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LAKECLIFF ON LAKE TRAVIS - SPICEWOOD

5/13/2014 Inv. # - 1166401

Page 2 of 3

INTRODUCTION

On May 13, 2014, a Comprehensive Compliance Investigation (CCI) was conducted of the drinking water system for Lakecliff on Lake Travis-Public Water Supply ID 2270327. The CCI was performed by Lawrence King, Environmental Investigator with the TCEQ Austin Region Office. The water system is located on Cliff Point, east of the City of Spicewood in Travis County. It is owned and operated by Aqua Utilities, Incorporated. The CCI was scheduled May 2, 2014, with Mr. Larry Mitchell, Environmental Compliance Coordinator. It was conducted with Mr. Mitchell, Mr. Mike Merka, Field Supervisor, and Mr. Brian Tolle, Water System Operator. Mr. Merka and Mr. Tolle have Ground Water Operator C licenses. During the CCI a review was made of operations and maintenance records, monitoring reports and all other documents required by state or federal regulations for a public drinking water system. An exit interview was held with Mr. Mitchell at the conclusion of the investigation. No violations were observed during this CCI.

GENERAL FACILITY AND PROCESS INFORMATION

The water system is a community groundwater system with 83 residential connections. The average daily demand during the 12-month period prior to the CCI was 33,680 gallons. The maximum daily demand during this period was 103,000 gallons on July 4, 2013. The system has one well. Water is injected with chlorine before entering a 70,000-gallon ground storage tank. Three service pumps, all rated at 270-gallons per minute (gpm), take suction from the ground storage tank and pump to a 5,000-gallon pressure tank and then to the distribution system. The well production rate was measured during the investigation. It was producing 65 gpm. A water sample was collected at 2919 Cliff Point. The residual disinfectant concentration was 1.10 milligrams per liter of free chlorine. The water pressure at this location was 68 pounds per square inch.

BACKGROUND

The last CCI was performed on August 12, 2011. A Notice of Violation was mailed to Aqua Utilities, Incorporated on August 25, 2011, for failure to conduct the annual inspection of the exterior of the pressure tank and failure to keep a weekly record of the amount of chlorine used. Compliance documentation was received in the TCEQ Austin Region Office on April 12, 2012. A letter of compliance, resolving the violations was mailed to Aqua Utilities, Incorporated on April 30, 2012. There have been no complaint investigations or monitoring violations in the previous five years.

ADDITIONAL INFORMATION

As noted above, no violations were observed during the CCI. A letter of compliance will be mailed to Aqua Utilities, Incorporated.

No Violations Associated to this Investigation

Signed

Lawrence King
Environmental Investigator

Date 5-28-2014

Signed

Shawn Tolle
Supervisor

Date 5/29/14

LAKECLIFF ON LAKE TRAVIS - SPICEWOOD

5/13/2014 Inv. # - 1166401

Page 3 of 3

Attachments: (in order of final report submittal)

Enforcement Action Request (EAR)

Letter to Facility (specify type) : Compliance
6-02-2014

Investigation Report

Sample Analysis Results

Manifests

Notice of Registration

Maps, Plans, Sketches

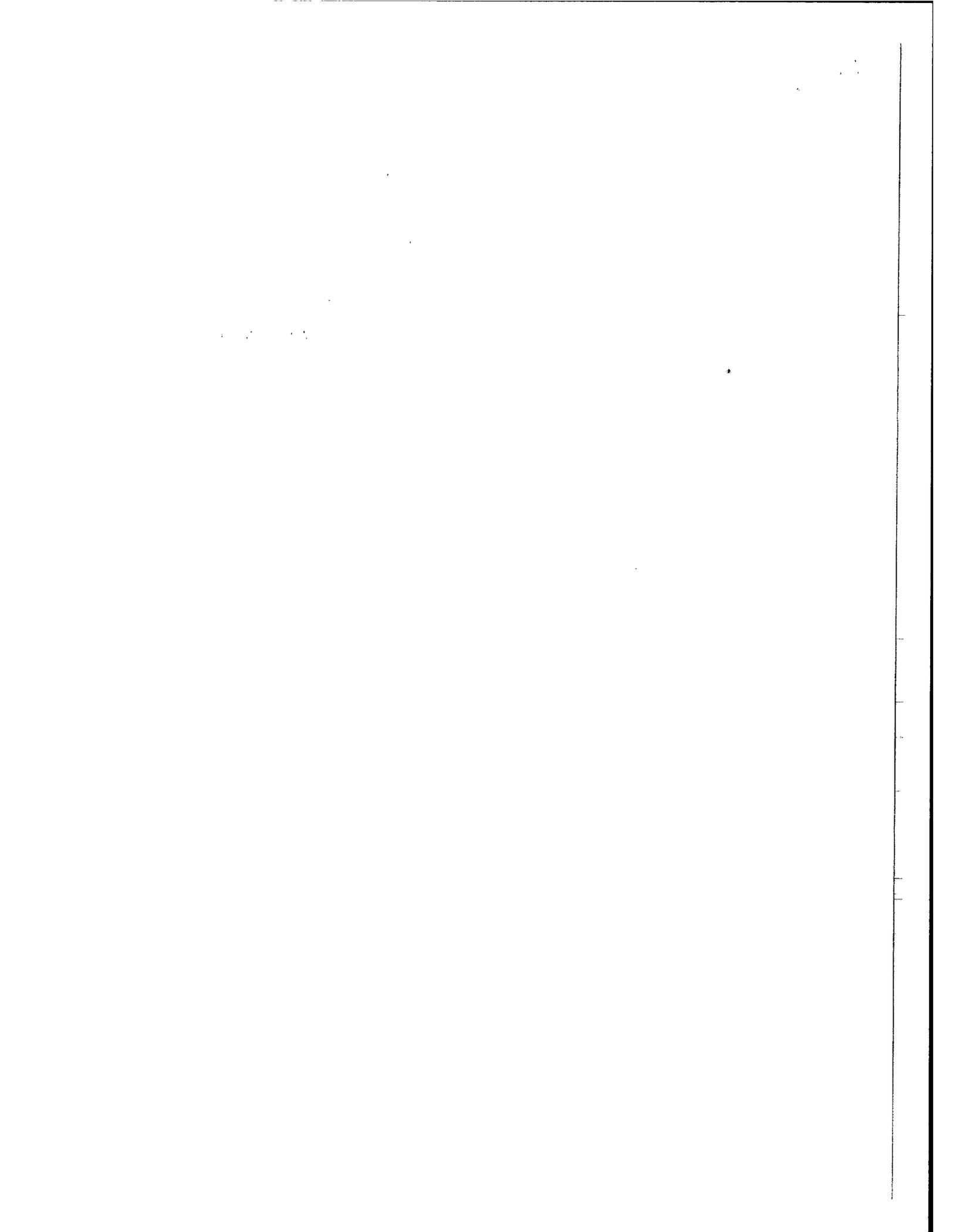
Photographs

Correspondence from the facility

Other (specify) :

tNet data sheet

WUD data sheet



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 15, 2016

RECEIVED

CERTIFIED MAIL NO.: 91 7199 9991 7036 0233 0345
RETURN RECEIPT REQUESTED

TX ADMIN-AUSTIN

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

Re: Notice of Violation for Comprehensive Compliance Investigation at:
Lakewood Water, Oak Forest Lane west of FM 1283, Bandera County, Texas
Regulated Entity No.: 102674728, TCEQ ID No.: 0100047, Investigation No.: 1313711

Dear Mr. Foltz:

On January 20, 2016, Mr. Chris Friesenhahn of the Texas Commission on Environmental Quality (TCEQ) San Antonio Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for a public water supply. Enclosed is a summary which lists the investigation findings. During the investigation, certain outstanding alleged violations were identified for which compliance documentation is required. Please submit to this office by May 14, 2016, a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for each of the outstanding alleged violations.

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

The TCEQ appreciates your assistance in this matter. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements. We anticipate that you will resolve the alleged violations as required in order to protect the State's environment. If you have additional information that we are unaware of, you have the opportunity to contest the violations documented in this notice. Should you choose to do so, you must notify the San Antonio Region Office within 10 days from the date of this letter. At that time, Ms. Lynn Bumguardner, Water Section Manager will schedule a violation review meeting to be conducted within 21 days from the date of this letter. However, please be advised that if you decide to participate in the violation review process, the TCEQ may still require you to adhere to the compliance schedule

Mr. Scot Foltz, Environmental Compliance Manager
March 15, 2016
Page 2

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

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

Sincerely,


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

JTC/cmf/eg

Enclosure: Summary of Investigation Findings

Summary of Investigation Findings

LAKWOOD WATER	Investigation # 1313711
, BANDERA COUNTY,	Investigation Date: 01/20/2016
Additional ID(s): 0100047	

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

Track No: 596345 Compliance Due Date: 05/14/2016
30 TAC Chapter 290.46(s)(1)

Alleged Violation:

Investigation: 1313711

Comment Date: 02/24/2016

Failure to calibrate the well meters once every three years.

