

Bryan W. Shaw, Ph.D., *Chairman*  
Toby Baker, *Commissioner*  
Jon Niermann, *Commissioner*  
Richard A. Hyde, P.E., *Executive Director*



*Saul of Creek  
m.k.*

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

December 8, 2015

Mr. Robert L. Laughman  
President  
Aqua Utilities, Inc.  
762 West Lancaster Avenue  
Bryn Mawr, PA 19010-3489

RECEIVED

JAN 07 2016

TX ADMIN-AUSTIN

Re: TCEQ Enforcement Action  
Aqua Utilities, Inc.  
Docket No. 2015-0954-PWS-E

Dear Mr. Laughman:

Enclosed for your records is a fully-executed copy of the Agreed Order for the above-referenced matter.

Please review the enclosed Agreed Order, particularly the "Ordering Provisions" section, to determine if further action will be required of you, such as the completion of technical requirements to achieve compliance. When technical requirements are listed (usually Ordering Provision No. 2 or 3), a deadline will be provided based on a specific number of days after the effective date. The effective date is as stated in the enclosed Agreed Order.

Should you have any questions, please contact Yuliya Dunaway, the Enforcement Coordinator assigned to this matter, at (210) 403-4077.

Sincerely,

*Candice Garrett*

Candice Garrett  
Enforcement Division

Enclosure

cc: Yuliya Dunaway, Enforcement Division  
Public Water Supply Section Manager, Region 11

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
AQUA UTILITIES, INC.  
RN100843143

§ BEFORE THE  
§  
§ TEXAS COMMISSION ON  
§  
§ ENVIRONMENTAL QUALITY

AGREED ORDER  
DOCKET NO. 2015-0954-PWS-E

I. JURISDICTION AND STIPULATIONS

On DEC 04 2015, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Aqua Utilities, Inc. ("Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent owns and operates a public water supply located at 14503 Round Mountain Road near Leander, Travis County, Texas (the "Facility") that has approximately 577 service connections and serves at least 25 people per day for at least 60 days per year.
2. The Executive Director and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
3. The Respondent received notice of the violations alleged in Section II ("Allegations") on June 15, 2015.
4. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
5. An administrative penalty in the amount of Two Hundred Ten Dollars (\$210) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid One Hundred Sixty-Eight Dollars (\$168) of the administrative penalty and Forty-Two Dollars (\$42) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred

amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty.

6. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
7. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a).
8. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
9. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
10. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

## **II. ALLEGATIONS**

As owner and operator of the Facility, the Respondent is alleged to have failed to provide two or more wells having a total capacity of 0.6 gallons per minute ("gpm") per connection, in violation of 30 TEX. ADMIN. CODE § 290.45(b)(1)(D)(i) and TEX. HEALTH & SAFETY CODE § 341.0315(c), as documented during a record review conducted on May 27, 2015. Specifically, the Facility's 577 connections require a minimum production capacity of 346 gpm. However, it was documented that only 252 gpm was provided, which is a 27% deficiency.

## **III. DENIALS**

The Respondent generally denies each allegation in Section II ("Allegations").

## **IV. ORDERING PROVISIONS**

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 5 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to

"TCEQ" and shall be sent with the notation "Re: Aqua Utilities, Inc., Docket No. 2015-0954-PWS-E" to:

Financial Administration Division, Revenue Operations Section  
Attention: Cashier's Office, MC 214  
Texas Commission on Environmental Quality  
P.O. Box 13088  
Austin, Texas 78711-3088

2. It is further ordered that the Respondent shall undertake the following technical requirements:

- a. Within 540 days after the effective date of this Agreed Order, provide a minimum well capacity of 0.6 gpm per connection, in accordance with 30 TEX. ADMIN. CODE § 290.45; and
- b. Within 555 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team  
Enforcement Division, MC 149A  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

with a copy to:

Water Section Manager  
Austin Regional Office  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.



4. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
5. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
6. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
7. The effective date of this Order is the date it is signed by the Commission or the Executive Director. A copy of this fully executed Order shall be provided to each of the parties.

