

Control Number: 50961



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DOCKET NO. 50961

RECEIVED

APPLICATION OF NERRO SUPPLY, §
LLC AND UNDINE TEXAS §
ENVIRONMENTAL, LLC FOR SALE, §
TRANSFER OR MERGER OF §
FACILITIES AND CERTIFICATE §
RIGHTS IN CHAMBERS, HARRIS §
AND LIBERTY COUNTIES §

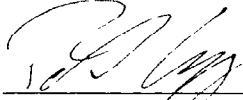
2020 DEC 17 PM 3:41
PUBLIC UTILITY COMMISSION
PUBLIC UTILITY COMMISSION
OF TEXAS
FILING CLERK

UNDINE TEXAS ENVIRONMENTAL, LLC'S SUBMITTAL OF SUPPLEMENTAL INFORMATION

COMES NOW, Undine Texas Environmental, LLC ("Undine"), in response to a request by Commission Staff and submits this supplemental information in the docket. Attached as Exhibit A is the updated violations list for the Woodland Acres Wastewater Treatment Facility. As indicated in Exhibit A, the facility has failed on certain occasions to meet TCEQ treatment standards. Undine recognizes that it will need to undertake improvements to the system to consistently maintain TCEQ standards. Undine is prepared to mobilize the capital funding necessary to implement those improvements upon acquisition of the facility. It is currently working with the seller and conducting independent evaluation to determine the appropriate improvements to avoid the periodic exceedances of the treatment standards that have historically occurred at the facility. Undine reports that there are no exceedances at this time.

Respectfully submitted,

DuBois, Bryant & Campbell, LLP

By:  _____

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**Attorneys for Undine Texas
Environmental, LLC**

CERTIFICATE OF SERVICE

I certify by my signature above that a true and correct copy of the foregoing document was served by email on this the 17th day of December, 2020, to:

Merritt Lander
Public Utility Commission of Texas
Legal Division
1701 N. Congress Avenue
P. O. Box 13326
Austin, Texas 78711-3326
merritt.lander@puc.texas.gov

EXHIBIT A

**UPDATED VIOLATIONS LIST FOR
THE WOODLAND ACRES WASTEWATER TREATMENT FACILITY**

Part F: TCEQ Public Water System or Sewer (Wastewater) Information

Complete Part F for EACH Public Water or Sewer system to be transferred subject to approval of the transaction. Attach a separate sheet with this information if you need more space for additional systems being transferred.

22. A. For Public Water System (PWS):

TCEQ PWS Identification Number: _____ (7 digit ID)

Name of PWS: _____

Date of last TCEQ compliance inspection: _____ (attach TCEQ letter)

Subdivisions served: _____

B. For Sewer service:

TCEQ Water Quality (WQ) Discharge Permit Number: WQ 0011720-001 (8 digit ID)

Name of Wastewater Facility: Woodland Acres Wastewater Treatment Facility

Name of Permittee: Nerro Supply, LLC

Date of last TCEQ compliance inspection: 1/31/2020 (attach TCEQ letter)

Subdivisions served: Woodland Acres

Date of application to transfer permit *submitted* to TCEQ: _____

23. List the number of *existing* connections, by meter/connection type, to be affected by the proposed transaction:

Water				Sewer	
	Non-metered		2"	222	Residential
	5/8" or 3/4"		3"		Commercial
	1"		4"		Industrial
	1 1/2"		Other		Other
Total Water Connections:				Total Sewer Connections:	222

24. A. Are any improvements required to meet TCEQ or Commission standards?

No Yes

B. Provide details on each required major capital improvement necessary to correct deficiencies to meet the TCEQ or Commission standards (attach any engineering reports or TCEQ approval letters):

Description of the Capital Improvement:	Estimated Completion Date:	Estimated Cost:
See attached violations list		

C. Is there a moratorium on new connections?

No Yes:

25. Does the system being transferred operate within the corporate boundaries of a municipality?

No Yes: _____ (name of municipality)

If yes, indicate the number of customers within the municipal boundary.

