

Mr. Steve Blackhurst, Regulatory and Compliance

Page 2

April 3, 2012

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

cc: Chambers County Environmental Health Department

Enclosure: Summary of Investigation Findings

Summary of Investigation Findings

TRINITY COVE SUBDIVISION

Investigation # 983853

Investigation Date: 02/09/2012

, CHAMBERS COUNTY,

Additional ID(s): 0360084

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

Track No: 461971 Compliance Due Date: To Be Determined
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.

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

Track No: 163684

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

Alleged Violation:

Investigation: 270828

Comment Date: 06/15/2004

Design and Construction of Pressure Tanks

Failure to inspect the pressure tank annually to determine that the pressure release device and pressure gauge are working properly, the air-water ratio is being maintained at the proper level,

the exterior coating systems are continuing to provide adequate protection to all metal surfaces, and that the tank remains in a watertight condition. Pressure tanks provided with an inspection port must have the interior surface inspected every five years.

Description: The 3000-gallon pressure tank has an inspection port. The exterior of the tank was inspected on 01/03/2004. The operator stated that Mr. William Kelley, owner of the system, had inspected the interior surface of the tank in 2000. However, no information about the interior surface inspection was provided on the tank inspection form.

Investigation: 636183

Comment Date: 02/26/2008

Design and Construction of Pressure Tanks

Failure to inspect the pressure tank annually, to determine that the pressure release device and pressure gauge are working properly, the air-water ratio is being maintained at the proper level, the exterior coating systems are continuing to provide adequate protection to all metal surfaces, and that the tank remains in a watertight condition. Pressure tanks provided with an inspection port must have the interior surface inspected every five years.

The results of these inspections must be recorded and maintained for at least five years, per §290.46(f)(3)(D)(ii). The records must be available for review by Commission staff during annual sanitary surveys of the system.

Recommended Corrective Action: Inspect the interior surface of the pressure tank according to the rule. Submit a copy of a properly completed tank inspection form to verify compliance. The results of these inspections must be recorded and maintained for at least five years, per §290.46(f)(3)(D)(ii). The records must be available for review by Commission staff during annual sanitary surveys of the system.

Resolution: A new pressure tank was installed in July 2011. This violation is resolved.

News

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 11, 2015

RECEIVED

DEC 15 2015

TX ADMIN-AUSTIN

Mr. Scot Foltz, Regulatory and Compliance Manager
Aqua Utilities Inc.
1106 Clayton Lane
Austin, Texas 78723

Re: Notice of Compliance with Notice of Violation (NOV) dated April 17, 2015:
Village Trace Water System, 19017 Pearland Sites Rd., Alvin, Brazoria County, Texas
Regulated Entity No.: 10118050, TCEQ ID No.: 0200341, Investigation No. 1296218

Dear Mr. Foltz :

On September 25, 2015, the Texas Commission on Environmental Quality (TCEQ) Houston Region Office received adequate compliance documentation to resolve the alleged violations documented during the investigation of the above-referenced regulated entity conducted on April 1, 2015. Based on the information submitted, no further action is required concerning this investigation. .

The Texas Commission on Environmental Quality appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions, please feel free to contact Ms. Melody Kirksey 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/MK/ra

Enclosure: *Summary of Investigation Findings*

cc: Brazoria County Environmental Health Department

Summary of Investigation Findings

VILLAGE TRACE WATER SYSTEM

Investigation #

1296218

Investigation Date: 12/08/2015

, BRAZORIA COUNTY,

Additional ID(s): 0200341

ALLEGED VIOLATION(S) NOTED AND RESOLVED

Track No: 567241

30 TAC Chapter 290.46(m)(4)

Alleged Violation:

Investigation: 1240288

Comment Date: 04/13/2015

Water Leakage

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

Note: The pressure tank was leaking and rusted at the time of the investigation.

Investigation: 1296218

Comment Date: 12/09/2015

Water Leakage

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

Note: The pressure tank was leaking and rusted at the time of the investigation.

Recommended Corrective Action: Submit photo, invoice, or receipt to verify compliance.

Resolution: September 25, 2015 received by mail a copy of the invoice and pictures of the installed new pressure tank.

Track No: 567242

30 TAC Chapter 290.46(s)(1)

Alleged Violation:

Investigation: 1240288

Comment Date: 04/13/2015

Testing Equipment

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

Note: Well meter calibration test results were not provided during the investigation.

Investigation: 1296218

Comment Date: 12/09/2015

Testing Equipment

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

Note: Well meter calibration test results were not provided during the investigation.

Recommended Corrective Action: Submit a copy of the test results to verify compliance.

Resolution: September 25, 2015 received by mail a copy of the Calibration Test Report.

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 17, 2015

RECEIVED

APR 20 2015

CERTIFIED MAIL # 7013 3020 0000 9763 5756
RETURN RECEIPT REQUESTED

TX ADMIN-AUSTIN

Mr. Scot Foltz, Regulatory and Compliance Manager
Aqua Utilities Inc.
1106 Clayton Lane
Austin, Texas 78723

Re: Notice of Violation for the Comprehensive Compliance Investigation at:
Village Trace Water System, 19017 Pearland Sites Rd., Alvin, Brazoria County, Texas
Regulated Entity No.: 10118050
TCEQ ID No.: 0200341 Investigation No.: 1240288

Dear Mr. Foltz :

On April 1, 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, certain outstanding alleged violations were identified for which compliance documentation is required. Please submit to this office by May 15, 2015, a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for the outstanding alleged violations.

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

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

Mr. Scot Foltz, Regulatory and Compliance Manager
Page 2
April 17, 2015

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: Brazoria County Health Department

Summary of Investigation Findings

VILLAGE TRACE WATER SYSTEM

Investigation #
1240288
Investigation Date: 04/01/2015

, BRAZORIA COUNTY,

Additional ID(s): 0200341

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

Track No: 567241 Compliance Due Date: 04/29/2015
30 TAC Chapter 290.46(m)(4)

Alleged Violation:

Investigation: 1240288

Comment Date: 04/13/2015

Water Leakage

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

Note: The pressure tank was leaking and rusted at the time of the investigation.

Recommended Corrective Action: Submit photo, invoice, or receipt to verify compliance.

Track No: 567242 Compliance Due Date: 05/15/2015
30 TAC Chapter 290.46(s)(1)

Alleged Violation:

Investigation: 1240288

Comment Date: 04/13/2015

Testing Equipment

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

Note: Well meter calibration test results were not provided during the investigation.

Recommended Corrective Action: Submit a copy of the test results to verify compliance.

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



Larry News
PWS_1610017_CO_20140923_Plan Ltr

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

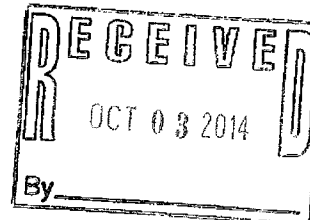
Protecting Texas by Reducing and Preventing Pollution

September 23, 2014

RECEIVED
SPRING

9, 2 11

Mr. Jerry G. Ince, P.E.
Ince Engineering, LLC
212 East Highway 90A
Richmond, Texas X 77406-3722



AQUA TEXAS, INC.

