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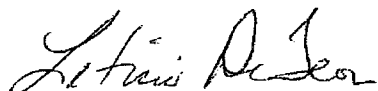
Mr. Dan Rimann, Vice President of Operation

Page 2

February 12, 2014

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

Sincerely,



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

LD/ ETJ/ra

cc: Brazoria County Environmental Health Dept.

Enclosures: Summary of Investigation Findings

COPY

Summary of Investigation Findings

COPY

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
 $1.5 \text{ gpm /conn} \times 29 \text{ conn.} = 43.5 \text{ gpm Required}$

(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.

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. 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.

Mike

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

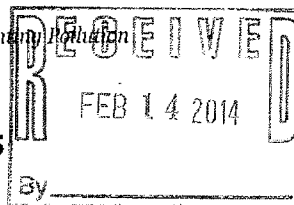


TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

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

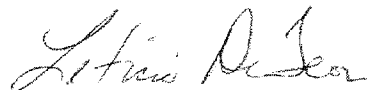
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Mr. Dan Rimann, Vice President of Operation
Page 2
February 12, 2014

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

Sincerely,

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

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

LD/ ETJ/ra

cc: Brazoria County Environmental Health Dept.

Enclosures: Summary of Investigation Findings

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
 $1.5 \text{ gpm /conn} \times 29 \text{ conn.} = 43.5 \text{ gpm Required}$

(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.

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. 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*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 14, 2015

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

RECEIVED

JUL 16 2015

TX ADMIN-AUSTIN

Re: Comprehensive Compliance Investigation at:
Sleepy Hollow, Kerr County, Texas
Regulated Entity No.: RN102681012, TCEQ ID No.: 1330101, Investigation No. 1253188

Dear Mr. Foltz:

On May 14, 2015, Mrs. Agnieszka Hobson of the Texas Commission on Environmental Quality (TCEQ) San Antonio Region Office conducted an investigation of the above-referenced utility to evaluate compliance with applicable requirements for public water supply. No violations are being alleged as a result of the investigation, however please see the Additional Issue listed in the attached Summary of Investigation Findings.

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

Sincerely,

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

JTC/AMH/eg

Enclosure: Summary of Investigation Findings

Summary of Investigation Findings

SLEEPY HOLLOW

Investigation #

1253188

Investigation Date: 05/14/2015

, KERR COUNTY,

Additional ID(s): 1330101

No Violations Associated to this Investigation

ADDITIONAL ISSUES

Description

Item 1

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.

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



RECEIVED

MAR 12 2015

TX ADMIN-AUSTIN

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 9, 2015

**CERTIFIED MAIL #7011 3500 0000 0287 6550
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:
South Meadows East, 3504 Longwood St., Alvin, Brazoria County, Texas
Regulated Entity No.: RN101268514, TCEQ ID No.: 0200415, Investigation No.:1221394

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 June 04, 2015, a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for the outstanding alleged violations #559313, #559314, and #562376. A due date for submitting compliance documentation for outstanding alleged violations #559310 and #560809 will be determined after you provide a compliance plan for these alleged violations. Your compliance plan is due by June 04, 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 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*.

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Mr. Scot Foltz, Environmental Compliance Manager

Page 2

March 9, 2015

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

If you or members of your staff have any questions, please feel free to contact Ms. Burkett, 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/VB/mar

Enclosure: Summary of Investigation Findings

Summary of Investigation Findings

SOUTH MEADOWS EAST

3504 LONGWOOD ST

ALVIN, BRAZORIA COUNTY, TX 77511

Investigation #

1221394

Investigation Date: 01/21/2015

Additional ID(s): 0200415

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

Track No: 559310

Compliance Due Date: To Be Determined

30 TAC Chapter 290.42(I)

Alleged Violation:

Investigation: 1221394

Comment Date: 01/22/2015

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, at the time of the investigation, a Plant Operations Manual was not available for review.