Water: _____ Sewer: _____

26. A. Does the system being transferred purchase water or sewer treatment capacity from another source?
 No Yes: If yes, attach a copy of purchase agreement or contract.

Capacity is purchased from: _____
 Water: _____
 Sewer: _____

B. Is the PWS required to purchase water to meet capacity requirements or drinking water standards?
 No Yes

C. What is the amount of water supply or sewer treatment purchased, per the agreement or contract? What is the percent of overall demand supplied by purchased water or sewer treatment (if any)?

	Amount in Gallons	Percent of demand
Water:		0.00%
Sewer:		0.00%

D. Will the purchase agreement or contract be transferred to the Transferee?
 No Yes:

27. Does the PWS or sewer treatment plant have adequate capacity to meet the current and projected demands in the requested area?
 No Yes:

28. List the name, class, and TCEQ license number of the operator that will be responsible for the operations of the water or sewer utility service:

Name (as it appears on license)	Class	License No.	Water or Sewer

Part G: Mapping & Affidavits

**ALL applications require mapping information to be filed in conjunction with the STM application.
 Read question 29 A and B to determine what information is required for your application.**

29. A. For applications requesting to transfer an entire CCN, without a CCN boundary adjustment, provide the following mapping information with each of the seven (7) copies of the application:

1. A general location (small scale) map identifying the requested area in reference to the nearest county boundary, city, or town. The following guidance should be adhered to:
 - i. If the application requests to transfer certificated service areas for both water and sewer, separate maps must be provided for each.
 - ii. A hand drawn map, graphic, or diagram of the requested area is not considered an acceptable mapping document.

Central Registry

The Customer Name displayed may be different than the Customer Name associated to the Additional IDs related to the customer. This name may be different due to ownership changes, legal name changes, or other administrative changes.

Detail of: **Wastewater Permit WQ0011720001**

For: **WOODLAND ACRES WWTP (RN101613479)**

LOCATED S OF WOODLAND LN APPROX 1000 FT W OF FM 14

Permit Status: **ACTIVE**

Held by: **NERRO SUPPLY LLC (CN603827353)** View 'Issued To' History

OWNER Since 03/28/2019 View Compliance History

Mailing Address: 12337 JONES RD STE 320 HOUSTON, TX 77070 -4951

Notice of Violations Current TCEQ Rules

NOV Date	Status	Citation/Requirement Provision	Allegation	Classification	Self Reporting Indicator
01/31/2020	ACTIVE	2D TWC Chapter 26, SubChapter A 26.121(a) ; 30 TAC Chapter 305, SubChapter F 305.125(1)	Failure to meet the limit for one or more permit parameter	MODERATE	YES
12/31/2019	ACTIVE	2D TWC Chapter 26, SubChapter A 26.121(a) ; 30 TAC Chapter 305, SubChapter F 305.125(1)	Failure to meet the limit for one or more permit parameter	MODERATE	YES
09/30/2019	ACTIVE	2D TWC Chapter 26, SubChapter A 26.121(a) ; 30 TAC Chapter 305, SubChapter F 305.125(1)	Failure to meet the limit for one or more permit parameter	MODERATE	YES
07/31/2017	ACTIVE	2D TWC Chapter 26, SubChapter A 26.121(a) ; 30 TAC Chapter 305, SubChapter F 305.125(1)	Failure to meet the limit for one or more permit parameter	MODERATE	YES
05/31/2017	ACTIVE	2D TWC Chapter 26, SubChapter A 26.121(a) ; 30 TAC Chapter 305, SubChapter F 305.125(1)	Failure to meet the limit for one or more permit parameter	MODERATE	YES
04/30/2017	ACTIVE	2D TWC Chapter 26, SubChapter A 26.121(a) ; 30 TAC Chapter 305, SubChapter F 305.125(1)	Failure to meet the limit for one or more permit parameter	MODERATE	YES
03/31/2017	ACTIVE	2D TWC Chapter 26, SubChapter A 26.121(a) ; 30 TAC Chapter 305, SubChapter F 305.125(1)	Failure to meet the limit for one or more	MODERATE	YES

