

## Summary of Investigation Findings

REAL OAKS SUBDIVISION

512 RODRIGUEZ ST

KERRVILLE, KERR COUNTY, TX 78028

Investigation #

1299757

Investigation Date: 12/10/2015

Additional ID(s): 1330139

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

Track No: 594285 Compliance Due Date: 05/09/2016

30 TAC Chapter 290.46(n)(2)

**Alleged Violation:**

Investigation: 1299757

Comment Date: 02/01/2016

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

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

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

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

Track No: 594288 Compliance Due Date: 05/09/2016

30 TAC Chapter 290.42(l)

**Alleged Violation:**

Investigation: 1299757

Comment Date: 02/01/2016

Failure to provide a plant operations manual.

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

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

**Recommended Corrective Action:** Prepare a plant operations manual in accordance with 30 TAC 290.42(l). To document compliance, submit a copy of the plant operations manual to this office by the compliance due date.

### ADDITIONAL ISSUES

Description

Additional Comments

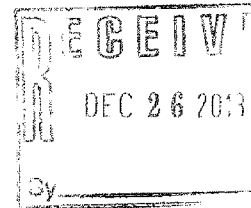
Item 3

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 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).

Item 4

The PWS was forwarded to the TCEQ Enforcement Division due to unresolved violations cited on 10/24/2013. Enforcement Order Docket No. 2015-0102-PWS-E is in proposed status. One of the violations is a continuing violation which is being addressed by the Enforcement Order and thus will not be cited as a result of this investigation

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*

December 20, 2013

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

Re: Comprehensive Compliance Investigation at:  
Saddlewood Subdivision, Spanish Oak Dr. off Sheppard Rees N of Kerrville, Kerr County,  
Texas  
Regulated Entity: RN102671054; TCEQ ID: 1330155; Investigation No.: 1134668

Dear Mr. Penshorn:

On October 23, 2013, Mr. Chris Friesenhahn of the Texas Commission on Environmental Quality (TCEQ) San Antonio Region Office conducted an investigation of the above-referenced facility to evaluate compliance with applicable requirements for a public water supply. No violations are being alleged as a result of the investigation.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions regarding these matters, please feel free to contact Mr. Friesenhahn in the San Antonio Region Office at (210) 403-4055.

Sincerely,

A handwritten signature in cursive script, reading "Joy Thurston-Cook".

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

JTC/cmf/eg

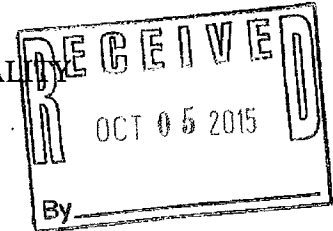
Bryan W. Shaw, Ph.D., P.E., *Chairman*  
Toby Baker, *Commissioner*  
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

September 30, 2015



**CERTIFIED MAIL 91 7199 9991 7033 2766 4824**

Mr. Scot Foltz, Environmental Compliance Manager  
Aqua Utilities Inc.  
1106 Clayton Lane, Suite 400W  
Austin, TX 78723-1066

Re: Notice of Violation for Comprehensive Compliance Investigation  
San Gabriel River Ranches, CR 214, Liberty Hill (Williamson County), Texas  
Regulated Entity No.101250306, TCEQ PWS ID No.2460046

Dear Mr. Foltz:

On September 17, 2015, Claudia A. Chaffin of the Texas Commission on Environmental Quality (TCEQ) Austin Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for public water supply. Enclosed is a summary which lists the investigation findings. During the investigation a certain outstanding alleged violation was identified for which compliance documentation is required. Please submit to this office by February 29, 2016 a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for the outstanding alleged violation.

In the listing of the alleged violation, we have cited applicable requirements, including TCEQ rules. Please note that both the rules themselves and the agency brochure entitled *Obtaining TCEQ Rules* (GI 032) are located on our agency website at <http://www.tceq.state.tx.us> for your reference. If you would like a hard copy of this brochure mailed to you, you may call and request one from either the Austin Region Office at (512)339-2929 or the Central Office Publications Ordering Team at 512-239-0028.

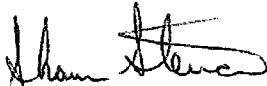
The TCEQ appreciates your assistance in this matter. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements. We anticipate that you will resolve the alleged violations as required in order to protect the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

Mr. Scot Fultz  
Page 2  
September 30, 2015

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

Sincerely,

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

Shawn Stewart  
Water Program Work Leader  
Austin Region Office  
Texas Commission on Environmental Quality

SS/cac

Enclosure: Summary of Investigation Findings

## Summary of Investigation Findings

SAN GABRIEL RIVER RANCHES

Investigation #

1274902

Investigation Date: 09/17/2015

, WILLIAMSON COUNTY,

Additional ID(s): 2460046

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

Track No: 584610

Compliance Due Date: 02/29/2016

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

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

#### Alleged Violation:

Investigation: 1274902

Comment Date: 09/24/2015

Failure to have two or more wells with a total capacity of 0.6 gpm per connection. On the day of the investigation the wells were tested at 49 gpm and 55 gpm for a total of 104 gpm. The system has 241 connections and needs at least 144.6 gpm combined well capacity to meet the minimum requirement.

**Recommended Corrective Action:** Submit written documentation of compliance of well capacity of 0.6 gpm per connection or a copy of a well capacity exception request that has been approved by to the TCEQ Water Supply Division, Plan & Technical Review Section to the TCEQ Austin Region Office on or before the compliance due date.

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



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

March 11, 2016

**CERTIFIED MAIL NO.: 91 7199 9991 7036 0233 0286**  
**RETURN RECEIPT REQUESTED**

RECEIVED

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

TX ADMIN-AUSTIN

Re: Notice of Violation for Comprehensive Compliance Investigation at:  
San Julian Creek Estates, San Julian Creek 2 miles S of intersection with Hwy 173,  
Bandera County, Texas  
Regulated Entity No.: RN102675451, TCEQ ID No.: 0100052; Investigation No.:  
1313630

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, a certain outstanding alleged violation was identified for which compliance documentation is required. Please submit to this office by May 11, 2016, a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for the outstanding alleged violation.

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

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

Mr. Scot Foltz  
March 11, 2016  
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 enclosed Summary of Investigation Findings until an official decision is made regarding the status of any or all of the contested violations.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Joy Thurston-Cook".

