

**ATTACHMENT 5**

**DOCUMENTATION DEMONSTRATING NEED FOR SERVICE AND MAP**

**SHOWING CONNECTIONS AND FACILITIES IN THE PROPOSED AREAS**

**(Reference Item 5)**

City of Mount Pleasant

CCN Amendment Application, Docket No. 44950

Water CCN No. - 10509

Sewer CCN No. - 20196

**Item 5 – A detailed map indicating the location of existing customers in the proposed, uncertificated service areas.**

**Explanation email response from PUC:**

“Need a large scaled detailed facilities map that shows all connections and facilities in the proposed areas and documentation such as and explanation for the need of service each of the entire 2,222.6 acres of area requested to be amended.”

Item 5 requested “a detailed map indicating the location of existing customers in the proposed, uncertificated service areas.” Included in this attachment is a copy of the General Location Map with references to inset maps which show the existing connections and facilities in the proposed areas.

In an email dated September 1, 2015, a representative from the PUC requested “documentation such as and explanation for the need of service each of the entire 2,222.6 acres of area requested to be amended.” During a subsequent phone conversation, the representative from the PUC cited the following requirement from the Texas Water Code (TWC):

TWC Section 13.246 (b)

“The utility commission may grant applications and issue certificates and amendments to certificates only if the utility commission finds that a certificate or amendment is necessary for the service, accommodation, convenience, or safety of the public.”

We request that the proposed water and sewer CCN amendment be granted on the basis of convenience. The City of Mount Pleasant annexed the above-referenced 2,222.6 acres of area in March of 2015. Because these 2,222.6 acres are now within the City of Mount Pleasant city limits, the City of Mount Pleasant has become the convenient service provider for the newly annexed areas.

**OVERSIZED DOCUMENT**

**MAP**

**TO VIEW OVERSIZED DOCUMENTS PLEASE CONTACT  
CENTRAL RECORDS 512-936-7180**

**ATTACHMENT 6**  
**CAPACITY DOCUMENTATION**  
**(Reference Item 7)**

City of Mount Pleasant

CCN Amendment Application, Docket No. 44950

Water CCN No. - 10509

Sewer CCN No. - 20196

**Item 7 – Documentation indicating the City of Mount Pleasant has the capacity to serve the additional 47 customers.**

**Explanation email response from PUC:**

“Please provide a written explanation indicating how the city has the excess capacity to extend its water and sewer services to the amend area and supporting documentation such as.”

Water System Capacity

Tri County Special Utility District (Tri SUD) purchases 100% of its water from the City of Mount Pleasant. Therefore, after the CCN amendment has been completed the City of Mount Pleasant Water Distribution System will experience a net change of zero in water system demand since it has already been providing service to the “new” customers in the amended area through Tri SUD.

Sewer System Capacity

The City of Mount Pleasant does not serve a majority of the customers in the annexation areas and has not developed a plan to serve them at this time. According to the Texas Local Government Code, Section 43.056 (m), the City is not required to provide a uniform level of service to all areas of the municipality if certain characteristics constitute a sufficient basis for different levels of service. Section 43.056 (m) states the following:

“(m) This section does not require that a uniform level of full municipal services be provided to each area of the municipality if different characteristics of topography, land use, and population density constitute a sufficient basis for providing different levels of service.”

A majority of the customers in the I-30 Annexation Areas are already receiving sanitary sewer service from the City of Mount Pleasant. The population density does not constitute connecting the remaining existing customers to the City of Mount Pleasant.

The US 271 Annexation Areas have two factors that restrict the level of service the City of Mount Pleasant could provide: topography and population density. The topography of the area varies dramatically and does not allow for convenient connection to the City of Mount Pleasant wastewater collection system. The population density is low throughout the US 271 Annexation Areas. Although the US 271 Annexation Areas consist of 1961.35

acres of land, there are only 34 existing potential customers to which the City could provide sanitary sewer service.

If the City of Mount Pleasant decides to add service to the annexation areas, an evaluation will be performed to determine if the City of Mount Pleasant needs to obtain additional capacity to provide sanitary sewer service to the customers in the annexation areas.

**ATTACHMENT 7**  
**WATER SYSTEM INSPECTION REPORT, FINDINGS,**  
**RESPONSES, AND CORRESPONDENCE**  
**(Reference Item 8)**

City of Mount Pleasant

CCN Amendment Application, Docket No. 44950

Water CCN No. - 10509

Sewer CCN No. - 20196

**Item 8 – Documentation regarding the status of the outstanding Texas Commission on Environmental Quality (TCEQ) water system violations.**

Included in this attachment are the TCEQ Water System Inspection Letter, dated February 27, 2015, and two letters addressing the “Recommended Corrective Actions” described in the TCEQ Water System Inspection Letter. The City responded to the alleged violations in the TCEQ Water System Inspection Letter on March 27, 2015 and has not received further contact from the TCEQ regarding the matter.



