



Control Number 46107



Item Number 7

Addendum StartPage 0



T.B.P.E. #F-8632

505 East Huntland Drive
Suite 250
Austin, TX 78752

512.454.8716 PHONE
512.454.2433 FAX

www.TRCSolution.com

RECEIVED

2016 AUG 25 AM 10:07

PUBLIC UTILITY COMMISSION
FILING CLERK

August 24, 2016

Public Utility Commission of Texas
Attention: **Filing Clerk**
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326

RE: **Docket 46107**

Application for Sale, Transfer, or Merger (STM) of a Retail Public Utility
Bethany/Hearne Water Supply Corporation (WSC)- City of Hearne

To Whom it May Concern,

Enclosed are documents required per **Docket 46107** on August 2, 2016 for the transfer of water utility services from Bethany/Hearne WSC to the City of Hearne.

TRC is including seven (7) copies and one (1) original of the following for your review:

- Affidavit of notice given to current customers, neighboring systems, and cities
- Notice to Current Customers, Neighboring Systems, and Cities
- Agreement between Buyer and Seller
- Seller's most current board approved tariff
- Most recent TCEQ inspection reports

Please contact Ms. Amber McCullough, E.I.T. at 512-684-3120 or amccullough@trcsolutions.com if you need addition information or have any questions.

Sincerely,

Charles Scheler, P.E.
Sr. Project Manager

TRC

1

Affidavit of Notice Given to Current Customers, Neighboring Systems, and Cities

PUBLIC UTILITY COMMISSION



NOTICE TO CURRENT CUSTOMERS, NEIGHBORING SYSTEMS AND CITIES
DOCKET NO. 46107

STATE OF TEXAS, COUNTY OF Robertson

City of Hearne

has provided individual notice to the following entities and landowners:

DATE

Please see attached list

August 16, 2016

OATH

I, Terry Thomas, being duly sworn, file this form as

Public Utilities Director

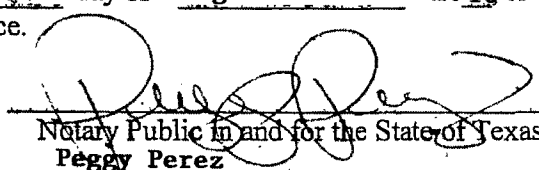
(indicate relationship to applicant, that

is, owner, member of partnership, title of officer of corporation, or other authorized representative of applicant); that in such capacity, I am qualified and authorized to file and verify such form, am personally familiar with the notices given with this application, and have complied with all notice requirements in the application and application acceptance letter; and that all such statements made and matters set for therein are true and correct.

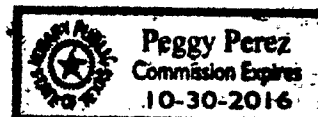

Applicant's Authorized Representative

If the applicant to this form is any person other than the sole owner, partner, officer of the applicant, or its' attorney, a properly verified Power of Attorney must be enclosed.

Subscribed and sworn to before me this 16th day of August 2016 to
certify which witness my hand and seal of office.


Notary Public in and for the State of Texas
Peggy Perez

Print or Type Name of Notary Public
Commission Expires 10/30/16



Docket No. 46107

Notice to Current Customers, Neighboring Systems, and Cities

Notice to Current Customers, Neighboring Systems and Cities
BETHANY HEARNE WATER SUPPLY COMPANY NOTICE OF INTENT TO SELL FACILITIES,
TRANSFER AND CANCEL WATER SERVICE AREA TO CITY OF HEARNE IN
ROBERTSON COUNTY

<u>Bethany Hearne Water Supply Company</u>	<u>5456 FM 2549</u>	<u>Hearne, TX</u>	<u>77859</u>
(Seller's or Transferor's Name)	(Address)	(City) (State)	(Zip Code)

has filed an application with the Public Utility Commission of Texas for approval to sell facilities, transfer and cancel the water certificate of convenience and necessity in Robertson County to:

<u>City of Hearne</u>	<u>209 Cedar St</u>	<u>Hearne, TX</u>	<u>77859</u>
(Purchasers or Transferee's Name)	(Address)	(City) (State)	(Zip Code)

The sale is scheduled to take place as approved by the Commission, (V.T.C.A., Water Code §13.301) The transaction and the proposed service area include the following subdivision(s):

The area subject to this transaction is located approximately between 1 and 5 miles east of downtown Hearne, Texas, and is generally bounded on the north by W. Henry Prairie Road; on the east by FM 2549; on the south by Black Jack Road; and on the west by US 79/US 190.

The total area being requested includes approximately 700 acres and serves 500 current customers.

This transaction will have the following effect on the current customers' rates and services:

No change in rates charged to current customers.

