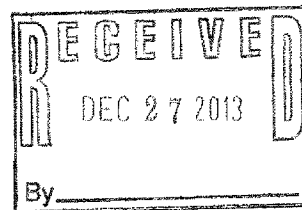


Bryan W. Shaw, Ph.D., *Chairman*  
Carlos Rubinstein, *Commissioner*  
Toby Baker, *Commissioner*  
Zak Covar, *Executive Director*



*Jay*

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

December 20, 2013

**CERTIFIED MAIL NO: 91 7199 9991 7032 8273 2323**  
**RETURN RECEIPT REQUESTED**

Mr. Troy Penshorn, Regulatory and Compliance Manager  
Aqua Texas, Inc.  
1106 Clayton Ln, Suite 400 W  
Austin, Texas 78723

Re: Notice of Violation for Comprehensive Compliance Investigation at:  
Center Point Taylor, E side of Kelly Street, Center Point, Kerr County, Texas  
Regulated Entity No.: RN102677416, TCEQ ID No.: 1330010, Investigation No.: 1138308

Dear Mr. Penshorn:

On October 24, 2013, Mr. Chris Friesenhahn of the Texas Commission on Environmental Quality (TCEQ) San Antonio Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for public water supply. Enclosed is a summary which lists the investigation findings. During the investigation, certain outstanding alleged violations were identified for which compliance documentation is required. Please submit to this office by May 19, 2014 a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for each of the outstanding alleged violations.

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

The TCEQ appreciates your assistance in this matter. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory 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 violations documented in this notice. Should you choose to do so, you must notify the San Antonio Region Office within 10 days from the date of this letter. At that time Ms. Lynn Bumguardner, 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

Mr. Troy Penshorn  
Page 2  
December 20, 2013

violation review process, the TCEQ may still require you to adhere to the compliance schedule included in the enclosed Summary of Investigation Findings until an official decision is made regarding the status of any or all of the contested violations.

If you or members of your staff have any questions, please feel free to contact Mr. Friesenhahn in the San Antonio Region Office at (210) 403-4055.

Sincerely,



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

JTC/cmf/eg

Enclosure: Summary of Investigation Findings

## Summary of Investigation Findings

REAL OAKS SUBDIVISION

Investigation # 1135108

512 RODRIGUEZ ST

Investigation Date: 10/24/2013

KERRVILLE, KERR COUNTY, TX 78028

Additional ID(s): 1330139

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

Track No: 521342

Compliance Due Date: 05/19/2014

30 TAC Chapter 290.39(e)

30 TAC Chapter 290.39(h)(1)

30 TAC Chapter 290.41(c)(3)(A)

30 TAC Chapter 290.46(n)(1)

#### Alleged Violation:

Investigation: 1135108

Comment Date: 12/06/2013

Failure to submit and acquire approval of as built engineering plans prior to operating a public water supply.

At the time of the investigation, the water system could not produce any documentation indicating that the water system had submitted as built engineering plan and subsequently received approval prior to operating the water system, nor were there any records in the Integrated Water Utilities Database which would indicate approval was issued.

30 TAC 290.41(c)(3)(A) Before placing the well into service, a public water system shall furnish a copy of the well completion data, which includes the following items: the Driller's Log (geological log and material setting report); a cementing certificate; the results of a 36 hour pump test; the results of the microbiological and chemical analyses required by subparagraphs (F) and (G) of this paragraph; a legible copy of the recorded deed or deeds for all real property within 150 feet of the well; a legible copy of the sanitary control easement(s) or other documentation demonstrating compliance with paragraph (1)(F) of this subsection; an original or legible copy of a United States Geological Survey 7.5 minute topographic quadrangle showing the accurate well location to the executive director; and a map demonstrating the well location in relation to surrounding property boundaries. All the documents listed in this paragraph must be approved by the executive director before final approval is granted for the use of the well.

30 TAC 290.46(n)(1) Accurate and up to date detailed as built plans or record drawings and specifications for each treatment plant, pump station, and storage tank shall be maintained at the public water system until the facility is decommissioned. As built plans of individual projects may be used to fulfill this requirement if the plans are maintained in an organized manner.

30 TAC 290.39(h)(1) No person may begin construction on a new public water system before receiving written approval of plans and specifications and, if required, approval of a business plan from the executive director. No person may begin construction of modifications to a public water system without providing notification to the executive director and submitting and receiving approval of plans and specifications if requested in accordance with subsection (j) of this section.

30 TAC 290.39(e) Submission of planning material.

**Recommended Corrective Action:** Acquire the needed approval for use or an exception to the rule.

Submit as built engineering plans as required by 290.41(c)(3)(A), 290.46(n)(1), 290.39(h)(1) and 290.39(e) or any exception requests to the TCEQ Utilities Technical Review Team for review and approval. Engineering plans and/or exception requests must be submitted to:

Utilities Technical Review Team, MC 159  
Texas Commission on Environmental Quality  
PO BOX 13087  
Austin, Texas 78711 3087

To document compliance, submit documentation indicating that the water system has been approved for use or that an exception has been acquired to this office by the compliance due date.

Budd Getica, Chairman  
Lynn R. Seward, Commissioner  
Bryan W. Staw, Ph.D., Commissioner  
Mark R. Vicker, P.E., Executive Director

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

July 29, 2009

**CERTIFIED MAIL 91 7108 2133 3935 2306 3526**  
**RETURN RECEIPT REQUESTED**

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

Re: Notice of Violation for the Comprehensive Compliance Investigation at:  
Hill Country Northwest Cherry Hollow Water System, Lindeman Road, Leander (Travis  
County), Texas  
TCEQ Regulated Entity: RN101502730, TCEQ PWS ID No.: 2270173,  
TCEQ Investigation Number 761718

Dear Mr. Blackhurst:

On July 9, 2009, Chad W. Ahlgren, R.S., of the Texas Commission on Environmental Quality (TCEQ) Austin Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for public water systems. Enclosed is a summary which lists the investigation findings. During the investigation, some concerns were noted which were alleged noncompliances that have been resolved as an Area of Concern and subsequent corrective action. In addition, certain outstanding alleged violations were identified for which compliance documentation is required. Please submit to this office by **September 29, 2009**, a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for each of the outstanding alleged violations.

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

The TCEQ appreciates your assistance in this matter. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements. We anticipate that you will resolve the alleged violations as required in order to protect the State's environment. If you have additional information that we are unaware of, you have the opportunity to contest the violation(s)

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

P.O. Box 13087 • Austin, Texas 78711-0087 • 512-239-1000 • Internet address: [www.tceq.state.tx.us](http://www.tceq.state.tx.us)

Mr. Steve Blackhurst  
July 29, 2009  
Page 2

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

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

Sincerely,



Herschel E. Janus  
PWS Work Leader  
Austin Region Office

HEJ/cwa

Enclosures: Summary of Investigation Findings  
Obtaining TCEQ Rules

## Summary of Investigation Findings

HILL COUNTRY NORTHWEST CHERRY HOLLOW

Investigation # 761718

LINDEMAN LANE

Investigation Date: 07/09/2009

JONESTOWN, TRAVIS COUNTY, TX 78641

Additional ID(s): 2270173

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

Track No: 370116 Compliance Due Date: 09/29/2009

30 TAC Chapter 290.46(m)(1)

**Alleged Violation:**

Investigation 761718

Comment Date 07/10/2009

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

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

Track No: 371167 Compliance Due Date: 09/29/2009

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

**Alleged Violation:**

Investigation 761718

Comment Date 07/21/2009

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

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

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

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

### AREA OF CONCERN

Track No: 370117

30 TAC Chapter 290.41(c)(3)(K)

30 TAC Chapter 290.41(c)(3)(L)

**Alleged Violation:**

Investigation: 761718

Comment Date 07/10/2009

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

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

documentation indicating compliance with this requirement to the TCEQ Austin Region Office by the compliance due date

**Resolution:** On July 16, 2009, documentation was received in the TCEQ Austin Region Office indicating that this violation had been corrected. It was therefore considered to be resolved at that time.

