

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*

December 29, 2015

RECEIVED

JAN 04 2016

TX ADMIN-AUSTIN

Scot Foltz, Compliance Manager  
Aqua Utilities, Inc.  
1106 Clayton Ln. Ste. 400W  
Austin, Texas 7723-2476

Re: Complaint Investigation at:  
Meadowland Subdivision, CR 855 & CR 855 A, Brazoria County, Texas  
Regulated Entity No.: 101234946  
TCEQ ID No.: 0200347

Investigation No.: 1295345

Dear Mr. Foltz:

On December 1 - 16, 2015, Ms. Kathryn Roeder, 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. Roeder, in the Houston Region Office at (713) 767-3650.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kim LaRue".

Julia Thorp, Team Leader  
Public Water Supply  
Houston Region Office

JT/KR/mar

cc: Brazoria County Public Health and Environmental Services

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

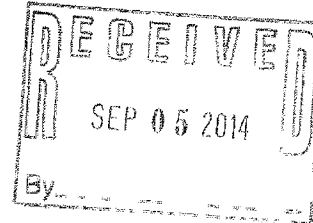


## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

September 3, 2014

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




Re: Comprehensive Compliance Investigation at:  
Meadowview Subd., CR 365 A, Brazoria County, Texas  
TCEQ ID #0200189, Investigation #1183955, Regulated Entity #101246437

Dear Mr. Foltz:

On June 25, 2014, Ms. Elaine Jackson of the Texas Commission on Environmental Quality (TCEQ) Houston Region Office conducted an investigation of the above-referenced facility to evaluate compliance with the applicable requirements for public water supply 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 Ms. Elaine Jackson in the Houston Region Office at 713-767-3650.

Sincerely,

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

LD/EJ/ra

cc: The Brazoria Co. Environmental Health Dept.

Alonso

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

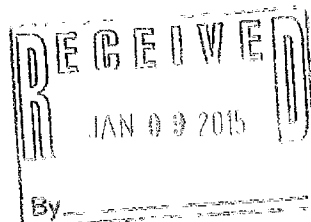


## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

January 5, 2015

**CERTIFIED MAIL #7013 3020 0000 9763 0645**  
**RETURN RECEIPT REQUESTED**



Mr. Scot 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:  
Meadowland Subdivision, CR 855 & CR 855 A, Brazoria County, Texas  
Regulated Entity No. 101234946, TCEQ ID No. 0200347, Investigation No. 1192787

Dear Mr. Foltz:

On October 28, 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, an outstanding alleged violation was identified for which compliance documentation is required. In addition, an Additional Issue was noted. Please submit to this office by February 5, 2015, 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.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 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. Leticia De Leon, will schedule a violation review meeting to be conducted within 21 days from the date of this letter.

Mr. Scot Foltz, Compliance Manager  
January 5, 2015  
Page 2

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, Compliance Coordinator, Aqua Utilities, Inc., 1106 Clayton Ln.  
Ste. 400 W, Austin, Texas 78723-2476

Enclosure: Summary of Investigation Findings

## Summary of Investigation Findings

MEADOWLAND SUBDIVISION

Investigation #

1192787

Investigation Date: 10/28/2014

, BRAZORIA COUNTY,

Additional ID(s): 0200347

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

Track No: 555778

Compliance Due Date: 01/26/2015

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

#### Alleged Violation:

Investigation: 1192787

Comment Date: 12/08/2014

Failure to repair the cracked concrete sealing block surrounding Well Number 1 using a flexible, nontoxic, waterproof compound or with a properly constructed and installed sealing block.

At the time of the investigation, the well sealing block was cracked.

**Recommended Corrective Action:** Submit documentation to the Region 12 Office demonstrating that the well sealing block has been repaired or replaced.

### ADDITIONAL ISSUES

#### Description

Item 2

#### Additional Comments

Please be aware that you have an outstanding violation for a shortage of well capacity. Please submit to the TCEQ the expected resolution and completion date of this shortage.

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



*Brown*

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

April 3, 2015

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

RECEIVED

APR 10 2015

TX ADMIN-AUSTIN

Re: Comprehensive Compliance Investigation at:  
Mooreland Subdivision Water System  
401 Easy Street, Manchaca (Travis County), Texas  
TCEQ Public Water Supply ID 2270114, RN102682614

Dear Mr. Foltz:

On March 9, 2015, Lawrence King of the Texas Commission on Environmental Quality (TCEQ) Austin Region Office conducted an investigation of the above-referenced facility to evaluate compliance with applicable requirements for public water systems. No violations are being alleged as a result of the investigation.

The TCEQ appreciates your assistance in this matter and your continued efforts to ensure the protection of the public health. Should you have a question, please feel free to contact Mr. King in the Austin Region Office at (512) 339-2929.

Sincerely,

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

Shawn Stewart  
Water Section Work Leader  
Austin Region Office

SS/lok

*Louise*

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*

July 2, 2014

**CERTIFIED MAIL #7010 1870 0003 4949 7275**  
**RETURN RECEIPT REQUESTED**

**RECEIVED**  
JUL 03 2014

BY: .....

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

Re: Notice of Violation for the Comprehensive Compliance Investigation at:  
Moreland Subdivision Block 1&2, CR 296 B, Brazoria County, Texas  
Regulated Entity No.: 102680402, TCEQ ID No.: 0200226, Investigation No.: 1160070

Dear Mr. Foltz:

On April 11– June 2, 2014, Ms. LaTrichia Spikes of the Texas Commission on Environmental Quality (TCEQ) Houston Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for Public Water Supply. Enclosed is a summary which lists the investigation findings. In addition, a certain outstanding alleged violation was identified for which compliance documentation is required. Furthermore, please see the attached Additional Issue. Please submit to this office by September 24, 2014, a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for the outstanding alleged violation.