Affected persons may file written protests and/or request a public hearing within 30 days of this notice. To request a hearing, you must:

- (1) state your name, mailing address and daytime telephone number;
- (2) state the applicant's name, application number or another recognizable reference to this application;
- (3) include the statement 'I/we request a public hearing'
- (4) write a brief description of how you, the persons you represent, or the public interest would be adversely affected by the proposed transaction and transfer of the CCN; and
- (5) state your proposed adjustment to the application or CCN which would satisfy your concerns and cause you to withdraw your request for a hearing.

Only those persons who submit a written request to be notified of a hearing will receive notice if a hearing is scheduled. The Commission will issue the CCN requested in the referenced application unless a hearing is scheduled to consider the transaction. If no protests or requests for hearing are filed during the comment period, the Commission may issue the CCN 30 days after publication of this notice.

Persons who wish to protest or request a hearing on this application should write the:

Filing Clerk
Public Utility Commission of Texas
1701 North Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326

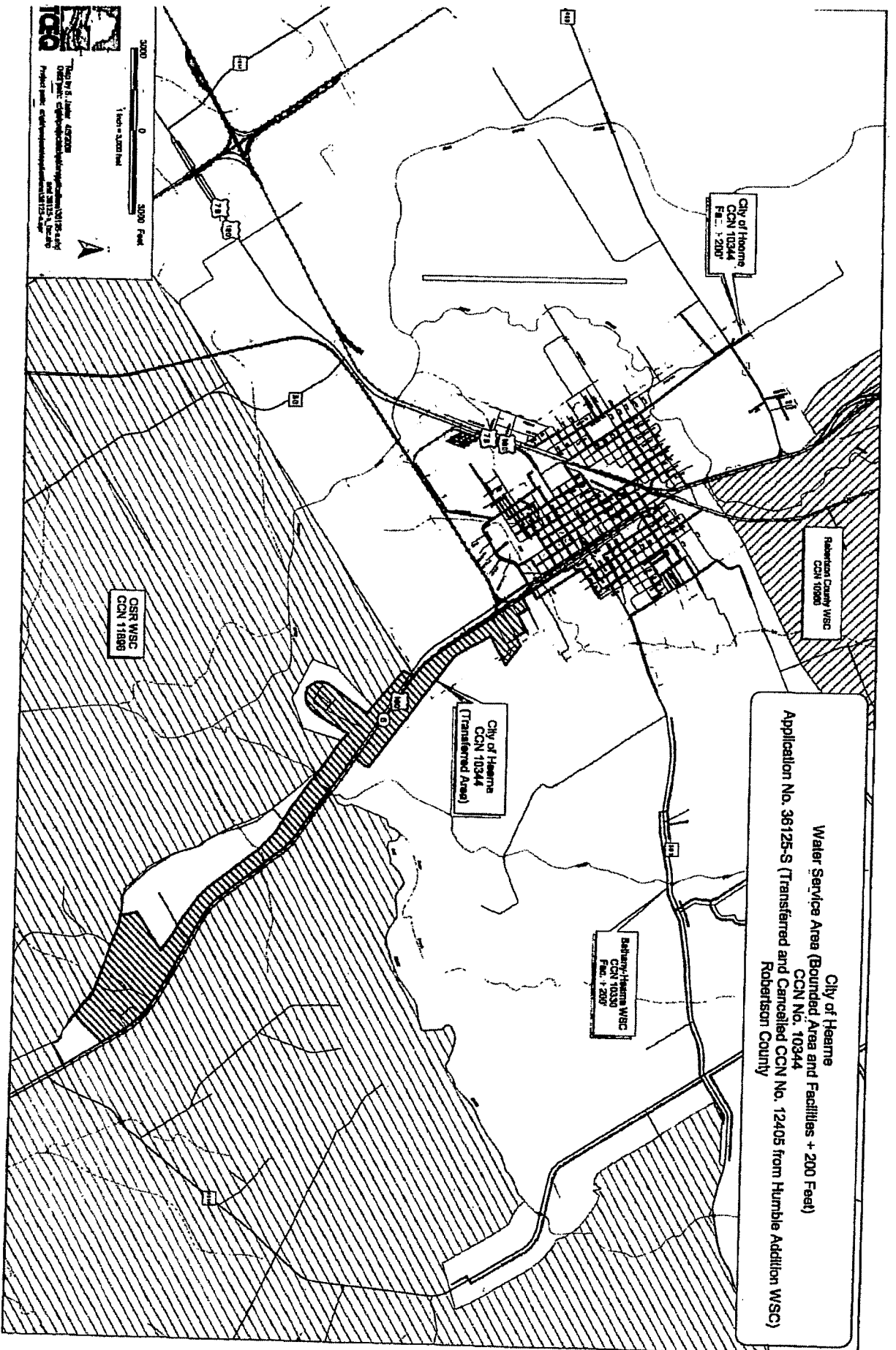
**Se desea informacion en Espanol, puede llamar al
512-936-7221**