### ADDITIONAL ISSUES

Description	Additional Comments
Other violations noted during the investigation? (If non-compliant then describe violation in the comment section.)	There are some corrosion spots beginning to occur on both of the system's standpipes. Aqua Texas should plan to have both of these repainted/refinished in the near future.
Other violations noted during the investigation? (If non-compliant then describe violation in the comment section.)	Water samples collected in the system have indicated a fluoride concentration of 2.33 milligrams per liter. This is above the TCEQ's secondary constituent level of 2.0 milligrams per liter for fluoride, but below TCEQ's maximum contaminant level for fluoride of 4.0 milligrams per liter. Since the system has done the public notification as required, this was not noted as a violation.



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



*Brown*

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

April 28, 2015

RECEIVED

MAY 04 2015

TX ADMIN-AUSTIN

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

Re: Comprehensive Compliance Investigation of:  
Chaparral Water System Hays  
Bliss Spillar Road, Manchaca (Hays County), Texas  
PWS ID No.: 1050029; TCEQ Regulated Entity No.: RN102682341  
Investigation No.: 1230552

Dear Mr. Foltz:

On March 12, 2015, Mr. Brad Monk of the Texas Commission on Environmental Quality (TCEQ) Austin Region Office conducted an investigation of the above-referenced facility to evaluate compliance with applicable requirements for public water systems. No violations are being alleged as a result of the investigation; however, please see the enclosed Area of Concern and Additional Issues.

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. Monk in the Austin Regional Office at (512) 339-2929.

Sincerely,

A handwritten signature in dark ink, appearing to read "Shawn Stewart".

Shawn Stewart  
Water Section Work Leader  
Austin Regional Office

SS/bm

Enclosure: Summary of Investigation Findings

## Summary of Investigation Findings

CHAPARRAL WATER SYSTEM HAYS

, HAYS COUNTY,

Additional ID(s): 1050029

Investigation #

1230552

Investigation Date: 03/12/2015

### AREA OF CONCERN

Track No: 564518

30 TAC Chapter 290.41(c)(3)(K)

#### Alleged Violation:

Investigation: 1230552

Comment Date: 03/16/2015

Failure to provide well casing vents for water system wells.

Specifically, Wells No. 2 and No. 5 at the Cardinal Road Treatment Plant did not have a well casing vents installed for each well during the investigation.

**Resolution:** On March 25, 2015, the PWS submitted compliance documentation to the Austin Region Office. The documentation was an email with attached photographs demonstrating that well casing vents were installed for Cardinal Plant Well Nos. 2 and 5. The documentation was adequate to resolve the corresponding alleged violation. The noncompliance was resolved within 14 days of the investigation; therefore, the alleged violation was resolved as an Area of Concern.

### ADDITIONAL ISSUES

#### Description

MINIMUM ACCEPTABLE OPERATING PRACTICES FOR PWS: Meets applicable 290.46 standards?

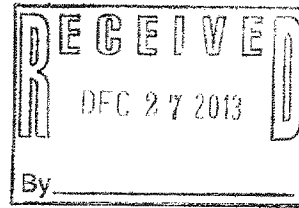
#### Additional Comments

The investigator noted during the investigation that the Hummingbird Road Treatment Plant is currently offline. Wells No. 3, 8, and 9 at the plant are currently inactive, but the plant and wells are still connected to the water system.

Title 30, Texas Administrative Code (30 TAC), Rule §290.46(u) requires wells that are not in use and non-deteriorated as defined by 16 TAC Chapter 76 (relating to Water Well Drillers and Water Well Pump Installers), be tested every five years or as required, to prove the wells are in a non-deteriorated condition. The test results shall be sent to the TCEQ for review and approval. Deteriorated wells must be either plugged with cement or repaired to a non-deteriorated condition. Please contact the TCEQ Public Drinking Water Section (512-239-4691) for additional information. The PWS representatives present during the investigation stated the PWS has the required sanitary control easements for four Cardinal Plant wells (Well Nos. 2, 5, 6, & 7), but no records were available to the investigator for review during the investigation. The PWS should locate records of the sanitary control easements for all water system wells to provide evidence of compliance with sanitary control easement requirements. The PWS should maintain the records and have the records available for review by TCEQ personnel during future compliance investigations.

Item 2

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



*gag*

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

December 20, 2013

**CERTIFIED MAIL NO: 91 7199 9991 7032 8273 2286**  
**RETURN RECEIPT REQUESTED**

Mr. Troy Penshorn, Regulatory and Compliance Manager  
Aqua Texas, Inc.  
1106 Clayton Ln, Suite 400 W  
Austin, Texas 78723

Re: Notice of Violation for Comprehensive Compliance Investigation at:  
Cherry Ridge Water Company, 3 miles E of Kerrville on Hwy 16, Kerr County, Texas  
Regulated Entity No.: RN102691201, TCEQ ID No.: 1330147, Investigation No.: 1138279

Dear Mr. Penshorn:

On October 24, 2013, Mr. Chris Friesenhahn of the Texas Commission on Environmental Quality (TCEQ) San Antonio Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for public water supply. Enclosed is a summary which lists the investigation findings. During the investigation, a certain outstanding alleged violation was identified for which compliance documentation is required. Please submit to this office by May 19, 2014 a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for the outstanding alleged violation.

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

The TCEQ appreciates your assistance in this matter. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements. We anticipate that you will resolve the alleged violation as required in order to protect the State's environment. If you have additional information that we are unaware of, you have the opportunity to contest the violation documented in this notice. Should you choose to do so, you must notify the San Antonio Region Office within 10 days from the date of this letter. At that time Ms. Lynn Bumguardner, 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 Region 13 • 14250 Judson Rd. • San Antonio, Texas 78233-4480 • 210-490-3096 • Fax 210-545-4329

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Mr. Troy Penshorn,  
Page 2  
December 20, 2013

TCEQ may still require you to adhere to the compliance schedule included in the enclosed Summary of Investigation Findings until an official decision is made regarding the status of any or all of the contested violations.

If you or members of your staff have any questions, please feel free to contact Mr. Friesenhahn in the San Antonio Region Office at (210) 403-4055.

Sincerely,



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

JTC/cmf/eg

Enclosure: Summary of Investigation Findings

## Summary of Investigation Findings

CHERRY RIDGE WATER

Investigation # 1138279

Investigation Date: 10/24/2013

, KERR COUNTY,

Additional ID(s): 1330147

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

Track No: 521803

Compliance Due Date: 05/19/2014

30 TAC Chapter 290.39(e)

30 TAC Chapter 290.39(h)(1)

30 TAC Chapter 290.41(c)(3)(A)

30 TAC Chapter 290.46(n)(1)

#### Alleged Violation:

Investigation: 1138279

Comment Date: 12/10/2013

Failure to submit and acquire approval of as built engineering plans prior to operating a public water supply.

