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**Track No:** 505661      **Compliance Due Date:** 08/16/2013**30 TAC Chapter 290.39(I)****30 TAC Chapter 290.42(e)(3)(G)****Alleged Violation:**

Investigation: 1099790

Comment Date: 06/19/2013

---

Failed to obtain an exception to use disinfectants other than chlorine.

An investigation conducted on June 6, 2013 determined the facility purchases water that has been treated with chloramines. The regulated entity does not have an exception to use disinfectants other than chlorine.

**Recommended Corrective Action:** To achieve compliance, obtain an exception to use disinfectants other than chlorine. The water system may request an exception by writing to:

Texas Commission on Environmental Quality  
Technical Review and Oversight Team, MC 155  
P.O. Box 13087  
Austin, Texas 78711-3087

The Technical Review and Oversight Team may be contacted at (512) 239-4691. All requests for exceptions must be submitted in writing and supported with adequate documentation. Please send documentation to the TCEQ Corpus Christi Region 14 Office, Attn: Shaunette Gillespie, indicating compliance with this requirement by the compliance due date.

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**Track No:** 505662      **Compliance Due Date:** 08/16/2013**30 TAC Chapter 290.42(e)(4)(A)****Alleged Violation:**

Investigation: 1099790

Comment Date: 07/10/2013

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Failed to provide a full-face self-contained breathing apparatus (SCBA) or supplied air respirator that meets OSHA standards for construction and operation which is readily accessible outside the chlorinator room and immediately available to the operator in the event of an emergency.

An investigation conducted on June 6, 2013 determined the facility did not provide a self-contained breathing apparatus (SCBA) outside the chlorinator room and immediately available to the operator in the event of an emergency.

**Recommended Corrective Action:** To achieve compliance, make available a full-face self-contained breathing apparatus (SCBA) or supplied air respirator that meets OSHA standards for construction and operation which is readily accessible outside the chlorinator room and immediately available to the operator in the event of an emergency. To verify compliance, please send documentation to the TCEQ Corpus Christi Region 14 Office, Attn: Shaunette Gillespie, indicating compliance with this requirement by the compliance due date.

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**Track No:** 505663      **Compliance Due Date:** 08/16/2013**30 TAC Chapter 290.42(I)****Alleged Violation:**

Investigation: 1099790

Comment Date: 06/19/2013

---

Failed to compile a thorough plant operations manual and keep up-to-date for operator review and reference.

An investigation conducted on June 6, 2013 determined the facility had not developed a plant operations manual.

**Recommended Corrective Action:** To achieve compliance, the facility shall compile a thorough plant operations manual and keep up-to-date for operator review and reference. This manual should be of sufficient detail to provide the operator with routine maintenance and repair

**GOLDEN ACRES WATER****Investigation # 1099790**

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. To verify compliance, please send documentation to the TCEQ Corpus Christi Region 14 Office, Attn: Shaunette Gillespie, indicating compliance with this requirement by the compliance due date.

**Track No: 505679****Compliance Due Date: 08/16/2013****30 TAC Chapter 290.46(j)****Alleged Violation:**

Investigation: 1099790

Comment Date: 07/02/2013

Failed to perform a customer service inspection prior to providing continuous water service to new construction, on any existing service either when the water purveyor has reason to believe that cross-connections or other potential contaminant hazards exist, or after any material improvement, correction, or addition to the private water distribution facilities.

An investigation conducted on June 6, 2013 determined customer service inspections had not been conducted throughout the water system. The water system has a total of 60 active connections that require a customer service inspection.

**Recommended Corrective Action:** To achieve compliance, a customer service inspection must be completed for the following: all commercial and industrial facilities which have an actual or potential contamination hazard present; residences that may have cross-connections, potential hazards, or after any material improvement, correction or addition to the private water distribution facilities. For residences that have been evaluated and there is no reason to believe that cross-connections or other potential hazards exist, a written statement which states no hazards exist may be submitted. All newly constructed residences and commercial/industrial facilities must begin requiring customer service inspections. To verify compliance, please send documentation to the TCEQ Corpus Christi Region 14 Office, Attn: Shaunette Gillespie, indicating compliance with this requirement by the compliance due date.

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

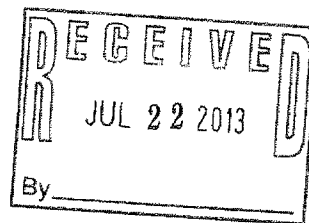


## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

July 19, 2013

**CERTIFIED MAIL 91 71999 9991 7031 0288 3952**  
**RETURN RECEIPT REQUESTED**



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

Re: Notice of Violation for the Comprehensive Compliance Investigation at:  
Golden Acres Water Company, located at 779 CR 77, Bishop, Nueces County  
Regulated Entity No.: RN102671880, TCEQ ID No.: 1780019, Investigation No.:  
1099790

Dear Mr. Blackhurst:

On June 6, 2013, Ms. Shaunette Gillespie of the Texas Commission on Environmental Quality (TCEQ) Corpus Christi 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 August 19, 2013 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 Corpus Christi Region Office at (361) 825-3100 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

## Summary of Investigation Findings

GOLDEN ACRES WATER  
779 COUNTY ROAD 77  
BISHOP, NUECES COUNTY, TX 78343

Investigation #  
1099790  
Investigation Date: 06/06/2013

Additional ID(s): 1780019

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

Track No: 338743      Compliance Due Date: 03/18/2010  
30 TAC Chapter 290.45(f)(2)

#### Alleged Violation:

Investigation: 685372

Comment Date: 07/07/2008

Failure to secure a written contract, a signed document of specific terms, or a memorandum or letter of understanding between the purchaser and wholesaler which authorizes the purchase of enough water to meet the monthly or annual needs of the purchaser.

Specifically, an investigation conducted on June 26, 2008, revealed that the contract between Nueces WSC (wholesaler) and Golden Acres Water Company (Purchaser) only authorizes the purchase of no more than 100,000 gallons per month. According to the wholesaler, Golden Acres Water Company has been receiving water in excess of the authorized amount. During the last billing cycle which ended on June 10, 2008, Golden Acres Water Company purchased 477,660 gallons from Nueces WSC.

Investigation: 703423

Comment Date: 09/22/2008

This alleged violation continues to remain outstanding. Compliance documentation submitted indicated that the regulated entity was in the process of negotiating the existing contract with Nueces Water Supply Corporation in order to be allowed to purchase water at a rate sufficient to meet the 0.6 gpm per connection requirement. For compliance, the regulated entity must submit compliance documentation indicating that the purchase water contract between the wholesaler and purchaser has been amended to authorize the purchase of enough water to meet the monthly or annual needs of the purchaser. In addition, the contract must specify the maximum rate at which may be drafted on a daily and hourly basis (a uniform purchase rate may be used in the absence of a daily or hourly rate).

Investigation: 791733

Comment Date: 02/12/2010

This alleged violation continues to remain outstanding during the investigation conducted on January 5, 2010. Specifically, the contract between Nueces WSC (wholesaler) and Golden Acres Water Company (purchaser) only authorizes the purchase of no more than 100,000 gallons per month. In the last twelve month reporting period, Golden Acres Water Company used more than 100,000 gallons of water each month. Golden Acres Water Company used as much as 644,000 gallons in July 2009 and as little as 221,000 gallons in October 2009.