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

SAN JULIAN CREEK ESTATES

Investigation #

, BANDERA COUNTY,

1313630  
Investigation Date: 01/20/2016

Additional ID(s): 0100052

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

Track No: 596318 Compliance Due Date: 05/11/2016

30 TAC Chapter 290.46(m)(4)

#### Alleged Violation:

Investigation: 1313630

Comment Date: 02/24/2016

Failure to maintain the water storage facilities in a water tight condition.

At the time of the investigation, the entry hatch on the ground storage tank was severely rusted with a large opening of about 18 inches by 3 inches in size and several smaller holes exposing the water in the tank to the outside elements which could cause potential contamination. On 01/22/2016 a photograph was provided which indicated that the openings in the tank had been covered by a tarp, temporarily providing protection from the elements until a permanent repair can be made.

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

**Recommended Corrective Action:** Repair the hatch entry on the ground storage tank to ensure that it is tight against leakage and protects the water from exposure to outside elements and potential deleterious materials.

To document compliance, submit photographic documentation which indicates that the entry hatch on the ground storage tank has been repaired to this office by the compliance due date.

Mike

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*

September 8, 2015

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

RECEIVED

TX ADMIN-AUSTIN

Re: Compliant Investigation at:  
Sandy Creek Ranches Water System, Round Mountain Road, Leander (Travis County),  
Texas  
TCEQ PWS ID No.2270054, RN100843143

Dear Mr. Foltz:

On July 28, 2015 and August 20, 2015, Claudia A. Chaffin of the Texas Commission on Environmental Quality (TCEQ) Austin Region Office conducted a complaint 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 "Shawn Stewart".

Shawn Stewart  
Water Program Work Leader  
Austin Region Office

SS/cac

David / 11/2014

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

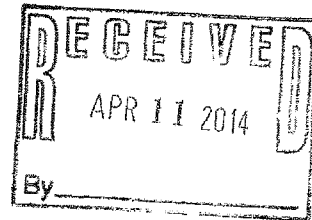


## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

April 9, 2014

**CERTIFIED MAIL 91 7199 9991 7033 2559 9548**  
**RETURN RECEIPT REQUESTED**



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

Re: Notice of Violation for Comprehensive Compliance Investigation at:  
Sandy Creek Ranches Subdivision Water System  
Round Mountain Road, Leander (Travis County)  
TCEQ Public Water Supply ID 2270054, RN100843143

Dear Mr. Mitchell:

On March 20, 2014, 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 applicable requirements for public water systems. Enclosed is a summary which lists the investigation findings. During the investigation, certain alleged violations were identified for which compliance documentation is required. Please submit to this office by July 9, 2014, a written description of the corrective actions taken and the required documentation demonstrating that compliance has been achieved for these 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 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

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)

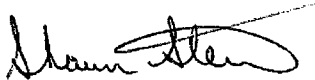
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Mr. Larry Mitchell  
Page 2  
April 9, 2014

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 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,



Shawn Stewart  
Water Section Work Leader  
Austin Region Office  
Texas Commission on Environmental Quality

SS/lok

Attachment: Summary of Investigation Findings

## Summary of Investigation Findings

SANDY CREEK RANCHES SUBDIVISION

Investigation #

1157319  
Investigation Date: 03/20/2014

, TRAVIS COUNTY,

Additional ID(s): 2270054

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

Track No: 531759 Compliance Due Date: 07/09/2014

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

**Alleged Violation:**

Investigation: 1157319

Comment Date: 04/02/2014

Aqua Texas, Incorporated failed to provide the minimum required water production capacity. Total well production, at the time of the investigation, was 252 gallons per minute. With 577 connections, the system is currently required to provide at least 346 gallons per minute.

**Recommended Corrective Action:** Aqua Texas, Incorporated shall take the measures necessary to bring the Sandy Creek Ranches water system into compliance with minimum production capacity requirements.

Track No: 531762 Compliance Due Date: 07/09/2014

30 TAC Chapter 290.43(c)(4)

**Alleged Violation:**

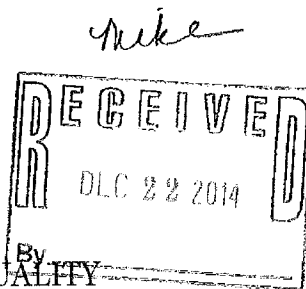
Investigation: 1157319

Comment Date: 04/02/2014

Aqua Texas, Incorporated failed to have a liquid level indicator on the standpipe at the Big Sandy plant. At the time of the investigation, the pressure gauge at the base of the tank was inoperable.

**Recommended Corrective Action:** Aqua Texas, Incorporated shall ensure that the standpipe at the Big Sandy plant has a functioning water level indicator. Please send documentation, such as a photograph, demonstrating that the work has been completed to the TCEQ Austin Region Office.

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*

December 17, 2014

**CERTIFIED MAIL 91 7199 9991 7033 2559 9890**  
**RETURN RECEIPT REQUESTED**

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

Re: Additional Compliance Documentation Needed for:  
Sandy Creek Ranches Subdivision Water System  
Round Mountain Road, Leander (Travis County)  
TCEQ Public Water Supply ID 2270054, RN100843143

Dear Mr. Mitchell:

The Texas Commission on Environmental Quality (TCEQ) Austin Region Office has received the compliance documentation that you submitted December 8, 2014, for the alleged violations noted during the investigation of the above-referenced facility conducted March 20, 2014. The compliance documentation indicates that one violation has been corrected. However, information is still needed for the alleged violation listed in the enclosed summary. Please submit to our office by January 15, 2014, a written description of corrective action taken and the required compliance documentation demonstrating that this remaining alleged violation has been resolved.

The TCEQ appreciates your assistance in this matter and your continued efforts to protect the public health. We look forward to receiving your response. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements.

Mr. Larry Mitchell  
Page 2  
December 17, 2014

If you or members of your staff have any questions, please feel free to contact Lawrence King in the Austin Region Office at 512-339-2929.