At the time of the investigation, the water system could not produce any documentation indicating that the water system had submitted as built engineering plan and subsequently received approval prior to operating the water system, nor were there any records in the Integrated Water Utilities Database which would indicate approval was issued.

30 TAC 290.41(c)(3)(A) Before placing the well into service, a public water system shall furnish a copy of the well completion data, which includes the following items: the Driller's Log (geological log and material setting report); a cementing certificate; the results of a 36 hour pump test; the results of the microbiological and chemical analyses required by subparagraphs (F) and (G) of this paragraph; a legible copy of the recorded deed or deeds for all real property within 150 feet of the well; a legible copy of the sanitary control easement(s) or other documentation demonstrating compliance with paragraph (1)(F) of this subsection; an original or legible copy of a United States Geological Survey 7.5 minute topographic quadrangle showing the accurate well location to the executive director; and a map demonstrating the well location in relation to surrounding property boundaries. All the documents listed in this paragraph must be approved by the executive director before final approval is granted for the use of the well.

30 TAC 290.46(n)(1) Accurate and up to date detailed as built plans or record drawings and specifications for each treatment plant, pump station, and storage tank shall be maintained at the public water system until the facility is decommissioned. As built plans of individual projects may be used to fulfill this requirement if the plans are maintained in an organized manner.

30 TAC 290.39(h)(1) No person may begin construction on a new public water system before receiving written approval of plans and specifications and, if required, approval of a business plan from the executive director. No person may begin construction of modifications to a public water system without providing notification to the executive director and submitting and receiving approval of plans and specifications if requested in accordance with subsection (j) of this section.

30 TAC 290.39(e) Submission of planning material.

**Recommended Corrective Action:** Acquire the needed approval for use or an exception to the rule.

Submit as built engineering plans as required by 290.41(c)(3)(A), 290.46(n)(1), 290.39(h)(1) and 290.39(e) or any exception requests to the TCEQ Utilities Technical Review Team for review and approval. Engineering plans and/or exception requests must be submitted to:

Utilities Technical Review Team, MC 159  
Texas Commission on Environmental Quality  
PO BOX 13087  
Austin, Texas 78711 3087

To document compliance, submit documentation indicating that the water system has been approved for use or that an exception has been acquired to this office by the compliance due date.

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



*Baker*

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

December 10, 2015

RECEIVED

**CERTIFIED MAIL # 7010 1870 0003 4949 6001  
RETURN RECEIPT REQUESTED**

DEC 18 2015

TX ADMIN-AUSTIN

Mr. Scot Foltz, Environmental Compliance Manager  
Aqua Utilities, Inc.  
1106 Clayton Ln., Ste. 400W  
Austin, Texas 78723-2476

Re: Notice of Violation for the Comprehensive Compliance Investigation at:  
Colonial Hills, 14816 Lillja Rd, Houston, Harris County, Texas  
Regulated Entity No.: 101194595  
TCEQ ID No.: 1010116

Investigation No.: 1287562

Dear Mr. Foltz:

On October 22, 2015, Ms. Valerie Burkett, of the Texas Commission on Environmental Quality (TCEQ) Houston Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for Public Water Supply. Enclosed is a summary which lists the investigation findings. During the investigation, some concerns were noted which were alleged noncompliances that have been resolved as Areas of Concern or as Resolved Violations based on subsequent corrective action. In addition, certain outstanding alleged violations were identified for which compliance documentation is required. Furthermore, an Additional Issue was noted. Please submit to this office by March 10, 2016, a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for each of the outstanding alleged violations. Please be advised that a violation could be issued upon further review of your system's records or self-reported documentation.

In the listing of the alleged violations, we have cited applicable requirements, including TCEQ rules. Please note that both the rules themselves and the agency brochure entitled *Obtaining TCEQ Rules* (GI 032) are located on our agency website at <http://www.tceq.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 Houston Region Office at (713) 767-3650 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





Mr. Scot Foltz, Environmental Compliance Manager  
Page 2  
December 10, 2015

of, you have the opportunity to contest the violations documented in this notice. Should you choose to do so, you must notify the Houston Region Office within 10 days from the date of this letter. At that time, PWS Team Leader Ms. Julia Thorp, will schedule a violation review meeting to be conducted within 21 days from the date of this letter.

If you or members of your staff have any questions, please feel free to contact Ms. Burkett, in the Houston Region Office at (713) 767-3650.

Sincerely,

A handwritten signature in black ink, appearing to read "Julia Thorp". The signature is fluid and cursive, with the first name "Julia" and last name "Thorp" clearly distinguishable.

Julia Thorp, Team Leader  
Public Water Supply  
Houston Region Office

JT/VB/mar

Enclosure: Summary of Investigation Findings

cc: Harris County Public Health and Environmental Services  
Adrian Wade, Field Supervisor, 2211 Louetta Rd, Spring, TX 77388



## Summary of Investigation Findings

COLONIAL HILLS

, HARRIS COUNTY,

Additional ID(s): 1010116

Investigation #

1287562

Investigation Date: 10/22/2015

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

Track No: 588975 Compliance Due Date: 03/10/2016

30 TAC Chapter 290.46(m)

**Alleged Violation:**

Investigation: 1287562

Comment Date: 11/19/2015

Operating Practices for Public Water Systems

Failure to properly maintain the regulated entity by not re-painting the piping near Well 1 when the current paint is peeling off and rust has formed on exposed areas of pipe.

**Recommended Corrective Action:** Submit a photograph or completed work order indicating that the piping off of Well 1 has been re-painted to verify compliance.

Track No: 588977 Compliance Due Date: 03/10/2016

30 TAC Chapter 290.46(m)

**Alleged Violation:**

Investigation: 1287562

Comment Date: 11/19/2015

Operating Practices for Public Water Systems

Failure to properly maintain the regulated entity by not keeping the fencing clear of vegetation.

Specifically, the southern and eastern fence-lines were covered with vines and bushes, which could damage the fencing or interfere with determining the condition of the fencing.

**Recommended Corrective Action:** Submit a photograph or completed work order showing that the fencing has been cleared of brush to verify compliance.

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

Track No: 588960

30 TAC Chapter 290.41(c)(3)(K)

**Alleged Violation:**

Investigation: 1287562

Comment Date: 11/18/2015

Ground Water Sources and Development.

Failure to properly screen the well casing vent with 16-mesh or finer corrosion-resistant screening material.

Specifically, the well casing vent for Well 1 did not have a screen at the time of the investigation.

**Recommended Corrective Action:** Submit a photograph or completed work order showing that the well casing vent has been rescreened to verify compliance.

**Resolution:** On November 09, 2015, the regulated entity submitted a photograph showing that the Well 1 well vent was properly screened.

---

Track No: 588972

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

**Alleged Violation:**

Investigation: 1287562

Comment Date: 11/19/2015

Disinfection

Failure to provide a full-face self-contained breathing apparatus (SCBA) or supplied air respirator (SAR) that meets OSHA standards for construction and operation which must be located outside the chlorination room in an accessible location.

Specifically, a SCBA or SAR was not available outside of the chlorination room nor in the operators vehicle at the time of the investigation.

