

## Summary of Investigation Findings

LAKES OF ROSEHILL WATER SYSTEM

Investigation #

1215929  
Investigation Date: 12/15/2014

, HARRIS COUNTY,

Additional ID(s): 1013050

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

Track No: 560642 Compliance Due Date: 02/27/2015

30 TAC Chapter 290.46(m)(4)

**Alleged Violation:**

Investigation: 1215929

Comment Date: 02/06/2015

Failure to maintain all water treatment units, water storage facilities and pressure maintenance facilities, distribution system lines and related appurtenances in a watertight condition and/or free of excessive solids.

At the time of the investigation, ground storage tanks #1 and #2 had leaks at Plant #1.

**Recommended Corrective Action:** Submit photo, receipt, invoice, or completed work order to verify compliance.

Track No: 560646 Compliance Due Date: 03/16/2015

30 TAC Chapter 290.43(d)(3)

**Alleged Violation:**

Investigation: 1215929

Comment Date: 02/06/2015

Failure to equip all air compressor injection lines for the pressure tank with a filter or other device to prevent compressor lubricants and other contaminants from entering the pressure tank.

At the time of the investigation, the air compressor injection lines for the pressure tank was without a filter.

**Recommended Corrective Action:** Submit photo, receipt, invoice, or completed work order to verify compliance.

Track No: 560651 Compliance Due Date: 02/27/2015

30 TAC Chapter 290.46(m)(4)

**Alleged Violation:**

Investigation: 1215929

Comment Date: 02/06/2015

Failure to maintain all water treatment units, water storage facilities and pressure maintenance facilities, distribution system lines and related appurtenances in a watertight condition and/or free of excessive solids.

At the time of the investigation, the injection (chlorine) line had a leak.

**Recommended Corrective Action:** Submit photo, receipt, invoice, or completed work order to verify compliance.

Track No: 560652 Compliance Due Date: 04/15/2015

30 TAC Chapter 290.46(m)

**Alleged Violation:**

Investigation: 1215929

Comment Date: 02/06/2015

Failure to properly maintain the regulated entities by not: maintaining the fence lines in order to make the fence more intruder resistant, for proper security at the facility.

At the time of the investigation the facility, the fence lines needed to be more secured.

**Recommended Corrective Action:** Submit photo, receipt, invoice, or completed work order to verify compliance.

*Bu ke*

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 12, 2016

**CERTIFIED MAIL {7015 0640 0004 7999 2762}  
RETURN RECEIPT REQUESTED**

RECEIVED

JAN 19 2016

TX ADMIN-AUSTIN

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

**Re: Additional Compliance Documentation Needed for:  
Lake Livingston Village Water Utility, Livingston (Polk County), Texas  
PWS ID No.: 1870156, Investigation No.: 1294395**

Dear Mr. Foltz:

The Texas Commission on Environmental Quality (TCEQ) Beaumont Region Office has received the compliance documentation that you submitted November 23, 2015, for the alleged violation noted during the investigation of the above-referenced facility conducted on April 2, 2015. The compliance documentation contained in your response appears to indicate that some of the problems documented during the investigation have been corrected. However, information is still needed for the alleged violation listed in the enclosed summary. Please submit to our office by **February 11, 2016**, a written description of corrective action taken and the required compliance documentation demonstrating that these remaining alleged violations have been resolved.

The TCEQ appreciates your assistance in this matter and your compliance efforts to protect the State's environment. We look forward to receiving your response for the remaining alleged violation. 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 Mr. Dustin Lorange in the Beaumont Region Office at (409) 898-3838.

Sincerely,

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

Ronald Hebert  
Water Section Manager  
Beaumont Region Office

RH/DL/cal

Enclosure: Summary of Unresolved Investigation Findings

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

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## Summary of Investigation Finding

LAKE LIVINGSTON VILLAGE

1008 WINDWOOD DR

LIVINGSTON, POLK COUNTY, TX 77351

Investigation #

1241396

Investigation Date: 04/02/2015

Additional ID(s): 1870156

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

Track No: 569989

Compliance Due Date: 09/15/2015

30 TAC Chapter 290.46(f)(2)

#### Alleged Violation:

Investigation: 1241396

Comment Date: 05/11/2015

Failure by Lake Livingston Village Water Utility to have operating records accessible for review upon request.

During the investigation, three months of the following records were requested to be submitted within fourteen days (May 1, 2015): any issued Boil Water Notices, customer complaint records, monthly flushing records, weekly amount of chemicals used records, and weekly distribution disinfectant residuals. The records were never submitted.

**Recommended Corrective Action:** Develop a standard operating procedure (SOP) for submitting records upon request to the TCEQ. Submit the requested records and the SOP to the Beaumont Regional Office.

Hand

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



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

April 17, 2015

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


Re: Comprehensive Compliance Investigation at:  
Palm Crest, 3510 Palm Crest Dr., Rosharon, Brazoria County, Texas  
Regulated Entity No.: 102316189  
TCEQ ID No.: 0200617, Investigation No.: 1240295

Dear Mr. Foltz:

On April 1, 2015, Ms. Melody Kirksey, of the Texas Commission on Environmental Quality (TCEQ) Houston Region Office conducted an investigation of the above-referenced facility to evaluate compliance with the applicable requirements for public water supply systems. No violations are being alleged as a result of the investigation. In addition, please be advised that a violation could be issued upon further review of your system's records or self-reported documentation.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions regarding these matters, please feel free to contact Ms. Kirksey, in the Houston Region Office at (713) 767-3650.

Sincerely,

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

LD/MK/mar

cc: Brazoria County Health Department

RECEIVED

APR 20 2015

EX ADMIN-AUSTIN

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*

September 9, 2015

**CERTIFIED MAIL # 7014 3490 0001 0559 6837**  
**RETURN RECEIPT REQUESTED**

RECEIVED

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

TX ADMIN-AUSTIN

Re: Failure to Submit Compliance Documentation for:  
Park Forest Water System, 13080 Telge, Cypress, Harris County, Texas  
Regulated Entity No.: 102689544; TCEQ ID No.: 1013041; Investigation No.: 1222678

Dear Mr. Foltz:

By letter dated July 9, 2014, the Texas Commission on Environmental Quality (TCEQ) Houston Region Office requested that you submit information to us by October 7, 2014, verifying that the outstanding alleged violations referenced in the letter have been corrected. The alleged violations were noted during the investigation of the above-referenced facility conducted on June 12, 2014. Enclosed for your information is a copy of the letter. As of this date, we have not received from you a written description of the corrective actions taken and the required compliance documentation for these alleged violations. Please submit this information to us by no later than October 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 Mr. Huyen Luu, 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/HDL/mar

Enclosures: Copy of Previous Letter  
Summary of Investigation Findings  
cc: Harris County Public Health and Environmental Services



## Summary of Investigation Findings

**PARK FOREST WATER SYSTEM**

**13080 TELGE ROAD**

**CYPRESS, HARRIS COUNTY, TX 77429**

**Additional ID(s): 1013041**

**Investigation #**

**1222678**  
**Investigation Date: 09/04/2015**

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

**Track No: 540213      Compliance Due Date: 10/08/2015**

**30 TAC Chapter 290.46(m)**

**Alleged Violation:**

Investigation: 1173562

Comment Date: 07/07/2014

Operating Practices for Public Water Systems

Failure to properly maintain the regulated entity by not:

- a, cleaning and repainting the well head and all water plant related piping.
- b, cleaning and repainting the pressure tank.