Sincerely,

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

Shawn Stewart  
Water Section Work Leader  
Austin Region Office  
Texas Commission on Environmental Quality

SS/lok

Enclosure: Summary of Unresolved Investigation Findings

## Summary of Investigation Findings

SANDY CREEK RANCHES SUBDIVISION

Investigation #

, TRAVIS COUNTY,

1215402  
Investigation Date: 12/12/2014

Additional ID(s): 2270054

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

Track No: 531759 Compliance Due Date: 01/15/2015

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

#### Alleged Violation:

Investigation: 1157319

Comment Date: 04/02/2014

Aqua Texas, Incorporated failed to provide the minimum required water production capacity. Total well production, at the time of the investigation, was 252 gallons per minute. With 577 connections, the system is currently required to provide at least 346 gallons per minute.

Investigation: 1215402

Comment Date: 12/12/2014

At the time of the compliance investigation file review, the well production rate remained less than 0.6 gallons per minute for each connection.

**Recommended Corrective Action:** Aqua Utilities, Incorporated shall begin to meet the minimum well production rate required by 30 Texas Administrative Code 290.45(b)(1)(D)(i).

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

Track No: 531762

30 TAC Chapter 290.43(c)(4)

#### Alleged Violation:

Investigation: 1157319

Comment Date: 04/02/2014

Aqua Texas, Incorporated failed to have a liquid level indicator on the standpipe at the Big Sandy plant. At the time of the investigation, the pressure gauge at the base of the tank was inoperable.

Investigation: 1215402

Comment Date: 12/12/2014

The standpipe at the Big Sandy Plant was not equipped with a liquid level indicator.

**Resolution:** Aqua Utilities, Incorporated submitted a photograph to the TCEQ Austin Region Office of the newly installed pressure gauge on the standpipe at the Big Sandy Plant.



Mike

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

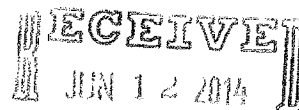


## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

June 6, 2014

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



BY: .....

Re: Complaint Investigation at:  
Sandy Creek Ranches Water System, Leander (Williamson County), Texas  
TCEQ PWS ID No. 2270054, TCEQ Regulated Entity RN100843143  
TCEQ Investigation No. 1165633, TCEQ Incident No. 196245

Dear Mr. Foltz:

On April 7, 2014, Chad W. Ahlgren, 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 compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions regarding these matters, please feel free to contact Mr. Ahlgren 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/cwa

(Rev. 02/23/12)

None

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*

September 9, 2015

**CERTIFIED MAIL # 7014 3490 0001 6813**  
**RETURN RECEIPT REQUESTED**

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

RECEIVED

TX ADMIN-AUSTIN

Re: Failure to Submit Compliance Documentation for:  
Sandy Ridge Subdivision, 4423 Sandy Ridge Ln, Manvel, Brazoria County, Texas  
Regulated Entity No.: 101175263; TCEQ ID No.: 0200255; Investigation No.: 1274441

Dear Mr. Foltz:

By letter dated March 11, 2015, the Texas Commission on Environmental Quality (TCEQ) Houston Region Office requested that you submit information to us by June 11, 2015, verifying that the outstanding alleged violations referenced in the letter have been corrected. The alleged violations were noted during the investigation of the above-referenced facility conducted on January 21, 2015. Enclosed for your information is a copy of the letter. As of this date, we have not received from you a written description of the corrective actions taken and the required compliance documentation for these alleged violations. Please submit this information to us by no later than October 11, 2015.

The Texas Commission on Environmental Quality appreciates your assistance in this matter and looks forward to receiving your response. 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. Valerie Burkett, in the Houston Region Office at (713) 767-3650.

Sincerely,

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

Julia Thorp, Team Leader  
Public Water Supply  
Houston Region Office

JT/VB/mar

Enclosures: Copy of Previous Letter  
Summary of Investigation Findings



## Summary of Investigation Findings

**SANDY RIDGE SUBDIVISION**

4423 SANDY RIDGE LN  
MANVEL, BRAZORIA COUNTY, TX 77578

Additional ID(s): 0200255

Investigation #

1274441

Investigation Date: 08/24/2015

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

Track No: 562773      Compliance Due Date: To Be Determined  
30 TAC Chapter 290.42(I)

**Alleged Violation:**

Investigation: 1221422

Comment Date: 02/26/2015

**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, an plant operation manual was not available for review at the time of the investigation.

Investigation: 1274441

Comment Date: 08/24/2015

Failure to compile and maintain, a current, and thorough plant operations manual for operator review and reference.

**Recommended Corrective Action:** Submit a copy of the plant operations manual OR submit a compliance plan detailing when compliance will be achieved to verify compliance.

Track No: 562779      Compliance Due Date: 04/12/2015  
30 TAC Chapter 290.41(c)(3)(J)

**Alleged Violation:**

Investigation: 1221422

Comment Date: 02/26/2015

**Ground Water Sources and Development**

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

Specifically, at the time of the investigation, the concrete sealing block had several cracks.

Investigation: 1274441

Comment Date: 08/24/2015

Failure to repair or replace the cracked concrete sealing block surrounding Well Number 1.

**Recommended Corrective Action:** Submit a photograph or completed work order showing that the concrete sealing block surrounding well number 1 has been repaired or replaced to verify compliance.

Track No: 562781      Compliance Due Date: To Be Determined  
30 TAC Chapter 290.45(b)(1)(A)(ii)

**Alleged Violation:**

**Capacity Requirements**

Failure to meet this Agency's "Minimum Water System Capacity Requirements." These requirements include:

A pressure tank capacity of 50 gallons per connection for systems without ground storage.

Specifically, at the time of the investigation, the connection count was 20 and the pressure tank capacity was 940 gallons. The required pressure tank capacity is 50 gallons per connection X 20 connections = 1000 gallons. The system was therefore 60 gallons short.

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.

Investigation: 1274441

Comment Date: 08/24/2015

Failure to meet this Agency's "Minimum Water System Capacity Requirements."

