

Nano

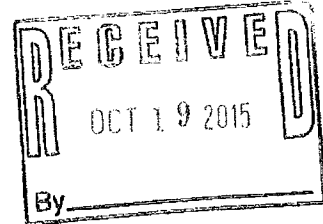
Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Jon Niermann, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 14, 2015



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

Re: Notice of Compliance with Notice of Violation (NOV) dated April 14, 2015:
Shadow Grove Estates, 420 FM 359, Richmond, Ft. Bend County, Texas
Regulated Entity No.: 102677432
TCEQ ID No.: 0790389

Investigation No. 1281913

Dear Mr. Foltz:

On September 28, 2015, the Texas Commission on Environmental Quality (TCEQ) Houston Region Office received adequate compliance documentation to resolve the alleged violations documented during the investigation of the above-referenced regulated entity conducted on March 18, 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. Maggie Wright, 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/MW/mar

Enclosure: Summary of Investigation Findings

cc: Fort Bend County Environmental Health Department

Summary of Investigation Findings

SHADOW GROVE

, FORT BEND COUNTY,

Additional ID(s): 0790389

Investigation #

1281913

Investigation Date: 09/29/2015

ALLEGED VIOLATION(S) NOTED AND RESOLVED

Track No: 564824

30 TAC Chapter 290.46(s)(1)

Alleged Violation:

Investigation: 1239135

Comment Date: 04/10/2015

Testing Equipment

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

At the time of the investigation, no well meter calibration report was provided to the investigator to review.

Investigation: 1274552

Comment Date: 08/24/2015

Testing Equipment

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

At the time of the investigation, no well meter calibration report was provided to the investigator to review.

As of this date, violation still exist.

Investigation: 1281913

Comment Date: 09/29/2015

Testing Equipment

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

At the time of the investigation, no well meter calibration report was provided to the investigator to review.

As of this date, violation still exist.

Recommended Corrective Action: Submit a copy of the well's flow meter calibration report to verify compliance.

Resolution: A copy of the well's flow meter calibration form was received by mail on September 28, 2015.

Track No: 564826

30 TAC Chapter 290.46(m)

Alleged Violation:

Investigation: 1239135

Comment Date: 04/10/2015

Operating Practices for Public Water Systems

Failure to properly maintain the regulated entity by not repairing or replacing the #2 service pump at the plant site.

At the time of the investigation, the #2 service pump was out for repair work.

Investigation: 1274552

Comment Date: 08/24/2015

Operating Practices for Public Water Systems

Failure to properly maintain the regulated entity by not repairing or replacing the #2 service pump at the plant site.

At the time of the investigation, the #2 service pump was out for repair work.

As of this date, violation still exist.

Investigation: 1281913

Comment Date: 09/29/2015

Operating Practices for Public Water Systems

Failure to properly maintain the regulated entity by not repairing or replacing the #2 service pump at the plant site.

At the time of the investigation, the #2 service pump was out for repair work.

As of this date, violation still exist.

Recommended Corrective Action: Submit a photo, receipt, invoice or work order to show the #2 service pump has been repaired or replaced to verify compliance.

Resolution: Received by mail on September 28, 2015 compliance documentation.

Track No: 565954

30 TAC Chapter 290.46(f)(3)(D)(ii)

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

Alleged Violation:

Investigation: 1239135

Comment Date: 04/10/2015

Design and Construction of Storage Tanks

Failure to conduct an inspection of the ground storage tank at least annually, to determine that the vents are in place and properly screened, the roof hatches closed and locked, flap valves and gaskets provide adequate protection against insects, rodents, and other vermin, and that the interior and exterior coating systems are continuing to provide adequate protection to all metal surfaces, and that the tank remains in a watertight condition.

Records

Failure to maintain and record the results of these inspections for at least five years. The records must be available for review by Commission staff during annual sanitary surveys of the system.

At the time of the investigation on March 18, 2015, no copies of the ground storage tank inspection (interior or exterior) reports were provided for the investigator to review.

Investigation: 1274552

Comment Date: 08/24/2015

Design and Construction of Storage Tanks

Failure to conduct an inspection of the ground storage tank at least annually, to determine that the vents are in place and properly screened, the roof hatches closed and locked, flap valves and gaskets provide adequate protection against insects, rodents, and other vermin, and that the interior and exterior coating systems are continuing to provide adequate protection to all metal surfaces, and that the tank remains in a watertight condition.

Records

Failure to maintain and record the results of these inspections for at least five years. The records must be available for review by Commission staff during annual sanitary surveys of the system.

SHADOW GROVE**Investigation # 1281913**

At the time of the investigation on March 18, 2015, no copies of the ground storage tank inspection (interior or exterior) reports were provided for the investigator to review.

As of this date, violation still exist.

Investigation: 1281913

Comment Date: 09/29/2015

Design and Construction of Storage Tanks

Failure to conduct an inspection of the ground storage tank at least annually, to determine that the vents are in place and properly screened, the roof hatches closed and locked, flap valves and gaskets provide adequate protection against insects, rodents, and other vermin, and that the interior and exterior coating systems are continuing to provide adequate protection to all metal surfaces, and that the tank remains in a watertight condition.

Records

Failure to maintain and record the results of these inspections for at least five years. The records must be available for review by Commission staff during annual sanitary surveys of the system.

At the time of the investigation on March 18, 2015, no copies of the ground storage tank inspection (interior or exterior) reports were provided for the investigator to review.

As of this date, violation still exist.

Recommended Corrective Action: Submit a copy of the ground storage tank inspection (interior and exterior) reports to verify compliance.

Resolution: A completed copy of the ground storage tank inspection form was received by mail on September 28, 2015.

Track No: 565963

30 TAC Chapter 290.46(f)(3)(D)(ii)

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

Alleged Violation:

Investigation: 1239135

Comment Date: 04/10/2015

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.

Records

Failure to maintain and record the results of these inspections for at least five years. The records must be available for review by Commission staff during annual sanitary surveys of the system.