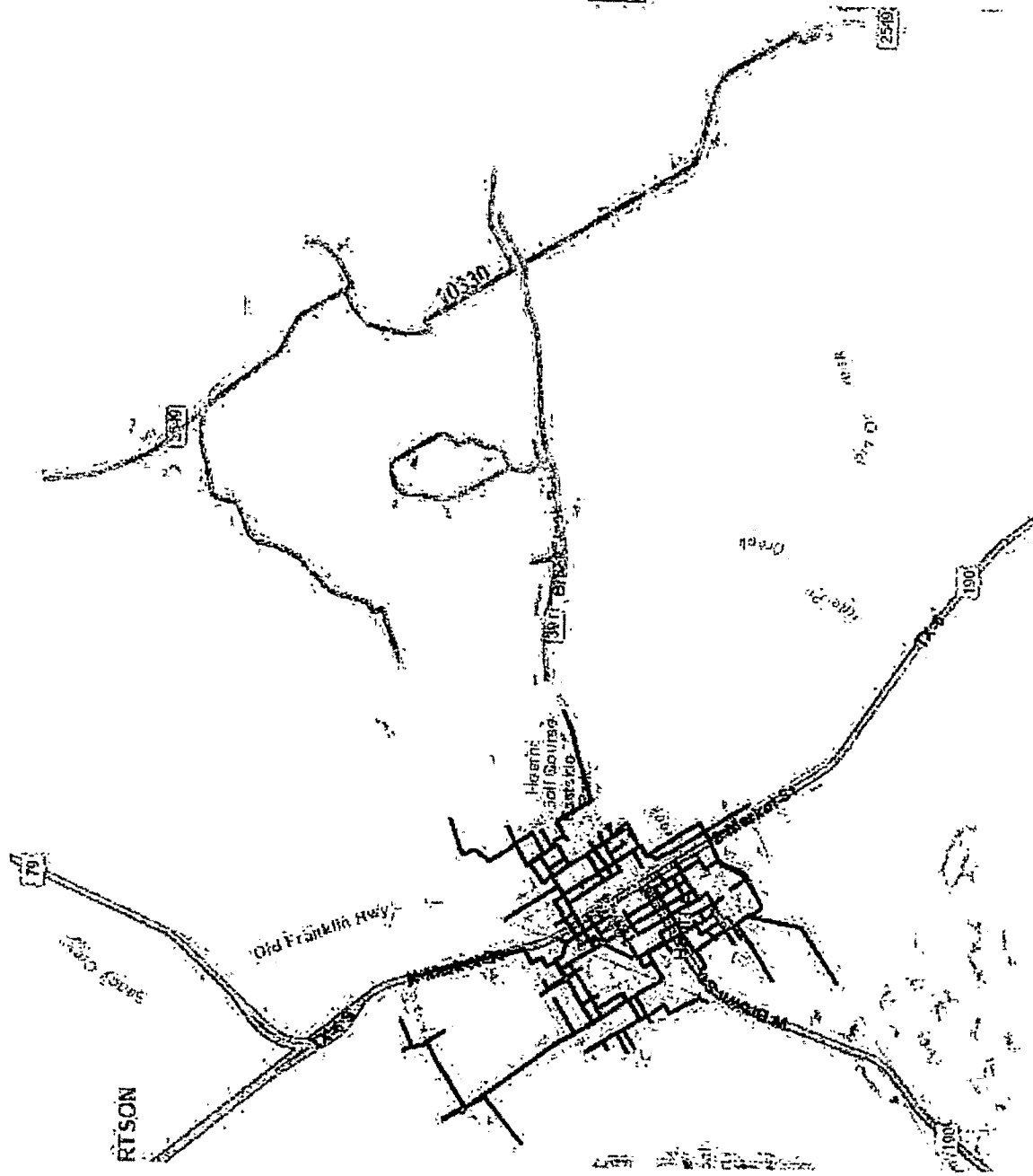
Pee Wee Drake 979-279-3461

Utility Representative

City of Hearne

Utility Name





Water CCN Facility Lines: 10330

TYPE	1
CCN	10330
UTILITY	BETHANY-HEARNE WSC
FACILITY	F200
TX CNTY	198
COUNTY	ROBERTSON

Agreement between Buyer and Seller

17-
**MODIFICATION OF AGREEMENT FOR THE
PURCHASE AND SALE OF WATER BETWEEN
THE CITY OF HEARNE AND BETHANY-HEARNE
WATER SUPPLY CORPORATION**

STATE OF TEXAS

§

§

COUNTY OF ROBERTSON

§

COPY

Whereas, on December 12, 1966, the City of Hearne, hereinafter referred to as 'The City' and Bethany-Hearne Water Supply Corporation hereinafter referred to as 'The Corporation' entered into a buy sale agreement for the sale and purchase of fresh water and;

Whereas, the City and the Corporation desire to modify the terms of the agreement and,

Whereas, the City and the Corporation agree that the effective date of the new terms set forth herein shall become effective January 1, 2008;

THEREFORE KNOW ALL MEN BY THESE PRESENTS AS FOLLOWS:

1. EFFECTIVE DATE

The City and The Corporation mutually agree that the effective date of this modification shall be January 1, 2009.

