

*pure*

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

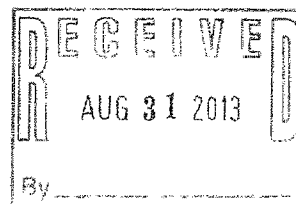


## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

August 29, 2013

Mr. Steve Blackhurst, P.E., Environmental Compliance Manager  
Aqua Texas, Inc.  
1106 Clayton Lane, Suite 400W  
Austin, Texas 78723-1066



Re: Comprehensive Compliance Investigation at:  
South San Gabriel Ranches Water System  
County Road 270, Leader, (Williamson County), Texas  
TCEQ PWS ID No.: 2460026, Regulated Entity No. RN102286762

Dear Mr. Blackhurst:

On August 22, 2013, Claudia A. Chaffin of the Texas Commission on Environmental Quality (TCEQ) Austin Region Office conducted an investigation of the above-referenced facility to evaluate compliance with applicable requirements for public water supply. No violations are being alleged as a result of the investigation; however, please see the enclosed Additional Issues.

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. 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

Enclosure: Summary of Investigation Findings

## Summary of Investigation Findings

SOUTH SAN GABRIEL RANCHES

CR 270

LEANDER, WILLIAMSON COUNTY, TX 78641

Investigation #

1102380

Investigation Date: 08/22/2013

Additional ID(s): 2460026

No Violations Associated to this Investigation

### ADDITIONAL ISSUES

#### Description

Item 1

#### Additional Comments

The galvanized elevated ground storage tank located at the Mikes Way site has leaks in the plates on the bottom level and is scheduled for replacement in September 2013.

Item 2

The Mikes Way site also has some vines and overhanging limbs that need to be trimmed off the fence.

Nike

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 2, 2015

RECEIVED

**CERTIFIED MAIL 91 7199 9991 7033 2766 4770**

JUL 06 2015

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

TX ADMIN-AUSTIN

Re: Comprehensive Compliance Investigation at:  
Stone Mountain Subdivision water system, Mountain Laurel Dr., Marble Falls (Burnet  
County), Texas  
TCEQ PWS ID No.:0270134, RN 104965678

Dear Mr. Foltz:

On June 16, 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 September 2, 2015 a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for the outstanding alleged violation.

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

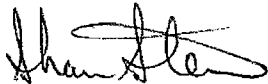
The TCEQ appreciates your assistance in this matter. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements. We anticipate that you will resolve the alleged violations as required in order to protect the 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 Foltz  
Page 2  
July 2, 2015

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

If you or members of your staff have any questions, please feel free to contact Ms. 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 a large loop at the end.

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

STONE MOUNTAIN

Investigation #

1254642

Investigation Date: 06/16/2015

, BURNET COUNTY,

Additional ID(s): 0270134

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

Track No: 574901 Compliance Due Date: 09/02/2015

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

#### Alleged Violation:

Investigation: 1254642

Comment Date: 07/01/2015

The pressure tank was installed in 2007 and has an inspection port. An interior surface inspection has not been performed within five years.

**Recommended Corrective Action:** Submit written documentation of compliance to the TCEQ Austin Region Office on or before the compliance due date.

### ADDITIONAL ISSUES

#### Description

Item 2

#### Additional Comments

A copy of the sanitary control easement for the well was not available for review during the investigation.

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 13, 2015

RECEIVED

**CERTIFIED MAIL #7011 3500 0000 0287 6659**  
**RETURN RECEIPT REQUESTED**

MAR 16 2015

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

TX ADMIN-AUSTIN

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

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,



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 WEST**

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

Investigation #

1221397  
Investigation Date: 01/21/2015

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(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.

**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)(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.

**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:**

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.

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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.

**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.

Jay

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



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

July 8, 2015

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

Re: Comprehensive Compliance Investigation at:  
Stonegate Water System, E. of Old San Antonio Rd S. of Boerne, Kendall County, Texas  
Regulated Entity ID No.: RN102681798; TCEQ ID No.: 1300032; Investigation No.:  
1252881

Dear Mr. Foltz:

On May 12, 2015, Mr. Chris Friesenhahn of the Texas Commission on Environmental Quality (TCEQ) San Antonio Region Office conducted an investigation of the above-referenced 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 Mr. Friesenhahn in the San Antonio Region Office at (210) 403-4055.

Sincerely,

A handwritten signature in cursive script, appearing to read "Joy Thurston-Cook".

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

RECEIVED

JUL 10 2015

TX ADMIN-AUSTIN

JTC/cmf

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



*Louise / Reg*

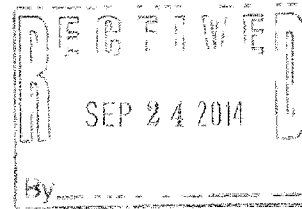
## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

September 18, 2014

**CERTIFIED MAIL {7009 2250 0004 1905 2864}  
RETURN RECEIPT REQUESTED**

Mr. Scot Foltz, Compliance Manager  
Aqua Texas, Inc.  
1106 Clayton Lane, Suite 400  
Austin, Texas 78786



**Re: Notice of Violation for Public Water Supply Comprehensive Compliance  
Investigation at: Sunchase Subdivision, 1400 Mesa Ln, Hamshire (Jefferson  
County), Texas; PWS ID No.: 1230083; Investigation No.: 1191626**

Dear Mr. Foltz:

On August 18, 2014, Ms. Brittney Teakell of the Texas Commission on Environmental Quality (TCEQ) Beaumont Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for public water supply. Enclosed is a summary which lists the investigation findings. During the investigation, some concerns were noted which were alleged noncompliance(s) that have been resolved as Areas of Concern based on subsequent corrective action. In addition, certain outstanding alleged violations were identified for which compliance documentation is required. Please submit to this office by **January 16, 2015**, a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for each of the outstanding alleged violations.

In the listing of the alleged violations, we have cited applicable requirements, including TCEQ rules. Please note that both the rules themselves and the agency brochure entitled *Obtaining TCEQ Rules* (GI 032) are located on our agency website at <http://www.tceq.state.tx.us> for your reference. If you would like a hard copy of this brochure mailed to you, you may call and request one from either the Beaumont Region Office at 409-898-3838 or the Central Office Publications Ordering Team at 512-239-0028.