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



PWS/2250001/CO/12-29-2014/CCI

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

February 27, 2015

**CERTIFIED MAIL 91 7199 9991 7031 8549 5820**  
**RETURN RECEIPT REQUESTED**

The Honorable Paul O. Meriwether, Mayor  
City of Mount Pleasant  
501 N Madison  
Mount Pleasant, TX 75455

Re: Notice of Violation for the Comprehensive Compliance Investigation at:  
City of Mount Pleasant Water System,  
Located N side of IH 30 near Lakewood Drive in Mount Pleasant (Titus Co.), TX  
RN103728853; PWS ID No.: 2250001; Investigation No 1227630

Dear Mayor Meriwether:

Between December 15 and 29, 2014, Mr. Kevin Glanton of the Texas Commission on Environmental Quality (TCEQ) Tyler Region Office conducted an investigation of the above-referenced system to evaluate compliance with applicable requirements for public water systems. Enclosed is a summary which lists the investigation findings. During the investigation, certain outstanding alleged violations were identified for which compliance documentation is required.

Please submit to this office by the date listed a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for the outstanding alleged violations by Track Numbers: **561710 by March 6, 2015 and also 561723 and 561724 by March 30, 2015**. Please note that if corrective action is not demonstrated by these dates, then the system may be referred for enforcement action.

In the listing of the alleged violation(s), 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.texas.gov> 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 Tyler Region Office at 903-535-5100 or the Central Office Publications Ordering Team at 512-239-0028.

Mayor Paul O. Meriwether  
February 27, 2015  
Page 2

The Texas Commission on Environmental Quality appreciates your assistance in this matter. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements. We anticipate that you will resolve the alleged violations as required in order to protect the State's environment. If you have additional information that we are unaware of, you have the opportunity to contest the violation(s) documented in this notice. Should you choose to do so, you must notify the Tyler Region 5 Office within 10 days from the date of this letter. At that time, Mr. Ross Morgan, Water Section Manager, will schedule a violation review meeting to be conducted within 21 days from the date of this letter. However, please be advised that if you decide to participate in the violation review process, the TCEQ may still require you to adhere to the compliance schedule included in the attached Summary of Investigation Findings until an official decision is made regarding the status of any or all of the contested violations.

If you or members of your staff have any questions, please feel free to contact Kevin Glanton in the Tyler Region Office at (903) 535-5133

Sincerely,



Cara Fisher, Work Leader  
Tyler Region Office

CCF/rkg

Enclosures: Summary of Investigation Findings

## Summary of Investigation Findings

CITY OF MOUNT PLEASANT

Investigation #

1227630  
Investigation Date: 12/15/2014

, TITUS COUNTY,

Additional ID(s): 2250001

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

Track No: 561710

Compliance Due Date: 03/06/2015

30 TAC Chapter 290.42(d)(2)(C)

#### Alleged Violation:

Investigation: 1227630

Comment Date: 02/16/2015

Failure to provide an air gap or other acceptable backflow prevention device for make-up water supply lines to chemical feeder solution mixing chambers

During the investigation conducted between 12/15/2014 and 12/29/2014, the investigator observed that the water system only provided a double check valve for the make-up water supply line for the chlorine solution that results from the feeding of chlorine gas into the make-up water. The regulation states that this supply must be protected from either an air gap or other acceptable backflow prevention device. Since the potable water is supplied from the distribution system, the distribution system could be at risk due to the cross-connection with the chlorine solution (if overfeeding could possibly occur) and from the cross-connection where the chlorine solution is injected prior to the filters into the settled water line between the clarifiers and the filters (which results in a cross-connection with pre- and post-filtered water). A cross-connection between unfiltered water and finished water is clearly a health risk, which requires a backflow prevention device that is acceptable for mitigating such health risks. The two options are either an air gap or a reduced pressure principal backflow prevention assembly (RPBA), which is tested upon installation and annually thereafter.

Furthermore, even if there were an RPBA that serves the whole plant, there would be a cross-connection between the chlorine solution line, which ties into the settled water line, and potable water serving the lab, restrooms, and water fountains, etc. It appears that an RPBA is needed for this cross-connection, as well. (Such RPBA on the supply side of the chemical injection point may provide protection for the lab, restrooms, water fountains, etc., and distribution).