2. TERMS

The City and The Corporation mutually agree that effective January 1, 2008, that the term of the sale and purchase agreement shall be for one year at a time. The parties hereto mutually agree that unless otherwise terminated, in writing, by a party that this agreement shall automatically renew each 1st day of January of each year until terminated.

It is agreed by and between the parties hereto that either party may terminate the agreement upon 30 days written notice to the other party.

3. Rates

The City and The Corporation mutually agree for and in consideration of the mutual covenants ascertained in the agreement that effective January 1, 2008, that the Corporation shall pay to the City the rate of \$1.50 per 1,000 (one thousand) gallons of water.

\$1.59 per 1,000

The City and the Corporation further agree that effective January 1, 2009, and for each year thereafter during the term of the agreement the rate the Corporation shall pay to The City per 1,000 gallons of water shall be adjusted to a price equal to the consumer price index for such commodities. Furthermore, the Corporation shall be notified of the adjusted rate by The City no later than December 1, 2008, and on or before the 1st day of December of each year thereafter during the term of this agreement.

4. Remaining Provisions

The parties hereto mutually agree that unless otherwise altered by this modification agreement the remaining terms of the original sale purchase agreement dated December 12, 1966 shall remain in full force and effect.

5. Assignment

The parties hereto mutually agree that this agreement is not assignable to any third party without the mutual consent of both The City and The Corporation.


6. Severability

The parties hereto mutually agree that should any part of this agreement be held by the District Court of Robertson County, Texas to be unenforceable, the remaining provisions herein shall remain in full force and effect.

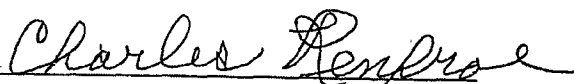
In Witness Whereof, the parties hereto, acting under the authority of their respective governing bodies have caused this agreement and contract to be duly executed.

Signed this 11 day of December, 2007.

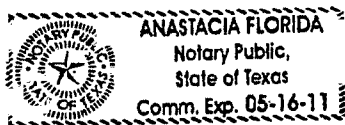
City of Hearne, Texas

By 
Pee Wee Drake
City Manager

Hearne-Bethany Water Supply Corporation

By 
President

*Sworn and subscribed before me by
Charles Renfro on 11th day of December, 2007
Anastacia Florida*



Seller's Most Current Board Approved Tariff

**Bethany Hearne WSC
P O Box 151
Marquez, Texas 77865**

City of Hearne
209 Cedar Street
Hearne, Texas 77859

Re: Water Rates for Bethany Hearne WSC

To Whom It May Concern:

The adopted water rate for Bethany Hearne WSC was approved by the Board of Directors in March 2011 and remained in effect until the City of Hearne took over operations.

This rate was as follows:

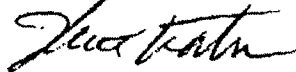
\$30.00 Monthly with 1000 gallons included, \$3.25 per 1000 for overage

Late Fee: \$5.00

Regulatory Assessment: 0.50%

Tap Fee: 5/8 x 3/4 Meter \$500.00

Sincerely,



Kent Watson,

Contract Management & Operations (until transferred to the City of Hearne)
903-529-2297

TCEQ Inspection Report
City of Hearne

PWS/1980004/CO/01-29-2015/FINAL REPORT
Texas Commission on Environmental Quality
Investigation Report

The TCEQ is committed to accessibility. If you need assistance in accessing this document, please contact oee@tceq.texas.gov

Customer: City of Hearne
Customer Number: CN600245286

Regulated Entity Name: CITY OF HEARNE

Regulated Entity Number: RN101391944

Investigation # 1211440

Investigator: CARLA GARCIA

Conducted: 12/18/2014 01/29/2015

Program(s): PUBLIC WATER SYSTEM/SUPPLY

Investigation Type: Compliance Investigation

Additional ID(s): 1980004

Incident Numbers

Site Classification GW >1K-10K CONNECTION

SIC Code: 9999

Location: AIRPORT ROAD

Address:

Local Unit: REGION 09 WACO

Activity Type(s): PWSCCIGWCM CCI GW PURCHASE
COMMUNITY MANDATORY

Principal(s):

