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PUBLIC UTILITY COMMISSION
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TWIN LAKES WATER CO,
DANIEL DARE
817 653 2328

Docket #44963
ATTN: Heidi GRAHAM
Doug BROWN
Lisa Fuentes

Vocket 44963

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



PWS_2200190_CO_20160225_Exception

Texas Commission on Environmental Quality

Protecting Texas by Reducing and Preventing Pollution

February 25, 2016

Mr. Daniel Dake
Ms. Kathy Lott
Twin Lakes Water Company
11617 Little Leaf CT. W
Fort Worth, Texas 76135

Re: Twin Lakes Water Company– PWS ID No. 2200190
Exception Request to the Well Completion Data Submittal Rule
Well No. 1 (TCEQ Well ID: G2200190A)
Well No. 2 (TCEQ Well ID: G2200190B)
Well No. 3 (TCEQ Well ID: G2200190C)
Tarrant County, Texas

RN 101453512 | CN 602893687; 604532705

Dear Mr. Dake and Ms. Lott,

On January 14, 2016, the Texas Commission on Environmental Quality (TCEQ) received your submittal requesting an exception to the requirement that all public water systems (PWS) submit well completion data to the TCEQ for a proposed PWS well prior to initiating use of the well as a public water source, as specified in Title 30 of the Texas Administrative Code (30 TAC) §290.41(c)(3). This request is for the Twin Lakes Water Company Well No. 1 (TCEQ Well ID: G2200190A), Well No. 2 (TCEQ Well ID: G2200190B), and Well No. 3 (TCEQ Well ID: G2200190C). The submittal indicated that the construction of the wells dates from the 1950s, and the PWS has been unable to find any records regarding their construction and approval.

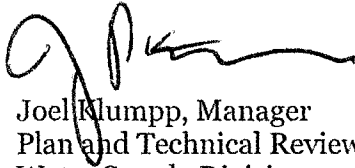
Based on a review of the provided information, the TCEQ has determined that **additional information is needed**. Attached to this letter is a draft document, *Guidance for Well Completion Data Exceptions*, which discusses the information a PWS needs to provide for the TCEQ to consider an exception request that involves well completion data.

Mr. Daniel Dake
Ms. Kathy Lott
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February 25, 2016

If you have questions concerning this letter, or if we can be of additional assistance, please contact Michael McDevitt, P.E. by email at mike.mcdevitt@tceq.texas.gov, by telephone at (512) 239-6032, or by correspondence at the following address:

Technical Review and Oversight Team (MC 159)
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Sincerely,

A handwritten signature in black ink, appearing to read 'Joel Klumpp', with a stylized flourish at the end.

Joel Klumpp, Manager
Plan and Technical Review Section
Water Supply Division
Texas Commission on Environmental Quality

JPK/MPM

Attachment 1: *Guidance for Well Completion Data Exceptions* Draft Document

GUIDANCE FOR WELL COMPLETION DATA EXCEPTIONS

A Public Water System (PWS) is required by 30 Texas Administrative Code (30 TAC) §290.41(c)(3)(A) to submit well completion data for review and approval by the Texas Commission for Environmental Quality (TCEQ) prior to using a well for public consumption. Additionally, 30 TAC §290.46(n)(3) requires the PWS to maintain copies of the well completion data for the life of the well. A well completion data exception may be required if a PWS does not have a record of receiving approval by the TCEQ (or predecessor agency) of the well completion data for a new well; or for an existing well being converted for use as a PWS well; or if it cannot provide the well completion data when requested.

Well completion data is defined as follows:

- Driller's log (geological log and material setting report);
- Cementing certificate;
- 36-hour pump test;
- Microbiological testing results;
- Chemical testing;
- Legible copies of the recorded deeds for all real property owned by the PWS within 150-feet of the well,
- Legible copies of recorded sanitary control easements or other documents demonstrating compliance with the sanitary control easement for all property located within 150-feet of the well not owned by the PWS;
- An original or legible copy of a United States Geological Survey 7.5 minute topographic quadrangle map showing the accurate location of the well; and,
- A map showing the location of the well in relation to the surrounding property boundaries.