Re: Tres Palacios Oaks Subdivision - Public Water System ID No. 1610017
Well No. 3 Completion Report
Engineer Contact Telephone: (281) 232-7075
Plan Review Log No. P-08012014-003
Matagorda County, Texas

CN602787509; RN101240448

Dear Mr. Ince:

On August 1, 2014, the Texas Commission on Environmental Quality (TCEQ) received the well No. 3 completion report for the above referenced public water system. Based on our review of the information submitted, we are **unable to approve** the Well No. 3 completion data at this time for the following reason:

1. Please submit a plat map showing the Well No. 3 along with the surrounding property within 150 feet of the well No. 3. It appears that a portion of the property within 150 ft. of the well is owned by the water system. If so, please submit a copy of recorded deed and map demonstrating that the public water system owns a portion of the real property within 150 feet of the Well No. 3 in accordance with 30 Texas Administrative Code (TAC) Section 290.41(c)(1)(F)(iv) (II).
2. You have submitted the bacteriological analysis report dated April 2010. Please submit copies of three recent bacteriological analysis reports collected on three successive days showing the raw water to be free of coliform contamination in accordance with 30 TAC Section 290.41(c)(3)(A)&(F).

The well completion data consisted of the following:

- State of Texas Well Report;
- Material setting and cementing data;

Mr. Jerry G. Ince, P.E.

Page 2

September 23, 2014

- Pumping test results showing stable production at 70 gallons per minute;
- A copy of an exception approval letter regarding the requirement of sanitary control easement for all of the property owned by Mr. John White and Tupelo Street within 150 feet radius of the well;
- U. S. Geological Survey 7.5 minute map showing the well location;
- Bacteriological sampling results; and,
- Chemical analysis results.

We will retain these documents for **100 calendar days** from the date of this letter. Revisions or additional information must be submitted to the TCEQ's Utilities Technical Review Team within that time or the entire package must be resubmitted for review.

Please refer to the Utilities Technical Review Team's Log No. P-08012014-003 in all correspondence for this project. This will help complete our review and prevent it from being considered a new project.

Please complete a copy of the most current Public Water System Plan Review Submittal form for any future submittals. Every blank on the form must be completed to minimize any delays in the review of your project. The document is available on TCEQ's website at the address shown below.

<http://www.tceq.texas.gov/utilities/planrev.html>

For future reference, you can review part of the Utilities Technical Review Team's database to see if we have received your project. This is available on the TCEQ's website at the following address:

<http://www.tceq.texas.gov/utilities/planrev.html#status>

You can download most of the well construction checklists and the latest revision of Chapter 290 "Rules and Regulations for Public Water Systems" from this site.

Mr. Jerry G. Ince, P.E.

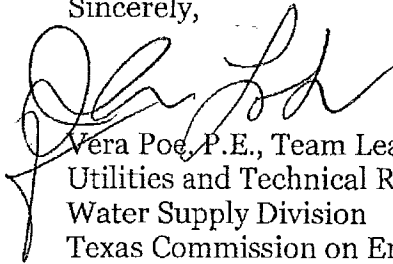
Page 3

September 23, 2014

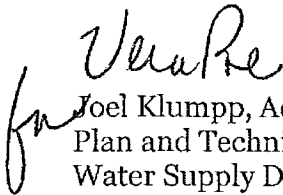
If you have any questions regarding this letter or need additional assistance, please contact Pritesh Tripathi at (512)239-3794 or by email at "pritesh.tripathi@tceq.texas.gov" or by correspondence at the following address:

Utilities Technical Review Team, MC-159
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Sincerely,



Vera Poe, P.E., Team Leader
Utilities and Technical Review Team
Water Supply Division
Texas Commission on Environmental Quality



Joel Klumpp, Acting Manager
Plan and Technical Review Section
Water Supply Division
Texas Commission on Environmental Quality

PT/VP/av

cc: Tres Palacios Oaks Subdivision - Michael Merka, Field Supervisor, 2211 Louetta Road, Springs, Texas 77311

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 20, 2015

CERTIFIED MAIL NO.: 91 7199 9991 7034 4962 3105
RETURN RECEIPT REQUESTED

RECEIVED

FEB 23 2015

TX ADMIN-AUSTIN

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

Re: Notice of Violation for Compliance Evaluation Investigation at:
Walnut Hills, 5 miles North of Boerne on FM 1376, Kendall County, Texas
Regulated Entity No.: RN102675642, TCEQ ID No.: 1300034
Investigation: 1218212

Dear Mr. Foltz:

On December 22, 2014, Mr. Colby Maron of the Texas Commission on Environmental Quality (TCEQ) San Antonio Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for a public water supply. Enclosed is a summary which lists the investigation findings. During the investigation, certain outstanding alleged violations were identified for which compliance documentation is required. Please submit to this office by June 20, 2015 a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for each of the outstanding alleged violations.

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

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

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

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

printed on recycled paper using soy-based ink

Mr. Scot Foltz, Environmental Compliance Manager
Page 2
February 20, 2015

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

If you or members of your staff have any questions, please feel free to contact Mr. Maron in the San Antonio Region Office at 210/403-4024.

Sincerely,

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

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

JTC/CM/

Enclosures: Summary of Investigation Findings

Summary of Investigation Findings

WALNUT HILLS

Investigation #
1218212
Investigation Date: 12/22/2014

, KENDALL COUNTY,

Additional ID(s): 1300034

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

Track No: 558408 Compliance Due Date: 06/20/2015

30 TAC Chapter 290.39(e)
30 TAC Chapter 290.39(h)(1)
30 TAC Chapter 290.46(n)(1)

Alleged Violation:

Investigation: 1218212

Comment Date: 01/21/2015

Failure to submit and acquire approval of engineering plans prior to the construction and operation of a public water supply.

At the time of the investigation, the water system had no approval letters or granted exceptions for the production, treatment, storage and pressure maintenance facilities.

30 TAC 290.46(n)(1)-- Accurate and up-to-date detailed as-built plans or record drawings and specifications for each treatment plant, pump station, and storage tank shall be maintained at the public water system until the facility is decommissioned. As-built plans of individual projects may be used to fulfill this requirement if the plans are maintained in an organized manner.

30 TAC 290.39(h)(1)-- No person may begin construction on a new public water system before receiving written approval of plans and specifications and, if required, approval of a business plan from the executive director. No person may begin construction of modifications to a public water system without providing notification to the executive director and submitting and receiving approval of plans and specifications if requested in accordance with subsection (j) of this section.

