

**CAMILLA TWIN HARBOR****Investigation # 1191651**

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.

**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.

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**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.

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

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**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.

**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.

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

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**Track No:** 521361  
**30 TAC Chapter 290.46(l)**

**Alleged Violation:**

Investigation: 1133654

Comment Date: 12/06/2013

Failure by Camilla Twin Harbor to flush all dead end mains at monthly intervals.

The water system had not been flushing all dead end mains at monthly intervals. The 4 inch dead end main called "Janning St." was noted as being flushed in September and November 2013, but not in October 2013. Additionally, the two dead ends noted on the top the distribution map at locations without street names, were never noted as being flushed.

Investigation: 1191651

Comment Date: 09/16/2014

The water system is now flushing all dead end mains at monthly intervals.

**Recommended Corrective Action:** Flush every dead end main at monthly intervals. Submit three months of dead end flushing activities to the Beaumont Regional Office.

**Resolution:** During the CCI conducted on August 19, 2014, it was noted that the water system

had flushed each dead end main on a monthly basis within 2014.

**Summary of Investigation Findings**

CAMILLA TWIN HARBOR

Investigation # 1191651

, SAN JACINTO COUNTY,

Investigation Date: 08/19/2014

Additional ID(s): 2040038

**AREA OF CONCERN**

Track No: 548563

30 TAC Chapter 290.46(p)(2)

**Alleged Violation:**

Investigation: 1191651

Comment Date: 09/16/2014

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

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

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

**Resolution:** On August 26, 2014, the Beaumont Regional Office received a copy of the list of certified operators submitted to the executive director.

Track No: 548567

30 TAC Chapter 290.121(a)

**Alleged Violation:**

Investigation: 1191651

Comment Date: 09/16/2014

Failure by Camilla Twin Harbor Water System to maintain an up to date monitoring plan.

During the investigation, it was noted that the monitoring plan was not complete. The section regarding sampling for disinfectant by-products did not mention specific sample sites. It was noted that a list of sample sites for the disinfectant by-product sampling was attached to the monitoring plan; however, no reference to the attachment existed within the body of the monitoring plan.

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

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

Track No: 548568

30 TAC Chapter 290.42(l)

**Alleged Violation:**

Investigation: 1191651

Comment Date: 09/16/2014

Failure by Camilla Twin Harbor Water System to have an adequate plant operations manual.

The water system did not have a complete plant operations manual at the time of the

**CAMILLA TWIN HARBOR**

Investigation # 1191651

investigation. The emergency contact information for the local, state, or federal regulating entity was not included within the emergency contacts.

**Recommended Corrective Action:** Update the Plant Operations Manual to include emergency contact information for the local, state and federal regulating entities. Submit a copy to the Beaumont Regional Office.

**Resolution:** On August 26, 2014, the Beaumont Regional Office received an updated version of the plant operations manual which appears to be adequate.

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**Track No: 548570****30 TAC Chapter 290.110(c)****Alleged Violation:**

Investigation: 1191651

Comment Date: 09/16/2014

Failure by Camilla Twin Harbor to obtain distribution disinfectant residuals from sample sites listed in the monitoring plan.

During the investigation, it was noted that the water system obtained a distribution disinfectant residual from a site called "American Legion" which was not listed as a sample site in the monitoring plan.

**Recommended Corrective Action:** Begin sampling at only sites listed within the water system's monitoring plan. Submit three months of disinfectant residual records to the Beaumont Regional Office.

**Resolution:** During the investigation, it was noted that the water system obtained distribution disinfectant residuals from sites listed in the monitoring plan since September 1, 2013.

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**ADDITIONAL ISSUES****Description****Additional Comments**

Item 11

During the investigation, it was noted that within the annual tank inspection forms for the pressure tank at plant no. 1, the inspector strongly suggested to wash and paint the interior of the tank. No action has been taken by the water system.

Item 12

During the investigation, it was noted that a backflow prevention assembly had not been installed at the Marina Store with the soda machine. Although it is not currently required to have backflow prevention assemblies on soda machines, it is strongly suggested.

Item 13

During the investigation, it was noted that the operator did not adequately rotate the disinfectant residual and bacteriological sample sites. Please note that by not rotating sample locations, the water system may not be provided a representative view of water quality throughout the distribution system.

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 15, 2015

RECEIVED

**CERTIFIED MAIL {7015 0640 0004 7999 0584}  
RETURN RECEIPT REQUESTED**

TX ADMIN-AUSTIN

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

Re: Notice of Violation for the Public Water Supply Comprehensive Compliance Investigation at:  
Cedar Estates Water System, Dayton, Liberty County, Texas  
PWS ID No.: 1460102; Investigation No.: 1268712

Dear Mr. Foltz:

On July 28, 2015, Mrs. Brittney Teakell, Mr. Dustin Lorange, Ms. Brooke Mosley, and Mr. Holden Butler 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 13, 2016** a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for each of the outstanding alleged violations.