Investigation: 1222678

Comment Date: 01/29/2015

Failure to properly maintain the regulated entity by not:

- a, cleaning and repainting the well head and all water plant related piping.
- b, cleaning and repainting the pressure tank.

**Recommended Corrective Action:** Submit documents and/or photos showing that the wellhead, the pressure tank and all related piping at the water plant have been cleaned and repainted to verify compliance.

**Track No: 540280      Compliance Due Date: 10/08/2015**

**30 TAC Chapter 290.46(m)(1)(A)**

**Alleged Violation:**

Investigation: 1173562

Comment Date: 07/03/2014

Operating Practices

Failure to inspect the interior and exterior of the ground storage tank to determine the coating systems are continuing to provide adequate protection to all metal surfaces.

It was noted during the investigation that the ground storage tank had many barnacle-like rusted spots. The tank must be inspected immediately and the repair or replacement of the tank must be done as soon as possible.

Investigation: 1222678

Comment Date: 07/31/2015

Failure to inspect the interior of the ground storage tank every five years and have it repaired as needed.

**Recommended Corrective Action:** Submit document or photo showing that the ground storage tank has been repaired or replaced to verify compliance

**Track No: 540282      Compliance Due Date: 10/08/2015**

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

**Alleged Violation:**

Investigation: 1173562

Comment Date: 07/03/2014

Failure to inspect the interior of the pressure tank every five years.



Documents presented during the record review indicated that the pressure tank was ultra sound tested on January 8, 2014 by Preventive Services, LP. The inspector recommended that the pressure tank interior must be inspected immediately.  
Investigation: 1222678                      Comment Date: 01/29/2015

Failure to inspect the interior of the pressure tank every five years.

**Recommended Corrective Action:** Submit document showing that the interior of pressure tank has been inspected to verify compliance.

PWSI/0304/ 100 /

Bryan W. Shaw, Ph.D., P.E., Chairman

Toby Baker, Commissioner

Zak Covar, Commissioner

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

JUN 12 2014



COPY

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

July 9, 2014

**CERTIFIED MAIL #7010 1870 0003 4949 7374**  
**RETURN RECEIPT REQUESTED**

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

Re: Notice of Violation for the Compliance Evaluation Investigation at:  
Park Forest Water System, 13080 Telge, Cypress, Harris County, Texas  
Regulated Entity No.: 102689544, TCEQ ID No.: 1013041, Investigation No.: 1173562

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 regulated entity to evaluate compliance with applicable requirements for Public Water Supply. Enclosed is a summary which lists the investigation findings. Please submit to this office by October 7, 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 violation, we have cited applicable requirements, including TCEQ rules. Please note that both the rules themselves and the agency brochure entitled *Obtaining TCEQ Rules* (GI 032) are located on our agency website at <http://www.tceq.state.tx.us> for your reference. If you would like a hard copy of this brochure mailed to you, you may call and request one from either the 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 DeLeon, will schedule a violation review meeting to be conducted *within 21 days from the date of this letter OR specified date at specific time*. However, please be advised that if you decide to participate in the violation review process, the TCEQ may still require you to adhere to the compliance schedule included in the attached Summary of Investigation Findings until an official decision is made regarding the status of the contested violations.

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

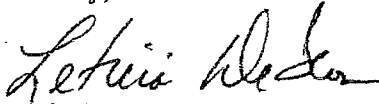
Austin Headquarters: 512-239-1000 • [tceq.texas.gov](http://tceq.texas.gov) • How is our customer service? [tceq.texas.gov/customer/survey](http://tceq.texas.gov/customer/survey)

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Mr. Scot W. Foltz, Environmental Compliance Manager  
July 9, 2014  
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 DeLeon".

Leticia DeLeon, PWS Team Leader  
Houston Region Office

LD/HDL/ra

cc: Harris County Public Health and Environmental Services

Enclosures: Summary of Investigation Findings

## Summary of Investigation Findings

**PARK FOREST WATER SYSTEM**

13080 TELGE ROAD  
CYPRESS, HARRIS COUNTY, TX 77429

**Investigation #****1173562**  
**Investigation Date: 06/12/2014****Additional ID(s): 1013041**

OUTSTANDING ALLEGED VIOLATIONS  
ASSOCIATED TO A NOTICE OF VIOLATION

**Track No: 540213**      **Compliance Due Date: 10/07/2014**  
**30 TAC Chapter 290.46(m)**

**Alleged Violation:****Investigation: 1173562****Comment Date: 07/07/2014****Operating Practices for Public Water Systems .**

Failure to properly maintain the regulated entity by not:

- a, cleaning and repainting the well head and all water plant related piping.
- b, cleaning and repainting the pressure tank.

**Recommended Corrective Action:** Submit documents and/or photos showing that the wellhead, the pressure tank and all related piping at the water plant have been cleaned and repainted to verify compliance.

**Track No: 540280**      **Compliance Due Date: 10/07/2014**  
**30 TAC Chapter 290.46(m)(1)(A)**

**Alleged Violation:****Investigation: 1173562****Comment Date: 07/03/2014****Operating Practices**

Failure to inspect the interior and exterior of the ground storage tank to determine the coating systems are continuing to provide adequate protection to all metal surfaces.

It was noted during the investigation that the ground storage tank had many barnacle-like rusted spots. The tank must be inspected immediately and the repair or replacement of the tank must be done as soon as possible.

**Recommended Corrective Action:** Submit document or photo showing that the ground storage tank has been repaired or replaced to verify compliance

**Track No: 540282**      **Compliance Due Date: 10/07/2014**  
**30 TAC Chapter 290.46(m)(1)(B)**

**Alleged Violation:****Investigation: 1173562****Comment Date: 07/03/2014**

Failure to inspect the interior of the pressure tank every five years.

Documents presented during the record review indicated that the pressure tank was ultra sound tested on January 8, 2014 by Preventive Services, LP. The inspector recommended that the pressure tank interior must be inspected immediately.

**Recommended Corrective Action:** Submit document showing that the interior of pressure tank has been inspected to verify compliance.