Investigation: 1099790

Comment Date: 07/02/2013

An investigation conducted on June 6, 2013 determined the violation continues to remain outstanding. The purchase water contract between Nueces WSC and Golden Acres Water Company has not been amended to authorize the purchase of enough water to meet the monthly or annual needs of the water system. Specifically, Golden Acres Water Company used as much as 580,000 gallons in May 2012 and as little as 258,000 gallons in February 2012.

**Recommended Corrective Action:** Submit adequate compliance documentation indicating that the purchase water contract between the wholesaler and purchaser has been amended to authorize the purchase of enough water to meet the monthly or annual needs of the purchaser. Additionally, according to 30 TAC 290.45(f)(3) the contract must specify the maximum rate at which may be drafted on a daily and hourly basis (a uniform purchase rate may be used in the absence of a daily or hourly rates).

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**Track No:** 505661      **Compliance Due Date:** 08/16/2013**30 TAC Chapter 290.39(l)****30 TAC Chapter 290.42(e)(3)(G)****Alleged Violation:**

Investigation: 1099790

Comment Date: 06/19/2013

---

Failed to obtain an exception to use disinfectants other than chlorine.

An investigation conducted on June 6, 2013 determined the facility purchases water that has been treated with chloramines. The regulated entity does not have an exception to use disinfectants other than chlorine.

**Recommended Corrective Action:** To achieve compliance, obtain an exception to use disinfectants other than chlorine. The water system may request an exception by writing to:

Texas Commission on Environmental Quality  
Technical Review and Oversight Team, MC 155  
P.O. Box 13087  
Austin, Texas 78711-3087

The Technical Review and Oversight Team may be contacted at (512) 239-4691. All requests for exceptions must be submitted in writing and supported with adequate documentation. Please send documentation to the TCEQ Corpus Christi Region 14 Office, Attn: Shaunette Gillespie, indicating compliance with this requirement by the compliance due date.

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**Track No:** 505662      **Compliance Due Date:** 08/16/2013**30 TAC Chapter 290.42(e)(4)(A)****Alleged Violation:**

Investigation: 1099790

Comment Date: 07/10/2013

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Failed to provide a full-face self-contained breathing apparatus (SCBA) or supplied air respirator that meets OSHA standards for construction and operation which is readily accessible outside the chlorinator room and immediately available to the operator in the event of an emergency.

An investigation conducted on June 6, 2013 determined the facility did not provide a self-contained breathing apparatus (SCBA) outside the chlorinator room and immediately available to the operator in the event of an emergency.

**Recommended Corrective Action:** To achieve compliance, make available a full-face self-contained breathing apparatus (SCBA) or supplied air respirator that meets OSHA standards for construction and operation which is readily accessible outside the chlorinator room and immediately available to the operator in the event of an emergency. To verify compliance, please send documentation to the TCEQ Corpus Christi Region 14 Office, Attn: Shaunette Gillespie, indicating compliance with this requirement by the compliance due date.

---

**Track No:** 505663      **Compliance Due Date:** 08/16/2013**30 TAC Chapter 290.42(l)****Alleged Violation:**

Investigation: 1099790

Comment Date: 06/19/2013

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Failed to compile a thorough plant operations manual and keep up-to-date for operator review and reference.

An investigation conducted on June 6, 2013 determined the facility had not developed a plant operations manual.

**Recommended Corrective Action:** To achieve compliance, the facility shall compile a thorough plant operations manual and keep up-to-date for operator review and reference. This manual should be of sufficient detail to provide the operator with routine maintenance and repair

**GOLDEN ACRES WATER****Investigation # 1099790**

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. To verify compliance, please send documentation to the TCEQ Corpus Christi Region 14 Office, Attn: Shaunette Gillespie, indicating compliance with this requirement by the compliance due date.

**Track No: 505679      Compliance Due Date: 08/16/2013****30 TAC Chapter 290.46(j)****Alleged Violation:**

Investigation: 1099790

Comment Date: 07/02/2013

Failed to perform a customer service inspection prior to providing continuous water service to new construction, on any existing service either when the water purveyor has reason to believe that cross-connections or other potential contaminant hazards exist, or after any material improvement, correction, or addition to the private water distribution facilities.

An investigation conducted on June 6, 2013 determined customer service inspections had not been conducted throughout the water system. The water system has a total of 60 active connections that require a customer service inspection.

**Recommended Corrective Action:** To achieve compliance, a customer service inspection must be completed for the following: all commercial and industrial facilities which have an actual or potential contamination hazard present; residences that may have cross-connections, potential hazards, or after any material improvement, correction or addition to the private water distribution facilities. For residences that have been evaluated and there is no reason to believe that cross-connections or other potential hazards exist, a written statement which states no hazards exist may be submitted. All newly constructed residences and commercial/industrial facilities must begin requiring customer service inspections. To verify compliance, please send documentation to the TCEQ Corpus Christi Region 14 Office, Attn: Shaunette Gillespie, indicating compliance with this requirement by the compliance due date.

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



RECEIVED

JUL 07 2013

AQUA TEXAS

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

July 3, 2014

**CERTIFIED MAIL 91 7199 9991 7031 0228 5534**  
**RETURN RECEIPT REQUESTED**

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

Re: Unresolved Alleged Violations for the Comprehensive Compliance Investigation at:  
Golden Acres Water Company, located at 779 CR 77, Bishop (Nueces County), Texas  
Regulated Entity No.: 102671880, TCEQ ID No.: 1780019, Investigation No.: 1177950

Dear Mr. Blackhurst:

The Texas Commission on Environmental Quality (TCEQ) Corpus Christi Region Office has previously requested that you submit compliance documentation for the alleged violations noted during the investigation of the above-referenced facility conducted on June 6, 2013. We have received acceptable compliance documentation from you for all of the alleged violations except the one listed in the enclosed summary. Please be advised that you are responsible for correcting the remaining problem. This unresolved alleged violation will be placed in your file to be evaluated during any subsequent investigation.

If you or members of your staff have any questions regarding these matters, please feel free to contact Ms. Shaunette Gillespie in the Corpus Christi Region Office at (361) 825-3100.

Sincerely,

A handwritten signature in black ink, appearing to read "Melanie Edwards".

Melanie Edwards  
Water Section Work Leader  
Corpus Christi Region Office

ME/SDG/jmc

Enclosure: Summary of Investigation Findings





## Summary of Investigation Findings

**GOLDEN ACRES WATER**

**779 COUNTY ROAD 77**

**BISHOP, NUECES COUNTY, TX 78343**

**Investigation #**

**1177950**

**Investigation Date: 06/23/2014**

**Additional ID(s): 1780019**

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

**Track No: 338743**

**Compliance Due Date: 03/18/2010**

**30 TAC Chapter 290.45(f)(2)**

#### **Alleged Violation:**

**Investigation: 685372**

**Comment Date: 07/07/2008**

Failure to secure a written contract, a signed document of specific terms, or a memorandum or letter of understanding between the purchaser and wholesaler which authorizes the purchase of enough water to meet the monthly or annual needs of the purchaser.

Specifically, an investigation conducted on June 26, 2008, revealed that the contract between Nueces WSC (wholesaler) and Golden Acres Water Company (Purchaser) only authorizes the purchase of no more than 100,000 gallons per month. According to the wholesaler, Golden Acres Water Company has been receiving water in excess of the authorized amount. During the last billing cycle which ended on June 10, 2008, Golden Acres Water Company purchased 477,660 gallons from Nueces WSC.