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

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

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

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

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Mr. Scott Foltz, Compliance Manager  
Aqua Texas Inc.  
Page 2

September 15, 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 Mrs. Brittney Teakell in the Beaumont Region Office at 409-898-3838.

Sincerely,

A handwritten signature in black ink, appearing to read 'ACG' or similar, written over the printed name.

Alex Crank, Water Section Work Leader  
Beaumont Region Office

AC/BT/bd

Enclosure: Summary of Investigation Findings

## Summary of Investigation Findings

CEDAR ESTATES SUBDIVISION WATER SYSTEM

Investigation #

1268712

Investigation Date: 07/28/2015

, LIBERTY COUNTY,

Additional ID(s): 1460102

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

Track No: 582735 Compliance Due Date: 01/13/2016

30 TAC Chapter 290.46(n)(2)

**Alleged Violation:**

Investigation: 1268712

Comment Date: 09/01/2015

During the investigation, it was noted that the distribution map was not complete as it did not display the locations of mains and valves within the system.

During the investigation, it was noted that the distribution map was not complete as it did not display the locations of mains and valves within the system.

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

Track No: 582736 Compliance Due Date: 01/13/2016

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

**Alleged Violation:**

Investigation: 1268712

Comment Date: 09/08/2015

Failure by the Cedar Estates Water System to maintain a complete record of the distribution disinfectant residual results.

During the investigation, it was noted that the water system did not maintain complete distribution disinfectant residual records. No record was created for the sampling results noted from April to July, 2015.

**Recommended Corrective Action:** Record the results of all distribution disinfectant residual samples. Establish a Standard Operating Procedure which will aid to ensure the water system obtains a disinfectant residual from the distribution system at least every seven days. Submit three months of complete distribution disinfectant residual records and the SOP to the Beaumont Regional Office.

Track No: 582739 Compliance Due Date: 01/13/2016

30 TAC Chapter 290.46(f)(2)

**Alleged Violation:**

Investigation: 1268712

Comment Date: 09/01/2015

Failure by the Cedar Estates Water System to have operating records accessible for review upon request.

During the investigation, a record request was submitted for one year of the accuracy checks conducted on the manual disinfectant residual analyzer and the monitoring plan. A due date of 14 days after the date of the investigation was noted; however, the records were not submitted prior to the approval of the investigation report.

**Recommended Corrective Action:** Establish a Standard Operating Procedure 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: 582747 Compliance Due Date: 01/13/2016  
30 TAC Chapter 290.46(f)(3)(A)(iv)

**Alleged Violation:**

Investigation: 1268712

Comment Date: 09/08/2015

Failure by the Cedar Estates Water System to flush all dead end mains at monthly intervals.

During the investigation, it was noted that the water system did not maintain complete dead end main flushing conducted each month. No record was created for the flushing conducted from April to July 2015.

**Recommended Corrective Action:** Maintain complete records of flushing activities performed within the distribution system. Establish a SOP which will aid the water system to ensure a complete record of flushing activities is maintained. Submit a copy of the flushing records and SOP to the Beaumont Regional Office.

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

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Track No: 498734  
30 TAC Chapter 290.41(c)(1)(F)

**Alleged Violation:**

Investigation: 1042395

Comment Date: 04/29/2013

**Ground Water Sources and Development**

Failure to make available sanitary control easements for proposed well #3 at the time of inspection, or executive director approval for a substitute authorized in §290.41(c)(1)(F)(iv). A sanitary easement, or approved substitute, covering all property within 150 feet of the well location must be secured from adjacent landowners and recorded at the county courthouse to ensure that hazards will not develop in the 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. 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.

It is noted the facility was originally cited for not hiring an engineer to submit as built plans. The facility has hired an engineer and submitted all required documentation except for a copy of their sanitary easement or an approved substitute. As a result, the facility will be cited for no sanitary easement and the violation concerning hiring an engineer will be resolved.

Investigation: 1268712

Comment Date: 09/01/2015

The water system has been granted an exception to the rule requiring a sanitary control easement.

**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.

**Resolution:** During the investigation conducted on July 28, 2015, it was noted that the water system was granted a regulatory exception to the rule requiring a sanitary control easement by letter dated July 23, 2015.



## Summary of Investigation Findings

CEDAR ESTATES SUBDIVISION WATER SYSTEM

Investigation # 1268712

, LIBERTY COUNTY,

Investigation Date: 07/28/2015

Additional ID(s): 1460102

### AREA OF CONCERN

Track No: 582734

30 TAC Chapter 290.42(I)

**Alleged Violation:**

Investigation: 1268712

Comment Date: 09/01/2015

Failure by the Cedar Estates Water System to have a complete plant operations manual.

