

Summary of Investigation Findings

ALTON THEISS SUBDIVISION

22007 1/2 FOREST GLADE DR

HUMBLE, ANDERSON COUNTY, TX 77338

Investigation #

1221529
Investigation Date: 01/22/2015

Additional ID(s): 1012806

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

Track No: 563301 Compliance Due Date: 04/17/2015

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

Alleged Violation:

Investigation: 1221529

Comment Date: 03/04/2015

Ground Water Sources and Development

Failure to properly screen an opening on the well with 16-mesh or finer corrosion-resistant screening material.

Recommended Corrective Action: Submit documentation indicating that the opening on the well has been properly screened to verify compliance.

Track No: 563307 Compliance Due Date: 06/17/2015

30 TAC Chapter 290.46(s)(1)

Alleged Violation:

Investigation: 1221529

Comment Date: 03/04/2015

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: 563551 Compliance Due Date: 04/17/2015

30 TAC Chapter 290.46(f)(3)(A)(iv)

30 TAC Chapter 290.46(l)

Alleged Violation:

Investigation: 1221529

Comment Date: 03/10/2015

Operating Practices and Operating Records and Reports for Public Water Systems

Failure to flush all dead-end mains monthly, or more often if required, to maintain water quality. Monthly Reports of Water Works Operation must be compiled regularly each month and kept on file for commission review for at least 2 years. The reports must be completed in ink, typed, or computer-printed and must be signed by the certified operator. The monthly report must include the dates that dead-ends were flushed.

Specifically, records of dead-end flushings were not available during the investigation.

Recommended Corrective Action: Submit documentation indicating that dead-ends are flushed monthly and that the required associated records are maintained to verify compliance.

Track No: 563554 Compliance Due Date: 06/17/2015

30 TAC Chapter 290.46(n)(2)

Alleged Violation:

Investigation: 1221529

Comment Date: 03/10/2015

Engineering plan and maps

Failure to maintain and make available an accurate and up-to-date map of the distribution system so that valves and mains can 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.

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

Track No: 563304

30 TAC Chapter 290.42(l)

Alleged Violation:

Investigation: 1221529

Comment Date: 03/04/2015

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, or submit a compliance plan for the completion of the plant operations manual to verify compliance.

Resolution: A plant operations manual was received via email on March 4, 2015.

ADDITIONAL ISSUES

Description

Additional Comments

Item 6

30 TAC, §291.93(3)

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 TAC, 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 90% of its capacity. This was based on 15 connections.

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

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 18, 2015

RECEIVED

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

TX ADMIN-AUSTIN

Re: Notice of Compliance with Notice of Violation (NOV) dated February 26, 2014:
Atascosita Acres Subdivision, 4100 Atascosita Way, Houston, Harris County, Texas
Regulated Entity No.: 102688413
TCEQ ID No.: 1011687

Investigation No.: 1192403

Dear Mr. Foltz:

On August 28, 2015, 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 April 30, 2013. 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 dark ink, appearing to read "Julia Thorp".

Julia Thorp, Team Leader
Public Water Supply
Houston Region Office

JT/HDL/mar

Enclosure: Summary of Investigation Findings

cc: Harris County Public Health and Environmental Services

Summary of Investigation Findings

ATASCOCITA ACRES SUBDIVISION

Investigation #

1192403
Investigation Date: 09/03/2015

, HARRIS COUNTY,

Additional ID(s): 1011687

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

Track No: 503941

30 TAC Chapter 290.45(a)

Alleged Violation:

Investigation: 1087519

Comment Date: 06/17/2013

Capacity Requirement

Failure to provide a well capacity of 0.6 gallons per minute per connection. At the time of the inspection the facility had a total of 127 active connections and is required to provide 0.6 gallons per minute (gpm) per connection (conn). Your well produced a total of 62 gpm and is short a total of 10.2 gpm. This is calculated in the following manner:

Required 0.6 gpm /conn X 127conn. = 76.2 gpm Total

Short 76.2 gpm Required - 62 gpm Produced = 14.2 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: 1139313

Comment Date: 12/18/2013

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

Investigation: 1192403

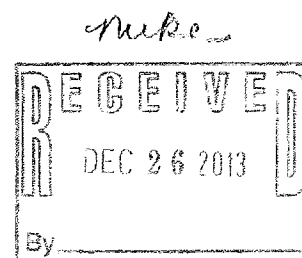
Comment Date: 08/28/2014

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

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: Aqua Texas submitted copy of invoices showing that the second well for the water system was drilled in April 2015. This violation is resolved.

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

December 4, 2013

Mr. Larry Mitchell, Env. Compliance Coordinator
Aqua Texas
1106 Clayton Lane Ste 400W
Austin, Texas 78723-2476

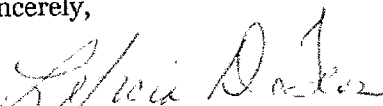
Re: Comprehensive Compliance Investigation at:
Bammel Oaks Estates 2, 5438 Greens Pines, Houston, Harris County, Texas
Regulated Entity No.: 102685120, TCEQ ID No.: 1010810, Investigation No.: 1133097

Dear Mr. Mitchell:

On October 2, 2013, Ms. Elaine Jackson of the Texas Commission on Environmental Quality (TCEQ) Houston Region Office conducted an investigation of the above-referenced facility to evaluate compliance with the applicable requirements for public water supply systems. No violations are being alleged as a result of the investigation; however, please see the attached Additional Issues. 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. Elaine Jackson in the Houston Region Office at (713)767-3650.

Sincerely,


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

LD/ETJ/ra

cc: Harris County Public Health and Environmental Services

Enclosure: Summary of Findings

Summary of Investigation Findings

BAMMEL OAKS ESTATES 2

Investigation #

1133097

Investigation Date: 10/02/2013

, HARRIS COUNTY,

Additional ID(s): 1010810

No Violations Associated to this Investigation

ADDITIONAL ISSUES

Description

Item 1

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.

