

Tyler N. Hendrickson, P.E. Corey A. Frentress, P.E. W. Wayne Weeks, P.E. Neal E. Velvin, P.E.



930 E. Corsicana Stree P.O. Box 1007 Athens, Texas 7575

October 7, 2016

Public Utility Commission Filing Clerk P O Box 13326 Austin, Texas 78711-3326

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RE: L & T Water Works Docket No. 46300

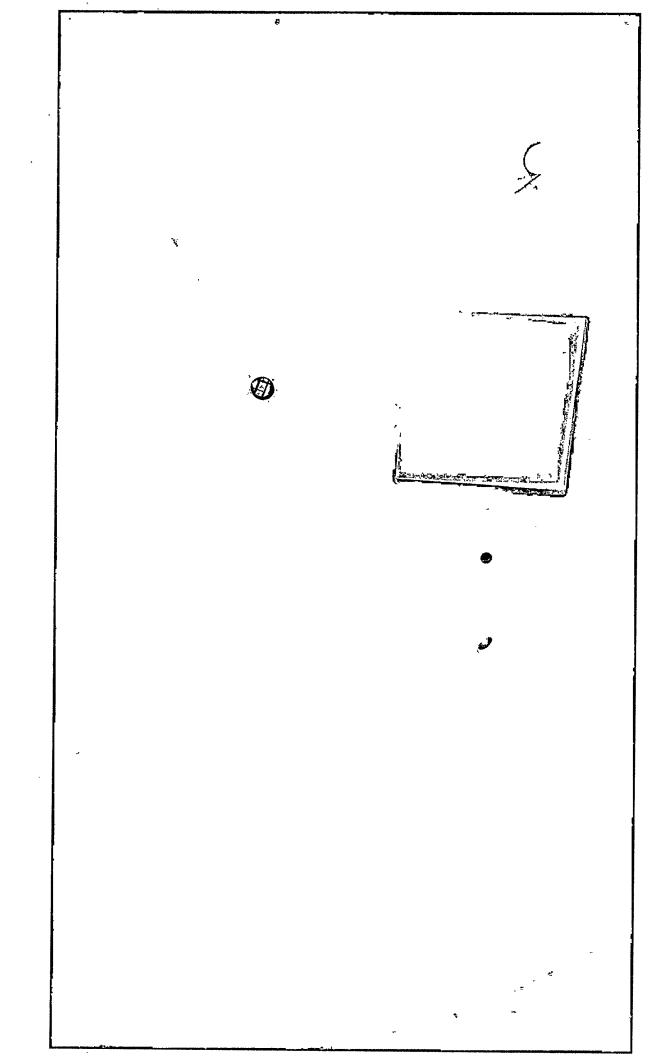
In response to the Commission Staff's Request for Information to L & T Water Works we offer the following:

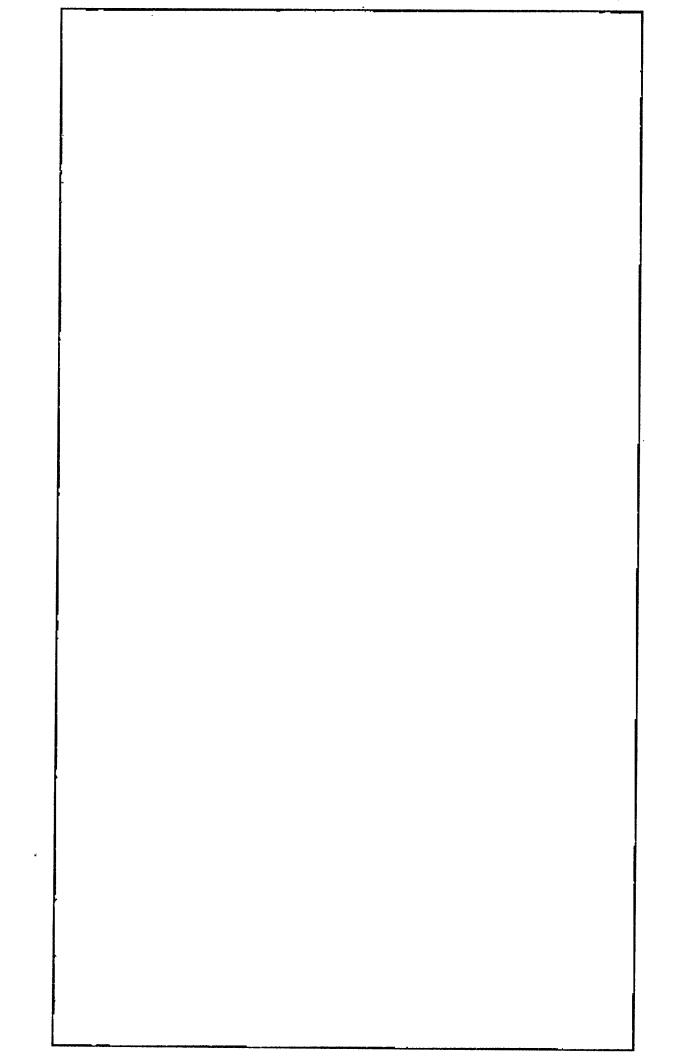
Staff 1-2 Please provide documentation that the TCEQ violation issued on May 18, 2012 and May 10, 2013 for failure to maintain the protective coating on the ground storage tank, has been resolved.