At the time of the investigation on March 18, 2015, no copies of the pressure tank inspection (interior or exterior) reports were provided for the investigator to review.

Investigation: 1274552

Comment Date: 08/24/2015

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.

Records

Failure to maintain and record the results of these inspections for at least five years. The records must be available for review by Commission staff during annual sanitary surveys of

At the time of the investigation on March 18, 2015, no copies of the pressure tank inspection (interior or exterior) reports were provided for the investigator to review.

As of this date, violation still exist.
Investigation: 1281913

Comment Date: 09/29/2015

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.

Records

Failure to maintain and record the results of these inspections for at least five years. The records must be available for review by Commission staff during annual sanitary surveys of the system.

At the time of the investigation on March 18, 2015, no copies of the pressure tank inspection (interior or exterior) reports were provided for the investigator to review.

As of this date, violation still exist.

Recommended Corrective Action: Submit a copy of the pressure tank inspection (interior and exterior) reports to verify compliance.

Resolution: A completed copy of the pressure tank inspection form was received by mail on September 28, 2015.

Wan

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

CERTIFIED MAIL # 7014 3490 0001 0559 6981
RETURN RECEIPT REQUESTED

RECEIVED

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

X ADMIN-AUSTIN

Re: Failure to Submit Compliance Documentation for:
Shadow Grove Estates, 420 FM 359, Richmond, Ft. Bend County, Texas
Regulated Entity No.: 102677432
TCEQ ID No.: 0790389

Investigation No.: 1274552

Dear Mr. Foltz:

By letter dated April 14, 2015, the Texas Commission on Environmental Quality (TCEQ) Houston Region Office requested that you submit information to us by July 15, 2015, 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 March 18, 2015. 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 September 28, 2015.

The Texas Commission on Environmental Quality appreciates your assistance in this matter and looks forward to receiving your response. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements. If you or members of your staff have any questions, please feel free to contact Ms. Maggie Wright, 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/MW/mar

Enclosures: Copy of Previous Letter
Summary of Investigation Findings

cc: Fort Bend County Health Department

Summary of Investigation Findings

SHADOW GROVE

Investigation #

1274552

Investigation Date: 08/24/2015

, FORT BEND COUNTY,

Additional ID(s): 0790389

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

Track No: 564824 Compliance Due Date: 07/15/2015

30 TAC Chapter 290.46(s)(1)

Alleged Violation:

Investigation: 1239135

Comment Date: 04/10/2015

Testing Equipment

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

At the time of the investigation, no well meter calibration report was provided to the investigator to review.

Investigation: 1274552

Comment Date: 08/24/2015

Testing Equipment

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

At the time of the investigation, no well meter calibration report was provided to the investigator to review.

As of this date, violation still exist.

Recommended Corrective Action: Submit a copy of the well's flow meter calibration report to verify compliance.

Track No: 564826 Compliance Due Date: 07/15/2015

30 TAC Chapter 290.46(m)

Alleged Violation:

Investigation: 1239135

Comment Date: 04/10/2015

Operating Practices for Public Water Systems

Failure to properly maintain the regulated entity by not repairing or replacing the #2 service pump at the plant site.

At the time of the investigation, the #2 service pump was out for repair work.

Investigation: 1274552

Comment Date: 08/24/2015

Operating Practices for Public Water Systems

Failure to properly maintain the regulated entity by not repairing or replacing the #2 service pump at the plant site.

At the time of the investigation, the #2 service pump was out for repair work.

As of this date, violation still exist.

Recommended Corrective Action: Submit a photo, receipt, invoice or work order to show the #2 service pump has been repaired or replaced to verify compliance.

Track No: 565954 Compliance Due Date: 07/15/2015

30 TAC Chapter 290.46(f)(3)(D)(ii)

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

Alleged Violation:

Investigation: 1239135

Comment Date: 04/10/2015

Design and Construction of Storage Tanks

Failure to conduct an inspection of the ground storage tank at least annually, to determine that the vents are in place and properly screened, the roof hatches closed and locked, flap valves and gaskets provide adequate protection against insects, rodents, and other vermin, and that the interior and exterior coating systems are continuing to provide adequate protection to all metal surfaces, and that the tank remains in a watertight condition.

Records

Failure to maintain and record the results of these inspections for at least five years. The records must be available for review by Commission staff during annual sanitary surveys of the system.

At the time of the investigation on March 18, 2015, no copies of the ground storage tank inspection (interior or exterior) reports were provided for the investigator to review.

Investigation: 1274552

Comment Date: 08/24/2015

Design and Construction of Storage Tanks

Failure to conduct an inspection of the ground storage tank at least annually, to determine that the vents are in place and properly screened, the roof hatches closed and locked, flap valves and gaskets provide adequate protection against insects, rodents, and other vermin, and that the interior and exterior coating systems are continuing to provide adequate protection to all metal surfaces, and that the tank remains in a watertight condition.

Records

Failure to maintain and record the results of these inspections for at least five years. The records must be available for review by Commission staff during annual sanitary surveys of the system.

At the time of the investigation on March 18, 2015, no copies of the ground storage tank inspection (interior or exterior) reports were provided for the investigator to review.

As of this date, violation still exist.

Recommended Corrective Action: Submit a copy of the ground storage tank inspection (interior and exterior) reports to verify compliance.

Track No: 565963 Compliance Due Date: 07/15/2015

30 TAC Chapter 290.46(f)(3)(D)(ii)

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

Alleged Violation:

Investigation: 1239135

Comment Date: 04/10/2015

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.

Records

Failure to maintain and record the results of these inspections for at least five years. The records must be available for review by Commission staff during annual sanitary surveys of the system.

At the time of the investigation on March 18, 2015, no copies of the pressure tank inspection (interior or exterior) reports were provided for the investigator to review.

Investigation: 1274552

Comment Date: 08/24/2015

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.