**Recommended Corrective Action:** Submit a photograph showing that an SCBA or SAR are available for use outside of the chlorination room to verify compliance.

**Resolution:** On November 13, 2015, the regulated entity emailed a photograph showing that an SCBA was now available for use outside of the chlorination room. The operator indicated that he was now keeping it in his truck at all times.

## AREA OF CONCERN

---

Track No: 588954

30 TAC Chapter 290.46(s)(1)

**Alleged Violation:**

Investigation: 1287562

Comment Date: 11/18/2015

Testing Equipment.

Failure by the regulated entity to calibrate the well meters required by 30 TAC 290.41(c)(3)(N) according to the manufacturer's specifications at least once every three years.

Specifically, a well meter calibration report was not available for review at the time of the investigation.

**Recommended Corrective Action:** Submit a copy of the well meter calibration report to verify compliance.

**Resolution:** On November 04, 2015, the regulated entity emailed a copy of the well meter calibration report for both wells.

---

Track No: 588966

30 TAC Chapter 290.46(v)

**Alleged Violation:**

Investigation: 1287562

Comment Date: 11/18/2015

Operating Practices for Public Water Systems

Failure to install all water system electrical wiring in compliance with a local or national electrical code.

Specifically, at the time of the investigation, the conduit for the well's electrical wiring was unscrewed from the well casing, leaving an opening to the well and wiring exposed.

**Recommended Corrective Action:** Submit a photograph showing that the electrical conduit has been re-connected to the well casing to verify compliance.

**Resolution:** On November 04, 2015, the regulated entity emailed a photograph showing that the electrical conduit had been re-connected to the well casing.

### ADDITIONAL ISSUES

**Description**  
Item 7

**Additional Comments**  
Adequacy of Water Utility Service

Failure, by a retail public utility that possesses a certificate of public convenience and necessity that has reached 85% of its capacity as compared to the most restrictive criteria of the commission's minimum capacity requirements in Chapter 290 T.A.C., to submit to the executive director a planning report that clearly explains how the retail public utility will provide the expected service demands to the remaining areas within the boundaries of its certificated area. A report is not required if the source of supply available to the utility service provider is reduced to below the 85% level due to a court or agency conservation order unless that order is expected to extend for more than 18 months from the date it is entered in which case a report shall be required.

(A) After any commission field inspection, a retail public utility must analyze the system's capacity to determine if it has reached 85% of its capacity. If the retail public utility has reached 85% of its capacity, it must file this report no later than 90 days after the date of a commission letter detailing the results of the inspection. Capacity is considered to be the overall rated capacity in number of residential connection equivalents based on the most restrictive criteria for production, treatment, storage, or pumping.

(B) The report should be submitted in writing and should contain the following: (i) a brief description of the overall utility system and service area; (ii) an analysis of the plant capacity as defined in subparagraph (A) of this paragraph; (iii) details on how the retail public utility will provide service to the remaining areas within the boundaries of its certificated area. This includes projections of cost and expected design and installation dates for additional facilities.

(C) The executive director may waive or limit the reporting requirements if the retail public utility demonstrates that the projected growth of the area will not require the retail public utility to exceed 100% of its current capacity for the next five years.

(D) Any retail public utility required to file reports under this section of the rules, including those requesting waivers, shall file updated reports within 90 days after the retail public utility receives a copy of each subsequent commission field inspection report until the system demand is below 85% capacity. Specifically, it is noted on this investigation that your service pumps have reached 89 % of their capacity. This was based on 310 connections.

Item 8



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

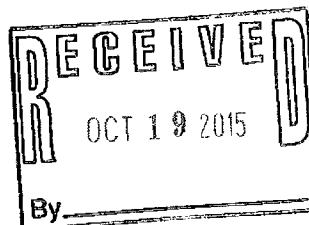


## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

February 20, 2015

**CERTIFIED MAIL NO.: 91 7199 9991 7034 4962 3136**  
**RETURN RECEIPT REQUESTED**



Mr. Scot Foltz, Environmental Compliance Manager  
Aqua Texas Inc.  
1106 Clayton Ln, Ste. 400W  
Austin, Tx 78723

Re: Notice of Violation for Compliance Evaluation Investigation at:  
Comanche Cliffs, on Comanche Trail, Bandera, Bandera County  
Regulated Entity No.: RN102675667, TCEQ ID No.: 0100065  
Investigation: 1217456

Dear Mr. Foltz:

On December 22, 2014, Mr. Colby Maron of the Texas Commission on Environmental Quality (TCEQ) San Antonio Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for a public water supply. 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 June 20, 2015 a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for outstanding alleged violations 557973 and 557975.

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

The TCEQ appreciates your assistance in this matter. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory 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 violations documented in this notice. Should you choose to do so, you must notify the San Antonio Region Office within 10 days from the date of this letter. At that time, Water Section Manager, Ms. Lynn Bumguardner, will schedule a violation review meeting to be conducted within 21 days from the date of this letter. However, please be advised that if you decide to participate in the

Mr. Scot Foltz, Environmental Compliance Manager  
Page 2  
February 20, 2015

violation review process, the TCEQ may still require you to adhere to the compliance schedule included in the enclosed Summary of Investigation Findings until an official decision is made regarding the status of any or all of the contested violations.

If you or members of your staff have any questions, please feel free to contact Mr. Maron in the San Antonio Region Office at 210/403-4024.

Sincerely,

A handwritten signature in cursive script, appearing to read "Joy Thurston-Cook".

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

JTC/CM/eg

Enclosures: Summary of Investigation Findings



## Summary of Investigation Findings

COMANCHE CLIFFS

Investigation #

1266681

Investigation Date: 09/03/2015

, BANDERA COUNTY,

Additional ID(s): 0100065

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

Track No: 557975

Compliance Due Date: 11/16/2015

30 TAC Chapter 290.46(m)

#### Alleged Violation:

Investigation: 1217456

Comment Date: 02/17/2015

Failure to maintain the facility.

At the time of the investigation, tree trunks were growing over the security fence thus negating the intruder resistance.

290.46(m)- Maintenance and housekeeping. The maintenance and housekeeping practices used by a public water system shall ensure the good working condition and general appearance of the system's facilities and equipment. The grounds and facilities shall be maintained in a manner so as to minimize the possibility of the harboring of rodents, insects, and other disease vectors, and in such a way as to prevent other conditions that might cause the contamination of the water.

Investigation: 1266681

Comment Date: 09/03/2015

09/03/2015- At the time of the investigation, compliance documentation had not been received.

**Recommended Corrective Action:** Provide by the compliance due date an invoice, completed work order or photograph indicating that the trees growing over the fence have been trimmed to prevent unauthorized access.

*Brian*

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*

April 10, 2015

RECEIVED

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

TX ADMIN-AUSTIN

Re: Comprehensive Compliance Investigation of:  
Copper Hills Water System, Hays County, Texas  
PWS ID No.: 1050082; TCEQ Regulated Entity No.: RN102674686  
Investigation No.: 1230554

Dear Mr. Foltz:

On March 12, 2015, Mr. Brad Monk of the Texas Commission on Environmental Quality (TCEQ) Austin Region Office conducted an investigation of the above-referenced facility to evaluate compliance with applicable requirements for public water systems. No violations are being alleged as a result of the investigation; however, please see the enclosed Areas of Concern.