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

Mr. Scot Foltz  
September 18, 2014  
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 Ms. Teakell in the Beaumont Region Office at 409-898-3838.

Sincerely,



Alex Crank  
Water Section Work Leader  
Beaumont Region Office

AC/BT/cal

Enclosure: Summary of Investigation Findings

## Summary of Investigation Findings

### SUNCHASE SUBDIVISION

1400 MESA LN  
HAMSHIRE, JEFFERSON COUNTY, TX 77622

Additional ID(s): 1230083

Investigation #

1191626  
Investigation Date: 08/18/2014

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

Track No: 548017      Compliance Due Date: 01/16/2015  
30 TAC Chapter 288.20(c)

#### Alleged Violation:

Investigation: 1191626

Comment Date: 09/10/2014

Failure by the Sunchase Subdivision Water System to have an up to date drought contingency plan.

During the inspection, it was noted that the water system has not reviewed the drought contingency plan within the past five years. The plan was last revised on May 30, 2007.

**Recommended Corrective Action:** Adopt a drought contingency plan and submit the completed plan to the Beaumont Regional Office.

Track No: 548019      Compliance Due Date: 01/16/2015  
30 TAC Chapter 290.39(j)

#### Alleged Violation:

Investigation: 1191626

Comment Date: 09/10/2014

Failure to obtain approval prior to making a significant change to the water system's production, treatment, storage, pressure maintenance, or distribution facilities.

During the inspection, it was noted that the water system added a polyphosphate to the treatment facilities at the plant prior to obtaining approval.

**Recommended Corrective Action:** Submit notification to the executive director and obtain approval regarding the addition of polyphosphate. Notifications shall be sent to TCEQ Water Supply division, Technical Review and Oversight Team, MC 155 PO Box 13087, Austin, Texas 78711-3087; phone (512) 239-4691.

Track No: 548020      Compliance Due Date: 01/16/2015  
30 TAC Chapter 290.46(f)(2)

#### Alleged Violation:

Investigation: 1191626

Comment Date: 09/10/2014

Failure by the Sunchase Subdivision Water System to provide operating records for review upon request.

During the investigation, the water system did not provide all requested records. Records requests were listed on the exit interview form for the following documents: plant operations manual, annual tank inspection forms for 2011 and 2012; distribution system map; customer service inspection (CSIs); and well meter calibration. On August 20, 2014, the Beaumont received a copy of the most recent well meter calibration which was performed in 2012, and a copy of the CSI certificate used in the event one is required (it was noted that no new construction or change to plumbing systems had occurred at connections within the water system within the past 10 years). On September 10, 2014, the Beaumont Regional Office received a copy of the distribution system map. All of the submitted records appeared to be

adequate. The water system did not submit the plant operations manual or the annual tank inspection forms for 2011 and 2012.

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

**Summary of Investigation Findings**

SUNCHASE SUBDIVISION

Investigation # 1191626

1400 MESA LN  
HAMSHIRE, JEFFERSON COUNTY, TX 77622

Investigation Date: 08/18/2014

Additional ID(s): 1230083

**AREA OF CONCERN****Track No: 548016****30 TAC Chapter 290.46(p)(2)****Alleged Violation:**

Investigation: 1191626

Comment Date: 09/10/2014

Failure by the Sunchase Subdivision Water System to provide the executive director with a written list on an annual basis of all the operators and operating companies that the public water system employs.

During the investigation, it was noted that the water system had not submitted a list to the executive director of all operators employed by the Sunchase Subdivision Water System.

**Recommended Corrective Action:** Submit a written list of all operators or operating companies employed by the water system to the executive director. Submit a copy to the Beaumont Regional Office.

**Resolution:** On April 20, 2014, the Beaumont Regional Office received a copy of the list of certified operators submitted to the executive director.

**Track No: 548018****30 TAC Chapter 290.121(a)****Alleged Violation:**

Investigation: 1191626

Comment Date: 09/10/2014

Failure by Sunchase Subdivision to maintain an up to date monitoring plan.

During the investigation, it was noted that the schematic within the monitoring plan was not up to date. The schematic displayed the water system operated two, 1,500 gallon and one 2,000 gallon pressure tanks while the water system actually maintains two, 900 gallon and one 995 gallon pressure tank.

**Recommended Corrective Action:** Update the monitoring plan. Submit the updated plan to the Beaumont Regional Office.

**Resolution:** On August 20, 2014, the Beaumont Regional Office received a copy of the updated schematic to be included within the monitoring plan.



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

**CERTIFIED MAIL 91 7199 9991 7033 2766 4916**

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FEB 04 2016

TX ADMIN-AUSTIN

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

Re: Notice of Violation for Comprehensive Compliance Investigation at:  
Tal Tex Inc. water system, 3800 Sam Bass Road, Round Rock (Williamson County),  
Texas  
Regulated Entity No.102683539, TCEQ PWS ID No. 2460064

Dear Mr. Foltz:

On January 22, 2016, 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 violations were identified for which compliance documentation is required. Please submit to this office by April 4, 2016 a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for the outstanding alleged violations.

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

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

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printed on recycled paper using vegetable-based ink

Mr. Scot Foltz  
Page 2  
February 2, 2016

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 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", with a large, stylized loop at the end.

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

TAL TEX

Investigation #  
1301582  
Investigation Date: 01/22/2016

, WILLIAMSON COUNTY,

Additional ID(s): 2460064

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

Track No: 593820      Compliance Due Date: 04/04/2016  
30 TAC Chapter 290.46(u)

**Alleged Violation:**

Investigation: 1301582

Comment Date: 02/02/2016

Abandoned public water supply wells owned by the system must be plugged with cement according to 16 TAC Chapter 76 (relating to Water Well Drillers and Water Well Pump Installers). Wells that are not in use and are non-deteriorated as defined in those rules must be tested every five years or as required by the executive director to prove that they are in a non-deteriorated condition. The test results shall be sent to the executive director for review and approval. Deteriorated wells must be either plugged with cement or repaired to a non-deteriorated condition.

**Recommended Corrective Action:** Submit written documentation of compliance to the TCEQ Austin Region Office on or before the compliance due date.

