

Control Number: 49230



Item Number: 13

Addendum StartPage: 0



Simply Aquatics, Inc.

P.O. Box 157
Kirbyville, TX 75956

RECEIVED

2019 OCT 22 11:10:52

FULL SERVICE

Water Systems Cell # (409) 622-9810

Office Phone# (409) 420-0774

Fax# (409) 420-0776

E-mail - lauren.monk@simplyaquaticsin.com

E-mail - saiwatersystem@yahoo.com

October 10, 2019

Docket No. ~~48230~~

To whom it may concern,

I have all the revised pages for Timberlane STM, Docket no. 49230 in this packet. In regards to missing documents 1 and 2, I have been working with Sally Paramo at TCEQ to start resolving violations for all 4 water systems. I have returned nearly 20 violations to compliance in the past three weeks in hopes it shows that I am making a good faith effort to fulfil all requested fields. I started with all the Public Notice Violations, and I am working with our water operator, Caleb Ross and engineer, Kyle Stephens to get a chemical approved by TCEQ that will resolve many of the TTHM and MCL Violations. I have also started on several reports that we failed to do both years ago and recently. I contacted Ryan Buyer in the Enforcement Division at TCEQ to attempt to get a compliance agreement letter but he has had difficulty doing so because they have never done a compliance letter for violations for a system a company already owns, they have only written these letters for the system being purchased. There are too many violations for me to return to compliance by the given deadline of October 16th. I am hoping that by Sally Paramo and Ryan Buyers statement saying I have been making progress on returning to compliance all violations will be acceptable in completing this STM. Thank you for your time.

Lauren Monk

Administrative Assistant

25

From: "Sally Paramo" <sally.paramo@tceq.texas.gov>
Subject: Public Water systems
Date: Mon, October 14, 2019 11:32 am
To: "Lauren Monk" <lauren.monk@simplyaquaticsinc.com>

To Whom It May Concern,

My name is Sally Paramo under Water Supply Division for Texas Commission on Environmental Quality (TCEQ). I have been doing reviews on several systems (LA PLAYA SUBDIVISION WATER SYSTEM PWS 2030015; EL PINON ESTATES WATER SYSTEM PWS 2030013; and TIMBERLANE WATER SYSTEM PWS 2020054 with Lauren Monk. We have been working together to return to compliance (RTC) their violations to compliance. We are presently working with El Pinon Estates to get their violations RTC'd.

LA PLAYA SUBDIVISION WATER SYSTEM PWS 2030015 - ETT score is 2 pts for CCR's.

EL PINON ESTATES WATER SYSTEM PWS 2030013 - ETT score is 28 pts. (3 MCL DBP2 = 20 pts + 2 LCR Consumer notices = 2 pts + 5 PN's = 5 pts. + 1 n)

TIMBERLANE WATER SYSTEM PWS 2020054 - ETT = 0 pts. (all violations returned to compliance)

Thank you.

Sally Paramo

Drinking Water Technical Review Team

Drinking Water Special Functions Section

Water Supply Division

Texas Commission on Environmental Quality

Phone: 512-239-6675

Fax: 512-239-3666

E-mail: Sally.Paramo@tceq.texas.gov

Attachments:

| |
|-----------------------|
| untitled-[1] |
| Size: 1.1 k |
| Type: text/plain |

From: "Ryan Byer" <ryan.byer@tceq.texas.gov>
Subject: TCEQ Simply Aquatics Violation List
Date: Thu, October 17, 2019 10:21 am
To: "lauren.monk@simplyaquaticsync.com" <lauren.monk@simplyaquaticsync.com>

Ms. Monk,

The Enforcement Division at the TCEQ has reviewed the violations in the attached spreadsheet for the La Playa, El Pinon, and Vista Verde water systems and has determined that the violations have all been addressed in one form or another and that a compliance agreement for these water systems would not be appropriate as it would not be within the TCEQ's standard practices. What we determined was:

- All are being addressed in some enforcement action, whether that be formal enforcement (administrative orders) or informal enforcement (Notices of Violation)
- We cannot provide a compliance agreement for violations at sites you currently own.
- We cannot provide a compliance agreement for any federal violations. Generally, this is the majority of the violations noted on the attached spreadsheet.