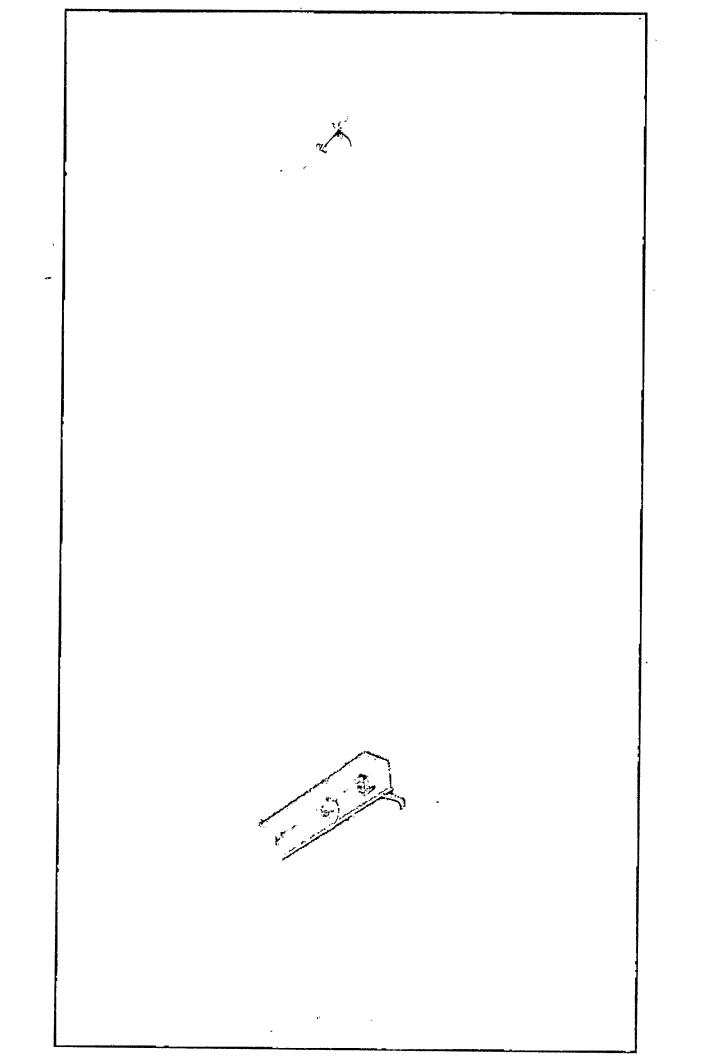
To the best of our knowledge; the above referenced project was completed in accordance with the TCEQ design requirements. I have attached photographs for reference.

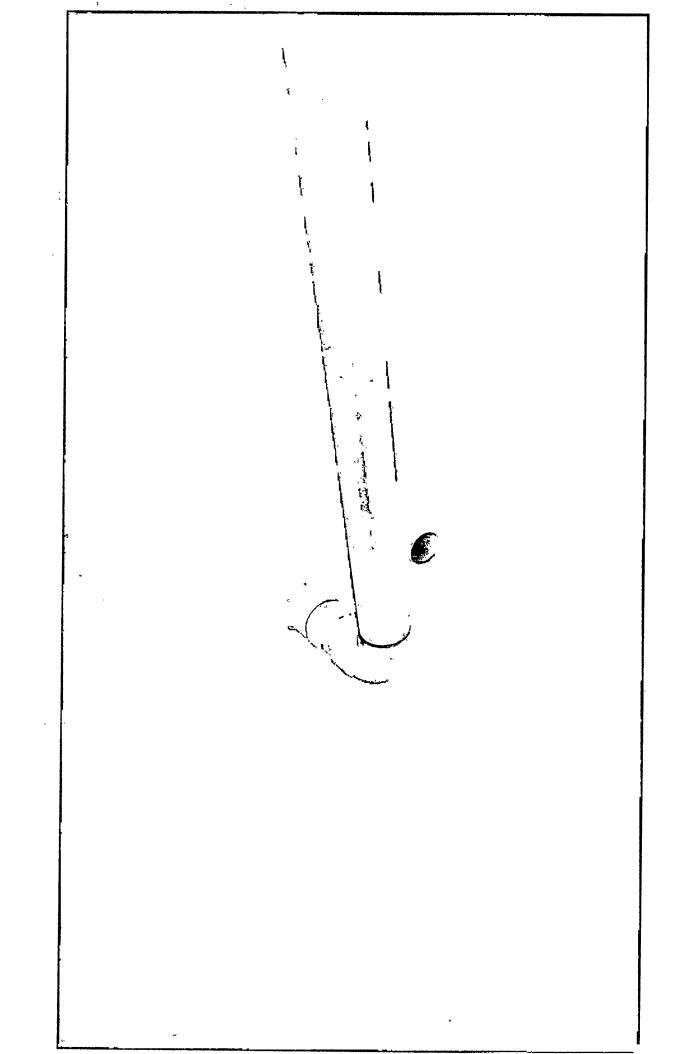
Tyler N. Hendrickson, P.E. Velvin and Weeks Consulting Engineers, Inc.