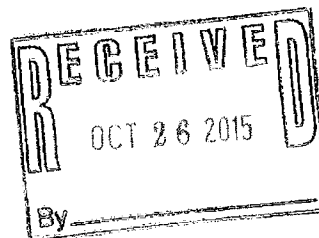
Bryan W. Shaw, Ph.D., P.E., *Chairman*  
Toby Baker, *Commissioner*  
Jon Niermann, *Commissioner*  
Richard A. Hyde, P.E., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

October 26, 2015



Dan Rimann, Vice President  
Aqua Texas, Inc.  
1106 Clayton Lane, Ste. 400 W  
Austin, Texas 78723

Re: Notice of Compliance with Notice of Violation (NOV) dated December 18, 2013:  
Peek Road Utilities, 22223 Sandspoint Dr., Harris County, Texas  
Regulated Entity No.: 102687068  
TCEQ ID No.: 1011955  
Investigation No. 1287350

Dear Mr. Riman:

On April 9, 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 October 2, 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 Ms. Sharon Salinas, 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/SS/mar

Enclosure: Summary of Investigation Findings

cc: Harris County Public Health and Environmental Services



## Summary of Investigation Findings

PEEK ROAD UTILITIES

Investigation #

1287350

Investigation Date: 10/19/2015

, HARRIS COUNTY,

Additional ID(s): 1011955

### ALLEGED VIOLATION(S) NOTED AND RESOLVED

Track No: 521368

30 TAC Chapter 290.45

#### Alleged Violation:

Investigation: 1133943

Comment Date: 12/06/2013

#### Capacity Requirement

Failure to meet this Agency's "Minimum Water System Capacity Requirements." These requirements include:

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

At the time of the inspection the facility had a total of 161 active connections and is required to provided 0.6 gallons per minute (gpm) per connection (conn). Your well produced a total of 65 gpm and is short 31.6 gpm. This is calculated in the following manner:

Required: 0.6 gpm/conn X 161 conn.= 96.6 gpm Total

Short: 96.6 gpm Required- 65 gpm= 31.6 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: 1190597

Comment Date: 08/14/2014

#### Failure to meet this Agency's "Minimum Water System Capacity Requirements.

Investigation: 1287350

Comment Date: 10/19/2015

#### Capacity Requirement

Failure to meet this Agency's "Minimum Water System Capacity Requirements." These requirements include:

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

At the time of the inspection the facility had a total of 161 active connections and is required to provided 0.6 gallons per minute (gpm) per connection (conn). Your well produced a total of 65 gpm and is short 31.6 gpm. This is calculated in the following manner:

Required: 0.6 gpm/conn X 161 conn.= 96.6 gpm Total

Short: 96.6 gpm Required- 65 gpm= 31.6 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:** Compliance Documentation: Submit a compliance plan, engineering report or certification OR a copy of a letter requesting an exception in addition to a compliance plan for final compliance, OR a copy of a letter granting an exception to verify compliance

**Resolution:** On April 9, 2015 the regulated entity submitted via regular mail a copy of copy of the invoice for a larger water pump verifying compliance.

Amanda

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

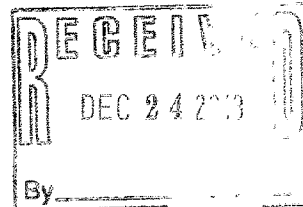


## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

December 18, 2013

**CERTIFIED MAIL #7011 3500 0279 5813**  
**RETURN RECEIPT REQUESTED**



Mr. Dan Rimann, Vice President  
Aqua Texas, Inc.  
1106 Clayton Lane, Ste. 400 W  
Austin, Texas 78723

Re: Notice of Violation for the Comprehensive Compliance Investigation at:  
Peek Road Utilities, 22223 Sandspoint Dr., Harris County, Texas  
Regulated Entity No.: 102687068, TCEQ ID No.: 1011955, Investigation No.: 1133943

Dear Mr. Rimann:

On October 02, 2013, Ms. Elaine Jackson of the Texas Commission on Environmental Quality (TCEQ) Houston Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for Public Water Supply. Enclosed is a summary which lists the investigation findings. In addition, certain outstanding alleged violations were identified for which compliance documentation is required. Please submit to this office by March 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.texas.gov> for your reference. If you would like a hard copy of this brochure mailed to you, you may call and request one from either the Houston Region Office at Phone (713)767-3650 or the Central Office Publications Ordering Team at (512)239-0028.

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

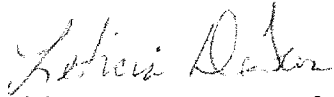
Mr. Dan Rimann , Vice President

Page 2

December 18, 2013

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

Sincerely,



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

LD/ETJ/ra

cc: Harris County Public Health and Environmental Services

Enclosure: Summary of Investigation Findings

## Summary of Investigation Findings

PEEK ROAD UTILITIES

Investigation #

1133943  
Investigation Date: 10/02/2013

, HARRIS COUNTY,

Additional ID(s): 1011955

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

Track No: 416976      Compliance Due Date: 03/20/2014  
30 TAC Chapter 290.46(m)

**Alleged Violation:**

Investigation: 870366

Comment Date: 11/12/2010

Operating Practices for Public Water Systems

Failure to properly maintain the regulated entity by not keeping the fence around the water plant free of vegetation.

At the time of the inspection, there was overgrown vegetation on the water plant fence, which could lead to compromise of the integrity of the barbed wire strands and eventually the fence itself. In addition, there were high weeds inside the fence which needed to be mowed down.

Investigation: 893775

Comment Date: 01/28/2011

Operating Practices for Public Water Systems

Failure to properly maintain the regulated entity by not keeping the water plant fence free of vegetation.

To date, this violation has not been resolved.

Investigation: 1133943

Comment Date: 12/06/2013

Failure to keep the water plant fence free of vegetation.

**Recommended Corrective Action:** Submit a work order, invoice, receipt, or photo documenting the overgrown vegetation has been removed to verify compliance.

Track No: 521352      Compliance Due Date: 03/20/2014  
30 TAC Chapter 290.46(m)

**Alleged Violation:**

Investigation: 1133943

Comment Date: 12/06/2013

Operating Practices for Public Water Systems

Failure to properly maintain the regulated entity by not repairing the barbed wire on the south side of fence protecting the well site.

**Recommended Corrective Action:** Submit copy of photo of work order to verify that the fence has been repaired.

Track No: 521368      Compliance Due Date: 03/20/2014  
30 TAC Chapter 290.45

**Alleged Violation:**

Investigation: 1133943

Comment Date: 12/06/2013

Capacity Requirement

Failure to meet this Agency's "Minimum Water System Capacity Requirements." These requirements include:

**PEEK ROAD UTILITIES****Investigation # 1133943**

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

At the time of the inspection the facility had a total of 161 active connections and is required to provide 0.6 gallons per minute (gpm) per connection (conn). Your well produced a total of 65 gpm and is short 31.6 gpm. This is calculated in the following manner:

Required: 0.6 gpm/conn X 161 conn.= 96.6 gpm Total  
Short: 96.6 gpm Required- 65 gpm= 31.6 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:** Compliance Documentation: Submit a compliance plan, engineering report or certification OR a copy of a letter requesting an exception in addition to a compliance plan for final compliance, OR a copy of a letter granting an exception to verify compliance.

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

Track No: 521349

30 TAC Chapter 290.42(e)(4)(C)

**Alleged Violation:**

Investigation: 1133943

Comment Date: 12/06/2013

**Disinfection**

Failure to provide an operable high level forced draft ventilation fan in the gas chlorination room. The fan must be repaired or replaced. In this connection, the broken fan need to be repaired or replaced.

**Recommended Corrective Action:** Submit copy of photo or work order to verify that the fan has been repaired or replaced.