Let me know if you have any questions.

Kind Regards,

Ryan Byer

Enforcement Coordinator

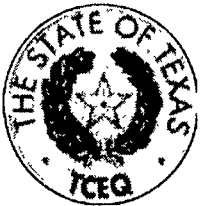
Enforcement Division

Texas Commission on Environmental Quality

Phone (512) 239-2571

Fax (512) 239-2550

Ryan.Byer@tceq.texas.gov



Attachments:

| | |
|---|---|
| Simply Aquatics- Violations.xlsx | |
| Size: | 54 k |
| Type: | application/vnd.openxmlformats-officedocument.spreadsheetml.sheet |
| Info: | Simply Aquatics- Violations.xlsx |

Assets Being Transferred

| Item | Original Purchase Price | Service Date | Accumulated Depreciation |
|----------------------|-------------------------|-----------------|--------------------------|
| Plant Building | \$3,000 | | \$900 |
| Submersible Pumps | \$3,750 | 2-13-16 | \$2,250 |
| Chlorinator Pump | \$500 | 5-1-16 | \$360 |
| Distribution Pumps | \$5,000 | 2-20-16 | \$3,000 |
| Piping | \$3,000 | 1-3-15 - 2-6-16 | \$1,800 |
| Wells | \$3,750 | 3-5-16 | \$1,611 |
| Fencing | \$3,000 | | \$1,800 |
| Ground Storage Tanks | \$10,000 | | \$1,500 |
| Pressure Tanks | \$3,000 | | \$600 |
| <u>Total</u> | <u>\$35,000</u> | | <u>\$13,821</u> |

Part H: Notice Information

The following information will be used to generate the proposed notice for the application.
DO NOT provide notice of the application until it is found sufficient and the Applicants are ordered to provide notice.

30. Complete the following using verifiable man-made or natural landmarks such as roads, rivers, or railroads to describe the requested area (to be stated in the notice documents). Measurements should be approximated from the outermost boundary of the requested area:

The total acreage of the requested area is approximately: 13 acres

Number of customer connections in the requested area: 47

Affected subdivision : Timberlane Subdivision

The closest city or town: Hemphill TX, 75949

Approximate mileage to closest city or town center: 15 miles

Direction to closest city or town: 11 miles SE of downtown Hemphill, TX

The requested area is generally bounded on the North by: Sabine National Forrest

on the East by: Sabine National Forrest

on the South by: Sabine National Forrest

on the West by: Toledo Bend Reservoir

31. A copy of the proposed map will be available at: 5875 County Rd 3068, Call, TX 75933

32. What effect will the proposed transaction have on an average bill to be charged to the affected customers? Take into consideration the average consumption of the requested area, as well as any other factors that would increase or decrease a customer's monthly bill.

All of the customers will be charged the same rates they were charged before the transaction.

All of the customers will be charged different rates than they were charged before the transaction.

higher monthly bill lower monthly bill

Some customers will be charged different rates than they were charged before
(i.e. inside city limit customers)

higher monthly bill lower monthly bill

Projected Financial Information may be shown by providing any of the following:

1. Completed Appendix B;
2. Documentation that includes all of the information required in Appendix B in a concise format;
3. A detailed budget or capital improvement plan, which indicates sources and uses of funds required, including improvements to the system being transferred; or
4. A recent budget and capital improvements plan that includes information needed for analysis of the operations test (16 Tex. Admin. Code § 24.11(e)(3)) for the system being transferred and any operations combined with the system. This may be provided electronically by providing a uniform resource locator (URL) or a link to a website portal.

Part D: Proposed Transaction Details

11. A. Proposed Purchase Price: \$ 35,000

If the transferee Applicant is an investor owned utility (IOU) provide answers to B through D.

B. Transferee has a copy of an inventory list of assets to be transferred (*attach*):

No Yes N/A

Total Original Cost of Plant in Service: \$ 35,000

Accumulated Depreciation: \$ -13,821

Net Book Value: \$ 21,179

C. **Customer contributions in aid of construction (CIAC):** Have the customers been billed for any surcharges approved by the Commission or TCEQ to fund any assets currently used and useful in providing utility service? Identify which assets were funded, or are being funded, by surcharges on the list of assets.