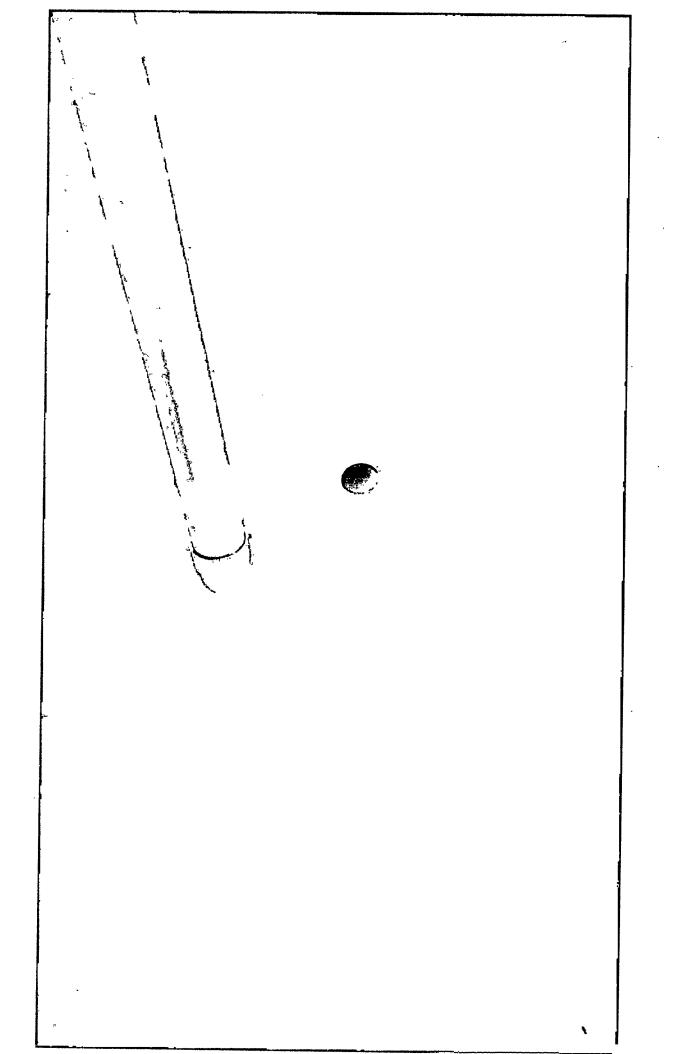
Attest





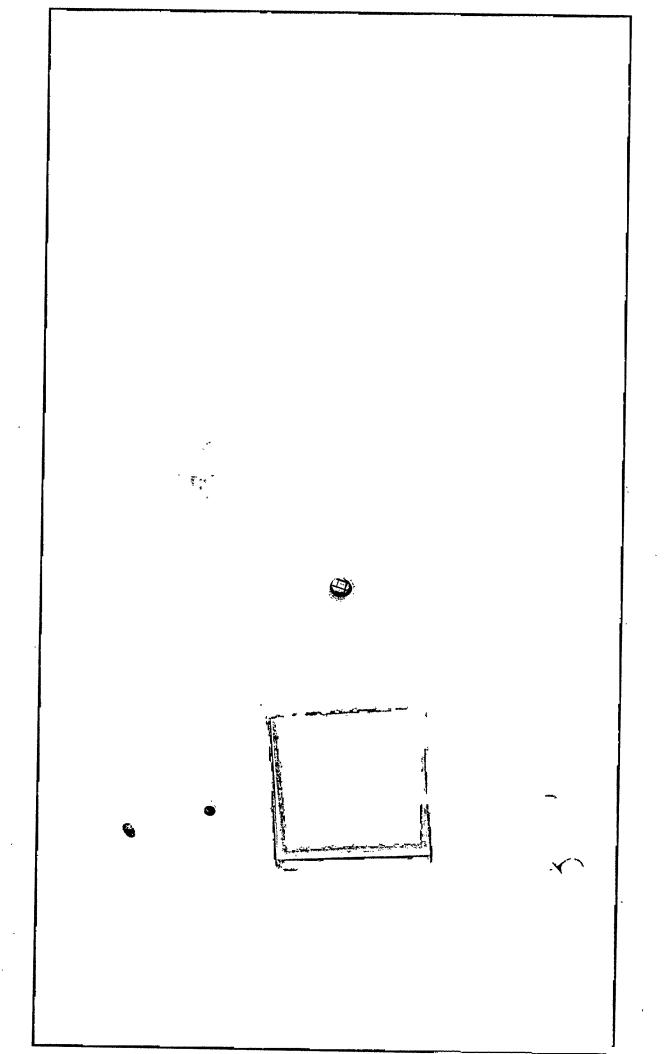


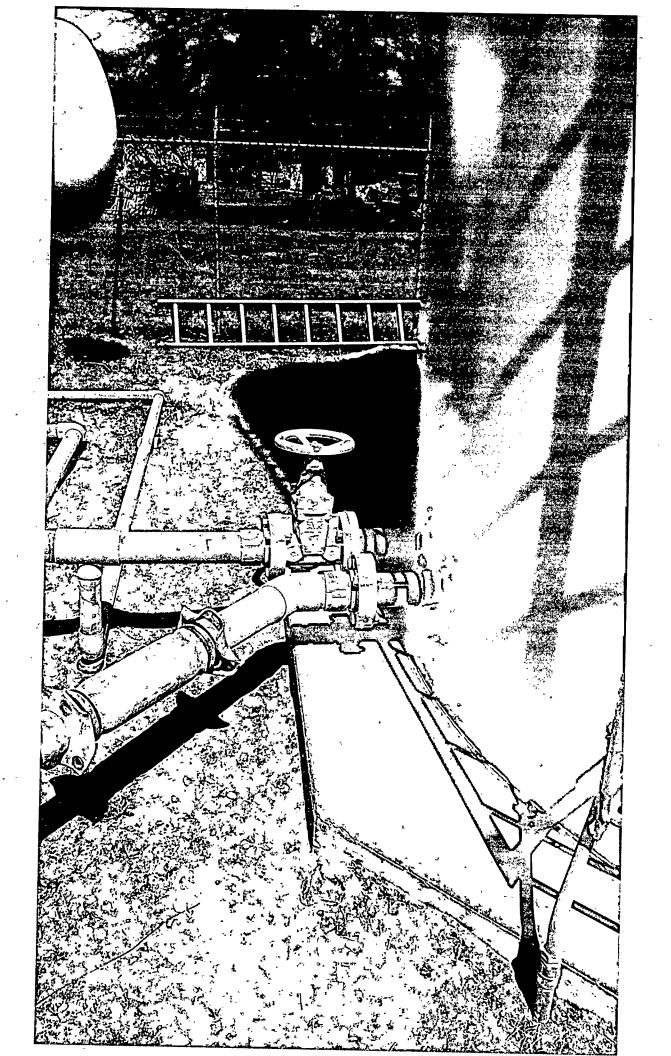


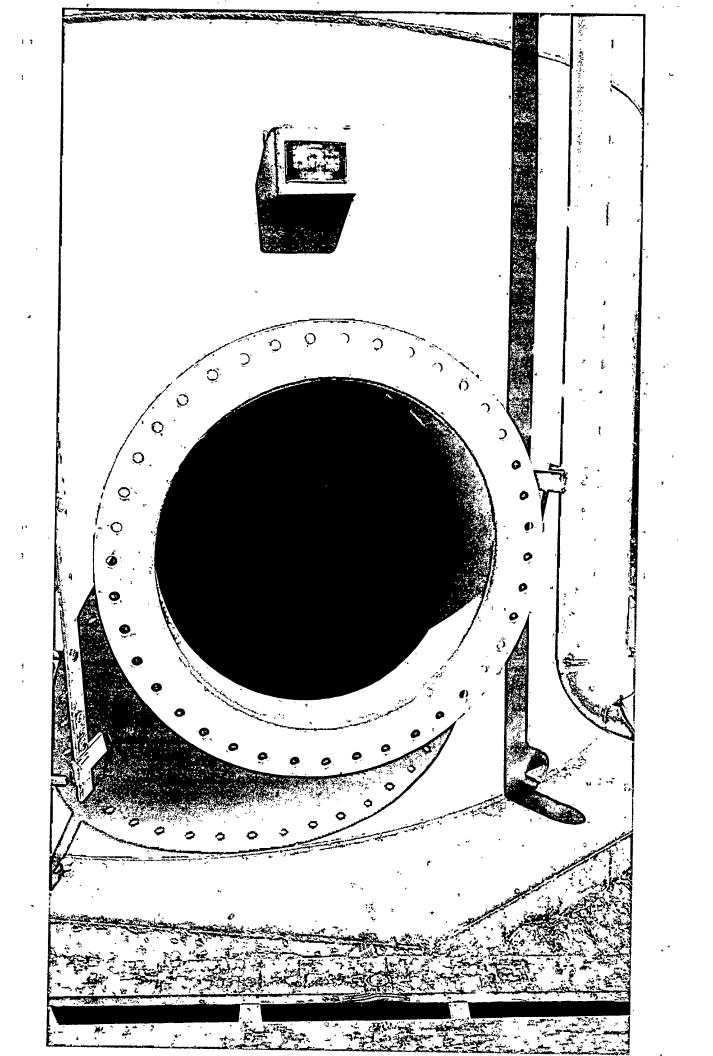


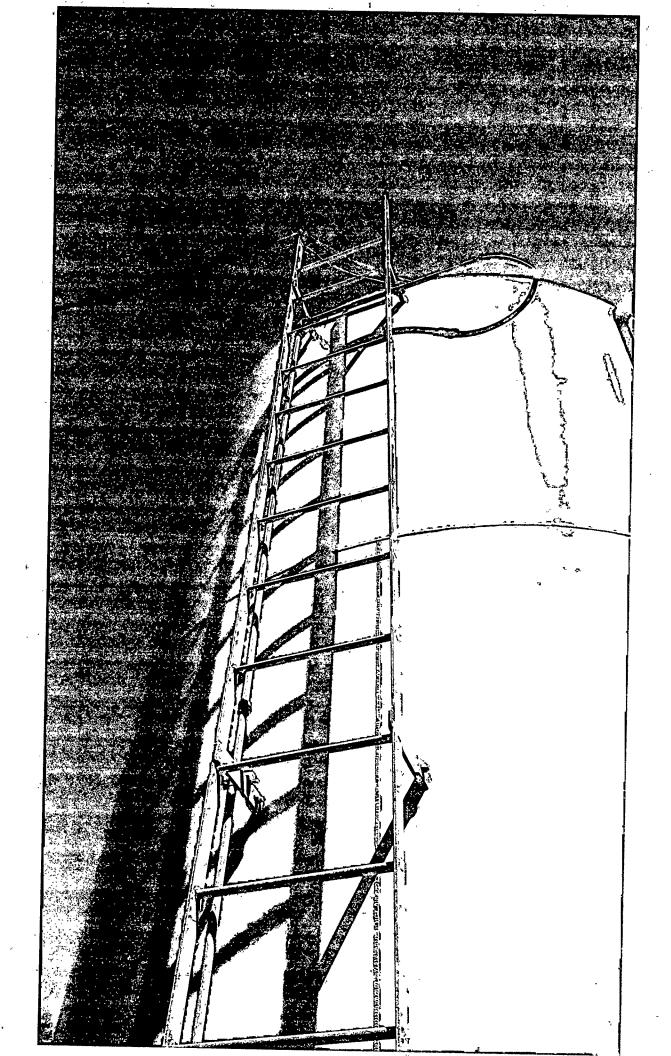