**Investigation: 703423**

**Comment Date: 09/22/2008**

This alleged violation continues to remain outstanding. Compliance documentation submitted indicated that the regulated entity was in the process of negotiating the existing contract with Nueces Water Supply Corporation in order to be allowed to purchase water at a rate sufficient to meet the 0.6 gpm per connection requirement. For compliance, the regulated entity must submit compliance documentation indicating that the purchase water contract between the wholesaler and purchaser has been amended to authorize the purchase of enough water to meet the monthly or annual needs of the purchaser. In addition, the contract must specify the maximum rate at which may be drafted on a daily and hourly basis (a uniform purchase rate may be used in the absence of a daily or hourly rate).

**Investigation: 791733**

**Comment Date: 02/12/2010**

This alleged violation continues to remain outstanding during the investigation conducted on January 5, 2010. Specifically, the contract between Nueces WSC (wholesaler) and Golden Acres Water Company (purchaser) only authorizes the purchase of no more than 100,000 gallons per month. In the last twelve month reporting period, Golden Acres Water Company used more than 100,000 gallons of water each month. Golden Acres Water Company used as much as 644,000 gallons in July 2009 and as little as 221,000 gallons in October 2009.

**Investigation: 1099790**

**Comment Date: 07/02/2013**

An investigation conducted on June 6, 2013 determined the violation continues to remain outstanding. The purchase water contract between Nueces WSC and Golden Acres Water Company has not been amended to authorize the purchase of enough water to meet the monthly or annual needs of the water system. Specifically, Golden Acres Water Company used as much as 580,000 gallons in May 2012 and as little as 258,000 gallons in February 2012.

**Investigation: 1145572**

**Comment Date: 01/30/2014**

A file record review was conducted on January 29, 2014 to evaluate the compliance status of this alleged violation. The compliance documentation submitted did not address this alleged violation.

**Investigation: 1177950**

**Comment Date: 06/24/2014**

A file record review was conducted on June 23, 2014 to evaluate the compliance status of this

alleged violation. The compliance documentation submitted did not address this alleged violation.

**Recommended Corrective Action:** Submit adequate compliance documentation indicating that the purchase water contract between the wholesaler and purchaser has been amended to authorize the purchase of enough water to meet the monthly or annual needs of the purchaser. Additionally, according to 30 TAC 290.45(f)(3) the contract must specify the maximum rate at which may be drafted on a daily and hourly basis (a uniform purchase rate may be used in the absence of a daily or hourly rates).

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

Track No: 505661

30 TAC Chapter 290.39(I)

30 TAC Chapter 290.42(e)(3)(G)

**Alleged Violation:**

Investigation: 1099790

Comment Date: 06/19/2013

Failed to obtain an exception to use disinfectants other than chlorine.

An investigation conducted on June 6, 2013 determined the facility purchases water that has been treated with chloramines. The regulated entity does not have an exception to use disinfectants other than chlorine.

Investigation: 1145572

Comment Date: 01/30/2014

A file record review was conducted on January 29, 2014 to evaluate the compliance status of this alleged violation. The water system submitted an exception letter to the TCEQ Technical Review and Oversight Team on January 6, 2014. The letter is currently in review and the compliance due date has been extended to March 14, 2014.

Investigation: 1177950

Comment Date: 06/23/2014

A file record review was conducted on June 23, 2014 to evaluate the compliance status of this alleged violation. The compliance documentation submitted appears to identify adequate corrective action has been taken for the alleged violation.

**Recommended Corrective Action:** To achieve compliance, obtain an exception to use disinfectants other than chlorine. The water system may request an exception by writing to:

Texas Commission on Environmental Quality  
Technical Review and Oversight Team, MC 155  
P.O. Box 13087  
Austin, Texas 78711-3087

The Technical Review and Oversight Team may be contacted at (512) 239-4691. All requests for exceptions must be submitted in writing and supported with adequate documentation. Please send documentation to the TCEQ Corpus Christi Region 14 Office, Attn: Shaunette Gillespie, indicating compliance with this requirement by the compliance due date.

**Resolution:** The regulated entity submitted appropriate compliance documentation to the TCEQ Corpus Christi Region 14 office on May 14, 2014. Specifically, the regulated entity submitted a copy of the granted request to allow the continued use of chloramines in the water system.

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*

June 4, 2014

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

RECEIVED  
JUN 06 2014  
BY: \_\_\_\_\_

Re: Comprehensive Compliance Investigation at:  
Granite Creek Water Supply Corporation Public Water System  
Homestead Road, Kyle (Hays County), Texas  
PWS ID No.: 1050080; TCEQ Regulated Entity No.: RN102691045  
Investigation No.: 1163745

Dear Mr. Foltz:

On April 23, 2014, Mr. Brad Monk of the Texas Commission on Environmental Quality (TCEQ) Austin Regional 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.

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

Cc: Brian Robinson, Field Supervisor, Wimberley Area

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*

February 24, 2016

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

RECEIVED

Re: Complaint Investigation at:  
Gray Utility Service, 5601 FM 565, Baytown, Chambers County, Texas  
Regulated Entity No.: 101233534, TCEQ ID No.: 0360005, Investigation No.: 1305187

TX ADMIN-AUSTIN

Dear Mr. Foltz:

On January 8, 2016 – February 10, 2016, Ms. Nicole Reed of the Texas Commission on Environmental Quality (TCEQ) Houston Region Office conducted an investigation of the above-referenced facility to evaluate compliance with the applicable requirements for public water supply systems. No violations are being alleged as a result of the investigation. In addition, please be advised that a violation could be issued upon further review of your system's records or self-reported documentation.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions regarding these matters, please feel free to contact Ms. Nicole Reed in the Houston Region Office at (713) 767-3650.

Sincerely,

A handwritten signature in cursive script, appearing to read "Julia Thorp".

Julia Thorp, Team Leader  
Public Water Supply  
Houston Region Office

JT/NR/ra

cc: Chambers County Environmental Health Department

*Ronnie*

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*

January 16, 2015

RECEIVED  
JAN 20 2015  
BY:.....

**CERTIFIED MAIL #7011 3500 0000 0287 5904**  
**RETURN RECEIPT REQUESTED**

Mr. Robert Laughman, President  
Aqua Texas, Inc.  
1106 Clayton Lane, Suite 400W  
Austin, Texas 78723-2476

Re: Notice of Violation for the Compliance Evaluation Investigation at:  
Greenwood Village Wastewater Treatment Plant, 3010 Knowis Street, Houston, (Harris County), Texas  
TCEQ ID No.: 11255-001, EPA ID: TX0032034

Dear Mr. Laughman:

On November 18, 2014, Mr. Dustin Roberts, 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 water quality requirements. Enclosed is a summary which lists the investigation findings. During the investigation, one outstanding alleged violation was identified for which compliance documentation is required. Please submit to this office by February 17, 2015, a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for the outstanding alleged violation. In addition, please see the Additional Issues.

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 Houston Region Office at (713) 767-3650 or the Central Office Publications Ordering Team at (512) 239-0028.

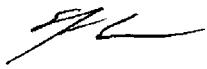
The TCEQ appreciates your assistance in this matter. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements. Self-reported violations may be subject to enforcement, including penalties, upon review by the Enforcement Division. We anticipate that you will resolve the alleged violation as required in order to protect the State's environment.