Track No: 593822      Compliance Due Date: 04/04/2016  
30 TAC Chapter 290.46(z)

**Alleged Violation:**

Investigation: 1301582

Comment Date: 01/27/2016

Failure to create a written Nitrification Action Plan( NAP) that contains the system-specific plan for monitoring free ammonia, monochloramine, total chlorine, nitrite, and nitrate levels. Tal Tex Inc. was cited for failure to monitor free ammonia.

**Recommended Corrective Action:** Submit written documentation of compliance to the TCEQ Austin Region Office on or before the compliance due date.

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



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

July 8, 2015

RECEIVED

**CERTIFIED MAIL NO.: 91 7199 9991 7035 6508 3791**  
**RETURN RECEIPT REQUESTED**

JUL 10 2015

TX ADMIN-AUSTIN

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

Re: Notice of Violation for Comprehensive Compliance Investigation at:  
Ten West Ranches, W side of IH 10 at Welfare exit, Kendall County, Texas  
Regulated Entity No.: RN102687712, TCEQ ID No.: 1300036, Investigation No.: 1253153

Dear Mr. Foltz:

On May 12, 2015, Mr. Chris Friesenhahn of the Texas Commission on Environmental Quality (TCEQ) San Antonio Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for a public water supply. Enclosed is a summary which lists the investigation findings. During the investigation a certain outstanding alleged violation was identified for which compliance documentation is required. Please submit to this office by November 5, 2015 a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for the outstanding alleged violation.

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

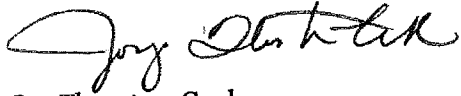
The TCEQ appreciates your assistance in this matter. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements. We anticipate that you will resolve the alleged violation as required in order to protect the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

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

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

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

Sincerely,



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

JTC/cmf/eg

Enclosure: Summary of Investigation Findings

# Summary of Investigation Findings

TEN WEST RANCHES

Investigation # 1253153

Investigation Date: 05/12/2015

, KENDALL COUNTY,

Additional ID(s): 1300036

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

Track No: 570930 Compliance Due Date: 11/05/2015

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

### Alleged Violation:

Investigation: 1253153

Comment Date: 05/20/2015

Failure to provide adequate well production capacity.

At the time of the investigation, the well was producing 21 gallons per minute (gpm) and with 45 connections the water system is required to provide 27 gpm. The water system is currently 22.2% deficient for well production capacity.

30 TAC 290.45(b)(1)(B)(i)--If fewer than 50 connections with ground storage, the system must provide a well capacity of 0.6 gpm per connection.

**Recommended Corrective Action:** Provide the existing well with higher yielding pump, construct a new well and/or interconnect with a nearby approved water system to provide the additional required well capacity. An alternative capacity requirement (ACR) may also be acquired in lieu of meeting the standard requirement.

All interconnections and new well construction must be approved by the TCEQ Technical Utilities Review Team. All requests and/or engineering plans for proposed interconnections or new wells must be submitted to:

TCEQ  
Utilities Technical Review Team  
PO BOX 13087, MC 159  
Austin, Texas 78711-3087

ACR requests must be submitted for review and approval:

TCEQ  
Technical Review & Oversight Team  
PO BOX 13087, MC 159  
Austin, Texas 78711-3087

To document compliance, submit documentation which indicates that the water system is providing adequate well production capacity to this office by the compliance due date.

## ADDITIONAL ISSUES

### Description

### Additional Comments

## Item 2

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

Duke

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 10, 2015

RECEIVED

JUL 15 2015

**CERTIFIED MAIL {7014 1200 0000 1917 5550}  
RETURN RECEIPT REQUESTED**

TX ADMIN-AUSTIN

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

**Re: Notice of Violation for Public Water Supply Comprehensive Compliance  
Investigation at: Towering Oaks I, (Liberty County), Texas; PWS ID No.: 1460145,  
Investigation No.: 1248022**

Dear Mr. Foltz:

On May 7, 2015, Mr. Dustin Lorance of the Texas Commission on Environmental Quality (TCEQ) Beaumont Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for public water supply. Enclosed is a summary which lists the investigation findings. During the investigation, a concern was noted which was an alleged noncompliance that has been resolved as an Area of Concern based on subsequent corrective action. In addition, certain outstanding alleged violations were identified for which compliance documentation is required. Please submit to this office by **November 7, 2015**, a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for each of the outstanding alleged violations.

In the listing of the alleged violations, we have cited applicable requirements, including TCEQ rules. Please note that both the rules themselves and the agency brochure entitled *Obtaining TCEQ Rules* (GI 032) are located on our agency website at <http://www.tceq.state.tx.us> for your reference. If you would like a hard copy of this brochure mailed to you, you may call and request one from either the Beaumont Region Office at (409) 898-3838 or the Central Office Publications Ordering Team at 512-239-0028.

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

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

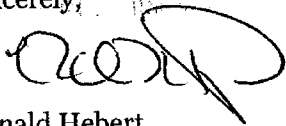
Austin Headquarters: 512-239-1000 • [tceq.texas.gov](http://tceq.texas.gov) • How is our customer service? [tceq.texas.gov/customer survey](http://tceq.texas.gov/customer survey)  
printed on recycled paper

Mr. Scot Foltz, Compliance Manager  
July 10, 2015  
Page 2

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

If you or members of your staff have any questions, please feel free to contact Mr. Lorange in the Beaumont Region Office at (409) 898-3838.

Sincerely,

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

Ronald Hebert  
Water Section Manager  
Beaumont Region Office

RH/DL/cal

Enclosure: Summary of Investigation Findings

## Summary of Investigation Findings

**TOWERING OAKS I**

**Investigation #**

**1248022**  
**Investigation Date: 05/07/2015**

**, LIBERTY COUNTY,**

**Additional ID(s): 1460145**

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

**Track No: 574253      Compliance Due Date: 11/07/2015**

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

**Alleged Violation:**

Investigation: 1248022

Comment Date: 06/24/2015

Failure by Tower Oaks I to maintain a sanitary control easement or recorded deed and map for all land with 150 feet of the well.

During the investigation, it was noted that the water system could not provide a sanitary control easement or deed and map for all of the land located within 150 feet of the well. A map of the area was provided and it was noted that there were no deeds or sanitary control easements provided for lots 7 and 8.