(A) After any commission field inspection, a retail public utility must analyze the system's capacity to determine if it has reached 85% of its capacity. If the retail public utility has reached 85% of its capacity, it must file this report no later than 90 days after the date of a commission letter detailing the results of the inspection. Capacity is considered to be the overall rated capacity in number of residential connection equivalents based on the most restrictive criteria for production, treatment, storage, or pumping.

(B) The report should be submitted in writing and should contain the following:

(i) a brief description of the overall utility system and service area;

(ii) an analysis of the plant capacity as defined in subparagraph (A) of this paragraph;

(iii) details on how the retail public utility will provide service to the remaining areas within the boundaries of its certificated area. This includes projections of cost and expected design and installation dates for additional facilities.

Item 2

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

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

Specifically, it is noted on this investigation that your well has reached 85% of its capacity. This was based on 78 connections.

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

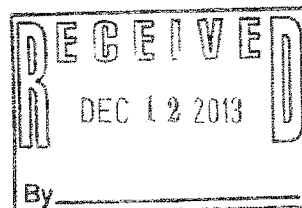
Bryan W. Shaw, Ph.D., *Chairman*
Carlos Rubinstein, *Commissioner*
Toby Baker, *Commissioner*
Zak Covar, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

December 6, 2013



Mr. Dan Rimann, Vice President of Operations
Aqua Texas Inc.
1106 Clayton Ln. Ste 400W
Austin, Texas 78723-2476

Re: Comprehensive Compliance Investigation at:
Bammel Oaks Estates 1, 11603 Villa Heights, Houston, Harris County, Texas
Regulated Entity No.: 102685484, TCEQ ID No. 1010809, Investigation No. 1133163

Dear Mr. Rimann:

On October 2, 2013, Ms. Elaine Jackson of the Texas Commission on Environmental Quality (TCEQ) Houston Region Office conducted an investigation of the above-referenced facility to evaluate compliance with the applicable requirements for public water supply systems. No violations are being alleged as a result of the investigation. 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. Elaine Jackson 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/ETJ/ra

cc: Harris County Public Health and Environmental Services

Lonnie

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

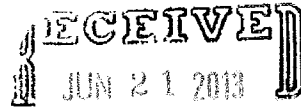


TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 18, 2013

CERTIFIED MAIL #7010 2780 0002 1569 0002
RETURN RECEIPT REQUESTED



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

BY:

Re: Notice of Violation for the Comprehensive Compliance Investigation at:
Atascosita Acres Subdivision, 4100 Atascosita Way, Houston, Harris County, Texas
Regulated Entity No.: 102688413, TCEQ ID No. 1011687, Investigation No.: 1087519

Dear Mr. Blackhurst:

On April 30, 2013, Mr. Huyen D. Luu 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, a certain outstanding alleged violation was identified for which compliance documentation is required. Please submit to this office by September 10, 2013, a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for the outstanding alleged violation.

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

The TCEQ appreciates your assistance in this matter. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements. We anticipate that you will resolve the alleged 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 Houston Region Office within 10 days from the date of this letter. At that time, PWS Team Leader Ms. Leticia De Leon, will schedule a violation review meeting to be conducted within 21 days from the date of this letter.

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

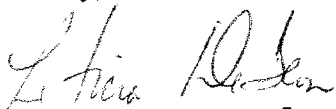
Austin Headquarters: 512-239-1000 • tceq.texas.gov • How is our customer service? tceq.texas.gov/customersurvey

printed on recycled paper using soy-based ink

Mr. Steve Blackhurst, Regulatory and Compliance
June 18, 2013
Page 2

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: Harris County Public Health and Environmental Services

Enclosures: Summary of Investigation Findings

Summary of Investigation Findings

ATASCOCITA ACRES SUBDIVISION

Investigation #

1087519

Investigation Date: 04/30/2013

, HARRIS COUNTY,

Additional ID(s): 1011687

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

Track No: 503941

Compliance Due Date: 09/10/2013

30 TAC Chapter 290.45(a)

Alleged Violation:

Investigation: 1087519

Comment Date: 06/17/2013

Capacity Requirement

Failure to provide a well capacity of 0.6 gallons per minute per connection. At the time of the inspection the facility had a total of 127 active connections and is required to provide 0.6 gallons per minute (gpm) per connection (conn). Your well produced a total of 62 gpm and is short a total of 10.2 gpm. This is calculated in the following manner:

Required 0.6 gpm /conn X 127conn. = 76.2 gpm Total

Short 76.2 gpm Required - 62 gpm Produced = 14.2 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.

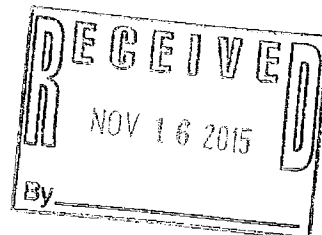
Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Jon Niemann, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

November 12, 2015



CERTIFIED MAIL #91 7199 9991 7031 0288 8926
RETURN RECEIPT REQUESTED

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

Re: Notice of Violation for Comprehensive Compliance Investigation at:
Brentwood Subdivision, 303 Cambridge St., Victoria, (Victoria County) Texas
Regulated Entity No.: 102673894, TCEQ ID No.: 2350005, Investigation No.: 1287473

Dear Mr. Foltz:

On October 6, 2015, Mr. Blas Rizzo 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 public water supply. During the investigation, certain outstanding alleged violations were identified for which compliance documentation is required. Please submit to this office by December 14, 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 Corpus Christi Region Office at 361-825-3100 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 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*.

Mr. Scott Foltz
Page 2
November 12, 2015

However, please be advised that if you decide to participate in the violation review process, the TCEQ may still require you to adhere to the compliance schedule included in the 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. Rizzo in the Corpus Christi Region Office at 361-825-3100.