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

Track No: 559313

Compliance Due Date: 06/04/2015

30 TAC Chapter 290.44(h)(4)

Alleged Violation:

Investigation: 1221394

Comment Date: 03/02/2015

Backflow and Siphonage

Failure to have all backflow prevention assemblies tested upon installation by a recognized backflow prevention assembly tester and certified to be operating within specifications. Backflow prevention assemblies which are installed to provide protection against health hazards must also be tested and certified to be operating within specifications at least annually by a recognized backflow prevention assembly tester.

Specifically, at the time of the investigation, it was indicated that a wastewater treatment plant was receiving potable water from the PWS and a backflow prevention assembly test certificate was not available for review.

Recommended Corrective Action: Submit a copy of the most recent backflow prevention assembly test certificate for the wastewater treatment plant receiving potable water from the system.

Track No: 559314

Compliance Due Date: 04/05/2015

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

Alleged Violation:

Investigation: 1221394

Comment Date: 01/22/2015

Ground Water Sources and Development

SOUTH MEADOWS EAST**Investigation # 1221394**

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 a completed work order showing that the concrete sealing block was either repaired or replaced.

Track No: 560809 Compliance Due Date: To Be Determined**30 TAC Chapter 290.43(c)(3)****Alleged Violation:**

Investigation: 1221394

Comment Date: 03/02/2015

Design and Construction of Storage Tanks

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.

Specifically, at the time of the investigation, the overflow pipe was disconnected from the ground storage tank and appeared to have fallen off due to rust. There was an open hole near the top of the tank where the overflow pipe would have been.

Recommended Corrective Action: Submit a copy of compliance plan detailing how compliance will be achieved, OR submit a completed work order or a photograph showing the overflow pipe has been repaired or replaced to verify compliance.

Track No: 562376 Compliance Due Date: 03/20/2015**30 TAC Chapter 290.46(m)(4)****Alleged Violation:**

Investigation: 1221394

Comment Date: 02/23/2015

Water Leakage

Failure to maintain all water storage facilities and related appurtenances in a watertight condition. In this connection, the leaking valve located on the influent line to the ground storage tank must be repaired or replaced as necessary.

Recommended Corrective Action: Submit a photograph or completed work order showing that the leaking valve has been repaired or replaced to verify compliance.

Handwritten initials: HNS

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

RECEIVED

DEC 17 2015

TX ADMIN-AUSTIN

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:
South Meadows East, 3504 Longwood St., Alvin, Brazoria County, Texas
Regulated Entity No.: 101268514, TCEQ ID No.: 0200415, Investigation No.: 1296289

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 all of the alleged violations except for 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/ra

Enclosure: Summary of Investigation Findings

Summary of Investigation Findings

SOUTH MEADOWS EAST

**3504 LONGWOOD ST
ALVIN, BRAZORIA COUNTY, TX 77511**

Investigation #

**1296289
Investigation Date: 12/09/2015**

Additional ID(s): 0200415

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

**Track No: 559313 Compliance Due Date: 06/04/2015
30 TAC Chapter 290.44(h)(4)**

Alleged Violation:

Investigation: 1221394

Comment Date: 03/02/2015

Backflow and Siphonage

Failure to have all backflow prevention assemblies tested upon installation by a recognized backflow prevention assembly tester and certified to be operating within specifications. Backflow prevention assemblies which are installed to provide protection against health hazards must also be tested and certified to be operating within specifications at least annually by a recognized backflow prevention assembly tester.

Specifically, at the time of the investigation, it was indicated that a wastewater treatment plant was receiving potable water from the PWS and a backflow prevention assembly test certificate was not available for review.

Investigation: 1274342

Comment Date: 08/21/2015

Failure to have all backflow prevention assemblies tested upon installation and at least annually by a recognized backflow prevention assembly tester and certified to be operating within specifications.

Investigation: 1296289

Comment Date: 12/09/2015

Failure to have all backflow prevention assemblies tested upon installation and at least annually by a recognized backflow prevention assembly tester and certified to be operating within specifications.

Recommended Corrective Action: Submit a copy of the most recent backflow prevention assembly test certificate for the wastewater treatment plant receiving potable water from the system.

**Track No: 559314 Compliance Due Date: 04/05/2015
30 TAC Chapter 290.41(c)(3)(J)**

Alleged Violation:

Investigation: 1221394

Comment Date: 01/22/2015

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: 1274342

Comment Date: 08/21/2015

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.