**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.

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



COPY

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

March 11, 2015

**CERTIFIED MAIL #7011 3500 0000 0287 6628**  
**RETURN RECEIPT REQUESTED**

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

Re: Notice of Violation for the Comprehensive Compliance Investigation at:  
Sandy Ridge Subdivision, 4423 Sandy Ridge Ln, Manvel, Brazoria County, Texas  
Regulated Entity No.: RN101175263, TCEQ ID No.: 0200255, Investigation No.: 1221422

Dear Mr. Foltz:

On January 21, 2015, Ms. Valerie Burkett, of the Texas Commission on Environmental Quality (TCEQ) Houston Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for Public Water Supply. Enclosed is a summary which lists the investigation findings. During the investigation, certain outstanding alleged violations were identified for which compliance documentation is required. Please submit to this office by April 12, 2015, a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for the outstanding alleged violation #562779. A due date for submitting compliance documentation for outstanding alleged violations #562773 and #562781 will be determined after you provide a compliance plan for these alleged violations. Your compliance plan is due by June 11, 2015. Please address how each 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

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Mr. Foltz, Environmental Compliance Manager  
Page 2  
March 11, 2015

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

However, please be advised that if you decide to participate in the violation review process, the TCEQ may still require you to adhere to the compliance schedule included in the attached Summary of Investigation Findings until an official decision is made regarding the status of any or all of the contested violations.

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

Sincerely,

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

LD/VB/mar

Enclosure: Summary of Investigation Findings

cc: Mr. Hans Anderson, Area Supervisor, 2211 Louetta Rd, Spring, TX 77388

*Plans*

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*

December 14, 2015

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

Re: Unresolved Alleged Violations for Comprehensive Compliance Investigation at:  
Sandy Ridge Subdivision, 4423 Sandy Ridge Ln, Manvel, Brazoria County, Texas  
Regulated Entity No.: 101175263; TCEQ ID No.: 0200255; Investigation No.: 1296307

Dear Mr. Foltz:

The Texas Commission on Environmental Quality (TCEQ) Houston Region Office has previously requested that you submit compliance documentation for the alleged violations noted during the investigation of the above-referenced facility conducted on January 21, 2015. We have received acceptable compliance documentation from you for one of the alleged violations; however, we are still waiting on documentation concerning the violations listed as outstanding in the enclosed Summary of Investigation Findings. Please be advised that you are responsible for correcting these remaining problems. These unresolved alleged violations will be placed in your file to be evaluated during any subsequent investigation. Continuation of these outstanding violations at a future inspection may result in enforcement action.

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

Sincerely,

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

Julia Thorp, Team Leader  
Public Water Supply  
Houston Region Office

JT/VB

Enclosure: Summary of Investigation Findings





## Summary of Investigation Findings

SANDY RIDGE SUBDIVISION

4423 SANDY RIDGE LN

MANVEL, BRAZORIA COUNTY, TX 77578

Investigation #

1296307

Investigation Date: 12/09/2015

Additional ID(s): 0200255

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

Track No: 562779 Compliance Due Date: 04/12/2015

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

**Alleged Violation:**

Investigation: 1221422

Comment Date: 02/26/2015

Ground Water Sources and Development

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

Specifically, at the time of the investigation, the concrete sealing block had several cracks.

Investigation: 1274441

Comment Date: 08/24/2015

Failure to repair or replace the cracked concrete sealing block surrounding Well Number 1.

Investigation: 1296307

Comment Date: 12/09/2015

Failure to repair or replace the cracked concrete sealing block surrounding Well Number 1.

**Recommended Corrective Action:** Submit a photograph or completed work order showing that the concrete sealing block surrounding well number 1 has been repaired or replaced to verify compliance.

Track No: 562781 Compliance Due Date: 01/17/2016

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

**Alleged Violation:**

Investigation: 1221422

Comment Date: 03/05/2015

Capacity Requirements

Failure to meet this Agency's "Minimum Water System Capacity Requirements." These requirements include:

A pressure tank capacity of 50 gallons per connection for systems without ground storage.

Specifically, at the time of the investigation, the connection count was 20 and the pressure tank capacity was 940 gallons. The required pressure tank capacity is 50 gallons per connection X 20 connections = 1000 gallons. The system was therefore 60 gallons short.

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

**SANDY RIDGE SUBDIVISION****Investigation # 1296307**

Supply Division, Public Drinking Water Section, Technical Review & Oversight, MC 159, P.O.  
Box 13087, Austin, TX 78711-3087; phone: (512) 239-4691.  
Investigation: 1274441

Comment Date: 08/24/2015

Failure to meet this Agency's "Minimum Water System Capacity Requirements."

Investigation: 1296307

Comment Date: 12/09/2015

Failure to meet this Agency's "Minimum Water System Capacity Requirements."

**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.

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

Track No: 562773

30 TAC Chapter 290.42(I)

**Alleged Violation:**

Investigation: 1221422

Comment Date: 02/26/2015

**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, an plant operation manual was not available for review at the time of the investigation.

Investigation: 1274441

Comment Date: 08/24/2015

Failure to compile and maintain, a current, and thorough plant operations manual for operator review and reference.

Investigation: 1296307

Comment Date: 12/09/2015

Failure to compile and maintain, a current, and thorough plant operations manual for operator review and reference.

**Recommended Corrective Action:** Submit a copy of the plant operations manual OR submit a compliance plan detailing when compliance will be achieved to verify compliance.

**Resolution:** On November 19, 2015, the regulated entity emailed a copy of the plant operations manual.

1/20/15

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 27, 2015

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

Re: Comprehensive Compliance Investigation of:  
Shady Hollow Estates WSC Public Water System  
Travis County, Texas  
PWS ID No.: 2270212; TCEQ Regulated Entity No.: RN102681434  
Investigation No.: 1252953

Dear Mr. Foltz:

On April 29, 2015, Mr. Brad Monk of the Texas Commission on Environmental Quality (TCEQ) Austin Regional Office conducted an investigation of the above-referenced facility to evaluate compliance with applicable requirements for public water systems. No violations are being alleged as a result of the investigation.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions regarding these matters, please feel free to contact Mr. Monk in the Austin Regional Office at (512) 339-2929.

