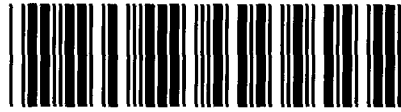


Control Number: 46996



Item Number: 14

Addendum StartPage: 0

PUC DOCKET NO. 46996

RECEIVED

APPLICATION OF CHUCK BELL DBA §  
CHUCK BELL WATER SYSTEM, LLC §  
AND UNDINE TEXAS, LLC FOR SALE, §  
TRANSFER, OR MERGER OF §  
FACILITIES AND CERTIFICATE §  
RIGHTS IN JOHNSON AND TARRANT §  
COUNTIES §

PUBLIC UTILITY COMMISSION

2017 MAY 11 AM 11:36  
PUBLIC UTILITY COMMISSION  
FILING CLERK

OF TEXAS

**CHUCK BELL RESPONSE TO COMMISSION STAFF'S  
FIRST REQUEST FOR INFORMATION**

TO: Public Utility Commission of Texas, by and through its attorney of record, Matthew A. Arth, 1701 N. Congress Avenue, PO Box 13326, Austin, Texas 78711-3326.

Comes now Chuck Bell dba Chuck Bell Water System, LLC, and provides this Response to Commission Staff's First Request for Information.

**RESPONSES**

Staff 1-1 In regard to Public Water System (PWS) 2200336, please provide the report from the 9/11/2014 Comprehensive Compliance Investigation (CCI). Alternatively, provide a letter from the Texas Commission on Environmental Quality (TCEQ) stating that there are no outstanding violations for PWS 2200336.

**Response:** See attached letter dated October 20, 2014 from Charles Marshall.

Staff 1-2 In regard to PWS 1260080, please provide the report from the 6/3/2014 CCI. Alternatively, provide a letter from TCEQ stating that there are no outstanding violations for PWS 1260080.

**Response:** See letter dated July 3, 2014 from Charles Marshall.

Staff 1-3 In regard to PWS 1260090, please provide the report from the 6/3/2014 CCI. Alternatively, provide a letter from TCEQ stating that there are no outstanding violations for PWS 1260090.

**Response:** See letter dated July 7, 2014 from Charles Marshall.

14

Staff 1-4 In regard to PWS 1260122, please provide the report from the 6/3/2014 CCI. Alternatively, provide a letter from TCEQ stating that there are no outstanding violations for PWS 1260122.

**Response:** See letter dated June 25, 2014 from Charles Marshall.

Staff 1-5 In regard to PWS 1260082, please provide the report from the 6/3/2014 CCI. Alternatively, provide a letter from TCEQ stating that there are no outstanding violations for PWS 1260082.

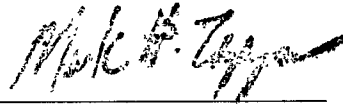
**Response:** See letter dated July 10, 2014 from Charles Marshall.

Staff 1-6 In regard to PWS 1260086, please provide the report from the 6/3/2014 CCI. Alternatively, provide a letter from TCEQ stating that there are no outstanding violations for PWS 1260086.

**Response:** See letter dated June 23, 2014 from Charles Marshall.

Respectfully submitted,

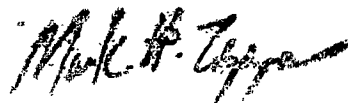
By: \_\_\_\_\_



Mark H. Zeppa  
 State Bar No. 22260100  
 Law Offices of Mark H. Zeppa, PC  
 4833 Spicewood Springs Road #202  
 Austin, Texas 78759-8435  
 (512) 346-4011, Fax (512) 346-6847  
 ATTORNEY FOR CHUCK BELL DBA  
 CHUCK BELL WATER SYSTEM, LLC

**PUC DOCKET NO. 46996  
 CERTIFICATE OF SERVICE**

I, Mark H. Zeppa, attorney for Chuck Bell dba Chuck Bell Water System, LLC, certify that a copy of this document was served on all parties of record in this proceeding on May 4, 2017, pursuant to 16 Tex. Admin. Code § 22.74.