SOUTH MEADOWS EAST

Investigation # 1296289

Investigation: 1296289

Comment Date: 12/09/2015

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.

Recommended Corrective Action: Submit a photograph or a completed work order showing that the concrete sealing block was either repaired or replaced.

Track No: 560809 Compliance Due Date: 06/04/2015
30 TAC Chapter 290.43(c)(3)

Alleged Violation:

Investigation: 1221394

Comment Date: 03/02/2015

Design and Construction of Storage Tanks

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.

Specifically, at the time of the investigation, the overflow pipe was disconnected from the ground storage tank and appeared to have fallen off due to rust. There was an open hole near the top of the tank where the overflow pipe would have been.

Investigation: 1274342

Comment Date: 08/21/2015

Failure to provide the ground storage tank with a properly designed overflow pipe which is equipped with a gravity -hinged and weighted cover.

Investigation: 1296289

Comment Date: 12/09/2015

Failure to provide the ground storage tank with a properly designed overflow pipe which is equipped with a gravity -hinged and weighted cover.

Recommended Corrective Action: Submit a copy of compliance plan detailing how compliance will be achieved, OR submit a completed work order or a photograph showing the overflow pipe has been repaired or replaced to verify compliance.

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

Track No: 559310
30 TAC Chapter 290.42(I)

Alleged Violation:

Investigation: 1221394

Comment Date: 01/22/2015

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, at the time of the investigation, a Plant Operations Manual was not available for review.

Investigation: 1274342

Comment Date: 08/21/2015

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

Investigation: 1296289

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 compliance plan detailing how compliance will be achieved OR submit a copy of the operations manual to verify compliance.

Resolution: On November 18, 2015, the regulated entity emailed a copy of the plant operations manual.

Track No: 562376

30 TAC Chapter 290.46(m)(4)

Alleged Violation:

Investigation: 1221394

Comment Date: 02/23/2015

Water Leakage

Failure to maintain all water storage facilities and related appurtenances in a watertight condition. In this connection, the leaking valve located on the influent line to the ground storage tank must be repaired or replaced as necessary.

Investigation: 1274342

Comment Date: 08/21/2015

Failure to maintain all water storage facilities and related appurtenances in a watertight condition.

Investigation: 1296289

Comment Date: 12/09/2015

Failure to maintain all water storage facilities and related appurtenances in a watertight condition.

Recommended Corrective Action: Submit a photograph or completed work order showing that the leaking valve has been repaired or replaced to verify compliance.

Resolution: On December 04, 2015, the regulated entity emailed a photograph of the repaired valve and a description of the work done.

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

RECEIVED

CERTIFIED MAIL # 7014 3490 0001 0559 6820
RETURN RECEIPT REQUESTED

TX ADMIN-AUSTIN

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

Re: Failure to Submit Compliance Documentation for:
South Meadows West, 4816 N. Quail Run, Alvin, Brazoria County, Texas
Regulated Entity No.: 101271922; TCEQ ID No.: 0200413; Investigation No.: 1274316

Dear Mr. Foltz:

By letter dated March 13, 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 black ink, 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

SOUTH MEADOWS WEST

4816 QUAIL RUN DR N
ALVIN, BRAZORIA COUNTY, TX 77511

Investigation #

1274316
Investigation Date: 08/21/2015

Additional ID(s): 0200413

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

Track No: 559259 Compliance Due Date: To Be Determined
30 TAC Chapter 290.42(l)

Alleged Violation:

Investigation: 1221397

Comment Date: 01/22/2015

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

Investigation: 1274316

Comment Date: 08/21/2015

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 for review OR submit a compliance plan detailing when compliance will be attained to verify compliance.

Track No: 559274 Compliance Due Date: 06/11/2015
30 TAC Chapter 290.41(c)(3)(l)

Alleged Violation:

Investigation: 1221397

Comment Date: 01/22/2015

Ground Water Sources and Development

Failure to fine grade the well site so that the site is free from depressions, reverse grades or areas too rough for proper ground maintenance so as to ensure that surface water will drain away from the well.