**Resolution:** On October 27, 2013, Information was fax to correct the broken fan violation.

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*

February 24, 2016

RECEIVED

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

TX ADMIN-AUSTIN

Re: Complaint Investigation at:  
Plantation on Cotton Bayou, 6500 Plantation Dr., Chambers County, Texas  
Regulated Entity No.: 102692027, TCEQ ID No.: 0360096, Investigation No.: 1312352

Dear Mr. Foltz:

On February 9 through February 18, 2016, Ms. Christina Bernal of the Texas Commission on Environmental Quality (TCEQ) Houston Region Office conducted an investigation of the above-referenced facility to evaluate compliance with the applicable requirements for public water supply systems. No violations are being alleged as a result of the investigation. In addition, please be advised that a violation could be issued upon further review of your system's records or self-reported documentation.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions regarding these matters, please feel free to contact Ms. Christina Bernal in the Houston Region Office at (713) 767-3650.

Sincerely,

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

LaTrichia Spikes, Team Leader  
Public Water Supply  
Houston Region Office

LS/CB/ra

cc: Chambers County Environmental Health and Permitting

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

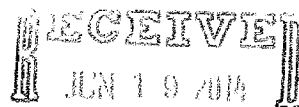


## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

June 16, 2014

**CERTIFIED MAIL {7012 3050 0001 1259 4855}  
RETURN RECEIPT REQUESTED**



BY: .....

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

**Re: Notice of Violation for Public Water Supply Comprehensive Compliance  
Investigation at: Port Adventure, Trinity (Trinity County), Texas 75862  
PWS ID: 2280031; Investigation Number: 1164516**

Dear Mr. Foltz:

On April 17, 2014, Ms. Ruth Potato, 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 non-compliances that have been resolved as Areas of Concern based on subsequent corrective action. In addition, a certain outstanding alleged violations were identified for which compliance documentation is required. Please submit to this office by **August 15, 2014** a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for each of the outstanding alleged violation.

In the listing of the alleged violation, we have cited applicable requirements, including TCEQ rules. Please note that both the rules themselves and the agency brochure entitled *Obtaining TCEQ Rules* (GI 032) are located on our agency website at <http://www.tceq.state.tx.us> for your reference. If you would like a hard copy of this brochure mailed to you, you may call and request one from either the 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 will schedule a violation review meeting to be conducted *within* 21 days from the date of this letter or specified date at specific time.

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

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

printed on recycled paper using soy-based ink

Mr. Scott Foltz, Compliance Manager  
Aqua Utilities, Inc.  
Page 2  
June 16, 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 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. Ruth Potato in the Beaumont Region Office at 409-898-3838.

Sincerely,

A handwritten signature in black ink, appearing to read "ACRP" followed by a small mark.

Alex Crank  
Water Section Work Leader  
Beaumont Region Office

AC/RP/bd

Attachment: Summary of Investigation Findings



## Summary of Investigation Findings

PORT ADVENTURE

318 CARDINAL BLVD

TRINITY, TRINITY COUNTY, TX 75862

Additional ID(s): 2280031

Investigation #

1164516

Investigation Date: 04/17/2014

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

Track No: 341639

Compliance Due Date: 08/15/2014

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

#### Alleged Violation:

Investigation: 686150

Comment Date: 08/08/2008

Failure to obtain a sanitary control easement or executive director approval for a substitute for obtaining, recording, and submitting a copy of the recorded sanitary control easement(s).

30 TAC 290.41(c)(1)(F) states that the water system shall obtain a sanitary control easement or sanitary control easements covering land within 150 feet of the well, or executive director approval for a substitute authorized by this subsection.

During the investigation, the investigator noted that the water system did not have sanitary control easements for the wells.

Investigation: 737430

Comment Date: 05/07/2009

On January 8, 2009, the water system provided a written response to this alleged violation.

At this time the water system does not have sanitary control easements for their wells. Additional data has been requested by Mr. Joel Klumpp with the TCEQ Drinking Water Section, before an exception to this requirement can be granted. At this time, the water system has collected this information but has not received approval from their lawyers to submit this information to Mr. Klumpp. The water system is taking monthly raw water samples at their wells until this issue can be resolved.

Investigation: 963143

Comment Date: 11/07/2011

The water system submitted documentation to the TCEQ Central Office on September 10, 2007 and October 31, 2007, to request an exemption to the sanitary control easement rule. Both attempts were denied. Compliance documentation has not been received since this date.

Investigation: 995320

Comment Date: 03/22/2012

The water system submitted a letter received on March 16, 2012 in reference to the sanitary control easement. The letter stated that the properties for the water system are under litigation. Adequate compliance documentation has not been achieved for the outstanding alleged violation.

Investigation: 1028773

Comment Date: 08/24/2012

Compliance documentation has not been submitted for the outstanding alleged violation.

Investigation: 1164516

Comment Date: 05/30/2014

During the investigation, the water system failed to obtain a copy of the sanitary control easement.

**Recommended Corrective Action:** The water system must obtain and submit recorded copies of sanitary control easements or an approved substitute for all land within 150 feet of each well (for Well Nos. G2280031A and G2280031D).

For each well without all necessary easements, submit a compliance schedule within 30 days.

Please submit a letter documenting the actions of the water system and recorded copies of

**PORT ADVENTURE**

Investigation # 1164516

sanitary control easements or an approved substitute for all land within 150 feet of the well.

---

**Track No: 537042      Compliance Due Date: 08/15/2014****30 TAC Chapter 290.41(c)(1)(F)****Alleged Violation:**

Investigation: 1164516

Comment Date: 06/11/2014

Failure by Port Adventure to have records accessible for review during an inspection.

During the investigation, it was noted that the water system failed to have records accessible for review during an inspection. The following records were not accessible for review: plant operations manual, tank inspections for 2011 and 2012, distribution map, and customer service inspection form. This was cited the last inspection.

**Recommended Corrective Action:** Develop and implement operating procedure to ensure that all records are available during inspections. Submit a copy of the operating procedure to the Beaumont Regional office.

---

**Track No: 537048      Compliance Due Date: 08/15/2014****30 TAC Chapter 290.46(t)****Alleged Violation:**

Investigation: 1164516

Comment Date: 06/13/2014

Failure by Port Adventure to have a posted ownership sign at well no. 1.

During the investigation, it was noted that the water system failed to have a posted ownership sign with an emergency contact number or information at well no. 1.

**Recommended Corrective Action:** Post an ownership sign with an emergency contact information at well no. 1 and submit photographic documentation of the posted sign to the Beaumont Regional office.

---

**Track No: 537050      Compliance Due Date: 08/15/2014****30 TAC Chapter 290.46(m)****Alleged Violation:**

Investigation: 1164516

Comment Date: 06/13/2014

Failure by Port Adventure to have a good housekeeping practice to ensure the good working condition and general appearance of the system's facilities and equipment.

During the investigation, it was noted that the meter assembly bolts located on well no. 2 and the valve on the ground storage tank were severely rusted.

**Recommended Corrective Action:** Replace or paint the bolts on the well meter assembly and the valve on the ground storage tank. Submit photographic documentation which displays that the bolts and valve have been replaced or painted to the Beaumont Regional office.

---

**Track No: 537051      Compliance Due Date: 08/15/2014****30 TAC Chapter 290.46(m)****Alleged Violation:**

Investigation: 1164516

Comment Date: 06/13/2014

Failure by Port Adventure to maintain the caustic container in good working condition.

