

Control Number: 46727



Item Number: 25

Addendum StartPage: 0



August 15, 2017

RECEIVED

2017 AUG 17 AM 9: 47

Filing Clerk
Public Utility Commission of Texas
1701 N. Congress Avenue
PO Box 13326
Austin, Texas 78711-3326

PUBLIC UTILITY COMPRESSION FILING CLERK

Re: Docket No. 46727 – Application of H-M-W SUD to Amend a Water CCN in Montgomery County
Response to Commission Staff's First Request for Information Question Nos. Staff 1-1
Through Staff 1-11

To Whom it Concerns,

Please find herewith the requested information related to the amendment to the H-M-W SUD Water CCN in Harris County. I, Rachel Musgrove attest to the truth of these answers. I will provide additional information as soon as it is available to me. It has been requested from the record keeper and will be filed as soon as possible as noted on each answer below.

Staff 1-1: For PWS 1700565- Please provide the report from the 3/29/2016 CCI investigation, or letter from the TCEQ stating there were no alleged violations.

The requested letter is provided as an attachment to this letter.

Staff 1-2: For PWS 1700228- Please provide the report from the 6/27/2016 CCI investigation. Please provide an explanation for how the applicant plans to address the alleged violation for a "failure to maintain all water storage facilities in a watertight condition.

The requested report as well as the Notice of Compliance with Notice of Violation dated June 5, 2017 are provided as an attachment to this letter. The tank in question was replaced.

Staff 1-3: For PWS 1700156- Please provide the report from the 10/30/2014 CCI investigation, or letter from the TCEQ stating there were no alleged violations.

The requested letter is provided as an attachment to this letter.

Staff 1-4: For PWS 1700410- Please provide the report from the 10/24/2014 CCI investigation, or letter from the TCEQ stating there were no alleged violations.

The requested letter will be provided as soon as it is available.

Staff 1-5: For PWS 1700150- Please provide the report from the 2/2/2016 CCI investigation, or letter from the TCEQ stating there were no alleged violations.



The requested letter will be provided as soon as it is available.

Staff 1-6: For PWS 1700245- Please provide the report from the 12/29/2014 CCI investigation, or letter from the TCEQ stating there were no alleged violations.

The requested letter is provided as an attachment to this letter.

Staff 1-7: For PWS 1700083- Please provide the report from the 6/25/2015 CCI investigation, or letter from the TCEQ stating there were no alleged violations.

The requested letter will be provided as soon as it is available.

Staff 1-8: For PWS 1700131- Please provide the report from the 6/25/2015 CCI investigation, or letter from the TCEQ stating there were no alleged violations.

The requested letter will be provided as soon as it is available.

Staff 1-9: For PWS 1700318- Please provide the report from the 9/29/2014 CCI investigation, or letter from the TCEQ stating there were no alleged violations.

The requested letter will be provided as soon as it is available.

Staff 1-10: For PWS 1700307- Please provide the report from the 12/29/2014 CCI investigation, or letter from the TCEQ stating there were no alleged violations.

The requested letter will be provided as soon as it is available.

Staff 1-11: For PWS 1700317- Please provide the report from the 11/19/2014 CCI investigation, or letter from the TCEQ stating there were no alleged violations.

The requested letter is provided as an attachment to this letter.

If you have any questions, I can be contacted at 713-462-3242 or rmusgrove@cobbfendley.com.

Sincerely, CobbFendley

Texas Registration No. 274

Rachel Musgrove, EIT

cc: Kip Coe – General Manager, HMW Special Utility District Patrick Timmons – Counsel, HMW Special Utility District

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ATTACHMENTS

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- 3) PWS 1700156 Rimwick Forest Letter stating no alleged violations
- 4) PWS 1700245 Pleasant Forest Letter stating no alleged violations
- 5) PWS 1700131 Allenwood Letter stating no alleged violations
- 6) PWS 1700317 Towering Oaks Letter stating no alleged violations

ATTACHMENT 1 PWS 1700565 – Sendera Lakes Letter stating no alleged violations

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

May 23, 2016

Mark Halk, Interim President H-M-W SUD PO Box 837 Pinehurst, Texas 77362

Re: Comprehensive Compliance Investigation at:

Sendera Lake Estates, 922 Diamante Street, Magnolia, Montgomery County, Texas

Regulated Entity No.: 101175271

TCEQ ID No.: 1700565 Investigation No.: 1331530

Dear Mr. Halk:

On March 29, 2016, Ms. Nicole Reed, 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. Reed, in the Houston Region Office at (713) 767-3650.