**Recommended Corrective Action:** Obtain a sanitary control easement or deed and map for lots 7 and 8. Submit the documentation to the Beaumont Regional Office.

The water system may request an exception to this requirement by writing to TCEQ Water Supply Division, Technical Review and Oversight Team, MC 159 PO Box 13087, Austin, Texas 78711-3087; phone (512) 239-4691.

**Track No: 574256      Compliance Due Date: 11/07/2015**

**30 TAC Chapter 290.46(f)(2)**

**Alleged Violation:**

Investigation: 1248022

Comment Date: 06/24/2015

Failure by Tower Oaks I to have operating records accessible for review upon request.

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

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

**Track No: 574257      Compliance Due Date: 11/07/2015**

**30 TAC Chapter 290.121(a)**

**Alleged Violation:**

Investigation: 1248022

Comment Date: 06/24/2015

Failure by Tower Oaks I to maintain a copy of the monitoring plan at the treatment plant.

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

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

Track No: 574260 Compliance Due Date: 11/07/2015  
30 TAC Chapter 290.46(m)

**Alleged Violation:**

Investigation: 1248022

Comment Date: 07/02/2015

Failure by Tower Oaks I to maintain the pressure tank in a good working condition and general appearance.

During the investigation, it was noted that the exterior of the pressure tank was in a poor condition. The outer coating was severely chipped.

**Recommended Corrective Action:** Repair the exterior of the pressure tank. Submit photographic documentation to the Beaumont Regional Office which displays the pressure tank in a good condition and appearance.

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

Track No: 468448  
30 TAC Chapter 290.45

**Alleged Violation:**

Investigation: 1006483

Comment Date: 06/12/2012

Failure to meet this Agency's "Minimum Water System Capacity Requirements." This requirement include a well capacity of 1.5 gallons per minute per connection.

At the time of the inspection the facility had a total of 49 active connections and is required to provide 1.5 gallons per minute(gpm) per connection(conn). Your well produced a total of 58 gpm and is short a total of 15.5 gpm. This is calculated in the following manner:

Required 1.5gpm/conn X 49 conn. = 73.5 gpm Total  
Short 73.5 gpm Required - 58gpm Produced = 15.5 gpm Total

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

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

The water system may request an exception to this requirement by writing to TCEQ, Water Supply Division, Public Drinking Water Section, Technical Review & Oversight, MC 155, P.O. Box 13087, Austin, TX 78711-3087; phone: (512) 239-4798.

Investigation: 1088145

Comment Date: 05/20/2013

Failure to meet this Agency's "Minimum Water System Capacity Requirements." This requirement include a well capacity of 1.5 gallons per minute per connection.

At the time of the inspection, the facility had a total of 49 active connections and is required to provide 1.5 gallons per minute(gpm) per connection(conn). Your well produced a total of 58 gpm and is short a total of 15.5 gpm. This is calculated in the following manner:

Required 1.5gpm/conn X 49 conn. = 73.5 gpm Total  
Short 73.5 gpm Required - 58 gpm Produced = 15.5 gpm Total

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

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

The water system may request an exception to this requirement by writing to TCEQ, Water Supply Division, Public Drinking Water Section, Technical Review & Oversight, MC 155, P.O. Box 13087, Austin, TX 78711-3087; phone: (512) 239-4798.

Investigation: 1248022

Comment Date: 06/24/2015

The water system is no longer deficient in total well production capacity.

**Recommended Corrective Action:** Submit compliance documentation which reflects the system has met the minimum water system capacity requirements for the well to verify compliance.

**Resolution:** During the investigation on May 7, 2015, it was noted that the water system provides 75 gpm of total well production capacity while 67.5 gpm is required.

## AREA OF CONCERN

Track No: 574255

30 TAC Chapter 290.46(s)(1)

**Alleged Violation:**

Investigation: 1248022

Comment Date: 06/24/2015

Failure by Tower Oaks I to calibrate the well meter at least once every three years.

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

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

**Resolution:** On May 18, 2015, the Beaumont Regional Office received documentation which displayed that the well meter was calibrated on May 13, 2015.

## ADDITIONAL ISSUES

**Description**

Item 4

**Additional Comments**

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

Item 8

During the investigation, it was noted that the water system provides 75 gpm of total well production capacity while 67.5 gpm is required. The water system has reached 90% of total well production capacity.

A retail public utility that possesses a certificate of public convenience and necessity that has reached 85% of its capacity as compared to most restrictive criteria of the commission's minimum capacity requirements in 30 TAC Chapter 290 shall submit to the executive director, a planning report that clearly explains how the retail public utility will provide the expected service demands to the remaining areas within the boundaries of its certified area.

Please submit a detailed Planning Report to the Beaumont Regional Office within 90 days.

Duke

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 8, 2016

RECEIVED

Mr. Scot Foltz, Environmental Compliance Manager  
Aqua Utilities, Inc.  
11106 Clayton Lane, Suite 400W  
Austin, Texas 78723-2476

TX ADMIN-AUSTIN

Re: Unresolved Alleged Violations for Comprehensive Compliance Investigation at:  
Towering Oaks I, 85 1/2 County Road 4017, Mont Belvieu, Liberty County, Texas  
Regulated Entity No.: 105684271, TCEQ ID No.: 1460145, Investigation No.: 1314271

Dear Mr. Foltz:

The Texas Commission on Environmental Quality (TCEQ) Beaumont 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 May 7, 2015. We have not received acceptable compliance documentation from you for all of the alleged violations. 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. Dawn Olivo in the Houston Region Office at (713) 767-3650.

Sincerely,

A handwritten signature in cursive script, reading "LaTrichia Spikes".

LaTrichia Spikes, Team Leader  
Public Water Supply  
Houston Region Office

LS/DO/ra

Enclosure: Summary of Investigation Findings



## Summary of Investigation Findings

TOWERING OAKS I

Investigation #

1314271  
Investigation Date: 02/26/2016

, LIBERTY COUNTY,

Additional ID(s): 1460145

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

Track No: 574253 Compliance Due Date: 11/07/2015

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

#### Alleged Violation:

Investigation: 1248022

Comment Date: 06/24/2015

Failure by Tower Oaks I to maintain a sanitary control easement or recorded deed and map for all land with 150 feet of the well.