Specifically, during the investigation it was noted that the well site grading was not allowing water to drain away from the well.

Investigation: 1274316

Comment Date: 08/21/2015

Failure to fine grade the well site.

Recommended Corrective Action: Submit a photograph or completed work order showing that the well site has been fine graded to ensure surface water will drain away from the well to verify compliance.

Track No: 559282 Compliance Due Date: 03/27/2015
30 TAC Chapter 290.46(m)(4)

Alleged Violation:

SOUTH MEADOWS WEST

Investigation # 1274316

Investigation: 1221397

Comment Date: 01/22/2015

Water Leakage

Failure to maintain all pressure maintenance facilities and related appurtenances in a watertight condition. In this connection, the leaking sample tap located at the pressure tank must be repaired or replaced as necessary.

Specifically at the time of the investigation it was found that the sample tap located near the back of the pressure tank was dripping even after closure.

Investigation: 1274316

Comment Date: 08/21/2015

Failure to maintain all pressure maintenance facilities and related appurtenances in a watertight condition.

Recommended Corrective Action: Submit a photograph or completed work order showing that the leaking sample tap near the back of the pressure tank has been repaired or replaced 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 13, 2015

CERTIFIED MAIL #7011 3500 0000 0287 6659
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:
South Meadows West, 4816 N. Quail Run, Alvin, Brazoria County, Texas
Regulated Entity No.: RN101271922, TCEQ ID No.: 0200413, Investigation No.: 1221397

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 June 11, 2015, a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for the outstanding alleged violations #559274 and #559282. A due date for submitting compliance documentation for outstanding alleged violation #559259 will be determined after you provide a compliance plan for this alleged violation. Your compliance plan is due by June 11, 2015. Please address how the violation will be resolved and provide a reasonable time frame for completion of the work.

In the listing of the alleged violations, we have cited applicable requirements, including TCEQ rules. Please note that both the rules themselves and the agency brochure entitled *Obtaining TCEQ Rules* (GI 032) are located on our agency website at <http://www.tceq.texas.gov> for your reference. If you would like a hard copy of this brochure mailed to you, you may call and request one from either the Houston Region Office at (713) 767-3650 or the Central Office Publications Ordering Team at (512) 239-0028.

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

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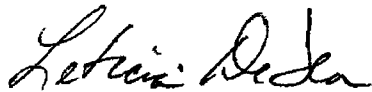
Mr. Scot Foltz, Environmental Compliance Manager
Page 2
March 13, 2015

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,

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

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

LD/VB/mar

Enclosure: Summary of Investigation Findings

Nano

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 0559 6844
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:
South Meadows East, 3504 Longwood St., Alvin, Brazoria County, Texas
Regulated Entity No.: 101268514
TCEQ ID No.: 0200415

Investigation No.: 1274342

Dear Mr. Foltz:

By letter dated March 09, 2015, the Texas Commission on Environmental Quality (TCEQ) Houston Region Office requested that you submit information to us by June 04, 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 dark ink, 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

SOUTH MEADOWS EAST

3504 LONGWOOD ST

ALVIN, BRAZORIA COUNTY, TX 77511

Investigation #

1274342

Investigation Date: 08/21/2015

Additional ID(s): 0200415

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

Track No: 559310

Compliance Due Date: To Be Determined

30 TAC Chapter 290.42(l)

Alleged Violation:

Investigation: 1221394

Comment Date: 01/22/2015

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, at the time of the investigation, a Plant Operations Manual was not available for review.

Investigation: 1274342

Comment Date: 08/21/2015

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

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

Track No: 559313

Compliance Due Date: 06/04/2015

30 TAC Chapter 290.44(h)(4)

Alleged Violation:

Investigation: 1221394

Comment Date: 03/02/2015

Backflow and Siphonage

Failure to have all backflow prevention assemblies tested upon installation by a recognized backflow prevention assembly tester and certified to be operating within specifications. Backflow prevention assemblies which are installed to provide protection against health hazards must also be tested and certified to be operating within specifications at least annually by a recognized backflow prevention assembly tester.