Sincerely,

Julia Thorp, Team Leader Public Water Supply

Houston Region Office

JT/NR/mar

cc: Montgomery County Environmental Health Services

ATTACHMENT 2 PWS 1700228 – Pinehurst Village Investigation Report and Findings Notice of Compliance with Notice of Violation

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

April 12, 2017

Mr. Douglas S. Miller, President H-M-W SUD PO Box 837 Pinehurst, Texas 77362-0837

Acceptance of a Compliance Plan for:

Kipling Oaks 1, 34618 Bernice Drive, Pinehurst, Montgomery County, Texas

Regulated Entity No.: 101219962, TCEO ID No.: 1700228, Investigation No.: 1395550

Dear Mr. Miller:

The Texas Commission on Environmental Quality (TCEQ) Houston Region Office has completed a review of the compliance plan and any additional information that you submitted on January 31, 2017, to resolve the alleged violation #612494. This alleged violation was noted during the investigation of the above-referenced facility conducted on June 27, 2016. The compliance plan appears to identify the necessary corrective action for the alleged violation. We will monitor your progress in implementing the corrective action. Please submit to this office a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for each outstanding alleged violation by May 15, 2017, demonstrating that the alleged violation has been resolved. Please be advised that if we determine, during follow-up monitoring, that you are not working towards compliance or the problem has escalated, further enforcement action will be considered.

The Texas Commission on Environmental Quality appreciates your assistance in this matter and anticipates that you will resolve the alleged violation as required in order to protect the State's environment. If you or members of your staff have any questions, please feel free to contact Ms. Nicole Reed in the Houston Region Office at (713) 767-8970.

Sincerely,

Inlia Thorp, Team Leader Public Water Supply

Houston Region Office

APR 20 2017

JT/NR/dp

cc:

Montgomery County Environmental Health Services

Enclosure:

Summary of Investigation Findings

PWS_1700228_CO_20170223_Review Repetter

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: HMW Special Utility District Customer Number: CN600623375

Regulated Entity Name: KIPLING OAKS 1 Regulated Entity Number: RN101219962

Investigation # 1395550

Investigator: NICOLE REED

Incident Numbers

Site Classification GW 251-1K CONNECTION

Conducted: 02/23/2017 -- 02/23/2017

NAIC Code: 221310 SIC Code: 4941

Program(s):

PUBLIC WATER SYSTEM/SUPPLY

Investigation Type: Compliance Invest File Review

Location: W1 & W2 - PINE CIRCLE

W₃ W₄ W₅ - oBERNICE DRIVE

KEY MAP 247F

Additional ID(s): 1700228

Address: ,

Local Unit: REGION 12 - HOUSTON

Activity Type(s):

PWSFRR - PWS NOV Record Review

Principal(s):

Role

Name

RESPONDENT

H-M-W SUD

Contact(s):

Role	Title	Name	Phone	•
REGULATED ENTITY CONTACT	CONTROLLER	MRS TAMMIE KROMAR	Office Fax Work	(281) 766-1453 (281) 356-7667 (281) 356-5060
REGULATED ENTITY MAIL CONTACT	PRESIDENT	MR DOUGLAS S MILLER	Fax Work	(281) 356-7667 (281) 356-5060

Other Staff Member(s):

Role

Name

Supervisor **QA** Reviewer CHRISTINA BERNAL KATHLEEN CAMPBELL

Supervisor

JULIA THORP

Associated Check List

Checklist Name

Unit Name

PWS GENERIC VIOLATIONS

GV

Investigation Comments:

Introduction

2/23/2017	Inv. # - 1395550			
Page 3 of 3				

Signed Siev Le Reck Environmental Investigator	Date 4/5/17			
Signed Christina E. Bernal	Date <u>04-05-2017</u>			
Supervisor				
Attachments: (in order of final report submittal)				
Enforcement Action Request (EAR)	Maps, Plans, Sketches			
✓ Letter to Facility (specify type):	Photographs			
Investigation Report	$\underline{\hspace{0.1cm}\checkmark}$ Correspondence from the facility			
Sample Analysis Results	Other (specify):			
Manifests				
Notice of Registration				

Nicole Reed

From:

Nicole Reed

Sent:

Thursday, February 23, 2017 10:56 AM

To:

Nicole Reed

Subject:

FW: Pinehurst Village Violation

From: Rachel Musgrove [mailto:

Sent: Wednesday, February 01, 2017 7:55 AM **To:** Nicole Reed < Nicole.Reed@Tceq.Texas.Gov>

Subject: RE: Pinehurst Village Violation

Nicole,

I will let you know as soon as the new tank is in. Thank you for your help.

Rachel

RACHEL MUSGROVE, E.I.T.

Project Engineer

From: Nicole Reed [mailto:Nicole.Reed@Tceq.Texas.Gov]

Sent: Tuesday, January 31, 2017 10:41 AM

To: Rachel Musgrove <

Subject: RE: Pinehurst Village Violation

Rachel,

Thank you for sending me the information for the new GST. Can you please email or call me when construction is complete and we can discuss resolving the violation? In the meantime, I will assign a compliance due date based on the information you gave me. If you have any questions, please let me know.

Thank you,

Nicole Reed

Environmental Investigator Texas Commission on Environmental Quality (TCEQ) Region 12 - Houston

5425 Polk Street, Houston, TX, 77023

Office: (713) 767-3500 Direct: (713) 422-8970

From: Rachel Musgrove [mailto:

Sent: Tuesday, January 31, 2017 8:56 AM

To: Nicole Reed < Nicole.Reed@Tceq.Texas.Gov>

>; Kip Coe <

Cc: Amber Hurd < >; Lori Gorski < >; Joan Robertson

Subject: Pinehurst Village Violation

1

Summary of Investigation Findings

KIPLING OAKS 1 Investigation #

1395550 Investigation Date: 02/23/2017

, MONTGOMERY COUNTY,

Additional ID(s): 1700228

Track No: 612494 Compliance Due Date: 05/15/2017

30 TAC Chapter 290.46(m)(4)

Alleged Violation:

Investigation: 1343393 Comment Date: 08/01/2016

Water Leakage

Failure to maintain all water storage facilities in a watertight condition and/or free of excessive solids. In this connection, the leaking ground storage tank located at Water Plant #2 at Pinehurst Village must be repaired or replaced as necessary.

At the time of the investigation, the ground storage tank was leaking down the side of the tank. It is noted that the water system is aware of the leak and has plans to rehabilitate the tank to come under compliance.

Investigation: 1395550 Comment Date: 04/05/2017

Failure to maintain all water storage facilities in a watertight condition. In this connection, the leaking ground storage tank located at Water Plant #2 at Pinehurst VIIIage must be repaired or replaced as necessary.

On January 31, 2017, the regulated entity notified the TCEQ Region 12 Office that a new ground storage tank has been placed on order to replace the existing leaking ground storage tank and would be in service by the end of March. It is noted that the new ground storage tank will have the same capacity as the existing tank and does not need to go through approval for construction.

Recommended Corrective Action: Submit compliance documentation demonstrating corrective measures have been taken to resolve the alleged violation.