Sincerely,



Melanie Edwards, Water Section Manager
Corpus Christi Region Office
Texas Commission on Environmental Quality

MAE/BR/mjd

Enclosure: Summary of Investigation Findings

cc: Larry Mitchell, Aqua Utilities, 1106 Clayton Ln., Ste. 400W, Austin, TX 78723

Summary of Investigation Findings

BRENTWOOD SUBDIVISION

303 CAMBRIDGE ST
VICTORIA, VICTORIA COUNTY, TX 77905

Investigation #

1287473
Investigation Date: 10/06/2015

Additional ID(s): 2350005

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

Track No: 566011 Compliance Due Date: 05/15/2015
30 TAC Chapter 290.44(a)(4)

Alleged Violation:

Investigation: 1241091

Comment Date: 04/01/2015

Failed to install all water transmission and distribution lines in accordance with the manufacturer's instructions. However, the top of the waterline must be located below the frost line and in no case shall the top of the waterline be less than 24 inches below ground surface.

During the investigation conducted on February 24, 2015, the investigators documented that the facility's water distribution line was not buried at least 24 inches. Specifically, the top of the distribution line located at the 200 block of Huntington Drive was no more than 18 inches below ground surface.

Investigation: 1287473

Comment Date: 11/09/2015

During the investigation conducted on October 6, 2015, the status of this outstanding alleged violation was evaluated. The investigator determined that the facility had not addressed the violation.

Recommended Corrective Action: To achieve compliance, ensure the top of all water transmission and distribution lines are located below the frost line and in no case shall the top of the waterlines be less than 24 inches below ground surface. An exception to the rules and regulations may be submitted. To verify compliance, please submit documentation to the TCEQ Region 14 Office indicating compliance with this requirement by the compliance due date.

Track No: 586480 Compliance Due Date: 12/14/2015
30 TAC Chapter 290.42(l)

Alleged Violation:

Investigation: 1287473

Comment Date: 10/20/2015

Failed to compile a thorough plant operations manual and kept up-to-date for operator review and reference.

During the investigation conducted on October 6, 2015, the investigator determined that the facility did not have a plant operations manual.

Recommended Corrective Action: To achieve compliance, the facility shall compile a thorough plant operations manual and kept up-to-date for operator review and reference. This manual should be of sufficient detail to provide the operator with routine maintenance and repair procedures, with protocols to be utilized in the event of a natural or man-made catastrophe, as well as provide telephone numbers of water system personnel, system officials, and local/state/federal agencies to be contacted in the event of an emergency. To verify compliance, please submit documentation to the TCEQ Region 14 Office Attn: Blas Rizzo indicating compliance with this requirement by the compliance due date.

Track No: 586483 Compliance Due Date: 12/14/2015
30 TAC Chapter 290.46(m)

Alleged Violation:

Investigation: 1287473

Comment Date: 10/20/2015

Failed to utilize acceptable maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment.

During the investigation conducted on October 6, 2015, the investigator observed one of the flanges located on the well discharge line was severely corroded and had been repaired with a pipe patch clamp.

Recommended Corrective Action: To achieve compliance, the facility shall utilize acceptable maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment. To verify compliance, please submit documentation to the TCEQ Region 14 Office Attn: Blas Rizzo indicating compliance with this requirement by the compliance due date.

**ALLEGED VIOLATION(S) NOTED AND RESOLVED
ASSOCIATED TO A NOTICE OF VIOLATION****Track No:** 567052**30 TAC Chapter 290.46(f)(2)****30 TAC Chapter 290.46(f)(3)(A)(iii)****Alleged Violation:**

Investigation: 1241091

Comment Date: 04/09/2015

Failed to make accessible for review during inspections all the public water system's operating records; specifically, the date, location, and nature of water quality, pressure, or outage complaints received by the system and the results of any subsequent complaint investigation.

During the investigation conducted on February 24, 2015, the complaint records for all leaks that have occurred within the last six months on Huntington Drive were requested via e-mail from the facility (due date of March 3, 2015). In addition, Mr. Thomas Carey III, contract operator, was contacted via phone during the investigation and confirmed that the Brentwood Subdivision public water system received at least two complaints regarding water leaks on Huntington Drive.

On March 10, and 23, 2015, follow-up e-mails were provided to Mr. Larry Mitchell, Environmental Compliance Coordinator, requesting the complaint records for Brentwood Subdivision. As of today, the TCEQ Region 14 Office has not received the complaint records.

Investigation: 1287473

Comment Date: 10/20/2015

During the investigation conducted on October 6, 2015, the status of this outstanding alleged violation was evaluated.

Recommended Corrective Action: To achieve compliance, the water system shall make accessible for review during inspections all the public water system's operating records. Specifically, the date, location, and nature of water quality, pressure, or outage complaints received by the system and the results of any subsequent complaint investigation for the months of September 2014 through February 2015. To verify compliance, please send documentation to the TCEQ Region 14 Office indicating compliance with this requirement by the compliance due date.

Resolution: At the time of the investigation, Mr. Mitchell was able to produce documentation that demonstrated that Aqua Texas was monitoring all complaints for water systems that they operate; however, no complaints had been filed against the Brentwood subdivision.

Track No: 586481**30 TAC Chapter 290.42(e)(4)(A)****Alleged Violation:**

Failed to have a full-face self-contained breathing apparatus (SCBA) or supplied air respirator that meets Occupational Safety and Health Administration (OSHA) standards for construction and operation, and a small bottle of fresh ammonia solution (or approved equal) for testing for chlorine leakage readily accessible outside the chlorinator room and immediately available to the operator in the event of an emergency, when chlorine gas is used.

During the investigation conducted on October 6, 2015, the investigator determined that at the facility's SCBA was not located outside the chlorination room. Mr. Mitchell indicated that the operators usually have an SCBA in their vehicles; however, there was no SCBA in the vehicle that Mr. Lira was currently in.