At the time of the investigation, records indicating that the meters on both wells had been calibrated or replaced within the past three years were not provided.

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

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

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

ADDITIONAL ISSUES

Description

Additional Comments

Item 2

290.93(3): After any commission field inspection, a retail public utility must analyze the system's capacity to determine if it has reached 85% of its capacity. If the retail public utility has reached 85% of its capacity, it must file this report no later than 90 days after the date of a commission letter detailing the results of the inspection. Capacity is considered to be the overall rated capacity in number of residential connection equivalents based on the most restrictive criteria for production, treatment, storage, or pumping. The report should be submitted in writing and should contain the following: a brief description of the overall utility system and service area; an analysis of the plant capacity as defined in subparagraph (A) of this paragraph; details on how the retail public utility will provide service to the remaining areas within the boundaries of its certificated area. This includes projections of cost and expected design and installation dates for additional facilities.

30 TAC 290.45(b)(1)(C)(iv)--For 50 to 250 connections, the system must provide an elevated storage capacity of 100 gallons per connection or a pressure tank capacity of 20 gallons per connection.

At the time of the investigation, the with water system was operating at 87% of its pressure tank capacity. With 224 connections the system is required to provide 20 gallons per connection or 4,448 gallons pressure tank capacity and it is providing 5,000 gallons .

Handwritten mark

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

RECEIVED

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

TX ADMIN-AUSTIN

Re: Notice of Compliance with Notice of Violation (NOV) dated September 29, 2015:
Las Playas, Lake Drive, Brazoria County, Texas
Regulated Entity No.: 101251502, TCEQ ID No. 0200067, Investigation No. 1308491

Dear Mr. Foltz:

On February 4, 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 August 12, 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. Kathryn Roeder in the Houston Region Office at (713) 767-3650.

Sincerely,

Julia Thorp, Team Leader
Public Water Supply
Houston Region Office

JT/KR/ra

Enclosure: *Summary of Investigation Findings*

cc: Brazoria County Environmental Health Department

Mr. Larry Mitchell, Environmental Compliance Coordinator, Aqua Utilities, Inc., 1106 Clayton Lane, Suite 400 W, Austin, Texas 78723-2476

Summary of Investigation Findings

LAS PLAYAS	Investigation # 1308491
, BRAZORIA COUNTY,	Investigation Date: 02/04/2016
Additional ID(s): 0200067	

ALLEGED VIOLATION(S) NOTED AND RESOLVED

Track No: 548765

30 TAC Chapter 290.46(m)(4)

Alleged Violation:

Investigation: 1152286

Comment Date: 09/20/2014

Failure to maintain the ground storage tank in a watertight condition. At the time of the investigation, the ground storage tank had so many holes in it that they were too numerous to count. Some of the holes were plugged with sticks

The leaking ground storage tank must be replaced as soon as possible. Additional treatment of the water for corrosion control may also be necessary.

Investigation 1259878

Comment Date: 06/22/2015

Failure to maintain the ground storage tank in a watertight condition. At the time of the investigation, the ground storage tank had so many holes in it that they were too numerous to count. Some of the holes were plugged with sticks.

The leaking ground storage tank must be replaced as soon as possible. Additional treatment of the water for corrosion control may also be necessary.

Investigation: 1282901

Comment Date: 10/19/2015

Failure to maintain the ground storage tank in a watertight condition. At the time of the investigation, the ground storage tank had so many holes in it that they were too numerous to count. Some of the holes were plugged with sticks.

Investigation: 1308491

Comment Date: 02/05/2016

Failure to maintain the ground storage tank in a watertight condition. A compliance plan was submitted and accepted on October 19, 2015 for the ground storage replacement. Compliance documentation was received by TCEQ via email on February 4, 2016 that the ground storage tank has been replaced.

Recommended Corrective Action: Submit to the Region 12 Office a Compliance Plan detailing the replacement of the ground storage tank and prevention of corrosion and completion dates.

Resolution: Compliance documentation was received by TCEQ via email on February 4, 2016 that the ground storage tank has been replaced.

Alan

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

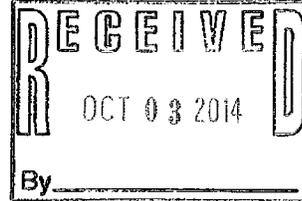


TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 29, 2014

CERTIFIED MAIL #7099 3220 0002 7146 3487
RETURN RECEIPT REQUESTED



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

Re: Notice of Violation for the Comprehensive Compliance Investigation at:
Las Playas, Lake Drive, Brazoria County, Texas
Regulated Entity No.: 101251502, TCEQ ID No.: 0200067, Investigation No.: 1152286

Dear Mr. Foltz:

On August 12, 2014, Ms. Mary Hopkins 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. Please submit to this office by January 9, 2015, a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for the outstanding alleged violations. A due date for submitting compliance documentation for outstanding alleged violation Track No. 548765 will be determined after you provide a compliance plan for this alleged violation. Your compliance plan is due by January 9, 2015. 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 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*.

Mr. Scot Foltz, Environmental Compliance Manager

Page 2

September 29, 2014

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 Ms. Mary Hopkins in the Houston Region Office at (713) 767-3650.

Sincerely,



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

LD/MVH/ra

cc: Brazoria County Public Health and Environmental Services

Mr. Larry Mitchell, Environmental Compliance Coordinator, Aqua Utilities, Inc., 1106 Clayton Lane, Suite 400W, Austin, Texas 78723-2476

Enclosure: Summary of Investigation Findings

Summary of Investigation Findings

LAS PLAYAS

, BRAZORIA COUNTY,

Additional ID(s): 0200067

Investigation #

1152286

Investigation Date: 08/12/2014

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

Track No: 548765 Compliance Due Date: To Be Determined
30 TAC Chapter 290.46(m)(4)

Alleged Violation:

Investigation: 1152286

Comment Date: 09/20/2014

Failure to maintain the ground storage tank in a watertight condition. At the time of the investigation, the ground storage tank had so many holes in it that they were too numerous to count. Some of the holes were plugged with sticks.

The leaking ground storage tank must be replaced as soon as possible. Additional treatment of the water for corrosion control may also be necessary.

Recommended Corrective Action: Submit to the Region 12 Office a Compliance Plan detailing the replacement of the ground storage tank and prevention of corrosion and completion dates.

Track No: 548766 Compliance Due Date: 01/09/2015
30 TAC Chapter 290.41(c)(3)(J)

Alleged Violation:

Investigation: 1152286

Comment Date: 09/20/2014

Failure to provide Well No. 1 with a continuous concrete sealing block extending at least 3 feet from the exterior well casing in all directions. The finished slab must have a minimum dimension of 6 feet plus the outside diameter of the well casing, a minimum thickness of 6 inches, and must be sloped to drain away from the well head at not less than 0.25 inches per foot.

At the time of the investigation, the sealing block of Well No. 1 was penetrated by two pipes in addition to the well casing. One of the pipes was open to the atmosphere.

The openings in the sealing block must be plugged with cement or capped to prevent the intrusion of contaminants and flood water.

Recommended Corrective Action: Submit to the Region 12 Office documentation demonstrating that the sealing block provides a proper seal from contamination.

ADDITIONAL ISSUES

Description

Item 3

Additional Comments

It was noted at the time of the investigation that Well No. 2 was not in service. The status of the well should be updated and the well must be tested per 30 TAC 290.26(u) to determine deterioration and maintained in a manner to prevent contamination of the groundwater. If the well is abandoned it should be properly cemented.

Lonnie

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

April 2, 2013



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

BY:.....

Re: Notice of Compliance with Notice of Violation (NOV) dated March 21, 2012:
Leaning Oaks Water System, 13706 Oak Forest Lane, Chambers County, Texas
TCEQ ID No. 0360081, Investigation No. 1034763

Dear Mr. Blackhurst:

On March 20, 2013, 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 February 9, 2012. 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 Mr. Huyen D. Luu in the Houston Region Office at (713)767-3650.

Sincerely,

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

LD/HDL/ra

Enclosure: *Summary of Investigation Findings*

cc: Chambers County Environmental Health Dept.