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

June 5, 2017

Mr. Douglas S. Miller, President H-M-W SUD PO Box 837 Pinehurst, Texas 77362-0837

Re:

Notice of Compliance with Notice of Violation (NOV) dated August 17, 2016: Kipling Oaks 1, 34618 Bernice Drive, Pinehurst, Montgomery County, Texas Regulated Entity No.: 101219962 TCEQ ID No.: 1700228 Investigation No.: 1415873

Dear Mr. Miller

On May 15, 2017, the Texas Commission on Environmental Quality (TCEQ) Houston Region Office received adequate compliance documentation to resolve the alleged violation documented during the investigation of the above-referenced regulated entity conducted on June 27, 2016. 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. Nicole Reed in the Houston Region Office at (713) 422-8970.

Sincerely,

Julia Thorp, Team Leader Public Water Supply

Houston Region Office

JT/NR/db

Enclosure: Summary of Investigation Findings

cc: Montgomery County Environmental Health Services

Summary of Investigation Findings

KIPLING OAKS 1

Investigation #

1415873 Investigation Date: 05/24/2017

MONTGOMERY COUNTY,

Additional ID(s): 1700228

ALLEGED VIOLATION(S) NOTED AND RESOLVED

Track No: 612494

30 TAC Chapter 290.46(m)(4)

Alleged Violation:

Investigation: 1343393

Comment Date, 08/01/2016

Water Leakage

Failure to maintain all water storage facilities in a watertight condition and/or free of excessive solids. In this connection, the leaking ground storage tank located at Water Plant #2 at Pinehurst Village must be repaired or replaced as necessary.

At the time of the investigation, the ground storage tank was leaking down the side of the tank. It is noted that the water system is aware of the leak and has plans to rehabilitate the tank to come under compliance.

Investigation: 1395550

Comment Date: 04/05/2017

Failure to maintain all water storage facilities in a watertight condition. In this connection, the leaking ground storage tank located at Water Plant #2 at Pinehurst VIIIage must be repaired or replaced as necessary.

On January 31, 2017, the regulated entity notified the TCEQ Region 12 Office that a new ground storage tank has been placed on order to replace the existing leaking ground storage tank and would be in service by the end of March. It is noted that the new ground storage tank will have the same capacity as the existing tank and does not need to go through approval for construction.

Investigation: 1415873

Comment Date: 05/24/2017

Failure to maintain all water storage facilities in a watertight condition. In this connection, the leaking ground storage tank located at Water Plant #2 at Pinehurst Village must be repaired or replaced as necessary.

Recommended Corrective Action: Submit compliance documentation demonstrating corrective measures have been taken to resolve the alleged violation.

Resolution: On May 15, 2017, the regulated entity emailed the TCEQ Houston Region Office photographs of the newly installed ground storage tank at Water Plant No. 2 to verify compliance. This violation is resolved.

ATTACHMENT 3

PWS 1700156 – Rimwick Forest Letter stating no alleged violations 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

November 13, 2014

Protecting Texas by Reducing and Preventing

NOV 17 2014

Mr. Mark Pinter, President H-M-W SUD PO Box 837 Pinehurst, Texas 77362

Re:

Comprehensive Compliance Investigation at:

Rimwick Forest, 26000 Rimwick Forest Drive, Montgomery County, Texas

Regulated Entity No.: 102687472, TCEQ ID No.: 1700156, Investigation No.: 1204799

Dear Mr. Pinter:

On October 30, 2014, Ms. Sharon Patry 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, please see the attached Additional Issue. 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. Sharon Patry in the Houston Region Office at (713) 767-3650.

Sincerely,

Leticia De Leon, Team Leader

Public Water Supply Houston Region Office

LD/SJP/ra

cc:

Montgomery County Environmental Health Services

Enclosure:

Summary of Investigation Findings

Summary of Investigation Finelines

RIMWICK FOREST

Investigation #

1204799 Investigation Date: 10/30/2014

, MONTGOMERY COUNTY,

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Additional ID(s): 1700156

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No Violations Associated to this Investigation

ADDITIONAL ISSUES

Additional Comments

Description Item 1

Failure to maintain minimum acceptable operating practices for public drinking water sytems. At the time of the investigation flushing reports were available but not completed or documented consistently. The regulated entity has addressed the issue and ensured that flushing reports will be completed and documented consistently. These reports shall be available for review.