30 TAC 290.39(e)-- Submission of planning material.

Recommended Corrective Action: Provide by the compliance due date, documentation demonstrating that as-built plans for the treatment, storage and pressure maintenance facilities or an exceptions request has been submitted to the Texas Commission on Environmental Quality (TCEQ), Utilities Technical Review Team (UTRT), MC 159, P.O. Box 13087, Austin, TX 78711-3087 and that approval or an exception has been granted.

The entity must ensure that the as-built plans are submitted by a licensed professional engineer. For further assistance regarding submittal contact the TCEQ, UTRT at (512) 239-4691.

Track No: 558409 Compliance Due Date: 06/20/2015

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

Alleged Violation:

Investigation: 1218212

Comment Date: 01/21/2015

Failure to provide a wellhead casing with a minimum of 18 inches above the natural ground surface.

At the time of the investigation, the well casing did not extend at least 18 inches above the elevation of the ground level.

290.41(c)(3)(B)-- The casing material used in the construction of wells for public use shall be new carbon steel, high-strength low-alloy steel, stainless steel or plastic. The material shall conform to AWWA standards. The casing shall extend a minimum of 18 inches above the elevation of the finished floor of the pump room or natural ground surface and a minimum of one inch above the sealing block or pump motor foundation block when provided. The casing shall extend at least to the depth of the shallowest water formation to be developed and deeper, if necessary, in order to eliminate all undesirable water-bearing strata. Well construction materials containing more than 8.0% lead are prohibited.

Recommended Corrective Action: Provide by the compliance due date an invoice, completed work order or photograph indicating that the well casing has been extended to at least 18 inches above the elevation of the ground level or request an exception to the requirement from the Technical Review and Oversight Team (TROT).

Track No: 558412 Compliance Due Date: 06/20/2015

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

Alleged Violation:

Investigation: 1218212

Comment Date: 01/29/2015

Failure to provide a minimum well production capacity of 0.6 gallons per minute per connection.

At the time of the investigation, it was noted that the entity is serving 182 connections and based upon the requirement, the entity is required to provide 109.2 gallons per minute of well production capacity. The entity is currently providing 103 gallons per minute of well production capacity or 0.57 gallons per minute per connection.

30 TAC 290.45

(b) Community water systems.

(1) Groundwater supplies must meet the following requirements.

(C) For 50 to 250 connections, the system must meet the following requirements:

(i) a well capacity of 0.6 gpm per connection.

The water system must be modified to meet this requirement to assure adequate capacity at all times; however, the water system may request an exception to this requirement.

Please be advised that public water systems shall notify the executive director prior to making significant change resulting in an increase or decrease of the system's production, treatment, storage, pressure maintenance or distribution facilities. Public water systems shall submit plans and specifications for proposed changes and receive approval.

Exceptions and/or proposed capacity changes must be submitted to the Texas Commission on Environmental Quality, Utilities Technical Review Team, MC 159, P.O. Box 13087, Austin, TX 78711-3087.

Recommended Corrective Action: Provide by the compliance due date, a compliance plan or verification that the system meets minimum capacity requirements or that an exception has been granted, to verify compliance.

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

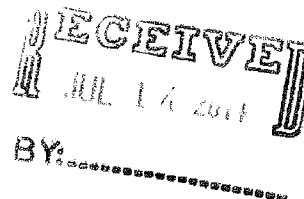


TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

July 9, 2014

Protecting Texas by Reducing and Preventing Pollution

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



Re: Notice of Compliance with Notice of Violation (NOV) dated October 10, 2013:
Webb Way Subdivision, Lot 8 Webb Road, Dayton, Liberty County, Texas
Regulated Entity No.: 101377877, TCEQ ID No. 1460137, Investigation No. 1022942

Dear Mr. Foltz:

On January 31, 2013, the Texas Commission on Environmental Quality (TCEQ) Houston Region Office received adequate compliance documentation to resolve the alleged violations documented during the investigation of the above-referenced regulated entity conducted on June 19, 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. Scott Shashy in the Houston Region Office at (713) 767-3650.

Sincerely,

A handwritten signature in cursive script that reads "Leticia De Leon".

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

LD/SS/ra

Enclosure: *Summary of Investigation Findings*

Summary of Investigation Findings

WEBB WAY SUBDIVISION

Investigation #

1086562
Investigation Date: 07/03/2014

, LIBERTY COUNTY,

Additional ID(s): 1460137

ALLEGED VIOLATION(S) NOTED AND RESOLVED

Track No: 474687

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

Alleged Violation:

Investigation: 1022942

Comment Date: 08/06/2012

30 TAC, '290.46(m) Operating Practices for Public Water Systems

Failure to properly maintain the regulated entity by not:

sealing the cracked concrete slab around the well head. At the time of the investigation, the concrete slab had some cracks that needed to be sealed.

Investigation: 1086562

Comment Date: 07/03/2014

Failure to properly maintain the regulated entity by not sealing the cracked concrete slab around the well head.

Recommended Corrective Action: Seal the cracks on the concrete block with an acceptable gasket or sealing compound and provide photos, invoice or receipt to verify compliance.

Resolution: The facility submitted a photo on January 28, 2013, demonstrating that the cracked concrete slab around the well head has been repaired.

Track No: 474801

30 TAC Chapter 290.46(m)

Alleged Violation:

Investigation: 1022942

Comment Date: 08/07/2012

30 TAC, '290.46(m) Operating Practices for Public Water Systems

Failure to properly maintain the regulated entity by not:

cleaning and recoating the heavily rusted pressure tank. At the time of the investigation, the pressure tank was heavily rusted and in need of new layer of coating.

Investigation: 1086562

Comment Date: 04/24/2013

Failure to properly maintain the entity by not cleaning and recoating the pressure tank.

Recommended Corrective Action: Clean, repaint the tank and provide picture or work order to verify compliance.

Resolution: Letter dated January 28, 2013 and photo of the replacement pressure tanks received at the Houston Regional office on January 31, 2013 indicate that appropriate action has been taken to resolve the violation of failing to properly maintain the regulated entity by not cleaning and recoating the heavily rusted pressure tank.

Track No: 474806

30 TAC Chapter 290.46(m)

Alleged Violation:

WEBB WAY SUBDIVISION

Investigation # 1086562

Investigation: 1022942

Comment Date: 08/07/2012

30 TAC, '290.46(m) Operating Practices for Public Water Systems

Failure to properly maintain the regulated entity by not:

cleaning or replacing the dirty site glass on the pressure tank. At the time of the inspection, site glass was dirty and needed to be cleaned or replaced.

Investigation: 1086562

Comment Date: 04/24/2013

Failure to properly maintain the regulated entity by not cleaning or replacing the site glass.

Recommended Corrective Action: Clean or replace the site glass on the pressure tank and provide photos, invoice or receipt to verify compliance.