When a PWS cannot provide documentation of receiving approval of a PWS well, as a first step, the PWS should verify that it has all records pertaining to the well. The PWS should request copies of all correspondence pertaining to the water system from TCEQ's Central Records. Please note that Central Records will not search the files for specific items; they will simply copy the files that are available. Also TCEQ staff cannot research the files for the PWS. For more information on obtaining copies from TCEQ Central Records, please visit the following site:

<http://www.tceq.texas.gov/agency/data/records-services/fileroom.html>

Other sources that may have documentation or records pertaining to the well include the local health department, local water well drillers, groundwater conservation district, and the Public Utility Commission.

If the needed well completion data is not found, a Well Completion Data Submittal Exception may be required. Note that if the information that comprises well completion data is not available, other types of exception requests may also be necessary. Discussed below are the items that comprise well completion data and the materials which must be submitted by a PWS in order for the TCEQ to consider granting an exception to the well completion data submittal requirement or to the recordkeeping requirement. Please note that all documents are required to be submitted to the TCEQ when requesting an exception request pertaining to well completion data.

- **Driller's Log** – This documentation consists of the geological log and material setting report that is typically provided by the driller. The geological log in its simplest form, describes at what depth various types of soil materials are encountered. A material setting report typically describes the quantities, dimensions and types of materials used in the construction of the well. It may also include pump information, such as pump manufacturer and pump capacity (gallons per minute) at a specified total dynamic head. The geological log and material setting report may both be provided on a *State of Texas Well Report* (well report) form completed by the well driller.

CRITERIA FOR WELL COMPLETION DATA APPROVAL EXCEPTION (Con't.)

that it does not own. If a PWS does not have recorded SCEs for all property within 150-feet of a PWS well that it does not own, the PWS should acquire the needed SCEs prior to submitting the request for a well completion data exception. If the PWS cannot acquire a needed SCE, it may request an exception to SCE requirement by providing the information found on the sanitary control easement exception checklist located at the following website link:

http://www.tceq.texas.gov/assets/public/permitting/watersupply/pdw/Sanitary_Control_Easement_Exception_Checklist.pdf

The SCE exception will need to be submitted concurrently with the well completion data exception request. Note that a PWS with ordinance powers may substitute an enacted ordinance for otherwise needed SCEs.

- United States Geological Survey (USGS) 7.5 Minute Topographic Quadrangle Map – The well location shown on a current version of the appropriate USGS map or exact scale replica is an acceptable substitution if a USGS map contemporary with the installation of the well is not available. Photocopies of the USGS map are not acceptable due to distortion inherent in the photocopy process.
- Well Location Map – A map indicating the boundaries of the well property and surrounding properties as they exist currently is an acceptable substitution if a map contemporary with the installation of the well is not available.

If you have questions regarding this guidance document or need to discuss some specific issue in complying with its requirements as they apply to your PWS, you may call 512-239-4691 and ask to speak to a member of the Technical Review and Oversight Team.

CRITERIA FOR WELL COMPLETION DATA APPROVAL EXCEPTION (Con't.)

exception. A search of the Texas Drinking Water Watch database may be helpful in determining if a well rating exists for a particular well. The Texas Drinking Water Watch webpage can be accessed at the following address:

<http://dww2.tceq.texas.gov/DWW/>

- o The well is currently not rated by the TCEQ – If the water system is not registered with the TCEQ, or if the well has not been issued a TCEQ Source ID number, or if the well does not have an actual capacity in the TCEQ database, the PWS must perform a 36-hour pump test to rate the well. This 36-hour pump test will be considered to be a substitute for the pump test that was to be performed at the time the well was drilled and used to rate the well. In order to reduce water usage, shorter pumping periods may be accepted under the following conditions:
 1. The pumping rate remains constant for at least four hours, and the pumping period has been a minimum of 24 hours; or,
 2. The pumping rate remains constant for at least four hours, and a straight-line trend is observed on a plot of water level versus a logarithm of time during pumping and recovery.