During the investigation, it was noted that the caustic container had a major leak. It was also noted that storage room floor and walls were damaged by the leak.

**Recommended Corrective Action:** Remove or replace the damaged container, repair the damaged floor and walls, and dispose of all contaminated materials in safe manner. Submit

**PORT ADVENTURE****Investigation # 1164516**

photographic documentation displaying the repaired storage room to the Beaumont Regional office.

**Track No: 537052      Compliance Due Date: 08/15/2014****30 TAC Chapter 290.46(m)(1)(B)****Alleged Violation:**

Investigation: 1164516

Comment Date: 06/13/2014

Failure by Port Adventure to maintain the 5,000 gallon pressure tank.

During the investigation, it was noted that the water system failed to maintain the 5,000 gallon pressure tank. At the time of reviewing records, the annual tank inspection forms dated 2013 noted corrosion and rust on the interior of the pressure tank. This was also noted during the last inspection.

**Recommended Corrective Action:** Recoat the interior of the pressure tank and submit photographic documentation or receipt to the Beaumont Regional office.

**Track No: 537054      Compliance Due Date: 08/15/2014****30 TAC Chapter 290.42(e)(4)(A)****Alleged Violation:**

Investigation: 1164516

Comment Date: 06/13/2014

Failure by Port Adventure to have a Self Contained Breathing Apparatus (SCBA) accessible to the operator in case of an emergency.

During the investigation, it was noted that the water system failed to have an SCBA accessible to the operator. During the investigation, Mr. Donald Francis, Operator, stated that each operator maintains an SCBA within each company work truck. However, during the investigation Mr. Donald Francis did not have the SCBA available for the investigator to inspect. A record request was submitted for a photographic documentation displaying the SCBA. No photographic documentation was submitted prior to approval of the report.

**Recommended Corrective Action:** Obtain an SCBA and submit photographic documentation to the Beaumont Regional office.

**Track No: 538100      Compliance Due Date: 08/15/2014****30 TAC Chapter 290.46(v)****Alleged Violation:**

Investigation: 1164516

Comment Date: 06/13/2014

Failure by Port Adventure to have all the electrical wires in conduit.

During the investigation, it was noted that some electrical wires located inside the chlorine room was not securely placed in conduit.

**Recommended Corrective Action:** Place all electrical wires located in the chlorine room in conduit. Submit photographic documentation displaying that the wires have been placed in conduit to the Beaumont Regional office.

**AREA OF CONCERN****Track No: 537043****30 TAC Chapter 290.46(f)(3)(A)(I)(III)****Alleged Violation:**

Investigation: 1164516

Comment Date: 06/13/2014

**PORT ADVENTURE**

Investigation # 1164516

Failure by Port Adventure to record the amount of chemicals used once every seven days.

During the investigation, it was noted that the water system failed to record the amount of chemicals used each week. On August 20, 23, and December 12, 2013, the amount of caustic and polyphosphate used were not listed. In addition, on October 14 and November 8, 2013, the amount of caustic used was not recorded. The space designated for caustic and polyphosphate were left blank without explanation regarding to why the amount of chemicals used were not recorded.

**Recommended Corrective Action:** Submit three months records of amount of chemicals used to the Beaumont Regional office.

**Resolution:** On April 25, 2014, the water system submitted three months records of chemical usage.

---

**Track No: 537044****30 TAC Chapter 290.46(f)(3)(A)(ii)(III)****Alleged Violation:**

Investigation: 1164516

Comment Date: 06/11/2014

Failure by Port Adventure to record the amount of treated water every week.

During the investigation, it was noted that the water system failed to record the amount of treated water used each week. On February 5, 2013, the amount of treated water from well no. 1 and 2 were left blank. On January 11, 25, August 1, 5, 12 and 19, 2013, the amount of treated water from well no. 1 was not listed.

**Recommended Corrective Action:** Begin recording the amount of water used once every week and submit three months records of amount of water used weekly to the Beaumont Regional office.

**Resolution:** On April 25, 2014, the water system submitted three months records displaying the amount of water treated every week.

---

**Track No: 537046****30 TAC Chapter 290.110(c)(4)(A)****Alleged Violation:**

Investigation: 1164516

Comment Date: 06/11/2014

Failure by Port Adventure to record the chlorine residual once every seven days.

During the investigation, it was noted that the water system failed to record the disinfectant residual monitoring results from the distribution system every week. It was noted that the water system recorded a chlorine residual on October 14 and the next chlorine residual was recorded on October 22, 2013. In addition, a chlorine residual reading was recorded on December 23 and the next recorded reading was taken on December 31, 2013. On both instances the chlorine residuals were taken on the eighth day instead of the seventh day.

**Recommended Corrective Action:** Begin recording the chlorine residual once every seven days and submit three months record of the chlorine residual to the Beaumont Regional office.

**Resolution:** On April 25, 2014, the water system submitted three months records of chlorine residual.

---

**Track No: 537053****30 TAC Chapter 290.42(e)(4)(A)****Alleged Violation:**

Investigation: 1164516

Comment Date: 06/13/2014

Failure by Port Adventure to have fresh ammonia available outside chlorination room.

During the investigation, it was noted that the water system failed to have fresh ammonia

**PORT ADVENTURE****Investigation # 1164516**

readily available outside the chlorine room. It was noted that the ammonia was stored inside the chlorine room. On the same day, the operator removed the bottle of fresh ammonia from the chlorine room. This will be cited as noted and resolved.

**Recommended Corrective Action:** Move the fresh ammonia outside the chlorination room and submit photographic documentation to the Beaumont Regional office.

**Resolution:** During the investigation, the operator removed the bottle of fresh ammonia from the chlorine room.

**ADDITIONAL ISSUES****Description**

Item 12

**Additional Comments**

During the investigation, the following additional issues were noted: the ground storage tank overflow was located on top of the tank and was not accessible to the investigator to evaluate; and a large hole was noted next to the ground storage tank which can potentially affect the foundation of the tank.

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



*Hans*

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

February 17, 2015

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

RECEIVED

FEB 19 2015

TX ADMIN-AUSTIN

Re: Comprehensive Compliance Investigation at:  
Pyssens Live Oak Estates Subdivision, 200 Jay Street, Boling, Wharton County, Texas  
Regulated Entity No.: 102673472, TCEQ ID No.: 2410010  
Investigation No.: 1217830

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 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 cursive script that reads "Leticia De Leon".

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

LD/LS/mar

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

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



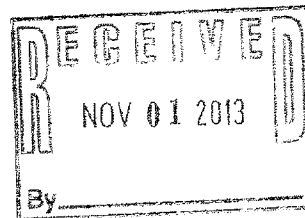
*Anna*

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

October 28, 2013

Mr. Steve Blackhurst, Regulatory and Compliance Officer  
Pine Trail Utility  
1106 Clayton Lane Suite 400  
Austin, Texas 78723-1066




Re: Comprehensive Compliance Investigation at:  
Pine Trails Utility, 6018 Woodbend Dr., Houston, Harris County, Texas  
Regulated Entity No.: 102451135, TCEQ ID No.: 1010535 Investigations No.: 1122245

Dear Mr. Blackhurst:

On September 12, 2013, 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; 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. David W. Livings in the Houston Region Office at (713)767-3650.