Specifically, at the time of the investigation, it was indicated that a wastewater treatment plant was receiving potable water from the PWS and a backflow prevention assembly test certificate was not available for review.

Investigation: 1274342

Comment Date: 08/21/2015

Failure to have all backflow prevention assemblies tested upon installation and at least annually by a recognized backflow prevention assembly tester and certified to be operating within specifications.

Recommended Corrective Action: Submit a copy of the most recent backflow prevention assembly test certificate for the wastewater treatment plant receiving potable water from the system.

Track No: 559314 Compliance Due Date: 04/05/2015
30 TAC Chapter 290.41(c)(3)(J)

Alleged Violation:

Investigation: 1221394

Comment Date: 01/22/2015

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: 1274342 Comment Date: 08/21/2015

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.

Recommended Corrective Action: Submit a photograph or a completed work order showing that the concrete sealing block was either repaired or replaced.

Track No: 560809 Compliance Due Date: To Be Determined
30 TAC Chapter 290.43(c)(3)

Alleged Violation:

Investigation: 1221394

Comment Date: 03/02/2015

Design and Construction of Storage Tanks

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.

Specifically, at the time of the investigation, the overflow pipe was disconnected from the ground storage tank and appeared to have fallen off due to rust. There was an open hole near the top of the tank where the overflow pipe would have been.
Investigation: 1274342 Comment Date: 08/21/2015

Failure to provide the ground storage tank with a properly designed overflow pipe which is equipped with a gravity -hinged and weighted cover.

Recommended Corrective Action: Submit a copy of compliance plan detailing how compliance will be achieved, OR submit a completed work order or a photograph showing the overflow pipe has been repaired or replaced to verify compliance.

Track No: 562376 Compliance Due Date: 03/20/2015
30 TAC Chapter 290.46(m)(4)

Alleged Violation:

Investigation: 1221394

Comment Date: 02/23/2015

Water Leakage

Failure to maintain all water storage facilities and related appurtenances in a watertight condition. In this connection, the leaking valve located on the influent line to the ground storage tank must be repaired or replaced as necessary.

Investigation: 1274342

Comment Date: 08/21/2015

Failure to maintain all water storage facilities and related appurtenances in a watertight condition.

Recommended Corrective Action: Submit a photograph or completed work order showing

that the leaking valve has been repaired or replaced 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 9, 2015

CERTIFIED MAIL #7011 3500 0000 0287 6550
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:
South Meadows East, 3504 Longwood St., Alvin, Brazoria County, Texas
Regulated Entity No.: RN101268514, TCEQ ID No.: 0200415, Investigation No.:1221394

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 June 04, 2015, a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for the outstanding alleged violations #559313, #559314, and #562376. A due date for submitting compliance documentation for outstanding alleged violations #559310 and #560809 will be determined after you provide a compliance plan for these alleged violations. Your compliance plan is due by June 04, 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 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*.

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Mr. Scot Foltz, Environmental Compliance Manager
Page 2
March 9, 2015

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "Leticia De Leon". The signature is fluid and cursive, with the first name "Leticia" being more prominent than the last name "De Leon".

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

LD/VB/mar

Enclosure: Summary of Investigation Findings

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

RECEIVED

December 11, 2015

DEC 14 2015

TX ADMIN-AUSTIN

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

Re: Unresolved Alleged Violation for Comprehensive Compliance Investigation at:
South Meadows West, 4816 N. Quail Run, Alvin, Brazoria County, Texas
Regulated Entity No.: 101271922; TCEQ ID No.: 0200413; Investigation No.: 1296253

Dear Mr. Foltz:

The Texas Commission on Environmental Quality (TCEQ) Houston Region Office has previously requested that you submit compliance documentation for the alleged violation noted during the investigation of the above-referenced facility conducted on January 21, 2015. We have received acceptable compliance documentation from you for all of the alleged violations except for the violation listed as outstanding in the enclosed Summary of Investigation Findings. Please be advised that you are responsible for correcting this remaining problem. This unresolved alleged violation will be placed in your file to be evaluated during any subsequent investigation. Continuation of this outstanding violation 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 cursive script, appearing to read "Julia Thorp".