Resolution: On October 7, 2015, the facility submitted photographs showing that the SCBA was now located at the well site.

Summary of Investigation Findings

BRENTWOOD SUBDIVISION

Investigation # 1287473

303 CAMBRIDGE ST
VICTORIA, VICTORIA COUNTY, TX 77905

Investigation Date: 10/06/2015

Additional ID(s): 2350005

ALLEGED VIOLATION(S) NOTED AND RESOLVED

Track No: 588119

30 TAC Chapter 290.46(f)(3)(B)(iv)

Alleged Violation:

Investigation: 1287473

Comment Date: 11/12/2015

Failed to maintain records of calibration for all flow meters according to §290.41(c)(3)(N) of this title (relating to Water Sources) for at least three years.

During the investigation conducted on October 6, 2015, the facility indicated that they had no knowledge or record of any calibration performed on the well flow meter.

Resolution: On October 20, 2015, the facility submitted a well calibration certificate that indicated that the well was calibrated on October 12, 2015 by Southern Flowmeter, Inc.

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



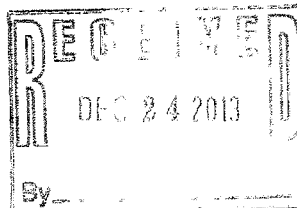
Ray

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

December 19, 2013

CERTIFIED MAIL #7011 3500 0000 0279 5875
RETURN RECEIPT REQUESTED



Mr. Dan Rimann, Vice President Operations
Aqua Texas Inc.
1106 Clayton Lane, Suite 400
Austin, Texas 78723-1066

Re: Notice of Violation for the Comprehensive Compliance Investigation at:
Brittmore Utility, 6425 Overlook Drive, Houston, Harris County, Texas
Regulated Entity No.:102673126, TCEQ ID No.:1011014, Investigation No.: 1138188

Dear Mr. Rimann:

On October 10, 2013 to November 20, 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, a certain outstanding alleged violation was identified for which compliance documentation is required. Please submit to this office by March 20, 2014, a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for the outstanding alleged violation.

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

The TCEQ appreciates your assistance in this matter. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements. We anticipate that you will resolve the alleged violation as required in order to protect the State's environment. If you have additional information that we are unaware of, you have the opportunity to contest the violations documented in this notice. Should you choose to do so, you must notify the 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. Dan Rimann, Vice President Operations

Page 2

December 19, 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

cc: Harris County Public Health and Environmental Services

Enclosure: Summary of Investigation Findings

Summary of Investigation Findings

BRITTMOORE UTILITY

6425 OVERLOOK DR

HOUSTON, HARRIS COUNTY, TX 77041

Investigation #

1138188

Investigation Date: 10/10/2013

Additional ID(s): 1011014

OUTSTANDING ALLEGED VIOLATION(S)

Track No: 521730 Compliance Due Date: 03/20/2014
30 TAC Chapter 290.39(e)

Alleged Violation:

Investigation: 1138188

Comment Date: 12/09/2013

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 in writing for approval and that the system may request an exception by writing 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.

Note: Approval to use letters were not provided for well 1 and 5 at the time of the investigation.

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



Ranf
PWS_1011084_CO_20140527_NOV
RN102681095
CN602787509

Texas Commission on Environmental Quality

Protecting Texas by Reducing and Preventing Pollution

May 27, 2014

Delivered Via Certified Mail

DWQ/NOV/02/1005

AQUA UTILITIES INC
SCOT W FOLTZ, COMPLIANCE MANAGER
1106 CLAYTON LN STE 400W
AUSTIN, TX 78723-2476

MAY 30 2014

SUBJECT: **Notice of Violation: ARSENIC MCL, AVERAGE**
30 TAC §290.106(f) - MCL Based on Running Annual Average (RAA)
BOUDREAUX GARDENS - PWSID: 1011084
HARRIS County, TX

Please read this letter in its entirety, it contains important information.

Attention: Public Water System Owner / Manager / Operator

Our record review shows that the BOUDREAUX GARDENS public water system PWS ID 1011084 violated the maximum contaminant level (MCL) for arsenic in the water supplied to its customers. This violation occurred during quarter two 2014. Title 30 Texas Administrative Code (30 TAC) §290.106 describes how we determined that this violation occurred.

The MCL for arsenic is 0.010 milligrams per liter (mg/L) based on a running annual average (RAA). From the data contained in the attached report, we determined a compliance value for arsenic in quarter two 2014 of 0.018 mg/L for EP001.

PUBLIC NOTIFICATION REQUIRED BY: **August 25, 2014**

The public notification requirements are described in 30 TAC §290.122 and include:

Within 90 days of notification of violation, at a minimum you must provide by mail/direct delivery, to bill-paying customers to which water is delivered. You must use the enclosed wording for every notice, and include a brief statement about what you plan to do to fix the problem. This statement must describe what actions the water system is taking to correct the violation, and when the water system expects to return to compliance.

You are required to repeat the notice every three months for as long as the violation persists. You should use the same method that you used for the initial notice. Please send a copy of every public notification and a signed Certificate of Delivery for Public Notice to this office within ten days after it has been delivered. Send to:

TCEQ - Drinking Water Inventory and Enforcement Team
Attn: Public Notice (MC-155)
P.O. Box 13087
Austin TX 78711-3087

P.O. Box 13087 • Austin, Texas 78711-3087 • 512-239-1000 • www.tceq.texas.gov

How is our customer service? www.tceq.texas.gov/goto/customersurvey
printed on recycled paper

COMMENTS:

If you have not already done so, we encourage you to seek assistance. One form of assistance we can offer is through the TCEQ Directed Assistance Contract that is designed to offer free assistance to public water supplies in financial, managerial and technical areas. Please call Utilities Technical Review Team at (512) 239-4691 and ask for a referral for "MCL violation directed assistance." If you would prefer, you can contact a member of the Drinking Water Quality Team at PWSCHEM@tceq.texas.gov to assist you with this referral.