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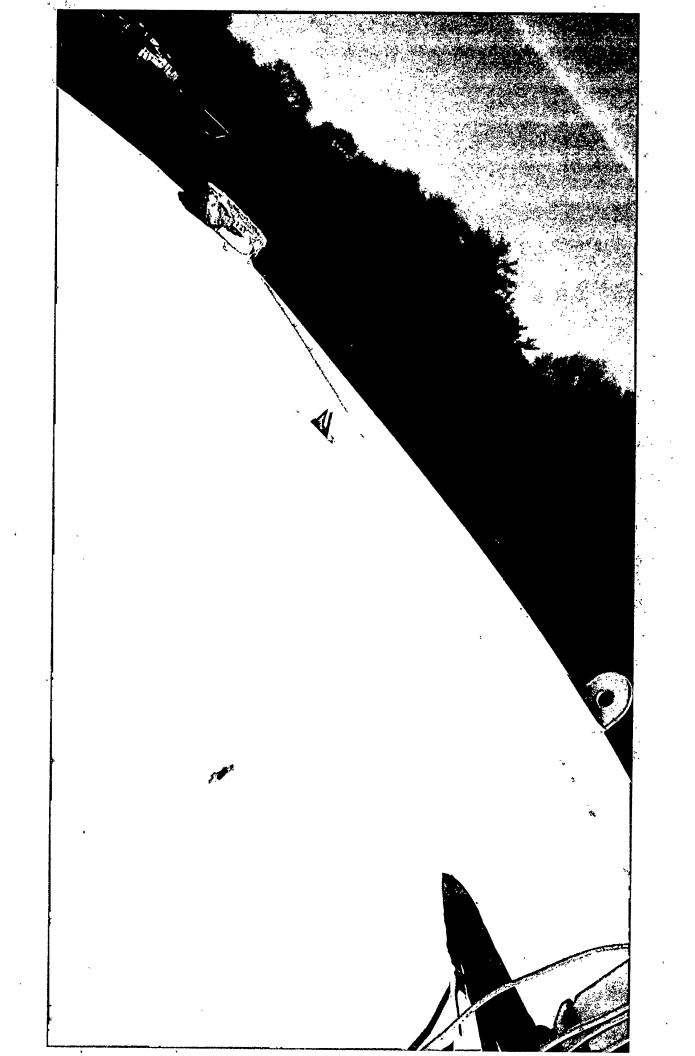
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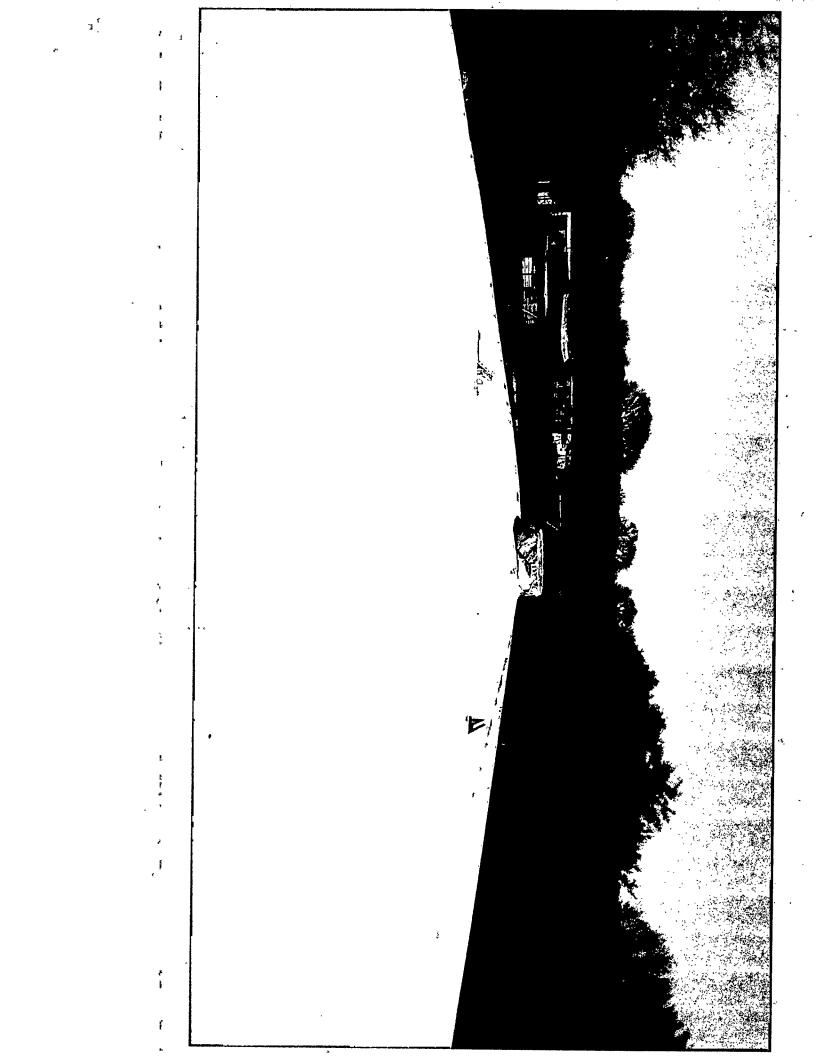