Summary of Investigation Findings

LEANING OAKS WATER ASSOCIATION
13706 OAK FOREST LN
DAYTON, CHAMBERS COUNTY, TX 77535

Investigation #
1034763
Investigation Date: 03/04/2013

Additional ID(s): 0360081

ALLEGED VIOLATION(S) NOTED AND RESOLVED

Track No: 461245

30 TAC Chapter 290.46(m)

Alleged Violation:

Investigation: 983846

Comment Date: 03/13/2012

Operating Practices for Public Water Systems

Failure to properly maintain the regulated entity by not properly maintaining the pressure tank. It was observed during the investigation that the inspection port of the pressure tank was badly corroded. As recommended by the tank inspection report, this tank must be replaced as soon as possible.

Recommended Corrective Action: Submit document or photo showing that the pressure tank has been replaced.

Resolution: Email from Mr. Larry Mitchell attached a TCEQ letter dated September 19, 2012, granted the approval for the installation of a 5,000 gallons pressure tank. An attached photo showed the pressure tank has been installed. This violation is resolved.

Track No: 461247

30 TAC Chapter 290.46(m)

Alleged Violation:

Investigation: 983846

Comment Date: 03/13/2012

Operating Practices for Public Water Systems

Failure to properly maintain the regulated entity by not cleaning and repainting the well head.

Recommended Corrective Action: Submit document or photo showing that the well head has been cleaned and repainted.

Resolution: Email from Mr. Larry Mitchell dated March 20, 2013, attached a photo showing that the well head has been repainted. This violation is resolved.

Lonnie

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 22, 2015

RECEIVED

APR 29 2015

**CERTIFIED MAIL {7014 2870 0000 2456 4738}
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: Leaning Oaks Water System, (Chambers County), Texas; PWS ID
No.:0360081, Investigation No.: 1242062**

Dear Mr. Blackhurst:

On March 17, 2015, Ms. 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, some concerns were noted which were alleged noncompliances that have been resolved Areas 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 **July 21, 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, Ronald Hebert, Water Section Manager, will schedule a violation review meeting to be conducted within 21 days from the date of this letter.

TCEQ Region 10 • 3870 Eastex Fwy. • Beaumont, Texas 77703-1830 • 409-898-3838 • Fax 409-892-2119

Austin Headquarters • 512-239-1000 • tceq.texas.gov • How is our customer service? tceq.texas.gov/customerurvey

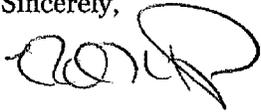
printed on recycled paper using soy-based ink

Mr. Steve Blackhurst
Page 2
April 22, 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 Ms. Broomes in the Beaumont Region Office at (409) 898-3838.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ronald Hebert', written in a cursive style.

Ronald Hebert
Water Section Manager
Beaumont Region Office

RH/EB/cal

Enclosure: Summary of Investigation Findings

Summary of Investigation Findings

LEANING OAKS WATER ASSOCIATION
13706 OAK FOREST LN
DAYTON, CHAMBERS COUNTY, TX 77535

Investigation #
1242062
Investigation Date: 03/17/2015

Additional ID(s): 0360081

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

Track No: 566518 Compliance Due Date: 07/21/2015
30 TAC Chapter 290.46(f)(3)(D)(iv)

Alleged Violation:

Investigation: 1242062

Comment Date: 04/20/2015

Failure by the Leaning Oaks Water System to maintain results of inspections for all water storage and pressure maintenance facilities.

During the investigation, no tank inspection forms were available for review. Mr. Mitchell was not sure if the tank inspections were conducted or not.

Recommended Corrective Action: Acquire the tank inspection forms for 2013, 2013, and 2014, and submit a copy to the Beaumont Region Office. OR Develop a Standard Operating Procedure for maintaining the results for all water storage and pressure maintenance facilities.

Track No: 566520 Compliance Due Date: 07/21/2015
30 TAC Chapter 290.46(m)

Alleged Violation:

Investigation: 1242062

Comment Date: 04/20/2015

Failure by the Leaning Oaks 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 there was severe corrosion on the pressure tank.

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

Track No: 566521 Compliance Due Date: 07/21/2015
30 TAC Chapter 290.45(b)(1)(A)(i)

Alleged Violation:

Investigation: 1242062

Comment Date: 04/20/2015

Failure by the Leaning Oaks Water System to provide a minimum of 1.5 gpm/connection of well production capacity.

During the investigation, it was noted that the water system is 20 percent deficient for well production capacity.

The capacity was calculated as follows:

1.5 gpm X 35 connections = 52.5 required gpm. This plant has a production capacity of 42 gpm.

Recommended Corrective Action: Increase the well production capacity to at least 1.5 gpm per connection.

Please notify the TCEQ in writing if a significant change will occur. After notification, the TCEQ

will determine if plans and specification prepared by a licensed engineer will be required. Send the notification to: TCEQ, Water Supply Division, Utility Technical Review Team, MC 159, P.O. Box 13087, Austin, TX 78711-3087; phone: (512) 239-4691.

The water system may request an alternative capacity requirement (ACR). Daily pumpage records for three consecutive years must be provided. For additional information on the ACR, refer to 30 TAC 290.45(g). Send request to TCEQ, Water Supply Division, Technical Review and Oversight Team, MC 159, P.O. Box 13087, Austin, TX 78711-3087; (phone: (512) 239-4961).

After completion, submit documentation to the Beaumont Region Office.

Track No: 566523 **Compliance Due Date:** 07/21/2015
30 TAC Chapter 290.42(l)

Alleged Violation:

Investigation: 1242062

Comment Date: 04/08/2015

Failure by the Leaning Oaks 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: 566525 **Compliance Due Date:** 07/21/2015
30 TAC Chapter 290.46(n)(2)

Alleged Violation:

Investigation: 1242062

Comment Date: 04/08/2015

Failure by the Leaning Oaks 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: 566527 **Compliance Due Date:** 07/21/2015
30 TAC Chapter 290.46(f)(3)(A)(iv)

Alleged Violation:

Investigation: 1242062

Comment Date: 04/08/2015

Failure by the Leaning Oaks Water System to maintain records of the dates that dead end mains were flushed.

During the investigation, it was noted that the water system did not maintain records of the dates that dead end mains were flushed. There were no flushing records available for April, May, November, and December 2014.

Recommended Corrective Action: Develop a SOP for maintaining records of the dates dead end mains were flushed and submit three months flushing records to the Beaumont Region Office.

Track No: 566529 **Compliance Due Date:** 07/21/2015
30 TAC Chapter 290.46(f)(2)

Alleged Violation:

Investigation: 1242062

Comment Date: 04/08/2015

Failure by the Leaning Oaks 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 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 to the Beaumont Region Office.

Track No: 566531 **Compliance Due Date:** 07/21/2015
30 TAC Chapter 290.46(s)(1)

Alleged Violation:

Investigation: 1242062

Comment Date: 04/20/2015

Failure by the Leaning Oaks Water System to calibrate the well meter at least once every three years.

During the investigation, it was noted that the water system failed to calibrate the well meter at least once every three years. Mr. Mitchell was not sure if the well meters were calibrated. A copy of the well meter calibration record was requested on the Exit Interview Form. A copy was not received prior to the submission of the report.

Recommended Corrective Action: Calibrate the well meter and submit a copy of the well meter calibration to the Beaumont Region Office. If the well meter was calibrated within three years and prior to the investigation, submit a copy of the previous well meter calibration to the Beaumont Region Office.

AREA OF CONCERN

Track No: 566519
30 TAC Chapter 290.121(a)

Alleged Violation:

Investigation: 1242062

Comment Date: 04/08/2015

Failure by the Leaning Oaks Water System to have an accurate and up to date monitoring plan.

During the investigation, it was noted that the water system did not have an accurate and up to date monitoring plan. On August 4, 2014, a chlorine residual was collected at 1666 CR 401, which was not listed in the monitoring plan.

Recommended Corrective Action: Begin collecting chlorine residuals at only the locations specified in the monitoring plan.

Resolution: During the investigation, it was noted that as of August 4, 2014, chlorine residuals were no longer collected at that sample site.

Track No: 566532
30 TAC Chapter 290.46(m)

Alleged Violation:

Investigation: 1242062

Comment Date: 04/20/2015

Failure by the Leaning Oaks Water System to maintain the grounds and facilities 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.

During the investigation, it was noted that the chlorine container was not completely closed.

Recommended Corrective Action: Close the chlorine container completely.