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. Monk in the Austin Regional Office at (512) 339-2929.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn Stewart".

Shawn Stewart  
Water Section Work Leader  
Austin Regional Office

SS/bm

Enclosure: Summary of Investigation Findings



## Summary of Investigation Findings

COPPER HILLS WATER SYSTEM

Investigation #

1230554

Investigation Date: 03/12/2015

, HAYS COUNTY,

Additional ID(s): 1050082

### AREA OF CONCERN

Track No: 564562

30 TAC Chapter 290.43(e)

**Alleged Violation:**

Investigation: 1230554

Comment Date: 03/16/2015

Failure to enclose the potable water storage tanks and pressure maintenance facilities with an intruder-resistant fence with lockable gates or a locked, ventilated house.

Specifically, the investigator observed during the investigation that the southeast corner section of the Copper Hills Treatment Plant security fence was damaged, and the barbed-wire was loose along the corner of the fence.

**Resolution:** On March 24, 2015, the regulated entity submitted compliance photographs to the Austin Region Office. The photographs demonstrated the corner of the Copper Hills Plant security fencing has been repaired. The documentation was received within 14 days of the investigation; therefore, the alleged violation was resolved as an Area of Concern.

Track No: 564569

30 TAC Chapter 290.43(c)(3)

**Alleged Violation:**

Investigation: 1230554

Comment Date: 04/07/2015

Failure to provide an overflow pipe gravity-hinged and weighted covers on the ground storage tanks with good mechanical seals when closed in order to prevent the possible entrance of insects or other contaminants into the water supply.

Specifically, the Copper Hills Treatment Plant Ground Storage Tank Nos. 1 and 2 had overflow covers that did not seat properly, leaving an open gap greater than a required minimum of 1/16 inch.

**Resolution:** On March 25, 2015, the regulated entity submitted compliance documentation to the Austin Region Office. The documentation included photographs of the overflow pipes of the Copper Hills Plant ground storage tanks. The photographs demonstrated the overflow covers now have a good mechanical seal to the overflow pipes. The documentation was submitted within 14 days of the investigation; therefore, the alleged violation was resolved as an Area of Concern.

Track No: 564573

30 TAC Chapter 290.46(m)(4)

**Alleged Violation:**

Investigation: 1230554

Comment Date: 03/16/2015

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

Specifically, the outlet connection to one of the service pumps at the Copper Hills Treatment Plant was leaking during the investigation.

**Resolution:** On March 24, 2015, the regulated entity submitted compliance photographs to the Austin Region Office. The photographs demonstrated the outlet piping to the leaking service pump was replaced to repair the leak. The documentation was submitted within 14 days of the investigation; therefore, the alleged violation was resolved as an Area of Concern.

Lonnie

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

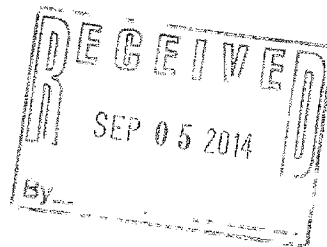


## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

September 3, 2014

**CERTIFIED MAIL #7099 3220 0002 7146 3036**  
**RETURN RECEIPT REQUESTED**



Mr. Scott Foltz, Regulatory and Compliance Manager  
Aqua Utilities Inc.  
1106 Clayton Lane, Suite 400 W  
Austin, Texas 78723-1066

Re: Notice of Violation for the Compliance Evaluation Investigation at:  
Country Creek Estates Water System, CR 712 A, Brazoria County, Texas  
TCEQ ID No. 0200337, Investigation No. 1183962

Dear Mr. Foltz:

On June 25, 2014, Ms. Elaine Jackson of the Texas Commission on Environmental Quality (TCEQ) Houston Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for Public Water Supply. Enclosed is a summary which lists the investigation findings. In addition, certain outstanding alleged violations were identified. Based on the information you have provided, the TCEQ has adequate documentation to resolve the alleged violations. However, please see the attached Additional Issue.

In the listing of the alleged violations, we have cited applicable requirements, including TCEQ rules. Please note that both the rules themselves and the agency brochure entitled *Obtaining TCEQ Rules* (GI 032) are located on our agency website at <http://www.tceq.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 Houston Region Office at Phone (713)767-3650 or the Central Office Publications Ordering Team at (512)239-0028.

The Texas Commission on Environmental Quality appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment.

Mr. Foltz, Regulatory and Compliance Manager

Page 2

September 3, 2014

If you or members of your staff have any questions, please feel free to contact Ms. Elaine Jackson in the Houston Region Office at (713)767-3650

Sincerely,

A handwritten signature in cursive script, appearing to read "Leticia De Leon".

Leticia De Leon, Team Leader  
Public Water Supply  
Houston Region Office

LD/ETJ/ra

cc: Brazoria Co. Environmental Health Dept.

Enclosure: Summary of Investigation Findings

## Summary of Investigation Findings

COUNTRY CREEK ESTATES WATER SYSTEM

Investigation #

1183962  
Investigation Date: 06/25/2014

, BRAZORIA COUNTY,

Additional ID(s): 0200337

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

Track No: 543020

30 TAC Chapter 290.46(m)

**Alleged Violation:**

Investigation: 1183962

Comment Date: 07/25/2014

Operating Practices for Public Water Systems

Failure to properly maintain the regulated entity by not repainting the pressure tank.

**Recommended Corrective Action:** Submit a copy of the work order or photo to verify that the pressure tank has been repainted.

**Resolution:** On July 2, 2014, a photo was send via email to verify that the pressure tank has been repainted.

Track No: 543023

30 TAC Chapter 290.41(c)(3)(J)

**Alleged Violation:**

Investigation: 1183962

Comment Date: 07/25/2014

Ground Water Sources and Development

Failure to repair the cracked concrete sealing block surrounding well using a flexible, nontoxic, waterproof compound or with a properly constructed and installed sealing block. At the time of the investigation, the slab surrounding the well was cracked.

**Recommended Corrective Action:** Submit a copy of the work order or photo to verify that the slab has been repaired.

**Resolution:** On July 2, 2014, a photo was send via email to verify that the cracked concrete sealing block surrounding well has been repaired.

### ADDITIONAL ISSUES

Description

Additional Comments



Item 3

**Adequacy of Water Utility Service**

Failure, by a retail public utility that possesses a certificate of public convenience and necessity that has reached 85% of its capacity as compared to the most restrictive criteria of the commission's minimum capacity requirements in Chapter 290 T.A.C., to submit to the executive director a planning report that clearly explains how the retail public utility will provide the expected service demands to the remaining areas within the boundaries of its certificated area. A report is not required if the source of supply available to the utility service provider is reduced to below the 85% level due to a court or agency conservation order unless that order is expected to extend for more than 18 months from the date it is entered in which case a report shall be required.

(A) After any commission field inspection, a retail public utility must analyze the system's capacity to determine if it has reached 85% of its capacity. If the retail public utility has reached 85% of its capacity, it must file this report no later than 90 days after the date of a commission letter detailing the results of the inspection. Capacity is considered to be the overall rated capacity in number of residential connection equivalents based on the most restrictive criteria for production, treatment, storage, or pumping.

(B) The report should be submitted in writing and should contain the following:

(i) a brief description of the overall utility system and service area;

(ii) an analysis of the plant capacity as defined in subparagraph (A) of this paragraph;

(iii) details on how the retail public utility will provide service to the remaining areas within the boundaries of its certificated area. This includes projections of cost and expected design and installation dates for additional facilities.