Regardless of the method, the pump test procedure must comply with Section 5.1 of the American Water Works Association Standard A100-06, and a minimum of a four-hour resting period is required between prior pumping and the test itself.

- Microbiological Test Results – Documentation of three consecutive days of raw water bacteriological sampling with negative results performed at the time the well was installed is required as a condition for use of a PWS well. The laboratory that performed the bacteriological analysis must have been accredited by the TCEQ or a predecessor agency at the time of the sampling. If this information is not available, the PWS may substitute the analytical results, as provided by a TCEQ-accredited laboratory with a current National Environmental Laboratory Accreditation Program (NELAP) certification of three consecutive days of raw water sampling that was performed within 90 days of the submittal of a request for an exception to the well completion data requirement.
- Chemical Analysis - Documentation of a chemical analysis of the raw water performed at the time that the well was installed is required as a condition for use of a PWS well. The laboratory that performed the chemical analysis must have been accredited by the TCEQ (or a predecessor agency) at the time of the sampling. If this information is not available, the PWS may substitute the results of a recent sampling event performed within 90 days of the submittal of a request for an exception for well completion data. The substituted chemical sample results must be for the constituents currently required by regulation, and be analyzed at a TCEQ-accredited laboratory with a current NELAP certification, utilizing EPA approved methods. The required constituents are found on the checklist located at the following website link:

<https://www.tceq.texas.gov/assets/public/permitting/watersupply/ud/forms/10234.pdf>

- Recorded Deeds – The PWS is required to supply documentation in the form of recorded deeds and recorded easements, as appropriate, of its ownership of all real property within 150-feet of the well or it has an easement to access the PWS to insure that operation and maintenance activities can be performed. There is no substitute for this requirement. Unrecorded deeds or easement agreements are not acceptable.
- Recorded Sanitary Control Easements – The PWS is required to have recorded sanitary control easements (SCE) as required by 30 TAC §290.41(c)(1)(F) for all property within 150-feet of a PWS well

CRITERIA FOR WELL COMPLETION DATA APPROVAL EXCEPTION (Con't.)

diameter and material. Clear photos of the casing must be provided. The PWS must also provide copies of invoices for any repairs or equipment replacement, or any reports such as previously performed downhole videos that can provide information regarding the construction of the well or pumping equipment.

The PWS must provide analytical results of sampling the raw water for lead. This sampling is in addition to any other water sampling that may be required as described later in this document. The sample must be analyzed at a TCEQ-accredited laboratory with a current NELAP certification, utilizing EPA approved methods. For a list of TCEQ-accredited laboratories see website link shown below.

http://www.tceq.texas.gov/assets/public/compliance/compliance_support/qa/txnelap_lab_list.pdf

A minimum resting period of 16 hours will need to occur between the last pumping cycle and the sampling. Prior to collecting the sample, any connection piping between the pump and sampling point must be flushed. Signed documentation of the sampling event including time between the last pump cycle and sample collection must be submitted by the PWS with the analytical results.

If the chemical analysis of the raw water indicates lead concentration of greater than 0.005 mg/l, then the PWS will need to request an exception to the casing material requirements found in 30 TAC §290.41(c)(3)(B), and may need to investigate lead removal treatment options.

- **Cementing Certificate** – A cementing certificate is typically provided to the PWS by the well driller at the time that the well is drilled. It documents the cementing placement method, and materials used to seal the annular radius of the well. In order to be considered to be acceptable by the TCEQ, the document must include the cement mix (gallons of water per sack), amount and type of any additives added to the cement mix, the total amount of cement used (sacks), the depth of the well cemented, and the pressure cementation method. This information may also be found on the well report. If this information is not available, or if the available information indicates that the annular radius seal does not comply with the Chapter 290 rules, the PWS will need to request an exception to the pressure cementation method requirement in 30 TAC §290.41(c)(3)(C) prior to the TCEQ granting a well completion data exception. A checklist for requesting a pressure cementing method exception can be found at the following website link:

http://www.tceq.texas.gov/assets/public/permitting/watersupply/pdw/Pressure_Cementing_Method_Checklist.pdf

Granting of a pressure cementing method exception by the TCEQ will satisfy the cementing certificate requirement required for the well completion data.