Records

Failure to maintain and record the results of these inspections for at least five years. The records must be available for review by Commission staff during annual sanitary surveys of the system.

At the time of the investigation on March 18, 2015, no copies of the pressure tank inspection (interior or exterior) reports were provided for the investigator to review.

As of this date, violation still exist.

Recommended Corrective Action: Submit a copy of the pressure tank inspection (interior and exterior) reports to verify compliance.

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



COPY

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 14, 2015

CERTIFIED MAIL # 7013 3020 0000 9763 5732
RETURN RECEIPT REQUESTED

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

Re: Notice of Violation for the Comprehensive Compliance Investigation at:
Shadow Grove Estates, 420 FM 359, Richmond, Ft Bend County, Texas
Regulated Entity No.: 102677432, TCEQ ID No.: 0790389, Investigation No.: 1239135

Dear Mr. Foltz:

On March 18, 2015, Ms. Maggie Wright, 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 July 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.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

COPY

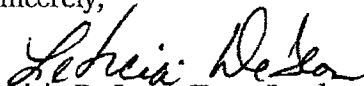
COPY

Mr. Scot W. Foltz, Environmental Compliance Manager
Page 2
April 14, 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. Wright, in the Houston Region Office at (713) 767-3650.

Sincerely,


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

LD/MW/mar

Enclosure: Summary of Investigation Findings

cc: Ft Bend Environmental Health Department

Summary of Investigation Findings

COPY

SHADOW GROVE

Investigation #

1239135
Investigation Date: 03/18/2015

, FORT BEND COUNTY,

Additional ID(s): 0790389

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

Track No: 564824 Compliance Due Date: 07/15/2015

30 TAC Chapter 290.46(s)(1)

Alleged Violation:

Investigation: 1239135

Comment Date: 04/10/2015

Testing Equipment

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

At the time of the investigation, no well meter calibration report was provided to the investigator to review.

Recommended Corrective Action: Submit a copy of the well's flow meter calibration report to verify compliance.

Track No: 564826 Compliance Due Date: 07/15/2015

30 TAC Chapter 290.46(m)

Alleged Violation:

Investigation: 1239135

Comment Date: 04/10/2015

Operating Practices for Public Water Systems

Failure to properly maintain the regulated entity by not repairing or replacing the #2 service pump at the plant site.

At the time of the investigation, the #2 service pump was out for repair work.

Recommended Corrective Action: Submit a photo, receipt, invoice or work order to show the #2 service pump has been repaired or replaced to verify compliance.

Track No: 565954 Compliance Due Date: 07/15/2015

30 TAC Chapter 290.46(f)(3)(D)(ii)

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

Alleged Violation:

Investigation: 1239135

Comment Date: 04/10/2015

Design and Construction of Storage Tanks

Failure to conduct an inspection of the ground storage tank at least annually, to determine that the vents are in place and properly screened, the roof hatches closed and locked, flap valves and gaskets provide adequate protection against insects, rodents, and other vermin, and that the interior and exterior coating systems are continuing to provide adequate protection to all metal surfaces, and that the tank remains in a watertight condition.

Records

Failure to maintain and record the results of these inspections for at least five years. The records must be available for review by Commission staff during annual sanitary surveys of

the system.

At the time of the investigation on March 18, 2015, no copies of the ground storage tank inspection (interior or exterior) reports were provided for the investigator to review.

Recommended Corrective Action: Submit a copy of the ground storage tank inspection (interior and exterior) reports to verify compliance.

Track No: 565963 Compliance Due Date: 07/15/2015

30 TAC Chapter 290.46(f)(3)(D)(ii)

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

Alleged Violation:

Investigation: 1239135

Comment Date: 04/10/2015

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.

Records

Failure to maintain and record the results of these inspections for at least five years. The records must be available for review by Commission staff during annual sanitary surveys of the system.

At the time of the investigation on March 18, 2015, no copies of the pressure tank inspection (interior or exterior) reports were provided for the investigator to review.

Recommended Corrective Action: Submit a copy of the pressure tank inspection (interior and exterior) reports to verify compliance.

Flan

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 14, 2015

CERTIFIED MAIL # 7013 3020 0000 9763 5732
RETURN RECEIPT REQUESTED

RECEIVED

APR 17 2015

TX ADMIN AUSTIN

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

Re: Notice of Violation for the Comprehensive Compliance Investigation at:
Shadow Grove Estates, 420 FM 359, Richmond, Ft Bend County, Texas
Regulated Entity No.: 102677432, TCEQ ID No.: 0790389, Investigation No.: 1239135

Dear Mr. Foltz:

On March 18, 2015, Ms. Maggie Wright, 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 July 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.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, Environmental Compliance Manager

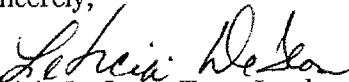
Page 2

April 14, 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. Wright, in the Houston Region Office at (713) 767-3650.

Sincerely,



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

LD/MW/mar

Enclosure: Summary of Investigation Findings

cc: Ft Bend Environmental Health Department

Summary of Investigation Findings

SHADOW GROVE

Investigation #
1239135
Investigation Date: 03/18/2015

, FORT BEND COUNTY,

Additional ID(s): 0790389

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

Track No: 564824 Compliance Due Date: 07/15/2015
30 TAC Chapter 290.46(s)(1)

Alleged Violation:

Investigation: 1239135

Comment Date: 04/10/2015

Testing Equipment

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

At the time of the investigation, no well meter calibration report was provided to the investigator to review.

Recommended Corrective Action: Submit a copy of the well's flow meter calibration report to verify compliance.

Track No: 564826 Compliance Due Date: 07/15/2015
30 TAC Chapter 290.46(m)

Alleged Violation:

Investigation: 1239135

Comment Date: 04/10/2015

Operating Practices for Public Water Systems

Failure to properly maintain the regulated entity by not repairing or replacing the #2 service pump at the plant site.

At the time of the investigation, the #2 service pump was out for repair work.