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

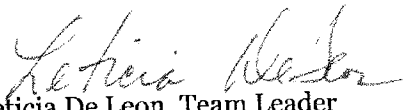
Mr. Scot Foltz, Environmental Compliance Manager

Page 2

July 2, 2014

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

Sincerely,

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

LD/ LS/ra

cc: Brazoria County Environmental Health Department

Enclosures: Summary of Investigation Findings



## Summary of Investigation Findings

MORELAND SUBDIVISION BLOCK 1&2

Investigation #

1160070

Investigation Date: 04/11/2014

, BRAZORIA COUNTY,

Additional ID(s): 0200226

### OUTSTANDING ALLEGED VIOLATION(S)

Track No: 539464 Compliance Due Date: 09/24/2014

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

#### Alleged Violation:

Investigation: 1160070

Comment Date: 06/23/2014

Failure to provide a minimum pressure tank capacity of 20 gallons per connection (with a maximum of 30,000 gallons).

At the time of the inspection the facility had a total of 52 connections (conns) and is required to provide 20 gallons per connection \*(with a maximum of 30,000 gallons). Your system is providing a total of 1000 gallons and is short a total of 40 gallons. This is calculated in the following manner:

Required 20 gal/conn. X 52 conns. = 1040 Total Gallons  
Short 1040 gallons Required - 1000 gallons Provided = 40 Total Gallons

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, 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.

### ADDITIONAL ISSUES

Description

Additional Comments

Item 2

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

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

Specifically, it is noted on this investigation that your pressure tank, has reached 104 % of its capacity. This was based on 52 connections.

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

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Handwritten initials: Hano

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*

January 28, 2016

**CERTIFIED MAIL # 7013 3020 0000 9763 5909**  
**RETURN RECEIPT REQUESTED**

RECEIVED

FEB 01 2016

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

TX ADMIN-AUSTIN

Re: Notice of Enforcement for Compliance Investigation at:  
Moreland Subdivision Block 3&4, CR 296A, Alvin, Brazoria County, Texas  
Regulated Entity No.: 101450187  
TCEQ ID No.: 0200227

Investigation No.: 1301455

Dear Mr. Laughman:

On January 4, 2016, Ms. Denise Ehrlich, 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. During this investigation, certain outstanding alleged violations were documented. Enclosed is a summary which lists the investigation findings. Additional recommended corrective actions may be provided by the Enforcement Division.

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.com> 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.

Also, please be advised that the Legislature has granted enforcement powers to the TCEQ to carry out its mission to protect human health and the environment. Due to the apparent seriousness of the alleged violations, formal enforcement action has been initiated, and additional violations may be cited upon further review. We encourage you to immediately begin taking actions to address the outstanding alleged violations.

**In responding with prompt corrective action, the administrative penalty to be assessed may be limited.**

The Commission recognizes that the great majority of the regulated community wants to prevent pollution and to comply with environmental laws. We dedicate considerable resources



Robert Laughman, President  
January 28, 2016  
Page 2

toward making voluntary compliance achievable. But where compliance has not been met it is our duty to protect the public and the environment by enforcing the state's environmental laws, regulations, and permits.

Also, if you believe the violations documented in this notice have been cited in error, **and** you have additional information that we are unaware of, you may request a meeting to discuss this enforcement matter. To request a meeting, send a letter describing the additional information to the address shown below.

Manager, Drinking Water, Section  
Enforcement Division, MC 219  
Re: Enforcement Meeting Request  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

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

Sincerely,



Julia Thorp, Team Leader  
Public Water Supply  
Houston Region Office

JT/DE/mar

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

MORELAND SUBDIVISION BLOCK 3&4

Investigation #

1301455  
Investigation Date: 01/04/2016

, BRAZORIA COUNTY,

Additional ID(s): 0200227

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

Track No: 565743 Compliance Due Date: To Be Determined  
30 TAC Chapter 290.42(I)

#### Alleged Violation:

Investigation: 1223390

Comment Date: 03/30/2015

#### 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.

Specifically, a plant operations manual was not available for review during the investigation.  
Investigation: 1280940

Comment Date: 09/21/2015

Failure to compile and maintain, a current, and thorough plant operations manual for operator review and reference. To date, this violation is unresolved.

Investigation: 1301455

Comment Date: 01/04/2016

Failure to compile and maintain, a current, and thorough plant operations manual for operator review and reference. To date, this violation is unresolved.

**Recommended Corrective Action:** Compile and maintain a plant operations manual.

Track No: 565744 Compliance Due Date: To Be Determined  
30 TAC Chapter 290.46(s)(1)

#### Alleged Violation:

Investigation: 1223390

Comment Date: 03/30/2015

#### Testing Equipment

Failure by the regulated entity to calibrate the well meter required by 30 TAC 290.41(c)(3)(N) according to the manufacturer's specifications at least once every three years. Specifically, documentation was not provided to indicate that the well meter was calibrated within the past three years.

Investigation: 1280940

Comment Date: 09/21/2015

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

Investigation: 1301455

Comment Date: 01/04/2016

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

**Recommended Corrective Action:** Calibrate the well meter as required.

Track No: 565745 Compliance Due Date: To Be Determined

**Alleged Violation:**

Investigation: 1223390

Comment Date: 03/30/2015

**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. Specifically, a distribution map was not available for review during the investigation.

Investigation: 1280940

Comment Date: 09/21/2015

Failure to prepare and maintain a map of the distribution system so that valves and mains may be easily located during emergencies. To date, this violation is unresolved.