ATTACHEMENT 4
PWS 1700245 – Pleasant Forest
Letter stating no alleged violations

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

January 8, 2015

Protecting Texas by Reducing and Preventing Pollution

Mr. Mark Pinter, President HMW SUD PO Box 837 Pinehurst, Texas 77362-0837 JAN 1 2 2015 BY:

Re:

Comprehensive Compliance Investigation at:

Pleasant Forest Subdivision, 17705 Butera Rd., Magnolia, Montgomery County, Texas Regulated Entity No.: 102688322, TCEQ ID No.: 1700245, Investigation No.: 1216644

Dear Mr. Pinter:

On December 29, 2014, Ms. Sharon Patry 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, please see the attached Additional Issue. 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. Patry in the Houston Region Office at (713) 767-3650.

Sincerely,

Leticia De León, Team Leader

Public Water Supply Houston Region Office

LD/SJP/ra

cc: Montgomery County Environmental Health Services

Enclosure: Summary of Investigation Findings

Summary of Investigation Findings

PLEASANT FOREST SUBDIVISION

Investigation #

26600 SUNSET DRIVE

1216644 Investigation Date: 12/29/2014

PINEHURST, MONTGOMERY COUNTY, TX 77362

Additional ID(s): 1700245

No Violations Associated to this Investigation

ADDITIONAL ISSUES

Description

Additional Comments

Item 1

During the inspection it was found that the sample sites for bacteriological monitoring were not being rotated in accordance with the monitoring plan. The monitoring plan sample sites should be updated and the bacteriological monitoring should be rotated according to the monitoring plan.

ATTACHMENT 5
PWS 1700131 – Allenwood
Letter stating no alleged violations

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 Preve

November 18, 2014

Mr. Mark Pinter, President HMW SUD PO Box 837 Pinehurst, Texas, 77362-0837

Re: Compliance Evaluation Investigation at:

Allenwood Subdivision, 24819 Brautigam, Pinehurst, Montgomery County Regulated Entity No.101207876, TCEQ ID No.1700131, Investigation No.1192807

Dear Mr. Pinter:

On September 29, 2014, Ms. Mary Hopkins 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, please see the attached Area of Concern. 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. Mary Hopkins in the Houston Region Office at (713) 767-3650.

Sincerely,

Leticia De Leon, Team Leader

Public Water Supply Houston Region Office

riouston region on

LD/MVH/ra

cc: Montgomery County Environmental Services

Enclosure: Summary of Investigation Findings

Summary of Investigation Findings

ALLENWOOD SUBDIVISION

Investigation #

1192807 Investigation Date: 09/29/2014

, MONTGOMERY COUNTY,

Additional ID(s): 1700131

AREA OF CONCERN

Track No: 553444

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

Alleged Violation:

Investigation: 1192807

Comment Date: 11/09/2014

Failure to cap or plug the open pipes penetrating concrete sealing block surrounding the well with a properly constructed cap or plug.

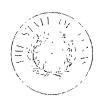
At the time of the investigation, an open pipe penetrated the well sealing block.

Recommended Corrective Action: Submit to the Region 12 Office documentation demonstrating that the well sealing block had been sealed.

Resolution: On October 13, 2014, the Region 12 Office received a photograph demonstrating compliance.

ATTACHMENT 6
PWS 1700317 – Towering Oaks
Letter stating no alleged violations

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

December 1, 2014

Mr. Mark Pinter, President HMW SUD PO Box 837 Pinehurst, Texas 77362-0837

Re: Comprehensive Compliance Investigation at:

Regulated Entity No. 101258358, TCEQ ID No. 1700317, Investigation No. 1209590

Dear Mr. Pinter:

On November 19, 2014, Mr. Jacob Dupuis 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 Mr. Jacob Dupuis in the Houston Region Office at (713) 767-3650.

Sincerely,

Leticia De Leon, Team Leader

Public Water Supply Houston Region Office

LD/JD/ra

cc: Montgomery County Environmental Health Services