No Yes

Total Customer CIAC: \$ _____

Accumulated Amortization: \$ _____

D. **Developer CIAC:** Did the transferor receive any developer contributions to pay for the assets proposed to be transferred in this application? If so, identify which assets were funded by developer contributions on the list of assets and provide any applicable developer agreements.

No Yes

Total developer CIAC: \$ _____

Accumulated Amortization: \$ _____

12. A. Are any improvements or construction required to meet the minimum requirements of the TCEQ or Commission and to ensure continuous and adequate service to the requested area to be transferred plus any area currently certificated to the transferee Applicant? Attach supporting documentation and any necessary TCEQ approvals, if applicable.

No Yes

B. If yes, describe the source and availability of funds and provide an estimated timeline for the construction of any planned or required improvements:

13. Provide any other information concerning the nature of the transaction you believe should be given consideration:

14. Complete the following proposed entries (listed below) as shown in the books of the Transferee (purchaser) after the acquisition. Debits (positive numbers) should equal credits (negative numbers) so that all line items added together equal zero. Additional entries may be made; the following are suggested only, and not intended to pose descriptive limitations:

| | | |
|-------------------------------------|----|----------------|
| Utility Plant in Service: | \$ | <u>35,000</u> |
| Accumulated Depreciation of Plant: | \$ | <u>-13,821</u> |
| Cash: | \$ | <u>-5,000</u> |
| Notes Payable: | \$ | <u>-30,000</u> |
| Mortgage Payable: | \$ | <u>0</u> |
| (Proposed) Acquisition Adjustment*: | \$ | <u>13,821</u> |

*Acquisition Adjustments will be subject to review under 16 TAC § 24.31(d) and (e)

Other (NARUC account name & No.): _____

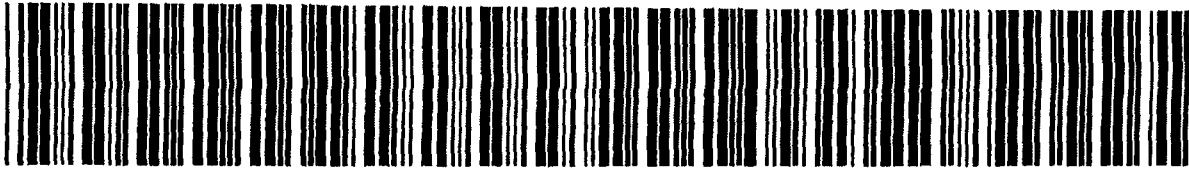
Other (NARUC account name & No.): _____

15. A. Explain any proposed billing change (NOTE: If the acquiring entity is an IOU, the IOU may not change the rates charged to the customers through this STM application. Rates can only be changed through the approval of a rate change application.)

No billing changes proposed.

B. If transferee is an IOU, state whether or not the transferee intends to file with the Commission, or an applicable municipal regulatory authority, an application to change rates for some or all of its customers as a result of the transaction within the next twelve months. If so, provide details below:

We do not propose a rate change in the next 12 months.



0000-0000-0027-3710

Document Control Sheet

| | |
|---------------------|--------------------------|
| Sheet Title: | PWS - AR |
| Box ID: | 8651 |
| Control Sheet ID: | 0000-0000-0027-3710 |
| Record Series Name: | WS / Public Water Supply |
| Record Series: | PWS |
| Primary ID: | 2020054 |
| Secondary ID: | |
| Doc Type: | Correspondence |
| Security: | Public |
| Date: | 10/26/2018 12:00AM |
| Title: | Exception |
| Tertiary ID | |

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Toby Baker, *Executive Director*



PWS_2020054_CO_20181026_Exception ✓

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Protecting Texas by Reducing and Preventing Pollution

October 26, 2018

RECEIVED

FEB 13 2019

TCEQ
CENTRAL FILE ROOM

Ms. Beverly Lee Minaldi
Timberlane Water System
P.O. Box 1611
Nederland, Texas 77627-1611