\_\_\_\_\_  
 Mark H. Zeppa

**VERIFICATION**

**STATE OF TEXAS §**

**COUNTY OF TRAVIS §**

§  
§

BEFORE ME, the undersigned Notary Public, on this day personally appeared Chuck Bell, who, after being by me first duly sworn, deposed and said:

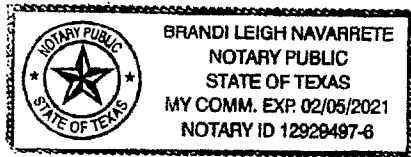
“My name is Chuck Bell. I am a duly authorized representative of Chuck Bell dba Chuck Bell Water System, LLC, and I am fully competent and authorized to verify responses to the foregoing Requests for Information. I have read the foregoing requests and answers, and, although I do not have personal knowledge of each and every answer, I verify that each and every answer is based upon a review of documents, records, and information available to me and others. I verify that each and every answer is accurate and true within such personal knowledge.”

*Chuck Bell*  
\_\_\_\_\_

SUBSCRIBED AND SWORN TO BEFORE ME on this the 4 day of May, 2017, to certify which witness my hand and seal of office.

*Brandi Leigh Navarrete*  
Notary Public for the State of Texas

My Commission Expires:



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*

October 20, 2014

Mr. Chuck Bell, Owner  
 Bear Creek Estates  
 P O Box 731  
 Crowley, Texas 76036

Re: Comprehensive Compliance Investigation at:  
 Bear Creek Estates, 6008 Bear Creek Dr., Fort Worth, Tarrant County, Texas  
 RN101438174, PWS ID No. 2200336, Investigation No. 1193412

Dear Mr. Bell:

On September 11, 2014, Mr. Imran Khawaja of the Texas Commission on Environmental Quality (TCEQ) Dallas Fort Worth (D/FW) Regional Office conducted an investigation of the above-referenced facility to evaluate compliance with applicable requirements for public water supply. No violations are being alleged as a result of the investigation.

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. Khawaja in the D/FW Regional Office at (817) 588-5806.

Sincerely,

Charles Marshall  
 Team Leader, Public Water Supply Program  
 D/FW Region Office

CM/ik

COPY

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*

July 3, 2014

Mr. Chuck Bell, Owner  
 Chuck Bell Water Systems  
 PO Box 731  
 Crowley, Texas 76036

Re: Notice of Violation for Public Water Supply Comprehensive Compliance Investigation at:  
 Bell Manor Subdivision, Sparks Lane, Johnson County, Texas  
 RN101231090, PWS ID No. 1260080, Investigation No. 1172074

Dear Mr. Bell:

On June 3, 2014, Ms. Ariel Yeh of the Texas Commission on Environmental Quality (TCEQ) Dallas/Fort Worth (D/FW) Regional 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. During the investigation, violations noted from the previous investigation and this investigation was resolved.

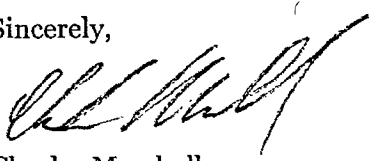
In the listing of the alleged violation, we have cited applicable requirements, including TCEQ rules. Please note that both the rules themselves and the agency brochure entitled *Obtaining TCEQ Rules* (GI 032) are located on our agency website at <http://www.tceq.state.tx.us> for your reference. If you would like a hard copy of this brochure mailed to you, you may call and request one from either the D/FW Regional Office at (817) 588-5800 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 violation 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 violation documented in this notice. Should you choose to do so, you must notify the D/FW Regional Office within 10 days from the date of this letter. At that time, Mr. Charles Marshall, Public Water Supply Program Team Leader, will schedule a violation review meeting to be conducted within 21 days from the date of this letter. However, please be advised that if you decide to participate in the violation review process, the TCEQ may still require you to adhere to the compliance schedule included in the attached Summary of Investigation Findings until an official decision is made regarding the status of any or all of the contested violation.

If you or members of your staff have any questions, please feel free to contact Ms. Yeh in the D/FW Regional Office at 817-588-5878.