## SIGNATURE PAGE

### TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Bryan Sinclair  
For the Executive Director

12/4/2015  
Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

RL Laughman  
Signature

9/22/2015  
Date

Robert L. Laughman  
Name (Printed or typed)  
Authorized Representative of  
Aqua Utilities, Inc.

President  
Title

**Instructions:** Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Section IV, Paragraph 1 of this Agreed Order.

Bryan W. Shaw, Ph.D., *Chairman*  
Toby Baker, *Commissioner*  
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Signature

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Name (Printed or typed)  
Authorized Representative of  
Aqua Utilities, Inc.

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nike

Bryan W. Shaw, Ph.D., P.E., *Chairman*  
Toby Baker, *Commissioner*  
Jon Niemann, *Commissioner*  
Richard A. Hyde, P.E., *Executive Director*



PWS\_2270054\_CO\_20161115\_Exception

## Texas Commission on Environmental Quality

*Protecting Texas by Reducing and Preventing Pollution*

November 15, 2016

RECEIVED

NOV 21 2016

\* ADMIN-AUSTIN

Mr. Bryan W. Boyd, P.G.  
Wet Rock Groundwater Services, LLC  
317 Ranch Road 620 South, Suite 203  
Austin, Texas 78734

Re: Sandy Creek Ranches Subdivision - PWS ID No. 2270054  
Request for an Exception to the Sanitary Control Easement Rule  
Proposed Big Sandy Well No. 4 (TCEQ Well ID Unassigned)  
Travis County, Texas  
RN 100843143 | CN 601570773

Dear Mr. Boyd,

On September 23, 2016, the Texas Commission on Environmental Quality (TCEQ) received your letter dated September 19, 2016, requesting an exception to the requirement that all public water supply wells have properly recorded sanitary control easements as specified in Title 30 of the Texas Administrative Code (30 TAC) §290.41(c)(1)(F). This request is for the Sandy Creek Ranches Subdivision's proposed Big Sandy Well No. 4 (TCEQ Well ID Unassigned). The submittal indicated that the well is not constructed at this time.

The TCEQ has determined that the inability to secure sanitary control easements indicates that this groundwater source may be susceptible to fecal contamination and may result in a risk to public health. Based on this concern, and in order to allow monitoring of the well to determine if the well has been impacted by lack of sanitary control, we are **temporarily granting** your request for an exception to the sanitary control easement requirement under the conditions listed below. This temporary exception applies to all of the property owned by: Douglas Coplin (Property ID 35-4417; Lot 33 & W 112 ft of Lot 32 Sandy Creek Ranches Phs 1 Sec 2 Title Canceled to Real Estate) and Julio Martinez (Property ID 354415; Lot 31 (1.64 AC) Sandy Creek Ranches Phs 1 Sec 2) within a 150-foot radius of proposed Big Sandy Well No. 4. In accordance with 30 TAC §290.46(b) and §290.109(c)(4)(E), the public water system (PWS) is required to fulfill the conditions of approval outlined below.

### Condition 1:

- **Upon placing the well into service, the Public Water System (PWS) must begin collecting one raw water sample per month from Well No. 4. The PWS must submit the sample for bacteriological analysis at a TCEQ-accredited laboratory with a current National Environmental Laboratory Accreditation Program (NELAP) certification, and maintain these records on site.**

Please note that this monitoring requirement does not imply approval to use this well as a source. You must receive approval to use the well from the TCEQ Plan Review Team. Once you receive approval, a TCEQ Source ID will be assigned to the

well by the Drinking Water Special Functions Section. If for any reason the well is put in use prior to a TCEQ Source ID being assigned, the PWS may be subject to enforcement action

The sampling procedure should be the same as the one used when collecting routine distribution samples. Please ensure that the sample is delivered to the laboratory clearly labeled with the proper TCEQ Well ID (G2270054"X" where "X" will be the specific well identifier assigned by the TCEQ) and marked "RAW."

