

Control Number: 45873



Item Number: 12

Addendum StartPage: 0

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PUBLIC UTILITY COMMISSION FILING CLERK

September 2, 2016

Filing Clerk
Public Utility Commission of Texas
Central Records
1701 N. Congress, Suite 8-100
Austin, TX 78701

Delivery via Fedex

Re: PUC Docket 45873

To Whom it May Concern:

Please find enclosed the following, related to the above mentioned docket:

Responses to PUC Staff's first request for information — Questions Staff 1-1 thru Staff 1-4, original and 3 copies, per PUC instructions dated August 17, 2016.

Should you have any questions, please do not hesitate to contact us immediately.

Thank you,

Dee Dee Kedzie

Riviera Water Systems Inc.

Du Du Kezir

361-516-1996

Cc: Gerald Gibson, President

September 2, 2016

PUC Docket No. 45873

Re: Response to PUC Staff's First Request for Information, dated August 17, 2016

Respondent: Dee Dee Kedzie, volunteer accountant for Riviera Water Supply

Question No. Staff 1-1:

Please provide documentation that compliance with Texas Commission on Environmental Quality (TCEQ) enforcement action against Riviera Water Supply, and subsequent agreed order, can be achieved or has been achieved. The administrative order requires a payment of an assessed penalty of \$1,222 as well as other administrative ordering provisions. The agreed for TCEQ enforcement case 2015-1644-PWS-E was issued May 25, 2016.

Response:

On behalf of Riviera Water Supply, I have been assisting the owner of the system, Gerald L. Gibson, in meeting the various requirements under the order. The penalty of \$1,222 was submitted to the TCEQ in December, 2015. Shortly following the May 25 hearing held by the TCEQ to issue the agreed order, a TCEQ employee by the name of Corinna Willis was assigned to this case, and contacted me to implement a plan (a checklist with target due dates) to achieve compliance. There were various public notices required, as well as documentation of written policies and procedures which have all been issued/prepared and submitted back to Ms. Willis.

At the present, we have met all of the requirements; per Ms. Willis, she has forwarded everything to the review department and we await a final clearance. I have attached Ms. Willis' email response dated August 31, 2016 as support of the current status. I have also attached a copy of the executed certification document submitted to the TCEQ to enable the closing of the case process to begin, and a TCEQ receipt for the penalty payment.

Respectfully Submitted,

Du Dukeji

Dee Dee Kedzie

Respondent



Dee Dee Kedzie <dkedzie@gmail.com>

PWS 1370007

Corinna Willis < Corinna Willis@tceq.texas.gov> To: Dee Dee Kedzie <dkedzie@gmail.com>

Wed, Aug 31, 2016 at 8:10 AM

Hi Dee Dee,

I apologize for the delay in response. I was out of the office last week and it kind of pushed everything on my list back.

The documentation looks great! As of now, all of the violations pertaining to this Agreed Order can be resolved and I can close this case out. I will do that today and submit it for review. Unfortunately, the review process takes a little time, but once it is complete, you will be receiving a letter in the mail letting you know it is closed and no further documentation has to be sent to me.

If, for any reason, my management finds something wrong and needs me to keep the case open, I will reach out to you and let you know!

I appreciate you working with us!

Thank you,

Corinna Willis

Compliance Monitoring Section

Enforcement Division

Texas Commission on Environmental Quality

Phone: (512) 239-2504

Fax: (512) 239-0036

Corinna.willis@tceq.texas.gov

From: Dee Dee Kedzie [mailto:dkedzie@gmail.com]

Sent: Friday, August 19, 2016 3:37 PM

Compliance Monitoring Section Enforcement Division, MC 149 Texas Commission on Environmental Quality P. O. Box 13087 Austin, TX 78711-3087

Subject: TCEQ Docket No. 2015-1644-PWS-E

To Whom It May Concern:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

TCEQ - A/R HISTORICAL TRANSACTIONS REPORT BY FEE CODE

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September 2, 2016

PUC Docket No. 45873

Re: Response to PUC Staff's First Request for Information, dated August 17, 2016

Respondent: Gerald L. Gibson, owner Riviera Water Supply

Question No. Staff 1-2:

Please provide the purchase water contract for the emergency interconnection with Riviera ISD, as documented in TCEQ records. State whether this contract will be amended to include Riviera WCID as the purchaser.