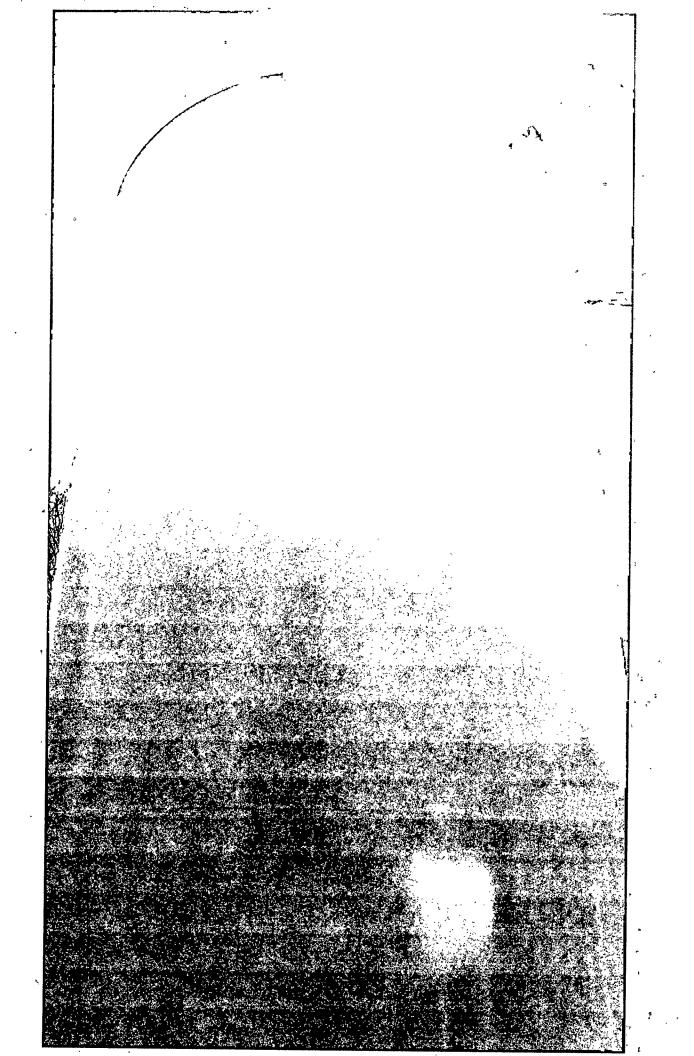


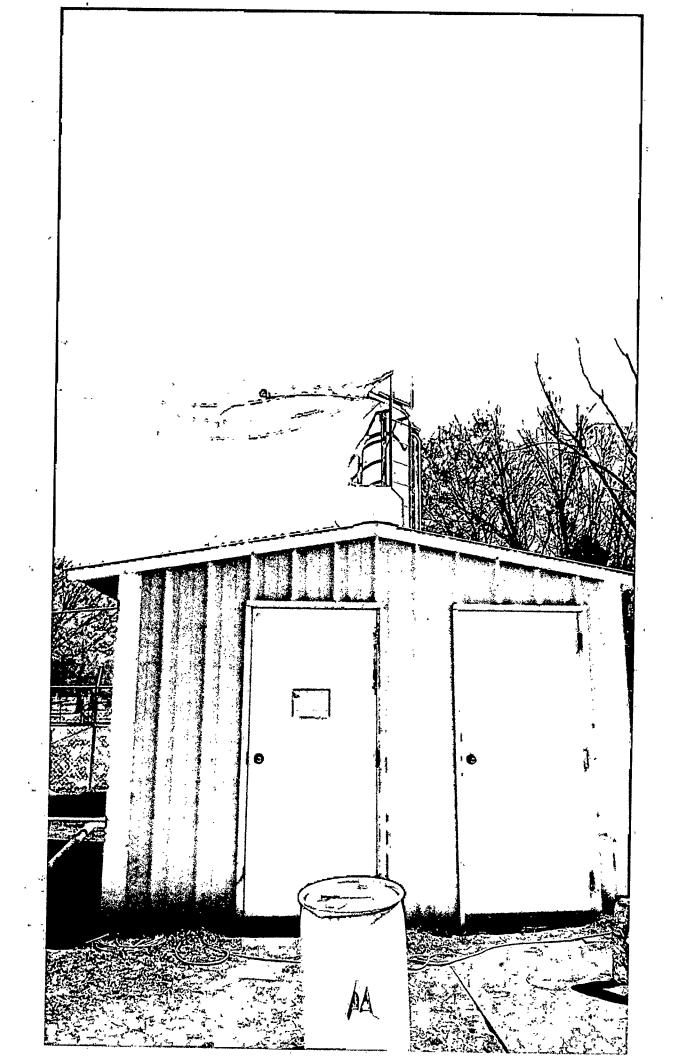












Curtis Logan, Operator

Rayjeana Logan, Office Manager

P.O. Box 66

LaRue, TX. 75770

L & T Water Works L.L.C.

Phone 903-922-0873

October 12, 2016

Public Utility Commission

Filing Clerk

P.O. Box 13326

Austin, TX. 78711-3326

RE: L & T Water Works

Docket No. 46300

In response to the Commission Staff's Request for Information to L & T Water Works we offer the Following:

Staff 1-1 Please provide the most recent site investigation report of the Athens Water PWS

#1070235

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Investigation is enclosed

Curtis Logan Operator

L&T Water Works L.L,C.