Sincerely,

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

LD/DWL/ra

Enclosures: Summary of Investigation Findings

cc: Harris County Public Health and Environmental Services

## Summary of Investigation Findings

PINE TRAILS UTILITY

6018 WOOD BEND DR

HOUSTON, HARRIS COUNTY, TX 77049

Investigation #

1122245

Investigation Date: 09/12/2013

Additional ID(s): 1010535

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.

(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.

Specifically, it is noted on this investigation that your ground storage tank, has reached 88.4 % of its capacity. This was based on 2323 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., 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*

June 6, 2014

RECEIVED  
JUN 09 2014

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

BY: .....

Re: Comprehensive Compliance Investigation at:  
Redwood Estates Mobile Home Park, 11635 Scenic River Dr., Harris Co., Texas  
TCEQ ID No.: 1010307, RN # 102683828, Investigation No.: 1166233

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, appearing to read "Leticia De Leon".

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

LD/DWL/kc

Harris County Public Health and Environmental Services

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



*Duke*

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

December 28, 2015

RECEIVED

JAN 04 2016

TX ADMIN-AUSTIN

Scot W. Foltz, 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 19, 2015:  
Rolling Oaks, 8111 Rolling Oaks Drive, Harris County, Texas  
Regulated Entity No.: 102690005  
TCEQ ID No.: 1011861

Investigation No.: 1295192

Dear Mr. Foltz:

On July 9, 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 January 14, 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. Nicole Reed, 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/NR/mar

cc: Harris County Public Health and Environmental Services

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 19, 2015

RECEIVED

**CERTIFIED MAIL #7011 3500 0000 0287 6291**  
**RETURN RECEIPT REQUESTED**

FEB 23 2015

TX ADMIN-AUSTIN

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

Re: Notice of Violation for the Comprehensive Compliance Investigation at:  
Rolling Oaks, 8111 Rolling Oaks Drive, Harris County, Texas  
Regulated Entity No.: 102690005, TCEQ ID No.: 1011861  
Investigation No.: 1217866

Dear Mr. Foltz:

On January 14, 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, a certain outstanding alleged violation was identified for which compliance documentation is required. Please submit to this office by May 25, 2015, a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for the outstanding alleged violation.

In the listing of the alleged violation, we have cited applicable requirements, including TCEQ rules. Please note that both the rules themselves and the agency brochure entitled Obtaining TCEQ Rules (GI 032) are located on our agency website at <http://www.tceq.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

Mr. Scot W. Foltz, Compliance Manager

Page 2

February 19, 2015

Office within 10 days from the date of this letter. At that time, PWS Team Leader Ms. Leticia DeLeon, 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: Harris County Public Health and Environmental Services  
Mr. Larry E. Mitchell, Environmental Compliance Coordinator, Aqua Utilities,  
Inc., 1106 Clayton Lane, Ste. 400W, Austin, Texas 78723-2476

## Summary of Investigation Findings

ROLLING OAKS

, HARRIS COUNTY,

Additional ID(s): 1011861

Investigation #

1217866

Investigation Date: 01/14/2015

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

Track No: 560853

Compliance Due Date: 05/25/2015

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

#### Alleged Violation:

Investigation: 1217866

Comment Date: 02/10/2015

#### Design and Construction of Pressure Tanks

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

At the time of the investigation, an interior pressure tank inspection report was not available.

**Recommended Corrective Action:** Provide documentation that indicates the interior of the pressure tank has been inspected to verify compliance.

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



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

March 11, 2016

RECEIVED

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

TX ADMIN-AUSTIN

Re: Complaint Investigation at:  
Rosemeadows III, 10702 Trey Drive, Fort Bend County, Texas  
Regulated Entity No.: 102684040  
TCEQ ID No.: 0790396

Investigation No.: 1312511

Dear Ms. Foltz:

On February 18, 2016, Ms. Meng Zhang, 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. Zhang, 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/MZ/mar

cc: Fort Bend County Health Department

flex

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

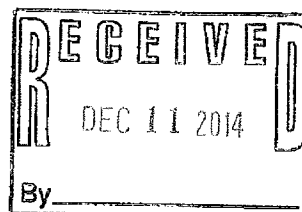


## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

December 9, 2014

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



Re: Comprehensive Compliance Investigation at:  
Riverwood Forest, 32611 Westminister Dr., Fulshear, Fort Bend County, Texas  
Regulated Entity No.:101236099, TCEQ ID No.:0790405, Investigation No.: 1192791

Dear Mr. Foltz:

On October 28, 2014, Ms. Mary Hopkins 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.

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. Mary Hopkins 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/MVH/ra

cc: Ft. Bend County Environmental Health Department

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

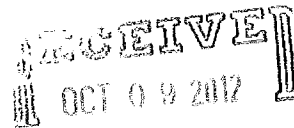
Bryan W. Shaw, Ph.D., *Chairman*  
Carlos Rubinstein, *Commissioner*  
Toby Baker, *Commissioner*  
Zak Covar, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

October 5, 2012



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

BY: .....

Re: Compliance Evaluation Investigation at:  
Reatta Estates Water System, , Wise County, Texas  
RN101192656, TCEQ Additional ID 2490056, Investigation No. 1031102

Dear Mr. Blackhurst:

On September 12, 2012, Mr. Steven Mindt of the Texas Commission on Environmental Quality (TCEQ) Dallas/Fort Worth Region Office conducted an investigation of the above-referenced facility to evaluate compliance with applicable requirements for public water supply. No violations are being alleged as a result of the investigation.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions regarding these matters, please feel free to contact Mr. Steven Mindt in the Dallas/Fort Worth Region Office at (817) 588-5843.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles Marshall".

Charles Marshall, Team Leader  
Dallas/Fort Worth Region Office

CM/sm



Roy

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



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

July 9, 2014

**CERTIFIED MAIL #7010 1870 0003 4949 7374**  
**RETURN RECEIPT REQUESTED**



BY: .....

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

Re: Notice of Violation for the Compliance Evaluation Investigation at:  
Park Forest Water System, 13080 Telge, Cypress, Harris County, Texas  
Regulated Entity No.: 102689544, TCEQ ID No.: 1013041, Investigation No.: 1173562

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 regulated entity to evaluate compliance with applicable requirements for Public Water Supply. Enclosed is a summary which lists the investigation findings. Please submit to this office by October 7, 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 violation, we have cited applicable requirements, including TCEQ rules. Please note that both the rules themselves and the agency brochure entitled *Obtaining TCEQ Rules* (GI 032) are located on our agency website at <http://www.tceq.state.tx.us> for your reference. If you would like a hard copy of this brochure mailed to you, you may call and request one from either the 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 DeLeon, will schedule a violation review meeting to be conducted *within 21 days from the date of this letter OR specified date at specific time*. However, please be advised that if you decide to participate in the violation review process, the TCEQ may still require you to adhere to the compliance schedule included in the attached Summary of Investigation Findings until an official decision is made regarding the status of the contested violations.