Mr. Chuck Bell  
Page 2  
July 3, 2014

Sincerely,

A handwritten signature in black ink, appearing to read "Charles Marshall". The signature is fluid and cursive, with a large initial "C" and "M".

Charles Marshall  
Team Leader, Public Water Supply Program  
D/FW Regional Office

CM/acy

Enclosure: Summary of Investigation Findings

## Summary of Investigation Findings

BELL MANOR SUBDIVISION

Investigation #

1172074

Investigation Date: 06/03/2014

, JOHNSON COUNTY,

Additional ID(s): 1260080

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

Track No: 434274

30 TAC Chapter 290.46

**Alleged Violation:**

Investigation: 913554

Comment Date: 05/24/2011

Failure to perform an annual tank inspections (both storage/pressure) to verify that all instrumentation and controls are working properly.

290.46(m)(1)

(m) Maintenance and housekeeping. The maintenance and housekeeping practices used by a public water system shall ensure the good working condition and general appearance of the system's facilities and equipment. The grounds and facilities shall be maintained in a manner so as to minimize the possibility of the harboring of rodents, insects, and other disease vectors, and in such a way as to prevent other conditions that might cause the contamination of the water.

(1) Each of the system's ground, elevated, and pressure tanks shall be inspected annually by water system personnel or a contracted inspection service.

**OBSERVATION:** On the day of the investigation, the water system did not have any tank inspections available for review.

**COMMENTS:** On April 21, 2011, potable water tank inspection forms were submitted to the TCEQ Regional D/FW Office, however, the documentation did not provide adequate information to resolve this violation.

Investigation: 1172074

Comment Date: 06/19/2014

Failure to perform annual tank inspection (both storage/pressure) to verify that all instrumentation and controls are working properly.

30 TAC 290.46(m)(1) states that each of the system's ground, elevated, and pressure tanks shall be inspected annually by water system personnel or a contracted inspection service.

**Recommended Corrective Action:** Annual tank inspections must be done annually and determine that all instrumentation and controls are working properly.

**Resolution:** On the day of the investigation, the tank inspection forms were available for review. According to the forms, both storage and pressure tanks were inspected in August 2013.

Track No: 539220

30 TAC Chapter 290.46(s)(1)

**Alleged Violation:**

Investigation: 1172074

Comment Date: 06/19/2014

Failure to calibrate well meter at least once every three years.

30 TAC 290.46(s)(1) states that flow measuring devices and rate-of-flow controllers that are required by 290.42(d) of this title (relating to Water Treatment) shall be calibrated at least once every 12 months. 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.



During the investigation, it was noted that the water system had not calibrated the well meter at least once every three years.

**Recommended Corrective Action:** Submit documentation demonstrating that the well meter is being calibrated at least once every three years.

**Resolution:** On June 13 and 23, 2014, the water system submitted well meter invoice and a photograph demonstrating that a new well meter was installed.

### AREA OF CONCERN

Track No: 539222

30 TAC Chapter 290.43(d)(6)

**Alleged Violation:**

Investigation: 1172074

Comment Date: 06/19/2014

Failure to ensure all associated appurtenances connected to pressure tanks are thoroughly tight against leakage.

30 TAC 290.43(d)(6) states that all associated appurtenances including valves, pipes and fittings connected to pressure tanks shall be thoroughly tight against leakage.

During the investigation, water was observed leaking from the pipe connected to the pressure tanks.

**Recommended Corrective Action:** Submit documentation demonstrating that all appurtenances connected to the pressure tanks is thoroughly tight against leakage.

**Resolution:** On June 13, 2014, photographs, which demonstrated that the leakage had been repaired, were received at the TCEQ D/FW Regional Office.