- **36-Hour Pump Test** – The 36-hour pump test is performed when the well is installed to develop the well and to determine its capacity. If this information is not available, the PWS should request an exception to the 36-hour pump test requirement as found in 30 TAC §290.41(c)(3)(G) in addition to the well completion data exception. Since an existing well should be developed, the point of the exception is to address well capacity. Two options, dependent on the status of the well, are available to do this:
 - **The well is currently rated by the TCEQ** – If the well has been issued a TCEQ Source ID number and has an actual capacity rating in the TCEQ database, the PWS needs to document if the portion of the PWS served by the well has had water outages or boil water notices due to the well in the past 10 years. Documentation that needs to be provided by the PWS of these instances includes the dates when the outages or boil water notices occurred and causes. If the TCEQ determines that the outage or boil water notices occurrences are unacceptable, it may require the PWS to collect daily water production data for 18 months as a requirement for granting an

CRITERIA FOR WELL COMPLETION DATA APPROVAL EXCEPTION (Con't.)

If the geological information for the well is not available, the PWS must provide acceptable replacement geological information. The replacement geological information that will be considered by the TCEQ includes the following:

- Substitute driller's logs or well reports from existing nearby wells – The submitted substitute driller's logs or well reports must either document a sufficient clay layer to be protective of the source, and must be for wells that are at least as deep as the PWS well. In event that the depth of the PWS well is not known, or if the available substitute driller's logs are for wells that are not as deep as the PWS well, the TCEQ, at its discretion, may accept the substitute driller's logs provided the driller's logs verify the presence of a sufficient protective layer exists above the first water bearing unit. The submitted substitute driller's logs or well reports must be from wells no further than 1/4-mile from the PWS well. The driller's log or well reports must be accurately plotted on a United States Geological Survey (USGS) Map 7.5 Minute map as discussed later in this document.

If there are no water wells documented to be within 1/4-mile of the PWS well, but there are water wells documented to be within 1-mile of the PWS well, please contact the Technical Review and Oversight Team at 512-239-4691 to discuss if the driller's logs or well reports from these wells may acceptable substitutes for the PWS driller's log.

The following webpage is a resource for locating PWS wells which might be candidates for substitute drillers logs or well reports:

<https://www.tceq.texas.gov/gis/swaview>

Searchable resources for well logs are as follows:

<http://www2.twdb.texas.gov/apps/waterdatainteractive/groundwaterdataviewer>

<http://www.tceq.texas.gov/gis/waterwellview.html>

- A soil boring to collect the data – If acceptable substitute geological logs or well reports are not available, the PWS must install a soil boring to obtain the geological information and generate a replacement geological log. The depth of the soil boring must be at least equal in length to at least the depth of the PWS well, and located at a distance of not more than 50-feet from the well. If the depth of the PWS well is not known, then the soil boring must be installed at least to the depth of the groundwater strata typically used for a water source in the area, as documented by driller's logs or well reports from other wells in the area. A licensed water well driller must install the soil boring, and it must be installed and plugged in compliance with the regulations of the Texas Department of Licensing and Regulation. A copy of the geological log or well report for the soil boring and plugging report, signed and dated by water well driller, must be provided to the TCEQ as a part of the documentation for the well completion data exception.