Investigation: 1301455

Comment Date: 01/04/2016

Failure to prepare and maintain a map of the distribution system so that valves and mains may be easily located during emergencies. To date, this violation is unresolved.

**Recommended Corrective Action:** Create and maintain a copy of the distribution map.

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**Track No: 565747      Compliance Due Date: To Be Determined**  
**30 TAC Chapter 290.46(m)(1)(A)**

**Alleged Violation:**

Investigation: 1223390

Comment Date: 03/30/2015

**Design and Construction of Storage Tanks**

Failure to conduct an inspection of the ground storage tank at least annually, to determine that the vents are in place and properly screened, the roof hatches closed and locked, flap valves and gaskets provide adequate protection against insects, rodents, and other vermin, and that the interior and exterior coating systems are continuing to provide adequate protection to all metal surfaces, and that the tank remains in a watertight condition. Specifically, it was noted during the investigation that the ground storage tank was last inspected on June 25, 2013.

Investigation: 1280940

Comment Date: 09/21/2015

Failure to conduct an inspection of the ground storage tank at least annually, to determine that the vents are in place and properly screened, the roof hatches closed and locked, flap valves and gaskets provide adequate protection against insects, rodents, and other vermin, and that the interior and exterior coating systems are continuing to provide adequate protection to all metal surfaces, and that the tank remains in a watertight condition. To date, this violation is unresolved.

Investigation: 1301455

Comment Date: 01/04/2016

Failure to conduct an inspection of the ground storage tank at least annually, to determine that the vents are in place and properly screened, the roof hatches closed and locked, flap valves and gaskets provide adequate protection against insects, rodents, and other vermin, and that the interior and exterior coating systems are continuing to provide adequate protection to all metal surfaces, and that the tank remains in a watertight condition. To date, this violation is unresolved.

**Recommended Corrective Action:** Conduct the interior and exterior inspection of the ground storage tank as required.

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**Track No: 565749      Compliance Due Date: To Be Determined**  
**30 TAC Chapter 290.46(m)(1)(B)**

**Alleged Violation:**

Investigation: 1223390

Comment Date: 03/30/2015

**Design and Construction of Pressure Tanks**

Failure to conduct an inspection of the pressure tank 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. Specifically, it was noted during the investigation that the pressure tank was last inspected on June 25, 2013.

Investigation: 1280940

Comment Date: 09/21/2015

Failure to conduct an inspection of the pressure tank 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. To date, this violation is unresolved.

Investigation: 1301455

Comment Date: 01/04/2016

Failure to conduct an inspection of the pressure tank 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. To date, this violation is unresolved.

**Recommended Corrective Action:** Conduct the exterior inspection of the pressure tank as required.



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*  
July 27, 2015

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

RECEIVED

JUL 31 2015

TX ADMIN-AUSTIN

Re: Comprehensive Compliance Investigation at:  
Mountain Crest Water Supply, Mountain Crest Drive, Wimberley (Hays County),  
Texas  
TCEQ PWS ID No.1050111, RN 1026917771

Dear Mr. Foltz:

On July 15, 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.

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,

A handwritten signature in cursive script, appearing to read "Shawn Stewart".

Shawn Stewart  
Water Program Work Leader  
Austin Region Office

SS/cac

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*

October 27, 2014

**CERTIFIED MAIL NO.: 91 7199 9991 7034 4961 2352**  
**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:  
Nickerson Farms Water System, 5 Miles S. of Center Point on Nicks Rd, Kerr County,  
Texas  
Regulated Entity No.: RN102678323, TCEQ ID No.: 1330097  
Investigation No.: 1191714

On August 22, 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, certain outstanding alleged violations were identified for which compliance documentation is required. Please submit to this office by **February 27, 2015**, a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for each of the outstanding alleged violations.

In the listing of the alleged violations, we have cited applicable requirements, including TCEQ rules. Please note that both the rules themselves and the agency brochure entitled *Obtaining TCEQ Rules* (GI 032) are located on our agency website at <http://www.tceq.state.tx.us> for your reference. If you would like a hard copy of this brochure mailed to you, you may call and request one from either the San Antonio Region Office at (210) 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 violations as required in order to protect the State's environment. If you have additional information that we are unaware of, you have the opportunity to contest the violations documented in this notice. Should you choose to do so, you must notify the San Antonio Region Office within 10 days from the date of this letter. At that time, Water Section Manager, Ms. Lynn Bumguardner, will schedule a violation review meeting to be conducted within 21 days from the date of this letter. However, please be advised that if you decide to participate in the violation review process, the TCEQ may still require you to adhere to the compliance schedule

TCEQ Region 13 • 14250 Judson Rd. • San Antonio, Texas 78233-4480 • 210-490-3096 • Fax 210-545-4329

Austin Headquarters: 512-239-1000 • [tceq.texas.gov](http://tceq.texas.gov) • How is our customer service? [tceq.texas.gov/customersurvey](http://tceq.texas.gov/customersurvey)


printed on recycled paper using soy based ink

Mr. Scot W. Foltz  
October 27, 2014  
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 Ms. Blake in the San Antonio Region Office at (210) 403-4033.

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/db/eg

Enclosures: Summary of Investigation Findings

## Summary of Investigation Findings

NICKERSON FARM WATER SYSTEM

Investigation #

1191714  
Investigation Date: 08/22/2014

, KERR COUNTY,

Additional ID(s): 1330097

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

Track No: 551482 Compliance Due Date: 02/27/2015

30 TAC Chapter 290.46(m)

**Alleged Violation:**

Investigation: 1191714

Comment Date: 10/21/2014

Failure to properly maintain water system facility.

At the time of the investigation, the barbed wire located at the back of the plant was not turned outward at a 45 degree angle.