			permit parameter		
05/31/2017	ACTIVE	30 TAC Chapter 305, SubChapter F 305.125(5) ; PERMIT WQ0011720001	Failed to maintain the structural integrity of the wastewater treatment plant. Specifically, the metal support beams at the top of the clarifier were deteriorated with rust.	MODERATE	NO
05/31/2017	RESOLVED	30 TAC Chapter 305, SubChapter F 305.125(5) ; PERMIT WQ0011720001	Failed to maintain the structural integrity of the wastewater treatment plant. Specifically, the metal steps to the wastewater treatment plant and the metal baffles in the chlorine contact basin were deteriorated with rust.	MODERATE	NO
05/31/2017	ACTIVE	30 TAC Chapter 305, SubChapter F 305.125(5) ; PERMIT WQ0011720001	Failed to maintain the required alarm system.	MODERATE	NO
05/31/2017	ACTIVE	30 TAC Chapter 305, SubChapter F 305.125(5) ; PERMIT WQ0011720001	Failed to properly operate and maintain the facility. Specifically, the chlorine contact basin contained two and a half feet of sludge in a total water depth of nine feet.	MODERATE	NO
05/31/2017	ACTIVE	30 TAC Chapter 305, SubChapter F 305.125(1) ; 30 TAC Chapter 305, SubChapter F 305.125(5) ; PERMIT WQ0011720001	Failure to maintain compliance with the permitted effluent limits. Specifically, the result of the chlorine	MODERATE	NO

			residual analysis was 5.6 mg/L.		
05/31/2017	RESOLVED	30 TAC Chapter 305, SubChapter F 305.125(5) ; PERMIT WQ0011720001	Failed to properly maintain the clarifier skimmer wiper.	MODERATE	NO
08/31/2016	ACTIVE	2D TWC Chapter 26, SubChapter A 26.121(a) ; 30 TAC Chapter 305, SubChapter F 305.125(1)	Failure to meet the limit for one or more permit parameter	MODERATE	YES
03/31/2016	ACTIVE	2D TWC Chapter 26, SubChapter A 26.121(a) ; 30 TAC Chapter 305, SubChapter F 305.125(1)	Failure to meet the limit for one or more permit parameter	MODERATE	YES
02/29/2016	ACTIVE	2D TWC Chapter 26, SubChapter A 26.121(a) ; 30 TAC Chapter 305, SubChapter F 305.125(1)	Failure to meet the limit for one or more permit parameter	MODERATE	YES
08/31/2015	ACTIVE	2D TWC Chapter 26, SubChapter A 26.121(a) ; 30 TAC Chapter 305, SubChapter F 305.125(1)	Failure to meet the limit for one or more permit parameter	MODERATE	YES
07/31/2015	ACTIVE	2D TWC Chapter 26, SubChapter A 26.121(a) ; 30 TAC Chapter 305, SubChapter F 305.125(1)	Failure to meet the limit for one or more permit parameter	MODERATE	YES
05/31/2015	ACTIVE	2D TWC Chapter 26, SubChapter A 26.121(a) ; 30 TAC Chapter 305, SubChapter F 305.125(1)	Failure to meet the limit for one or more permit parameter	MODERATE	YES
09/29/2014	RESOLVED	30 TAC Chapter 305, SubChapter F 305.125(1) ; PERMIT Other Requirements	Failed to maintain compliance with the Other Requirements of the permit.	MODERATE	NO
09/29/2014	RESOLVED	30 TAC Chapter 305, SubChapter F 305.125(5)	Failed to maintain the required number of operational blowers.	MODERATE	NO