During the investigation, it was noted that the plant operations manual was not complete as it did not contain the emergency contact information for the federal regulating entity.

**Recommended Corrective Action:** Update the Plant Operations Manual to include emergency contact information for the local, state and federal regulating entities.

**Resolution:** During the investigation, the water system added the emergency contact information to the plant operations manual.

Track No: 582749

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

**Alleged Violation:**

Investigation: 1268712

Comment Date: 09/01/2015

Failure by the Cedar Estates Water System to provide a 16-mesh or finer, corrosion resistant screen on all openings to the wells.

During the investigation, it was noted that an opening on well no. 2 was not covered by a 16-mesh screening material.

**Recommended Corrective Action:** Cover the opening to the well with a 16-mesh or finer, corrosion resistant screening material.

**Resolution:** During the investigation, a screen was placed on the opening.



Duke/Hans

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

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December 15, 2015

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**RETURN RECEIPT REQUESTED**

DEC 17 2015

TX ADMIN-AUSTIN

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

Re: Notice of Violation for the Complaint Investigation at:  
Cimarron Country, 9007 Deer Lodge Road, Magnolia, Montgomery County, Texas  
Regulated Entity No.: 102693751; TCEQ ID No.: 1700555; Investigation No.: 1289215

Dear Mr. Laughman:

From October 30 through November 16, 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, a concern was noted which was an alleged noncompliance that has resolved as a Resolved Violation based on subsequent corrective action. Therefore, no further action is required. 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. Ehrlich, 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/DE/mar

Enclosure: Summary of Investigation Findings

cc: Montgomery County Environmental Health Services  
Scot Foltz, Environmental Compliance Manager, Aqua Texas, 1106 Clayton Lane,  
Suite 400W, Austin, Texas 78723

## Summary of Investigation Findings

CIMARRON COUNTRY

9007 DEER LODGE RD

MAGNOLIA, MONTGOMERY COUNTY, TX 77354

Investigation #

1289215

Investigation Date: 10/30/2015

Additional ID(s): 1700555

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

Track No: 590725

30 TAC Chapter 290.46(m)(4)

#### Alleged Violation:

Investigation: 1289215

Comment Date: 12/11/2015

#### Water Leakage

Failure to maintain all distribution system lines in a watertight condition. In this connection, the leaking pipe located in front of 40014 Roundup Road must be repaired or replaced as necessary.

**Recommended Corrective Action:** Submit to this office documentation indicating that the leaking pipe located in front of 40014 Roundup Road has been repaired or replaced.

**Resolution:** The investigator met with field personnel on November 16, 2015 to verify that the leak was repaired. A copy of the work order was received via email on November 17, 2015 indicating that the leak was repaired on November 9, 2015.

Louise

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

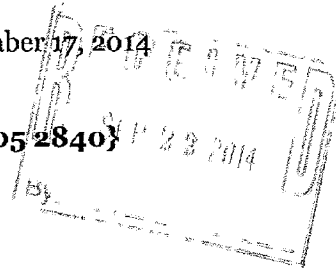


## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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September 17, 2014

**CERTIFIED MAIL {7009 2250 0004 1905 2840}**  
**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: Cedar Point Rd, Onalaska (Polk County), Texas  
PWS ID No.: 1870155; Investigation No.: 1191655**

Dear Mr. Foltz:

On August 19, 2014, Ms. Brittney Teakell of the Texas Commission on Environmental Quality (TCEQ) Beaumont Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for public water supply. Enclosed is a summary which lists the investigation findings. During the investigation, some concerns were noted which were alleged noncompliance(s) that have been resolved as Areas of Concern based on subsequent corrective action. In addition, certain outstanding alleged violations were identified for which compliance documentation is required. Please submit to this office by **January 15, 2015**, a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for each of the outstanding alleged violations.

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

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

Mr. Scot Foltz, Compliance Manager

Page 2

September 17, 2014

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "Alex Crank".

Alex Crank  
Water Section Work Leader  
Beaumont Region Office

AC/BT/cal

Enclosure: Summary of Investigation Findings

## Summary of Investigation Findings

CEDAR POINT

CEDAR POINT RD

ONALASKA, POLK COUNTY, TX 77360

Investigation #

1191655  
Investigation Date: 08/19/2014

Additional ID(s): 1870155

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

Track No: 548486      Compliance Due Date: 01/15/2015  
30 TAC Chapter 288.20(c)

**Alleged Violation:**

Investigation: 1191655

Comment Date: 09/16/2014

Failure by the Cedar Point 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: 548487      Compliance Due Date: 01/15/2015  
30 TAC Chapter 290.121(a)

**Alleged Violation:**

Investigation: 1191655

Comment Date: 09/16/2014

Failure by Cedar Point Water System to maintain an up to date monitoring plan.