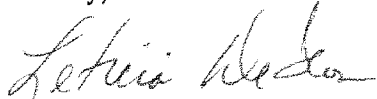
Mr. Scot W. Foltz, Environmental Compliance Manager

July 9, 2014

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 DeLeon".

Leticia DeLeon, PWS Team Leader  
Houston Region Office

LD/HDL/ra

cc: Harris County Public Health and Environmental Services

Enclosures: Summary of Investigation Findings

## Summary of Investigation Findings

PARK FOREST WATER SYSTEM

13080 TELGE ROAD  
CYPRESS, HARRIS COUNTY, TX 77429

Additional ID(s): 1013041

Investigation #  
1173562  
Investigation Date: 06/12/2014

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

Track No: 540213      Compliance Due Date: 10/07/2014  
30 TAC Chapter 290.46(m)

**Alleged Violation:**

Investigation: 1173562

Comment Date: 07/07/2014

Operating Practices for Public Water Systems

Failure to properly maintain the regulated entity by not:

- a, cleaning and repainting the well head and all water plant related piping.
- b, cleaning and repainting the pressure tank.

**Recommended Corrective Action:** Submit documents and/or photos showing that the wellhead, the pressure tank and all related piping at the water plant have been cleaned and repainted to verify compliance.

Track No: 540280      Compliance Due Date: 10/07/2014  
30 TAC Chapter 290.46(m)(1)(A)

**Alleged Violation:**

Investigation: 1173562

Comment Date: 07/03/2014

Operating Practices

Failure to inspect the interior and exterior of the ground storage tank to determine the coating systems are continuing to provide adequate protection to all metal surfaces.

It was noted during the investigation that the ground storage tank had many barnacle-like rusted spots. The tank must be inspected immediately and the repair or replacement of the tank must be done as soon as possible.

**Recommended Corrective Action:** Submit document or photo showing that the ground storage tank has been repaired or replaced to verify compliance

Track No: 540282      Compliance Due Date: 10/07/2014  
30 TAC Chapter 290.46(m)(1)(B)

**Alleged Violation:**

Investigation: 1173562

Comment Date: 07/03/2014

Failure to inspect the interior of the pressure tank every five years.

Documents presented during the record review indicated that the pressure tank was ultra sound tested on January 8, 2014 by Preventive Services, LP. The inspector recommended that the pressure tank interior must be inspected immediately.

**Recommended Corrective Action:** Submit document showing that the interior of pressure tank has been inspected 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*

March 17, 2016

RECEIVED

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

TX ADMIN-AUSTIN

Re: Complaint Investigation at:  
Shadow Bay Subdivision, 413 1/2 Lee Shore Drive, Willis, Montgomery Co., Texas  
Regulated Entity No.: 102677077, TCEQ ID No.: 1700393, Investigation No.: 1308319

Dear Mr. Foltz:

On February 02 – March 02, 2016, Ms. Nicole Reed 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. Nicole Reed 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/NR/ra

Enclosure: Investigation Report

cc: Montgomery County Environmental Health Department



PWS\_1700393\_CO\_20160302\_Complaint Report  
**Texas Commission on Environmental Quality**  
**Investigation Report**

The TCEQ is committed to accessibility. If you need assistance in accessing this document, please contact [oce@tceq.texas.gov](mailto:oce@tceq.texas.gov)

**Customer: Aqua Utilities, Inc.**  
**Customer Number: CN602787509**

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**Regulated Entity Name: SHADOW BAY SUBDIVISION**

**Regulated Entity Number: RN102677077**

<b>Investigation #</b> 1308319	<b>Incident Numbers</b> 226993
<b>Investigator:</b> NICOLE REED	<b>Site Classification</b> GW 251-1K CONNECTION
<b>Conducted:</b> 02/02/2016 -- 03/02/2016	<b>No Industry Code Assigned</b>
<b>Program(s):</b> PUBLIC WATER SYSTEM/SUPPLY	
<b>Investigation Type:</b> Compliance Investigation	<b>Location:</b> KEY MAP 95Z
<b>Additional ID(s):</b> 1700393	
<b>Address:</b> 431.5 LEESHORE, WILLIS, TX , 77318	<b>Local Unit:</b> REGION 12 - HOUSTON <b>Activity Type(s):</b> PWSCMPL - PWS Complaint

**Principal(s):**

<b>Role</b>	<b>Name</b>
RESPONDENT	AQUA UTILITIES INC

**Contact(s):**

<b>Role</b>	<b>Title</b>	<b>Name</b>	<b>Phone</b>
REGULATED ENTITY MAIL CONTACT	ENVIRONMENTAL COMPLIANCE MANAGER	MR SCOT W FOLTZ	Work (512) 990-4400
REGULATED ENTITY CONTACT	ENVIRONMENTAL COMPLIANCE COORDINATOR	MR LARRY MITCHELL	Cell (512) 748-6284 Work (512) 990-4400 x. 56109

**Other Staff Member(s):**

<b>Role</b>	<b>Name</b>
Investigator	VALERIE BURKETT
QA Reviewer	JULIA THORP
Supervisor	KENNETH MILLER
Supervisor	JULIA THORP

**Associated Check List**

**Checklist Name**

PWS COMPLAINT INVESTIGATION  
PWS INVESTIGATION - EQUIPMENT  
MONITORING AND SAMPLING revised 06/2013

**Unit Name**

COMPLAINT INVESTIGATION  
EQUIPMENT MONITORING

## SHADOW BAY SUBDIVISION - WILLIS

2/2/2016 to 3/2/2016 Inv. # - 1308319

Page 2 of 4

### Investigation Comments:

#### DESCRIPTION OF COMPLAINT

The complainant, henceforth known as C1, contacted the Texas Commission on Environmental Quality (TCEQ) via phone on February 1, 2016 at 9:40 AM. The complainant alleged that there are five water leaks present in the Shadow Bay Subdivision at the following locations: 14222 Shadow Bay Drive, 13310 Brigadier Drive, 13172 S. Lee Shore Drive, 13410 Commander Circle, and one at 412 1/2 Lee Shore Drive. C1 alleged that they have previously contacted the water company, however they have been unresponsive.

#### ACTION TAKEN

02/02/2016

At approximately 2:30 PM, the TCEQ investigator, Ms. Nicole Reed, contacted C1. The investigator confirmed the locations of the water leaks. C1 alleged that they had already contacted the water purveyor about the alleged leaks. According to C1, water leaks are very common in the subdivision and the alleged leaks would be marked with an orange flag. The investigator confirmed that they would be out on Monday, February 8, to investigate.

02/03/16

At approximately 12:00 PM, C1 left a voice message on the investigator's office phone. The message said that Aqua Texas, the water company who owns Shadow Bay Subdivision, had fixed two of the five water leaks; one at 413 1/2 Lee Shore Drive and one at 13410 Commander Circle.

02/08/16

At approximately 10:00 AM, TCEQ investigators, Ms. Nicole Reed and Ms. Valerie Burkett arrived at 413 1/2 Lee Shore Drive to confirm that Aqua Texas had fixed one of the five leaks. It is noted that the alleged location of the water leak was flagged by an orange flag and that the leak had been repaired. Please see Photo #1 in the adjoining photo report to see the repaired area.

