

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 13, 2015

CERTIFIED MAIL #7011 3500 0000 0287 6185
RETURN RECEIPT REQUESTED

Mr. Jeff Fowle, Board President
SWEA Gardens Estates Utility, Inc.
18206 Stockton Springs Drive
Spring, Texas 77379-6925

Re: Notice of Violation for the Comprehensive Compliance Investigation at:
SWEA Gardens Estates, 410 Noonday Lane, Houston, Harris County, Texas
Regulated Entity No.: 101456457, TCEQ ID No.: 1010218, Investigation No.: 1211617

Dear Mr. Fowle:

On December 05, 2014 2014, Ms. Patricia Blackwell, 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 May 13, 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. During the investigation, some concerns were noted which were alleged noncompliances that have been administratively resolved.

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

SWEA GARDENS ESTATES

410 NOONDAY LN

HOUSTON, HARRIS COUNTY, TX 77060

Investigation #

1211617

Investigation Date: 12/05/2014

Additional ID(s): 1010218

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

Track No: 559250 Compliance Due Date: 05/13/2015

30 TAC Chapter 290.45(f)(1)

Alleged Violation:

Investigation: 1211617

Comment Date: 01/22/2015

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 investigation, a written contract between the regulated entity and the City Of Houston was not available.

Recommended Corrective Action: Provide a copy of the written contract between the regulated entity and the City of Houston.

Track No: 559370 Compliance Due Date: 05/13/2015

30 TAC Chapter 290.46(k)

Alleged Violation:

Investigation: 1211617

Comment Date: 01/23/2015

Operating Practices for Public Water Systems (Applies to I/C)

Failure to acquire approval by the Executive Director to permit a physical connection between the distribution system of a public drinking water supply. This applies to interconnections between water systems.

It is noted that a temporary interconnection approval letter was issued from TCEQ on May 17, 2013 for 90 days only. A permanent interconnection is now required.

Please be aware that all approvals must be in writing and submitted to Austin for approval to the:

Texas Commission on Environmental Quality, Utilities Technical Review Team (MC-159), P.O. Box 13087, Austin, Texas 78711-3087, phone (512)239-4691.

Recommended Corrective Action: Provide documentation indicating that a permanent interconnection between the regulated entity and the City of Houston has been approved by TCEQ and the construction is complete.

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

Track No: 454639

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

Mr. Jeff Fowle, Board President

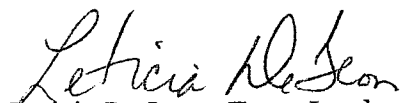
Page 2

February 13, 2015

Office within 10 days from the date of this letter. At that time, PWS Team Leader Ms. Leticia De Leon, will schedule a violation review meeting to be conducted within 21 days from the date of this letter.

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

Sincerely,



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

LD/PB/mar

Enclosure: Summary of Investigation Findings
Temporary approval interconnection letter dated May 17, 2013

cc: Harris County Public Health and Environmental Services
Mr. John Montgomery, Compliance Manager, Municipal Operations &
Consulting, P.O. Box 2749, Spring, Texas 77383-2749