Sincerely,

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

Shawn Stewart  
Water Section Work Leader  
Austin Regional Office

SS/bm

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

RECEIVED

JUN 01 2015

TX ADMIN-AUSTIN

Now

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 11, 2015

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MAR 16 2015

**CERTIFIED MAIL #7011 3500 0000 0287 6628**  
**RETURN RECEIPT REQUESTED**

TX ADMIN-AUSTIN

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

Re: Notice of Violation for the Comprehensive Compliance Investigation at:  
Sandy Ridge Subdivision, 4423 Sandy Ridge Ln, Manvel, Brazoria County, Texas  
Regulated Entity No.: RN101175263, TCEQ ID No.: 0200255, Investigation No.: 1221422

Dear Mr. Foltz:

On January 21, 2015, Ms. Valerie Burkett, of the Texas Commission on Environmental Quality (TCEQ) Houston Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for Public Water Supply. Enclosed is a summary which lists the investigation findings. During the investigation, certain outstanding alleged violations were identified for which compliance documentation is required. Please submit to this office by April 12, 2015, a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for the outstanding alleged violation #562779. A due date for submitting compliance documentation for outstanding alleged violations #562773 and #562781 will be determined after you provide a compliance plan for these alleged violations. Your compliance plan is due by June 11, 2015. Please address how each 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

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Mr. Foltz, Environmental Compliance Manager

Page 2

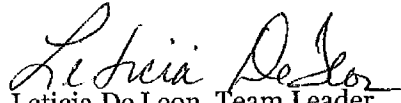
March 11, 2015

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

However, please be advised that if you decide to participate in the violation review process, the TCEQ may still require you to adhere to the compliance schedule included in the attached Summary of Investigation Findings until an official decision is made regarding the status of any or all of the contested violations.

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

Sincerely,



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

LD/VB/mar

Enclosure: Summary of Investigation Findings

cc: Mr. Hans Anderson, Area Supervisor, 2211 Louetta Rd, Spring, TX 77388

## Summary of Investigation Findings

SANDY RIDGE SUBDIVISION

4423 SANDY RIDGE LN

MANVEL, BRAZORIA COUNTY, TX 77578

Investigation #

1221422

Investigation Date: 01/21/2015

Additional ID(s): 0200255

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

Track No: 562773

Compliance Due Date: To Be Determined

30 TAC Chapter 290.42(I)

**Alleged Violation:**

Investigation: 1221422

Comment Date: 02/26/2015

**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, an plant operation manual was not available for review at the time of the investigation.

**Recommended Corrective Action:** Submit a copy of the plant operations manual OR submit a compliance plan detailing when compliance will be achieved to verify compliance.

Track No: 562779

Compliance Due Date: 04/12/2015

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

**Alleged Violation:**

Investigation: 1221422

Comment Date: 02/26/2015

**Ground Water Sources and Development**

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

Specifically, at the time of the investigation, the concrete sealing block had several cracks.

**Recommended Corrective Action:** Submit a photograph or completed work order showing that the concrete sealing block surrounding well number 1 has been repaired or replaced to verify compliance.

Track No: 562781

Compliance Due Date: To Be Determined

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

**Alleged Violation:**

Investigation: 1221422

Comment Date: 03/05/2015

**Capacity Requirements**

Failure to meet this Agency's "Minimum Water System Capacity Requirements." These requirements include:

A pressure tank capacity of 50 gallons per connection for systems without ground storage.

Specifically, at the time of the investigation, the connection count was 20 and the pressure tank capacity was 940 gallons. The required pressure tank capacity is 50 gallons per connection X 20 connections = 1000 gallons. The system was therefore 60 gallons short.

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.



Kathleen Hammett White, *Chairman*  
Larry R. Soward, *Commissioner*  
Glen Shankle, *Executive Director*

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

August 8, 2006

Mr. Steve Blackhurst, Regional Environmental Compliance Manager  
Aqua Texas Inc.  
1421 Wells Branch Pkwy, Ste 105  
Pflugerville, TX 78660

Re: Compliance Evaluation Investigation at:  
Shady Meadows Estates, 3200 Chloe, Burleson, Johnson County, Texas  
PWS ID No: 1260072

Dear Mr. Blackhurst,

The Texas Commission on Environmental Quality (TCEQ) DFW Region Office has received the compliance documentation that you submitted June 26, 2006 for the alleged violations noted during the investigation of the above-referenced facility conducted on June 13, 2006. The compliance documentation contained in your response appears to indicate that corrective action has been taken for the alleged violations. No further submittal from you 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 regarding these matters, please feel free to contact Ms. Erin Tanski in the DFW Region Office at Phone #(817)588-5853.

Sincerely,



Charles Marshall  
Work Leader Public Water Supply Section  
DFW Region Office  
Texas Commission on Environmental Quality

CLM:emt

cc: TCEQ-Austin  
Enclosures: Summary of Investigation Findings

## Summary of Investigation Findings

SHADY MEADOWS ESTATES PWS

Investigation # 488718

, JOHNSON COUNTY,

Investigation Date: 07/25/2006

Additional ID(s): 1260072

### ALLEGED VIOLATIONS NOTED AND RESOLVED

Track No: 242130

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

**Alleged Violation:**

Investigation 484073

Comment Date: 6/23/2006

Failure to provide well #2 (G1260072B) with a screened casing vent, which must face downward and be elevated so as to minimize the drawing of contaminants into the well. The screening must be 16-mesh or finer corrosion-resistant screen

§290.41(c)(3)(K) Wellheads and pump bases shall be sealed by a gasket or sealing compound and properly vented to prevent the possibility of contaminating the well water. A well casing vent shall be provided with an opening that is covered with 16-mesh or finer corrosion-resistant screen, facing downward, elevated and located so as to minimize the drawing of contaminants into the well. Wellheads and well vents shall be at least two feet above the highest known watermark or 100-year flood elevation, if available, or adequately protected from possible flood damage by levees.

Investigation: 488718

Comment Date: 7/25/2006

Failure to provide well #2 (G1260072B) with a screened casing vent, which must face downward and be elevated so as to minimize the drawing of contaminants into the well. The screening must be 16-mesh or finer corrosion-resistant screen

**Recommended Corrective Action:** Submit photographs showing that well #2 (G1260072B) has been equipped with a screened casing vent

**Resolution:** On June 26, 2006, Ms. Nola Farris submitted photographs showing that well #2 was equipped with a screened casing vent.