(C) The executive director may waive or limit the reporting requirements if the retail public utility

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**Item 4**

demonstrates that the projected growth of the area will not require the retail public utility to exceed 100% of its current capacity for the next five years.

(D) Any retail public utility required to file reports under this section of the rules, including those requesting waivers, shall file updated reports within 90 days after the retail public utility receives a copy of each subsequent commission field inspection report until the system demand is below 85% capacity.

Specifically, it is noted on this investigation that your well has reached 94 % of its capacity. This was based on 66 connections.

Compliance Documentation: Submit a planning report within 90 days to TCEQ, Water Supply Division, Public Drinking Water Section, Technical Review & Oversight, MC 159, P.O. Box 13087, Austin, TX 78711-3087; phone (512) 239-4691.

---

*Joseph*

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



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

March 11, 2016

Mr. Scot Foltz, Environmental Compliance Manager  
Aqua Utilities, Inc.  
1106 Clayton Ln, Suite 400 W  
Austin, Texas 78723

Re: Complaint Investigation at:  
Country View Estates, PR 37 2.6 miles W of Hwy 16, Medina County, Texas  
Regulated Entity No.: RN102679347, TCEQ ID No.: 1630026, Investigation No.:  
1313323, Incident No.: 224936

Dear Mr. Foltz:

From December 23, 2015 thru January 26, 2016, Mr. Chris Friesenhahn of the Texas Commission on Environmental Quality (TCEQ) San Antonio Region Office conducted an investigation of the above-referenced facility to evaluate the validity of a complaint received regarding applicable requirements for a public water supply. No violations are being alleged as a result of the investigation

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. Friesenhahn in the San Antonio Region Office at (210) 403-4055.

Sincerely,

A handwritten signature in cursive script, appearing to read "Joy Thurston-Cook".

Joy Thurston-Cook, Water Section Team Leader  
San Antonio Region Office

JTC/cmf/eg

RECEIVED

TX ADMIN-AUSTIN

*garcia*

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



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

August 31, 2015

**CERTIFIED MAIL NO.: 91 7199 9991 7035 6452 3311**  
**RETURN RECEIPT REQUESTED**

Mr. Scot Foltz, Environmental Compliance Manager  
Aqua Utilities, Inc.  
1106 Clayton Ln, Suite 400 W  
Austin, Texas 78723

RECEIVED

TX ADMIN-AUSTIN

Re: Notice of Violation for Comprehensive Compliance Investigation at:  
Country View Estates water system, PR 37 2.6 miles W of Hwy 16, Medina County, Texas  
Regulated Entity No.: RN102679347, TCEQ ID No.: 1630026, Investigation No.:  
1268034

Dear Mr. Foltz:

On July 21, 2015, Mr. Chris Friesenhahn of the Texas Commission on Environmental Quality (TCEQ) San Antonio Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for a public water supply. 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 September 14, 2015, a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for each of the outstanding alleged violations.

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

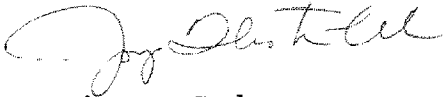
The TCEQ appreciates your assistance in this matter. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements. We anticipate that you will resolve the alleged violations as required in order to protect the State's environment. If you have additional information that we are unaware of, you have the opportunity to contest the violations documented in this notice. Should you choose to do so, you must notify the San Antonio Region Office within 10 days from the date of this letter. At that time, Ms. Lynn Bumguardner, Water

Mr. Scot Foltz, Environmental Compliance Manager  
August 31, 2015  
Page 2

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 enclosed Summary of Investigation Findings until an official decision is made regarding the status of any or all of the contested violations.

If you or members of your staff have any questions, please feel free to contact Mr. Friesenhahn in the San Antonio Region Office at (210)403-4055.

Sincerely,



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

JTC/cmf/eg

Enclosure: Summary of Investigation Findings

## Summary of Investigation Findings

COUNTRY VIEW ESTATES

Investigation #

1268034

Investigation Date: 07/21/2015

, MEDINA COUNTY,

Additional ID(s): 1630026

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

Track No: 578273

Compliance Due Date: 09/30/2015

30 TAC Chapter 290.46(m)(4)

#### Alleged Violation:

Investigation: 1268034

Comment Date: 07/30/2015

Failure to maintain the pressure maintenance facilities and all associated appurtenances in a water-tight condition.

At the time of the investigation, the air/water ratio indicator for the pressure tank was leaking resulting in water pooling on the pump house floor.

30 TAC 290.46(m)(4)--All water treatment units, storage and pressure maintenance facilities, distribution system lines, and related appurtenances shall be maintained in a watertight condition and be free of excessive solids.

**Recommended Corrective Action:** Repair the leak on air/water ratio indicator and insure that the lines are tight against leakage.

To document compliance, submit photographic documentation indicating that the leak has been repaired to this office by the compliance due date.

Track No: 578281

Compliance Due Date: 09/30/2015

30 TAC Chapter 290.46(m)

#### Alleged Violation:

Investigation: 1268034

Comment Date: 07/30/2015

Failure to conduct maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment.

At the time of the investigation, the system's fencing at the Big Valley booster station had an approximate 10 inch gap at the base the gate and other smaller gaps along the base of the fencing which could act as a vector for vandalism and/or contamination.

30 TAC 290.46(m)--Maintenance and housekeeping. The maintenance and housekeeping practices used by a public water system shall ensure the good working condition and general appearance of the system's facilities and equipment. The grounds and facilities shall be maintained in a manner so as to minimize the possibility of the harboring of rodents, insects, and other disease vectors, and in such a way as to prevent other conditions that might cause the contamination of the water.

**Recommended Corrective Action:** Eliminate all gaps in the fencing to ensure the security of the water system's facilities.

To document compliance, submit photographic documentation which indicates that the fencing has been repaired to this office by the compliance due date.

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

Track No: 474383

30 TAC Chapter 290.42(j)

**Alleged Violation:**

Investigation: 1022717

Comment Date: 08/02/2012

Failure to provide proof of ANSI/NSF Standard 60 approval for the potassium permanganate being added to the water treated in the reverse osmosis train.

Investigation: 1268034

Comment Date: 07/30/2015

This violation is resolved.

**Recommended Corrective Action:** Please submit to this Office by the Compliance Due Date, proof of ANSI/NSF Standard 60 approval for the potassium permanganate being added to the water treated in the reverse osmosis train.

**Resolution:** It was confirmed during this investigation that all chemicals used in the treatment process were ANSI/NSF Standard 60 approved.

Track No: 474384

30 TAC Chapter 290.46(m)(1)(A)

**Alleged Violation:**

Investigation: 1022717

Comment Date: 08/02/2012

Failure to insure the exterior coating of the raw water tank is continuing to provide adequate protection to all metal surfaces.

Investigation: 1268034

Comment Date: 07/30/2015

This violation is resolved.

**Recommended Corrective Action:** Please submit to this Office by the Compliance Due Date, photographs or invoices documenting that the exterior coating of the raw water tank has been reapplied or replaced so as to adequately protect the metal surfaces of the tank exterior.

**Resolution:** It was confirmed during this investigation that the raw water tank had been resurfaced and was providing adequate corrosion and rust protection.