**Recommended Corrective Action:** Please submit compliance documentation by 03/06/2015. The documentation should demonstrate what actions have been taken and may include photographs, purchase orders, results of analyses, etc.

Track No: 561723

Compliance Due Date: 03/30/2015

30 TAC Chapter 290.46(m)(4)

#### Alleged Violation:

Investigation: 1227630

Comment Date: 02/16/2015

Failure to maintain the raw water pumps in a watertight condition

During the investigation conducted between 12/15/2014 and 12/29/2014, the investigator observed that the system failed to repair the leaking raw water pump.

**Recommended Corrective Action:** Please submit compliance documentation by 03/30/2015. The documentation should demonstrate what actions have been taken and may include photographs, purchase orders, results of analyses, etc.

Track No: 561724

Compliance Due Date: 03/30/2015

**Alleged Violation:**

Investigation: 1227630

Comment Date: 02/16/2015

Failure to maintain in a watertight condition all water treatment units, storage and pressure maintenance facilities, distribution system lines, and related appurtenances

During the investigation conducted between 12/15/2014 and 12/29/2014, the investigator observed that the water system failed to maintain the walls of some of the filters. Some of the filter walls in the filter pipe gallery were leaking. (An engineer should certify that no pre-filtered water could bypass the filter media during the current state of the filters.)

**Recommended Corrective Action:** Please submit compliance documentation by 03/30/2015. The documentation should demonstrate what actions have been taken and may include photographs, purchase orders, results of analyses, etc.

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

Track No: 561711

30 TAC Chapter 290.42(d)(2)(B)

**Alleged Violation:**

Investigation: 1227630

Comment Date: 02/16/2015

Failure to provide an air gap or other acceptable backflow prevention device for make-up water supply lines to chemical feeder solution mixing chambers.

During the investigation conducted between 12/15/2014 and 12/29/2014, the investigator observed that the water system failed to provide an air gap or other acceptable backflow prevention device for the chlorine solution feed lines between the post-filtered and the pre-filtered chlorine solution feed lines. The same rotameter and chlorine solution could supply both feed lines. Only a ball valve separated the two lines.

**Resolution:** On 01/21/2015, the system submitted pictures which indicated that the interconnection had been removed.

Track No: 561725

30 TAC Chapter 290.42(d)(13)

**Alleged Violation:**

Investigation: 1227630

Comment Date: 02/16/2015

Failure to identify the influent, effluent, waste backwash, and chemical feed lines by the use of labels or various colors of paint. Color coding must be by solid color or banding. Where labels or banding are used, they shall be placed along the pipe at no greater than five foot intervals.

During the investigation conducted between 12/15/2014 and 12/29/2014, the investigator observed that the water system failed to adequately label all chemical feed lines.

**Resolution:** On 01/21/2015, the system submitted pictures which indicated that the feed lines were labeled.

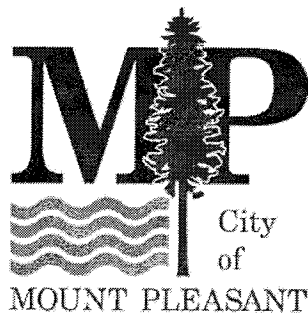
**ADDITIONAL ISSUES**

Description

Additional Comments

**CITY OF MOUNT PLEASANT****Investigation # 1227630**

Item 6	This item has already been resolved, based on information submitted to TCEQ on 01/21/2015. It is included here as documentation to remind the system of this issue. The 15-minute max IFE Turbidity data for SWMOR was based on highest data from continuous readings, instead at the 15-minute marks. Also, a high was only considered if it is at the same level within 15 minutes. However, this only applies to levels at or above the trigger levels. For example, if 0.40 NTU (below a trigger level) is the high IFE for a 24 hour period from the 15-minute readings (e.g., at 8:15) then it should be listed regardless of the subsequent 15-minute reading (e.g., at 8:30).
Item 7	The daily bench sheet at the I-30 Plant needs revising or re-typesetting so that it is easier to read.
Item 8	More frequent jar tests should be considered, especially if floc starts floating up near the weirs in the clarifiers at the LBS plant. Filters should adequately ripen after backwash without floc carryover.
Item 9	Supplies should be more readily available for maintaining the auto flushers, since one was dysfunctional during the investigation (i.e., the auto function).
Item 10	The information on the special precautions flowchart field checklist that was provided to Mr. Williams must be maintained during line repairs.
Item 11	Chlorine and ammonia injection points should include enough separation for adequate reaction times and space for a sampling tap between the points. The injection points prior to the clarifiers at the LBS plant appear to be only a little over one foot apart, and they don't have a sampling tap between them. (It is noted that neither are currently used.)