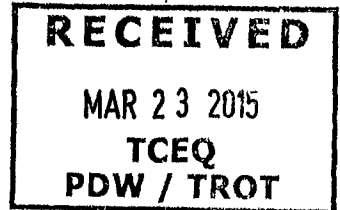
Role	Name
RESPONDENT	CITY OF HEARNE

Contact(s):

Role	Title	Name	Phone
Participated in Investigation	CERTIFIED OPERATOR	MR JAMES OWENS	Work (979) 279-3461
Participated in Investigation	UTILITY WORKER	MR MARQUS THOMAS	Work (979) 279-3461
Regulated Entity Contact	PUBLIC WORKS COORDINATOR	MR TERRY THOMAS	Cell (979) 412-0132 Work (979) 279-3461 Fax (979) 279-2431
Regulated Entity Mail Contact	MAYOR	HON RUBEN GOMEZ	Work (979) 279-3461 Fax (979) 279-2431

Other Staff Member(s):

Role	Name
QA Reviewer	GEORGE LOGAN
Investigator	JADE MENDIOLA
Supervisor	RICHARD MONREAL



RECEIVED
APR 11 2015

Associated Check List

<u>Checklist Name</u>	<u>Unit Name</u>
PWS EMERGENCY POWER INITIATIVE	ER
PWS INVESTIGATION EQUIPMENT	EQ
MONITORING AND SAMPLING revised 06/2013	
PWS STANDARD FIELD	ST

Investigation Comments:**INTRODUCTION:**

On December 4, 2014, Ms. Carla Garcia, Texas Commission on Environmental Quality (TCEQ) Region 9 Environmental Investigator contacted Public Works Director, Mr. Terry Thomas to schedule a comprehensive compliance investigation (CCI) at the City of Hearne public water supply. At that time, Mr. Thomas was informed of the purpose of the investigation.

On December 18, 2014, and January 29, 2015 an announced CCI was conducted at the regulated entity. The investigation was conducted with Mr. Thomas. TCEQ Investigators Ms. Carla Garcia and Ms. Jade Mendiola conducted the investigation. During an exit interview, all violations noted during the investigation were discussed with Mr. Thomas and Mr. Owens. Mr. Thomas and Mr. Owens were advised of the optional 14 day Area of Concern policy and were informed that a Notice of Violation (NOV) letter will be sent to the regulated entity.

GENERAL FACILITY AND PROCESS INFORMATION:

The City of Hearne public water supply is a community water supply that consists of five plants. The well at Well Site No. 2, (G1980004B) discharges into a single ground storage tank. Gas chlorine is injected prior to storage. Two service pumps take suction from the storage tank and pump to the distribution system as well as the Humble Addition plant. At Well Site No. 3, one well (G1980004C) discharges directly into the distribution system. Gas chlorine is injected at this site. At well site No. 4, one well discharges directly into the distribution system. Gas chlorine is injected at this site. At well site No. 5, one well (G1980004E) discharges into three interconnected ground storage tanks. Gas chlorine is injected prior to storage. Two service pumps take suction from the three storage tanks and pump to the distribution system. A single elevated tank is provided for pressure maintenance.

During the January 29, 2015 CCI, it was noted that the City of Hearne and the City of Hearne Humble Addition, (former PWS No.1980008) have merged into one water system; City of Hearne public water supply. The service pumps from the City of Hearne Well Site No.2 pump to the interconnected ground storage tanks at the Humble Addition plant. Two service pumps take suction from the interconnected ground storage tanks to the pressure tank that supplies water to a separate pressure plane which serves 171 connections of the total water system.

Exceptions and Alternative Capacity Requirements:

1. By TCEQ letter dated May 24, 2006, the City of Hearne was granted an exception to 30 TAC 290.41(c)(3)(B), relating to minimum well casing height requirements. The letter grants an exception to the minimum well casing height requirement for well No. 4 (G1980004D). The letter indicates the exception is temporary and will expire the next time down hole work is conducted on the well. At that time the well casing must be extended to meet the minimum height requirement.

It was noted during a December 29, 2011, investigation that the casing for well No. 4 has been extended to meet the minimum well casing height requirement.

2. There are no alternative capacity requirements (ACRs) granted to the City of Hearne.

BACKGROUND INFORMATION:

On December 29, 2011, an announced CCI was conducted at the regulated entity. As a result, a General Compliance letter, dated January 29, 2012, was sent. The following alleged violations were noted during the CCI:

- 1.Failure to provide a water system record that needed to be reviewed at the time of the investigation.
- 2.Failure to verify the accuracy of the disinfectant residual analyzer.