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*

July 7, 2014

### **E SIGNATURE CONFIRMATION # 91 3408 2133 3931 8424 5544**

Mr. Chuck Bell, Owner  
 Chuck Bell Water Systems  
 PO Box 731  
 Crowley, Texas 76036

Re: Notice of Violation for Public Water Supply Comprehensive Compliance Investigation at:  
 John Dame, Frazier Lane, Crowley, Johnson County, Texas  
 RN101280105, PWS ID No. 1260090, Investigation No. 1177593

Dear Mr. Bell:

On June 3, 2014, Ms. Ariel Yeh of the Texas Commission on Environmental Quality (TCEQ) Dallas/Fort Worth (D/FW) Regional 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. During the investigation, a concern was noted which was an alleged noncompliance that has been resolved as an Area of Concern based on subsequent corrective action. In addition, a certain outstanding alleged violation was identified for which compliance documentation is required. Based on the information you have provided, the TCEQ has adequate documentation to resolve the alleged violation. Therefore, no further action is required.

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.state.tx.us> 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 D/FW Regional Office at (817) 588-5800 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 D/FW Regional Office within 10 days from the date of this letter. At that time, Mr. Charles Marshall, Public Water Supply Program Team Leader, will schedule a violation review meeting to be conducted within 21 days from the date of this letter. However, please be advised that if you decide to participate in the violation review process, the TCEQ may still require you to adhere to the compliance schedule included in the attached Summary of Investigation Findings until an official decision is made regarding the status of any or all of the contested violations.

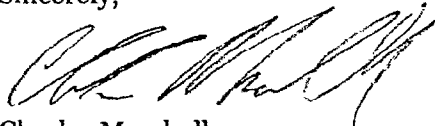
TCEQ Region 4-Dallas/Fort Worth • 2309 Gravel Dr. • Fort Worth, Texas 76118-6951 • 817-588-5800 • Fax 817-588-5700

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Mr. Chuck Bell  
Page 2  
July 7, 2014

If you or members of your staff have any questions, please feel free to contact Ms. Yeh in the D/FW Regional Office at 817-588-5878.

Sincerely,



Charles Marshall  
Team Leader, Public Water Supply Program  
D/FW Regional Office

CM/acy

Enclosure: Summary of Investigation Findings

## Summary of Investigation Findings

JOHN DAME  , JOHNSON COUNTY,  Additional ID(s): 1260090	Investigation # <b>1177593</b> Investigation Date: 06/03/2014
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### ALLEGED VIOLATION(S) NOTED AND RESOLVED ASSOCIATED TO A NOTICE OF VIOLATION

Track No: 434941

30 TAC Chapter 290.46

**Alleged Violation:**

Investigation: 922263

Comment Date: 05/27/2011

Failure to perform annual tank inspections (both storage/pressure) to verify that all instrumentation and controls are working properly.

290.46(m)(1)

(m) Maintenance and housekeeping. The maintenance and housekeeping practices used by a public water system shall ensure the good working condition and general appearance of the system's facilities and equipment. The grounds and facilities shall be maintained in a manner so as to minimize the possibility of the harboring of rodents, insects, and other disease vectors, and in such a way as to prevent other conditions that might cause the contamination of the water.

(1) Each of the system's ground, elevated, and pressure tanks shall be inspected annually by water system personnel or a contracted inspection service.

**OBSERVATION:** On the day of the investigation, the water system did not have any tank inspections available for review.

**COMMENTS:** On April 21, 2011, a potable water tank inspection form was submitted to the TCEQ Regional D/FW Office; however, the documentation did not provide adequate information to resolve the violation as the Potable Water Storage Tank inspection form was not dated or signed by the inspector. Also, ground storage tank and pressure tank inspections should be completed on separate forms.

Annual tank inspections must be done annually and determine that all instrumentation and controls are working properly.

Investigation: 1177593

Comment Date: 06/19/2014

Failure to perform annual tank inspection (both storage/pressure) to verify that all instrumentation and controls are working properly.

30 TAC 290.46(m)(1) states that each of the system's ground, elevated, and pressure tanks shall be inspected annually by water system personnel or a contracted inspection service.

**Resolution:** On the day of the investigation, the tank inspection forms were available for review. According to the forms, both storage and pressure tanks were inspected in August 2013.

Track No: 539270

30 TAC Chapter 290.46(s)(1)

**Alleged Violation:**

Investigation: 1177593

Comment Date: 06/24/2014

Failure to calibrate well meters at least once every three years.