Resolution: At the time of the investigation, the operator closed the chlorine container completely.

fnis

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

May 29, 2015

RECEIVED

**CERTIFIED MAIL # 91 7199 9991 7033 2863 9753
RETURN RECEIPT REQUESTED**

JUN 01 2015

TX ADMIN-AUSTIN

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

Re: Notice of Violation for Comprehensive Compliance Investigation of:
Leisurewoods Water Public Water System
Hays County, Texas
PWS ID No.: 1050043; TCEQ Regulated Entity No.: RN102672045
Investigation No.: 1252954

Dear Mr. Foltz:

On April 29, 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, a certain outstanding alleged violation was identified for which compliance documentation is required. Please submit to this office by **August 27, 2015**, a written description of corrective actions taken and the required documentation demonstrating that compliance has been achieved for the outstanding alleged violation. Additionally, please see the enclosed Additional Issue.

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 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

TCEQ Region 11 • P.O. Box 13087 • Austin, Texas 78711-3087 • 512-339-2929 • Fax 512-339-3795

Austin Headquarters: 512-239-1000 • tceq.texas.gov • How is our customer service? tceq.texas.gov/customerurvey

printed on recycled paper using vegetable based ink

Mr. Foltz
May 29, 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 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,



Shawn Stewart
Water Section Work Leader
Austin Region Office

SS/bm

Enclosure: Summary of Investigation Findings

cc: Mr. Brian Robinson, Field Supervisor, Aqua Texas, Inc.

Summary of Investigation Findings

LEISUREWOODS WATER

Investigation #

1252954
Investigation Date: 04/29/2015

, HAYS COUNTY,

Additional ID(s): 1050043

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

Track No: 571532 Compliance Due Date: 08/27/2015

30 TAC Chapter 290.45(e)(3)

Alleged Violation:

Investigation: 1252954

Comment Date: 05/28/2015

Failure to provide emergency power for the water system.

The investigator noted the PWS did not have an emergency power supply to maintain system operation in the event of loss of electrical power.

Recommended Corrective Action: Emergency power is required for each portion of the system which supplies more than 250 connections under direct pressure and does not provide an elevated storage capacity of at least 100 gallons per connection. If emergency power is required, it must be sufficient to deliver 20% of the minimum required service pump capacity in the event of the loss of normal power supply.

Provide emergency power for the water system as required. Submit documentation to the Austin Region Office demonstrating that emergency power is provided to the water system.

ADDITIONAL ISSUES

Description

Item 2

Additional Comments

The investigator noted the PWS was not using the proper Monthly Operating Report (MOR) during the investigation. The PWS was granted an exception to the sanitary control easement rule for Well Nos. 2, 3, 4, 5, and 6, per TCEQ letter dated January 31, 2014. The TCEQ no longer requires the PWS to collect raw water samples for the aforementioned wells, but does require the PWS to maintain copies of all documentation needed to demonstrate compliance with the Groundwater Rule (GWR) per Title 30 of the Texas Administrative Code (30 TAC) §290.46(f)(3). Copies of the Groundwater Minimum Specified Residual (GW MSR) MORs must be retained for a period of 10 years. The GW MSR MOR form (TCEQ-20362) may be found on the TCEQ public website.

The issue is noted as an Additional Issue because the investigator determined the PWS appeared to be providing 4-log treatment of viruses, based on the MORs maintained by the PWS and the current TCEQ approved CT Study and MORs. The PWS shall begin maintaining GW MSR MORs as required, retain the MORs for a period of 10 years, and have the MORs available for review by TCEQ personnel during subsequent compliance investigations.

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

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 3, 2016

**CERTIFIED MAIL 7015 0640 0004 4756 2362
RETURN RECEIPT REQUESTED**

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

RECEIVED

TX ADMIN-AUSTIN

Re: Notice of Violation for the Comprehensive Compliance Investigation at:
London Water System, London, Kimble County
Regulated Entity RN101217826; TCEQ PWS ID 1340019; Investigation 1305486

Dear Mr. Foltz:

On January 25, 2016, Ms. Linda White of the Texas Commission on Environmental Quality (TCEQ) San Angelo 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 concern was noted which was an alleged noncompliance that has 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 **April 4, 2016** a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for 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 Angelo Region Office at (325) 655-9479 or the Central Office Publications Ordering Team at (512) 239-0028.

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

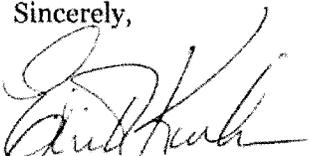
Mr. Scot W. Foltz
Page 2
March 3, 2016

Re: Notice of Violation for the Comprehensive Compliance Investigation at:
London Water System, London, Kimble County
Regulated Entity RN101217826; TCEQ PWS ID 1340019; Investigation 1305486

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 the contested violation.

If you or members of your staff have any questions, please feel free to contact Ms. Linda White in the San Angelo Region Office at (325) 655-9479.

Sincerely,



for Christopher G. Mayben, P.G.
Air, Water, and Waste Section Manager
San Angelo Region Office
Texas Commission on Environmental Quality

CGM/lfw

cc: The Honorable Delbert R. Roberts, Kimble County Judge

Enclosure: Summary of Investigation Findings

Summary of Investigation Findings

LONDON WATER SYSTEM

282 N KC 350

LONDON, KIMBLE COUNTY, TX 76854

Investigation #

1305486

Investigation Date: 01/25/2016

Additional ID(s): 1340019

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

Track No: 595892 Compliance Due Date: 04/04/2016

30 TAC Chapter 290.43(c)(4)

Alleged Violation:

Investigation: 1305486

Comment Date: 02/18/2016

Failure to provide a liquid level indicator that meets minimum requirements. The liquid level indicator at the standpipe is not calibrated in feet of water. The standpipe has a liquid level indicator. The pressure-gauge-type indicator does not read in feet and is less than three inches in diameter. "All clearwells and water storage tanks shall have a liquid level indicator located at the tank site. The indicator can be a float with a moving target, an ultrasonic level indicator, or a pressure gauge calibrated in feet of water. If an elevated tank or standpipe has a float with moving target indicator, it must also have a pressure indicator located at ground level. Pressure gauges must not be less than three inches in diameter and calibrated at not more than two-foot intervals. Remote reading gauges at the owner's treatment plant or pumping station will not eliminate the requirement for a gauge at the tank site unless the tank is located at the plant or station."

Recommended Corrective Action: Submit photographic documentation to the TCEQ San Angelo Region Office, demonstrating compliance.

Track No: 595894 Compliance Due Date: 04/04/2016

30 TAC Chapter 290.110(e)

Alleged Violation:

Investigation: 1305486

Comment Date: 02/18/2016

Failure to report correctly the results of any required test, measurement, or analysis. The Disinfectant Level Quarterly Operating Report (DLQOR) is completed incorrectly. The information reported in the DLQOR did not include the chlorine residual results measured each month with the monthly bacteria sample is collected.

Recommended Corrective Action: Submit written documentation to the TCEQ San Angelo Region Office, demonstrating compliance. Documentation should include a copy of a properly completed DLQOR.

Track No: 595896 Compliance Due Date: 04/04/2016

30 TAC Chapter 290.42(l)

Alleged Violation:

Investigation: 1305486

Comment Date: 02/18/2016

Failure to provide an adequate Plant Operations Manual.

Recommended Corrective Action: Submit written documentation to the TCEQ San Angelo Region Office, demonstrating compliance.

Track No: 595899 Compliance Due Date: 04/04/2016

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

Alleged Violation:

Investigation: 1305486

Comment Date: 02/18/2016

Failure to inspect the interior of the standpipe annually. The exterior has been inspected annually, but the latest inspection of the interior was conducted on 11/14/2012.

Recommended Corrective Action: Submit written documentation to the TCEQ San Angelo Region Office, demonstrating compliance.

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

Track No: 595898

30 TAC Chapter 290.46(s)

Alleged Violation:

Investigation: 1305486

Comment Date: 02/18/2016

Failure to calibrate the well flow meter once every three years.

Recommended Corrective Action: Submit written documentation to the TCEQ San Angelo Region Office, demonstrating compliance.

Resolution: On 01/28/2016, documentation was received, demonstrating the flow meter was calibrated on 01/27/2016.

AREA OF CONCERN

Track No: 595890

30 TAC Chapter 290.46(f)(2)

Alleged Violation:

Investigation: 1305486

Comment Date: 02/18/2016

Failure to present some requested records. On 01/11/2016, the TCEQ investigator sent a list of about 33 records that should be presented during the investigation. On 01/25/2016, the following records were not presented: Monitoring Plan, Map of the Distribution System, As-Built Plans, Complaint records, and Consumer Confidence Report.

Recommended Corrective Action: Submit written documentation to the TCEQ San Angelo Region Office, demonstrating compliance.