CITY OF HEARNE HEARNE

12/18/2014 to 1/29/2015 Inv. # 1211440

Page 3 of 6

3. Failure to monitor the disinfectant residual at representative locations in the distribution system at least once per day.
4. Failure to collect routine distribution coliform samples at active service connections.
5. Failure to properly screen the air release device.
6. Failure to provide a well casing vent.
7. Failure to house gas chlorination equipment and cylinders of chlorine in separate buildings or separate rooms separating all mechanical and electrical equipment from the chlorine facilities.
8. Failure to provide forced air ventilation for all enclosures containing more than one operating 150-pound cylinder of chlorine.

All noncompliances noted during the investigation were corrected within 14 days of the investigation and were resolved as Areas of Concern.

ADDITIONAL INFORMATION:

All water treatment units, storage and pressure maintenance facilities were observed. Additionally, the disinfectant residual and water pressure were measured within each pressure plane of distribution system.

During the investigation, Mr. Thomas reported that the City of Hearne serves approximately 2,123 active connections. All capacity requirements were evaluated using the reported number of active connections.

NOV Date 02/18/2015 **Method** WRITTEN

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

Track Number: 560143

Compliance Due Date: 03/18/2015

Violation Start Date: 1/29/2015

30 TAC Chapter 290.38(37)

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

30 TAC Chapter 290.43(e)

Alleged Violation:

Investigation: 1211440

Comment Date: 02/11/2015

Failure to maintain an intruder-resistant fence.

A fence six feet or greater in height, constructed of wood, concrete, masonry, or metal with three strands of barbed wire extending outward from the top of the fence at a 45 degree angle with the smooth side of the fence on the outside wall. In lieu of the barbed wire, the fence must be eight feet in height. The fence must be in good repair and close enough to surface grade to prevent intruder passage. All completed well units shall be protected by intruder-resistant fences, the gates of which are provided with locks or shall be enclosed in locked, ventilated well houses to exclude possible contamination or damage to the facilities by trespassers. The gates or wellhouses shall be locked during periods of darkness and when the plant is unattended. All potable water storage tanks and pressure maintenance facilities must be installed in a lockable building that is designed to prevent intruder access or enclosed by an intruder-resistant fence with lockable gates. Pedestal-type elevated storage tanks with lockable doors and without external ladders are exempt from this requirement. The gates and doors must be kept locked whenever the facility is unattended.

During the January 29, 2015 investigation, it was noted that the fence at the Humble Addition plant and the Well No. 3 plant are not maintained at least 6 feet in height.

At the Humble Addition plant the following sections were not measured to be at least 6 feet in height: 1.) A section located on the front panel was measured to be approximately 5 feet and 4 inches in height. 2.) A second

section located on the left panel of the fence was measured to be approximately 4 feet and 11 inches in height. 3.) A third section located on the back panel was measured to be approximately 5 feet and 8 inches in height. 4.) A fourth section was also identified on the back panel of the fence that was measured at approximately 5 feet and 2 inches in height. 5.) A fifth section located on the right panel of the fence was measured at approximately 5 feet and 5 inches in height. Additionally a section of the barbed-wire on the fence at the Humble Addition are not tightly fasted, the location of the loose barbed-wire is located on the back panel of the fence.

At the Well No. 3 plant, a section located on the right panel of the fence was measured to be approximately 5 feet and 1 inch in height. A second section was identified on the front panel of the fence that was measured at approximately 5 feet and 3 inches in height.

Recommended Corrective Action: Submit photographs demonstrating that the fence at the Humble Addition plant and the well No. 3 plant are at least 6 feet in height with three strands of barbed wire extending outward from the top of the fence at a 45 degree angle or that the intruder-resistant fence is at least eight feet in height. The aforementioned requirements are applicable to the entire fencing enclosure.

Track Number: 560144

Compliance Due Date: 03/18/2015

Violation Start Date: 12/18/2014

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

Alleged Violation:

Investigation: 1211440

Comment Date: 02/02/2015

Failure to obtain a sanitary control easement covering land within 150 feet of a well.

A sanitary control easement or sanitary control easements covering land within 150 feet of the well, or executive director approval for a substitute authorized by this subsection, shall be obtained.

During the December 18, 2014 compliance investigation, it was noted that the City of Hearne has not obtained a sanitary control easement covering land within 150 feet of Well No.3 and Well No. 4.

Recommended Corrective Action: Submit to the TCEQ Waco Regional Office documentation demonstrating that the City of Hearne has obtained a sanitary control easement covering land within 150 feet of Well No.3 and Well No.4. Also, submit documentation demonstrating that the easements have been filed with Robertson County.

Track Number: 560146

Compliance Due Date: 03/18/2015

Violation Start Date: 12/18/2014

30 TAC Chapter 290.46(f)(2)

Alleged Violation:

Investigation: 1211440

Comment Date: 02/06/2015

Failure to maintain a record of water works operation and maintenance activities.