Response:

When I bought the water system in 2005, there was no existing contract, nor has there ever been one.

There was only a verbal agreement, with a pipe connection between the Riviera ISD and the water systèm, opened and closed manually as needed, for whatever reason/purpose. To my knowledge it was seldom used.

During an inspection by the TCEQ, the hook-up was discovered; TCEQ advised both parties that in order to retain this interconnection, it would have to be engineered and rebuilt. Thus, the interconnection was capped off and removed from service.

No further action was implemented, and to my knowledge, TCEQ closed the issue.

Respectfully Submitted,

Gerald L. Gibson Respondent

September 2, 2016

PUC Docket No. 45873

Re: Response to PUC Staff's First Request for Information, dated August 17, 2016

Respondent: Gerald L. Gibson, owner Riviera Water Supply

Question No. Staff 1-3:

Please provide correspondence and compliance documentation for the federal enforcement case issued by the Environmental Protection Agency (EPA) on June 8, 2012 for exceedances in radionuclides in drinking water supply.

Response:

Riviera Water Supply has been working with the Riviera WCID, Kleberg County, and GrantWorks, Inc. as part of the compliance effort, to obtain a grant for a uranium filtration system.

There is not yet compliance documentation from the EPA, as it is my understanding that the County's grant TxCDBG #7214261 to install the uranium filtration is the attempt to comply with federal drinking water standards.

Attached is a copy of available EPA compliance documentation (EPA letter dated June 8, 2012 and online case report).

Respectfully Submitted,

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Gerald L. Gibson

Respondent

JUNTED STATES OF WARRENT AL PROTECTION

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6 1445 ROSS AVENUE, SUITE 1200 DALLAS, TEXAS 75202-2733

JUN 0 8 2812

CERTIFIED MAIL-RETURN RECEIPT REQUESTED: 7005 1820 0003 7453 8281

Mr. Gerald Gibson Riviera Water System, Inc. P.O. Box 127 Riviera, TX 78379-0127

Re: PWS

PWS ID Number: TX 1370007

Docket Number: SDWA-06-2012-1236

Dear Mr. Gibson:

Enclosed is an Administrative Order (Order) issued to Riviera Water System, Inc. for violation of the Safe Drinking Water Act (Act), 42 U.S.C. § 300f, et seq., and its implementing regulations, 40 C.F.R. Part 141. The Environmental Protection Agency (EPA) finds that you own or operate the public water system (PWS) identified in the Order and are therefore subject to these regulations.

This Order requires immediate compliance with the maximum contaminant level (MCL) for combined uranium as set forth in Section 1412 of the Act, 42 U.S.C. § 300g-1. If immediate compliance is not possible, you must submit a treatment alternative with a construction and/or repair schedule that will achieve compliance no later than eighteen (18) months from the effective date of the enclosed Order. Compliance with the MCL is based on a running annual average. As described in the enclosed Order, Riviera Water System, Inc. is required to deliver drinking water that meets the national standards for combined uranium and to conduct quarterly monitoring to ensure compliance with the MCL. Please be aware that failure to comply with this Order may subject you to additional enforcement action by EPA, including the initiation of legal proceedings to seek monetary penalties.

EPA also wants you to be aware of a new process in Texas that was created to help facilities secure technical assistance and funding to address these types of issues. The Texas Water Infrastructure Coordination Committee (TWICC) was formed with representation from stakeholders, funding entities, and federal and state partners to identify water and wastewater infrastructure and compliance issues and to seek affordable, sustainable and innovative funding strategies for the protection of public health. If you feel your system could benefit from the TWICC, please let us know so that we can discuss the matter with you.