Mr. Robert Laughman, President  
February 16, 2015  
Page 2

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 Houston Region Office within 10 days from the date of this letter. At that time, Ms. Elizabeth Sears, Water Quality Team Leader will schedule a violation review meeting to be conducted within 21 days from the date of this letter. However, please be advised that if you decide to participate in the violation review process, the TCEQ may still require you to adhere to the compliance schedule included in the attached Summary of Investigation Findings until an official decision is made regarding the status of the contested violations.

If you or members of your staff have any questions, please feel free to contact Mr. Dustin Roberts, in the Houston Region Office at (713) 767-3631.

Sincerely,



Elizabeth Sears  
Team Leader  
Water Quality Management  
Region 12 Houston

EWS/DAR/mar

Enclosure: Summary of Investigation Findings

## Summary of Investigation Findings

GREENWOOD VILLAGE PLT

3010 KOWIS ST

HOUSTON, HARRIS COUNTY, TX 77093

Investigation #

1217785

Investigation Date: 11/18/2014

Additional ID(s): WQ0011255001  
TX0032034

### OUTSTANDING ALLEGED VIOLATION(S)

Track No: 558411 Compliance Due Date: 12/02/2014

30 TAC Chapter 319.7(c)

#### Alleged Violation:

Investigation: 1217785

Comment Date: 01/15/2015

Failed to maintain all monitoring records. Specifically, the certification for the reduced-pressure principal backflow prevention assembly (RPBA) was not available for review.

**Recommended Corrective Action:** All records and information resulting from the required monitoring activities shall be retained for a minimum of three years. Submit a standard operating procedure for the maintenance of monitoring records. Also, submit a copy of the RPBA certification.

### ADDITIONAL ISSUES

#### Description

Item 1

#### Additional Comments

At the time of the investigation, it was noted that the clarifier drive arm was not functioning due to the rotating bridge for the Schreiber aeration basin being inoperable (addressed through enforcement case, No. 49105, Docket No. 2014-1139-MWD-E). The wastewater treatment plant must be operated in a manner which minimizes the risk of untreated or inadequately treated wastewater from being discharged to the receiving stream.

Item 2

At the time of the investigation, it was noted that the thirty minute settleable solids concentration (SV30) in the aeration basin was 78%. Additionally, the sludge blanket in the clarifier was 6 feet in a 14 foot water depth. Solids levels in the wastewater treatment plant must be properly maintained.

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

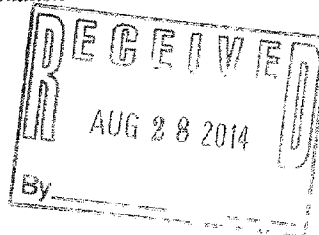


## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

August 22, 2014

**CERTIFIED MAIL NO.: 91 7199 9991 7034 4962 6144**  
**RETURN RECEIPT REQUESTED**



Mr. Scot W Foltz, Environmental Compliance Manager  
Aqua Texas Inc.  
1106 Clayton Ln., Ste. 400W  
Austin, Texas 782723

Re: Notice of Violation for the Comprehensive Compliance Investigation at:  
Gruene River Development, 203 Oak View Ct., Comal County, Texas  
Regulated Entity No.: RN102671989, TCEQ ID No.: 0460185  
Investigation No.: 1179252

Dear Mr. Foltz:

On June 17, 2014, Ms. De'Shaune Blake 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 **December 20, 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 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) 403-4096 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, Water Section Manager, Ms. Lynn Bumgardner, 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

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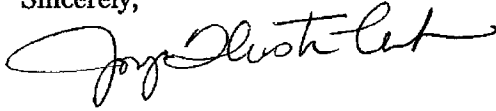


Mr. Scot W Foltz, Environmental Compliance Manager  
August 22, 2014  
Page 2

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 the contested violation.

If you or members of your staff have any questions, please feel free to contact Ms. Blake in the San Antonio Region Office at (210) 403-4033.

Sincerely,

A handwritten signature in black ink, appearing to read "Joy Thurston-Cook". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

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

JTC/db/eg

Enclosures: Summary of Investigation Findings

## Summary of Investigation Findings

GRUENE RIVER DEVELOPMENT

Investigation #

1179252

Investigation Date: 06/17/2014

, COMAL COUNTY,

Additional ID(s): 0460185

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

Track No: 543768

Compliance Due Date: 12/20/2014

30 TAC Chapter 290.39(e)

30 TAC Chapter 290.39(h)(1)

30 TAC Chapter 290.46(n)(1)

#### Alleged Violation:

Investigation: 1179252

Comment Date: 08/01/2014

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

At the time of the investigation, besides having an exception to the recordkeeping requirement as it pertains to well completion data, the water system could not produce any documentation indicating that the water system had submitted as built engineering plans and subsequently received approval or an exception to the requirement prior to operating the water system, nor were there any records in the Integrated Water Utilities Database which would indicate an approval or an exception was granted.

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:** Provide by the compliance due date, documentation demonstrating that as-built plans or an exceptions request has been submitted to the Texas Commission on Environmental Quality (TCEQ), Utilities Technical Review Team (UTRT), MC 159, P.O. Box 13087, Austin, TX 78711-3087 and that approval or an exception has been granted.

The entity must ensure that the as-built plans are submitted by a licensed professional engineer. For further assistance regarding submittal contact the TCEQ UTRT at (512) 239-4691.

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



*Naus*

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution* RECEIVED

April 21, 2015

APR 24 2015

**CERTIFIED MAIL {7014 1200 0000 1920 3963}  
RETURN RECEIPT REQUESTED**

TX ADMIN-AUSTIN

Mr. Steve Blackhurst, Regulatory and Compliance  
Aqua Utilities, Inc.  
1106 Clayton Lane, Suite 400 W  
Austin, Texas 78723

Re: Notice of Violation for Public Water Supply Comprehensive Compliance Investigation at:  
Hackberry Water System, Chambers County, PWS ID No.: 0360100, Investigation No.: 1242153.

Dear Mr. Blackhurst:

On March 17, 2015, Mrs. Eburn Broomes of the Texas Commission on Environmental Quality (TCEQ) Beaumont 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 concern was noted which was an alleged noncompliance that have been resolved as an Area of Concern based on subsequent corrective action. In addition, certain outstanding alleged violations were identified for which compliance documentation is required. Please submit to this office by **August 19, 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 Beaumont Region Office at (409) 898-3838 or the Central Office Publications Ordering Team at 512-239-0028.

The TCEQ appreciates your assistance in this matter. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements. We anticipate that you will resolve the alleged violations as required in order to protect the State's environment. If you have additional information that we are unaware of, you have the opportunity to contest the violation(s) documented in this notice. Should you choose to do so, you must notify the Beaumont Region Office within 10 days from the date of this letter. At that time, Mr. Ronald Hebert will schedule a violation review meeting to be conducted within 21 days from the date of this letter.

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Mr. Steve Blackhurst, Regulatory and Compliance  
Aqua Utilities, Inc.  
Page 2  
April 21, 2015

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 Mrs. Ebun Broomes in the Beaumont Region Office at (409) 898-3838.