Julia Thorp, Team Leader
Public Water Supply
Houston Region Office

JT/VB/ra

Enclosure: Summary of Investigation Findings

cc: Brazoria County Environmental Health Dept.

20, 1997

Summary of Investigation Findings

SOUTH MEADOWS WEST

4816 QUAIL RUN DR N

ALVIN, BRAZORIA COUNTY, TX 77511

Investigation #

1296253
Investigation Date: 12/09/2015

Additional ID(s): 0200413

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

Track No: 559274 Compliance Due Date: 06/11/2015

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

Alleged Violation:

Investigation: 1221397

Comment Date: 01/22/2015

Ground Water Sources and Development

Failure to fine grade the well site so that the site is free from depressions, reverse grades or areas too rough for proper ground maintenance so as to ensure that surface water will drain away from the well.

Specifically, during the investigation it was noted that the well site grading was not allowing water to drain away from the well.

Investigation: 1274316

Comment Date: 08/21/2015

Failure to fine grade the well site.

Investigation: 1296253

Comment Date: 12/09/2015

Failure to fine grade the well site.

Recommended Corrective Action: Submit a photograph or completed work order showing that the well site has been fine graded to ensure surface water will drain away from the well to verify compliance.

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

Track No: 559259

30 TAC Chapter 290.42(I)

Alleged Violation:

Investigation: 1221397

Comment Date: 01/22/2015

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

Investigation: 1274316

Comment Date: 08/21/2015

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

Investigation: 1296253

Comment Date: 12/09/2015

SOUTH MEADOWS WEST**Investigation # 1296253**

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 for review OR submit a compliance plan detailing when compliance will be attained to verify compliance.

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

Track No: 559282**30 TAC Chapter 290.46(m)(4)****Alleged Violation:**

Investigation: 1221397

Comment Date: 01/22/2015

Water Leakage

Failure to maintain all pressure maintenance facilities and related appurtenances in a watertight condition. In this connection, the leaking sample tap located at the pressure tank must be repaired or replaced as necessary.

Specifically at the time of the investigation it was found that the sample tap located near the back of the pressure tank was dripping even after closure.

Investigation: 1274316

Comment Date: 08/21/2015

Failure to maintain all pressure maintenance facilities and related appurtenances in a watertight condition.

Investigation: 1296253

Comment Date: 12/09/2015

Failure to maintain all pressure maintenance facilities and related appurtenances in a watertight condition.

Recommended Corrective Action: Submit a photograph or completed work order showing that the leaking sample tap near the back of the pressure tank has been repaired or replaced to verify compliance.

Resolution: On December 04, 2015, the regulated entity emailed a photograph of the fixed sample tap and a description of the action taken.

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 26, 2015

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

RECEIVED

JUL 02 2015

TX ADMIN-AUSTIN

Re: Comprehensive Compliance Investigation of:
Southwest Territory Public Water System
Cattleman Drive, Manchaca (Hays County), Texas
PWS ID No.: 1050058; TCEQ Regulated Entity No.: RN102676061
Investigation No.: 1259903

Dear Mr. Foltz:

This letter is to inform you that Texas Commission on Environmental Quality (TCEQ) Austin Regional Office has received adequate compliance documentation on May 5, 2015, to resolve the outstanding alleged violation documented during the investigation of the above-referenced regulated entity, conducted on March 12, 2015. Based on the information submitted, no further action is required concerning this investigation.

The Texas Commission on Environmental Quality appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions, please feel free to contact Mr. Brad Monk at 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

Summary of Investigation Findings

SOUTHWEST TERRITORY

Investigation #

1259903
Investigation Date: 06/22/2015

, HAYS COUNTY,

Additional ID(s): 1050058

ALLEGED VIOLATION(S) NOTED AND RESOLVED

Track No: 567928

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

Alleged Violation:

Investigation: 1230555

Comment Date: 04/22/2015

Failure to provide an intruder-resistant fence to protect the well units.