Resolution: A letter dated January 28, 2013 and photo of two new pressure tanks were received at the Houston Regional office on January 31, 2013. The water system replaced the single pressure tank (a response to violation track #474801, failure to clean or replace the rusted pressure tank) with two tanks that did not require site glasses. This information and photo of the two tanks indicate that the violation of failing to clean or replace the dirty site glass, has been resolved.

Track No: 474808**30 TAC Chapter 290.46(m)****Alleged Violation:**

Investigation: 1022942

Comment Date: 08/07/2012

30 TAC, '290.46(m) Operating Practices for Public Water Systems

Failure to properly maintain the regulated entity by not:

repairing the sagging fence at the front of the plant. At the time of the investigation, the front fence line (S.E. side) was sagging inward and in need of repairs.

Investigation: 1086562

Comment Date: 04/24/2013

Failure to properly maintain the regulated entity by not repairing the sagging fence.

Recommended Corrective Action: Repair or rebuild the sagging fence line and provide photos or work order to verify compliance.

Resolution: A letter dated January 28, 2013 and photo of the fence were received at the Houston Regional office on January 31, 2013. This information, therefore, resolves the violation of failing to properly maintain the regulated entity by not repairing the sagging fence.

Track No: 474823**30 TAC Chapter 290.42(e)(5)****Alleged Violation:**

Investigation: 1022942

Comment Date: 08/07/2012

30 TAC, '290.42(e)(5) Disinfection

Failure to provide a housed and locked enclosure for hypochlorinator solution containers and pumps, to protect them from vandalism and adverse weather conditions. The solution container lid must be properly covered and sealed to prevent the entry of dust, insects, and other contaminants. At the time of the investigation, the chlorination unit was not in a housed and locked enclosure.

Investigation: 1086562

Comment Date: 04/24/2013

Failure to provide a housed and locked enclosure for the chlorination unit.

Recommended Corrective Action: Provide an appropriate housing and lock for the chlorination unit. Provide photos and or work order to verify compliance.

Resolution: A letter dated January 28, 2013 and photo of a chlorine house were received at the Houston Regional office on January 31, 2013. This information, therefore, resolves the

violation of failing to provide a housed and locked enclosure for the hypochlorinator solution container and pump.

Lonnie Roy

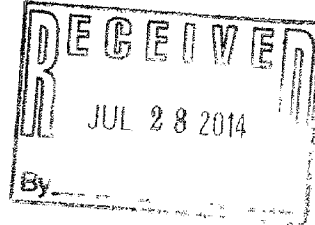
Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Zak Covar, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 23, 2014



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

Re: Comprehensive Compliance Investigation at:
Wellborn Acres, 7206 CR 829A, Brazoria County, Texas
Regulated Entity #101201465, TCEQ ID # 0200211, Investigation #1179336

Dear Mr. Foltz :

On May 20, 2014, Ms. Melody Kirksey 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. Melody Kirksey in the Houston Region Office at (713)767-3650.

Sincerely,

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

LD/MK/ra

cc: Brazoria County Environmental Health Department

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



Ray

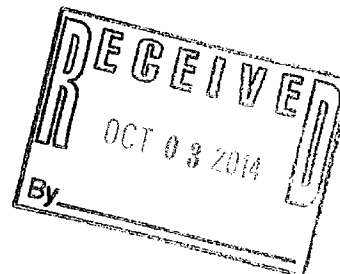
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 29, 2014

CERTIFIED MAIL #7099 3220 0002 7146 3494
RETURN RECEIPT REQUESTED

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



Re: Notice of Violation for the Comprehensive Compliance Investigation at:
Westwood Subdivision, CR 89B, Manvel, Brazoria County, Texas
Regulated Entity No.: 101180008, TCEQ ID No.: 0200254, Investigation No.: 1152288

Dear Mr. Foltz. :

On August 12, 2014, Ms. Mary Hopkins of the Texas Commission on Environmental Quality (TCEQ) Houston Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for Public Water Supply. Enclosed is a summary which lists the investigation findings. During the investigation, certain outstanding alleged violations were identified for which compliance documentation is required. Please submit to this office by January 9, 2015, a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for the outstanding alleged violations. Please be advised that a violation could be issued upon further review of your system's records or self-reported documentation

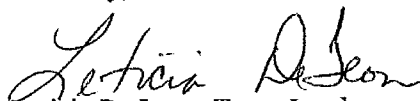
In the listing of the alleged violations, we have cited applicable requirements, including TCEQ rules. Please note that both the rules themselves and the agency brochure entitled *Obtaining TCEQ Rules* (GI 032) are located on our agency website at <http://www.tceq.texas.gov> for your reference. If you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

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

Mr. Scot Foltz, Environmental Compliance Manager
September 29, 2014
Page 2

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

Sincerely,



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

LD/MVH/ra

cc: Brazoria County Public Health and Environmental Services

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

Enclosure: Summary of Investigation Findings

Summary of Investigation Findings

WESTWOOD SUBDIVISION

Investigation #

1152288
Investigation Date: 08/12/2014

, BRAZORIA COUNTY,

Additional ID(s): 0200254

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

Track No: 548685 Compliance Due Date: 01/09/2015

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

Alleged Violation:

Investigation: 1152288

Comment Date: 09/24/2014

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

At the time of the investigation the facility had a total of 28 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 2 gpm. This is calculated in the following manner:

Required 1.5gpm/conn X 28 conn. = 42 gpm Total

Short 2 gpm 42 gpm Required - 40 gpm Produced = 2 gpm Total short

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

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

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

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

Track No: 548701 Compliance Due Date: 01/09/2015

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

Alleged Violation:

Investigation: 1152288

Comment Date: 09/24/2014

Failure to meet this Agency's "Minimum Water System Capacity Requirements." These requirements include:
a pressure tank capacity of 50 gallons per connection (conn.).

At the time of the investigation the facility had a total of 28 connection (conn.) and is required to provide 50 gallons per per conn. Your system has a total of 1000 gallons and is short a total of 400 gallons. This is calculated in the following manner:

Required 50 gal./conn. X 28 conn. = 1400 Total Gallons

Short 1400 gallons Required - 1000 gallons Provided = 400 Total Gallons Short

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

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

The water system may request an exception to these requirements by writing to TCEQ, Water Supply Division, Public Drinking Water Section, Technical Review & Oversight, MC 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.