Shane Townson Water Plant Foreman  
City of Mount Pleasant  
Water Treatment Plant  
Mailing Address: 501 N. Madison  
Mount Pleasant, TX 75455-3650  
Telephone: 903-575-4132  
Fax: 903-577-1828  
E-mail: [stownson@mpcity.org](mailto:stownson@mpcity.org)  
Web Page: [www.mpcity.net](http://www.mpcity.net)

March 27, 2015

Re: PWS ID No. 2250001  
Corrective Action Report

Mr. Kevin Glanton  
Texas Commission on Environmental Quality  
Region 5  
2916 Teague Dr. Tyler, TX 75701-3734

Mr. Glanton, this is the City of Mt. Pleasant, TX corrective action report for TCEQ inspection held in December 2014.

Track No. 561710

A 4 inch RPPA (Reduced Pressure Principle Assembly) has been installed and tested on the incoming water line that is the service line for the chemical feed solutions. I have emailed the pictures of the new RPPA which has been installed in the Fluoride room just ahead of the Chlorine make-up solution. This will protect the distribution system along with the lab/office bldg. Please omit the comments from the contracted engineer John Ringler on his response regarding this Track No. only.

Track No. 561723

Odessa pump has replaced and adjusted packing on the raw water pump. I have emailed pictures showing no spraying or leaking of water. Please see the attached letter from our contracted engineer John Ringler with KSA.

Track No. 561724

Please see the response from John Ringler with KSA.

Mr. Glanton I believe all potential violations have been corrected. As always we appreciate TCEQ and their efforts to protect the environment. We look forward to working together with any issues that may arise. If there is any questions or comments please let me know.

Sincerely,  
Shane Townson

Water Plant Foreman

140 East Tyler Street  
Suite 600  
Longview, TX 75601  
903.236 7700



March 9, 2015

Mr. Anthony Rasor  
Director of Utilities  
**City of Mount Pleasant**  
501 N. Madison Ave.  
Mount Pleasant, TX 75455

via email and mail delivery

**Re: City of Mount Pleasant  
Lake Bob Sandlin WTP / TWDB No. 61405  
TCEQ NOV Response  
RN1038728853; PWSID No. 2250001; Investigation No. 1227630**

Dear Mr. Rasor:

The purpose of this letter is to provide the City with my responses to the TCEQ inspector's comments in a letter dated February 27, 2015.

***Track No. 561710***

***30 TAC Chapter 290.42(d)(2)(C)***

*"Water system only provided a double check valve for the make-up water"*

This statement by the TCEQ inspector is inaccurate. The chlorine system includes a double check backflow preventer, a normally closed solenoid valve for each feed (which closes on loss of chlorine feed and/or loss of power) and a check valve at the application point.

*"Two options are either an air gap or reduced pressure principal backflow prevention"*

This statement appears to be the inspector's opinion. This statement does not appear in the TCEQ rules. I respectfully request the inspector provide a reference to the TCEQ rules that limit the device to these two options.

While the TCEQ's rules specifically list an RPBA required for a wastewater plant, the rules also specifically omit a water plant from the list requiring an RPBA. It appears from the inspector's statements that the TCEQ inadvertently omitted water plants from their required RPBA list. It is my opinion that the TCEQ would not inadvertently omit such a significant portion of their regulated community from the such a list and that it was omitted on purpose.

*"Cross-connection between the chlorine solution line, which ties into the settled water"*

My understanding is the connection has been removed.

www.ksaeng.com

**Track No. 561723**

**30 TAC Chapter 290.46(m)(4)**

*"Observed that the system failed to repair the leaking water raw pump"*

The leak observed by the investigator is at the packing gland. Packing glands are designed to allow water to pass for lubrication and cooling. The packing gland in question was leaking due to work performed by an independent contractor. The contractor has been notified of the situation and he has stated the packing gland will be repaired the week on March 9th.

**Track No. 561724**

**30 TAC Chapter 290.46(m)(4)**

*"An engineer should certify that no pre-filtered water could bypass the filter media during the current state of the filters"*

The cracks in the filter walls were injected with a hydrophilic waterstop prior to commissioning the plant.