During the investigation, it was noted that the water system could not provide a sanitary control easement or deed and map for all of the land located within 150 feet of the well. A map of the area was provided and it was noted that there were no deeds or sanitary control easements provided for lots 7 and 8.

Investigation: 1299999

Comment Date: 12/16/2015

Failure by Tower Oaks I to maintain a sanitary control easement or recorded deed and map for all land with 150 feet of the well.

During the investigation, it was noted that the water system could not provide a sanitary control easement or deed and map for all of the land located within 150 feet of the well. A map of the area was provided and it was noted that there were no deeds or sanitary control easements provided for lots 7 and 8.

It is noted that as of December 14, 2015, no documentation has been received indicating the water system has sanitary easement for the well.

Investigation: 1314271

Comment Date: 02/26/2016

Failure by Tower Oaks I to maintain a sanitary control easement or recorded deed and map for all land with 150 feet of the well.

During the investigation, it was noted that the water system could not provide a sanitary control easement or deed and map for all of the land located within 150 feet of the well. A map of the area was provided and it was noted that there were no deeds or sanitary control easements provided for lots 7 and 8.

It is noted that as of December 14, 2015, no documentation has been received indicating the water system has sanitary easement for the well.

It is noted that as of February 26, 2016, no documentation has been received.

**Recommended Corrective Action:** Obtain a sanitary control easement or deed and map for lots 7 and 8. Submit the documentation to the Houston Regional Office.

The water system may request an exception to this requirement by writing to TCEQ Water Supply Division, Technical Review and Oversight Team, MC 159 PO Box 13087, Austin, Texas 78711-3087; phone (512) 239-4691.

Track No: 574256 Compliance Due Date: 11/07/2015

30 TAC Chapter 290.46(f)(2)

**Alleged Violation:**

Investigation: 1248022

Comment Date: 06/24/2015

Failure by Tower Oaks I to have operating records accessible for review upon request.

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

Investigation: 1299999

Comment Date: 12/16/2015

Failure by Tower Oaks I to have operating records accessible for review upon request.

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

It is noted that as of December 14, 2015, no documentation has been received indicating the water system maintains operating records.

Investigation: 1314271

Comment Date: 02/26/2016

Failure by Tower Oaks I to have operating records accessible for review upon request.

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

It is noted that as of December 14, 2015, no documentation has been received indicating the water system maintains operating records.

It is noted that as of February 26, 2016, no documentation has been received.

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

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**Track No: 574257      Compliance Due Date: 11/07/2015****30 TAC Chapter 290.121(a)****Alleged Violation:**

Investigation: 1248022

Comment Date: 06/24/2015

Failure by Tower Oaks I to maintain a copy of the monitoring plan at the treatment plant.

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

Investigation: 1299999

Comment Date: 12/16/2015

Failure by Tower Oaks I to maintain a copy of the monitoring plan at the treatment plant.

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

It is noted that as of December 14, 2015, no documentation has been received indicating the facility has a monitoring plan in place.

Investigation: 1314271

Comment Date: 02/26/2016

Failure by Tower Oaks I to maintain a copy of the monitoring plan at the treatment plant.

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

**TOWERING OAKS I****Investigation # 1314271**

It is noted that as of December 14, 2015, no documentation has been received indicating the facility has a monitoring plan in place.

It is noted that as of February 26, 2016, no documentation has been received.

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

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**Track No: 574260      Compliance Due Date: 11/07/2015****30 TAC Chapter 290.46(m)****Alleged Violation:**

Investigation: 1248022

Comment Date: 07/02/2015

Failure by Tower Oaks I to maintain the pressure tank in a good working condition and general appearance.

During the investigation, it was noted that the exterior of the pressure tank was in a poor condition. The outer coating was severely chipped.

Investigation: 1299999

Comment Date: 12/16/2015

Failure by Tower Oaks I to maintain the pressure tank in a good working condition and general appearance.

During the investigation, it was noted that the exterior of the pressure tank was in a poor condition. The outer coating was severely chipped.

It is noted that as of December 14, 2015, no documentation has been received that indicates the pressure tank has been repaired or replaced.

Investigation: 1314271

Comment Date: 02/26/2016

Failure by Tower Oaks I to maintain the pressure tank in a good working condition and general appearance.

During the investigation, it was noted that the exterior of the pressure tank was in a poor condition. The outer coating was severely chipped.

It is noted that as of December 14, 2015, no documentation has been received that indicates the pressure tank has been repaired or replaced.

It is noted that as of February 26, 2016, no documentation has been received.

**Recommended Corrective Action:** Repair the exterior of the pressure tank. Submit photographic documentation to the Houston Regional Office which displays the pressure tank in a good condition and appearance.



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



*John*

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*  
November 19, 2012

**CERTIFIED MAIL 91 7199 9991 7031 8234 7603**  
**RETURN RECEIPT REQUESTED**

**RECEIVED**  
NOV 20 2012  
BY: .....

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

Re: Notice of Violation for the Comprehensive Compliance Investigation at:  
Travis County WCID No. 18, 1502 San Juan Drive, Austin (Travis County), Texas  
TCEQ PWS ID No.: 2270083, RN101410405

Dear Mr. Blackhurst:

On October 24, 2012, 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, an alleged noncompliance that has been resolved was noted. Based on the information you have provided, the TCEQ has adequate documentation to resolve the alleged violation. Therefore, no further action is required.

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 "Shea Cockrell".

Shea Cockrell  
Water Program Work Leader  
Austin Region Office

SC/cac

## Summary of Investigation Findings

TRAVIS COUNTY WCID 18

Investigation #

1035052

Investigation Date: 10/24/2012

, TRAVIS COUNTY,

Additional ID(s): 2270083

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

Track No: 483039

30 TAC Chapter 290.111(h)

#### Alleged Violation:

Investigation: 1035052

Comment Date: 11/16/2012

Failure to properly complete the SWMOR's. Raw data for alkalinity and turbidity checked during August, 2012 did not match data reported in SWMOR.

**Resolution:** This was the last month that the prior operator was at the plant. Mr. Ripley took over day to day operations in September, 2012 and sent copies of September, 2012 raw data and SWMOR data that matched.