ADDITIONAL ISSUES

Description	Additional Comments
Item 3	It was noted at the time of the investigation that a coupling on the well header was corroded. This fitting should be replaced before a well failure and water system outage results.
Item 4	<p>It was noted at the time of the investigation that the pressure release valve on the pressure tank was located in the center of one end of the tank, oriented horizontally with the opening facing upward. Debris and water had entered the opening of the pressure release valve.</p> <p>The pressure release valve should be moved to a location where water and debris cannot enter the valve thereby reducing the possibility of causing the valve to jam and fail to open or fill with debris and become a source of contamination.</p>

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



Hand

COPY

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

April 2, 2015

Protecting Texas by Reducing and Preventing Pollution

CERTIFIED MAIL #7013 3020 0000 9763 1093
RETURN RECEIPT REQUESTED

RECEIVED

APR 03 2015

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

FX ADMIN-AUSTIN

Re: Notice of Violation for the Comprehensive Compliance Investigation at:
Weybridge Subdivision Water System, 117 Surrey Drive, Alvin, Brazoria County, Texas
Regulated Entity No.: 101189272, TCEQ ID No.: 0200019, Investigation No.: 1223313

Dear Mr. Laughman:

On March 11, 2015, Ms. Denise Ehrlich of the Texas Commission on Environmental Quality (TCEQ) Houston Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for Public Water Supply. Enclosed is a summary which lists the investigation findings. During the investigation, certain outstanding alleged violations were identified for which compliance documentation is required. Please submit to this office by July 7, 2015, a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for each of the outstanding alleged violations. Please be advised that a violation could be issued upon further review of your system's records or self-reported documentation.

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

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

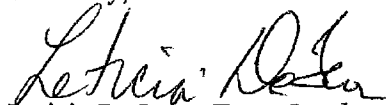
COPY

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

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "Leticia De Leon".

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

LD/DE/ra

cc: Brazoria County Environmental Health Services

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

Enclosure: Summary of Investigation Findings

Summary of Investigation Findings

COPY

WEYBRIDGE SUBDIVISION WATER SYSTEM

Investigation #

1223313
Investigation Date: 03/11/2015

, BRAZORIA COUNTY,

Additional ID(s): 0200019

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

Track No: 565889 Compliance Due Date: 07/08/2015

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

Alleged Violation:

Investigation: 1223313

Comment Date: 03/31/2015

Ground Water Sources and Development

Failure to make available sanitary control easements for well #1 and #2 at the time of investigation, or executive director approval for a substitute authorized in §290.41(c)(1)(F)(iv). A sanitary easement, or approved substitute, covering all property within 150 feet of each well location must be secured from adjacent landowners and recorded at the county courthouse to ensure that hazards will not develop in each well area. Residential type wells within the easement must be constructed to public water well standards. A copy of the recorded document must be submitted for our records. For your convenience, we have enclosed a sample easement document. Acceptance and approval for all easements and substitutes to an easement is determined by the Technical Review and Oversight Team in Austin.

With the approval of the executive director, political subdivisions which have adopted and enforce equivalent ordinances or land use restrictions may substitute these documents for sanitary control easements. The water system may request an exception to this requirement in writing to the:

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

Please be aware that all requests for exceptions must be in writing and supported with adequate documentation.

Recommended Corrective Action: Submit a photocopy of the exception granted by the TCEQ's Technical Review and Oversight Team or an approved substitute to verify compliance.

Track No: 565890 Compliance Due Date: 07/08/2015

30 TAC Chapter 290.42(I)

Alleged Violation:

Investigation: 1223313

Comment Date: 03/31/2015

Plant Operations Manual

Failure to compile and maintain, a current, and thorough plant operations manual for operator review and reference. This manual should be of sufficient detail to provide the operator with routine maintenance and repair procedure as well as provide telephone numbers of water system personnel, system officials, and local/state/federal agencies to be contacted in the event of an emergency.

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

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

Track No: 565891 Compliance Due Date: 05/08/2015

30 TAC Chapter 290.44(h)(4)

Alleged Violation:

Investigation: 1223313

Comment Date: 03/31/2015

Backflow and Siphonage

Failure to maintain backflow prevention assembly test and maintenance reports for a minimum of three years. The regulated entity must provide these records to Commission staff for inspection upon request. 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, records of the annual backflow prevention tests were not available during the investigation for the backflow prevention device at the wastewater treatment plant.

Recommended Corrective Action: Submit a copy of a passing backflow prevention device certificate from the wastewater treatment plant tested within the past year to verify compliance.

Track No: 565892 Compliance Due Date: 07/08/2015**30 TAC Chapter 290.46(s)(1)****Alleged Violation:**

Investigation: 1223313

Comment Date: 03/31/2015

Testing Equipment

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

Recommended Corrective Action: Submit documentation indicating that the well meter has been calibrated within the past three years to verify compliance.

Track No: 565895 Compliance Due Date: 07/08/2015**30 TAC Chapter 290.46(n)(2)****Alleged Violation:**

Investigation: 1223313

Comment Date: 03/31/2015

Operating Practices for Public Water Systems

Failure to prepare and maintain a map of the distribution system so that valves and mains may be easily located during emergencies. Specifically, a distribution map was not available for review during the investigation.

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

Nauro

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 11, 2015

RECEIVED

CERTIFIED MAIL #7011 3500 0000 0287 6611
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:
Windsong Subdivision, 4802 Wendy Ln, Pearland, Brazoria County, Texas
Regulated Entity No.: RN101190452, TCEQ ID No.: 0200229
Investigation No.: 1221463

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. In addition, an Additional Issue was noted. Please submit to this office by May 13, 2015, a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for the outstanding alleged violations # 559584 and 559609. A due date for submitting compliance documentation for outstanding alleged violations # 559564 and 559607 will be determined after you provide a compliance plan for these alleged violations. Your compliance plan is due by June 12, 2015. Please address how these violations 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

Mr. Foltz, Environmental Compliance Manager

Page 2

March 13, 2015

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*.

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

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

WINDSONG SUBDIVISION

4802 WENDY LN

PEARLAND, BRAZORIA COUNTY, TX 77584

Investigation #

1221463

Investigation Date: 01/21/2015

Additional ID(s): 0200229

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

Track No: 559564

Compliance Due Date: To Be Determined

30 TAC Chapter 290.42(I)

Alleged Violation:

Investigation: 1221463

Comment Date: 01/26/2015

Plant Operations Manual

Failure to compile and maintain, a current, and thorough plant operations manual for operator review and reference. This manual should be of sufficient detail to provide the operator with routine maintenance and repair procedure as well as provide telephone numbers of water system personnel, system officials, and local/state/federal agencies to be contacted in the event of an emergency.

Specifically, 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 or a compliance plan detailing when compliance will be achieved to verify compliance.

Track No: 559584

Compliance Due Date: 04/13/2015

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

Alleged Violation:

Investigation: 1221463

Comment Date: 01/26/2015

Design and Construction of Pressure Tanks

Failure to conduct an inspection of the pressure tank(s) annually, to determine that the pressure release device and pressure gauge are working properly, the air-water ratio is being maintained at the proper level, the exterior coating systems are continuing to provide adequate protection to all metal surfaces, and that the tank remains in a watertight condition. Pressure tanks provided with an inspection port must have the interior surface inspected every five years.

Specifically, an inspection report for the pressure tank at plant 1 and for the second pressure tank at plant 2 were not available for review at the time of the investigation.

Recommended Corrective Action: Provide a copy of the pressure tank inspection reports for the pressure tank at plant 1 and for the second pressure tank at plant 2 to verify compliance.