During the investigation, it was noted that the monitoring plan was not complete. The section regarding sampling for disinfectant by-products did not mention specific sample sites. It was noted that a list of sample sites for the disinfectant by-product sampling was attached to the monitoring plan; however, no reference to the attachment existed within the body of the monitoring plan.

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

Track No: 548489      Compliance Due Date: 01/15/2015  
30 TAC Chapter 290.44(h)(4)

**Alleged Violation:**

Investigation: 1191655

Comment Date: 09/16/2014

Failure by the Cedar Point Water System to conduct annual accuracy tests on backflow prevention assemblies within the distribution system.

During the investigation, it was noted that accuracy tests were not performed on the backflow prevention assembly at the wastewater treatment plant (WWTP) in several years. No accuracy test results could be provided.

**Recommended Corrective Action:** Perform the annual check on all of the backflow prevention assemblies within the distribution system and submit the test forms to the Beaumont Regional Office. Establish a Standard Operating Procedure (SOP) which explains actions the water system will take to ensure the backflow prevention assembly at the WWTP is tested annually and the record is maintained.

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Track No: 548490      Compliance Due Date: 01/15/2015  
30 TAC Chapter 290.46(f)(2)

**Alleged Violation:**

Investigation: 1191655

Comment Date: 09/16/2014

Failure by the Cedar Point Water System to provide operating records for review upon request.

The water system could not provide the following records during the investigation and a record request was listed for each on the exit interview form: a deed and map for wells A and B; American National Sanitation Institute/National Sanitation foundation (ANSI/NSF) certification for each chemical additive; a clear copy of the distribution map; customer service investigation (CSI) certificates; backflow assembly tests performed at the wastewater treatment plant (WWTP) for 2010 to 2014; a copy of the most recent boil water notice issued to the water system. On August 20, 2014, the Beaumont Regional Office received a copy of the CSI certificates completed on new constructions within the water system and a copy of the distribution system map. On August 26, 2014, the Beaumont Regional Office received a copy of the ANSI/NSF certification for direct additives. The water system did not submit the other requested records.

**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.

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Track No: 548493      Compliance Due Date: 01/15/2015  
30 TAC Chapter 290.41(c)(3)(B)

**Alleged Violation:**

Investigation: 1191655

Comment Date: 09/16/2014

Failure by the Cedar Point Water System to provide a well casing that extends 18 inches above the finished ground surface.

During the investigation, it was noted that the well casings on Wells A and B at plant no. 1 did not extend 18 inches above the natural ground surface. The well casings were noted to be shorter than a 12 inch wide folder from the top of the well sealing block which measured 6 inches above the natural ground surface.

**Recommended Corrective Action:** Provide a well casing which extends 18 inches above the finished ground surface. Submit photographic documentation to the Beaumont Regional Office.

You may also request an exception to this rule. Send the exception request to TCEQ Water Supply division, Technical Review and Oversight Team, MC 155 PO Box 13087, Austin, Texas 78711-3087; phone (512) 239-4691.

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Track No: 548494      Compliance Due Date: 01/15/2015  
30 TAC Chapter 290.46(m)

**Alleged Violation:**

Investigation: 1191655

Comment Date: 09/16/2014

Failure by the Cedar Point Water System to maintain plant equipment in a good condition or appearance.

During the inspection, it was noted that the pressure tanks at plant no. 2 were covered with a significant amount of mildew.

**Recommended Corrective Action:** Clean the pressure tanks and paint if necessary. Submit photographic documentation to the Beaumont Regional Office once the pressure tanks have been cleaned.



**Track No: 548496      Compliance Due Date: 01/15/2015****30 TAC Chapter 290.41(c)(3)(O)****30 TAC Chapter 290.42(m)****30 TAC Chapter 290.43(e)****Alleged Violation:****Investigation: 1191655****Comment Date: 09/16/2014**

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**Failure by the Cedar Point Water System to maintain the intruder resistant fence.**

During the investigation, it was noted that the intruder resistant fences at each plant were not being maintained. The top intruder bar on a portion of the fence at the rear of the plant was severely bent and the barbed wire was not up-right. A large hole was also noted along the bottom of the fence at plant no. 2 next the entrance.

**Recommended Corrective Action:** Repair the fences. Submit photographic documentation of the repaired fence to the Beaumont Regional Office.

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**Summary of Investigation Findings**

CEDAR POINT

Investigation # 1191655

CEDAR POINT RD  
ONALASKA, POLK COUNTY, TX 77360

Investigation Date: 08/19/2014

Additional ID(s): 1870155

**AREA OF CONCERN****Track No: 548485****30 TAC Chapter 290.46(p)(2)****Alleged Violation:**

Investigation: 1191655

Comment Date: 09/16/2014

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

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

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

**Resolution:** On August 26, 2014, the Beaumont Regional Office received a copy of the list of certified operators submitted to the executive director.