Recommended Corrective Action: Submit a photo, receipt, invoice or work order to show the #2 service pump has been repaired or replaced to verify compliance.

Track No: 565954 Compliance Due Date: 07/15/2015
30 TAC Chapter 290.46(f)(3)(D)(ii)
30 TAC Chapter 290.46(m)(1)(A)

Alleged Violation:

Investigation: 1239135

Comment Date: 04/10/2015

Design and Construction of Storage Tanks

Failure to conduct an inspection of the ground storage tank at least annually, to determine that the vents are in place and properly screened, the roof hatches closed and locked, flap valves and gaskets provide adequate protection against insects, rodents, and other vermin, and that the interior and exterior coating systems are continuing to provide adequate protection to all metal surfaces, and that the tank remains in a watertight condition.

Records

Failure to maintain and record the results of these inspections for at least five years. The records must be available for review by Commission staff during annual sanitary surveys of

the system.

At the time of the investigation on March 18, 2015, no copies of the ground storage tank inspection (interior or exterior) reports were provided for the investigator to review.

Recommended Corrective Action: Submit a copy of the ground storage tank inspection (interior and exterior) reports to verify compliance.

Track No: 565963 Compliance Due Date: 07/15/2015

30 TAC Chapter 290.46(f)(3)(D)(ii)

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

Alleged Violation:

Investigation: 1239135

Comment Date: 04/10/2015

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.

Records

Failure to maintain and record the results of these inspections for at least five years. The records must be available for review by Commission staff during annual sanitary surveys of the system.

At the time of the investigation on March 18, 2015, no copies of the pressure tank inspection (interior or exterior) reports were provided for the investigator to review.

Recommended Corrective Action: Submit a copy of the pressure tank inspection (interior and exterior) reports to verify compliance.

Duke

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 4, 2016

RECEIVED

JAN 06 2016

CERTIFIED MAIL # 7013 3020 0000 9763 3592
RETURN RECEIPT REQUESTED

TX ADMIN-AUSTIN

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

Re: Notice of Violation for the Comprehensive Compliance Investigation at:
South Dayton Oaks, End of CR 459 off FM 1409, Dayton, Liberty County, Texas
Regulated Entity No.: 102674744
TCEQ ID No.: 1460115

Investigation No.: 1295065

Dear Mr. Foltz:

On December 2, 2015, Ms. Destiny Winning 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 4, 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 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.

Scott W. Foltz, Compliance Coordinator
January 4, 2016
Page 2

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. Winning, in the Houston Region Office at (713) 767-3650.

Sincerely,

A handwritten signature in black ink, appearing to read "Julia Thorp". The signature is fluid and cursive, with the first name "Julia" being more prominent than the last name "Thorp".

Julia Thorp, Team Leader
Public Water Supply
Houston Region Office

JT/DW/mar

Enclosure: Summary of Investigation Findings

Summary of Investigation Findings

SOUTH DAYTON OAKS

Investigation #

1295065

Investigation Date: 12/02/2015

, LIBERTY COUNTY,

Additional ID(s): 1460115

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

Track No: 591629 Compliance Due Date: 04/04/2016

30 TAC Chapter 290.46(s)(2)(C)(i)

Alleged Violation:

Investigation: 1295065

Comment Date: 12/22/2015

Operating Records and Reports

Failure to verify the accuracy of the manual disinfectant residual analyzer at least once every 90 days using chlorine solutions of known concentrations. Specifically, records verifying the accuracy of the manual disinfectant residual analyzer were not available during the investigation.

At the time of the investigation the regulated entity did not provide documentation that the accuracy of the manual disinfectant residual analyzer is verified at least once every 90 days using chlorine solutions of known concentrations.

Recommended Corrective Action: Submit documentation that the accuracy of the manual disinfectant residual analyzer is verified at least once every 90 days using chlorine solutions of known concentrations to verify compliance.

Track No: 591630 Compliance Due Date: 04/04/2016

30 TAC Chapter 290.46(n)(2)

Alleged Violation:

Investigation: 1295065

Comment Date: 12/29/2015

Operating Practices for Public Water Systems

Failure to prepare and maintain a map of the distribution system so that valves and mains may be easily located during emergencies.

At the time of the investigation the regulated entity did not supply a copy of the distribution map of the system.

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

Track No: 591632 Compliance Due Date: 04/04/2016

30 TAC Chapter 290.46(f)(3)(D)(ii)

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

Alleged Violation:

Investigation: 1295065

Comment Date: 12/22/2015

Design and Construction of Pressure Tanks

Pressure tanks provided with an inspection port must have the interior surface inspected every five years.

SOUTH DAYTON OAKS

Investigation # 1295065

At the time of the investigation, there was no record that the interior of the pressure tank had been inspected in the last 5 years.

Recommended Corrective Action: Submit a copy of the interior tank inspection report to verify compliance.

Track No: 591639 **Compliance Due Date:** 01/19/2016**30 TAC Chapter 290.46(m)(4)****Alleged Violation:**

Investigation: 1295065

Comment Date: 12/22/2015

Water Leakage

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

At the time of the investigation, the pressure tank was leaking on the underside of the tank where the rust was located.

Recommended Corrective Action: Submit photo, invoice, or work order to verify compliance that the leak has been repaired.

Track No: 591640 **Compliance Due Date:** 04/04/2016**30 TAC Chapter 290.46(m)****Alleged Violation:**

Investigation: 1295065

Comment Date: 12/22/2015

Operating Practices for Public Water Systems

Failure to properly maintain the regulated entity by not maintaining the pressure tank.

At the time of the investigation, the pressure tank located at the plant was rusted on the underside of the pressure tank. There was a small leak located at the area of the rust.

Recommended Corrective Action: Submit photo, invoice, or receipt to verify compliance that the pressure tank has been repaired and is in good condition.