Re: Timberlane Water System - PWS ID No. 2020054
Request for an Exception to the Maximum Number of Pressure Tanks at One Site
Sabine County, Texas
RN: 101182624 | CN: 601360050

Dear Ms. Minaldi,

On July 31, 2018, the Texas Commission on Environmental Quality (TCEQ) received your submittal which requests an exception to the requirement that no more than three (3) pressure tanks (PTs) shall be installed at any one site without prior approval as specified in Title 30 of the Texas Administrative Code (30 TAC) §290.43(d)(9). This request is for the Timberlane Water System (PWS ID No. 2020054) in Sabine County. The Timberlane Water System is a community public water system (PWS) which operates two groundwater wells, two 0.2-million-gallon (MG) ground storage tanks (GSTs), and serves 46 residential connections. The system had originally been operating on two (2) PTs, one with a 480-gallon capacity (TCEQ Facility ID: ST17371) and one with a 525-gallon capacity (TCEQ Facility ID: ST10644). The Timberlane Water System had to decommission the 480-gallon PT due to a material failure and replaced this PT with four (4) 119-gallon 'AMTROL Well-X-Trol: Model WX-350' PTs piped to a common manifold and pressure switch. Because the Timberlane water system now uses five (5) PTs in total to meet the minimum PT capacity requirement of 20 gallons per connection as specified in 30 TAC §290.45(b)(1)(B)(iv), an exception to 30 TAC §290.43(d)(9) is required for approval to use more than three PTs at one site. Based on our review of your submitted materials we are **granting you request** for an exception to the maximum number of PTs at one site under the conditions stated in the remainder of this letter.

Conditions of the Granted Exception to the Maximum Number of PTs at One Site

Condition 1:

- The PWS must provide the current minimum pressure tank capacity of 20 gallons per connection (920-gallons in total) using the five (5) PTs currently installed at the system. If the PWS's minimum PT capacity should increase beyond the capacity of the five (5) PTs currently installed at the system (due to expansion of the distribution system, an increase in population and/or connection counts, or for any other reason), then this granted exception will no longer be valid, and the Timberlane Water System will need to meet its new PT capacity requirement using a maximum of three (3) PTs as stated by rule.

Condition 2:

- Each of the PTs must be equipped with a pressure release device and pressure gauge.

Condition 3:

- Each of the PTs must have interior coatings that are certified to comply with American National Standards Institute (ANSI)/NSF International (NSF) Standard 61. We note that the four (4) 'AMTROL Well-X-Trol: Model WX-350' PTs currently in operation at the PWS meet this requirement.

Condition 4:

- Each of the PTs and all associated appurtenances including valves, pipes, and fittings connected to the PTs must be thoroughly tight against leakage.

Condition 5:

- Each of the four (4) 119-gallon 'AMTROL Well-X-Trol: Model WX-350' PTs must be piped to a common manifold and operate on a common pressure switch which is placed near the center of the combined tank system as they are currently installed at the system as substantiated by your submitted photographs.

A copy of this letter and all related monitoring data must be maintained with the water system's records for as long as this exception is in effect. These records must be made available to TCEQ staff upon request. All exceptions are subject to periodic review and may be revoked or amended if warranted as specified in 30 TAC §290.39(1)(2) or evidence is found that granting of an exception results in a degradation of water quality or water supply.

Noncompliance with any condition stated in this exception letter may result in enforcement action as specified in 30 TAC §290.39(1)(5). This exception is not intended to waive compliance with any other TCEQ requirement in 30 TAC Chapter 290. This exception cannot be used as a defense in any enforcement action resulting from noncompliance with any other requirement of 30 TAC Chapter 290.

If you have questions concerning this letter, or if we can be of additional assistance, please contact Mark M. Mikol, P.E., by email at mark.mikol@tceq.texas.gov, or by telephone at (512) 239-6187, or by correspondence at the following address:

Technical Review and Oversight Team (MC 159)
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Sincerely,



Joel Klumpp, Manager
Plan and Technical Review Section
Water Supply Division
Texas Commission on Environmental Quality

Ms. Beverly Lee Minaldi
Page 3 of 2
October 26, 2018

Bcc: TCEQ Beaumont Regional Office - R10