Resolution: On 01/26/2016 and 01/28/2016, Mr. Mitchell submitted the requested records to the TCEQ San Angelo Region Office.

ADDITIONAL ISSUES

Description

Item 1

Additional Comments

One of the guide cables for the target-type liquid level indicator for the standpipe was broken. The operator stated the target was still functioning. See 30 TAC 290.43(c)(4)

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 18, 2015

CERTIFIED MAIL # 7014 3490 0001 0559 6127
RETURN RECEIPT REQUESTED

RECEIVED

AUG 20 2015

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

TX ADMIN-AUSTIN

Re: Notice of Violation for the Comprehensive Compliance Investigation at:
Mary Francis Subdivision, 2800 Bertrand, Houston, Harris County, Texas
Regulated Entity No.: 101186013
TCEQ ID No.: 1010100

Investigation No.: 1260304

Dear Mr. Foltz:

On July 17, 2015, Ms. Patricia Blackwell, 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. Please submit to this office by November 08, 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.texas.gov> for your reference. If you would like a hard copy of this brochure mailed to you, you may call and request one from either the Houston Region Office at (713) 767-3650 or the Central Office Publications Ordering Team at (512) 239-0028.

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

Mr. Scot W. Foltz, Compliance Manager
August 18, 2015
Page 2

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 Ms. Blackwell, in the Houston Region Office at (713) 767-3650.

Sincerely,

A handwritten signature in black ink, appearing to read "Julia Thorp". The signature is written in a cursive, flowing style.

Julia Thorp, Team Leader
Public Water Supply
Houston Region Office

JT/PB/mar

Enclosure: Summary of Investigation Findings

cc: Harris County Public Health and Environmental Services

Summary of Investigation Findings

MARY FRANCIS SUBDIVISION

Investigation #

1260304
Investigation Date: 07/17/2015

, HARRIS COUNTY,

Additional ID(s): 1010100

OUTSTANDING ALLEGED VIOLATION(S)

Track No: 577805 Compliance Due Date: 11/09/2015

30 TAC Chapter 290.46(m)(4)

Alleged Violation:

Investigation: 1260304

Comment Date: 07/28/2015

Water Leakage

Failure to maintain all water storage facilities in a watertight condition and/or free of excessive solids. In this connection, the leaking Ground Storage located at Plant #2 must be repaired or replaced as necessary.

At the time of the investigation, the Ground Storage Tank at Plant #2 was leaking. See attached photo.

Recommended Corrective Action: Provide documentation / or a Compliance Plan to indicate that the Ground Storage Tank at Plant #2 has been repaired to verify compliance.

Track No: 577806 Compliance Due Date: 11/09/2015

30 TAC Chapter 290.46(m)

Alleged Violation:

Investigation: 1260304

Comment Date: 07/28/2015

Operating Practices for Public Water Systems

Failure to properly maintain the regulated entity by not removing the excessive vegetation from the fence at Plant #2.

At the time of the investigation, there was excessive vegetation growing on the fence at Plant #2. See attached photo.

Recommended Corrective Action: Provide documentation to indicate that the vegetation has been removed from the fence to verify compliance.

Track No: 577822 Compliance Due Date: 11/09/2015

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

Alleged Violation:

Investigation: 1260304

Comment Date: 07/28/2015

Ground Water Sources and Development

Failure to seal the wellhead or pump base with the use of gaskets or a pliable crack resistant caulking compound on Well #1 at Plant #1.

At the time of the investigation, the caulking compound was cracked and was in need of replacement caulking. See attached photo.

Recommended Corrective Action: Provide documentation to indicate that the caulking around the pump base has been recaulked to verify compliance.

Track No: 577858 Compliance Due Date: 11/09/2015
30 TAC Chapter 290.42(l)

Alleged Violation:

Investigation: 1260304

Comment Date: 07/28/2015

Plant Operations Manual

Failure to compile and maintain, a current, and thorough plant operations manual for operator review and reference. This manual should be of sufficient detail to provide the operator with routine maintenance and repair procedure 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.

At the time of the investigation, a current plant operations manual was not available.

Recommended Corrective Action: Provide documentation in the form of a current plant operations manual to verify compliance.

Track No: 580624 Compliance Due Date: 11/09/2015
30 TAC Chapter 290.46(s)(1)

Alleged Violation:

Investigation: 1260304

Comment Date: 08/17/2015

Testing Equipment

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

At the time of the investigation, there were no records to indicate that the well meters were calibrated at least once in the last three years for Well #1, Well #2, and Well #3.

Recommended Corrective Action: Provide documentation to indicate the the meters on Well #1, Well #2, and Well #3 have been calibrated at least once in the last three years to verify compliance.

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



Done

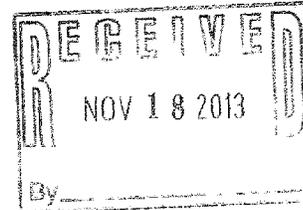
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

November 14, 2013

CERTIFIED MAIL #7011 3500 0000 0279 8098
RETURN RECEIPT REQUESTED

Mr. Larry Mitchell, Environmental Compliance Coordinator
Aqua Texas
1106 Clayton Lane, Suite 400W
Austin, Texas 78723-2476



Re: Additional Compliance Plan Information for:
Maywood Acres, CR 3668 and CR 3665, Liberty County, Texas
Regulated Entity No.: 10127502, TCEQ ID No.: 1460033, Investigation No.: 1129003

Dear Mr. Mitchell:

The Texas Commission on Environmental Quality (TCEQ) Houston Region Office has reviewed the compliance plan that you submitted on July 15, 2013, for resolving the alleged violation dealing with well capacity. This alleged violation was noted during the investigation of the above-referenced facility conducted on February 5, 2013. Based upon our review, we have determined that the following additional information is needed for the compliance plan. Please submit this information to our office by January 31, 2014.

The Texas Commission on Environmental Quality appreciates your assistance in this matter and looks forward to receiving your response. We anticipate that you will complete the development of the compliance plan for resolving the alleged violation. If you or members of your staff have any questions, please feel free to contact Ms. Dawn Olivo in the Houston Region Office at (713)767-3650.

Sincerely,

A handwritten signature in cursive script that reads "Leticia De Leon".
Leticia De Leon, Team Leader
Public Water Supply
Houston Region Office

LD/DBO/ra

Enclosure: Summary of Investigation Findings

Summary of Investigation Findings

MAYWOOD ACRES

Investigation #

1129003

Investigation Date: 11/04/2013

, LIBERTY COUNTY,

Additional ID(s): 1460033

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

Track No: 494890 Compliance Due Date: To Be Determined
30 TAC Chapter 290.45(b)(1)(A)(i)

Alleged Violation:

Investigation: 1056936

Comment Date: 03/18/2013

Capacity Requirements

Failure to provide a well capacity of 1.5 gallons per minute per connection.

At the time of the inspection the facility had a total of 39 active connections and is required to provide 1.5 gallons per minute(gpm) per connection(conn). Your well produced a total of 57 gpm and is short a total of 1.5 gpm. This is calculated in the following manner:

Required 1.5gpm/conn X 39 conn. = 58.5 gpm Total
Short 58.5 gpm Required - 57 gpm Produced = 1.5 gpm Total

Your water system must be modified to meet this/ these requirement to assure an adequate supply of water at all times.

Please be advised that public water systems shall notify the executive director prior to making any significant change or addition to the system's production, treatment, storage, or distribution facilities. Public water systems shall submit plans and specifications for the proposed changes upon request.

The water system may request an exception to these requirements by writing 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.

Investigation: 1100273

Comment Date: 07/02/2013

Capacity Requirements

Failure to provide a well capacity of 1.5 gallons per minute per connection.

At the time of the inspection the facility had a total of 39 active connections and is required to provide 1.5 gallons per minute(gpm) per connection(conn). Your well produced a total of 57 gpm and is short a total of 1.5 gpm. This is calculated in the following manner:

Required 1.5gpm/conn X 39 conn. = 58.5 gpm Total
Short 58.5 gpm Required - 57 gpm Produced = 1.5 gpm Total

Your water system must be modified to meet this requirement to assure an adequate supply of water at all times.

Please be advised that public water systems shall notify the executive director prior to making any significant change or addition to the system's production, treatment, storage, or distribution facilities. Public water systems shall submit plans and specifications for the proposed changes upon request.

The water system may request an exception to these requirements by writing 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.

As of June 25, 2013, no compliance plan was submitted.

Investigation: 1129003

Comment Date: 11/05/2013

Capacity Requirements

Failure to provide a well capacity of 1.5 gallons per minute per connection.