For a list of TCEQ-accredited laboratories see our website at:

[www.tceq.texas.gov/assets/public/compliance/compliance\\_support/qa/txnelap\\_lab\\_list.pdf](http://www.tceq.texas.gov/assets/public/compliance/compliance_support/qa/txnelap_lab_list.pdf)

Please note that this monthly monitoring requirement will remain in effect should a final exception be granted following the review of the bacteriological sample results. These samples are in addition to the normally required monthly distribution bacteriological samples and must be collected at a point prior to the disinfectant injection point. The sample results should be submitted in the same manner as the results of the monthly distribution bacteriological samples.

Once twelve (12) consecutive monthly bacteriological sample results have been received and reviewed, the TCEQ will evaluate the results and reissue, if appropriate, an exception without an expiration date. Additional monitoring and/or treatment may be required based on the results of the raw water bacteriological samples.

If any of the samples come back positive, please follow the instructions in Enclosure 1: *Instructions for Positive Bacteriological Samples*.

Please update your system's monitoring plan to reflect the monitoring requirements outlined in this letter and mail to the TCEQ Monitoring Plan Coordinator at the following address:

Monitoring Plan Coordinator (MC 155)  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, TX 78711-3087

Additional information is available in TCEQ's Regulatory Guidance No. 384 (RG-384), *How to Develop a Monitoring Plan for a Public Water System*, or on our website at:

[www.tceq.texas.gov/permitting/water\\_supply/pdw/monitoring\\_plans/monitoring\\_plans.html](http://www.tceq.texas.gov/permitting/water_supply/pdw/monitoring_plans/monitoring_plans.html)

All public water system monitoring plans are required to be kept up-to-date and on file at the system at all times and must be presented to TCEQ staff upon request.

**Condition 2:**

- **This temporary exception will expire in 36 months from the date of this letter (November 15, 2019).**

We note you provided in your submittal a map showing the location of the proposed well and property boundaries, plans including the proposed well, a copy of the recorded deed for the property owned by the PWS, the copies of the letters requesting sanitary control easements and the certified mail receipts, and a statement that sanitary hazards prohibited by the required sanitary easement are not located within a 150-foot radius of the proposed Well No. 4.

Mr. Bryan W. Boyd, P.G.  
Page 3 of 3  
November 15, 2016

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. If contamination of a well occurs which is not remediated through treatment, a new properly constructed well may be required at another location and abandonment, proper plugging, and sealing of the abandoned well will be required.

All exceptions are subject to periodic review and may be revoked or amended if warranted as specified in 30 TAC §290.39(l)(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(l)(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 Sang Han at [sang.han@tceq.texas.gov](mailto:sang.han@tceq.texas.gov), by telephone at (512) 239-2509, 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,



Tamira Konkin-Garcia, Team Leader  
Technical Review and Oversight Team  
Plan and Technical Review Section  
Water Supply Division  
Texas Commission on Environmental Quality

TKG/shh

Enclosure 1: *Instructions for Positive Bacteriological Samples*

cc: Mr. Brent Reeh, Manager, Aqua Texas, Inc., 1106 Clayton Lane, Suite 400W, Austin, TX  
78723-2476

### Instructions for Positive Bacteriological Samples

If multiple raw water samples are found to be **positive** for total coliform and **negative** for *E. coli* and other fecal indicators, additional treatment may be required and the conditions established in the exception letter may be revised. TCEQ personnel recommend reviewing the sample collection protocol to ensure proper sample collection methods are in place. Personnel also recommend well disinfection according to American Water Works Association (AWWA) well disinfection standards.

If a raw water sample is found to be **positive** for total coliform and **positive** for *E. coli* or other fecal indicators, Groundwater Rule requirements include:

- A. Issuance of a Public Notice to water system customers in accordance with 30 TAC §290.122(a) within 24 hours of being notified of the positive result.
- B. Notification to all consecutive systems served by the well within 24 hours of being notified of the positive result.
- C. Notification to TCEQ Drinking Water Quality Team personnel at 512-239-4691 or GWRdata@tceq.texas.gov within 24 hours of being notified of the positive result.
- D. Implementation of one or more of the Corrective Actions described in 30 TAC §290.116 as indicated by TCEQ Drinking Water Quality Team personnel.