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

**Recommended Corrective Action:** Provide by the compliance due date, a completed work order, receipt or invoice and/or photograph indicating that the barbed wire located at the back of the plant has been turned outward at a 45 degree angle.

Track No: 551524 Compliance Due Date: 02/27/2015

30 TAC Chapter 290.42(l)

**Alleged Violation:**

Investigation: 1191714

Comment Date: 10/21/2014

Failure to provide a plant operations manual.

At the time of the investigation, no plant operations manual was provided.

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:** Provide by the compliance due date, a copy of an accurate plant operations manual.

Track No: 551526 Compliance Due Date: 02/27/2015

30 TAC Chapter 290.39(e)

30 TAC Chapter 290.39(h)(1)

30 TAC Chapter 290.46(n)(1)

**Alleged Violation:**

Investigation: 1191714

Comment Date: 10/21/2014

Failure to submit and acquire plan approval prior to operating a public water supply or an

exception to the requirement.

At the time of the investigation, the water system provided approval letters for Well #2 and the ground storage tank, but no approval letters or granted exceptions were provided for the treatment 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.

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*

June 6, 2013

RECEIVED

JUN 07 2013

AQUA TEXAS

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

Re: Comprehensive Compliance Investigation at:  
Nighthawk Water Supply, Garden Gate and FM 973, Del Valle (Travis County), Texas  
TCEQ PWS ID No.: 227 0190, RN101217545

Dear Mr. Blackhurst:

On May 21, 2013, 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.

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,

A handwritten signature in black ink, appearing to read "Carolyn Runyon".

for  
Carolyn Runyon  
Water Program Manager  
Austin Region Office

CDR/cac

cc: Larry Mitchell, Aqua Texas, Inc., 1106 Clayton Lane, Suite 400 W, Austin, TX 78723

(Rev. 01/05/09)

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](http://tceq.texas.gov) • How is our customer service? [tceq.texas.gov/customersurvey](http://tceq.texas.gov/customersurvey)

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



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

March 11, 2016

**CERTIFIED MAIL NO.: 91 7199 9991 7036 0233 277**  
**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:  
Northwest Hills Subdivision; Located on E side of Harper Rd 2 miles N of IH 10, Kerr  
County, Texas  
Regulated Entity No.: RN102679214, TCEQ PWS ID No.: 1330124, Investigation No.  
1305039

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. Lynn Bumgardner will schedule a violation review meeting to be conducted within 21 days

Mr. Scot Foltz  
March 11, 2016  
Page 2

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

NORTHWEST HILLS SUBDIVISION

, KERR COUNTY,

Additional ID(s): 1330124

Investigation #  
1305039  
Investigation Date: 01/06/2016

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

Track No: 595711 Compliance Due Date: 07/11/2016  
30 TAC Chapter 290.46(m)(1)(B)

#### Alleged Violation:

Investigation: 1305039

Comment Date: 02/16/2016

Failure to conduct interior surface pressure tank inspections.

At the time of the investigation, the interior surface pressure tank inspections had not been conducted.

30 TAC 290.46(m)(1)(B)-Pressure tank inspections must 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 the tank remains in watertight condition. Pressure tanks provided with an inspection port must have the interior surface inspected every five years.

**Recommended Corrective Action:** To document compliance, conduct the tank inspection and submit a copy of the inspection report to this office by the compliance due date.

### ADDITIONAL ISSUES

#### Description

Item 2

#### Additional Comments

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).

Ken

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*

July 17, 2015

**CERTIFIED MAIL #** 7014 3490 0001 0559 5380  
**RETURN RECEIPT REQUESTED**

RECEIVED

JUL 20 2015

TX ADMIN-AUSTIN

TX ADM

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


Re: Additional Compliance Documentation Needed for:  
Oak Bend Estates, CR 864A, Alvin, Brazoria County, Texas  
Regulated Entity No.: 102690245; TCEQ ID No.: 0200146; Investigation No.: 1261705

Dear Mr. Laughman:

On April 27, 2015, the Texas Commission on Environmental Quality (TCEQ) Houston Region Office received compliance documentation that you submitted for the alleged violations noted during the investigation of the above-referenced facility conducted on March 11, 2015. The compliance documentation contained in your response appears to indicate that some of the problems documented during the investigation have been corrected. However, information is still needed for the outstanding alleged violation listed in the enclosed Summary of Investigation Findings. Please submit to our office by August 19, 2015, a written description of corrective actions taken and the required compliance documentation demonstrating that this remaining alleged violation has been resolved.

The Texas Commission on Environmental Quality appreciates your assistance in this matter and your compliance efforts to protect the State's environment. We look forward to receiving your response for the remaining alleged violations. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements. If you or members of your staff have any questions, please feel free to contact Ms. Denise Ehrlich, in the Houston Region Office at (713) 767-3650.

Sincerely,

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

LD/DH/mar

Enclosure: Summary of Investigation Findings

cc: Brazoria County Environmental Health Services  
Mr. Larry Mitchell, Environmental Compliance Manager, Aqua Utilities Inc., 1106  
Clayton Lane, Suite 400W, Austin, Texas 78723

## Summary of Investigation Findings

OAK BEND ESTATES

, BRAZORIA COUNTY,

Additional ID(s): 0200146

Investigation #

1261705

Investigation Date: 07/06/2015

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

Track No: 565807

Compliance Due Date: 07/07/2015

30 TAC Chapter 290.42(l)

#### Alleged Violation:

Investigation: 1223333

Comment Date: 03/30/2015

#### 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.

Specifically, a plant operations manual was not available for review during the investigation.  
Investigation: 1261705

Comment Date: 07/06/2015

#### 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.

Specifically, a plant operations manual was not available for review during the investigation.