At the time of the inspection the facility had a total of 39 active connections and is required to provide 1.5 gallons per minute(gpm) per connection(conn). Your well produced a total of 57 gpm and is short a total of 1.5 gpm. This is calculated in the following manner:

Required 1.5gpm/conn X 39 conn. = 58.5 gpm Total
Short 58.5 gpm Required - 57 gpm Produced = 1.5 gpm Total

Your water system must be modified to meet this requirement to assure an adequate supply of water at all times.

Please be advised that public water systems shall notify the executive director prior to making any significant change or addition to the system's production, treatment, storage, or distribution facilities. Public water systems shall submit plans and specifications for the proposed changes upon request.

The water system may request an exception to these requirements by writing 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.

It is noted, the system will provide information as to plans to either increase well capacity or to request an exception to the capacity rule by January 31, 2014.

Recommended Corrective Action: Submit a compliance plan within 90 days, engineering report or certification OR a copy of a letter requesting an exception in addition to a compliance plan for final compliance, OR a copy of a letter granting an exception to verify compliance.

Duke

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

May 22, 2015

RECEIVED

MAY 26 2015

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

TX ADMIN-AUSTIN

Re: Notice of Compliance with Notice of Violation (NOV) dated October 10, 2013:
Maywood Acres, CR3668 and CR3665, Splendora, Liberty County, Texas
Regulated Entity No.: 101275022
TCEQ ID No. 1460033
Investigation No. 1252700

Dear Mr. Foltz:

On May 8, 2015, 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 February 5, 2013. Based on the information submitted, no further action is required concerning this investigation.

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

Sincerely,


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

LD/DBO/mar

Enclosure: Summary of Investigation Findings

Summary of Investigation Findings

MAYWOOD ACRES

Investigation #
1252700
Investigation Date: 05/15/2015

, LIBERTY COUNTY,

Additional ID(s): 1460033

ALLEGED VIOLATION(S) NOTED AND RESOLVED

Track No: 494890

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

Alleged Violation:

Investigation: 1056936

Comment Date: 03/18/2013

Capacity Requirements

Failure to provide a well capacity of 1.5 gallons per minute per connection.

At the time of the inspection the facility had a total of 39 active connections and is required to provide 1.5 gallons per minute(gpm) per connection(conn). Your well produced a total of 57 gpm and is short a total of 1.5 gpm. This is calculated in the following manner:

Required 1.5gpm/conn X 39 conn. = 58.5 gpm Total
Short 58.5 gpm Required - 57 gpm Produced = 1.5 gpm Total

Your water system must be modified to meet this/ these requirement to assure an adequate supply of water at all times.

Please be advised that public water systems shall notify the executive director prior to making any significant change or addition to the system's production, treatment, storage, or distribution facilities. Public water systems shall submit plans and specifications for the proposed changes upon request.

The water system may request an exception to these requirements by writing 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.

Investigation: 1100273

Comment Date: 07/02/2013

Capacity Requirements

Failure to provide a well capacity of 1.5 gallons per minute per connection.

At the time of the inspection the facility had a total of 39 active connections and is required to provide 1.5 gallons per minute(gpm) per connection(conn). Your well produced a total of 57 gpm and is short a total of 1.5 gpm. This is calculated in the following manner:

Required 1.5gpm/conn X 39 conn. = 58.5 gpm Total
Short 58.5 gpm Required - 57 gpm Produced = 1.5 gpm Total

Your water system must be modified to meet this requirement to assure an adequate supply of water at all times.

Please be advised that public water systems shall notify the executive director prior to making any significant change or addition to the system's production, treatment, storage, or distribution facilities. Public water systems shall submit plans and specifications for the proposed changes upon request.

The water system may request an exception to these requirements by writing 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.

As of June 25, 2013, no compliance plan was submitted.
Investigation: 1129003

Comment Date: 11/05/2013

Capacity Requirements

Failure to provide a well capacity of 1.5 gallons per minute per connection.

At the time of the inspection the facility had a total of 39 active connections and is required to provide 1.5 gallons per minute(gpm) per connection(conn). Your well produced a total of 57 gpm and is short a total of 1.5 gpm. This is calculated in the following manner:

Required 1.5gpm/conn X 39 conn. = 58.5 gpm Total
Short 58.5 gpm Required - 57 gpm Produced = 1.5 gpm Total

Your water system must be modified to meet this requirement to assure an adequate supply of water at all times.

Please be advised that public water systems shall notify the executive director prior to making any significant change or addition to the system's production, treatment, storage, or distribution facilities. Public water systems shall submit plans and specifications for the proposed changes upon request.

The water system may request an exception to these requirements by writing 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.

It is noted, the system will provide information as to plans to either increase well capacity or to request an exception to the capacity rule by January 31, 2014.

Investigation: 1145215

Comment Date: 01/27/2014

Capacity Requirements

Failure to provide a well capacity of 1.5 gallons per minute per connection.

At the time of the inspection the facility had a total of 39 active connections and is required to provide 1.5 gallons per minute(gpm) per connection(conn). Your well produced a total of 57 gpm and is short a total of 1.5 gpm. This is calculated in the following manner:

Required 1.5gpm/conn X 39 conn. = 58.5 gpm Total
Short 58.5 gpm Required - 57 gpm Produced = 1.5 gpm Total

Your water system must be modified to meet this/ these requirement to assure an adequate supply of water at all times.

Please be advised that public water systems shall notify the executive director prior to making any significant change or addition to the system's production, treatment, storage, or distribution facilities. Public water systems shall submit plans and specifications for the proposed changes upon request.

The water system may request an exception to these requirements by writing 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.

A letter, dated July 11, 2013 was submitted on July 15, 2013, that states that Aqua Texas hired an engineer to work on the issue and they are seeking Alternative Capacity. As of January 31, 2014, no documentation has been submitted that shows the capacity issue has been addressed any further.

Investigation: 1252700

Comment Date: 05/15/2015

Capacity Requirements

Failure to provide a well capacity of 1.5 gallons per minute per connection.

At the time of the inspection the facility had a total of 39 active connections and is required to provide 1.5 gallons per minute(gpm) per connection(conn). Your well produced a total of 57 gpm and is short a total of 1.5 gpm. This is calculated in the following manner:

Required 1.5gpm/conn X 39 conn. = 58.5 gpm Total
Short 58.5 gpm Required - 57 gpm Produced = 1.5 gpm Total

Your water system must be modified to meet this requirement to assure an adequate supply of water at all times.

Please be advised that public water systems shall notify the executive director prior to making any significant change or addition to the system's production, treatment, storage, or distribution facilities. Public water systems shall submit plans and specifications for the proposed changes upon request.

The water system may request an exception to these requirements by writing 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.

Recommended Corrective Action: Submit a compliance plan within 90 days, engineering report or certification OR a copy of a letter requesting an exception in addition to a compliance plan for final compliance, OR a copy of a letter granting an exception to verify compliance.

Resolution: On May 8, 2015, documentation was submitted by Mr. Larry Mitchell, Environmental Compliance Coordinator for Aqua Texas that indicates the a new well pump was installed on January 23, 2015 by Ballard Water Well Co. The flow rate of the well was re-tested at 65.0 gallons per minute (gpm). This well capacity meets the minimum capacity requirements for 39 connections.

39 conn X 1.5 gpm/conn = 58.5 gpm required.

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



Baker

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 4, 2016

CERTIFIED MAIL # 7013 3020 0000 9763 3615
RETURN RECEIPT REQUESTED

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

RECEIVED

JAN 07 2016

TX ADMIN-AUSTIN

Re: Notice of Violation for the Comprehensive Compliance Investigation at:
Maywood Acres, CR 3668 and CR 3665, Splendora, Liberty County, Texas
Regulated Entity No.: 101275022
TCEQ ID No.: 1460033