Sincerely,

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

Ronald Hebert  
Water Section Manager  
Beaumont Region Office

RH/EB/bd

Attachment: Summary of Investigation Findings

## Summary of Investigation Findings

HACKBERRY CREEK SUBDIVISION

4635 N FM 565 RD

BAYTOWN, CHAMBERS COUNTY, TX 77523

Investigation #

1242153

Investigation Date: 03/17/2015

Additional ID(s): 0360100

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

Track No: 566623 Compliance Due Date: 08/19/2015

30 TAC Chapter 290.46(m)

**Alleged Violation:**

Investigation: 1242153

Comment Date: 04/08/2015

Failure by the Hackberry Water System to have good maintenance practices that ensure the good working condition and general appearance of the water system's facilities and equipment.

During the investigation, it was noted that the pressure tank paint was chipping.

**Recommended Corrective Action:** Paint the pressure tank and submit photographic documentation which displays compliance to the Beaumont Region Office.

Track No: 566624 Compliance Due Date: 08/19/2015

30 TAC Chapter 290.42(l)

**Alleged Violation:**

Investigation: 1242153

Comment Date: 04/08/2015

Failure by the Hackberry Water System to have a thorough plant operations manual compiled and kept up to date for operator review and reference.

During the investigation, it was noted that the water system did not have a plant operations manual.

**Recommended Corrective Action:** Compile a plant operations manual which has sufficient details to provide operator with routine maintenance and repair procedures with protocols to be used 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.

Track No: 566625 Compliance Due Date: 08/19/2015

30 TAC Chapter 290.46(n)(2)

**Alleged Violation:**

Investigation: 1242153

Comment Date: 04/08/2015

Failure by the Hackberry Water System to have an accurate and up-to-date map of the distribution system available so that valves and mains can be easily located during emergencies.

During the investigation, it was noted that the water system did not have a distribution system map available for review.

**Recommended Corrective Action:** Develop an accurate and up-to-date distribution system map and submit a copy to the Beaumont Region Office.

Track No: 566626 Compliance Due Date: 08/19/2015

**Alleged Violation:**

Investigation: 1242153

Comment Date: 04/20/2015

Failure by the Hackberry Water System to flush all dead end mains at least once a month.

During the investigation, it was noted that the water system did not flush all dead end mains. Only 7302 Joseph Lane was flushed in September, November, and December 2014. Only Sarah Lane was flushed in April, May, June, and October 2014. Joseph and Sarah lane were flushed in August. Joe Patron was flushed in July. All three dead end mains were flushed in March 2014.

**Recommended Corrective Action:** Develop a SOP for flushing all dead end mains at least once a month and submit three months flushing records to the Beaumont Region Office.

---

**Track No: 566627      Compliance Due Date: 08/19/2015**  
**30 TAC Chapter 290.46(f)(2)**

**Alleged Violation:**

Investigation: 1242153

Comment Date: 04/08/2015

Failure by the Hackberry Water System to have records accessible for review during the investigation and available upon request.

During the investigation and on the Exit Interview Form, the investigator requested the average amount of daily water used in the past 12 months and the maximum amount of water used in the past 12 months and what date that the maximum amount of water was used. A copy was not received prior to the submission of the report.

**Recommended Corrective Action:** Submit the daily average amount of water used in the past 12 months and the maximum amount of water used in the past 12 months and what date that the maximum amount of water was used.

---

**AREA OF CONCERN**

---

**Track No: 566621**  
**30 TAC Chapter 290.110(c)(4)(A)**

**Alleged Violation:**

Investigation: 1242153

Comment Date: 04/08/2015

Failure by the Hackberry Water System to monitor the chlorine residuals in distribution at least once every seven days.

During the investigation, it was noted that the water system did not monitor chlorine residuals in distribution at least once a week. It was noted that the chlorine residual was not monitored in distribution between December 8 and December 16 2015. Since then, the water system has been monitoring the chlorine residual in distribution every seven days.

**Recommended Corrective Action:** Begin monitoring chlorine residuals in distribution at least once every seven days.

**Resolution:** During the investigation it was noted that since December 16, 2015, the water system has been monitoring the chlorine residual in distribution every seven days.

7/2/20  
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 29, 2016

RECEIVED

Mr. Robert Laughman, President  
Aqua Utilities, Inc.  
1106 Clayton Lane, Suite 400W  
Austin, Texas 78723

TX ADMIN-AUSTIN

Re: Notice of Compliance with Notice of Violation (NOV) dated April 8, 2015:  
Hastings Homeowners Water System, 172 1/2 Hasting Circle, Alvin, Brazoria County, Texas  
Regulated Entity No.: 101276525, TCEQ ID No.: 0200218, Investigation No.: 1313873

Dear Mr. Laughman:

On February 17, 2016, the Texas Commission on Environmental Quality (TCEQ) Houston Region Office received adequate compliance documentation to resolve the alleged violation documented during the investigation of the above-referenced regulated entity conducted on March 11, 2015. Based on the information submitted, no further action is required concerning this investigation.

The Texas Commission on Environmental Quality appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions, please feel free to contact Ms. Meng Zhang in the Houston Region Office at (713) 767-3650.

Sincerely,

A handwritten signature in black ink, appearing to read "Julia Thorp".

Julia Thorp, Team Leader  
Public Water Supply  
Houston Region Office

JT/MZ/ra

Enclosure: *Summary of Investigation Findings*

cc: Brazoria County Public Health and Environmental Services

Scot Foltz, Environmental Compliance Manager, Aqua Texas, 1106 Clayton Lane, Suite 400W, Austin, Texas 78723

## Summary of Investigation Findings

HASTINGS HOMEOWNERS WATER SYSTEM

Investigation #

, BRAZORIA COUNTY,

1313873  
Investigation Date: 02/25/2016

Additional ID(s): 0200218

### ALLEGED VIOLATION(S) NOTED AND RESOLVED

Track No: 565838

30 TAC Chapter 290.43(c)(3)

#### Alleged Violation:

Investigation: 1223373

Comment Date: 03/31/2015

#### Design and Construction of Storage Tanks

Failure to provide an overflow pipe gravity-hinged and weighted cover on the ground storage tank with a good mechanical seal when closed in order to prevent the possible entrance of insects or other contaminants into the water supply. Specifically, the weighted cover of the overflow pipe was rusted through. The cover must seat properly with a gap of no more than 1/16 inch.

Investigation: 1280023

Comment Date: 09/11/2015

Failure to provide an overflow pipe gravity-hinged and weighted cover on the ground storage tank with a good mechanical seal when closed in order to prevent the possible entrance of insects or other contaminants into the water supply. To date, this violation is unresolved.

Investigation: 1301624

Comment Date: 01/05/2016

Failure to provide an overflow pipe gravity-hinged and weighted cover on the ground storage tank with a good mechanical seal when closed in order to prevent the possible entrance of insects or other contaminants into the water supply. To date, this violation is unresolved.

Investigation: 1313873

Comment Date: 02/25/2016

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

**Recommended Corrective Action:** Submit documentation indicating that the overflow pipe gravity-hinged and weighted cover on the ground storage tank is seated properly with a gap of no more than 1/16 inch to verify compliance.

**Resolution:** On 02/17/2016, the regulated entity submitted a picture via email of the replaced tank overflow flapper to verify compliance.