DOCKET NO. 46300

APPLICATION OF DAL-HIGH WATER§SUPPLY AND L&T WATER WORKS§FOR SALE, TRANSFER, OR MERGER§OF FACILITIES AND CERTIFICATE§RIGHTS IN HENDERSON COUNTY§

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PUBLIC UTILITY COMMISSION 4 PUBLIC UTILITY COMMISSION OF TEXAS IS CLERIC

RECEIVED

COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO L&T WATER WORKS QUESTION NOS. STAFF 1-1 THROUGH STAFF 1-2

Pursuant to 16 TAC § 22.144 of the Commission's Procedural Rules, the Staff of the Public Utility Commission of Texas (Staff) requests that L&T Water Works (L&T) by and through its attorneys of record, provide the following information and answer the following question(s) under oath. The question(s) shall be answered in sufficient detail to fully present all of the relevant facts, within the time limit provided by the Presiding Officer or within 20 days, if the Presiding Officer has not provided a time limit. Please copy the question immediately above the answer to each question. These question(s) are continuing in nature, and if there is a relevant change in circumstances, submit an amended answer, under oath, as a supplement to your original answer. State the name of the witness in this cause who will sponsor the answer to the question and can youch for the truth of the answer.

Provide an original and three copies of your answers to the questions to the Filing Clerk, Public Utility Commission of Texas, 1701 N. Congress Avenue, P.O. Box 13326, Austin, Texas 78711-3326. Dated: September 29, 2016

Respectfully Submitted,

PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION

*

Margaret Uhlig Pemberton Division Director-Legal Division

Karen S. Hubbard Managing Attorney - Legal Division

Jason Haas State Bar No. 24032386 1701 N. Congress Avenue P.O. Box 13326 Austin, Texas 78711-3326 (512) 936-7295 (512) 936-7268 (facsimile)

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on September 29, 2016 in accordance with 16 TAC § 22.74.

Jason Haas

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⁺ DOCKET NO. 46300

COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO L&T WATER WORKS QUESTION NOS. STAFF 1-1 THROUGH STAFF 1-2

DEFINITIONS

"Applicant, "the Company" or "you" refers to the L&T Water Works and any person acting or purporting to act on their behalf, including without limitation, attorneys, agents, advisors, investigators, representatives, employees or other persons.

B. "Document" includes any written, recorded, or graphic matter, however produced or reproduced, including but not limited to correspondence, telegrams, contracts, agreements, notes in any form, memoranda, diaries, voice recording tapes, microfilms, pictures, computer media, work papers, calendars, minutes of meetings or other writings or graphic matter, including copies containing marginal notes or variations of any of the foregoing, now or previously in your possession. In the event any documents requested by this Request for Information have been transferred beyond the Company's control, describe the circumstances under which the document was destroyed or transferred and provide an exact citation to the subject document. In the event that documents containing the exact information do not exist, but documents do exist which contain portions of the required information or which contain substantially similar information, then the definition of "documents" shall include the documents which do not exist and these documents will be provided.

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DOCKET NO. 46300

COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO L&T WATER WORKS QUESTION NOS. STAFF 1-1 THROUGH STAFF 1-2

INSTRUCTIONS

- 1) Pursuant to P.U.C. Proc. R. 22.144(c)(2), Staff requests that answers to the requests for information be made under oath.
- 2) Please copy the question immediately above the answer to each question. State the name of the witness in this cause who will sponsor the answer to the question and can vouch for the truth of the answer.
- 3) These questions are continuing in nature, and if there is a relevant change in circumstances, submit an amended answer, under oath, as a supplement to your original answer.
- 4) Words used in the plural shall also be taken to mean and include the singular. Words used in the singular shall also be taken to mean and include the plural.
- 5) The present tense shall be construed to include the past tense, and the past tense shall be construed to include the present tense.
- 6) If any document is withheld under any claim of privilege, please furnish a list identifying each document for which a privilege is claimed, together with the following information: date, sender, recipients or copies, subject matter of the document, and the basis upon which such privilege is claimed.
- 7) Pursuant to P.U.C. Proc. R. 22.144(g)(4), if the response to any request is voluminous, please provide a detailed index of the voluminous material.
- 8) Staff requests that each item of information be made available as it is completed, rather than upon completion of all information requested.

Docket No. 46300

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DOCKET NO. 46300

COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO L&T WATER WORKS QUESTION NOS. STAFF 1-1 THROUGH STAFF 1-2

Staff 1-1 Please provide the most recent site investigation report of the Athens Water PWS #107235.

Staff 1-2 Please provide documentation that the TCEQ violation issued on May 18th, 2012 and May 10th, 2013, for failure to maintain the protective coating on the ground storage tank, has been resolved.

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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

August 15, 2016

Mr. Curtis Logan, Owner L and T Waterworks LLC PO Box 1217 Palestine, TX 75802

Re: Comprehensive Compliance Investigation at: Athens Water COOP, Located near 9433 Richardson Road, (Henderson Co.), TX RN101281855, TCEQ Additional ID: 1070235, Investigation No. 1350437

Dear Mr. Logan:

On July 8, 2016, Ms. Angela Hicks of the Texas Commission on Environmental Quality (TCEQ) Tyler Region Office conducted an investigation of the above-referenced system to evaluate compliance with applicable requirements for public water systems. There were alleged violations documented during the investigation, which were resolved within 14 days and resolved as Areas of Concern. No further documentation is required. Please see the enclosed Summary of Investigation Findings about Areas of Concern.

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. Hicks in the Tyler Region Office at (903) 535-5122.

Sincerely,

Ms. Cara C. Fisher Work Leader, Water Program Tyler Region Office

CCF/ALH

Enclosures: Summary of Investigation Findings

ATHENS WATER SYSTEM COOP 30 TAC Chapter 288.20

Alleged Violation:

Investigation: 1350437

Comment Date: 07/27/2016

Failure to have a Drought Contingency Plan (DCP).

During the CCI on July 8, 2016, the investigator documented that the water system did not have a copy of their DCP.

Resolution: On July 13, 2016, the Tyler Regional Office received a copy of the water system's Drought Contingency Plan. The documentation is sufficient to resolve the alleged violation.

Track No: 612110

30 TAC Chapter 290.42(I)

Alleged Violation:

Investigation: 1350437

Comment Date: 07/27/2016

Failure to have an adequate plant operations manual.

- During the CCI on July 8, 2016, the investigator documented that the water system did not have a copy of their plant operations manual as required by 30 TAC Subchapter 290,42(I).
- Resolution: On July 13, 2016, the Tyler Regional Office received a copy of the water system's plant operations manual. The documentation is sufficient to resolve the alleged violation.