### ADDITIONAL ISSUES

#### Description

Item 2

#### Additional Comments

The system was not completing the membrane monthly operating report along with the SWMOR. A new form will be coming out in January 2013 and letters will be going out to all membrane plants stating they must complete the form along with SWMOR information.

Lonnie / Roay

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

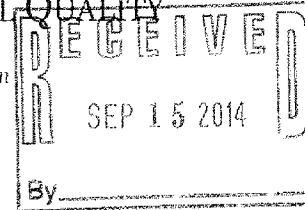


## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

September 10, 2014

*Protecting Texas by Reducing and Preventing Pollution*

**CERTIFIED MAIL #7099 3220 0002 7146 3197**  
**RETURN RECEIPT REQUESTED**



Mr. Scot Foltz, Environmental Compliance Manager  
Aqua Utilities, Inc.  
1106 Clayton Ln, Ste 400W  
Austin, Texas 78723-1066

Re: Acceptance of a Compliance Plan for:  
Tres Palacios Oaks Subdivision, 28 Springwood South, Palacios, Matagorda Co., Texas  
Regulated Entity No.:101240448, TCEQ ID No.:1610017, Investigation No.: 1191838

Dear Mr. Foltz:

The Texas Commission on Environmental Quality (TCEQ) Houston Region Office has completed a review of the compliance plan and any additional information that you submitted on August 1, 2014, for resolving the alleged violations dealing with As Built Plans and Capacity. These alleged violations were noted during the investigation of the above-referenced facility conducted on August 15, 2013. The compliance plan appears to identify the necessary corrective action for the alleged violations. We will monitor your progress in implementing the corrective action. Please submit to this office a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for each outstanding alleged violation by December 31, 2014, demonstrating that the alleged violations have been resolved. Please be advised that if we determine, during follow-up monitoring, that you are not working towards compliance or the problem has escalated, further enforcement action will be considered.

The Texas Commission on Environmental Quality appreciates your assistance in this matter and anticipates that you will resolve the alleged violation as required in order to protect the State's environment. If you or members of your staff have any questions, please feel free to contact Ms. Melody Kirksey in the Houston Region Office at (713)767-3650.

Sincerely,

A handwritten signature in cursive script, reading "Leticia De Leon".

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

LD/MK/ra

cc: Matagorda County Environmental Health Dept.

## Summary of Investigation Findings

TRES PALACIOS OAKS SUBDIVISION

Investigation #  
1191838  
Investigation Date: 08/22/2014

, MATAGORDA COUNTY,

Additional ID(s): 1610017

Track No: 515244 Compliance Due Date: 12/31/2014  
30 TAC Chapter 290.39(e)

### Alleged Violation:

Investigation: 1120868

Comment Date: 09/27/2013

#### Examination of Plans and Specifications

Failure to secure the services of a registered professional engineer well versed in the design and construction of public water systems so that "as built" plans and specifications can be prepared and submitted for our review. The submittal must describe the existing facilities as well as any proposed modifications which are necessary to bring the regulated entity into compliance with our regulations.

Please be aware that all "as built plans" must be submitted to Austin for approval to the:

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

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.

Note: Approval to use letters for wells 1 and 2 were not provided.

Investigation: 1191838

Comment Date: 08/22/2014

#### Examination of Plans and Specifications

Failure to secure the services of a registered professional engineer well versed in the design and construction of public water systems so that "as built" plans and specifications can be prepared and submitted for our review. The submittal must describe the existing facilities as well as any proposed modifications which are necessary to bring the regulated entity into compliance with our regulations.

Please be aware that all "as built plans" must be submitted to Austin for approval to the:

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

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.

Note: Approval to use letters for wells 1 and 2 were not provided.

**Recommended Corrective Action:** Submit a copy of the approval to use letter to verify compliance.

Track No: 515271 Compliance Due Date: 12/31/2014  
30 TAC Chapter 290.41(c)(3)(A)

### Alleged Violation:

**TRES PALACIOS OAKS SUBDIVISION****Investigation # 1191838**

Investigation: 1120868

Comment Date: 09/27/2013

**Ground Water Sources and Development**

Failure to submit the well completion data on Well Number 3 for our review and approval before placing the well into service. This data must include copies of:

1. an executed sanitary control easement or other documentation demonstrating compliance with 30 TAC, §290.41(c)(1)(F) for all property located within 150 feet of the well head,
2. the well Driller's Log (geological log and material setting report)
3. the cementing certificate,
4. the results of a 36-hour pump test which shows the steady state capacity of the well,
5. the results of chemical analysis performed by an accredited laboratory,
6. three consecutive daily coliform-free raw water bacteriological analyses conducted by a TCEQ accredited laboratory, and
7. an original or legible copy of a U.S. Geological Survey 7.5 minute topographical quadrangle map showing the accurate well location.

Well completion data needs to be submitted to:

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

Compliance Documentation: Submit a copy of the letter from the TCEQ's Utilities Review and Oversight Team indicating that your well has been approved for use to verify compliance.

Note: Well 3 is in Operational Status but well completion data has not been approved.

Investigation: 1191838

Comment Date: 08/22/2014

**Capacity Requirements**

Failure to provide a minimum total storage capacity of 200 gallons per connection.

§290.45(b)(1) (F) (ii) (MHP and Apts < 100 with GS OR 100 or >) / §290.45(b)(1)(C)(ii) (Community GW, 50-250) / §290.45(b)(1)(D)(ii) (Community GW,>250) / §290.45(b)(2)(E) (Community SW)

At the time of the inspection the facility had a total of 238 active connections and is required to provide 200 gallons per connection (conn) of total ground storage tank capacity. Your total ground storage tank capacity is 40,000 gallons and is currently short a total of 7,600 gallons (Gal.). This is calculated in the following manner:

Required 200 Gal. /conn X 238 conn. = 47,600 Total Gallons

Short 47,600 Gallons Required - 40,000 Gallons Provided = 7,600 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 copy of the approval to use letter to verify compliance.