The PWS is also required to comply with all applicable Texas regulations in Title 30 Texas Administrative Code (TAC) Chapter 290, Subchapter D. Most treatment options require the submittal of engineering plans and specifications to the Texas Commission on Environmental Quality (TCEQ) for review and approval as indicated in 30 TAC § 290.39(j). The engineering plans and specifications and any pilot study report must be prepared by a Texas licensed professional engineer as required in 30 TAC §§ 290.39(d)(1) and 290.42(g), respectively. Please send engineering submittals to the TCEQ's Public Drinking Water Section address referenced in paragraph H of the Order and include the EPA Docket Number.

Re: Riviera Water System, Inc. Administrative Order 2

If you need assistance, or have questions regarding the Order, please contact Mr. Mehdi Taheri, of my staff, at (214) 665-2298.

Sincerely,

pirector

ompliance Assurance and Enforcement Division

Enclosure

cc: Mr. Bryan Sinclair
Director, Enforcement Division
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

Ms. Linda Brookins
Director, Water Supply Division
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087



ECHO Gov Login Contact Us

Civil Enforcement Case Report

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Expand All (#) Collapse All (#)

Data Dictionary (help/reports/enforcement-case-report-data-dictionary)

Download Data ()

Print (#)

Help (help/reports/enforcement-case-report-help)

Civil Enforcement Case(#)

Basic Information

Case Number: 06-2012-1236
Case Name: Riviera Water System
Case Category: Administrative - Formal
Case Status (as of 06/08/2012): Final

Order Issued
Case Lead: EPA

Court Docket Number: -DOJ Docket Number: --

Relief Sought: Injunctive Relief Enforcement Outcome: --Headquarters Division: --Branch: 6EN-W

Result of Voluntary Disclosure? No

Multi-media Case? --

Enforcement Type: SDWA 1414G2 AO

For Compliance (PWS)

Violations: PWS Monitoring/Reporting

Penalties – Case Level

Total Federal Penalty Assessed or Agreed To: \$0

Total State/Local Penalty Assessed: \$0

Total SEP Cost: \$0

Total Compliance Action Cost: \$750,000

Total Cost Recovery: \$0

Case Summary

Administrative order issued for failure to comply with monitoring/reporting requirements.

Laws and Sections

Citations

Law Sections Programs, Title Part Section

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Final Order 1(#)

Final Order Type: Administrative Compliance Orders

Final Order Name: Riviera Water System Linked Facilities (FRS ID): 110013233599

Final Order Lodged Date: '--

Final Order Entered Date: 06/08/2012 L Enforcement Action Closed Date: --

Actual Termination Date: --

Penalties/SEPs/Cost Recovery Amounts

Federal Penalty Assessed or Agreed To: \$0 State/Local Penalty Assessed: --SEP Value: --Federal Cost Recovery Awarded: \$0 **Complying Actions** Complying Action ID Category Description 3000010206 Work Practices Work Practices 3000010636 Reduction of Ongoing Releases SDWA Process Change Supplemental Environmental Projects SEP ID Description ' Category. SEP Value No data records returned **Pollutant Reductions** Annual Media Resulting From Pollutant Units Affected Amount CA ID Organic chemicals in drinking Water 750 PPL 3000010636 water (drinking)

Last updated March 16, 2016

Sep 02 16 11:14a

Hoot Gibson

3615161996

September 2, 2016

PUC Docket No. 45873

Re: Response to PUC Staff's First Request for Information, dated August 17, 2016

Respondent: Gerald L. Gibson, owner Riviera Water Supply

Question No. Staff 1-4:

Please provide preliminary engineering plans, and/or pilot test data (if available) for the proposed innovative water treatment process for the removal of radionuclides. Also include any correspondence from TCEQ that indicates that the engineering approval process has been initiated.

Response:

Please find attached the preliminary engineering plans for the pilot study and installation from LNV Engineers for TxCDBG #7214261.