To view your public water system information at any time, visit Texas Drinking Water Watch at:
<<http://dww.tceq.texas.gov/DWW/>>

If you have questions regarding this violation, please contact a member of the Drinking Water Quality Team at (512) 239-4691.

If you have questions regarding **public notice requirements**, please contact:

Jade Rutledge, Public Notice Compliance Coordinator
Phone: (512)239-5659
Fax: (512) 239-3666
Email: Jade.Rutledge@tceq.texas.gov

Sincerely,



Gary Chauvin, Manager
Public Drinking Water Section (MC-155)
Water Supply Division
Texas Commission on Environmental Quality

GC/av

Enclosures

cc: TCEQ Region 12

LARRY E MITCHELL, ENV COMPLIANCE COORD 1106 CLAYTON LN STE 400W AUSTIN, TX
78723-2476

Violation Sample Results Report:
BOUDREAU GARDENS PWS ID: TX1011084

EP001

Violation ID Number	Monitoring Period	Violation Description	Analyte Description	Calculated Compliance Value
725	2Q2014	MCL, AVERAGE	ARSENIC	0.018 mg/L

Results for Quarter 2 of 2014: ARSENIC

Sample ID:AC50530 04/15/2014 TRT-TAP SOUTH PT 0.0185 mg/L

Results for Quarter 1 of 2014: ARSENIC

Sample ID:AC45250 02/28/2014 TRT-TAP SOUTH PT 0.0193 mg/L

Results for Quarter 4 of 2013: ARSENIC

Sample ID:AC34704 11/11/2013 TRT-TAP SOUTH PT 0.0147 mg/L

Results for Quarter 3 of 2013: ARSENIC

Sample ID:AC29985 09/12/2013 TRT-TAP SOUTH PT 0.0176 mg/L

Ray

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 2, 2014

RECEIVED
JUL 07 2013
AQUA TEXAS

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

Re: Comprehensive Compliance Investigation at:
Berry Hill Estates, 18818 Berry Hill Dr., Tomball, Harris County, Texas
Regulated Entity #102678893, TCEQ ID #1011860, Investigation #1173568

Dear Mr. Foltz:

On June 12, 2014, Mr. Huyen D. Luu of the Texas Commission on Environmental Quality (TCEQ) Houston Region Office conducted an investigation of the above-referenced facility to evaluate compliance with the applicable requirements for public water supply systems. No violations are being alleged as a result of the investigation. In addition, please be advised that a violation could be issued upon further review of your system's records or self-reported documentation.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions regarding these matters, please feel free to contact Mr. Huyen D. Luu 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/HDL/ra

cc: Harris County Public Health and Environmental Services.

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

August 5, 2015

CERTIFIED MAIL # 7014 3490 0001 0559 5755
RETURN RECEIPT REQUESTED

RECEIVED

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

TX ADMIN-AUSTIN

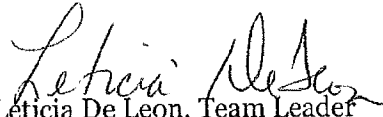
Re: Failure to Submit Compliance Documentation for: Brittmore Utility
Brittmore Utility, 6425 Overlook Drive, Houston, Harris County, Texas
Regulated Entity No.: 102673126; TCEQ ID No.: 1011014; Investigation No.: 1261930

Dear Mr. Rimann:

By letter dated December 19, 2013, the Texas Commission on Environmental Quality (TCEQ) Houston Region Office requested that you submit information to us by March 20, 2015, verifying that the outstanding alleged violation referenced in the letter has been corrected. The alleged violation was noted during the investigation of the above-referenced facility conducted on October 10, 2013. Enclosed for your information is a copy of the letter. As of this date, we have not received from you a written description of the corrective action taken and the required compliance documentation for this alleged violation. Please submit this information to us by no later than September 8, 2015.

The Texas Commission on Environmental Quality appreciates your assistance in this matter and looks forward to receiving your response. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements. If you or members of your staff have any questions, please feel free to contact Ms. Melody Kirksey, in the Houston Region Office at (713) 767-3650.

Sincerely,


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

LD/MK/mar

Enclosure: Summary of Investigation Findings

cc: Harris County Public Health and Environmental Services

Summary of Investigation Findings

BRITTMOORE UTILITY 6425 OVERLOOK DR HOUSTON, HARRIS COUNTY, TX 77041 Additional ID(s): 1011014	Investigation # 1261930 Investigation Date: 07/08/2015
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OUTSTANDING ALLEGED VIOLATION(S)

Track No: 521730 Compliance Due Date: 03/20/2014
30 TAC Chapter 290.39(e)

Alleged Violation:

Investigation: 1138188

Comment Date: 12/09/2013

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 in writing for approval and that the system may request an exception by writing 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.

Note: Approval to use letters were not provided for well 1 and 5 at the time of the investigation.

Investigation: 1261930

Comment Date: 07/08/2015

Failure to provide as built plans for well 1 and 5.

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



Ray

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution RECEIVED

JUN 07 2015

June 4, 2015

TX ADMIN-AUSTIN

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


Re: Notice of Compliance with Notice of Violation (NOV) dated February 17, 2015:
Brushy Creek Utility, 23426 Brushy Pines Street, Hockley, Montgomery County, Texas
Regulated Entity No.: 104252937
TCEQ ID No.: 1700601
Investigation No.: 1253124

Dear Mr. Foltz:

On March 18, 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 January 13, 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. Destiny Winning, in the Houston Region Office at (713) 767-3650.