**ADDITIONAL ISSUES****Description**

Item 3

**Additional Comments**

30 TAC 290.42(i)--Permits for waste discharges. Any discharge of wastewater and other plant wastes shall be in accordance with all applicable state and federal statutes and regulations. Permits for discharging wastes from water treatment processes shall be obtained from the commission, if necessary.

At the time of the investigation, the water system had not acquired approval to discharge the waste water from the reverse osmosis unit. The water system had been cited for this violation during inspections conducted on 08/08/2003 and 05/17/2006 and was referred to the TCEQ Enforcement Division in 2006 and the violation has been under a compliance schedule. A discharge permit application was received by the TCEQ in June 2015.

Item 4

Please be advised per the 30 Texas Administrative Code (TAC) 344.51(d), irrigation systems installed on properties served by an On site septic facility (OSSF) are deemed conduits to the known health hazard of the OSSF and are required to have reduced pressure principle backflow prevention assemblies (RPBAs) installed to protect against this health hazard, these devices must be tested annually. If the system was installed prior to 2009, then the existing backflow prevention method is allowed but, it must meet the annual testing requirement. Please begin implementing this requirement in your cross connection control program in order to meet the requirements of 30 TAC 290.44(h)(1). For questions regarding irrigation systems, please contact the Landscape Irrigation Program, at (512) 239 5296. For questions regarding your Cross Connection Control Program, please contact the TCEQ Cross Connection Control Program at 512 239 4691. You may also e mail your question or comment to [pdws@tceq.texas.gov](mailto:pdws@tceq.texas.gov).



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



12/8  
**COPY**

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

December 08, 2006

Mr. Rob Bordelan, President  
Crystal Mountain Homeowner's Association, Inc.  
704 Crystal Mountain Drive  
Austin, Texas 78733


Re: Comprehensive Compliance Investigation at:  
Crystal Mountain Water Supply, South Side of RM 2244, in Austin, (Travis County), Texas  
PWS ID No. 2270246; Regulated Entity ID No. RN102691029

Dear Mr. Bordelan:

On November 21, 2006, Mr. Abel Garcia and Larry King of the Texas Commission on Environmental Quality (TCEQ) Austin Region Office conducted an investigation of the above-referenced facility to evaluate compliance with applicable requirements for Public Water Supply program. No violations are being alleged as a result of the investigation.

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, please feel free to contact Mr. Abel Garcia in the Austin Region Office at (512) 339-2929.

Sincerely,

  
Herschel Janus  
PWS Team Leader  
Austin Region Office

HEJ/ag

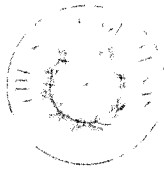
cc: Mr. Larry Mitchell, Environmental Compliance Coordinator, Aqua, Texas Inc., 1421 Wells  
Branch Parkway, Suite 105, Pflugerville, Texas 78660

(Rev 6/15/05)

REPLY TO: REGION 11 • 1921 CEDAR BEND DR., STE. 150A • AUSTIN, TEXAS 78758-5327 • 512/339-2929 • FAX 512/339-3795

P.O. Box 13087 • Austin, Texas 78711-3087 • 512/239-1000 • Internet address: [www.tceq.state.tx.us](http://www.tceq.state.tx.us)

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



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COPY

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

February 11, 2010



Mr. Rob Bordelain, President  
Crystal Mountain Homeowners Association, Inc.  
704 Crystal Mountain Drive  
Austin, TX 78733

Re: Notice of Compliance with Notice of Violation (NOV) dated December 21, 2010:  
Crystal Mountain Water Supply, south side of RM 2244 in Austin, (Travis County) Texas  
RN102691029, PWS ID No. 2270246

Dear Mr. Bordelain:

This letter is to inform you that Texas Commission on Environmental Quality (TCEQ) TCEQ Austin Region Office has received adequate compliance documentation on February 1, 2010 to resolve the alleged violation(s) documented during the investigation of the above-referenced regulated entity conducted on December 9, 2010. TCEQ records indicate that compliance with the above-reference NOV has been achieved

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 Claudia A. Chaffin at the Austin Region Office at (512)339-2929.

Sincerely,

Herschel Janus, PWS Work Leader  
Austin Region Office

CDR/cac

cc: Mr. Larry Mitchell, Environmental Compliance Coordinator, 1106 Clayton Lane, Suite 400W,  
Austin, TX 78723

(Rev 9/20/07)

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

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## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

December 21, 2009

**CERTIFIED MAIL 91 7108 2133 3935 2306 0907**  
**RETURN RECEIPT REQUESTED**

Mr. Rob Bordelan, President  
Crystal Mountain Homeowners Association, Inc.  
704 Crystal Mountain Drive  
Austin, TX 78733

Re: Notice of Violation for the Comprehensive Compliance Investigation at:  
Crystal Mountain Water Supply, south side of RM 2244 in Austin, (Travis County) Texas  
RN102691029, PWS ID No. 2270246, Investigation No. 784216

Dear Mr. Bordelan:

On December 9, 2009, Claudia Chaffin and Larry King of the Texas Commission on Environmental Quality (TCEQ) Austin Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for public water supply. Enclosed is a summary which lists the investigation findings. In addition, certain outstanding alleged violations were identified for which compliance documentation is required. Please submit to this office by January 30, 2009 a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for each of the outstanding alleged violations. In the listing of alleged violations, we have cited applicable requirements, including TCEQ rules. If you would like to obtain a copy of the applicable TCEQ rules, you may contact any of the sources listed in the enclosed brochure entitled "Obtaining TCEQ Rules." Copies of applicable federal regulations may be obtained by calling Environmental Protection Agency's Publications at (800) 490-9198.

The TCEQ appreciates your assistance in this matter. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements. We anticipate that you will resolve the alleged violations as required in order to protect the State's environment. If you have additional information that we are unaware of, you have the opportunity to contest the violation(s) documented in this notice. Should you choose to do so, you must notify the Austin Region Office within 10 days from the date of this letter. At that time, Ms Carolyn Runyon, Water Program 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

Mr. Rob Bordelan  
December 21, 2009  
Page 2

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

Sincerely,



Herschel Janus, PWS Team Leader  
Austin Region Office

HEJ/cac

cc Mr. Larry Mitchell, Environmental Compliance Coordinator, 1106 Clayton Lane, Suite 400W,  
Austin, TX 78723

Enclosures: Summary of Investigation Findings  
*Obtaining TCEQ Rules*

## Summary of Investigation Findings

CRYSTAL MOUNTAIN WATER SUPPLY

Investigation # 784216

907 CRYSTAL MOUNTAIN DR

Investigation Date: 12/09/2009

AUSTIN, TRAVIS COUNTY, TX 78733

Additional ID(s): 2270246

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

Track No: 383876

Compliance Due Date: 01/30/2009

30 TAC Chapter 290.109(c)(1)(B)

#### **Alleged Violation:**

Investigation: 784216

Comment Date: 12/15/2009

Failure to rotate the microbial sampling sites according to the monitoring plan.