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



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

March 11, 2016

**CERTIFIED MAIL NO.: 91 7199 9991 7036 0233 260**  
**RETURN RECEIPT REQUESTED**

RECEIVED

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

TX ADMIN-AUSTIN

Re: Notice of Violation for Comprehensive Compliance Investigation at:  
LCRA Harper Water System; Located at 700 N RR 783, Harper, Kerr County, Texas  
Regulated Entity No.: RN101189140, TCEQ PWS ID No.: 0860106, Investigation No.  
1305041

Dear Mr. Foltz:

On January 6, 2016, Mrs. Agnieszka Hobson 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 July 11, 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, Water Section Manager, Mrs.

Mr. Scot Foltz  
March 11, 2016  
Page 2

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 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 Mrs. Hobson in the San Antonio Region Office at 210-403-4075.

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 prominent.

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

JTC/AMH/eg

Enclosure: Summary of Investigation Findings

## Summary of Investigation Findings

LCRA HARPER WATER SYSTEM

Investigation #  
1305041  
Investigation Date: 01/06/2016

, GILLESPIE COUNTY,

Additional ID(s): 0860106

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

Track No: 595803 Compliance Due Date: 07/11/2016  
30 TAC Chapter 290.46(n)(1)

**Alleged Violation:**

Investigation: 1305041

Comment Date: 02/17/2016

Failure to provide as-built plans or record drawings and specifications for the public water supply.

At the time of the investigation, no as-built plans or record drawings and specifications for the production, treatment, storage and pressure maintenance facilities were provided.

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.

**Recommended Corrective Action:** Provide by the compliance due date, copies of as-built plans or record drawings and specifications for the production, treatment, storage and pressure maintenance facilities.

Track No: 595806 Compliance Due Date: 07/11/2016  
30 TAC Chapter 290.46(n)(2)

**Alleged Violation:**

Investigation: 1305041

Comment Date: 02/17/2016

Failure to have an accurate and up-to-date map of the distribution system.

At the time of the investigation, a map of the distribution system was not available for review.

30 TAC 290.46(n)(2) – An accurate and up-to-date map of the distribution system shall be available so that valves and mains can be easily located during emergencies.

**Recommended Corrective Action:** Obtain an up-to-date map of the distribution system, so that the valves and mains can be easily located during emergencies. To document compliance, submit a copy of the map to this office by the compliance due date.

Track No: 595808 Compliance Due Date: 07/11/2016  
30 TAC Chapter 290.42(l)

**Alleged Violation:**

Investigation: 1305041

Comment Date: 02/17/2016

Failure to provide a plant operations manual.

At the time of the investigation, the system was not able to provide a plant operations manual

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:** Prepare a plant operations manual in accordance with 30 TAC 290.42(l).

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

---

Track No: 595809      Compliance Due Date: 07/11/2016

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

**Alleged Violation:**

Investigation: 1305041

Comment Date: 02/17/2016

Failure to conduct annual complete ground storage tank inspections.

At the time of the investigation, the regulated entity indicated that the complete tank inspections could not be conducted due to the tank being too tall.

30 TAC 290.46(m)(1)(A) - 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.

(1) Each of the system's ground, elevated, and pressure tanks shall be inspected annually by water system personnel or a contracted inspection service.

(A) Ground and elevated storage tank inspections must determine that the vents are in place and properly screened, the roof hatches closed and locked, flap valves and gasketing provide adequate protection against insects, rodents, and other vermin, the interior and exterior coating systems are continuing to provide adequate protection to all metal surfaces, and the tank remains in a watertight condition.

**Recommended Corrective Action:** Conduct complete annual ground storage tank inspections. To document compliance, provide a copy of the inspection form to this office by the compliance due date.

### ADDITIONAL ISSUES

Description

Additional Comments

Item 5

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 assemble (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).

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

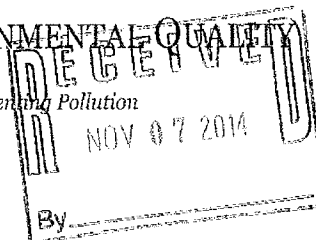


TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

November 3, 2014

*Protecting Texas by Reducing and Preventing Pollution*

**CERTIFIED MAIL #7013 3020 0000 9763 0201**  
**RETURN RECEIPT REQUESTED**



Mr. Robert Laughman, President  
Aqua Utilities, Inc.  
1106 Clayton Lane, Suite 400W  
Austin, Texas 78723

Re: Notice of Violation for the Comprehensive Compliance Investigation at:  
Heights Country Subdivision, 1020 CR 480, Alvin, Brazoria County, Texas  
Regulated Entity No.: 101217537, TCEQ ID No.: 0200349, Investigation No.: 1196405

Dear Mr. Laughman:

On September 22, 2014, Ms. Denise Tom 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, certain outstanding alleged violations were identified for which compliance documentation is required. In addition, an Additional Issue was noted. Please submit to this office by February 3, 2015, a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for the outstanding alleged violation. 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 Phone (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 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. Leticia De Leon, 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 violation.

Mr. Robert Laughman, President  
November 3, 2014  
Page 2

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

Sincerely,



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

LD/DT/ra

cc: Brazoria County Environmental Health Services

Scot Foltz, Environmental Compliance Manager, Aqua Texas, 1106 Clayton Lane, Suite  
400W, Austin, Texas 78723

Enclosure: Summary of Investigation Findings

## Summary of Investigation Findings

HEIGHTS COUNTRY SUBDIVISION

Investigation #

1196405  
Investigation Date: 09/22/2014

, BRAZORIA COUNTY,

Additional ID(s): 0200349

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

Track No: 552261 Compliance Due Date: 02/03/2015

30 TAC Chapter 290.41(c)(1)(F)

#### Alleged Violation:

Investigation: 1196405

Comment Date: 10/28/2014

#### Ground Water Sources and Development

Failure to make available sanitary control easements for well #1 and well #2 at the time of inspection, or executive director approval for a substitute authorized in §290.41(c)(1)(F)(iv). A sanitary easement, or approved substitute, covering all property within 150 feet of each well location must be secured from adjacent landowners and recorded at the county courthouse to ensure that hazards will not develop in each well area. Residential type wells within the easement must be constructed to public water well standards. A copy of the recorded document must be submitted for our records. Acceptance and approval for all easements and substitutes to an easement is determined by the Technical Review and Oversight Team in Austin.

With the approval of the executive director, political subdivisions which have adopted and enforce equivalent ordinances or land use restrictions may substitute these documents for sanitary control easements. The water system may request an exception to this requirement in writing to the:

Texas Commission on Environmental Quality, Technical Review and Oversight Team  
(MC-159), P.O. Box 13087, Austin, Texas 78711-3087, phone (512) 239-4691.

Please be aware that all requests for exceptions must be in writing and supported with adequate documentation.

**Recommended Corrective Action:** Submit a copy of the recorded sanitary control easement, exception granted by the TCEQ's Technical Review and Oversight Team, or an approved substitute for each well to verify compliance.

Track No: 552262 Compliance Due Date: 02/03/2015

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

#### Alleged Violation:

Investigation: 1196405

Comment Date: 10/28/2014

#### Design and Construction of Pressure Tanks

Failure to conduct an inspection of the pressure tank at Plant #2 annually, to determine that the pressure release device and pressure gauge are working properly, the air-water ratio is being maintained at the proper level, the exterior coating systems are continuing to provide adequate protection to all metal surfaces, and that the tank remains in a watertight condition. Pressure tanks provided with an inspection port must have the interior surface inspected every five years.