Sincerely,


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

LD/DW/mar

Enclosure: Summary of Investigation Findings

cc: Montgomery County Environmental Health Services

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

Summary of Investigation Findings

BRUSHY CREEK UTILITY

Investigation #

1253124
Investigation Date: 05/20/2015

, MONTGOMERY COUNTY,

Additional ID(s): 1700601

ALLEGED VIOLATION(S) NOTED AND RESOLVED

Track No: 560682

30 TAC Chapter 290.46(m)(4)

Alleged Violation:

Investigation: 1217846

Comment Date: 02/06/2015

Water Leakage

Failure to maintain all pressure maintenance facilities in a watertight condition and/or free of excessive solids. In this connection, the leaking drain valve located at the pressure tank must be repaired or replaced as necessary.

At the time of the investigation, the pressure tank drain valve was leaking. See photo.

Investigation: 1253124

Comment Date: 05/20/2015

Water Leakage

Failure to maintain all pressure maintenance facilities in a watertight condition and/or free of excessive solids. In this connection, the leaking drain valve located at the pressure tank must be repaired or replaced as necessary.

At the time of the investigation, the pressure tank drain valve was leaking. See photo.

Recommended Corrective Action: Submit a photo, invoice, or work order to verify compliance.

Resolution: The regulated entity provided photographic documentation, by email, on March 18, 2015 showing that repairs were done to the pressure tank drain valve and was no longer leaking.

Track No: 560685

30 TAC Chapter 290.46(m)

Alleged Violation:

Investigation: 1217846

Comment Date: 02/12/2015

Facility Fencing

Failure to provide an intruder-resistant fence in order to protect the water plant. The fence must be at least six feet high and constructed of wood, concrete, masonry, or metal with three strands of barbed wire extending outward from the top of the fence at a 45 degree angle. In lieu of the barbed wire, the fence must be eight feet in height. The fence must be in good condition, close enough to surface grade to prevent intruder passage, and kept locked when unattended. In lieu of a fence, wells, storage tanks, or pressure maintenance facilities may be installed in a vented, lockable building designed to prevent intruder access.

At the time of the investigation, the fence was not close enough to surface grade to prevent intruders. See photo.

Investigation: 1253124

Comment Date: 05/20/2015

Facility Fencing

Failure to provide an intruder-resistant fence in order to protect the water plant. The fence must be at least six feet high and constructed of wood, concrete, masonry, or metal with three strands of barbed wire extending outward from the top of the fence at a 45 degree angle. In lieu of the barbed wire, the fence must be eight feet in height. The fence must be in good condition, close enough to surface grade to prevent intruder passage, and kept locked when unattended. In lieu of a fence, wells, storage tanks, or pressure maintenance facilities may be installed in a vented, lockable building designed to prevent intruder access.

At the time of the investigation, the fence was not close enough to surface grade to prevent intruders. See photo.

Recommended Corrective Action: Submit a photo, invoice, or work order to verify compliance.

Resolution: The regulated entity provided photographic documentation, by email, on March 18, 2015 showing that repairs were done to the fence and was now close enough to surface grade to prevent intruders.

Reef

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 17, 2015

RECEIVED

FEB 19 2015

CERTIFIED MAIL # 7011 3500 0000 0287 6260
RETURN RECEIPT REQUESTED

TX ADMIN-AUSTIN

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

Re: Notice of Violation for the Comprehensive Compliance Investigation at:
Brushy Creek Utility, 23426 Brushy Pines Street, Hockley, Montgomery County, Texas
Regulated Entity No.: 104252937, TCEQ ID No.: 1700601
Investigation No.: 1217846

Dear Mr. Foltz:

On January 13, 2015, Ms. LaTrichia Spikes, of the Texas Commission on Environmental Quality (TCEQ) Houston Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for Public Water Supply. Enclosed is a summary which lists the investigation findings. In addition, certain outstanding alleged violations were identified for which compliance documentation is required. Please submit to this office by March 22, 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.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

Mr. Scot W. Foltz, Compliance Manager

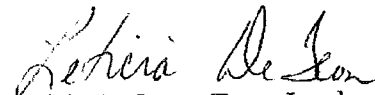
Page 2

February 17, 2015

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.

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

Sincerely,



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

LD/LS/mar

Enclosure: Summary of Investigation Findings

cc: Montgomery County Environmental Health Services
Mr. Larry Mitchell, Environmental Compliance Coordinator, Aqua Utilities, Inc.,
1106 Clayton Lane, Ste. 400W, Austin, Texas 78723-2476

Summary of Investigation Findings

BRUSHY CREEK UTILITY

Investigation #

1217846
Investigation Date: 01/13/2015

, MONTGOMERY COUNTY,

Additional ID(s): 1700601

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

Track No: 560682 Compliance Due Date: 03/06/2015

30 TAC Chapter 290.46(m)(4)

Alleged Violation:

Investigation: 1217846

Comment Date: 02/06/2015

Water Leakage

Failure to maintain all pressure maintenance facilities in a watertight condition and/or free of excessive solids. In this connection, the leaking drain valve located at the pressure tank must be repaired or replaced as necessary.

At the time of the investigation, the pressure tank drain valve was leaking. See photo.

Recommended Corrective Action: Submit a photo, invoice, or work order to verify compliance.

Track No: 560685 Compliance Due Date: 03/22/2015

30 TAC Chapter 290.46(m)

Alleged Violation:

Investigation: 1217846

Comment Date: 02/12/2015

Facility Fencing

Failure to provide an intruder-resistant fence in order to protect the water plant. The fence must be at least six feet high and constructed of wood, concrete, masonry, or metal with three strands of barbed wire extending outward from the top of the fence at a 45 degree angle. In lieu of the barbed wire, the fence must be eight feet in height. The fence must be in good condition, close enough to surface grade to prevent intruder passage, and kept locked when unattended. In lieu of a fence, wells, storage tanks, or pressure maintenance facilities may be installed in a vented, lockable building designed to prevent intruder access.