During the investigation, it was observed that Well Nos. 3 and 6 were located near the facility security fence, and the sealing blocks for both wells extended slightly beyond the fence line. The fencing was installed around the end of both sealing blocks, causing large gaps between the ground and sealing blocks and fencing.

Investigation: 1259903

Comment Date: 06/22/2015

On March 5, 2015, the Austin Region Office received compliance documentation from the PWS to address the outstanding alleged violation.

Resolution: The emailed documentation included photographs of the security fencing around the sealing blocks for Well Nos. 3 and 6. The photographs demonstrated the fencing had been replaced, and appears to be intruder-resistant; therefore, the alleged violation was resolved.

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 27, 2015

RECEIVED

APR 30 2015

TX ADMIN-AUSTIN

CERTIFIED MAIL # 91 7199 9991 7033 2863 9791
RETURN RECEIPT REQUESTED

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

Re: Notice of Violation for Comprehensive Compliance Investigation of:
Southwest Territory Public Water System
Cattleman Drive, Manchaca (Hays County), Texas
PWS ID No.: 1050058; TCEQ Regulated Entity No.: RN102676061
Investigation No.: 1230555

Dear Mr. Foltz:

On March 12, 2015, Brad Monk of the Texas Commission on Environmental Quality (TCEQ) Austin Region Office conducted an investigation of the above-referenced facility to evaluate compliance with applicable requirements for public water supply. Enclosed is a summary which lists the investigation findings. During the investigation, a certain outstanding alleged violation was identified for which compliance documentation is required. Please submit to this office by **June 26, 2015**, a written description of corrective actions taken and the required documentation demonstrating that compliance has been achieved for the outstanding alleged violation. Additionally, please see the enclosed Area of Concern and Additional Issues.

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

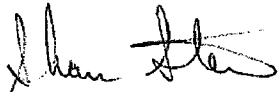
The TCEQ appreciates your assistance in this matter. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements. If you have additional information that

Mr. Foltz
April 27, 2015
Page 2

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

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

Sincerely,

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/bm

Enclosure: Summary of Investigation Findings

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

Summary of Investigation Findings

SOUTHWEST TERRITORY

Investigation #

1230555
Investigation Date: 03/12/2015

, HAYS COUNTY,

Additional ID(s): 1050058

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

Track No: 567928 Compliance Due Date: 06/26/2015

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

Alleged Violation:

Investigation: 1230555

Comment Date: 04/22/2015

Failure to provide an intruder-resistant fence to protect the well units.

During the investigation, it was observed that Well Nos. 3 and 6 were located near the facility security fence, and the sealing blocks for both wells extended slightly beyond the fence line. The fencing was installed around the end of both sealing blocks, causing large gaps between the ground and sealing blocks and fencing.

Recommended Corrective Action: All well units shall be protected by an intruder-resistant fence, or enclosed in locked, ventilated well houses to prevent possible contamination or damage to the facilities by trespassers.

Repair or replace the fencing near Well Nos. 3 and 6 to provide intruder-resistant protection for the wells and treatment facility. Submit photographic documentation to the Austin Region Office demonstrating the fencing around the wells is intruder-resistant.

AREA OF CONCERN

Track No: 564587

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

Alleged Violation:

Investigation: 1230555

Comment Date: 03/16/2015

Failure to provide well casing vents for water system wells.

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

Recommended Corrective Action: Wellheads shall be 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.

Submit photographic documentation to the Austin Region Office demonstrating that well casing vents have been provided for Wells No. 2 and No. 5.

Resolution: On March 25, 2015, the investigator received an email from Aqua Texas in response to the violations alleged during the investigation. The email included attachments of photographs showing well casing vents installed for Well Nos. 2 and 5. The photographs were adequate to resolve the corresponding alleged violation.

ADDITIONAL ISSUES

Description

Additional Comments

SOUTHWEST TERRITORY**Investigation # 1230555**

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

The well completion data for the six wells at the Southwest Territory Treatment Plant was not available for review during the investigation. Title 30, Texas Administrative Code Rule §290.46(n)(3) requires copies of well completion data such as well material setting data, geological log, sealing information (pressure cementing and surface protection), disinfection information, microbiological sample results, and a chemical analysis report of a representative sample of water from the well shall be kept on file for as long as the well remains in service. The PWS shall have the well completion data available for review during all subsequent TCEQ compliance investigations. The maintenance of well completion data for the Southwest Territory Treatment Plant wells will be reevaluated during the next compliance investigation.