**Recommended Corrective Action:** Submit a copy of the completed pressure tank inspection form at Plant #2 to verify compliance.

### ADDITIONAL ISSUES



**Description**  
Item 3**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 TAC, 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.

Specifically, it is noted on this investigation that your pressure tanks have reached 97% of their capacity, and the wells have reached 85% of their capacity. This was based on 35 connections.

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.

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 25, 2015

**CERTIFIED MAIL # 91 7199 9991 7033 2863 9678**  
**RETURN RECEIPT REQUESTED**

RECEIVED

AUG 27 2015

TX ADMIN-AUSTIN

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

Re: Notice of Violation for Comprehensive Compliance Investigation of:  
Hill Country Northwest Cherry Hollow Public Water System  
Travis County, Texas  
PWS ID No.: 2270173; TCEQ Regulated Entity No.: RN101502730  
Investigation No.: 1268930

Dear Mr. Foltz:

On August 4, 2015, 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 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 **December 23, 2015**, a written description of corrective actions taken and the required documentation demonstrating that compliance has been achieved for the outstanding alleged violations. Additionally, please see the enclosed 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.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 Austin Regional Office at (512) 339-2929 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. If you have additional information that

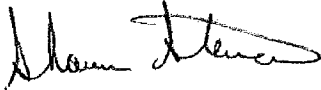


Mr. Foltz  
August 25, 2015  
Page 2

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 Austin Region Office within 10 days from the date of this letter. At that time, I 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. Monk in the Austin Region Office at (512) 339-2929.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn Stewart". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Shawn Stewart  
Water Section Work Leader  
Austin Region Office

SS/bm

Enclosure: Summary of Investigation Findings

cc: Mr. Michael Merka, Field Supervisor, Aqua Texas, Inc.

## Summary of Investigation Findings

HILL COUNTRY NORTHWEST CHERRY HOLLOW

LINDEMAN LANE

JONESTOWN, TRAVIS COUNTY, TX 78641

Investigation #

1268930

Investigation Date: 08/04/2015

Additional ID(s): 2270173

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

Track No: 580112 Compliance Due Date: 12/23/2015

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

**Alleged Violation:**

Investigation: 1268930

Comment Date: 08/11/2015

Failure to protect well unit with an intruder-resistant fence to prevent possible contamination or damage to facilities by trespassers.

Specifically, the investigator observed Well #7 was not protected by an intruder-resistant fence during the investigation.

**Recommended Corrective Action:** Enclose Well #7 and associated facilities in an intruder-resistant fence.

Submit documentation to the Austin Region Office demonstrating Well #7 is protected in compliance with regulatory requirements.

Track No: 580117 Compliance Due Date: 12/23/2015

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

**Alleged Violation:**

Investigation: 1268930

Comment Date: 08/24/2015

Failure to have two or more pumps having a total capacity of 2.0 gpm per connection or that have a total capacity of 1,000 gpm and the ability to meet peak hourly demands with the largest pump out of service.

Specifically, the investigator noted the PWS had two service pumps at the East Plant, but only one service pump was operational during the investigation. The non-operational pump had been out of service for over a year according to Aqua Texas representatives participating in the investigation.

**Recommended Corrective Action:** Repair or replace non-operational pump to meet service pump capacity requirements.

Submit documentation to the Austin Region Office demonstrating the PWS is in compliance with regulatory requirements.

Track No: 580121 Compliance Due Date: 12/23/2015

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

**Alleged Violation:**

Investigation: 1268930

Comment Date: 08/11/2015

Failure to provide an elevated storage capacity of 100 gallons per connection or a pressure tank capacity of 20 gallons per connection.

Specifically, the investigator noted the PWS did not have the required elevated storage capacity, as defined by Title 30, Texas Administrative Code (30 TAC), Rule 290.38(24), or

have pressure tanks installed in the system.

**Recommended Corrective Action:** Provide an elevated storage capacity of 100 gallons per connection or a pressure tank capacity of 20 gallons per connection as required. An alternate capacity requirement (ACR) may be requested by the PWS. Contact the TCEQ Technical Review and Oversight Team (TROT) at 512-239-4691 for additional information and requirements concerning ACRs.

Submit documentation to the Austin Regional Office demonstrating that the PWS is providing the required elevated storage or pressure tank capacity, or documentation of an ACR approved by the TROT.

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**Track No:** 580126      **Compliance Due Date:** 12/23/2015

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

**Alleged Violation:**

Investigation: 1268930

Comment Date: 08/11/2015

Failure to provide emergency power or an elevated storage capacity of 100 gallons per connection.

Specifically, the investigator noted during the investigation that the PWS did not have 100 gallons per connection of elevated storage as defined per 30 TAC 290.38(24), and did not provide emergency power for the system.

**Recommended Corrective Action:** Provide the required elevated storage capacity or emergency power for the system as required.

Submit documentation to the Austin Region Office demonstrating the PWS is in compliance with regulatory requirements.

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**Track No:** 580127      **Compliance Due Date:** 12/23/2015

**30 TAC Chapter 290.46(r)**

**Alleged Violation:**

Investigation: 1268930

Comment Date: 08/11/2015

Failure to provide a minimum pressure of 35 psi throughout the distribution system under normal operating conditions.

Specifically, the investigator measured distribution system pressure during the investigation at an outside hose bib at 608 Ridge Rim Drive, resulting in a measurement of 33 psi.

**Recommended Corrective Action:** Provide a minimum of 35 psi throughout the distribution system during normal operations.

Submit documentation to the Austin Region Office demonstrating the PWS is maintaining the minimum pressure in compliance with regulatory requirements.

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**Track No:** 580128      **Compliance Due Date:** 12/23/2015

**30 TAC Chapter 290.109(c)**

**Alleged Violation:**

Investigation: 1268930

Comment Date: 08/11/2015

Failure to collect samples for total coliform, fecal coliform, E. coli, or other fecal indicator organisms at the location and frequency as directed by the TCEQ.

Specifically, the investigator noted during the investigation that the PWS was collecting raw water samples from Well #2 (G2270173B), instead of Well #4 (G2270173D) as required per TCEQ letter dated May 27, 2003, which granted the PWS a Sanitary Control Easement Exception for Well #4.

**Recommended Corrective Action:** Begin sampling raw water from Well #4 as directed by the TCEQ Sanitary Control Easement Exception for Well #4.

Submit documentation to the Austin Region Office demonstrating the PWS is sampling raw water from Well #4 as directed.

## ADDITIONAL ISSUES

### Description

Item 7

### Additional Comments

The total well production capacity for the PWS measured 200 gpm during the investigation. The production capacity requirement for the system is 190 gpm per regulatory requirements, which is greater than 85% of the production capacity measured during the investigation. Per 30 TAC 291.93(3), the PWS is required to submit a planning report to the TCEQ 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.

Please submit a planning report to the TCEQ Technical Review and Oversight Team (TROT), and submit a copy of the report to the Austin Region Office. Please contact the TROT at 512-239-4691 for additional information regarding planning report requirements.