Nathleen Hartnett White, *Chairman*  
Larry R. Soward, *Commissioner*  
Glenn Shankle, *Executive Director*

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

July 7, 2006

**CERTIFIED MAIL # 7005 1160 0005 0569 2108**  
**RETURN RECEIPT REQUESTED**

Mr. Steve Blackhurst, Regional Environmental Compliance Manager  
Aqua Texas Inc.  
1421 Wells Branch Parkway, Suite 105  
Pflugerville, TX 78660

Re: Notice of Violation for the Comprehensive Compliance Investigation at:  
Shady Meadows Estates, 3200 Chloe, Burleson, Johnson County, Texas  
PWS ID No: 1260072

Dear Mr. Blackhurst:

On June 13, 2006, Ms. Erin Tanski of the Texas Commission on Environmental Quality (TCEQ), D/FW Region Office, conducted an investigation of the above-referenced facility to evaluate compliance with applicable requirements for public water supply systems. Enclosed is a summary which lists the investigation findings. Certain outstanding alleged violations were identified for which compliance documentation is required. Please submit to this office by August 7, 2006 a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for each of the outstanding alleged violations.

The Texas Commission on Environmental Quality 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 D/FW Region Office within 10 days from the date of this letter. At that time, Mr. Charles Marshall, PWS Work Leader, will schedule a violation review meeting to be conducted within 21 days from the date of this letter. However, please be advised that if you decide to participate in the violation review process, the TCEQ may still require you to adhere to the compliance schedule included in the attached Summary of Investigation Findings until an official decision is made regarding the status of any or all of the contested violations.

If you or members of your staff have any questions, please feel free to contact Ms. Erin Tanski in the D/FW Region Office at (817)588-5853.

Sincerely,



Charles Marshall  
PWS Work Leader  
D/FW Region Office

ET CLM

Enclosure: Summary of Investigation Findings

REGIONS: REGION 4 DALLAS-FORT WORTH • 2509 GLENVIEW BL. • FORT WORTH, TEXAS 76118-6951 • 817-588-5800 • FAX 817-588-5700

P.O. Box 12087 • Austin, Texas 78711-0087 • 512-239-2000 • Internet address: [www.tceq.state.tx.us](http://www.tceq.state.tx.us)

## Summary of Investigation Findings

SHADY MEADOWS ESTATES PWS

Investigation # 484073

, JOHNSON COUNTY,

Investigation Date: 06/13/2006

Additional ID(s): 1260072

### OUTSTANDING ALLEGED VIOLATIONS

Track No: 242130 Compliance Due Date: 08/07/2006

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

**Alleged Violation:**

Investigation: 484073

Comment Date: 6/23/2006

Failure to provide well #2 (G1260072B) with a screened casing vent, which must face downward and be elevated so as to minimize the drawing of contaminants into the well. The screening must be 16-mesh or finer corrosion-resistant screen

§290.41(c)(3)(K) Wellheads and pump bases shall be sealed by a gasket or sealing compound and properly vented to prevent the possibility of contaminating the well water. A well casing vent shall be provided with an opening that is covered with 16-mesh or finer corrosion-resistant screen, facing downward, elevated and located so as to minimize the drawing of contaminants into the well. Wellheads and well vents shall be at least two feet above the highest known watermark or 100-year flood elevation, if available, or adequately protected from possible flood damage by levees

**Recommended Corrective Action:** Submit photographs showing that well #2 (G1260072B) has been equipped with a screened casing vent.

### ADDITIONAL ISSUES

**Description**

Item #1

**Additional Comments**

Track # 116025

§290.41(c)(1)(F) Sanitary Control.

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

On the day of the investigation, the system could not provide a sanitary control easement for either well #1 (G1260072A) or well #2 (G1260072B).

Betsy Garcia, Chairman  
Larry A. Soward, Commissioner  
Brian W. Shaw III, Commissioner  
Garry Shanks, Executive Director

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*  
December 5, 2007

**CERTIFIED MAIL # 91 3408 2133 3930 9662 7285**  
**RETURN RECEIPT REQUESTED**

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

Re: Notice of Violation for the Comprehensive Compliance Investigation at:  
Shady Meadows Estates, 3200 Chloe, Burleson, Johnson County, Texas  
PWS ID No: 1260072

This Notice of Violation rescinds and replaces the Notice of Enforcement sent on November 14, 2007.


Dear Mr. Blackhurst:

On October 9, 2007, Ms. Erin Tanski of the Texas Commission on Environmental Quality (TCEQ), D/FW Region Office, conducted an investigation of the above-referenced facility to evaluate compliance with applicable requirements for public water supply systems. 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 4, 2008 a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for each of the outstanding alleged violations.

The Texas Commission on Environmental Quality 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 D/FW Region Office within 10 days from the date of this letter. At that time, Mr. Charles Marshall, PWS Work Leader, will schedule a violation review meeting to be conducted within 21 days from the date of this letter. However, please be advised that if you decide to participate in the violation review process, the TCEQ may still require you to adhere to the compliance schedule included in the attached Summary of Investigation Findings until an official decision is made regarding the status of any or all of the contested violations.

If you or members of your staff have any questions, please feel free to contact Ms. Erin Tanski in the D/FW Region Office at (817)588-5853.

Sincerely,

  
Sid Slocum  
Water Section Manager  
D/FW Region Office

ET SS  
Enclosure: Summary of Investigation Findings

## Summary of Investigation Findings

SHADY MEADOWS ESTATES PWS

Investigation # 599342

Investigation Date: 10/09/2007

, JOHNSON COUNTY,

Additional ID(s): 1260072

### OUTSTANDING ALLEGED VIOLATIONS

Track No: 116026 Compliance Due Date: No Date Entered

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

**Alleged Violation:**

Investigation: 151064

Comment Date: 08/20/2003

Failure to secure sanitary easement.

Investigation: 599342

Comment Date: 11/01/2007

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

Note: The system entered into a Compliance Agreement issued December 4, 2000. The sanitary control easements were a provision of the agreement. The due date for the Compliance Agreement was June 30, 2005. Since the system has not complied, it is being referred to enforcement.

§290.41(c)(1)(F) A sanitary control easement or sanitary control easements covering land within 150 feet of the well, or executive director approval for a substitute authorized by this subsection, shall be obtained.

**Recommended Corrective Action:**

Track No: 291578 Compliance Due Date: 01/04/2008

30 TAC Chapter 290.46(i)

**Alleged Violation:**

Investigation: 599342

Comment Date: 10/29/2007

Failure to adopt an adequate plumbing ordinance, regulations or a service agreement with provisions for proper enforcement. Potential cross-connections or other undesirable plumbing practices must be prohibited. The ordinance or regulations must also prohibit the use of pipes and pipe fittings that contain more than 8.0 percent lead or solders and flux that contain more than 0.2 percent lead.