Track No: 515726

Compliance Due Date: 12/31/2014

30 TAC Chapter 290.45

**Alleged Violation:**

Investigation: 1120868

Comment Date: 09/30/2013

**Capacity Requirements**

Failure to provide a minimum total storage capacity of 200 gallons per connection.  
§290.45(b)(1) (F) (ii) (MHP and Apts < 100 with GS OR 100 or >) / §290.45(b)(1)(C)(ii)  
(Community GW, 50-250) / §290.45(b)(1)(D)(ii) (Community GW,>250) / §290.45(b)(2)(E)  
(Community SW)

At the time of the inspection the facility had a total of 238 active connections and is required to provide 200 gallons per connection (conn) of total ground storage tank capacity. Your total ground storage tank capacity is 40,000 gallons and is currently short a total of 7,600 gallons (Gal.). This is calculated in the following manner:

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Investigation: 1191838

Comment Date: 08/22/2014

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#### Capacity Requirements

Failure to provide a minimum total storage capacity of 200 gallons per connection.  
§290.45(b)(1) (F) (ii) (MHP and Apts < 100 with GS OR 100 or >) / §290.45(b)(1)(C)(ii)  
(Community GW, 50-250) / §290.45(b)(1)(D)(ii) (Community GW,>250) / §290.45(b)(2)(E)  
(Community SW)

At the time of the inspection the facility had a total of 238 active connections and is required to provide 200 gallons per connection (conn) of total ground storage tank capacity. Your total ground storage tank capacity is 40,000 gallons and is currently short a total of 7,600 gallons (Gal.). This is calculated in the following manner:

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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.

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Track No: 515768      Compliance Due Date: 12/31/2014  
30 TAC Chapter 290.45(b)(1)(B)(iii)

#### Alleged Violation:

Investigation: 1120868

Comment Date: 09/30/2013

**Capacity Requirements**

Failure to provide a minimum of two or more service pumps with a total capacity of 2.0 gallons per minute per connection. §290.45(b)(1)(B)(iii) (Community, GW, <50 conn.)

At the time of the inspection the facility had a total of 238 conn. and is required to provide 2 gallons per minute(gpm) per conn. Your service pumps produced a total of 360 gpm and are short a total of 116 gpm. This is calculated in the following manner:

Required      2 gpm /conn. X 238 conn. = 476 gpm Total  
Short          476 gpm Required - 360 gpm Produced = 116 gpm Total

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

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

The water system may request an exception to these requirements by writing to TCEQ, Water Supply Division, Public Drinking Water Section, Technical Review & Oversight, MC 159, P.O. Box 13087, Austin, TX 78711-3087; phone: (512) 239-4691.

Investigation: 1191838

Comment Date: 08/22/2014

**Capacity Requirements**

Failure to provide a minimum of two or more service pumps with a total capacity of 2.0 gallons per minute per connection. §290.45(b)(1)(B)(iii) (Community, GW, <50 conn.)

At the time of the inspection the facility had a total of 238 conn. and is required to provide 2 gallons per minute(gpm) per conn. Your service pumps produced a total of 360 gpm and are short a total of 116 gpm. This is calculated in the following manner:

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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., *Chairman*  
Carlos Rubinstein, *Commissioner*  
Toby Baker, *Commissioner*  
Zak Covar, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

October 2, 2013

**CERTIFIED MAIL #7011 3500 0000 0279 7879**  
**RETURN RECEIPT REQUESTED**

Mr. Steve Blackhurst, Environmental Compliance Manager  
Aqua Utilities, Inc.  
1106 Clayton Ln, Ste 400W  
Austin, Texas 78723-1066

Re: Notice of Violation for the Comprehensive Compliance Investigation at:  
Tres Palacios Oaks Subdivision, 28 Springwood South, Palacios, Matagorda Co., Texas  
Regulated Entity No.:101240448, TCEQ ID No.:1610017, Investigation No.: 1120868

Dear Mr. Blackhurst:

On August 15, 2013, 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, certain outstanding alleged violations were identified for which compliance documentation is required. Please submit to this office by December 30, 2013, a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for each of the outstanding alleged violations.

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

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

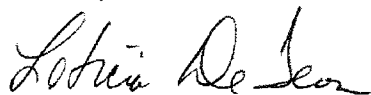
Mr. Steve Blackhurst, Env. Compliance Mgr.

Page 2

October 2, 2013

If you or members of your staff have any questions, please feel free to contact Ms. Melody Kirksey 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/MK/ra

Enclosures: Summary of Investigation Findings

## Summary of Investigation Findings

TRES PALACIOS OAKS SUBDIVISION

Investigation #

1120868  
Investigation Date: 08/15/2013

, MATAGORDA COUNTY,

Additional ID(s): 1610017

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

Track No: 515244      Compliance Due Date: 12/27/2013  
30 TAC Chapter 290.39(e)

#### Alleged Violation:

Investigation: 1120868

Comment Date: 09/27/2013

#### Examination of Plans and Specifications

Failure to secure the services of a registered professional engineer well versed in the design and construction of public water systems so that "as built" plans and specifications can be prepared and submitted for our review. The submittal must describe the existing facilities as well as any proposed modifications which are necessary to bring the regulated entity into compliance with our regulations.

Please be aware that all "as built plans" must be submitted to Austin for approval to the:

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

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.

Note: Approval to use letters for wells 1 and 2 were not provided.

**Recommended Corrective Action:** Submit a copy of the approval to use letter to verify compliance.

Track No: 515271      Compliance Due Date: 11/27/2013  
30 TAC Chapter 290.41(c)(3)(A)

#### Alleged Violation:

Investigation: 1120868

Comment Date: 09/27/2013

#### Ground Water Sources and Development

Failure to submit the well completion data on Well Number 3 for our review and approval before placing the well into service. This data must include copies of:

1. an executed sanitary control easement or other documentation demonstrating compliance with 30 TAC, §290.41(c)(1)(F) for all property located within 150 feet of the well head,
2. the well Driller's Log (geological log and material setting report)
3. the cementing certificate,
4. the results of a 36-hour pump test which shows the steady state capacity of the well,
5. the results of chemical analysis performed by an accredited laboratory,
6. three consecutive daily coliform-free raw water bacteriological analyses conducted by a TCEQ accredited laboratory, and
7. an original or legible copy of a U.S. Geological Survey 7.5 minute topographical quadrangle map showing the accurate well location.