**Track No: 548491****30 TAC Chapter 290.46(f)(3)(A)(i)(II)****Alleged Violation:**

Investigation: 1191655

Comment Date: 09/16/2014

Failure by the Cedar Point Water Supply to maintain records of the amount of chemicals used daily.

During the investigation, it was noted that the water system did not record the amount of chemicals used every day. The record reflected no measurement for the polyphosphate used at well no. 2 on November 1-8, 2013, and December 1-9, 2013. The record also reflected no measurement for any chemical used on January 12, 2014.

**Recommended Corrective Action:** Begin keeping records of the amount of all chemicals used each day. Submit three months of records to the Beaumont Regional Office.

**Resolution:** During the investigation, the water system provided adequate records of the amount of chemicals used since January 12, 2014.

**Track No: 548492****30 TAC Chapter 290.110(c)(4)(B)****Alleged Violation:**

Investigation: 1191655

Comment Date: 09/16/2014

Failure by the Cedar Point Water System to monitor the disinfectant residual at representative locations in the distribution system at least once each day.

During the investigation, it was noted that the water system did not obtain disinfectant residuals within the distribution system on a daily basis. The record reflected no sample result for January 12, 2014.

**Recommended Corrective Action:** Begin obtaining disinfectant residual samples from the distribution system at least once each day. Submit three months of residual records to the Beaumont Regional Office.

**Resolution:** During the investigation, it was noted that adequate distribution disinfectant residuals have been obtained since January 12, 2014.

### ADDITIONAL ISSUES

**Description****Additional Comments**

Item 11

During the investigation, it was noted that within the annual tank inspection forms for the pressure tank no. 2 at plant no. 2, the inspector strongly suggested to wash and paint the interior of the tank. No action has been taken by the water system.

Item 12

During the investigation, it was noted that the operators were not adequately rotating the locations for the routine distribution coliform samples and distribution disinfectant residuals. Please note that sampling at the same location does not provide a representative view of the water quality throughout the entire distribution system.

Item 13

During the investigation, it was noted that the distribution system map maintained at the water system plant office was in very poor condition. The water lines were originally color coded and since the map had been wet, the water lines were indistinguishable from each other and the map was covered in the colored ink. The water system provided additional copies of the distribution map which were being maintained at the office in Spring, Texas. Please note that a clear copy of the distribution system map should be located at the plant office to be used by the operators so that the lines and mains may be easily located.



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

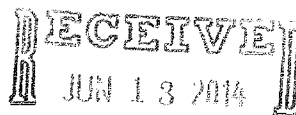


## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

June 10, 2014

*Protecting Texas by Reducing and Preventing Pollution*

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



BY: \_\_\_\_\_

Re: Comprehensive Compliance Investigation at:  
Classic Pines Subdivision, 3840 1/2 Grand Prix, Houston, Harris Co., Texas  
TCEQ ID No. 1013144, RN #102678588, Investigation # 1164681

Dear Mr. Foltz:

On April 10, 2014, Mr. David W. Livings R.S., 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. David Livings 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/DWL/ra

cc: Harris County Public Health and Environmental Services

Rory

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 16, 2015

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

RECEIVED  
JAN 20 2015

BY:.....

Re: Comprehensive Compliance Investigation at:  
Clear Creek Forest Sec.12, 2212 Meadowsweet and 30010 1/2 Rainfern, Magnolia,  
Montgomery County, Texas  
Regulated Entity No.: 102674009  
TCEQ ID No. 1700437, Investigation No. 1210765

Dear Mr. Foltz:

On November 24, 2014, Mr. Vernon Crandle, 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 Mr. Vernon Crandle, in the Houston Region Office at (713) 767-3727.

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/VC/mar

Enclosure: Summary of Investigation Findings

cc: Montgomery County Environmental Health Services

## Summary of Investigation Findings

CLEAR CREEK FOREST SECTION 12

2212 MEADOWSWEET

MAGNOLIA, MONTGOMERY COUNTY, TX 77355

Investigation #

1210765

Investigation Date: 11/24/2014

Additional ID(s): 1700437

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

Specifically, it is noted on this investigation that your ground storage tank has reached 97.6 % of its capacity. This was based on 537 connections.