At the time of the investigation, the fence was not close enough to surface grade to prevent intruders. See photo.

Recommended Corrective Action: Submit a photo, invoice, or work order to verify compliance.

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

January 25, 2016

**CERTIFIED MAIL {7015 0640 0004 7938 6004}
RETURN RECEIPT REQUESTED**

RECEIVED

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

JAN 29 2016

TX ADMIN-AUSTIN

Re: Unresolved Alleged Violations for the Public Water Supply at:
Camilla Twin Harbor, Coldspring (San Jacinto County), Texas
PWS ID No.: 2040038; Investigation No.: 1306011

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 August 19, 2014. We have received acceptable compliance documentation from you for all of the alleged violations except those listed in the enclosed summary. 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.

If you or members of your staff have any questions regarding these matters, please feel free to contact Ms. Brittney Teakell in the Beaumont Region Office at 409-898-3838.

Sincerely,

A handwritten signature in black ink, appearing to read "Ronald Hebert Jr.".

Ronald Hebert Jr.
Water Section Manager
Beaumont Region Office

RH/BT/gs

Enclosure: Summary of Unresolved Investigation Findings

Summary of Investigation Findings

CAMILLA TWIN HARBOR

Investigation #
1306011
Investigation Date: 01/14/2016

, SAN JACINTO COUNTY,

Additional ID(s): 2040038

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

Track No: 548569 Compliance Due Date: 01/20/2015

30 TAC Chapter 290.46(f)(2)

Alleged Violation:

Investigation: 1191651

Comment Date: 09/17/2014

Failure by the Camilla Twin Harbor Water System to provide operating records for review upon request.

The water system could not provide the following records during the investigation: sanitary control easement for well no. 2; Customer Service Inspection (CSI) certificates; well meter calibration records; correct gpm ratings for the service pumps at plant no. 1. On August 20, 2014, the Beaumont Regional Office received a copy of the CSI certificate to be used in the event one is required. On August 26, 2014, the Beaumont Regional Office received the sanitary control easement for well no. 2. Because the water system did not submit information regarding the gpm ratings of the service pumps at plant no. 1, the ratings which were noted from the previous investigation will be used to calculate capacity.

Investigation: 1306011

Comment Date: 01/14/2016

Compliance documentation has not been submitted regarding this outstanding alleged violation.

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.

Track No: 548571 Compliance Due Date: 01/20/2015

30 TAC Chapter 290.46(s)(1)

Alleged Violation:

Investigation: 1191651

Comment Date: 09/16/2014

Failure by the Camilla Twin Harbor Water System to maintain records of well calibration records.

During the inspection, the water system could not provide well meter calibration records.

Investigation: 1306011

Comment Date: 01/14/2016

Compliance documentation has not been submitted regarding this outstanding alleged violation.

Recommended Corrective Action: Calibrate the well meter. Submit the results of the calibration to the Beaumont Regional Office.

Track No: 548572 Compliance Due Date: 01/20/2015

30 TAC Chapter 290.46(m)

Alleged Violation:

Investigation: 1191651

Comment Date: 09/16/2014

Failure by the Camilla Twin Harbor Water System to maintain plant equipment in a good condition or appearance.

It was noted that the water system did not maintain plant no. 2 in a good condition or appearance. During the investigation, it was noted that an electrical issue had occurred and the emergency well was not operational. The well had been disconnected from the plant. The foundation of the pressure tank was no longer supporting the tank, which was noted to be slightly sinking on one side. The pressure tank was also covered with a significant amount of rust.

Investigation: 1306011

Comment Date: 01/14/2016

Compliance documentation has not been submitted regarding this outstanding alleged violation.

Recommended Corrective Action: Repair the well, and the pressure tank. Submit photographic documentation to the Beaumont Regional Office once the plant equipment has been repaired.

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

Track No: 548564

30 TAC Chapter 288.20(c)

Alleged Violation:

Investigation: 1191651

Comment Date: 09/16/2014

Failure by the Camilla Twin Harbor 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.

Investigation: 1306011

Comment Date: 01/14/2016

The water system updated the drought contingency plan.

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

Resolution: On March 2, 2015, the Beaumont Regional Office received a copy of the drought contingency plan which had been updated February 16, 2015.

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 17, 2015

RECEIVED

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

DEC 21 2015

TX ADMIN-AUSTIN

Re: Complaint Investigation at:
Candlelight Hills Subdivision, 3225 Candleway, Spring, Harris County, Texas
Regulated Entity No.: 102680428
TCEQ ID No.: 1010532

Investigation No.: 1282706

Dear Mr. Foltz:

On October 9-16, 2015, Ms. LaTrichia Spikes, 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. Spikes, 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/LS/mar

cc: Harris County Public Health and Environmental Services

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

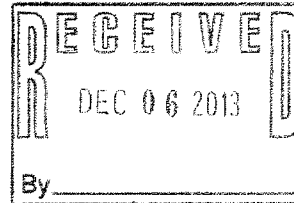


TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

December 3, 2013

CERTIFIED MAIL #7011 3500 0000 0279 8296
RETURN RECEIPT REQUESTED



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

Re: Notice of Violation for the Comprehensive Compliance Investigation at:
Candlelight Hills Subdivision, 3225 Candleway, Spring, Harris County, Texas
Regulated Entity No.: 102680428, TCEQ ID No.: 1010532, Investigation No.: 1128266

Dear Mr. Rimann:

On October 31, 2013, Ms. Jennifer Sapp of the Texas Commission on Environmental Quality (TCEQ) Houston Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for Public Water Supply. Enclosed is a summary which lists the investigation findings. In addition, a certain outstanding alleged violation was identified for which compliance documentation is required. Please submit to this office by March 13, 2014, a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for the outstanding alleged violation.