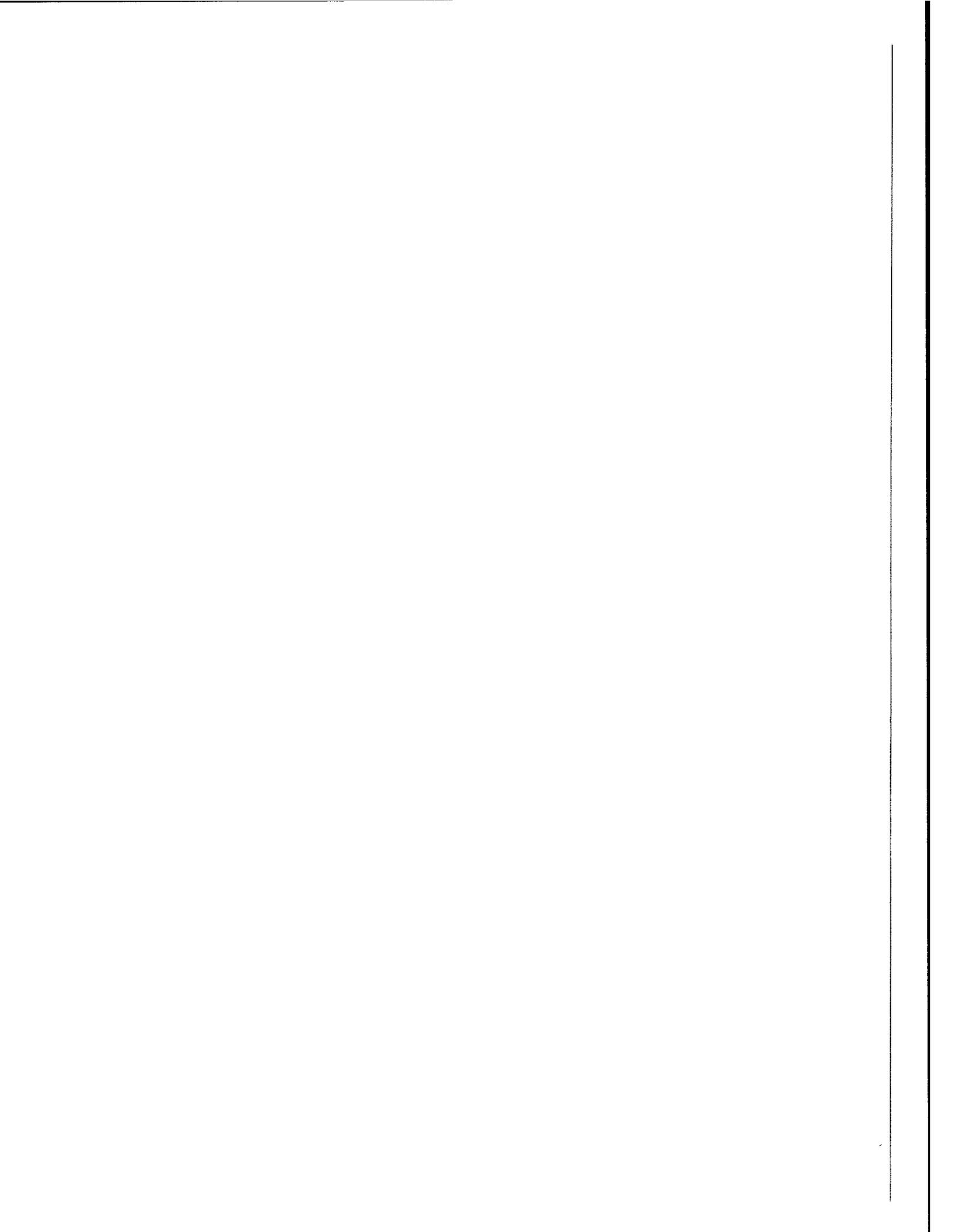
Investigation No.: 1295083

Dear Mr. Foltz:

On December 2, 2015, Ms. Destiny Winning and Ms. Valerie Burkett, of the Texas Commission on Environmental Quality (TCEQ) Houston Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for Public Water Supply. Enclosed is a summary which lists the investigation findings. During the investigation, certain outstanding alleged violations were identified for which compliance documentation is required. Please submit to this office by March 29, 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.texas.gov> for your reference. If you would like a hard copy of this brochure mailed to you, you may call and request one from either the Houston Region Office at (713) 767-3650 or the Central Office Publications Ordering Team at (512) 239-0028.

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

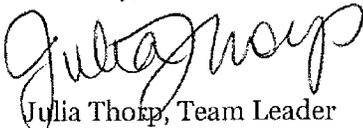


Scot Foltz, Compliance Manager
January 4, 2016
Page 2

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 Ms. Winning, in the Houston Region Office at (713) 767-3650.

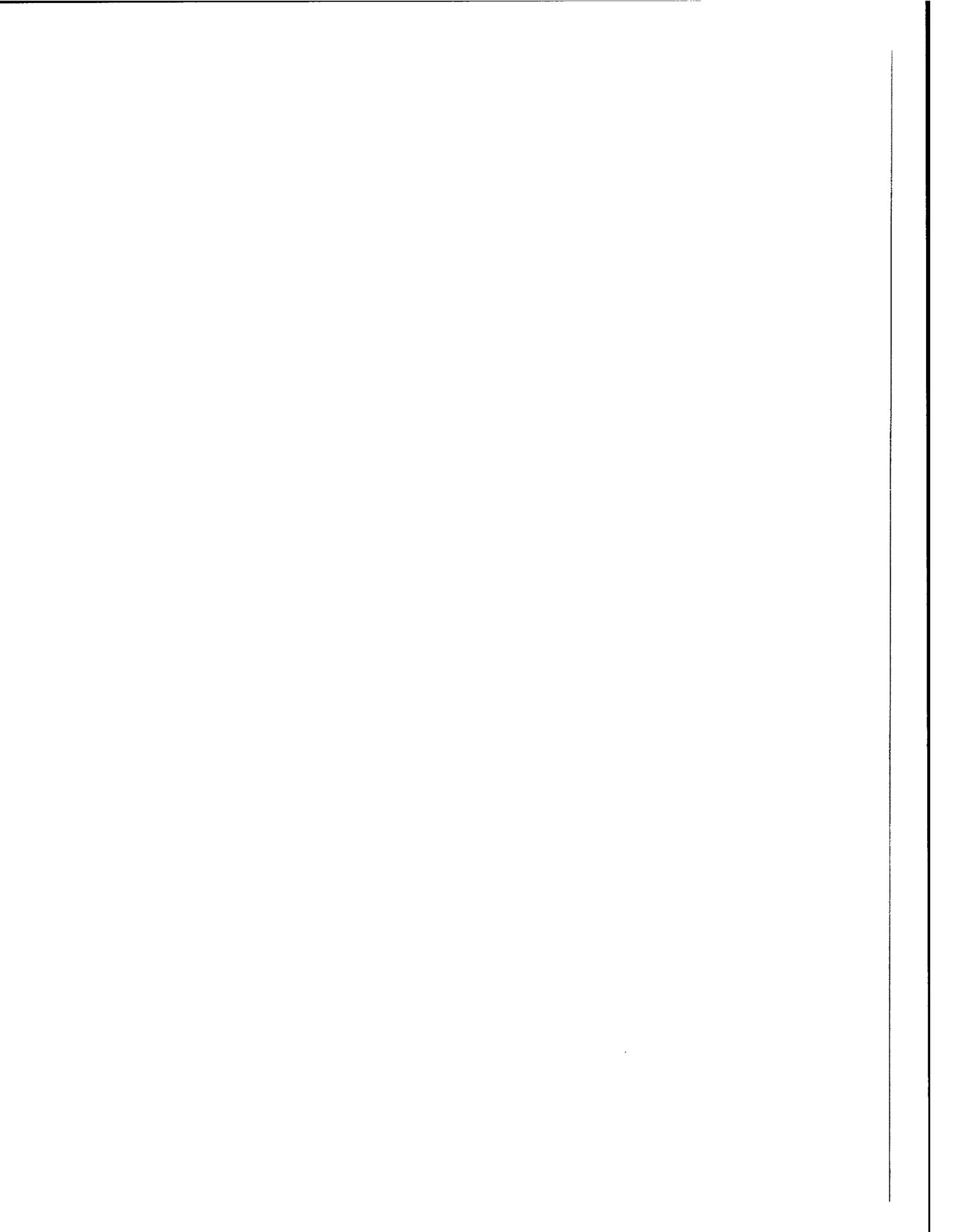
Sincerely,



Julia Thorp, Team Leader
Public Water Supply
Houston Region Office

JT/DW/mar

Enclosure: Summary of Investigation Findings



Summary of Investigation Findings

MAYWOOD ACRES

Investigation #

1295083

Investigation Date: 12/02/2015

, LIBERTY COUNTY,

Additional ID(s): 1460033

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

Track No: 591024 Compliance Due Date: 03/29/2016

30 TAC Chapter 290.42(l)

Alleged Violation:

Investigation: 1295083

Comment Date: 12/15/2015

Plant Operations Manual

Failure to compile and maintain, a current, and thorough plant operations manual for operator review and reference. This manual should be of sufficient detail to provide the operator with routine maintenance and repair procedure 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.

At the time of the investigation, the regulated entity did not supply a copy of the plant operations manual.

Recommended Corrective Action: Submit a copy of the plant operations manual to verify compliance.