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 3167**  
**RETURN RECEIPT REQUESTED**

RECEIVED

FEB 23 2015

TX ADMIN-AUSTIN

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:  
Horseshoe Oaks Subdivision Water System, off Towncreek Rd, Kerrville,  
Kerr County, Texas  
Regulated Entity No.: RN102677721, TCEQ ID No.: 1330118, Investigation: 1217718

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, a certain outstanding alleged violation was 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 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, Water Section Manager, Ms. Lynn Bumgardner, will schedule a violation review meeting to be conducted within 21 days from the date of this letter.



Mr. Scot Foltz, Environmental Compliance Manager

Page 2

February 30, 2015

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. 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

HORSESHOE OAKS SUBDIVISION WATER SYSTEM

Investigation #

1217718  
Investigation Date: 12/22/2014

, KERR COUNTY,

Additional ID(s): 1330118

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

Track No: 558133 Compliance Due Date: 05/29/2015

30 TAC Chapter 290.39(e)

30 TAC Chapter 290.39(h)(1)

30 TAC Chapter 290.46(n)(1)

#### Alleged Violation:

Investigation: 1217718

Comment Date: 01/29/2015

Failure to submit and acquire approval of engineering plans prior to the construction and operation of a public water supply.

At the time of the investigation, the water system had no approval letters or granted exceptions for the production, treatment, storage and pressure maintenance facilities.

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:** Provide by the compliance due date, documentation demonstrating that as-built plans for the treatment, storage and pressure maintenance facilities or an exceptions request has been submitted to the Texas Commission on Environmental Quality (TCEQ), Utilities Technical Review Team (UTRT), MC 159, P.O. Box 13087, Austin, TX 78711-3087 and that approval or an exception has been granted.

The entity must ensure that the as-built plans are submitted by a licensed professional engineer. For further assistance regarding submittal contact the TCEQ, UTRT at (512) 239-4691.

*h u k e*

## Texas Commission on Environmental Quality



### NOTICE OF APPLICATION AND PRELIMINARY DECISION FOR TPDES PERMIT FOR MUNICIPAL WASTEWATER RENEWAL

PERMIT NO. WQ0014728001

**APPLICATION AND PRELIMINARY DECISION.** Aqua Utilities, Inc., 1106 Clayton Lane, Suite 400W, Austin, Texas 78723, has applied to the Texas Commission on Environmental Quality (TCEQ) for a renewal of Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0014728001, which authorizes the discharge of treated domestic wastewater at a daily average flow not to exceed 99,000 gallons per day. TCEQ received this application on January 7, 2015.

The facility will be located approximately 2,500 feet west of Farm-to-Market 565 and approximately 3,500 feet north of Interstate Highway 10, in Chambers County, Texas 77523. The treated effluent will be discharged to an unnamed tributary (Icet Bayou); thence to Old River; thence to Old River Lake; thence to Old River; thence to Trinity Bay in Segment No. 2422 of the Bays and Estuaries. The unclassified receiving water uses are limited aquatic life use for Icet Bayou, high aquatic life use for Icet Bayou tidal, and high aquatic life use for Old River. The designated uses for Segment No. 2422 are high aquatic life use, oyster waters, and primary contact recreation. All determinations are preliminary and subject to additional review and/or revisions.

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at West Chambers Branch Library, 10616 Eagle Drive, Mont Belvieu, Texas. This link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. For the exact location, refer to the application.  
<https://www.tceq.texas.gov/assets/public/hb610/index.html?lat=29.838611&lng=-94.813611&zoom=13&type=r>

**PUBLIC COMMENT / PUBLIC MEETING.** You may submit public comments or request a public meeting about this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ holds a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

RECEIVED

JUN 01 2015

TX ADMIN-AUSTIN

**OPPORTUNITY FOR A CONTESTED CASE HEARING.** After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments. **Unless the application is directly referred for a contested case hearing, the response to comments will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application.** If comments are received, the mailing will also provide instructions for requesting a contested case hearing or reconsideration of the Executive Director's decision. A contested case hearing is a legal proceeding similar to a civil trial in a state district court.

**TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST:** your name; address, phone number; applicant's name and permit number; the location and distance of your property/activities relative to the facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; and the statement "[I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify an individual member of the group who would be adversely affected by the proposed facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are germane to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission will only grant a contested case hearing on disputed issues of fact that are relevant and material to the Commission's decision on the application. Further, the Commission will only grant a hearing on issues that were raised in timely filed comments that were not subsequently withdrawn. **TCEQ may act on an application to renew a permit for discharge of wastewater without providing an opportunity for a contested case hearing if certain criteria are met.**

**EXECUTIVE DIRECTOR ACTION.** The Executive Director may issue final approval of the application unless a timely contested case hearing request or request for reconsideration is filed. If a timely hearing request or request for reconsideration is filed, the Executive Director will not issue final approval of the permit and will forward the application and request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

**MAILING LIST.** If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. If you wish to be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

All written public comments and public meeting requests must be submitted to the Office of the Chief Clerk, MC 105, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, TX 78711-3087 or electronically at [www.tceq.texas.gov/about/comments.html](http://www.tceq.texas.gov/about/comments.html) within 30 days from the date of newspaper publication of this notice.

**AGENCY CONTACTS AND INFORMATION.** If you need more information about this permit application or the permitting process, please call the TCEQ Public Education Program, Toll Free, at 1-800-687-4040. Si desea información en Español, puede llamar al 1-800-687-4040. General information about the TCEQ can be found at our web site at [www.TCEQ.texas.gov](http://www.TCEQ.texas.gov).

Further information may also be obtained from Aqua Utilities, Inc. at the address stated above or by calling Mr. Abel Bautista, Wastewater Compliance Coordinator, Aqua Texas, Inc., at 281-651-0174, Extension 54119.

Issuance Date: May 28, 2015



*Karf*

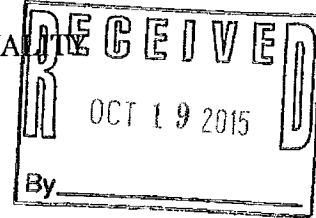
Bryan W. Shaw, Ph.D., P.E., *Chairman*  
Toby Baker, *Commissioner*  
Jon Niermann, *Commissioner*  
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

October 15, 2015



**CERTIFIED MAIL # 7014 3490 0001 0559 7377**  
**RETURN RECEIPT REQUESTED**

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

Re: Notice of Violation for the Comprehensive Compliance Investigation at:  
Hidden Forest Estates, 15851 Forest St., Montgomery, Montgomery County, Texas  
Regulated Entity No.: 101187854  
TCEQ ID No.: 1700173  
Investigation No.: 1280956

Dear Mr. Foltz:

On September 22, 2015, Ms. Christina Bernal, and Ms. Maggie Wright, 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, certain outstanding alleged violations were identified for which compliance documentation is required. In addition, an Additional Issue was noted. A due date for submitting compliance documentation for outstanding alleged violation #585174 will be determined after you provide a compliance plan for this alleged violation. Your compliance plan is due by January 15, 2016. Please address how the violation will be resolved and provide a reasonable time frame for completion of the work.

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 violation as required in order to protect the State's environment. If you have additional information that





Mr. Scot W. Foltz, Compliance Manager  
October 15, 2015  
Page 2

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 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*.

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 the contested violation.

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

Sincerely,



Julia Thorp, Team Leader  
Public Water Supply  
Houston Region Office

JT/CB/mar

Enclosure: Summary of Investigation Findings

cc: Montgomery County Environmental Health Services