**Recommended Corrective Action:** Submit a plant operations manual to verify compliance.

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

Track No: 565809

30 TAC Chapter 290.46(n)(2)

#### Alleged Violation:

Investigation: 1223333

Comment Date: 03/30/2015

#### 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. Specifically, a distribution map was not available for review during the investigation.

Investigation: 1261705

Comment Date: 07/06/2015

#### 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. Specifically, a distribution map was not available for review during the investigation.

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

**Resolution:** On April 27, 2015, the regulated entity emailed copies of the distribution maps to verify compliance.

Hand

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 2, 2015

**CERTIFIED MAIL #7013 3020 0000 9763 1109**  
**RETURN RECEIPT REQUESTED**

RECEIVED

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

APR 08 2015

TX ADMIN-AUSTIN

Re: Notice of Violation for the Comprehensive Compliance Investigation at:  
Oak Bend Estates, CR 864A, Alvin, Brazoria County, Texas  
Regulated Entity No.: 102690245, TCEQ ID No.: 0200146, Investigation No.: 1223333

Dear Mr. Laughman:

On March 11, 2015, Ms. Denise Ehrlich 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 July 7, 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. 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.

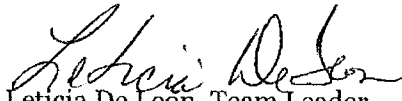
The TCEQ appreciates your assistance in this matter. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements. We anticipate that you will resolve the alleged violations as required in order to protect the 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.

Mr. Robert Laughman, President  
April 2, 2015  
Page 2

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.

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

Sincerely,



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

LD/DE/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

OAK BEND ESTATES

Investigation #

1223333

Investigation Date: 03/11/2015

, BRAZORIA COUNTY,

Additional ID(s): 0200146

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

Track No: 565807      Compliance Due Date: 07/07/2015  
30 TAC Chapter 290.42(l)

**Alleged Violation:**

Investigation: 1223333

Comment Date: 03/30/2015

**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.

Specifically, a plant operations manual was not available for review during the investigation.

**Recommended Corrective Action:** Submit a plant operations manual to verify compliance.

Track No: 565809      Compliance Due Date: 07/07/2015  
30 TAC Chapter 290.46(n)(2)

**Alleged Violation:**

Investigation: 1223333

Comment Date: 03/30/2015

**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. Specifically, a distribution map was not available for review during the investigation.

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



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*

July 8, 2015

RECEIVED

JUL 10 2015

TX ADMIN-AUSTIN

**CERTIFIED MAIL No.: 91 7199 9991 7035 6508 3784**  
**RETURN RECEIPT REQUESTED**

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

Re: Notice of Violation for Comprehensive Compliance Investigation at:  
Oak Forest South Water Supply, 3 miles S of Kerrville on Hwy 173, Kerr County, Texas  
Regulated Entity No.: RN102687704, TCEQ ID No.: 1330091, Investigation No.:  
1253074

Dear Mr. Foltz:

On May 12, 2015, Mr. Chris Friesenhahn of the Texas Commission on Environmental Quality (TCEQ) San Antonio Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for a public water supply. Enclosed is a summary which lists the investigation findings. Based on the information you have provided, the TCEQ has adequate documentation to resolve the alleged violation. Therefore, no further action is required; however, two Additional Issues have been cited which require your attention.

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

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

Mr. Scot Foltz, Environmental Compliance Manager  
July 8, 2015  
Page 2

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

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

Sincerely,



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

JTC/cmf/eg

Enclosure: Summary of Investigation Findings

# Summary of Investigation Findings

OAK FOREST SOUTH WATER SUPPLY

Investigation # 1253074

Investigation Date: 05/12/2015

, KERR COUNTY,

Additional ID(s): 1330091

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

Track No: 570867

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

### Alleged Violation:

Investigation: 1253074

Comment Date: 05/20/2015

Failure to provide adequate well production capacity.

At the time of the investigation, Well #2 was not in service and the water system was in the process of pulling the pump. Well #1 was producing 30 gallons per minute (gpm) and with 212 connections the water system is required to provide 127.2.

30 TAC 290.45(b)(1)(C)(i)-- For 50 to 250 connections, the system must provide a well capacity of 0.6 gpm per connection.

**Recommended Corrective Action:** Replace the pump in Well #2 so that the total well capacity is at least 127.2 gpm and meets the 0.6 gpm/connection requirement.

To document compliance, submit documentation which indicates that the total well capacity of the water system is providing at least 0.6 gpm/connection to this office by the compliance due date.

**Resolution:** 05/14/2015--Documentation submitted by Mr. Larance was received by the TCEQ San Antonio Region Office which included a photo of the well meter indicating that the well was producing 112 gpm, thus bringing the water system's total well production capacity to 142 gpm.

## ADDITIONAL ISSUES

Description

Additional Comments

## Item 2

30 TAC 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.

As a result of this investigation, it has been determined that a potential capacity issue exists for the water system's well production capacity. Currently the system is at 89.6% capacity for the well production capacity. With the potential for the water system to increase its connection count, actions must be taken to prepare for the potential additional capacity needs.