Mike

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

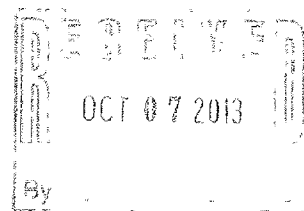


TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 3, 2013

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



Re: Comprehensive Compliance Investigation at:
Stable Gates, 15523 Stable Park Dr., Cypress, Harris County, Texas
Regulated Entity No. 101200640, TCEQ ID No. 1013103, Investigation No. 1121723

Dear Mr. Blackhurst:

On August 20, 2013, Ms. Melody Kirksey of the Texas Commission on Environmental Quality (TCEQ) Houston Region Office conducted an investigation of the above-referenced facility to evaluate compliance with the applicable requirements for public water supply systems. No violations are being alleged as a result of the investigation. In addition, please be advised that a violation could be issued upon further review of your system's records or self-reported documentation.

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

Sincerely,

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

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

LD/MK/ra

cc: Harris County Public Health and Environmental Services

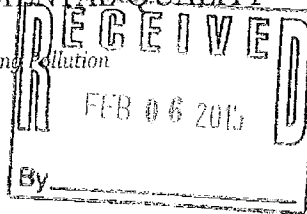
L. Davis

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 5, 2015

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:
Tasfield, 3400 Nugent, Houston, Harris Co., Texas
Regulated Entity No.:102693231, TCEQ ID No.:1011865, Investigation No.: 1215926

Dear Mr. Foltz:

On December 15, 2014, Ms. Alethea Seals, 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 April 29, 2015, a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for the outstanding alleged violations.

In the listing of the alleged 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 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 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.

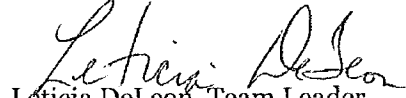
Mr. Scot W. Foltz, Compliance Manager

Page 2

February 5, 2015

If you or members of your staff have any questions, please feel free to contact Ms. Alethea Seals, in the Houston Region Office at 713/767-3595.

Sincerely,

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

Leticia DeLeon, Team Leader
Public Water Supply
Houston Region Office

LD/AS/mar

Enclosures: Summary of Investigation Findings

cc: Harris County Public Health and Environmental Services

Summary of Investigation Findings

TASFIELD

3400 NUGGETT ST

HOUSTON, HARRIS COUNTY, TX 77093

Investigation #

1215926

Investigation Date: 12/15/2014

Additional ID(s): 1011865

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

Track No: 423833

Compliance Due Date: 08/18/2011

30 TAC Chapter 290.45(f)(1)

Alleged Violation:

Investigation: 894693

Comment Date: 02/09/2011

Purchased Water

Failure to secure a written contract, a signed document of specific terms, or a memorandum or letter of understanding between the purchaser and wholesaler which authorizes the purchase of water at a rate sufficient to meet these requirements.

At the time of the inspection, the system did not have a copy of the purchase water contract with City of Houston.

Investigation: 1215926

Comment Date: 01/29/2015

This violation was first recorded during the comprehensive compliance investigation conducted on January 11, 2011. To date, this violation remains unresolved.

Recommended Corrective Action: Submit a copy of contract, to verify compliance.

ADDITIONAL ISSUES

Description

Item 2

Additional Comments

Failure to obtain an exception letter from the agency for the use of a disinfection treatment other than chlorine. The water system is using chloramines for its disinfection residual without an exception letter issued by the agency.

Please submit your request for an exception to the TCEQ's Technical Review and Oversight Team, MC-159, P.O. Box 13087, Austin, Texas 78711, Phone:(512 239 4691).

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

December 8, 2015

CERTIFIED MAIL #7013 3020 0000 9763 1543
RETURN RECEIPT REQUESTED

RECEIVED

DEC 10 2015

TX ADMIN-AUSTIN

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

Re: Failure to Submit Compliance Documentation for:
Turtle Creek, 25515 Turtle Dove Ln., Magnolia, Montgomery County, Texas
Regulated Entity No.: 102678364, TCEQ ID No.: 1700287, Investigation No.: 1294756

Dear Mr. Foltz:

By letter dated August 10, 2015, the Texas Commission on Environmental Quality (TCEQ) Houston Region Office requested that you submit information to us by November 9, 2015, 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 July 16, 2015. 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 this alleged violations. Please submit this information to us by no later than January 15, 2016.

The Texas Commission on Environmental Quality appreciates your assistance in this matter and looks forward to receiving your response. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements. If you or members of your staff have any questions, please feel free to contact Ms. Hanaa Fayyadh 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/HF/ra

cc: Montgomery County Environmental Health Services

Enclosures: Copy of Previous Letter
Summary of Investigation Findings

Summary of Investigation Findings

TURTLE CREEK

Investigation #

1294756
Investigation Date: 11/24/2015

, MONTGOMERY COUNTY,

Additional ID(s): 1700287

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

Track No: 577245 Compliance Due Date: 01/15/2016
30 TAC Chapter 290.46(s)(1)

Alleged Violation:

Investigation: 1253180

Comment Date: 07/23/2015

Testing Equipment

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

At the time of the investigation, the regulated entity did not provide the well meter calibration report.

Investigation: 1294756

Comment Date: 11/24/2015

Testing Equipment

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

At the time of the Investigation, the regulated entity did not provide the well meter calibration report.

Recommended Corrective Action: Submit the well meter calibration report to verify compliance.

Track No: 577268 Compliance Due Date: 01/15/2016
30 TAC Chapter 290.46(m)(1)(B)

Alleged Violation:

Investigation: 1253180

Comment Date: 07/23/2015

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.

Investigation: 1294756

Comment Date: 11/24/2015

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, the regulated entity did not provide a copy of the pressure tank exterior inspection report.

Recommended Corrective Action: Submit a copy of the pressure tank inspection report to verify compliance.

Track No: 577271 Compliance Due Date: 01/15/2016

30 TAC Chapter 290.42(I)

Alleged Violation:

Investigation: 1253180

Comment Date: 07/23/2015

Plant Operations Manual

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

At the time of the investigation, the regulated entity did not provide a current, and thorough plant operations manual.