Water systems must maintain a record of water works operation and maintenance activities and submit periodic operating reports.

During the December 18, 2014 compliance investigation, it was noted that the water system could not provide the pressure tank inspection form for the 3,000 gallon pressure tank located at the Humble Addition plant.

Recommended Corrective Action: Submit to the TCEQ Waco Regional Office a copy of a pressure tank inspection for the 3,000 gallon pressure tank located at the Humble Addition plant.

Track Number: 560566

Compliance Due Date: 03/18/2015

Violation Start Date: 2/5/2015

30 TAC Chapter 290.45(b)(1)(D)(iv)

Alleged Violation:

Investigation: 1211440

Comment Date: 02/11/2015

Failure to provide adequate pressure tank capacity.

For more than 250 connections, the system must meet the following requirements:

An elevated storage capacity of 100 gallons per connection or a pressure tank capacity of 20 gallons per connection. If pressure tanks are used, a maximum capacity of 30,000 gallons is sufficient for up to 2,500 connections. An elevated storage capacity of 100 gallons per connection is required for systems with more than 2,500 connections. Alternate methods of pressure maintenance may be proposed and will be approved if the criteria contained in subsection of this section are met.

On February 5, 2015, after reviewing the water system data for the City of Hearne, it was noted that the water supply is required to have a pressure tank capacity of 3,420 gallons; the current pressure tank capacity is measured at 3,000 gallons. This a 12% deficiency.

Recommended Corrective Action: Submit to the TCEQ Waco regional office documentation demonstrating that adequate pressure tank capacity has been achieved.

Additional Issues

Description Item 7

Additional Comments

The results of this investigation indicate that this water system's required service pumping capacity for pressure plane No. 1 has exceeded 85% of existing capacity. [30 TAC 291.93(3)]

Signed



Environmental Investigator

Date

2/12/15

Signed



Supervisor

Date

2/11/15

Attachments: (in order of final report submittal)

___ Enforcement Action Request (EAR)

___ Maps, Plans, Sketches

___ Letter to Facility (specify type) _____

___ Photographs

___ Investigation Report

___ Correspondence from the facility

___ Sample Analysis Results

___ Other (specify)

___ Manifests

___ Notice of Registration

TCEQ Inspection Report
Bethany/Hearne WSC

PWS/1980006/CO/20140409/CCI

**Texas Commission on Environmental Quality
Investigation Report**

The TCEQ is committed to accessibility. If you need assistance in accessing this document, please contact oce@tceq.texas.gov

**Customer: Bethany-Hearne Water Supply Corporation
Customer Number: CN600647655**

Regulated Entity Name: BETHANY HEARNE WSC

Regulated Entity Number: RN101203180

Investigation # 1159616	Incident Numbers
Investigator: GEORGE LOGAN	Site Classification P 51-250 CONNECTION
Conducted: 04/09/2014 04/09/2014	NAIC Code: 221310
Program(s): PUBLIC WATER SYSTEM/SUPPLY	
Investigation Type: Compliance Investigation	Location:
Additional ID(s): 1980006	

Address:

Local Unit: REGION 09 - WACO

Activity Type(s): PWSCCIGWCM - CCI GW PURCHASE
COMMUNITY MANDATORY

Principal(s):

Role	Name
RESPONDENT	BETHANY HEARNE WSC

Contact(s):

Role	Title	Name	Phone
Regulated Entity Mail Contact	PRESIDENT	MR RONNIE VAUGHN	Work (979) 589-3275 (979) 279-5017
Regulated Entity Contact	CITY OF HEARNE WATER SUPERINTENDENT	MR TERRY THOMAS	Work (979) 279-3461

Other Staff Member(s):

Role	Name
QA Reviewer	JEFF KUNZE
Supervisor	RICHARD MONREAL

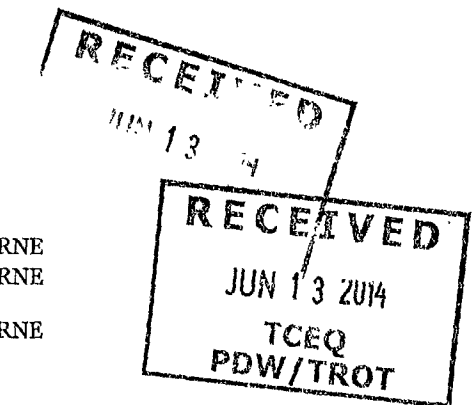
Associated Check List

Checklist Name
PWS EMERGENCY POWER INITIATIVE
PWS INVESTIGATION EQUIPMENT
MONITORING AND SAMPLING revised 06/2013
PWS STANDARD FIELD

Unit Name
BETHANY-HEARNE
BETHANY-HEARNE
BETHANY-HEARNE

Investigation Comments:

INTRODUCTION:



RECEIVED
JUN 16 2014

BETHANY HEARNE WSC

4/9/2014 Inv. # 1159616

Page 2 of 4

On April 2, 2014, Texas Commission on Environmental Quality (TCEQ) Investigator Mr. Fred Logan contacted Bethany Hearne Water Supply Corporation (WSC) licensed water operator, Mr. Terry Thomas, to schedule a comprehensive compliance investigation (CCI) at the Bethany Hearne WSC. The investigator informed Mr. Thomas of the purpose of the investigation.