## Item 3

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

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*

January 11, 2016

RECEIVED

**CERTIFIED MAIL # 7013 3020 0000 9763 3721**  
**RETURN RECEIPT REQUESTED**

JAN 13 2016

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

TX ADMIN-AUSTIN

Re: Notice of Violation for the Comprehensive Compliance Investigation at:  
Oak Hollow Subdivision, Honey Comb @ Oak Hollow, Matagorda, Matagorda County,  
Texas  
Regulated Entity No.: 101201028  
TCEQ ID No.: 1610031

Investigation No.: 1299794

Dear Mr. Foltz:

On December 16, 2015, Ms. Destiny Winning, 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 April 18, 2016, a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for the outstanding alleged violations #582035 and #592064. A due date for submitting compliance documentation for outstanding alleged violation #592043 will be determined after you provide a compliance plan for this alleged violation. Your compliance plan is due by April 18, 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


Scot Foltz, Compliance Manager  
January 11, 2015  
Page 2

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 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,

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

Julia Thorp, Team Leader  
Public Water Supply  
Houston Region Office

JT/DW/mar

Enclosure: Summary of Investigation Findings  
cc: Matagorda County Environmental Health

## Summary of Investigation Findings

OAK HOLLOW SUBDIVISION

Investigation #

1299794

Investigation Date: 12/16/2015

, MATAGORDA COUNTY,

Additional ID(s): 1610031

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

Track No: 592035 Compliance Due Date: 04/18/2016

30 TAC Chapter 290.46(s)(1)

**Alleged Violation:**

Investigation: 1299794

Comment Date: 01/08/2016

**Testing Equipment**

Failure by the regulated entity to calibrate the well meter 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 the regulated entity did not provide documentation that the well meter had been calibrated at least once every three years.

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

Track No: 592043 Compliance Due Date: To Be Determined

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

**Alleged Violation:**

Investigation: 1299794

Comment Date: 01/08/2016

**Design and Construction of Pressure Tanks**

Failure to conduct an inspection of the pressure tank 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.

At the time of the investigation the regulated entity did not provide documentation that showed the interior of the pressure tank had been inspected in the past 5 years.

**Recommended Corrective Action:** Submit a compliance plan, engineering report, or work order to verify compliance that the interior of the pressure tank has been inspected.

Track No: 592064 Compliance Due Date: 04/18/2016

30 TAC Chapter 290.46(s)(2)

**Alleged Violation:**

Investigation: 1299794

Comment Date: 01/04/2016

**Testing equipment**

Laboratory equipment used for compliance testing shall be properly calibrated.

At the time of the investigation, the colorimeter calibration standards were expired.

**Recommended Corrective Action:** Submit photo or invoice of the new calibration standards to verify compliance.



March 7, 2016

Ms. Julia Thorp, Team Leader  
Public Water Supply  
TCEQ-Houston Region Office  
5425 Polk St., Ste. H  
Houston, Texas 77023-1452

Re: Oak Meadows II, PWS I.D. No.1460096, Investigation No. 1307245

Dear Ms. Thorp:

On May 7, 2015, Mr. Dustin Lorange, of TCEQ Beaumont, conducted an inspection of this public water system. In the letter we received, dated June 30, 2015, was listed several outstanding alleged violations. Violation Track No. 573678 was failure by Oak Meadows II to provide a recorded deed and map or sanitary control easement for all land within 150 feet of the well. I have enclosed a survey of the easement which was done in 2010 when Aqua Texas purchased the water system. I have also enclosed a copy of the plat of the subdivision. The easement was dedicated when the subdivision was platted. The subdivision was platted in 1981 and though not set out on the plat it is the opinion of our attorney that the easement, as shown on the circle on the plat map, is as stated to be sanitary control of the well. Our attorney states the easement is enforceable and we would take the necessary action to enforce the easement should a circumstance arise which would require us to do so.

We believe this documentation should be adequate to resolve the violation Track No. 573678. If you have questions regarding this letter or documents, please contact me by phone at (512) 990-4400 ext. 56109 or by email at [LEMitchell@Aquaamerica.com](mailto:LEMitchell@Aquaamerica.com).

Best Regards,

A handwritten signature in black ink, appearing to read "Larry E. Mitchell". The signature is written in a cursive, flowing style.

Larry E. Mitchell  
Environmental Compliance Coordinator

cc: Mike Pickel, Vice President, Chief Environmental Officer  
Adrian Wade, Field Supervisor, East Texas, Aqua Texas



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



*Duke*

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

June 30, 2015

**CERTIFIED MAIL {7014 1200 0000 1920 4427}  
RETURN RECEIPT REQUESTED**

RECEIVED

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

JUL 06 2015

TX ADMIN-AUSTIN

Re: Notice of Violation for Public Water Supply Comprehensive Compliance Investigation at:  
Oak Meadows II Subdivision, Liberty County, PWS ID No. 1460096, Investigation No. 1248019

Dear Mr. Foltz:

On May 7, 2015, Mr. Dustin Lorange 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, concerns were noted which were alleged noncompliances that has been resolved as 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 **December 27, 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.

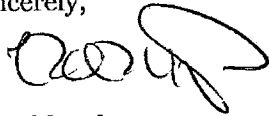
In the listing of the alleged violations, we have cited applicable requirements, including TCEQ rules. Please note that both the rules themselves and the agency brochure entitled *Obtaining TCEQ Rules* (GI 032) are located on our agency website at <http://www.tceq.state.tx.us> for your reference. If 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 violations 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. However, please be advised that if you decide to participate in the violation review process, the TCEQ may still require you to adhere to the compliance schedule included in the attached Summary of Investigation Findings until an official decision is made regarding the status of any or all of the contested violations.

Mr. Scot Foltz, Compliance Manager  
Aqua Utilities, Inc.  
Page 2  
June 30, 2015

If you or members of your staff have any questions, please feel free to contact Mr. Dustin Lorange 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/DL/bd

Attachment: Summary of Investigation Findings

## Summary of Investigation Findings

OAK MEADOWS II SUBDIVISION

Investigation #

1248019  
Investigation Date: 05/07/2015

, LIBERTY COUNTY,

Additional ID(s): 1460096

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

Track No: 573678 Compliance Due Date: 10/28/2015

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

**Alleged Violation:**

Investigation: 1248019

Comment Date: 06/18/2015

Failure by Oak Meadows II Subdivision to provide a recorded deed and map or sanitary control easement for all land within 150 feet of the well.