Investigation: 1294756

Comment Date: 11/24/2015

Plant Operations Manual

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

At the time of the investigation, the regulated entity did not provide a current, and thorough plant operations manual.

Recommended Corrective Action: Submit a copy of the Plant Operations Manual to verify compliance.



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 10, 2015

CERTIFIED MAIL # 7014 3490 0001 0559 5908
~~RETURN RECEIPT REQUESTED~~

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

Re: Notice of Violation for the Compliance Evaluation Investigation at:
Turtle Creek, 25515 Turtle Dove Ln., Magnolia, Montgomery County, Texas
Regulated Entity No.: 102678364
TCEQ ID No.: 1700287

Investigation No.: 1253180

Dear Mr. Foltz:

On July 16, 2015, Ms. Hanaa Fayyadh, of the Texas Commission on Environmental Quality (TCEQ) Houston Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for Public Water Supply. Enclosed is a summary which lists the investigation findings. During the investigation, certain outstanding alleged violations were identified for which compliance documentation is required. In addition, an Additional Issue was noted. Please submit to this office by November 9, 2015, a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for each of the outstanding alleged violations. Please be advised that a violation could be issued upon further review of your system's records or self-reported documentation.

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

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

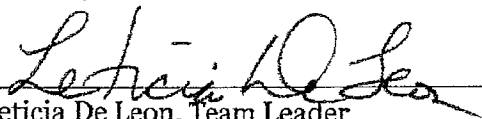
COPY

COPY

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "Leticia De Leon", is written over a horizontal line.

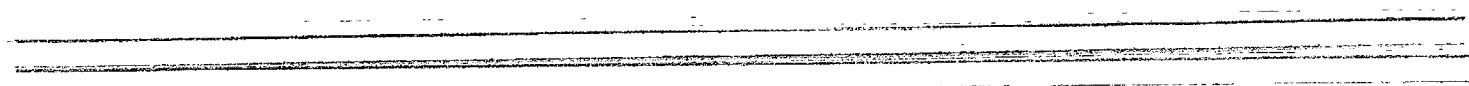
Leticia De Leon, Team Leader
Public Water Supply
Houston Region Office

LD/HF/mar

Enclosure: Summary of Investigation Findings

cc: Montgomery County Environmental Health Services

COPY



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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 10, 2015

RECEIVED

CERTIFIED MAIL # 7014 3490 0001 0559 5908
RETURN RECEIPT REQUESTED

SEP 15 2015

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

TX ADMIN-AUSTIN

Re: Notice of Violation for the Compliance Evaluation Investigation at:
Turtle Creek, 25515 Turtle Dove Ln., Magnolia, Montgomery County, Texas
Regulated Entity No.: 102678364
TCEQ ID No.: 1700287

Investigation No.: 1253180

Dear Mr. Foltz:

On July 16, 2015, Ms. Hanaa Fayyadh, of the Texas Commission on Environmental Quality (TCEQ) Houston Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for Public Water Supply. Enclosed is a summary which lists the investigation findings. During the investigation, certain outstanding alleged violations were identified for which compliance documentation is required. In addition, an Additional Issue was noted. Please submit to this office by November 9, 2015, a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for each of the outstanding alleged violations. Please be advised that a violation could be issued upon further review of your system's records or self-reported documentation.

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

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

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

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

Sincerely,


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

LD/HF/mar

Enclosure: Summary of Investigation Findings

cc: Montgomery County Environmental Health Services

Summary of Investigation Findings

TURTLE CREEK

Investigation #

1253180

Investigation Date: 07/16/2015

, MONTGOMERY COUNTY,

Additional ID(s): 1700287

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

Track No: 577245 Compliance Due Date: 11/09/2015

30 TAC Chapter 290.46(s)(1)

Alleged Violation:

Investigation: 1253180

Comment Date: 07/23/2015

Testing Equipment

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

At the time of the investigation, the regulated entity did not provide the well meter calibration report.

Recommended Corrective Action: Submit the well meter calibration report to verify compliance.

Track No: 577268 Compliance Due Date: 09/09/2015

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

Alleged Violation:

Investigation: 1253180

Comment Date: 07/23/2015

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.

Recommended Corrective Action: Submit a copy of the pressure tank inspection report to verify compliance.

Track No: 577271 Compliance Due Date: 11/09/2015

30 TAC Chapter 290.42(l)

Alleged Violation:

Investigation: 1253180

Comment Date: 07/23/2015

Plant Operations Manual

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

At the time of the investigation, the regulated entity did not provide a current, and thorough plant operations manual.

Recommended Corrective Action: Submit a copy of the Plant Operations Manual to verify compliance.

ADDITIONAL ISSUES

Description

Item 4

Additional Comments

Chemical Analysis

Please be advised to meet the commission's minimum standards noted in the most recent chemical analysis conducted by the certified laboratory which indicates the quality of the water produced by the system. Specifically, the Iron concentration of 0.335 mg/L exceeds the maximum contaminant level for this constituent which is 0.3 mg/L.

a. Elevated iron levels may stain laundry and plumbing fixtures.

b. Elevated manganese levels may also stain laundry and plumbing fixtures.

Consequently, facilities must be provided to sequester the iron or to reduce the concentration of the constituent to acceptable levels. Please be aware that if sequestering facilities prove to be ineffective, the agency will require the concentrations of the constituent to be reduced. Please be advised that public water systems shall notify the ED prior to making any change or addition to the system's treatment facilities.

Raif

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

RECEIVED
JAN 20 2015

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

BY:.....