Well completion data needs to be submitted to:

**TRES PALACIOS OAKS SUBDIVISION**

Investigation # 1120868

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

Compliance Documentation: Submit a copy of the letter from the TCEQ's Utilities Review and Oversight Team indicating that your well has been approved for use to verify compliance.  
Note: Well 3 is in Operational Status but well completion data has not been approved.

**Recommended Corrective Action:** Submit a copy of the approval to use letter to verify compliance.

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Track No: 515726      Compliance Due Date: 12/30/2013

30 TAC Chapter 290.45

**Alleged Violation:**

Investigation: 1120868

Comment Date: 09/30/2013

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**Capacity Requirements**

Failure to provide a minimum total storage capacity of 200 gallons per connection.  
§290.45(b)(1) (F) (ii) (MHP and Apts < 100 with GS OR 100 or >) / §290.45(b)(1)(C)(ii)  
(Community GW, 50-250) / §290.45(b)(1)(D)(ii) (Community GW,>250) / §290.45(b)(2)(E)  
(Community SW)

At the time of the inspection the facility had a total of 238 active connections and is required to provide 200 gallons per connection (conn) of total ground storage tank capacity. Your total ground storage tank capacity is 40,000 gallons and is currently short a total of 7,600 gallons (Gal.). This is calculated in the following manner:

Required    200 Gal. /conn X 238 conn. = 47,600 Total Gallons  
Short       47,600 Gallons Required - 40,000 Gallons Provided = 7,600 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.

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Track No: 515768      Compliance Due Date: 12/30/2013

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

**Alleged Violation:**

Investigation: 1120868

Comment Date: 09/30/2013

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**Capacity Requirements**

Failure to provide a minimum of two or more service pumps with a total capacity of 2.0 gallons per minute per connection. §290.45(b)(1)(B)(iii) (Community, GW, <50 conn.)

At the time of the inspection the facility had a total of 238 conn. and is required to provide 2 gallons per minute(gpm) per conn. Your service pumps produced a total of 360 gpm and are short a total of 116 gpm. This is calculated in the following manner:

Required    2 gpm /conn. X 238 conn. = 476 gpm Total  
Short       476 gpm Required - 360 gpm Produced = 116 gpm Total

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

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

The water system may request an exception to these requirements by writing to TCEQ, Water Supply Division, Public Drinking Water Section, Technical Review & Oversight, MC 159, P.O. Box 13087, Austin, TX 78711-3087; phone: (512) 239-4691.

**Recommended Corrective Action:** Submit a compliance plan, 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., *Chairman*  
Carlos Rubinstein, *Commissioner*  
Toby Baker, *Commissioner*  
Zak Covar, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

September 26, 2012

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

RECEIVED  
SEP 28 2012

BY: .....

Re: Notice of Compliance with Notice of Violation (NOV) dated April 13, 2012:  
Trinity Cove Subdivision, Mallard Street, Chambers County, Texas  
TCEQ ID No. 0360084, Investigation No. 1034747

Dear Mr. Blackhurst:

On September 13, 2012, the Texas Commission on Environmental Quality (TCEQ) Houston Region Office received adequate compliance documentation to resolve the alleged violation documented during the investigation of the above-referenced regulated entity conducted on February 9, 2012. Based on the information submitted, no further action is required concerning this investigation. The Texas Commission on Environmental Quality appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment.

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

Sincerely,

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

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

LD/HDL/ra

Enclosure: *Summary of Investigation Findings*

cc: Chambers County Health Dept.

## Summary of Investigation Findings

TRINITY COVE SUBDIVISION

Investigation #

1034747

Investigation Date: 09/24/2012

, CHAMBERS COUNTY,

Additional ID(s): 0360084

### ALLEGED VIOLATION(S) NOTED AND RESOLVED

Track No: 461971

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

**Alleged Violation:**

Investigation: 983853

Comment Date: 03/28/2012

Capacity requirement

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

At the time of the inspection the facility had a total of 32 active connections and is required to provide 1.5 gallons per minute (gpm) per connection (conn). Your well produced a total of 35 gpm and is short a total of 13 gpm. This is calculated in the following manner:

(Required Calculation) the amount of water a system is required to provide  
 $1.5 \text{ gpm /conn} \times 32 \text{ conn.} = 48 \text{ gpm Required}$

(Short Calculation) the amount of water the system is short  
 $48 \text{ gpm Required} - 35 \text{ gpm Produced} = 13 \text{ gpm Short}$

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 155, 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.

**Resolution:** Letter from Aqua Texas Inc. dated September 11, 2012, attached an invoice showing that the well pump was replaced with a new pump which has capacity of 53 gpm. This capacity is greater than the required capacity of 48 gpm. This violation is resolved.

*Nike*

Bryan W. Shaw, Ph.D., *Chairman*  
Buddy Garcia, *Commissioner*  
Carlos Rubinstein, *Commissioner*  
Mark R. Vickery, P.G., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

April 3, 2012

**CERTIFIED MAIL #7010 2780 0002 1299 0433**  
**RETURN RECEIPT REQUESTED**

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

**RECEIVED**  
APR 05 2012

BY: .....

Re: Notice of Violation for the Compliance Evaluation Investigation at:  
Trinity Cove Subdivision, Mallard Street, Chambers County, Texas  
Regulated Entity No. 101260677, TCEQ ID No. 0360084, Investigation No. 983853

Dear Mr. Blackhurst:

On February 9, 2012, Mr. Huyen D. Luu, P.E of the Texas Commission on Environmental Quality (TCEQ) Houston Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with the applicable requirements for public water supply systems. Enclosed is a summary which lists the investigation findings. A due date for submitting compliance documentation for outstanding alleged violation 4619701 will be determined after you provide a compliance plan for this alleged violation. Your compliance plan is due by July 2, 2012; please address how the violation will be resolved and provide a reasonable time frame for the completion of the work. Furthermore, the investigator resolved one instance of noncompliance noted in the previous investigation February 19, 2008.

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

If you have additional information that we are unaware of, you have the opportunity to contest the violation documented in this notice. Should you choose to do so, you must notify the Houston Region Office within 10 days from the date of this letter. At that time, Leticia De Leon, Team Leader, will schedule a violation review meeting to be conducted *within 21 days from the date of this letter OR specified date at specific time*. 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 this violation.