Item 3

The Well No. 2 wellhead appears to have excessive rusting and deterioration. The wellhead must be properly maintained to prevent the possibility of contamination of the well water. The rust on the wellhead should be removed and a protective coating should be applied to protect the wellhead from further deterioration.

Item 4

The investigator was informed that Aqua Texas, Inc. is currently in the process of replacing the existing 2,100-gallon pressure tank at the Southwest Territory Treatment Plant with a 3,500-gallon pressure tank. The PWS will be evaluated during the next compliance investigation to determine compliance with TCEQ change notification and approval requirements.

Duke

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

May 22, 2015

RECEIVED

MAY 26 2015

CERTIFIED MAIL # 7014 3490 0001 0559 4291
RETURN RECEIPT REQUESTED

TX ADMIN-AUSTIN

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:
Spring Creek Forest, 25127 Broughton Rd., Houston, Harris County, Texas
Regulated Entity No.: 1021270346
TCEQ ID No.: 1010334

Investigation No.: 124089

Dear Mr. Foltz:

On May 5, 2015, Ms. Melody Kirksey, 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. Please submit to this office by August 15, 2015, a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for the outstanding alleged violation.

In the listing of the alleged 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

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 • How is our customer service? tceq.texas.gov/customer/survey

printed on recycled paper using soy-based ink

Mr. Scot Foltz, Compliance Manager

Page 2

May 22, 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.

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

Sincerely,



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

LD/MK/mar

Enclosure: Summary of Investigation Findings

cc: Harris County Public Health and Environmental Services

Summary of Investigation Findings

SPRING CREEK FOREST

Investigation #
1242089
Investigation Date: 05/05/2015

, HARRIS COUNTY,

Additional ID(s): 1010334

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

Track No: 570000 Compliance Due Date: 08/15/2015
30 TAC Chapter 290.45(h)(1)

Alleged Violation:

Investigation: 1242089

Comment Date: 05/11/2015

Emergency Preparedness Plan

Failure to meet the requirements of the affected utilities' Emergency Preparedness Plan (EPP) by providing the option selected in the EPP. The affected utility selected option 3 (A-H) from the rule and has not implemented it in accordance with its approved EPP.

Note : During the investigation a lease agreement was not provided and the entity is not interconnected with another entity to meet option 3.

Recommended Corrective Action: Submit a copy of a lease agreement and a approved interconnect to meet option 3 or ammended EPP to verify compliance.

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

February 2, 2016

RECEIVED

FEB 05 2016

TX ADMIN-AUSTIN

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

Re: Complaint Investigation at:
Sterling Estates, 3615 W. Sterling Dr., Pearland, Brazoria County, Texas
Regulated Entity No.: 101225977, TCEQ ID No.: 0200363, Investigation No.: 1300927

Dear Mr. Foltz:

On December 22, 2015, to January 26, 2016, Ms. Christina Bernal 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. Christina Bernal in the Houston Region Office at (713) 767-3650.

Sincerely,

A handwritten signature in cursive script that reads "LaTrichia Spikes".

LaTrichia Spikes, Team Leader
Public Water Supply
Houston Region Office

LS/CB/ra

cc: Brazoria County Health Department

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



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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 1, 2015

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

RECEIVED

APR 03 2015

TX ADMIN-AUSTIN

Re: Comprehensive Compliance Investigation at:
Stetner Addition, 1814 Norlinda, Houston, Harris County, Texas
Regulated Entity No.: 102675873
TCEQ ID No.: 1010216, Investigation No.: 1223778

Dear Mr. Foltz:

On March 10, 2015, Mr. Huyen D. Luu, P.E., 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 Mr. Luu, in the Houston Region Office at (713) 767-3650.

Sincerely,

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

LD/HDL/mar

cc: Harris County Public Health and Environmental Services