When the original material setting report is not available, the PWS may supply certain documentation as a replacement material setting report. In order for the TCEQ to consider a replacement material setting report as a part of a well completion data exception, the following needs to be submitted by the PWS:

- Well Material Characterization – If there is no documentation of the materials used in the well, the PWS should request an exception to the well casing material requirement in 30 TAC §290.41(c)(3)(B) prior to the TCEQ granting a well completion data exception. The PWS must provide documentation of the well casing material as can be determined by the portion of the casing above the sealing slab. The documentation that is to be provided includes casing



Texas Commission on Environmental Quality
Technical Review and Oversight Team

Exceptions Request
Submittal Form

(Please complete this form and submit with your exception request. More instructions on other side)

Requestor Information

Full Name: *Duke* *Daniel* *owner*
Address: *Twin Lakes Water Supply*
Address Line 1 (Name of engineering firm or public water system you represent)
6495-B Appian Way
Address Line 2 (Street address)
FORT WORTH *TEXAS* *76135*
City State Zip
Contact Phone: *817 653 2328* Fax: *817 237 5781*
Alternate Phone: *817 344 8932*

Public Water System (PWS) Information

PWS Name: *Twin Lakes Water Supply*
7-DIGIT PWS ID (REQUIRED): *2200190* Plant / Facility Description: *12,000 GST*
Type of Exception: *Well Records Exception*
30 TAC 290 Rule: *TWC 13.246(a)(1) AND (c)(4)* TCEQ Well ID(s) if applicable: *G2200190A
G2200190B
G2200190C*

Summary of Exception Request

These wells were drilled in 1950's also we searched all microfilm and microfisk from TCEQ Record Dept. Pertaining to TWS and there are no records to be found.

kathy lott

From: kathy lott [sparkybambam@yahoo.com]
Sent: Friday, April 01, 2016 2:53 PM
To: MIKE MCDEVITT (mike.mcdevitt@tceq.texas.gov)
Subject: REF: WELL DATA

DEAR MR. MCDEVITT,

IN RESPONSE TO YOUR LETTER PERTAINING TO THE WELL EXCEPTION REQUEST THAT WE REQUESTED. WE ARE UNABLE TO PROVIDE YOU WITH ANY INFORMATION ON THE WELLS. THIS IS WHY WE REQUESTED A WELL EXCEPTION. PLEASE LET ME EXPLAIN. 2 OR 3 YEARS AGO, I ASKED FOR HELP FROM TCEQ IN FINDING ANY AND ALL RECORDS PERTAINING TO TWIN LAKES WATER SUPPLY WELLS. HE CAME TO MY HOUSE AND EVEN HE COULD NOT FIND ANY RECORDS. I EVEN ORDERED ALL MICROFILM AND MICROFISHE PERTAINING TO TWIN LAKES WATER SUPPLY AND SPENT 2 OR 3 WEEKS DOWN AT THE COURTHOUSE GOING THRU ALL OF THAT AND I WAS UNABLE TO FIND ANYTHING ON THIS. I DON'T KNOW WHAT ELSE TO DO. I AM AT MY WITS END ON THIS. WE HAVE DONE EVERYTHING THAT WE HAVE BEEN TOLD TO DO ON THIS WATER SYSTEM BY TCEQ AND PUC. WE MAKE SURE THAT THE CUSTOMERS ARE PROVIDED WITH GOOD DRINKING WATER. WE TAKE RESIDUAL TESTS EVERYDAY AND READ THE WELL READINGS EVERYDAY. AND MIGHT I ADD IF YOU CHECK PREVIOUS OWNERS, WE ARE THE FIRST OWNERS TO COMPLY WITH EVERYTHING THAT TCEQ ASK US TO DO AND WE ARE THE FIRST OWNERS TO MAKE SURE THAT OUR CUSTOMERS RECEIVE GOOD WATER. WE CARE ABOUT OUR CUSTOMERS VERY MUCH. WE NEED HELP ON THIS MATTER AS SOON AS POSSIBLE AS WE DON'T KNOW WHAT ELSE TO DO.

PLEASE CONTACT ME AS SOON AS POSSIBLE AT 817-653-2328 DANIEL DAKE.

THANK YOU,

TWIN LAKES WATER SUPPLY
KATHY LOTT
817-344-8932