Track No: 591025 Compliance Due Date: 03/29/2015

30 TAC Chapter 290.46(s)(2)(C)(i)

Alleged Violation:

Investigation: 1295083

Comment Date: 12/15/2015

Operating Records and Reports

Failure to verify the accuracy of the manual disinfectant residual analyzer at least once every 90 days using chlorine solutions of known concentrations. Specifically, records verifying the accuracy of the manual disinfectant residual analyzer were not available during the investigation.

At the time of the investigation the regulated entity did not provide documentation that the accuracy of the manual disinfectant residual analyzer is verified at least once every 90 days using chlorine solutions of known concentrations.

Recommended Corrective Action: Provide a copy of the chlorimeter calibration log to verify compliance.

Track No: 591026 Compliance Due Date: 03/29/2015

30 TAC Chapter 290.46(n)(1)

Alleged Violation:

Investigation: 1295083

Comment Date: 12/15/2015

Operating Practices for Public Water Systems

Failure to prepare and maintain a map of the distribution system so that valves and mains may be easily located during emergencies.

At the time of the investigation, the regulated entity did not provide a copy of the distribution map.

Recommended Corrective Action: Provide a copy of the distribution map to verify compliance.

Track No: 591028 **Compliance Due Date:** 01/29/2016
30 TAC Chapter 290.46(m)

Alleged Violation:

Investigation: 1295083

Comment Date: 12/15/2015

Operating Practices for Public Water Systems

Failure to properly maintain the regulated entity by not maintaining the fence around the parameter of the plant.

At the time of the investigation, the investigator noted that part of the fence surrounding the water system was leaning over. The barb wire on the back corner of the fence was loose and hanging down.

Recommended Corrective Action: Submit photo, invoice, or work order to verify compliance that the fence is maintained.

Track No: 591043 **Compliance Due Date:** 01/29/2016
30 TAC Chapter 290.46(m)

Alleged Violation:

Investigation: 1295083

Comment Date: 12/15/2015

Operating Practices for Public Water Systems

Failure to properly maintain the regulated entity by not maintaining the condition of the pressure tank.

At the time of the investigation, the pressure tank had moss growing on the side of the pressure tank. The bottom of the pressure tank was covered in rust and pitting on the bottom.

Recommended Corrective Action: Submit photo, invoice, or work order to verify compliance that the rust and moss have been removed.

Track No: 591048 **Compliance Due Date:** 03/29/2016
30 TAC Chapter 290.45(b)(1)(A)(i)

Alleged Violation:

Investigation: 1295083

Comment Date: 12/15/2015

Capacity Requirement

Failure to provide minimum well capacity of 1.5 gallons per minute per connection.

At the time of the inspection the facility had a total of 43 active connections and is required to provide 1.5 gallons per minute (gpm) per connection (conn). Your well produced a total of 50 gpm and is short a total of 14.5 gpm. This is calculated in the following manner:

the amount of water a system is required to provide
 $1.5 \text{ gpm /conn} \times 43 \text{ conn.} = 64.5 \text{ gpm Required}$

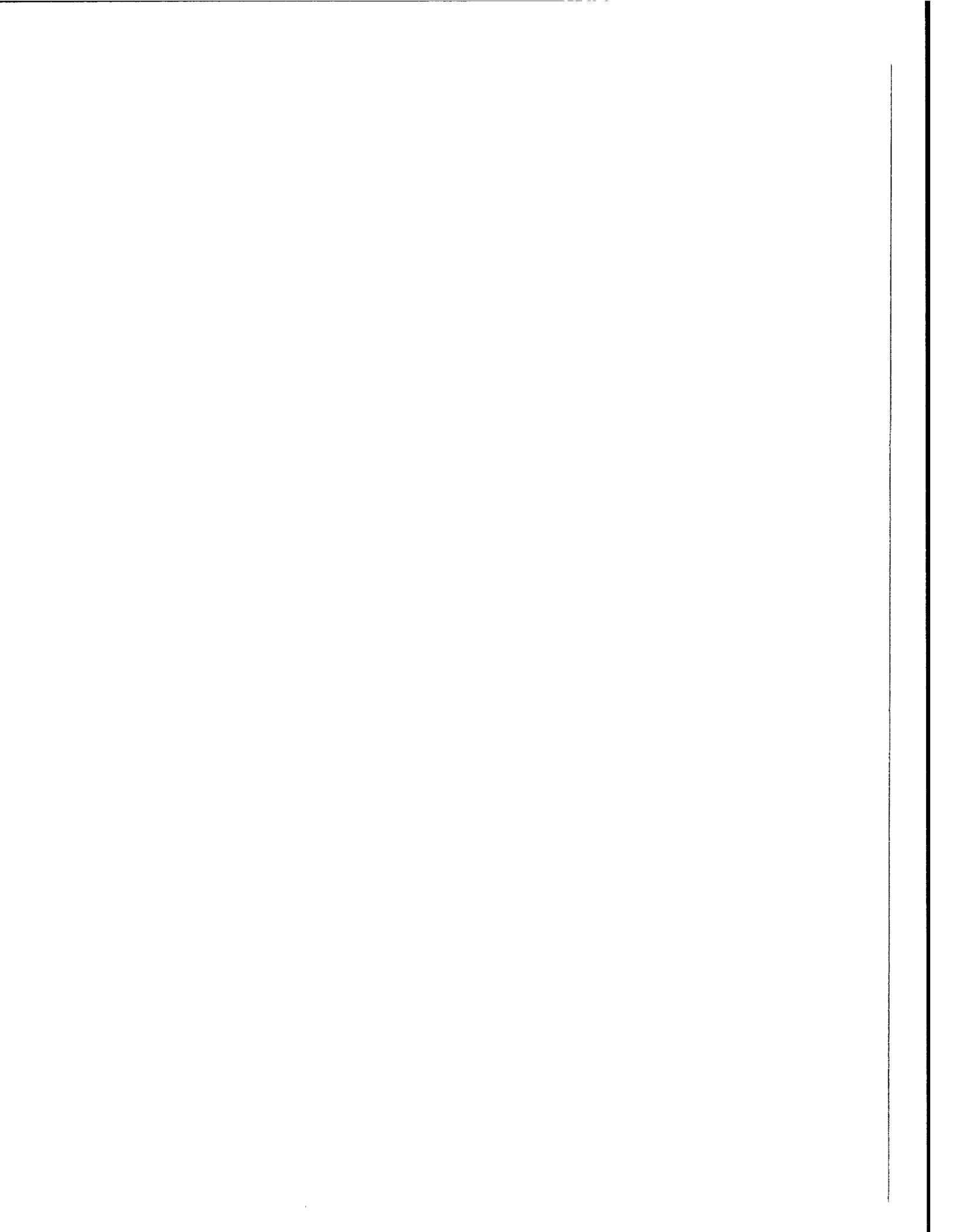
the amount of water the system is short
 $64.5 \text{ gpm Required} - 50 \text{ gpm Produced} = 14.5 \text{ gpm Short}$

Your water system must be modified to meet this/ these requirement(s) to assure an adequate supply of water at all times.

Please be advised that public water systems shall notify the executive director prior to making any significant change or addition to the system's production, treatment, storage, or distribution facilities. Public water systems shall submit plans and specifications for the proposed changes upon request.

The water system may request an exception to these requirements by writing 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.

Recommended Corrective Action: Submit a compliance plan, engineering report or certification OR a copy of a letter requesting an exception in addition to a compliance plan for final compliance, OR a copy of a letter granting an exception to verify compliance.



Region

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

March 24, 2015

RECEIVED

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

MAR 28 2015

TX ADMIN-AUSTIN

Re: Comprehensive Compliance Investigation at:
Meadow Woods Water Supply, Meadow Woods Dr., Kyle (Hays County), Texas
TCEQ PWS ID No.1050077, RN100824804

Dear Mr. Foltz:

On February 26, 2015, Claudia A. Chaffin 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. No violations are being alleged as a result of the investigation, however; please see the enclosed Additional Issue.

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

Sincerely,

Handwritten signature of Shawn Stewart in cursive.

Shawn Stewart
Water Program Work Leader
Austin Region Office

SS/cac

Summary of Investigation Findings

MEADOW WOODS WATER SUPPLY

Investigation #

1227939

Investigation Date: 02/26/2015

, HAYS COUNTY,

Additional ID(s): 1050077

No Violations Associated to this Investigation

ADDITIONAL ISSUES

Description	Additional Comments
Item 1	The most recent copy of the interior pressure tank inspection was not available but was performed on March 17, 2013, and was emailed to the investigator on March 2, 2015.