Track No: 559607

Compliance Due Date: To Be Determined

30 TAC Chapter 290.43(d)(1)

Alleged Violation:

Investigation: 1221463

Comment Date: 01/26/2015

Design and Construction of Pressure Tanks

Failure to utilize a pressure tank, with a capacity of 1000 gallons or greater, which meets the

standards of the A.S.M.E., Section VIII, Division I Codes and Construction Regulations. An A.S.M.E. name plate must be permanently attached to the tank(s), if installed after July 1, 1988.

Specifically, the volume of the pressure tank at Plant 1 (4802 Wendy Lane) was 1000 gal, but it did not have an A.S.M.E. name plate, at the time of the investigation.

Recommended Corrective Action: Submit documentation indicating that the pressure tank has been modified to meet or has been replaced with a tank that meets the requisite A.S.M.E standards, OR submit a compliance plan explaining how compliance will be achieved OR submit an exception letter to verify compliance.

Track No: 559609 Compliance Due Date: 05/13/2015
30 TAC Chapter 290.43(d)(3)

Alleged Violation:

Investigation: 1221463

Comment Date: 01/26/2015

Design and Construction of Pressure Tanks

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

Specifically, at the time of the investigation, the 1000 gal pressure tank at Windsong Plant 1 (4802 Wendy Lane), did not have a sight glass.

Recommended Corrective Action: Submit documentation or a photograph indicating that a sight glass has been installed OR submit an exception letter to verify compliance.

ADDITIONAL ISSUES

Description

Item 3

Additional Comments

Adequacy of Water Utility Service

Failure, by a retail public utility that possesses a certificate of public convenience and necessity that has reached 85% of its capacity as compared to the most restrictive criteria of the commission's minimum capacity requirements in Chapter 290 T.A.C., to 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 certificated area. A report is not required if the source of supply available to the utility service provider is reduced to below the 85% level due to a court or agency conservation order unless that order is expected to extend for more than 18 months from the date it is entered in which case a report shall be required.

Specifically, it is noted on this investigation that your well has reached 86 % of its capacity. This was based on 43 connections.

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

May 27, 2015

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

Re: Comprehensive Compliance Investigation of:
Woodcreek Utility Company 2 Public Water System
Hays County, Texas
PWS ID No.: 1050039; TCEQ Regulated Entity No.: RN103871331
Investigation No.: 1252912

Dear Mr. Foltz:

On April 16, 2015, Mr. Brad Monk of the Texas Commission on Environmental Quality (TCEQ) Austin Regional Office conducted an investigation of the above-referenced facility to evaluate compliance with applicable requirements for public water systems. No violations are being alleged as a result of the investigation; 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 Mr. Monk in the Austin Regional Office at (512) 339-2929.

Sincerely,

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

Shawn Stewart
Water Section Work Leader
Austin Regional Office

SS/bm

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

Enclosure: Summary of Investigation Findings

RECEIVED

JUN 01 2015

TX ADMIN-AUSTIN

Summary of Investigation Findings

WOODCREEK UTILITY 2

Investigation #

1252912

Investigation Date: 04/16/2015

, HAYS COUNTY,

Additional ID(s): 1050039

No Violations Associated to this Investigation

ADDITIONAL ISSUES

Description

MINIMUM WATER SYSTEM CAPACITY
REQUIREMENTS: Meets applicable 290.45
standards?

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

Additional Comments

The total production capacity of the PWS was 605 gpm, which is approximately 0.65 gpm per connection (934 connections). The required production capacity of the system is over 85% (currently 92%) of the available capacity. The PWS is operating under a CCN, and is required to submit a planning report to the TCEQ Utilities Technical Review Team (UTRT) if system capacity requirements reach over 85% of the current available system capacities. Planning report requirements are outlined in Title 30 of the Texas Administrative Code (30 TAC), Rule 291.93(3). The PWS did not have Customer Service Inspections (CSIs) from the previous year available for review during the investigation. Copies of CSIs are required to be retained for at least ten years and must be accessible for review during inspections.

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



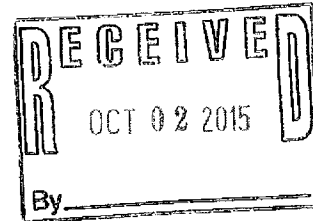
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 29, 2015

CERTIFIED MAIL 91 7199 9991 7033 2863 2945
RETURN RECEIPT REQUESTED

Mr. Scot W. Foltz, Compliance Manager
Aqua Utilities Incorporated
1106 Clayton Lane Suite 400W
Austin, TX 78723-2475



Re: Notice of Violation for Comprehensive Compliance Investigation at:
Woodcreek Utility Company 1 Water System,
Doolittle Drive/ Champions Circle, Wimberley (Hays County), Texas
TCEQ Public Water Supply ID 1050037, RN101521565

Dear Mr. Foltz,

On September 10, 2015, Lauren Parrish 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 **January 27, 2016**, a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for the outstanding alleged violation.

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

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

Mr. Scot W. Foltz
Page 2
September 29, 2015

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. Parrish in the Austin Region Office at (512)-339-2929.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn Stewart", with a horizontal line drawn through the middle of the signature.

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

cc: Mr. Brian Robinson, Field Supervisor

Enclosure: Summary of Investigation Findings

Summary of Investigation Findings

WOODCREEK UTILITIES PHASE 1 PWS PLANT

Investigation #

1276581

Investigation Date: 09/10/2015

, HAYS COUNTY,

Additional ID(s): 1050037

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

Track No: 584290

Compliance Due Date: 01/27/2016

30 TAC Chapter 290.43(c)(8)

30 TAC Chapter 290.46(m)

Alleged Violation:

Investigation: 1276581

Comment Date: 09/21/2015

Failure to maintain elevated storage tank in strict accordance with AWWA standards.

All clearwells, ground storage tanks, standpipes, and elevated tanks shall be painted, disinfected, and maintained in strict accordance with current AWWA standards. However, no temporary coatings, wax grease coatings, or coating materials containing lead will be allowed. No other coatings will be allowed which are not approved for use (as a contact surface with potable water) by the EPA, National Sanitation Foundation (NSF), or United States Food and Drug Administration (FDA). All newly installed coatings must conform to American National Standards Institute/National Sanitation Foundation (ANSI/NSF) Standard 61 and must be certified by an organization accredited by ANSI.

During the investigation conducted on September 10, 2015, it was noted that according to the tank inspection report there is corrosion present on the interior and exterior surfaces of both the elevated and ground storage tanks.

Recommended Corrective Action: All clearwells, ground storage tanks, standpipes, and elevated tanks shall be painted, disinfected, and maintained in strict accordance with current AWWA standards. However, no temporary coatings, wax grease coatings, or coating materials containing lead will be allowed. No other coatings will be allowed which are not approved for use (as a contact surface with potable water) by the EPA, National Sanitation Foundation (NSF), or United States Food and Drug Administration (FDA). All newly installed coatings must conform to American National Standards Institute/National Sanitation Foundation (ANSI/NSF) Standard 61 and must be certified by an organization accredited by ANSI.