§290.46(i) Plumbing ordinance. Public water systems must adopt an adequate plumbing ordinance, regulations or service agreement with provisions for proper enforcement to insure that neither cross-connections nor other unacceptable plumbing practices are permitted. See §290.47(b) of this title (relating to Appendices). Should sanitary control of the distribution system not reside with the purveyor, the entity retaining sanitary control shall be responsible for establishing and enforcing adequate regulations in this regard. The use of pipes and pipe fittings that contain more than 8.0% lead or solders and flux that contain more than 0.2% lead is prohibited for installation or repair of any public water supply and for installation or repair of any plumbing in a residential or nonresidential facility providing water for human consumption and connected to a public drinking water supply system. This requirement may be waived for lead joints that are necessary for repairs to cast iron pipe.

**Recommended Corrective Action:** Submit copies of signed service agreements

**Track No:** 291579      **Compliance Due Date:** 01/04/2008

**30 TAC Chapter 290.46(m)**

**Alleged Violation:**

Investigation: 599342

Comment Date: 10/29/2007

Failure to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment. These practices should include the paint on the ground storage tank at pump station #2.

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

**Recommended Corrective Action:**

**ALLEGED VIOLATIONS NOTED AND RESOLVED**

**Track No:** 116018

**30 TAC Chapter 290.43(c)(1)**

**Alleged Violation:**

Investigation: 151064

Comment Date: 08/20/2003

Failure to provide the ground storage tank with a gooseneck vent or roof ventilator in strict accordance with current AWWA standards

Investigation: 599342

Comment Date: 10/29/2007

Failure to provide the ground storage tank with a vent of the gooseneck or roof ventilator type, designed to prevent possible entry of dust, birds, insects or any contaminants. The opening must be protected by a 16-mesh or finer corrosion resistant screening

**Recommended Corrective Action:**

**Resolution:** On October 9, 2007 during a routine compliance investigation it was observed that the ground storage tank was equipped with a proper vent.

**Track No:** 116023

**30 TAC Chapter 290.43(c)(3)**

**Alleged Violation:**

Investigation: 151064

Comment Date: 08/20/2003

Failure to provide the ground storage tank with a properly designed overflow pipe located near enough and at a position accessible from a ladder or the balcony for inspection purposes

Investigation: 599342

Comment Date: 10/29/2007

Failure to provide the ground storage tank with a properly designed overflow pipe which is equipped with a gravity-hinged and weighted cover. The cover must seat properly with a gap of no more than 1/16 inch.

**Recommended Corrective Action:**

**Resolution:** On October 9, 2007 during a routine compliance investigation, it was observed that the ground storage tank was equipped with a properly designed overflow pipe

**Track No:** 116031**30 TAC Chapter 290.46(m)****Alleged Violation:**

Investigation 151064

Comment Date: 08/20/2003

Failure to initiate a program to facilitate cleanliness and to improve the general appearance of all plant facilities

Investigation 599342

Comment Date: 10/29/2007

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

Note: On October 9, 2007 during a routine compliance investigation it was observed that general appearances of the facilities were being maintained except for the ground storage tank which had areas where paint was chipping. However, since this violation did not specifically address what needed maintaining and is categorized as a B violation it will be closed and a violation will be issued for the ground storage tank.

**Recommended Corrective Action:**

**Resolution:** Note: On October 9, 2007 during a routine compliance investigation, it was observed that general appearances of the facilities were being maintained except for the ground storage tank which had areas where paint was chipping. However, since this violation did not specifically address what needed maintaining and is categorized as a B violation, it will be closed and a violation will be issued for the ground storage tank.

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**Track No:** 116039**30 TAC Chapter 290.45(b)(1)(B)(iii)****Alleged Violation:**

Investigation 151064

Comment Date: 08/20/2003

Failure to provide pump station No. 2 with two pumps

Investigation 599342

Comment Date: 10/29/2007

Failure to provide pump station #2 with two service pumps.

**Recommended Corrective Action:**

**Resolution:** On October 9, 2007 during a routine compliance investigation, it was observed that pump station #2 was equipped with two service pumps.



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*

June 19, 2015

**CERTIFIED MAIL # 7014 3490 0001 0559 4741**  
**RETURN RECEIPT REQUESTED**

RECEIVED

JUL 07 2015

TX ADMIN-AUSTIN

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


Re: Failure to Submit Compliance Documentation for:  
Sharondale Subdivision, 6300 Sharondale Dr/CR 406, Brazoria County, Texas  
Regulated Entity No.: 101179901; TCEQ ID 0200258; Investigation No.: 1254783

Dear Mr. Rimann:

By letter dated, February 12, 2014, the Texas Commission on Environmental Quality (TCEQ) Houston Region Office requested that you submit information to us by March 14, 2014, verifying that the outstanding alleged violations referenced in the letter have been corrected. The alleged violations were noted during the investigation of the above-referenced facility conducted on December 10, 2013. Enclosed for your information is a copy of the letter. As of this date, we have not received from you a written description of the corrective actions taken and the required compliance documentation for these alleged violations. Please submit this information to us by no later than July 19, 2015.

The Texas Commission on Environmental Quality appreciates your assistance in this matter and looks forward to receiving your response. 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 me, Leticia De Leon, in the Houston Region Office at (713)767-3650.

Sincerely,

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

LD/KB/mar

Enclosure: Copy of Previous Letters

cc: Brazoria County Health Dept.

## Summary of Investigation Findings

SHARONDALE SUBDIVISION

Investigation #

1254783

Investigation Date: 06/05/2015

, BRAZORIA COUNTY,

Additional ID(s): 0200258

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

Track No: 526299 Compliance Due Date: 03/14/2014

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

#### Alleged Violation:

Investigation: 1145849

Comment Date: 02/11/2014

#### Capacity Requirement

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

At the time of the investigation, the facility had a total of 29 active connections and is required to provide 1.5 gallons per minute (gpm) per connection (conn). Your well produced a total of 40 gpm and is short a total of 3.5 gpm. This is calculated in the following manner:

(Required Calculation) the amount of water a system is required to provide  
 $1.5 \text{ gpm /conn} \times 29 \text{ conn.} = 43.5 \text{ gpm Required}$

(Short Calculation) the amount of water the system is short  
 $43.5 \text{ gpm Required} - 40 \text{ gpm Produced} = 3.5 \text{ gpm Short}$

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.