Respectfully Submitted,

Gerald L. Libron

Gerald L. Gibson

Respondent

engineers | architects | contractors 801 NAVIGATION, SUITE 300 CORPUS CHIUSTI, TEXAS 75408 TSPE FIRM NO. F-368 RIVIERA, LOCATION MAP SCALE: 1"=20,000" TEXAS PH. (361) 883-1984 FAX (361) 883-1988 WWW.LNVINC.COM PRECINCT 2 COMMISSIONER
JOE HINOJOSA PRECINCT 1 COMMISSIONER
DAVID ROSSE COUNTY AUDITOR MELISSA MUNOZ COUNTY JUDGE RUDY MADRID COUNTY TAX ASSESSOR—COLLECTOR MELISSA TREVINO—DE LA GARZA COUNTY TREASURER
PRISCILLA ALANIZ CANTU COUNTY CLERK STEPHANIE G. GARZA PRECINCT 4 COMMISSIONER ROMEO LOMAS PRECINCT 3 COMMISSIONER ROY CANTU SHEET INDEX.

KLEBERG COUNT 2013-2014 TxCDBG 7214261

RIVIERA WATER FILTRATION PLANT **IMPROVEMENTS**



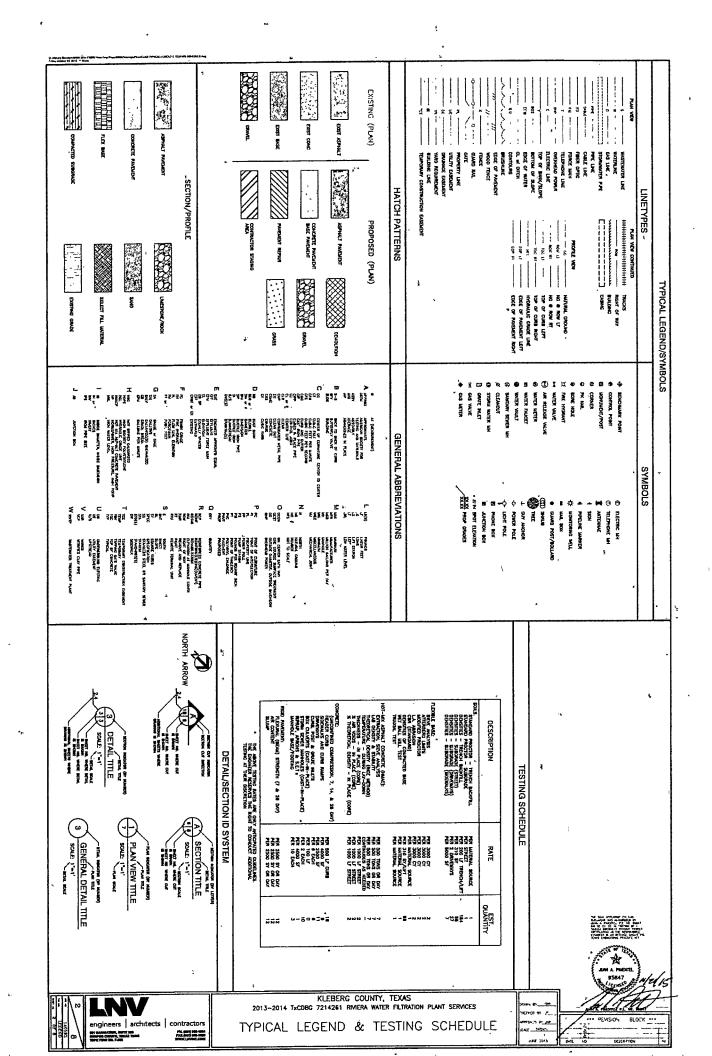
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KLEBERG COUNTY, TEXAS
2013-2014 TxCDBG 7214261 RIMERA WATER FILTRATION PLANT SERVICES

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¿ KLEBERG COUNTY, TEXAS 2013-2014 TxCDBG 7214261 RMERA WATER FILTRATION PLANT SERVICES

NOTES & ESTIMATED QUANTITIES GENÊRAL

engineers | architects | contractors