**Recommended Corrective Action:** Submit written verification to the Austin Region Office that the microbial sampling sites are being rotated according to the monitoring plan

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



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

March 3, 2016

**CERTIFIED MAIL NO.: 91 7199 9991 7036 0233 0055**  
**RETURN RECEIPT REQUESTED**

RECEIVED

Mr. Scot Foltz, Compliance Manager  
Aqua Utilities, Inc.  
1106 Clayton Lane, Suite 400W  
Austin, Texas 78723-2476

TX ADMIN-AUSTIN

Re: Notice of Violation for Comprehensive Compliance Investigation at:  
Dancing Bear, 2 miles SE of FM 1283 & PR 37 on FM 1283, Medina County, Texas  
Regulated Entity No.: RN103172078, TCEQ ID No.: 1630045, Investigation No.:  
1305888

Dear Mr. Foltz:

On December 7, 2015, Mr. Chris Friesenhahn of the Texas Commission on Environmental Quality (TCEQ) San Antonio Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for a public water supply. 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 May 3, 2016, a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for each of the outstanding alleged violations.

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

The TCEQ appreciates your assistance in this matter. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory 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 violations documented in this notice. Should you choose to do so, you must notify the San Antonio Region Office within 10 days from the date of this letter. At that time, Ms. Lynn Bumguardner, 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

Mr. Scot Foltz, Compliance Manager  
March 3, 2016  
Page 2

included in the enclosed Summary of Investigation Findings until an official decision is made regarding the status of any or all of the contested violations.

If you or members of your staff have any questions, please feel free to contact Mr. Friesenhahn in the San Antonio Region Office at (210)403-4055.

Sincerely,

A handwritten signature in black ink, appearing to read "Joy Thurston-Cook". The signature is fluid and cursive, with the first name "Joy" being more prominent.

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

JTC/cmf/eg

Enclosure: Summary of Investigation Findings

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



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

March 3, 2016

**CERTIFIED MAIL NO.: 91 7199 9991 7036 0233 0062**  
**RETURN RECEIPT REQUESTED**

Mr. Scot Foltz, Compliance Manager  
Aqua Utilities, Inc.  
1106 Clayton Lane, Suite 400W  
Austin, Texas 78723-2476

Re: Notice of Violation for Comprehensive Compliance Investigation at:  
Dancing Bear, 2 miles SE of FM 1283 & PR 37 on FM 1283, Medina County, Texas  
Regulated Entity No.: RN103172078, TCEQ ID No.: 1630045, Investigation No.:  
1305888

Dear Mr. Foltz:

On December 7, 2015, Mr. Chris Friesenhahn of the Texas Commission on Environmental Quality (TCEQ) San Antonio Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for a public water supply. 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 May 3, 2016, a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for each of the outstanding alleged violations.

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

The TCEQ appreciates your assistance in this matter. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory 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 violations documented in this notice. Should you choose to do so, you must notify the San Antonio Region Office within 10 days from the date of this letter. At that time, Ms. Lynn Bumguardner, 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



## Summary of Investigation Findings

DANCING BEAR

21345 FM 1283

MICO, MEDINA COUNTY, TX 78056

Investigation #

1305888

Investigation Date: 12/07/2015

Additional ID(s): 1630045

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

Track No: 593176

Compliance Due Date: 05/03/2016

30 TAC Chapter 290.46(s)(1)

#### Alleged Violation:

Investigation: 1305888

Comment Date: 01/19/2016

Failure to calibrate the well meter once every three years.

At the time of the investigation, records indicating that the well meter had been calibrated or replaced within the past three years were not provided.

30 TAC 290.46(s)(1) Flow measuring devices and rate of flow controllers that are required by §290.42(d) of this title (relating to Water Treatment) shall be calibrated at least once every 12 months. Well meters required by §290.41(c)(3)(N) of this title (relating to Water Sources) shall be calibrated at least once every three years.

**Recommended Corrective Action:** Have the well meter calibrated to determine its accuracy or install a new meter in lieu of calibrating the existing well meter.

To document compliance, submit documentation which indicates the replacement or calibration of the existing well meter to this office by the compliance due date

Track No: 593179

Compliance Due Date: 05/03/2016

30 TAC Chapter 290.46(m)

#### Alleged Violation:

Investigation: 1305888

Comment Date: 01/14/2016

Failure to ensure the good working condition and general appearance of the system's facilities and equipment.

At the time of the investigation, vegetation was growing on and within the facility around the ground storage and pressure tanks and the air-to-water volume indicators on the pressure tanks were not operational.

30 TAC 290.46(m)--Maintenance and housekeeping. The maintenance and housekeeping practices used by a public water system shall ensure the good working condition and general appearance of the system's facilities and equipment. The grounds and facilities shall be maintained in a manner so as to minimize the possibility of the harboring of rodents, insects, and other disease vectors, and in such a way as to prevent other conditions that might cause the contamination of the water

**Recommended Corrective Action:** Remove the vegetation from around the storage tanks and repair or install new air-to-water volume indicators to ensure the good working condition and general appearance of the system's facility and equipment

To document compliance, submit photographic documentation which indicates that the system's facilities are being properly maintained to this office by the compliance due date.

Track No: 593185

Compliance Due Date: 05/03/2016

30 TAC Chapter 290.46(n)

30 TAC Chapter 290.46(n)(3)

**Alleged Violation:**

Investigation: 1305888

Comment Date: 01/19/2016

Failure to maintain copies of the well driller's log.

At the time of the investigation, copies of the well log were not made immediately available. Mr. Larance advised that the required records were being maintained at the office and would be provided subsequent to the investigation; however, the records have yet to be submitted.

30 TAC 290.46(n)(3)-- Copies of well completion data such as well material setting data, geological log, sealing information (pressure cementing and surface protection), disinfection information, microbiological sample results, and a chemical analysis report of a representative sample of water from the well shall be kept on file for as long as the well remains in service.

**Recommended Corrective Action:** Provide copies of the driller's log and all sanitary control easements pertaining to the water system's well.

To document compliance, submit copies of the driller's log and sanitary control easements to this office by the compliance due date.

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Track No: 593186

Compliance Due Date: 05/03/2016

30 TAC Chapter 290.42(l)

**Alleged Violation:**

Investigation: 1305888

Comment Date: 01/14/2016

Failure to provide a plant operations manual.

At the time of the investigation, a plant operations manual was not made available for review.

30 TAC 290.42(l)--Plant operations manual. A thorough plant operations manual must be compiled and kept up-to-date for operator review and reference. This manual should be of sufficient detail to provide the operator with routine maintenance and repair procedures, with protocols to be utilized in the event of a natural or man-made catastrophe, as well as provide telephone numbers of water system personnel, system officials, and local/state/federal agencies to be contacted in the event of an emergency.

**Recommended Corrective Action:** Develop a plant operations manual in accordance with 290.42(l) and maintain a copy at each of the pump stations/plants.

To document compliance, submit a copy of the plant operations manual to this office by the compliance due date.

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Track No: 593192

Compliance Due Date: 05/03/2016

30 TAC Chapter 290.46(f)(3)(E)(iv)

**Alleged Violation:**

Investigation: 1305888

Comment Date: 01/14/2016

Failure to provide copies of customer service inspections (CSI).

At the time of the investigation, it was noted that the connection count had increased since the last CCI conducted on 03/21/2013 and Mr. Mitchell advised that the CSI's were maintained at his office and that copies for the CSI's conducted on the new connections would be provided subsequent to the investigation; however, the records have yet to be submitted.

30 TAC 290.46(f)(3)(E)(iv)--Copies of the Customer Service Inspection reports required by subsection (j) of this section shall be retained for at least ten years.