Raf

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 21, 2015

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

RECEIVED

MAY 26 2015

TX ADMIN-AUSTIN

Re: Comprehensive Compliance Investigation at:  
Country Club Greens, 11007 1/2 S Country Club Green Dr., Tomball, Harris County, Texas  
Regulated Entity No.: 102690732  
TCEQ ID No.: 1013189

Investigation No.: 1246197

Dear Mr. Foltz:

On May 6, 2015, Ms. Sharon Patry, and Ms. Destiny Winning, 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. Patry, 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/SJP/mar

cc: Harris County Public Health and Environmental Services



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*

March 4, 2016

**CERTIFIED MAIL {7015 0640 0004 7999 1833}  
RETURN RECEIPT REQUESTED**

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

Re: Notice of Violation for Public Water Supply Complaint Investigation at:  
Countryside Estates Water System, Nederland, Jefferson County, Texas  
PWS ID No.: 1230037; Investigation No.: 1191627; Incident No.: 226860

Dear Mr. Foltz:

On February 10, 2016, 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 for which compliance documentation is required. Please submit to this office by **July 1, 2016** 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.

3870 Eastex Freeway • Beaumont, Texas 77703 • Office 409-898-3838 • Fax: 409-899-8778 [tceq.texas.gov](http://tceq.texas.gov)

How is our customer service? [tceq.texas.gov/customersurvey](http://tceq.texas.gov/customersurvey)

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Mr. Scott Foltz, Compliance Manager

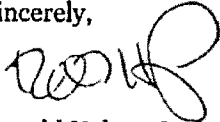
Page 2

March 4, 2016

At that time, Mr. Ronald Hebert Jr. Water Section Manager will schedule a violation review meeting to be conducted within 21 days from the date of this letter. However, please be advised that if you decide to participate in the violation review process, the TCEQ may still require you to adhere to the compliance schedule included in the enclosed 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 Mrs. Brittney Teakell in the Beaumont Region Office at 409-898-3838.

Sincerely,



Ronald Hebert Jr., Water Section Manager  
Beaumont Region Office

RH/BT/bd

Enclosure: Summary of Investigation Findings

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## Summary of Investigation Findings

COUNTRY SIDE ESTATES

BEAUXART GARDENS RD

NEDERLAND, JEFFERSON COUNTY, TX 77627

Investigation #

1312712

Investigation Date: 02/10/2016

Additional ID(s): 1230037

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

Track No: 596948 Compliance Due Date: 07/01/2016

30 TAC Chapter 290.46(l)

**Alleged Violation:**

Investigation: 1312712

Comment Date: 03/02/2016

Failure by Country Side Estates to flush all dead end mains at monthly intervals.

During the investigation, it was noted that the flushing records display three locations were flushed in November, 2015 and January, 2016, and four locations were flushed in December, 2015, while thirty dead end mains measuring two inches in diameter or greater exist within the distribution system.

**Recommended Corrective Action:** Flush all dead end mains at monthly intervals. Establish a Standard Operating Procedure (SOP) which will aid the water system in ensuring each dead end main is flushed each month. Submit three months of flushing records and the SOP to the Beaumont Regional Office.

Track No: 596949 Compliance Due Date: 07/01/2016

30 TAC Chapter 290.44(d)(6)

**Alleged Violation:**

Investigation: 1312712

Comment Date: 03/03/2016

Failure by Country Side Estates to provide an acceptable flush valve and discharge piping at each dead end.

During the investigation, it was noted that the distribution map displayed flush valves were not located at each dead end within the distribution system.

**Recommended Corrective Action:** Install acceptable flush valves and discharge piping at each dead end within the distribution system. Submit work orders and photographs of the flush valves installed within the system.

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



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

March 25, 2016

**CERTIFIED MAIL # 7013 3020 0000 9763 6043**  
**RETURN RECEIPT REQUESTED**

RECEIVED

Scot Foltz, Compliance Coordinator  
Aqua Development, Inc.  
1106 Clayton Ln, Suite 400W  
Austin, Texas 78723-2476

TX ADMIN-AUSTIN

Re: Notice of Violation for the Comprehensive Compliance Investigation at:  
Creekside Estates South, 9006 Lake Lane, Houston, Harris County, Texas  
Regulated Entity No.: 102674082  
TCEQ ID No.: 1011647

Investigation No.: 1314917

Dear Mr. Foltz:

On February 1, 2016, Ms. Nicole Reed, and Ms. Valerie Burkett, of the Texas Commission on Environmental Quality (TCEQ) Houston Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for Public Water Supply. Enclosed is a summary which lists the investigation findings. During the investigation, certain outstanding alleged violations were identified for which compliance documentation is required. Please submit to this office by April 24, 2016, 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.

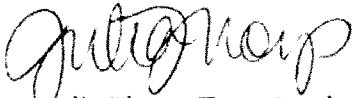
The TCEQ appreciates your assistance in this matter. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements. We anticipate that you will resolve the alleged violations as required in order to protect the State's environment. If you have additional 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. Julia Thorp, will schedule a violation review meeting

Scot Foltz, Compliance Coordinator  
March 25, 2016  
Page 2

to be conducted *within 21 days from the date of this letter*. However, please be advised that if you decide to participate in the violation review process, the TCEQ may still require you to adhere to the compliance schedule included in the attached Summary of Investigation Findings until an official decision is made regarding the status of any or all of the contested violations.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Julia Thorp", is written over the typed name.