In addition, it is physically impossible for water to pass through the wall near the top and re-enter the wall at a lower point due to the pressure gradient on the wall. Water moves from high pressure to low pressure. The water near the top of the wall is at or near atmospheric pressure. As you move down the wall, the water pressure increases (atmospheric + the height of the water above). This means that as you move down the wall from top (clarified water) to the bottom (filtered water) the water on the opposite side of the wall is increasing in pressure (low pressure at the top, higher pressure at the bottom). In a gravity situation, it is impossible for water to pass through a crack at the top of the wall (low pressure area), travel down the wall and re-enter the wall near the bottom (higher pressure).

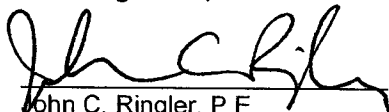
The lowest pressure area is the side of the wall exposed to the atmosphere. The pressure gradient of the water column dictates that any water entering a crack move to lower pressure which means the water is always moving to atmospheric pressure (the outside of the wall).

The time the pressure gradient does not force the water to the outside of the wall is when the filter is empty in which case there is no water moving through a crack.

If you have any questions or require additional information, please contact me at your convenience.

Sincerely,

**KSA Engineers, Inc.**

  
John C. Ringler, P.E.  
Principal

JCR/ss



**ATTACHMENT 8**

**CITY OF MOUNT PLEASANT APPROVED 2015-2016 BUDGET**

**(Reference Item 11)**

City of Mount Pleasant

CCN Amendment Application, Docket No. 44950

Water CCN No. - 10509

Sewer CCN No. - 20196

Additional Information

Item 11 – 5 year projected financial statements or an approved budget.

**Explanation email response from PUC:**

“Please provide Mount Pleasant Adopted budget for 2015.”

The 2015-2016 budget has not been approved by the City of Mount Pleasant and will not be ready until after the 21<sup>st</sup> of September.

On page 10 of the “Application to Obtain or Amend a Water or Sewer Certificate of Convenience and Necessity” item 6.D states the following:

D. In lieu of the information in #6.A. thru #6.C., you may provide information concerning loan approvals within the last three (3) years from lending institutions or agencies including the most recent financial audit of the applicant. See Attachment 7
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Included in Attachment 7 of the original CCN amendment application was a comprehensive financial report for the City of Mount Pleasant for the year 2014. As per the directions shown above, the comprehensive financial report was submitted in lieu of the information requested in items #6.A through #6.C.

Should the comprehensive financial report for the City of Mount Pleasant for the year 2014 prove to be insufficient, the approved 2015-2016 budget for the City of Mount Pleasant can be provided after the 21<sup>st</sup> of September.

**ATTACHMENT 9**

**EXPLANATION REGARDING ADDITIONAL REQUESTED INFORMATION**

**REQUEST AND RESPONSE INCLUDED**

**(Reference Additional Information Requested 09/01/2015)**

City of Mount Pleasant

CCN Amendment Application, Docket No. 44950

Water CCN No. - 10509

Sewer CCN No. - 20196

Additional Information

Requested 09/01/2015 – **“Additionally I’m going to need for you to provide answers for the following:”**

**I. N/A Ability to Provide Adequate Service.**

Describe the ability of the applicant to provide adequate service, including meeting the standards of the commission, taking both of the following items into consideration:

- i. the current and projected density; and
- ii. the land use of the requested area.

**J. N/A Effect on the Land.** Explain the effect on the land to be included in the certificated area.

Included in this attachment is a copy of the email from a PUC representative requesting the information in Items I and J above. Based on the previously submitted application, we are not required to submit the information requested in Items I and J above. According to Section 5, Item H.i., if the applicant answers “No” to the question “do you currently purchase or plan to purchase water or sewer treatment capacity from another source?” then the applicant is instructed to “skip the rest of the questions (Section 5) and go to #6”. Included below is a snippet of the referenced statement.

H. Do you currently purchase or plan to purchase water or sewer treatment capacity from another source?					
i.	<input checked="" type="checkbox"/> No, (skip the rest of this question and go to #6)				
ii.	Yes, Water				
Purchased on a	<input type="checkbox"/> Regular <input type="checkbox"/> Seasonal <input type="checkbox"/> Emergency basis?				
<table border="1"><thead><tr><th>Water Source</th></tr></thead><tbody><tr><td> </td></tr></tbody></table>	Water Source		<table border="1"><thead><tr><th>% of Total Treatment</th></tr></thead><tbody><tr><td>0.00%</td></tr></tbody></table>	% of Total Treatment	0.00%
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