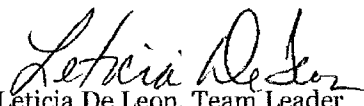
Re: Comprehensive Compliance Investigation at:
Walnut Springs, 61306 Terri Lane and 16500 Mockingbird Lane, Montgomery Co., Texas
Regulated Entity No.: 102676434
TCEQ ID No.: 1700128, Investigations No.: 1210766

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, during the investigation, the investigator resolved an apparent instance of noncompliance noted during the previous investigation dated March 16, 2011. Information has been provided which appears to indicate that this outstanding problem has been corrected. In addition, please be advised that a violation could be issued upon further review of your system's records or self-reported documentation. No further response from you is necessary concerning this investigation.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions regarding these matters, please feel free to contact Mr. Vernon Crandle, in the Houston Region Office at (713) 767-3727.

Sincerely,


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

LD/VC/mar

Enclosure: Summary of Findings

cc: Montgomery County Environmental Health Services

Summary of Investigation Findings

WALNUT SPRINGS

Investigation #

, MONTGOMERY COUNTY,

1210766
Investigation Date: 11/24/2014

Additional ID(s): 1700128

ALLEGED VIOLATION(S) NOTED AND RESOLVED

Track No: 428778

30 TAC Chapter 290.46(m)

Alleged Violation:

Investigation: 907338

Comment Date: 04/01/2011

Operating Practices for Public Water Systems

Failure to properly maintain the regulated entity by not repairing the rust on the Ground Storage Tank.

Investigation: 958272

Comment Date: 09/30/2011

Failure to properly maintain the regulated entity by not repairing the rust on the Ground Storage Tank.

Investigation: 1210766

Comment Date: 01/09/2015

In result of this investigation conducted on November 24, 2014, the regulated entity appears to be in compliance.

Recommended Corrective Action: Submit copy of photo or work order to verify compliance.

Resolution: In result of this investigation conducted on November 24, 2014, the rust on the Ground Storage Tank had been repaired and the violation is resolved.

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



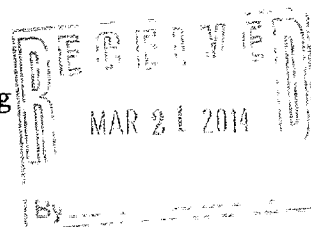
Roy

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 19, 2014

Mr. Dan Rimann, P.E., Vice President for Operations and Engineering
Aqua Texas, Inc.
1106 Clayton Lane, Suite 400W
Austin, Texas 78723-2476



Re: Comprehensive Compliance Investigation at:
Walraven Subdivision, 11610 Walraven Dr., Huffman, Harris County, Texas
Regulated Entity No.: 101199495, TCEQ ID No.: 1013195, Investigation No.: 1150343

Dear Mr. Rimann:

On February 13, 2014, Ms. Dawn Olivo 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. Dawn Olivo 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/DBO/ra

cc: Harris County Public Health and Environmental Services

Lonnie

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 28, 2013

CERTIFIED MAIL #7004 2890 0002 6241 2225
RETURN RECEIPT REQUESTED

RECEIVED

MAR 29 2013

AQUA TEXAS

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

Re: Additional Compliance Documentation Needed for:
West Magnolia Forest Public Water Supply, Grimes County, Texas
TCEQ ID No.: PWS 0930042, RN102683935

Dear Mr. Blackhurst:

The Texas Commission on Environmental Quality (TCEQ) Waco Regional Office has received the compliance documentation that Mr. Larry Mitchell submitted on February 19 and 27, 2013 for the alleged violation noted during the investigation of the above-referenced facility conducted on January 15, 2013. The compliance documentation contained in Mr. Mitchell's response appears to indicate that the one problem documented during the investigation has not been corrected. Information is still needed for the one alleged violation noted in the enclosed summary. Please submit to our office by July 19, 2013 a written description of corrective action taken and the required compliance documentation demonstrating that the remaining alleged violation has been resolved.

The Texas Commission on Environmental Quality 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 alleged violations. 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. Josephs Anudokem in the Waco Regional Office at (254) 751-0335.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Monreal".

Richard Monreal
Water and Waste Section Work Leader
Waco Regional Office

RM/JA/gb

Enclosure: Summary of Unresolved Investigation Findings

Summary of Investigation Findings

WEST MAGNOLIA FOREST

Investigation #
1059841
Investigation Date: 03/04/2013

, GRIMES COUNTY,

Additional ID(s): 0930042

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

Track No: 487858 Compliance Due Date: 03/29/2013
30 TAC Chapter 290.45(b)(1)(A)(i)

Alleged Violation:

Investigation: 1050745

Comment Date: 02/04/2013

Failure to provide an adequate production capacity.

Your water system fails to meet this Agency's "Minimum Water System Capacity Requirements." Water systems serving fewer than 50 connections without ground storage must meet the following requirements: A well capacity of 1.5 gallons per minute (gpm) per connection.

At the time of this investigation, the well production was thirty-one (31) gallons per minute instead of the required 46.5 gallons per minute for the thirty-one (31) connections served. This is a 33% deficiency.

Investigation: 1059841

Comment Date: 03/20/2013

Failure to provide an adequate production capacity.

On February 19 and 27, 2013, Mr. Larry Mitchell, Environmental Compliance Coordinator for Aqua Texas, Inc. submitted information to the TCEQ Waco Regional Office addressing this outstanding alleged violation. The compliance documentation shows the water supply has hired Ince Engineering, LLC to help them obtain an alternative capacity requirement (ACR). Since West Magnolia Forest does not meet the current production capacity requirement of 1.5 gpm per connection, this violation will remain outstanding.

Recommended Corrective Action: Submit documentation showing the water system provides a production capacity of at least 1.5 gpm per connection or submit documentation of an approved alternative capacity requirement (ACR) or if ground storage is provided, submit documentation showing the water supply provides 0.6 gpm per connection.