Track No: 612111 30 TAC Chapter 290.46(m)

Alleged Violation:

Investigation: 1350437

Comment Date: 07/27/2016

Failure to maintain the water plant grounds.

During the CCI on July 8, 2016, the investigator observed that the water plant was overgrown with weeds and grass.

Resolution: On July 13, 2016, the Tyler Regional Office received photographs of the water plant that documented that the grass had been mowed. The documentation is sufficient to resolve the alleged violation.

ł	ADDITIONAL ISSUES	

Description	Additional Comments
Description	Additional Comments
Item 7	During the CCI on July 8, 2016, the investigator
•	requested records for the following items; flushing
	logs for 2014, bacteriological samples results for
	May, June, July, Oct - Dec 2015, annual tank

es results for nual tank

inspections, and the NSF on chlorine. The records

were received and reviewed. No further action is. . required.

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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

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Sincerely,

Ms. Cara C. Fisher Work Leader, Water Program Tyler Region Office

CCF/ALH

Enclosures: Summary of Investigation Findings

Summary of Investigation Findings

ATHENS WATER SYSTEM COOP

, HENDERSON COUNTY,

1350437 Investigation Date: 07/08/2016

Investigation #

Additional ID(s): 1070235

AREA OF CONCERN

Track No: 612106

30 TAC Chapter 290.46(f)(3)(A)(iii)

Alleged Violation:

Investigation: 1350437

Comment Date: 07/27/2016

Failure to have adequate complaint logs.

During the CCI on July 8, 2016, the investigator documented that the water system was not collecting the required information on complaint logs. According to 30 TAC Subchapter 290.46(f)(3)(A)(iii) All public water systems shall maintain a record of operations such as the date, location, and nature of water quality, pressure, or outage complaints received by the system and the results of any subsequent complaint investigation.

Resolution: On July 24, 2016, the Tyler Regional Office received a copy of the water system's new complaint form. The form had all of the required information to resolve the alleged violation.

Track No: 612107 30 TAC Chapter 290.110

Alleged Violation:

Investigation: 1350437

Comment Date: 07/27/2016

Failure to maintain an up-to-date monitoring plan.

* During the CCI on July 8, 2016, the investigator documented that the water system was lacking the lab approval form.

Resolution: On July 24, 2016, the Týler Regional Office received a copy of the water system's lab approval form. The documentation is sufficient to resolve the alleged violation.

Track No: 612108 30 TAC Chapter 290.46(s)(1)

Alleged Violation:

Investigation: 1350437

Comment Date: 07/27/2016

Failure to calibrate/verify the well meter every 3 years.

During the CCI on July 8, 2016, the investigator documented that the water system had not verified the accuracy of the well meter in the last 3 years as required by 30 TAC Subchapter 290.46(s)(1), which states that well meters required by §290.41(c)(3)(N) of this title (relating to Water Sources) shall be calibrated at least once every three years.

Resolution: On July 24, 2016, the Tyler Regional Office received a copy of the water system's receipt for a new well meter that was purchased on July 22, 2016. The documentation is sufficient to resolve the alleged violation.

Track No: 612109

Summary of Investigation Findings

ATHENS WATER SYSTEM COOP

30 TAC Chapter 288.20

Alleged Violation:

Investigation: 1350437

Comment Date: 07/27/2016

, Failure to have a Drought Contingency Plan (DCP).

During the CCI on July 8, 2016, the investigator documented that the water system did not have a copy of their DCP.

Resolution: On July 13, 2016, the Tyler Regional Office received a copy of the water system's Drought Contingency Plan. The documentation is sufficient to resolve the alleged violation.

Track No: 612110

30 TAC Chapter 290.42(I)

Alleged Violation:

Investigation: 1350437

Comment Date: 07/27/2016

Failure to have an adequate plant operations manual.

During the CCI on July 8, 2016, the investigator documented that the water system did not have a copy of their plant operations manual as required by 30 TAC Subchapter 290.42(I).

Resolution: On July 13, 2016, the Tyler Regional Office received a copy of the water system's plant operations manual. The documentation is sufficient to resolve the alleged violation.

Track No: 612111 30 TAC Chapter 290.46(m)

Alleged Violation:

Investigation: 1350437

Comment Date: 07/27/2016

Failure to maintain the water plant grounds.

During the CCI on July 8, 2016, the investigator observed that the water plant was overgrown with weeds and grass.

Resolution: On July 13, 2016, the Tyler Regional Office received photographs of the water plant that documented that the grass had been mowed. The documentation is sufficient to resolve the alleged violation.

Description Item 7

Additional Comments

During the CCI on July 8, 2016, the investigator requested records for the following items; flushing logs for 2014, bacteriological samples results for May, June, July, Oct - Dec 2015, annual tank inspections, and the NSF on chlorine. The records were received and reviewed. No further action is required. 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

August 15, 2016

Mr. Curtis Logan, Owner L and T Waterworks LLC PO Box 1217 Palestine, TX 75802

Re: Comprehensive Compliance Investigation at:

Athens Water COOP, Located near 9433 Richardson Road, (Henderson Co.), TX RN101281855, TCEQ Additional ID: 1070235, Investigation No. 1350437

Dear Mr. Logan:

On July 8, 2016, Ms. Angela Hicks of the Texas Commission on Environmental Quality (TCEQ) Tyler Region Office conducted an investigation of the above-referenced system to evaluate compliance with applicable requirements for public water systems. There were alleged violations documented during the investigation, which were resolved within 14 days and resolved as Areas of Concern. No further documentation is required. Please see the enclosed Summary of Investigation Findings about Areas of Concern.

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. Hicks in the Tyler Region Office at (903) 535-5122.

Sincerely,

Ms. Cara C. Fisher Work Leader, Water Program Tyler Region Office

CCF/ALH

Enclosures: Summary of Investigation Findings

Summary of Investigation Findings

ATHENS	WATER	SYSTEM	COOP

Investigation # 1350437 Investigation Date: 07/08/2016

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, HENDERSON COUNTY,

Additional ID(s): 1070235

AREA OF CONCERN

Track No: 612106

30 TAC Chapter	290.46(f)(3)(A)(iii)	
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Alleged Violation:

Investigation:	1350437
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Comment Date: 07/27/2016

Failure to have adequate complaint logs.

During the CCI on July 8, 2016, the investigator documented that the water system was not collecting the required information on complaint logs. According to 30 TAC Subchapter 290.46(f)(3)(A)(iii) All public water systems shall maintain a record of operations such as the date, location, and nature of water quality, pressure, or outage complaints received by the system and the results of any subsequent complaint investigation.