Julia Thorp, Team Leader  
Public Water Supply  
Houston Region Office

JT/NR/mar

Enclosure: Summary of Investigation Findings

cc: Harris County Public Health and Environmental Services

## Summary of Investigation Findings

CREEKSIDE ESTATES SOUTH

9006 LAKE DRIVE

HOUSTON, HARRIS COUNTY, TX 77040

Investigation #

1314917

Investigation Date: 02/01/2016

Additional ID(s): 1011647

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

Track No: 598105 Compliance Due Date: 04/24/2016

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

**Alleged Violation:**

Investigation 1314917

Comment Date: 03/11/2016

**Operating Records and Reports**

Failure to maintain calibration records per this agency's rules and regulations, which require that the records be retained for at least three years

At the time of inspection, the water plant operator did not provide his colorimeter calibration records.

**Recommended Corrective Action:** Provide a copy of the water plant operator's colorimeter calibration records to verify compliance.

Track No: 598106 Compliance Due Date: 04/24/2016

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

**Alleged Violation:**

Investigation: 1314917

Comment Date: 03/11/2016

**Operating Records and Reports**

Failure to maintain backflow prevention device program records per this agency's rules and regulations, which require that the records be retained for at least three years.

At the time of the inspection, the water system did not provide a copy of their annual Backflow Prevention Assembly Test.

**Recommended Corrective Action:** Provide a copy of the system's annual Backflow Prevention Assembly Test to verify compliance.

Track No: 598108 Compliance Due Date: 04/08/2016

30 TAC Chapter 290.46(m)(4)

**Alleged Violation:**

Investigation 1314917

Comment Date: 03/11/2016

Failure to maintain all water storage facilities in a watertight condition. In this connection, the leaking Ground Storage Tank located at Plant #1 must be repaired or replaced as necessary

At the time of the investigation, there were multiple leaks on the side of the ground storage tank at Plant #1. Please see Photos #1, #2, and #3, in the adjoining photo report.

**Recommended Corrective Action:** Provide a picture and work invoice of the repaired external leaks on the side of the ground storage tank to verify compliance.

### ADDITIONAL ISSUES

Description

Additional Comments

Item 4

## Sample Siting Plan

Please be aware that the Environmental Protection Agency (EPA) adopted the Revised Total Coliform Rule (RTCR) on February 13, 2013. As per the revisions under RTCR, every public water system must develop and maintain sampling sites for their routine as well as their repeat sample locations. The plan shows where a system intends to complete their repeat requirements in the event of a distribution system positive. Completing this plan will help a system to comply with the monitoring requirements of the Drinking Water Standards Governing Drinking Water Quality and Reporting Requirements for Public Water Systems (30 TAC 290 Subchapter F). The plan is a system specific document which demonstrates that the monitoring performed by the system is representative of the water distributed to consumers and is consistent with regulatory requirements.

In addition, all public water systems must submit a copy of the sample siting plan for review and approval upon development and revisions. The sample siting plans are required to be submitted before April 1, 2016. Submit one (1) copy of the complete Sample Siting Plan to:

Texas Commission on Environmental Quality  
Attn. Drinking Water Quality Team (RTCR  
Program)  
Public Drinking Water Section, Mail Code 155  
PO Box 13087  
Austin, TX 78711-3087

Be sure to submit any changes to the sample siting plan to the TCEQ. Revisions may be necessary depending on sites previously listed no longer being available to sample.

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

TX ADMIN-AUSTIN

**CERTIFIED MAIL # 7011 3500 0000 0287 6260**  
**RETURN RECEIPT REQUESTED**

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

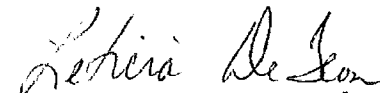
Page 2

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

, MONTGOMERY COUNTY,

Additional ID(s): 1700601

Investigation #

1217846  
Investigation Date: 01/13/2015

### 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.

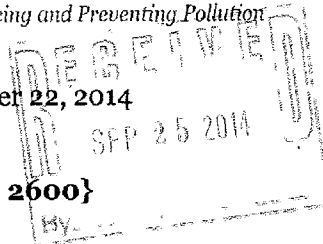
Bryan W. Shaw, Ph.D., P.E., *Chairman*  
Toby Baker, *Commissioner*  
Zak Covar, *Commissioner*  
Richard A. Hyde, P.E., *Executive Director*



## 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.

## 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

**CAMILLA TWIN HARBOR****Investigation # 1191651**

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.