During the investigation, it was noted that the water system could not provide a sanitary control easement or deed and map for all of the land located within 150 feet of the well. A map of the area was provided and it was noted that there were no deeds or sanitary control easements provided for lots No. 10, 11, 12, 39, 40, and 41, which were all within 150 feet of the well.

**Recommended Corrective Action:** Submit a recorded deed and map or sanitary control easement for the following lots to the Beaumont Regional Office: Lots 10, 11, 12, 39, 40, and 41.

The water system may request an exception to this requirement by writing to TCEQ Water Supply Division, Technical Review and Oversight Team, MC 155 PO Box 13087, Austin, Texas 78711-3087; phone (512) 239-4691.

Track No: 573692 Compliance Due Date: 10/28/2015

30 TAC Chapter 290.46(f)(2)

**Alleged Violation:**

Investigation: 1248019

Comment Date: 06/18/2015

Failure by Oak Meadows II Subdivision to have operating records accessible for review upon request.

During the investigation a records request was made for the past three months of chlorine meter calibration records, the flushing records for November 2014- April 2015, the average daily and maximum daily water usage for a 12-month period, and the bacteriological sample results form for March 2015. This documentation was not received prior to submission of this report.

**Recommended Corrective Action:** Establish a Standard Operating Procedure (SOP) for the submittal of records upon request. Submit the SOP and requested records to the Beaumont Regional Office.

Track No: 573698 Compliance Due Date: 10/28/2015

30 TAC Chapter 290.121(a)

**Alleged Violation:**

Investigation: 1248019

Comment Date: 06/18/2015

Failure by Oak Meadows II Subdivision to maintain a copy of the monitoring plan at all treatment plants.

During the investigation, it was noted that the water system does not maintain a copy of the monitoring plan at the treatment plant.

**Recommended Corrective Action:** Maintain a copy of the monitoring plan at the treatment plant. Submit photographic documentation which displays compliance to the Beaumont Regional Office.

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**Track No:** 573702      **Compliance Due Date:** 10/28/2015

**30 TAC Chapter 290.46(m)**

**Alleged Violation:**

Investigation: 1248019

Comment Date: 06/29/2015

Failure by Oak Meadows II Subdivision to maintain the pressure tank in a good working condition and general appearance.

During the investigation, it was noted that the interior and exterior of the pressure tank was in a poor condition. The outer coating on the exterior of the tank was severely chipped. The tank inspection forms showed that the interior coating has become very thin.

**Recommended Corrective Action:** Repair the interior and exterior coating of the pressure tank. Submit documentation which displays compliance to the Beaumont Regional Office.

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**Track No:** 573705      **Compliance Due Date:** 12/27/2015

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

**Alleged Violation:**

Investigation: 1248019

Comment Date: 06/18/2015

Failure by Oak Meadows II Subdivision to provide a total well production capacity of 1.5 gpm per connection.

During the investigation, it was noted that the water system is required to provide 54 gpm for total well production, while the water system provides 45 gpm. The water system is 16.67% deficient in well production capacity.

**Recommended Corrective Action:** Provide a total well production capacity of 1.5 gpm per connection. Submit documentation which displays compliance to the Beaumont Regional Office.

Please note that if any modifications are made to the plant in an effort obtain compliance with this regulation, notification shall be made to TCEQ Water Supply division, Technical Review and Oversight Team, MC 155 PO Box 13087, Austin, Texas 78711-3087; phone (512) 239-4691. Additionally, an exception may be requested regarding this regulation to the address listed above.

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

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**Track No:** 468395

**30 TAC Chapter 290.41(c)(3)(B)**

**Alleged Violation:**

Investigation: 1008320

Comment Date: 06/01/2012

Failure to provide a well casing 18 inches above the elevation of the finished floor of the pump house/ room or natural ground surface with a minimum of one inch above the sealing block or pump motor foundation block.

Investigation: 1248019

Comment Date: 06/18/2015

During the investigation, the well casing was measured to be approximately 38 inches in height from the ground surface.

**Recommended Corrective Action:** Submit a photo, receipt, invoice or work order to show the well casing is a minimum of 18 inches above the finished floor surface to verify compliance.

**Resolution:** During the investigation on May 7, 2015, the well casing was measured to be approximately 38 inches in height from the ground surface.

Track No: 468396

30 TAC Chapter 290.43(d)(3)

**Alleged Violation:**

Investigation: 1008320

Comment Date: 06/01/2012

Failure to equip the pressure tank with a capacity greater than 1000 gallons with some sanitary means of determining the air to water ratio. Galvanized tanks which are not provided with the necessary fittings and which were installed before July 1, 1988, shall be exempt from this requirement. (site glass)

At the time of the investigation the sight glass was rusty colored and the water level could not be determined by looking thru the sight glass.

Investigation: 1248019

Comment Date: 06/18/2015

During the investigation, the site glass was noted to be adequate for monitoring the air-water-volume in the pressure tank.

**Recommended Corrective Action:** Submit a photo, receipt, invoice or work order to show the sight glass has been replaced to verify compliance.

**Resolution:** During the investigation on May 7, 2015, the site glass was noted to be adequate for monitoring the air-water-volume in the pressure tank.

## AREA OF CONCERN

Track No: 573679

30 TAC Chapter 290.42(l)

**Alleged Violation:**

Investigation: 1248019

Comment Date: 06/18/2015

Failure by Oak Meadows II Subdivision to maintain a complete plant operations manual.