30 TAC 290.46(s)(1) states that flow measuring devices and rate-of-flow controllers that are

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*

June 25, 2014

Mr. Chuck Bell, Owner  
 Chuck Bell Water Systems  
 PO Box 731  
 Crowley, Texas 76036

Re: Public Water Supply Comprehensive Compliance Investigation at:  
 Martin Creek Estates, CR 902, Johnson County, Texas  
 RN101205482, PWS ID No. 1260122, Investigation No. 1173260

Dear Mr. Bell:

On June 3, 2014, Ms. Ariel Yeh of the Texas Commission on Environmental Quality (TCEQ) Dallas/Fort Worth (D/FW) Regional Office conducted an investigation of the above-referenced facility to evaluate compliance with applicable requirements for public water supply systems. No violations are being alleged as a result of the investigation. In addition, a violation noted during the investigation conducted on April 12, 2011 was resolved. Please see the attached Summary of Investigation Findings for details.

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. Yeh in the D/FW Regional Office at 817-588-5878.

Sincerely,

Charles Marshall  
 Team Leader, Public Water Supply Program  
 D/FW Regional Office

CM/acy

Enclosure: Summary of Investigation Findings

## Summary of Investigation Findings

MARTIN CREEK ESTATES

Investigation #

1173260

Investigation Date: 06/03/2014

, JOHNSON COUNTY,

Additional ID(s): 1260122

### ALLEGED VIOLATION(S) NOTED AND RESOLVED

Track No: 435012

30 TAC Chapter 290.46

**Alleged Violation:**

Investigation: 922904

Comment Date: 05/27/2011

Failure to perform annual tank inspections (both storage/pressure) to verify that all instrumentation and controls are working properly.

290.46(m)(1)

(m) Maintenance and housekeeping. The maintenance and housekeeping practices used by a public water system shall ensure the good working condition and general appearance of the system's facilities and equipment. The grounds and facilities shall be maintained in a manner so as to minimize the possibility of the harboring of rodents, insects, and other disease vectors, and in such a way as to prevent other conditions that might cause the contamination of the water.

(1) Each of the system's ground, elevated, and pressure tanks shall be inspected annually by water system personnel or a contracted inspection service.

**OBSERVATION:** On the day of the investigation, the water system did not have any tank inspections available for review.

**COMMENTS:** On April 21, 2011, a potable water tank inspection form was submitted to the TCEQ Regional D/FW Office; however, the documentation did not provide adequate information to resolve the violation as the Potable Water Storage Tank inspection form was not dated or signed by the inspector. Also, ground storage tank and pressure tank inspections should be completed on separate forms.

Investigation: 1173260

Comment Date: 06/10/2014

Failure to perform annual tank inspection (both storage/pressure) to verify that all instrumentation and controls are working properly.

30 TAC 290.46(m)(1) states that each of the system's ground, elevated, and pressure tanks shall be inspected annually by water system personnel or a contracted inspection service.

**Recommended Corrective Action:** Annual tank inspections must be done annually and determine that all instrumentation and controls are working properly.

**Resolution:** On the day of the investigation, the tank inspection forms were available for review. According to the forms, both storage and pressure tanks were inspected in August 2013.

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*

July 10, 2014

**E SIGNATURE CONFIRMATION # 91 3408 2133 3931 8424 5551**

Mr. Chuck Bell, Owner  
 Chuck Bell Water Systems  
 PO Box 731  
 Crowley, Texas 76036

Re: Notice of Violation for Public Water Supply Comprehensive Compliance Investigation at:  
 Rock Creek Estates, Rock Creek Drive, Crowley, Johnson County, Texas  
 RN101180107, PWS ID No. 1260082, Investigation No. 1178201

Dear Mr. Bell:

**COPY**

On June 3, 2014, Ms. Ariel Yeh of the Texas Commission on Environmental Quality (TCEQ) Dallas/Fort Worth (D/FW) Regional 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. During the investigation, a concern was noted which was an alleged noncompliance that has been resolved as an Area of Concern based on subsequent corrective action. An Additional Issue was also noted. In addition, a certain outstanding alleged violation was identified for which compliance documentation is required. Based on the information you have provided, the TCEQ has adequate documentation to resolve the alleged violation.

