
200 Laurnce Dr.
Heath, Texas 75032

This email contains the thoughts and opinon of the sender and does not represent official policy of the City of Heath.

RECEIVED
MAY 28 2013
DFW REGION-4

POTABLE WATER STORAGE TANK Inspection Form

Section 290.46(f)(3)(D)(ii) of the Texas Commission on Environmental Quality's *Rules and Regulations for Public Water Systems* requires documentation of annual ground, elevated, and pressure storage tank maintenance inspections. [See also 290.46(m)(1) and 290.46(m)(2)]

<i>City of Heath</i>	Location: <i>2430 N. FM 740</i>
Description: <i>.5 MG Elevated TANK</i>	
Date & Material of Exterior Coating System: <i>2004 Tnemec</i>	
Date & Material of Interior Coating System: <i>2004 Tnemec</i>	

Exterior of Tank

O.K.	Problem	NA	Description
✓			<i>Foundation:</i> settling, cracks, deterioration
✓			<i>Protective Coating:</i> rust, pitting, corrosion, leaks
✓			<i>Water Level Indicator:</i> operable, cable access opening protected
✓			<i>Overflow Pipe:</i> flap valve cover accessible, operable, sealed
✓			<i>Access Ladder:</i> loose bolts or rungs
✓			<i>Roof:</i> low spots for ponding water, holes along seams, rust
✓			<i>Air Vents:</i> proper design, screened, sealed edges and seams
		✓	<i>Cathodic Protection Anode Plates:</i> secured and sealed
		✓	<i>Roof Hatch:</i> proper design, locked, hinge bolts secured, gasket
		✓	<i>Pressure Tank Operational Status:</i> pressure release device, pressure gauge, air-water volume device

Interior of Tank

O.K.	Problem	NA	Description
✓			<i>Water Quality:</i> insects, floating debris, sediment on the bottom
✓			<i>Protective Coating:</i> rust, corrosion, scaling
Date:		Last Inspection of Pressure Tank Interior	

Comments

TANK WAS INSPECTED 11-28-13. FORM WAS FILLED OUT 5-28-13

Name of Inspector:	<i>John Langstaff</i>
Date of Inspection:	

TCEQ EXIT INTERVIEW FORM: Potential Violations and/or Records Requested

Regulated Entity/Site Name	CITY of Heath			TCEQ Add. ID No. RN No. (Optional)	PWS # 1996014
Investigation Type	CCI	Contact Made In-House (Y/N)	N	Purpose of Investigation	COMPLAINT (EQUIPMENT)
Regulated Entity Contact	M. John Lumpstaff			Telephone No.	972-961-4874
Title				Fax No.	
				Date Contacted	5/24/13
				Date Faxed	

NOTICE: The information provided in this form is intended to provide clarity to issues that have arisen during the investigation process between the TCEQ and the regulated entity named above and *does not represent final TCEQ findings related to violations*. Any potential or alleged violations discovered after the date on this form will be communicated by telephone to the regulated entity representative prior to the issuance of a notice of violation or enforcement. Conclusions drawn from this investigation, including additional violations or potential violations discovered (if any) during the course of this investigation, will be documented in a final investigation report.

No.	Type	Rule Citation (if known)	Description of Issue
1	AV	ES0TAC290.44	Failure to have an adequate internal cross-connection control program
1	AV		Update plant operations manual
1	O		Update customer complaints system

Issue Type Can Be One or More of: AV (Alleged Violation), PV (Potential Violation), O (Other), or RR (Records Request)

Did the TCEQ document the regulated entity named above operating without proper authorization?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Did the investigator advise the regulated entity representative that continued operation is not authorized?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Document Acknowledgment. Signature on this document establishes only that the regulated entity (company) representative received a copy of this document and associated continuation pages on the date noted. If contact was made by telephone, document will be faxed to regulated entity; therefore, signature not required.

Investigator Name (Signed & Printed)	5/24/13	Date	Regulated Entity Representative Name (Signed & Printed)	5/24/13	Date
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If you have questions about any information on this form, please contact your local TCEQ Regional Office.

Individuals are entitled to request and review their personal information that the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, call 512-239-3282.

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

May 1, 2015

The Honorable Lorne Liechty
Mayor of Heath
200 Laurence Drive
Heath, TX 75032

Re: Notice of Compliance with Notice of Violation (NOV) dated July 5, 2013:
City of Heath, 200 Laurence Drive, Heath, Rockwall County, Texas
RN101252864, PWS ID No. 1990014, Investigation No. 1099938

Dear Mayor Liechty:

This letter is to inform you that Texas Commission on Environmental Quality (TCEQ) Dallas/Fort Worth (D/FW) Regional Office has received adequate compliance documentation on April 22 and 24, 2015, to resolve the alleged violation documented during the investigation of the above-referenced regulated entity conducted on May 24, 2013. Based on the information submitted, no further action is required concerning this investigation.

The Texas Commission on Environmental Quality appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions, please feel free to contact Ms. Ariel Yeh at the D/FW Regional Office at 817-588-5878.

Sincerely,

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

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

CM/acy

Enclosure: Summary of Investigation Findings

COPY

Summary of Investigation Findings

CITY OF HEATH PWS

200 LAURENCE DR
HEATH, ROCKWALL COUNTY, TX 75032

Investigation #
1247361
Investigation Date: 04/28/2015

Additional ID(s): 1990014

ALLEGED VIOLATION(S) NOTED AND RESOLVED

Track No: 505721

30 TAC Chapter 290.44(h)(4)

Alleged Violation:

Investigation: 1099938

Comment Date: 06/19/2013

Failure to have all backflow prevention assemblies tested and certified to be operating within specifications at least annually by a recognized backflow prevention assembly tester.

30 TAC 290.44(h)(4) states that all backflow prevention assemblies that are required according to this section and associated table located in 290.47(i) of this title shall be tested upon installation by a recognized backflow prevention assembly tester and certified to be operating within specifications. Backflow prevention assemblies which are installed to provide protection against health hazards must also be tested and certified to be operating within specifications at least annual by a recognized backflow prevention assembly tester.

During the investigation, it was noted that the system did not have annual backflow prevention assemblies test records for all the premises listed under 30 TAC 290.47(i).

Investigation: 1247361

Comment Date: 04/28/2015

Failure to have all backflow prevention assemblies tested and certified to be operating within specifications at least annually by a recognized backflow prevention assembly tester.

30 TAC 290.44(h)(4) states that all backflow prevention assemblies that are required according to this section and associated table located in 290.47(i) of this title shall be tested upon installation by a recognized backflow prevention assembly tester and certified to be operating within specifications. Backflow prevention assemblies which are installed to provide protection against health hazards must also be tested and certified to be operating within specifications at least annual by a recognized backflow prevention assembly tester.

During the investigation, it was noted that the system did not have annual backflow prevention assemblies test records for all the premises listed under 30 TAC 290.47(i).

Recommended Corrective Action: Submit documentation to the regional office that demonstrate all backflow prevention assemblies listed under 30 TAC 290.47(i) was tested upon installation and was tested at least annually by a recognized backflow prevention assembly tester.

Resolution: On April 22 and 24, 2015, the plumbing ordinance, backflow assembly prevention program and some backflow prevention assembly test reports were received at the TCEQ D/FW Regional Office.