An announced CCI was conducted on April 9, 2014, at the Bethany Hearne WSC. The investigation was conducted with the Bethany Hearne WSC Operator, Mr. Terry Thomas. During an exit interview, the violations noted during the investigation were discussed with Mr. Thomas. Mr. Thomas was advised of the optional 14 day Area of Concern policy and was informed that a Notice of Violation (NOV) letter will be sent to the Bethany Hearne WSC.

BACKGROUND INFORMATION:

On August 8, 2011, an announced CCI was conducted at the Bethany Hearne WSC. As a result of this investigation, the Bethany Hearne WSC was sent a NOV letter, dated August 29, 2011, with a compliance due date of October 3, 2011. The outstanding alleged violation was: Failure to conduct maintenance and housekeeping at the pressure tank and ground storage tank site.

A registered mail receipt in the Waco Regional files indicates that the letter was received on September 1, 2011.

Area of Concern: Failure to provide a water system record that needed to be reviewed at the time of the investigation.

Additional Issues: The results of this investigation indicate that this water system's minimum required ground storage capacity has exceeded 85% of its existing capacity.

GENERAL FACILITY AND PROCESS INFORMATION:

The Bethany Hearne WSC obtains water from the City of Hearne through one master meter located on FM 391. The water flows to two ground storage tank (GS) with hypochlorination provided prior to ground storage as needed. Two service pumps (SP) take suction from the GS and pump to distribution with a pressure tank (PT) floating on the system. The System serves approximately 183 retail service connections.

Exceptions and Alternative Capacity Requirements:

1. There are no alternative capacity requirements (ACRs) granted to the System.
2. There are no rule exceptions granted to the System.

ADDITIONAL INFORMATION:

All water treatment units, storage and pressure maintenance facilities at the main water plant were observed during the investigation. Additionally, the disinfectant residual and pressure were measured within the distribution system.

Mr. Terry Thomas reported that the system serves 183 retail service connections. All capacity requirements were evaluated using the reported number of connections.

On April 22 and April 25, 2014, documentation was received from Mr. Thomas, Bethany Hearne WSC, that included the approval of the new ground storage tanks, a signed Customer Service Agreement, and a report of the internal inspection of the pressure tank. This was adequate to resolve the alleged violation.

1. Conclusion: The Bethany Hearne WSC will be sent a NOV-Resolved letter as a result of this investigation.
2. Area of Concern: Not applicable.
3. Additional Issues: Not applicable.

NOV Date: 05/22/2014 Method: WRITTEN

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

Track Number: 534411

Resolution Status Date: 5/15/2014

Violation Start Date: 4/9/2014

Violation End Date: 4/25/2014

30 TAC Chapter 290.46(f)(2)

Alleged Violation:

Investigation: 1159616

Comment Date: 05/04/2014

Failure to provide operating records required at the time of the investigation.

The public water system's operating records must be accessible for review during inspections and be available to the executive director upon request.

The following records were not available at the time of the investigation:

1. Record of internal inspection of the pressure tank.
2. Approval of the installation of the new ground storage tanks.
3. Copy of an approved Customer Service Agreement.

On April 22, 2014, documentation was received from Mr. Terry Thomas, Bethany Hearne WSC, that included the approval of the new ground storage tanks and a signed Customer Service Agreement. This was adequate to resolve items 2 and 3 of this alleged violation.

Resolution: On April 22 and April 25, 2014, documentation was received from Mr. Terry Thomas, Bethany Hearne WSC, that included the approval of the new ground storage tanks, a signed Customer Service Agreement, and a report of the internal inspection of the pressure tank. This was adequate to resolve this alleged violation.

Signed


Environmental Investigator

Date

5/15/14

Signed


Supervisor

Date

5/16/14

Attachments: (in order of final report submittal)

☐ Enforcement Action Request (EAR)

☒ Letter to Facility (specify type) NOV -

Investigation Report Resolved

☐ Sample Analysis Results

☐ Manifests

☐ Notice of Registration

☒ Maps, Plans, Sketches

☐ Photographs

☒ Correspondence from the facility

☒ Other (specify)

Public Water System Data

Water System Data Sheet

Exit Interview Form

SOS Query

Operator Licensing Update