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.state.tx.us> 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 D/FW Regional Office at (817) 588-5800 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 D/FW Regional Office within 10 days from the date of this letter. At that time, Mr. Charles Marshall, Public Water Supply Program Team Leader, will schedule a violation review meeting to be conducted within 21 days from the date of this letter. However, please be advised that if you decide to participate in the violation review process, the TCEQ may still require you to adhere to the compliance schedule included in the attached Summary of Investigation Findings until an official decision is made regarding the status of any or all of the contested violations.

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Mr. Chuck Bell  
Page 2  
July 10, 2014

If you or members of your staff have any questions, please feel free to contact Ms. Yeh in the D/FW Regional Office at 817-588-5878.

Sincerely,



Charles Marshall  
Team Leader, Public Water Supply Program  
D/FW Regional Office

CM/acy

Enclosure: Summary of Investigation Findings



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*

June 23, 2014

Mr. Chuck Bell, Owner  
 Chuck Bell Water Systems  
 PO Box 731  
 Crowley, Texas 76036

Re: Public Water Supply Comprehensive Compliance Investigation at:  
 Sanders View Subdivision, Tepar Lane, Johnson County, Texas  
 RN101206001, PWS ID No. 1260086, Investigation No. 1172752

Dear Mr. Bell:

On June 3, 2014, Ms. Ariel Yeh of the Texas Commission on Environmental Quality (TCEQ) Dallas/Fort Worth (D/FW) Regional Office conducted an investigation of the above-referenced facility to evaluate compliance with applicable requirements for public water supply systems. No violations are being alleged as a result of the investigation. In addition, a violation noted during the investigation conducted on April 12, 2011 was resolved. Please see the attached Summary of Investigation Findings for details.

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. Yeh in the D/FW Regional Office at 817-588-5878.

Sincerely,

Charles Marshall  
 Team Leader, Public Water Supply Program  
 D/FW Regional Office

CM/acy

Enclosure: Summary of Investigation Findings

## Summary of Investigation Findings

SANDERSVIEW SUBDIVISION PWS

Investigation #

1172752  
Investigation Date: 06/03/2014

, JOHNSON COUNTY,

Additional ID(s): 1260086

### ALLEGED VIOLATION(S) NOTED AND RESOLVED

Track No: 435479

30 TAC Chapter 290.46

**Alleged Violation:**

Investigation: 923846

Comment Date: 06/02/2011

Failure to perform annual tank inspections (both storage/pressure) to verify that all instrumentation and controls are working properly.

290.46(m)(1)

(m) Maintenance and housekeeping. The maintenance and housekeeping practices used by a public water system shall ensure the good working condition and general appearance of the system's facilities and equipment. The grounds and facilities shall be maintained in a manner so as to minimize the possibility of the harboring of rodents, insects, and other disease vectors, and in such a way as to prevent other conditions that might cause the contamination of the water.

(1) Each of the system's ground, elevated, and pressure tanks shall be inspected annually by water system personnel or a contracted inspection service.

**OBSERVATION:** On the day of the investigation, the water system did not have any tank inspections available for review.

**COMMENTS:** On April 21, 2011, a potable water tank inspection form was submitted to the TCEQ Regional D/FW Office; however, the documentation did not provide adequate information to resolve the violation as the Potable Water Storage Tank inspection form was not dated or signed by the inspector. Also, ground storage tank and pressure tank inspections should be completed on separate forms.

Investigation: 1172752

Comment Date: 06/06/2014

Failure to perform annual tank inspection (both storage/pressure) to verify that all instrumentation and controls are working properly.

30 TAC 290.46(m)(1) states that each of the system's ground, elevated, and pressure tanks shall be inspected annually by water system personnel or a contracted inspection service

**Recommended Corrective Action:** Annual tank inspections must be done annually and determine that all instrumentation and controls are working properly.

**Resolution:** On the day of the investigation, the tank inspection forms were available for review. According to the forms, both storage and pressure tanks were inspected in August 2013.