Investigation: 1192572

Comment Date: 08/29/2014

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

Investigation: 1254783

Comment Date: 06/08/2015

#### Capacity Requirement

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

At the time of the investigation, the facility had a total of 29 active connections and is required to provide 1.5 gallons per minute (gpm) per connection (conn). Your well produced a total of 40 gpm and is short a total of 3.5 gpm. This is calculated in the following manner:

(Required Calculation) the amount of water a system is required to provide  
 $1.5 \text{ gpm /conn} \times 29 \text{ conn.} = 43.5 \text{ gpm Required}$

(Short Calculation) the amount of water the system is short  
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**Recommended Corrective Action:** Compliance Documentation: 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.

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Track No: 526307      Compliance Due Date: 03/14/2014

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

**Alleged Violation:**

Investigation: 1145849

Comment Date: 02/11/2014

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**Capacity Requirement**

Failure to provide a minimum pressure tank capacity of 50 gallons per connection.

At the time of the investigation, the facility had a total of 29 connection (conn.) and is required to provide 50 gallons per conn. Your have a total of 900 gallons and are short a total of 550 gallons. This is calculated in the following manner:

Required    50 gal/conn. X 29 conn. = Total Gallons  
Short        1450 gallons Required - 900 gallons Provided = 550 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.

Investigation: 1192572

Comment Date: 08/29/2014

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Failure to provide a minimum pressure tank capacity of 50 gallons per connection.

Investigation: 1254783

Comment Date: 06/08/2015

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**Capacity Requirement**

Failure to provide a minimum pressure tank capacity of 50 gallons per connection.

At the time of the investigation, the facility had a total of 29 connection (conn.) and is required to provide 50 gallons per conn. Your have a total of 900 gallons and are short a total of 550 gallons. This is calculated in the following manner:

Required    50 gal/conn. X 29 conn. = Total Gallons  
Short        1450 gallons Required - 900 gallons Provided = 550 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.

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



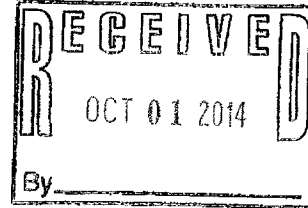
*Hans*

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

September 22, 2014

**CERTIFIED MAIL #7099 3220 0002 7146 3371**  
**RETURN RECEIPT REQUESTED**



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

Re: Failure to Submit Compliance Documentation for:  
Sharondale Subdivision, 6300 Sharondale Dr/CR 406, Brazoria County, Texas  
Regulated Entity #101179901, TCEQ ID # 0200258, Investigation #1192572

Dear Mr. Foltz:

By letter dated, February 12, 2014, the Texas Commission on Environmental Quality (TCEQ) Houston Region Office requested that you submit information to us by March 14, 2014, verifying that the outstanding alleged violations referenced in the letter have been corrected. The alleged violations were noted during the investigation of the above-referenced facility conducted on December 10, 2013. Enclosed for your information is a copy of the letter. As of this date, we have not received from you a written description of the corrective actions taken and the required compliance documentation for these alleged violations. Please submit this information to us by no later than October 22, 2014.

The Texas Commission on Environmental Quality appreciates your assistance in this matter and looks forward to receiving your response. 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. Elaine Jackson in the Houston Region Office at (713)767-3650.

Sincerely,

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

LD/ETJ/ra

cc: Brazoria County Health Dept.

Enclosure: Copy of Previous Letter



## Summary of Investigation Findings

SHARONDALE SUBDIVISION

Investigation #

1145849  
Investigation Date: 12/10/2013

, BRAZORIA COUNTY,

Additional ID(s): 0200258

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

Track No: 526299 Compliance Due Date: 03/14/2014

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

#### Alleged Violation:

Investigation: 1145849

Comment Date: 02/11/2014

#### Capacity Requirement

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

At the time of the investigation, the facility had a total of 29 active connections and is required to provide 1.5 gallons per minute (gpm) per connection (conn). Your well produced a total of 40 gpm and is short a total of 3.5 gpm. This is calculated in the following manner:

(Required Calculation) the amount of water a system is required to provide  
 $1.5 \text{ gpm /conn} \times 29 \text{ conn.} = 43.5 \text{ gpm Required}$

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 $43.5 \text{ gpm Required} - 40 \text{ gpm Produced} = 3.5 \text{ gpm Short}$

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:** Compliance Documentation: 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.

Track No: 526307 Compliance Due Date: 03/14/2014

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

#### Alleged Violation:

Investigation: 1145849

Comment Date: 02/11/2014

#### Capacity Requirement

Failure to provide a minimum pressure tank capacity of 50 gallons per connection.

At the time of the investigation, the facility had a total of 29 connection (conn.) and is required to provide 50 gallons per conn. You have a total of 900 gallons and are short a total of 550 gallons. This is calculated in the following manner:

Required 50 gal/conn. X 29 conn. = Total Gallons  
Short 1450 gallons Required - 900 gallons Provided = 550 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.



FWF510200230100 / FEB 10 2013 / investigation report  
Bryan W. Shaw, Ph.D., P.E., Chairman  
Toby Baker, Commissioner  
Zak Covar, Commissioner  
Richard A. Hyde, P.E., Executive Director



COPY

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

February 12, 2014

**CERTIFIED MAIL #7011 3500 0000 0279 6445**  
**RETURN RECEIPT REQUESTED**

Mr. Dan Rimann, Vice President of Operation  
Aqua Texas, Inc.  
1106 Clayton Lane  
Austin, Texas 78723

Re: Notice of Violation for the Comprehensive Compliance Investigation at:  
Sharondale Subdivision, 6300 Sharondale Dr/CR 406, Brazoria County, Texas  
Regulated Entity No.: 101179901, TCEQ ID No. 0200258, Investigation No. 1145849

Dear Mr. Rimann:

On December 10 2013, Ms. Elaine Jackson of the Texas Commission on Environmental Quality (TCEQ) Houston Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for Public Water Supply. Enclosed is a summary which lists the investigation findings. In addition, certain outstanding alleged violations were identified for which compliance documentation is required. Please submit to this office by March 14, 2014, 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 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.

TCEQ Region 12 • 5425 Polk St., Ste. H • Houston, Texas 77023-1452 • 713-767-3500 • Fax 713-767-3520

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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