**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.

**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.

**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:** 521361  
**30 TAC Chapter 290.46(l)**

**Alleged Violation:**

Investigation: 1133654

Comment Date: 12/06/2013

Failure by Camilla Twin Harbor to flush all dead end mains at monthly intervals.

The water system had not been flushing all dead end mains at monthly intervals. The 4 inch dead end main called "Janning St." was noted as being flushed in September and November 2013, but not in October 2013. Additionally, the two dead ends noted on the top the distribution map at locations without street names, were never noted as being flushed.

Investigation: 1191651

Comment Date: 09/16/2014

The water system is now flushing all dead end mains at monthly intervals.

**Recommended Corrective Action:** Flush every dead end main at monthly intervals. Submit three months of dead end flushing activities to the Beaumont Regional Office.

**Resolution:** During the CCI conducted on August 19, 2014, it was noted that the water system

had flushed each dead end main on a monthly basis within 2014.

**Summary of Investigation Findings**

CAMILLA TWIN HARBOR

Investigation # 1191651

, SAN JACINTO COUNTY,

Investigation Date: 08/19/2014

Additional ID(s): 2040038

**AREA OF CONCERN****Track No:** 548563**30 TAC Chapter 290.46(p)(2)****Alleged Violation:**

Investigation: 1191651

Comment Date: 09/16/2014

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

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

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

**Resolution:** On August 26, 2014, the Beaumont Regional Office received a copy of the list of certified operators submitted to the executive director.

**Track No:** 548567**30 TAC Chapter 290.121(a)****Alleged Violation:**

Investigation: 1191651

Comment Date: 09/16/2014

Failure by Camilla Twin Harbor Water System to maintain an up to date monitoring plan.

During the investigation, it was noted that the monitoring plan was not complete. The section regarding sampling for disinfectant by-products did not mention specific sample sites. It was noted that a list of sample sites for the disinfectant by-product sampling was attached to the monitoring plan; however, no reference to the attachment existed within the body of the monitoring plan.

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

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

**Track No:** 548568**30 TAC Chapter 290.42(l)****Alleged Violation:**

Investigation: 1191651

Comment Date: 09/16/2014

Failure by Camilla Twin Harbor Water System to have an adequate plant operations manual.

The water system did not have a complete plant operations manual at the time of the

**CAMILLA TWIN HARBOR**

Investigation # 1191651

investigation. The emergency contact information for the local, state, or federal regulating entity was not included within the emergency contacts.

**Recommended Corrective Action:** Update the Plant Operations Manual to include emergency contact information for the local, state and federal regulating entities. Submit a copy to the Beaumont Regional Office.

**Resolution:** On August 26, 2014, the Beaumont Regional Office received an updated version of the plant operations manual which appears to be adequate.

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**Track No: 548570****30 TAC Chapter 290.110(c)****Alleged Violation:**

Investigation: 1191651

Comment Date: 09/16/2014

Failure by Camilla Twin Harbor to obtain distribution disinfectant residuals from sample sites listed in the monitoring plan.

During the investigation, it was noted that the water system obtained a distribution disinfectant residual from a site called "American Legion" which was not listed as a sample site in the monitoring plan.

**Recommended Corrective Action:** Begin sampling at only sites listed within the water system's monitoring plan. Submit three months of disinfectant residual records to the Beaumont Regional Office.

**Resolution:** During the investigation, it was noted that the water system obtained distribution disinfectant residuals from sites listed in the monitoring plan since September 1, 2013.

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**ADDITIONAL ISSUES****Description****Additional Comments**

Item 11

During the investigation, it was noted that within the annual tank inspection forms for the pressure tank at plant no. 1, the inspector strongly suggested to wash and paint the interior of the tank. No action has been taken by the water system.

Item 12

During the investigation, it was noted that a backflow prevention assembly had not been installed at the Marina Store with the soda machine. Although it is not currently required to have backflow prevention assemblies on soda machines, it is strongly suggested.

Item 13

During the investigation, it was noted that the operator did not adequately rotate the disinfectant residual and bacteriological sample sites. Please note that by not rotating sample locations, the water system may not be provided a representative view of water quality throughout the distribution system.



*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 "Ron Hebert".

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



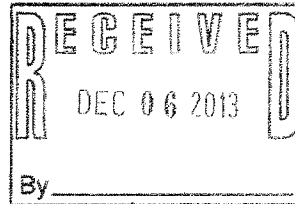
*Monica*

## 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.

Ray

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,

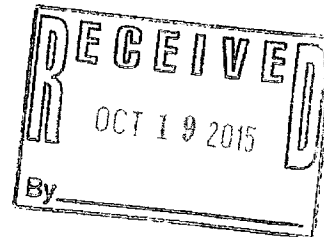
A handwritten signature in black ink, appearing to read "Julia Thorp".

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.