Resolution: On July 24, 2016, the Tyler Regional Office received a copy of the water system's new complaint form. The form had all of the required information to resolve the alleged violation.

Track No: 612107 30 TAC Chapter 290.110

Alleged Violation:

Investigation: 1350437

Comment Date: 07/27/2016

Failure to maintain an up-to-date monitoring plan.

During the CCI on July 8, 2016, the investigator documented that the water system was lacking the lab approval form.

Resolution: On July 24, 2016, the Tyler Regional Office received a copy of the water system's lab approval form. The documentation is sufficient to resolve the alleged violation.

Track No: 612108 30 TAC Chapter 290.46(s)(1)

Alleged Violation:

Investigation: 1350437

Comment Date: 07/27/2016

Failure to calibrate/verify the well meter every 3 years.

During the CCI on July 8, 2016, the investigator documented that the water system had not verified the accuracy of the well meter in the last 3 years as required by 30 TAC Subchapter

- 290.46(s)(1), which states that well meters required by §290.41(c)(3)(N) of this title (relating to Water Sources) shall be calibrated at least once every three years.
- Resolution: On July 24, 2016, the Tyler Regional Office received a copy of the water system's receipt for a new well meter that was purchased on July 22, 2016. The documentation is sufficient to resolve the alleged violation.

Track No: 612109

Summary of Investigation Findings

Page 1 of 2

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Investigation # 1350437

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Alleged Violation:

Investigation: 1350437

Comment Date: 07/27/2016

Failure to have a Drought Contingency Plan (DCP).

During the CCI on July 8, 2016, the investigator documented that the water system did not have a copy of their DCP.

Resolution: On July 13, 2016, the Tyler Regional Office received a copy of the water system's Drought Contingency Plan. The documentation is sufficient to resolve the alleged violation.

Track No: 612110

30 TAC Chapter 290.42(I)

Alleged Violation:

Investigation: 1350437

Comment Date: 07/27/2016

Failure to have an adequate plant operations manual.

During the CCI on July 8, 2016, the investigator documented that the water system did not have a copy of their plant operations manual as required by 30 TAC Subchapter 290.42(I).

Resolution: On July 13, 2016, the Tyler Regional Office received a copy of the water system's plant operations manual. The documentation is sufficient to resolve the alleged violation.

Track No: 612111 30 TAC Chapter 290.46(m)

Alleged Violation:

Investigation: 1350437

Comment Date: 07/27/2016

Failure to maintain the water plant grounds.

During the CCI on July 8, 2016, the investigator observed that the water plant was overgrown with weeds and grass.

Resolution: On July 13, 2016, the Tyler Regional Office received photographs of the water plant that documented that the grass had been mowed. The documentation is sufficient to resolve the alleged violation.

Description

Item 7

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Additional Comments

During the CCI on July 8, 2016, the investigator requested records for the following items; flushing logs for 2014, bacteriological samples results for May, June, July, Oct - Dec 2015, annual tank inspections, and the NSF on chlorine. The records were received and reviewed. No further action is required. Bryan W. Shaw, Ph.D., P.E., Chairman Toby Baker, Commissioner Jon Niermann, Commissioner Richard A. Hyde, P.E., Executive Director



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Dear Mr. Logan:

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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. Hicks in the Tyler Region Office at (903) 535-5122.

Sincerely,

Ms. Cara C. Fisher Work Leader, Water Program Tyler Region Office

CCF/ALH

Enclosures: Summary of Investigation Findings

Summary of Investigation Findings

Investigation # 1350437 Investigation Date: 07/08/2016

, HENDERSON COUNTY,

Additional ID(s): 1070235

AREA OF CONCERN

Track No: 612106

· 30 TAC Chapter 290.46(f)(3)(A)(iii)

Alleged Violation:

Investigation: 1350437

Comment Date: 07/27/2016

Failure to have adequate complaint logs.

During the CCI on July 8, 2016, the investigator documented that the water system was not collecting the required information on complaint logs. According to 30 TAC Subchapter 290.46(f)(3)(A)(iii) All public water systems shall maintain a record of operations such as the date, location, and nature of water quality, pressure, or outage complaints received by the system and the results of any subsequent complaint investigation.

, Resolution: On July 24, 2016, the Tyler Regional Office received a copy of the water system's new complaint form. The form had all of the required information to resolve the alleged violation.

Track No: 612107

30 TAC Chapter 290.110

Alleged Violation:

Investigation: 1350437

Comment Date: 07/27/2016

Failure to maintain an up-to-date monitoring plan.

During the CCI on July 8, 2016, the investigator documented that the water system was lacking the lab approval form.

Resolution: On July 24, 2016, the Tyler Regional Office received a copy of the water system's lab approval form. The documentation is sufficient to resolve the alleged violation.

Track No: 612108 30 TAC Chapter 290.46(s)(1)

Alleged Violation: Investigation: 1350437 •

Comment Date: 07/27/2016

Failure to calibrate/verify the well meter every 3 years.

During the CCI on July 8, 2016, the investigator documented that the water system had not verified the accuracy of the well meter in the last 3 years as required by 30 TAC Subchapter 290.46(s)(1), which states that well meters required by §290.41(c)(3)(N) of this title (relating to Water Sources) shall be calibrated at least once every three years.

Resolution: On July 24, 2016, the Tyler Regional Office received a copy of the water system's receipt for a new well meter that was purchased on July 22, 2016. The documentation is sufficient to resolve the alleged violation.

30 TAC Chapter 288.20	Investigation # 135
*	* *
Alleged Violation:	
Investigation: 1350437	Comment Date: 07/27/2016
Failure to have a Drought Contingency Pla	an (DCP).
During the CCI on July 8, 2016, the investi have a copy of their DCP.	igator documented that the water system did not
Resolution: On July 13, 2016, the Tyler R Drought Contingency Plan. The documen	tegional Office received a copy of the water system tation is sufficient to resolve the alleged violation.
Frack No: 612110	
Frack No: 612110 30 TAC Chapter 290.42(I)	· · · · · · · · · · · · · · · · · · ·
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30 TAC Chapter 290.42(I)	Comment Date: 07/27/2016
30 TAC Chapter 290.42(I) Alleged Violation:	
30 TAC Chapter 290.42(I) Alleged Violation: Investigation: 1350437 Failure to have an adequate plant operation During the CCI on July 8, 2016, the invest	

Alleged Violation:

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Investigation: 1350437

Comment Date: 07/27/2016

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Resolution: On July 13, 2016, the Tyler Regional Office received photographs of the water plant that documented that the grass had been mowed. The documentation is sufficient to resolve the alleged violation.

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