Additionally, the exception may be revoked or the conditions established in the exception letter may be revised.

Information on the Groundwater Rule can be found by calling 512-239-4691 and asking to speak to a member of the Drinking Water Quality Team or at the following website:

[http://www.tceq.texas.gov/drinkingwater/microbial/gwr\\_main.html](http://www.tceq.texas.gov/drinkingwater/microbial/gwr_main.html)



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*Protecting Texas by Reducing and Preventing Pollution*

RECEIVED

NOV 11 2015

TX ADMIN-AUSTIN

October 28, 2016

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED 91 7199 9991 7033 3026 0945**

Mr. Robert Laughman, President  
Aqua Utilities, Inc.  
1106 Clayton Lane, Suite 400W  
Austin, Texas 78723

Re: Notice of Enforcement  
B & W Gatherings Wastewater Treatment Facility  
RN101518926, TPDES Permit No. WQ0011332001, EPA ID No. TX0062014  
CCEDS Investigation No. 1363397

Dear Mr. Laughman:

We have conducted a record review investigation of the self-reported data for the above-referenced permit and noted the following alleged violations.

### Alleged Violations

1.	Failure to comply with the permit effluent limit for Total Suspended Solids daily average (mg/L) at Outfall 001A for the monitoring periods ending 03/31/2016 and 04/30/2016.
2.	Failure to comply with other permit effluent limits during the period of 01/2016 through 07/2016.

The Legislature has granted enforcement powers to the TCEQ to carry out its mission to protect human health and the environment. Due to the apparent seriousness of the alleged violations, formal enforcement action has been initiated, and additional violations may be cited upon further review. We encourage you to immediately begin taking actions to address the outstanding alleged violations.

**In responding with prompt corrective action, the administrative penalty to be assessed may be limited.**

The Commission recognizes that the great majority of the regulated community wants to prevent pollution and to comply with environmental laws. We dedicate considerable resources toward making voluntary compliance achievable. But where compliance has not been met it is our duty to protect the public and the environment by enforcing the state's environmental laws, regulations, and permits.

Mr. Robert Laughman  
Page 2

Also, if you believe the violations documented in this notice have been cited in error, **and** you have additional information that we are unaware of, you may request a meeting to discuss this enforcement matter. To request a meeting, send a letter describing the additional information to the address shown below.

Manager, Water Section  
Enforcement Division, MC 219  
Re: Enforcement Meeting Request  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

If you or members of your staff have any questions, please feel free to contact Ms. Tennille Thomas of my staff at (512) 239-1269.

Sincerely,



Ms. Tracie Tolle, Work Leader  
Compliance Monitoring Team (MC 224)  
Texas Commission on Environmental Quality

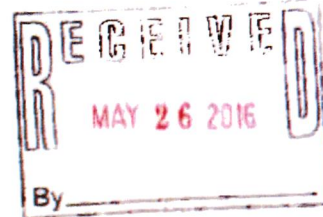
BW 31  
Bryan W. Shaw, Ph.D., P.E., *Chairman*  
Toby Baker, *Commissioner*  
Jon Niemann, *Commissioner*  
Richard A. Hyde, P.E., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

May 20, 2016



Mr. Robert Laughman  
President  
Aqua Utilities, Inc.  
1106 Clayton Lane, Suite 400 West  
Austin, Texas 78723

Re: Notice of Compliance with Agreed Order  
Aqua Utilities, Inc.; RN101518926  
Docket No. 2014-0193-MWD-E; Enforcement Case No. 48237

Dear Mr. Laughman:

This letter is to inform you that a review of Texas Commission on Environmental Quality (TCEQ) records concerning the above-referenced enforcement matter indicates that Aqua Utilities, Inc. has fulfilled the requirements of the Agreed Order effective on August 1, 2014. Specifically, Aqua Utilities, Inc. has fulfilled the technical requirements and has paid the administrative penalty assessed in the Agreed Order. Based upon this, we conclude that your response has been satisfactory and no further action is necessary at this time with respect to this enforcement matter. The Order will remain on the compliance history for this regulated entity for five years from the effective date of the Order.