Please submit documentation noting that the interior and exterior surfaces of the elevated and ground storage tanks have been repaired and are now in accordance with AWWA standards to the Austin Region Office by the compliance due date.

Nika

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 13, 2015

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

RECEIVED
JAN 20 2015
BY:

Re: Compliance Investigation at:
Barton Creek Lakeside Water System
Lauren Drive, Spicewood (Travis County), Texas
TCEQ Public Water Supply ID 2270282, RN102673274

Dear Mr. Foltz:

The Texas Commission on Environmental Quality Austin Region Office completed a complaint investigation at the above referenced site on December 1, 2014. The investigation was in response to notification received by this office of a potential public health concern. No violations were observed.

Additionally, during a previous compliance investigation on January 27, 2014, a violation was cited for insufficient well production capacity. Production capacity was reevaluated during the current complaint investigation. The system was found to be in compliance with minimum water system capacity requirements. Enclosed is a Summary of the Investigation Findings.

Thank you for your assistance in this matter. Should you have a question please do not hesitate to contact Lawrence King of the Austin Region Office at (512) 339-2929.

Sincerely,

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

Shawn Stewart
Water Section Work Leader
Austin Region Office

SS/lok

Enclosure: Summary of Investigation Findings

Summary of Investigation Findings

BARTON CREEK LAKESIDE

100 LAUREN DR

SPICEWOOD, TRAVIS COUNTY, TX 78669

Investigation #

1210070

Investigation Date: 11/20/2014

Additional ID(s): 2270282

ALLEGED VIOLATION(S) NOTED AND RESOLVED

Track No: 525975

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

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

Alleged Violation:

Investigation: 1145669

Comment Date: 01/31/2014

The Barton Creek Lakeside Water System failed to provide a well production capacity of 0.6 gallons per minute per connections.

With 256 total connections, the system is required to provide a well capacity of 153.6 GPM. Both wells were timed during the CCI and Well No. 1 was found to produce 90 GPM, while Well No. 2 was found to produce 56 GPM of water. Both wells together have a total capacity of 146 GPM, which is less than the required well capacity of 153.6 GPM.

Investigation: 1210070

Comment Date: 01/13/2015

During the January 27, 2014 CCI, the system did not have a well production capacity of at least 0.6 gpm for each connection.

Resolution: The production rates of the wells were measured during a complaint investigation on November 20, 2014. The system now has 262 connections and is required to have at least 157 gpm of production capacity. Total production capacity was observed to be 242 gpm

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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

RECEIVED

March 27, 2015

MAR 30 2015

TX ADMIN-AUSTIN

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

Re: Comprehensive Compliance Investigation at:
Tidewater Oaks Subdivision, Yawl Street @ Catamarran, Matagorda Co., Texas
Regulated Entity No.: 101263093
TCEQ ID No.: 1610033, Investigation # 1240335

Dear Mr. Foltz :

On January 27, 2015, Ms. Melody Kirksey, 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. Kirksey, in the Houston Region Office at (713)767-3650.

Sincerely,

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

LD/MK/mar

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

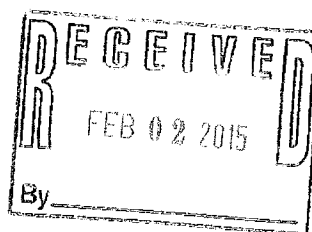


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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 30, 2015



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

Re: Notice of Compliance with Notice of Violation dated June 25, 2014
Ashley Oaks Mobile Home Park Wastewater Treatment Plant
~4490 Fair Oaks, Alvin (Brazoria County), Texas
TPDES Permit No. 0014039-001, EPA ID No.: TX0117234

Dear Mr. Laughman:

This letter is to inform you that the Texas Commission on Environmental Quality (TCEQ) Houston Region Office has received adequate compliance documentation on July 29, 2014, to resolve the alleged violations documented during the investigation of the above-referenced regulated entity conducted on May 1, 2014. Based on the information submitted, no further action is required concerning this 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, please feel free to contact Mr. Bruce Miebs in the Houston Region Office at (713) 767-3569.

Sincerely,

A handwritten signature in dark ink, appearing to read "BS Sullivan".

Barbara Sullivan
Team Leader
Water Quality Management
Region 12 Houston

BSS/BPM/ci

cc: Mr. Abel Bautista, Wastewater Coordinator, Aqua Texas, 2211 Louetta Rd., Spring, TX
77383

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
March 30, 2015

RECEIVED

CR 06 715

TX ADMIN-AUSTIN

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

Re: Compliance Evaluation Investigation at:
B & W Gatherings Wastewater Treatment Plant, north of Highcrest Drive and Moss
Downs Drive, near Granite Shoals, Burnet County
Regulated Entity No.: RN101518926, TCEQ ID No.: WQ0011332001,
EPA ID No.: TX0062014

Dear Mr. Foltz:

On February 20, 2015, Ms. Patricia Phillips 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 wastewater treatment. No violations are being alleged as a result of the investigation, however, please see the enclosed Additional Issue.

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

Sincerely,

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

Shawn Stewart
Water Section Work Leader
Austin Region Office

SS/pjp

cc: Abel Bautista, Wastewater Compliance Coordinator, Aqua Texas, Inc., 2211 Louetta Rd.,
Spring, TX 77388 (include Attachment)

Attachment: Summary of Investigation Findings

Summary of Investigation Findings

B & W GATHERING WWTP

Investigation #

1227883

Investigation Date: 02/20/2015

, BURNET COUNTY,

Additional ID(s): TX0062014
WQ0011332001

No Violations Associated to this Investigation

ADDITIONAL ISSUES

Description

Is the regulated entity compliant with the self-monitored effluent limitations?