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

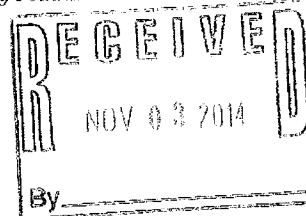


TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 29, 2014

CERTIFIED MAIL #7013 3020 0000 9763 0157
RETURN RECEIPT REQUESTED



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

Re: Notice of Violation for the Comprehensive Compliance Investigation at:
Wagon Wheel Estates Water System, 3633 Wagon Trail, Brazoria Co., Texas
TCEQ ID # 0200024, Regulated Entity #102691722, Investigation #1183959

Dear Mr. Foltz:

On June 25, 2014, 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, a certain outstanding alleged violation was identified for which compliance documentation is required. Please submit to this office by January 31, 2015, a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for the outstanding alleged violation.

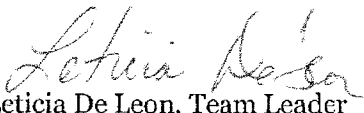
In the listing of the alleged violation, we have cited applicable requirements, including TCEQ rules. Please note that both the rules themselves and the agency brochure entitled *Obtaining TCEQ Rules* (GI 032) are located on our agency website at <http://www.tceq.texas.gov> for your reference. If you would like a hard copy of this brochure mailed to you, you may call and request one from either the Houston Region Office at 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. Scott Foltz, Regulatory and Compliance Manager
Page 2
October 29, 2014

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: Brazoria County Health Dept.

Enclosures: Summary of Investigation Findings

Summary of Investigation Findings

WAGON WHEEL ESTATES WATER SYSTEM

Investigation #

1183959
Investigation Date: 06/25/2014

, BRAZORIA COUNTY,

Additional ID(s): 0200024

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

Track No: 437511 Compliance Due Date: 01/31/2015
30 TAC Chapter 290.44(c)

Alleged Violation:

Investigation: 923598

Comment Date: 11/10/2011

Water Distribution

Failure to provide minimum waterline sizes necessary for domestic flows and fire flows. Larger pipe sizes shall be used when the licensed professional engineer deems it necessary. It should be noted that the required sizes are based strictly on the number of customers to be served and not on the distances between connections or differences in elevation or the type of pipe. No new waterline under two inches in diameter will be allowed to be installed in a public water distribution system. These minimum sizes do not apply to individual customer service lines.

At the time of the investigation, the water distribution lines were 2 and 3 inches in diameter. For a system with more than 114 connections, the minimum diameter should be 5 inches this information came from the distribution map of the water system.

Investigation: 981871

Comment Date: 01/23/2012

Water Distribution

Failure to provide minimum waterline sizes necessary for domestic flows and fire flows. Larger pipe sizes shall be used when the licensed professional engineer deems it necessary. It should be noted that the required sizes are based strictly on the number of customers to be served and not on the distances between connections or differences in elevation or the type of pipe. No new waterline under two inches in diameter will be allowed to be installed in a public water distribution system. These minimum sizes do not apply to individual customer service lines.

At the time of the investigation, the water distribution lines were 2 and 3 inches in diameter. For a system with more than 114 connections, the minimum diameter should be 5 inches this information came from the distribution map of the water system.

Investigation: 1183959

Comment Date: 08/04/2014

Failure to provide minimum waterline sizes necessary for domestic flows and fire flows. Larger pipe sizes shall be used when the licensed professional engineer deems it necessary.

Recommended Corrective Action: Submit plans signed by a professional engineer, demonstrating that the new distribution system is in compliance with the TCEQ regulations. Please be aware that the minimum pipe diameter required for the distribution system, is applicable for domestic flows, even if the distribution system is not designed for fire extinguishing operations.

Amend a

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



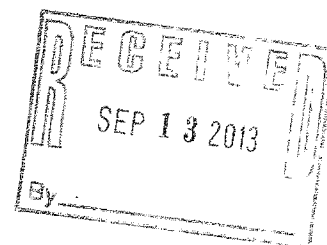
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 11, 2013

CERTIFIED MAIL #7011 1150 0001 4409 4411
RETURN RECEIPT REQUESTED

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



Re: Failure to Submit Compliance Documentation for:
West Magnolia Forest Public Water Supply, Grimes County, Texas
TCEQ ID No.: PWS 0930042, RN102683935

Dear Mr. Blackhurst:

By letter dated March 28, 2013, the Texas Commission on Environmental Quality (TCEQ) Waco Regional Office requested that you submit information to us by July 19, 2013 verifying that the outstanding alleged violation referenced in the letter has been corrected. The alleged violation was noted during the investigation of the above-referenced facility conducted on January 15, 2013. Enclosed for your information is a copy of the letter. As of this date, we have not received from you a written description of corrective action taken and the required compliance documentation for the alleged violation. Please submit this information to us by no later than October 11, 2013.

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. Josephs Anudokem in the Waco Regional Office at (254) 751-0335.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Monreal".

Richard Monreal, R. S.
Water Section Manager
Waco Regional Office

RM/JA/gb

Enclosure: Copy of Previous Letter

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
March 28, 2013

CERTIFIED MAIL #7004 2890 0002 6241 2225
RETURN RECEIPT REQUESTED

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

Re: Additional Compliance Documentation Needed for:
West Magnolia Forest Public Water Supply, Grimes County, Texas
TCEQ ID No.: PWS 0930042, RN102683935

Dear Mr. Blackhurst:

The Texas Commission on Environmental Quality (TCEQ) Waco Regional Office has received the compliance documentation that Mr. Larry Mitchell submitted on February 19 and 27, 2013 for the alleged violation noted during the investigation of the above-referenced facility conducted on January 15, 2013. The compliance documentation contained in Mr. Mitchell's response appears to indicate that the one problem documented during the investigation has not been corrected. Information is still needed for the one alleged violation noted in the enclosed summary. Please submit to our office by July 19, 2013 a written description of corrective action taken and the required compliance documentation demonstrating that the remaining alleged violation has been resolved.

The Texas Commission on Environmental Quality 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 alleged violations. 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. Josephs Anudokem in the Waco Regional Office at (254) 751-0335.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Monreal".

Richard Monreal
Water and Waste Section Work Leader
Waco Regional Office

RM/JA/gb

Enclosure: Summary of Unresolved Investigation Findings