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

The TCEQ appreciates your assistance in this matter. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements. We anticipate that you will resolve the alleged violation as required in order to protect the State's environment. If you have additional information that we are unaware of, you have the opportunity to contest the violations documented in this notice. Should you choose to do so, you must notify the 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. Dan Rimann, Vice President of Operations

Page 2

December 3, 2013

If you or members of your staff have any questions, please feel free to contact Ms. Jennifer Sapp 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/JS/ra

cc: Harris County Public Health and Environmental Services

Enclosures: Summary of Investigation Findings

Summary of Investigation Findings

CANDLELIGHT HILLS SUBDIVISION

Investigation #

1128266

Investigation Date: 10/31/2013

, HARRIS COUNTY,

Additional ID(s): 1010532

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

Track No: 520433

Compliance Due Date: 03/13/2014

30 TAC Chapter 290.39(e)(1)

Alleged Violation:

Investigation: 1128266

Comment Date: 11/22/2013

30 TAC, §290.39(e) 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 in writing for approval and that the system may request an exception by writing 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.

During the investigation, the regulated entity did not provide a copy of the well approval letter.

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

Raf

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

October 15, 2015

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

Re: Comprehensive Compliance Investigation at:
Carriage Hills, 2300 Hollowbrook Ln., Conroe, Montgomery County, Texas
Regulated Entity No.: 102685583
TCEQ ID No.: 1700279

Investigation No.: 1280957

Dear Mr. Foltz:

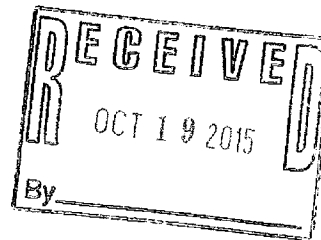
On September 22, 2015, Ms. Christina Bernal, and Ms. Maggie Wright, of the Texas Commission on Environmental Quality (TCEQ) Houston Region Office conducted an investigation of the above-referenced facility to evaluate compliance with the applicable requirements for public water supply systems. No violations are being alleged as a result of the investigation; however, please see the attached Additional Issue. 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. Bernal, in the Houston Region Office at (713) 767-3650.

Sincerely,

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

Julia Thorp, Team Leader
Public Water Supply
Houston Region Office



JT/CB/mar

Enclosure: Summary of Investigation Findings

cc: Montgomery County Environmental Health Services

Summary of Investigation Findings

CARRIAGE HILLS

Investigation #

1280957

Investigation Date: 09/22/2015

, MONTGOMERY COUNTY,

Additional ID(s): 1700279

No Violations Associated to this Investigation

ADDITIONAL ISSUES

Description

Item 1

Additional Comments

30 TAC, §291.93(3) 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.

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

After any commission field inspection, a retail public utility must analyze the system's capacity to determine if it has reached 85% of its capacity. If the retail public utility has reached 85% of its capacity, it must file this report no later than 90 days after the date of a commission letter detailing the results of the inspection. Capacity is considered to be the overall rated capacity in number of residential connection equivalents based on the most restrictive criteria for production, treatment, storage, or pumping.

Item 2

30 TAC, §291.93(3) Adequacy of Water Utility Service

Specifically, it is noted on this investigation that your ground storage tanks have reached 88% of their capacity. This was based on 560 connections with a total of 127,000 gallons of ground storage capacity.

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

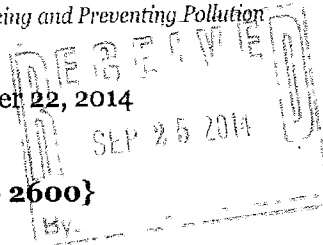
Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Zak Covar, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 22, 2014



**CERTIFIED MAIL {7012 3460 0000 1770 2600}
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:
Camilla Twin Harbor, Coldspring, San Jacinto County, Texas
PWS ID No.: 2040038; Investigation No.: 1191651

Dear Mr. Foltz:

On August 19, 2014, Mrs. 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 noncompliances 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 20, 2014** 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.

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

printed on recycled paper using soy based ink

Summary of Investigation Findings

CAMILLA TWIN HARBOR

Investigation #

1191651
Investigation Date: 08/19/2014

, SAN JACINTO COUNTY,

Additional ID(s): 2040038

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

Track No: 521808 Compliance Due Date: 01/20/2015

30 TAC Chapter 290.46(n)(2)

Alleged Violation:

Investigation: 1133654

Comment Date: 12/10/2013

Failure by Camilla Twin Harbor to have a complete distribution map.

During the investigation, three dead ends were noted at various locations within the 4 inch water mains and were not labeled with the valve icon on the map. One of the locations noted as a dead end was located on Janning Street. The other two apparent dead end locations were not labeled on the map with street names.

Investigation: 1191651

Comment Date: 09/16/2014

Compliance documentation has not been received regarding this outstanding alleged violation.

Recommended Corrective Action: Update the distribution map to include the locations of the flush valves. Submit a copy of the updated map to the Beaumont Regional Office.

Track No: 548564 Compliance Due Date: 01/20/2015

30 TAC Chapter 288.20(c)

Alleged Violation:

Investigation: 1191651

Comment Date: 09/16/2014

Failure by the Camilla Twin Harbor 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: Update the drought contingency plan and submit the completed plan to the Beaumont Regional Office.

Track No: 548569 Compliance Due Date: 01/20/2015

30 TAC Chapter 290.46(f)(2)

Alleged Violation:

Investigation: 1191651

Comment Date: 09/17/2014

Failure by the Camilla Twin Harbor Water System to provide operating records for review upon request.

The water system could not provide the following records during the investigation: sanitary control easement for well no. 2; Customer Service Inspection (CSI) certificates; well meter calibration records; correct gpm ratings for the service pumps at plant no. 1. On August 20, 2014, the Beaumont Regional Office received a copy of the CSI certificate to be used in the event one is required. On August 26, 2014, the Beaumont Regional Office received the sanitary control easement for well no. 2. Because the water system did not submit information