During the investigation, it was noted that the plant operations manual did not contain any local, state, or federal agency emergency contact information.

**Recommended Corrective Action:** Update the plant operations manual to include the required emergency contact information.

**Resolution:** During the course of the investigation, the emergency contact information was added to the manual.

Track No: 573686

30 TAC Chapter 290.46(n)(2)

**Alleged Violation:**

Investigation: 1248019

Comment Date: 06/18/2015

Failure by Oak Meadows II Subdivision to maintain an adequate map of the distribution system.

During the investigation, it was noted that the provided distribution map did not display the location of all valves within the distribution system.

**Recommended Corrective Action:** Update the map to include all valve locations.

**Resolution:** During the investigation, the map was updated to include the location of all valves.

Track No: 573688

30 TAC Chapter 290.46(s)(1)

**Alleged Violation:**

Investigation: 1248019

Comment Date: 06/18/2015

Failure by Oak Meadows II Subdivision to calibrate the well meter at least once every three years.

During the investigation, it was noted that the water system was unable to determine if the well meter had been calibrated within the previous three years. No records were provided during the investigation.

**Recommended Corrective Action:** Calibrate the well meter and submit documentation that it was conducted to the Beaumont Regional Office.

**Resolution:** On May 18, 2015, the Beaumont Regional Office received documentation which displayed that the well meter was calibrated on May 14, 2015.

**ADDITIONAL ISSUES****Description**

Item 8

**Additional Comments**

During the investigation, it was noted that the water system was not rotating samples sites for the distribution disinfectant residuals each week prior to November 2014.

Item 12

During the investigation, a free chlorine residual of 4.3 mg/L was documented in the distribution system. Please note that the disinfectant residual must not exceed 4.0 mg/L on a running annual average.

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 13, 2015

**CERTIFIED MAIL 91 7199 9991 7033 2559 9869  
RETURN RECEIPT REQUESTED**

RECEIVED

FEB 19 2015

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

TX ADMIN-AUSTIN

Re: Notice of Violation for Comprehensive Compliance Investigation at:  
Oak Meadows Water System, Oak Meadows Drive, San Marcos (Hays County), Texas  
TCEQ Public Water Supply ID 1050100, RN102679289

Dear Mr. Foltz:

On January 6, 2015, Lawrence King of the Texas Commission on Environmental Quality (TCEQ) Austin Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with requirements for public drinking water systems. Enclosed is a summary of the investigation findings. During the investigation, certain violations were alleged for which compliance documentation is required. Please submit to this office by April 14, 2015, a written description of the corrective actions taken to achieve compliance.

In the listing of alleged violations, we have cited applicable requirements, including TCEQ rules. 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 Region Office at (512) 339-2929 or the Central Office Publications Ordering Team at (512) 239-0028.

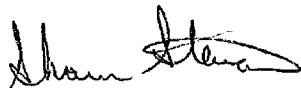
The TCEQ appreciates your assistance in this matter. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements. We anticipate that you will resolve the alleged violations as required in order to continue to ensure the protection of the public health. 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 Austin Region Office within 10 days from the date of this letter. At that time, I will schedule a violation

Mr. Scott Foltz  
Page 2  
February 13, 2015

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.

Should you have a question regarding this matter, please feel free to contact Mr. King in the Austin Region Office at (512) 339-2929.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn Stewart", with a stylized flourish at the end.

Shawn Stewart  
Water Section Work Leader  
Austin Region Office

SS/lok

Attachment: Summary of Investigation Findings



## Summary of Investigation Findings

OAK MEADOWS

, HAYS COUNTY,

Additional ID(s): 1050100

Investigation #

1215816

Investigation Date: 01/06/2015

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

Track No: 560449      Compliance Due Date: 04/14/2015  
30 TAC Chapter 290.43(c)(6)

**Alleged Violation:**

Investigation: 1215816

Comment Date: 02/04/2015

Aqua Utilities, Incorporated failed to maintain a potable water storage tank in a thoroughly leak-tight condition. It was observed that a ground storage tank at the Well 2 plant had a leak on one of the side panels that had been plugged with a piece of wood.

**Recommended Corrective Action:** Aqua Utilities, Incorporated shall submit documentation, such as a photograph, to the TCEQ Austin Region Office that demonstrates that the leak has been repaired.

Track No: 560451      Compliance Due Date: 04/14/2015  
30 TAC Chapter 290.41(c)(1)(F)

**Alleged Violation:**

Investigation: 1215816

Comment Date: 02/04/2015

Sanitary control easements covering properties within 150 feet of the water system's two wells have never been obtained by either Aqua Utilities, Incorporated or by the former owner of the water system.

**Recommended Corrective Action:** Aqua Utilities, Incorporated shall obtain sanitary control easements covering land within 150 feet of the system's two wells or obtain approval from the TCEQ for an exception to this requirement.

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



*Brian*

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

March 31, 2015

RECEIVED

Mr. Scot W. Foltz, Regulatory and Compliance Manager  
Aqua Texas, Inc.  
1160 Clayton Lane, Suite 400W  
Austin, TX 78723

APR 03 2015

TX ADMIN-AUSTIN

Re: Comprehensive Compliance Investigation at:  
Onion Creek Meadows, Onion Creek Drive, Manchaca (Travis County), Texas  
TCEQ PWS ID No. 2270059, Rn102670924

Dear Mr. Foltz:

On March 9, 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.

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,

A handwritten signature in cursive script, appearing to read "Shawn Stewart".

Shawn Stewart  
Water Program Work Leader  
Austin Region Office

SS/cac