Additional Comments

The permit holder has an active Agreed Order Docket No. 2014-0193-MWD-E for effluent exceedances between 01/2013-08/2013. According to enforcement procedures, self-reported violations that occurred after 08/2013 cannot be included in enforcement action while the technical requirements of the active Agreed Order are still open and compliance has not been certified. The current on-site investigation noted 8 instances of noncompliance with the permit parameters during the review period of December 2013 - January 2015:
TSS Daily Average exceeded for Feb., March, Aug., and Nov. 2014
BOD5-day Daily Average exceeded for June and Aug. 2014
Total Phosphorus Daily Average exceeded for March 2014
Chlorine residual minimum level was not met for April 2014
The permittee is reminded that self-reported effluent violations are subject to enforcement, including penalties, upon review by the Enforcement Division.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF RECEIPT OF APPLICATION AND
INTENT TO OBTAIN WATER QUALITY PERMIT RENEWAL

PERMIT NO. WQ0014148001

APPLICATION. Aqua Development, Inc., c/o Aqua Texas, Inc., 1106 Clayton Lane, Suite 409W, Austin, Texas 78723, has applied to the Texas Commission on Environmental Quality (TCEQ) to renew Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0014148001 (EPA I.D. No. TX0120251) to authorize the discharge of treated wastewater at a volume not to exceed a daily average flow of 550,000 gallons per day. The domestic wastewater treatment facility is located approximately 12 miles northeast of the intersection of Highway 290 and Farm-to-Market Road 973 in Williamson County, Texas. The discharge route is from the plant site to Boggy Creek; thence to Brushy Creek. TCEQ received this application on June 3, 2008. The permit application is available for viewing and copying at the Round Rock Public Library, 216 East Main Avenue, Round Rock, Texas

ADDITIONAL NOTICE. TCEQ's Executive Director has determined the application is administratively complete and will conduct a technical review of the application. After technical review of the application is complete, the Executive Director may prepare a draft permit and will issue a preliminary decision on the application. **Notice of the Application and Preliminary Decision will be published and mailed to those who are on the county-wide mailing list and to those who are on the mailing list for this application. That notice will contain the deadline for submitting public comments.**

PUBLIC COMMENT / PUBLIC MEETING. You may submit public comments or request a public meeting on this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ will hold a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

OPPORTUNITY FOR A CONTESTED CASE HEARING. After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments. **Unless the application is directly referred for a contested case hearing, the response to comments, and the Executive Director's decision on the application, will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide instructions for requesting reconsideration of the Executive Director's decision and for requesting a contested case**

hearing. A contested case hearing is a legal proceeding similar to a civil trial in state district court.

TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST: your name, address, phone number; applicant's name and proposed permit number; the location and distance of your property/activities relative to the proposed facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; and, the statement "[I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify an individual member of the group who would be adversely affected by the proposed facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission will only grant a contested case hearing on disputed issues of fact that are relevant and material to the Commission's decision on the application. Further, the Commission will only grant a hearing on issues that were raised in timely filed comments that were not subsequently withdrawn. **TCEQ may act on an application to renew a permit for discharge of wastewater without providing an opportunity for a contested case hearing if certain criteria are met.**

MAILING LIST. If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. If you wish to be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

AGENCY CONTACTS AND INFORMATION. All written public comments and requests must be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087. If you need more information about this permit application or the permitting process, please call TCEQ Office of Public Assistance, Toll Free, at 1-800-687-4040. Si desea información en Español, puede llamar al 1-800-687-4040. General information about TCEQ can be found at our web site at www.tceq.state.tx.us.

Further information may also be obtained from Aqua Development, Inc. at the address stated above or by calling Abel Bautista at (281) 651-0174, extension 119.

Issuance Date: July 18, 2008

Summary of Investigation Findings

BRENTWOOD MANOR SUBDIVISION WWTP

Investigation # 913904

306 DOVER ST

Investigation Date: 04/21/2011

VICTORIA, VICTORIA COUNTY, TX 77905

Additional ID(s): WQ0010742001
TX0024601

ALLEGED VIOLATION(S) NOTED AND RESOLVED

Track No: 395347

30 TAC Chapter 305.125(1)

PERMIT TPDES Permit No. WQ0010742-001

Other Requirements (5) the permittee shall comply with the requirements of 30 TAC 309.13 (e). In addition, within 30 days of permit issuance, the permittee must submit and receive approval of a specific plan for the equipment to mitigate odors associated with the applicable treatment units, to the executive director in care of the TCEQ Wastewater Permitting Section (MC 148), WQ Division.

Alleged Violation:

Investigation: 796893

Comment Date: 5/11/2010

Failure to submit and receive approval within thirty (30) days of permit issuance a specific plan for the equipment to mitigate odors associated with the applicable treatment units, to the Executive Director of the TCEQ.

Investigation: 913904

Comment Date: 4/21/2011

A file record review was conducted on April 21, 2011 in order to determine compliance with an outstanding alleged violation.

Recommended Corrective Action: Documentation must be submitted for the unresolved violation, demonstrating that compliance has been achieved. The corrective action plan must be submitted and approved by the TCEQ Wastewater Permitting Section (MC 148), Water Quality Division as required by the current permit.

Resolution: Documentation was submitted to the TCEQ Water Quality Permits Division requesting a waiver of the Buffer Zone Requirements found in 30 TAC 309. The submitted documentation included a favorable wind rose along with a hedge of red leaf photinia for dispersing any odors. The plan indicated that if the photinia hedge is not effective, the site would re-evaluate for more direct methods such as peroxide addition, covering the influent bar racks, etc. Mr. Richard Smith (TCEQ Water Quality Permits Division) issued a conditional approval letter for the buffer zone variance request on November 19, 2010.

May 18, 2010

CERTIFIED MAIL #7007 2560 0002 1032 2278
RETURN RECEIPT REQUESTED

RECEIVED
MAY 18 2010

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

BY: _____

Re: Notice of Violation for the Comprehensive Compliance Investigation at: Brentwood Manor
Subdivision Wastewater Treatment Plant, 306 Dover Street, Victoria (Victoria County), Texas;
TCEQ Regulated Entity RN101516789; TCEQ Permit ID No.: WQ0010742-001; EPA ID No.
TX0024601; Investigation No.: 796893

Dear Mr. Laughman:

On March 30, 2010, Ramon G. Juarez of the Texas Commission on Environmental Quality (TCEQ) Corpus Christi Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for wastewater treatment. Enclosed is a summary which lists the investigation findings. During the investigation, an alleged noncompliance was noted and resolved due to subsequent corrective action. In addition, a certain outstanding alleged violation was identified for which compliance documentation is required. Please submit to this office by June 17, 2010, 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 alleged violations, we have cited applicable requirements, including TCEQ rules. If you would like to obtain a copy of the applicable TCEQ rules, you may contact any of the sources listed in the enclosed brochure entitled "Obtaining TCEQ Rules."

The TCEQ appreciates your assistance in this matter. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements. We anticipate that you will resolve the alleged violations as required in order to protect the State's environment. If you have additional information that we are unaware of, you have the opportunity to contest the violation documented in this notice. Should you choose to do so, you must notify the Corpus Christi Region Office within 10 days from the date of this letter. At that time, a 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 attached Summary of Investigation Findings until an official decision is made regarding the status of any or all of the contested violations.

Mr. Robert Laughman, President

Page 2

May 18, 2010

If you or members of your staff have any questions regarding these matters, please feel free to contact Mr. Juarez in the Corpus Christi Region Office at (361) 825-3100

Sincerely,



Kelly Edward Ruble

Water Section Manager

Corpus Christi Region Office

KER/RGJ/aa

Enclosures: Summary of Investigation Findings
 Obtaining TCEQ Rule

cc: Central Records, Bldg., E. MC 213