The two investigators went to the alleged water leak at 13172 South Lee Shore Drive. The water leak was identified by the orange flag and had not been repaired. Both investigators were able to hear the movement of water. To confirm that the source of the leak was from the potable service line, the investigator tested the water at the leak source. It is noted that the chlorine residual from the water was 2.19 milligrams per Liter (mg/L). In accordance to TCEQ rules and regulation, a disinfection residual of 0.2 mg/L for free chlorine must be maintained throughout the distribution system (30 TAC 290.110(b)(4)). As this leak had above the minimum chlorine residual standard, the leak source is most likely from a potable water service line. Please see Photos #2 and #3 in the adjoining photo report.

At approximately 10:30 AM, the investigators arrived at 14212 Shadow Bay Drive. A significant amount of water was located in the ditch between 14212 and 14210 Shadow Bay Drive. The investigators tested the water for chlorine and received a reading of 0.08 mg/L. It is noted that the investigators were unsure of the source and moved upstream of the location. The source was found between 14224 and 14222 Shadow Bay Drive. It is noted that several blue Aqua Texas flags had been placed to mark the location by the water company. Please see Photo #4 in the adjoining photo report.

At approximately 10:45 AM, the investigators arrived at 13410 Commander Circle. It is noted that there was evidence of leak repair and no present leaks that the investigators could find. Please see Photo #5 in the adjoining photo report.

At approximately 11:00 AM, the investigators arrived at 13310 Brigadier Drive. It is noted that there were blue Aqua Texas flags that confirmed the water leak location. A chlorine residual was taken to confirm the leak was of a potable water source; the residual was 1.90 mg/L. Please see Photos #6 and #7 in the adjoining photo report.

In summary, there was evidence of fixed water leaks at C1's alleged locations at 413 1/2 Lee Shore Drive and 13410 Commander Circle. It is noted that C1 had called and confirmed that these water leaks had been fixed prior to the field investigation. The water operating company, Aqua Texas, had flagged two of the leaks at 13310 Brigadier Drive and the water leak between 14224 and 14222 Shadow Bay Drive. However, the water leak found at 13172 South Lee Shore Drive was not flagged by Aqua Texas.

At approximately 1:30 PM, Ms. Reed contacted Larry Mitchell, the compliance coordinator for Aqua Texas, via phone. Mr. Mitchell did not answer and the investigator left a voice message.

02/09/16

At approximately 6:00 PM, Ms. Reed emailed Mr. Mitchell with the information about the three water leaks found

## SHADOW BAY SUBDIVISION - WILLIS

2/2/2016 to 3/2/2016 Inv. # - 1308319

Page 3 of 4

during the field investigation on Monday, 02/08/16. It is noted that the investigator alerted Mr. Mitchell that Aqua Texas would have 14 days to repair all water leaks from the date of discovery per TCEQ regulation. Ms. Reed requested that Mr. Mitchell send photographic evidence of the repairs to verify compliance.

02/14/16

At approximately 9:00 AM, C1 contacted Ms. Reed's office number that the water leak found at 13172 South Lee Shore Drive was now a major leak. It is noted that as the phone call was placed on a Sunday, the TCEQ Houston Regional Office was closed and an immediate response could not be given.

02/15/16

At approximately 8:30 AM, C1 contacted Ms. Reed's office number alleging that the leak at 13172 South Lee Shore Drive was still a major leak and the system had lost water pressure.

It is noted that as the phone call was placed on President's Day, a federal holiday, the TCEQ Houston Regional Office was closed and an immediate response could not be given.

At approximately 9:00 AM, the investigator received photographic evidence via email from Mr. Mitchell that verified the water leaks at 14224 Shadow Bay Drive and 13310 Brigadier Drive had been repaired. It is noted that the final leak at 13172 Brigadier Drive, also known as 13172 South Lee Shore Drive, will be allegedly fixed the following week.

02/16/16

At approximately 8:00 AM, the investigator contacted C1. C1 did not answer and the investigator left a voice message.

At approximately 8:30 AM, the investigator contacted the emergency number for Aqua Texas to report the alleged major leak at 13172 South Lee Shore Drive. It is noted that the investigator was told that an emergency work order would be placed and an operator send out to investigate.

At approximately 10:00 AM, C1 called the investigator's office phone. It is noted that C1 confirmed that the water leak at 13172 South Lee Shore Drive had been repaired. The water leak was repaired at approximately 12:00 PM on Monday, 02/15/16 by Aqua Texas.

03/02/16

At approximately 10:00 AM, the investigator contacted C1 via phone to confirm that all alleged water leaks had been sufficiently repaired. C1 confirmed that all water leaks had been repaired and the investigator explained that the complaint would be closed out.

### CLOSURE COMMENTS

The complainant contacted the TCEQ Regional Office alleging that there were five water leaks present in the Shadow Bay Subdivision at the following locations: 14222 Shadow Bay Drive, 13310 Brigadier Drive, 13172 South Lee Shore Drive, 13410 Commander Circle, and one at 412 1/2 Lee Shore Drive. The complainant alleged that the leaks have been ongoing, and when they contacted their water purveyor there was not a response. The investigator conducted a field investigation to confirm the water leaks. It is noted that two of the alleged water leaks had been repaired prior to the field investigation, but three water leaks were still present. The investigator emailed Larry Mitchell, the compliance coordinator for Aqua Texas who operates Shadow Bay Subdivision, to report the three water leak locations.

TCEQ's regulations require that a water leak must be repaired within 14 days of discovery and be kept in a watertight condition (30 TAC 290.46(m)(4)). It is confirmed that all three water leaks had been repaired within the 14 day deadline via photographic evidence and C1 testimony. Therefore, Shadow Bay Subdivision, at this time, is operating under TCEQ rules and regulations and no violations are being cited. Thus, this complaint is closed.

**No Violations Associated to this Investigation**



SHADOW BAY SUBDIVISION - WILLIS

2/2/2016 to 3/2/2016 Inv. # - 1308319

Page 4 of 4

Signed

Wesley Reed  
Environmental Investigator

Date 3/14/16

Signed

Julia Sharp  
Supervisor

Date 3/15/16

**Attachments: (in order of final report submittal)**

☐ Enforcement Action Request (EAR)

☒ Letter to Facility (specify type) : \_\_\_\_\_

Investigation Report

☐ Sample Analysis Results

☐ Manifests

☐ Notice of Registration

☐ Maps, Plans, Sketches

☐ Photographs

☐ Correspondence from the facility

☐ Other (specify) : \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

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



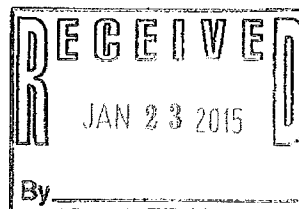
Ray

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

January 20, 2015

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



Re: Comprehensive Compliance Investigation at:  
Shadow Bay Subdivision, 431 1/2 Lee Shore Dr., Montgomery County, Texas  
Regulated Entity No.: 102677077  
TCEQ ID No.: 1700393 Investigation No.: 1210764

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

LD/VC/mar

cc: Montgomery County Environmental Health Services