We appreciate your cooperation, and if we can be of any further assistance, please contact Mr. John Shelton at (512)239-2563.

Sincerely,

A handwritten signature in black ink, appearing to read "Lanae Foard".

Lanae Foard, Work Leader  
Enforcement Division

cc: Mr. Abel Bautista, Wastewater Compliance Coordinator, Aqua Utilities, Inc., 2211 Louetta Road, Spring, Texas 77388

Bryan W. Shaw, Ph.D., P.E., *Chairman*  
Toby Baker, *Commissioner*  
Jon Niermann, *Commissioner*  
Richard A. Hyde, P.E., *Executive Director*



*Bo N Mathew*  
*11332-001*

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

November 17, 2015

Mr. Robert Laughman, President  
Aqua Utilities, Inc.  
1106 Clayton Lane, Suite 400 West  
Austin, Texas 78723

RECEIVED

NOV 23 2015

TX ADMIN-AUSTIN

Re: Third Amended Schedule for Compliance with Ordering Provisions  
Aqua Utilities, Inc.; RN101518926  
Docket No. 2014-0193-MWD-E; Enforcement Case No. 48237  
Agreed Order Effective Date: August 1, 2014

Dear Mr. Laughman:

We are in receipt of letters dated August 27, 2015 and October 16, 2015, from Mr. Abel Bautista, which requested an amended schedule for completion of Ordering Provision No. 2 of the above-referenced Agreed Order. Your letter also provided specific reasons for delays.

Based upon the reviewed information, we approve an amended schedule. The new deadline for compliance with Ordering Provision No. 2 is February 29, 2016.

Thank you for your continuing efforts to achieve compliance. If you have any questions, please contact John Shelton of the Enforcement Division staff at (512)239-2563.

Sincerely,

A handwritten signature in cursive script that reads "Bryan Sinclair".

Bryan Sinclair, Director  
Enforcement Division

cc: Mr. Abel Bautista, Wastewater Compliance Coordinator, Aqua Utilities, Inc., 2211  
Louetta Road, Spring, Texas 77388  
Mr. Scot W. Foltz, Environmental Compliance Manager, 1106 Clayton Lane, Suite 400W,  
Austin, Texas, 78723



Mike

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*

March 30, 2015

RECEIVED

2015 06 11

TX ADMIN-AUSTIN

Mr. Scot Foltz, Environmental Compliance Manager  
Aqua Utilities  
1106 Clayton Ln., Ste. 400  
Austin, TX 78723

Re: Compliance Evaluation Investigation at:  
B & W Gatherings Wastewater Treatment Plant, north of Highcrest Drive and Moss  
Downs Drive, near Granite Shoals, Burnet County  
Regulated Entity No.: RN101518926, TCEQ ID No.: WQ0011332001,  
EPA ID No.: TX0062014

Dear Mr. Foltz:

On February 20, 2015, Ms. Patricia Phillips of the Texas Commission on Environmental Quality (TCEQ) Austin Region Office conducted an investigation of the above-referenced facility to evaluate compliance with applicable requirements for wastewater treatment. No violations are being alleged as a result of the investigation, however, please see the enclosed Additional Issue.

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. Patricia Phillips in the Austin Region Office at (512) 339-2929.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn Stewart".

Shawn Stewart  
Water Section Work Leader  
Austin Region Office

SS/pjp

cc: Abel Bautista, Wastewater Compliance Coordinator, Aqua Texas, Inc., 2211 Louetta Rd.,  
Spring, TX 77388 (include Attachment)

Attachment: Summary of Investigation Findings

## Summary of Investigation Findings

B & W GATHERING WWTP

Investigation #

1227883

Investigation Date: 02/20/2015

, BURNET COUNTY,

Additional ID(s): TX0062014  
WQ0011332001

No Violations Associated to this Investigation

### ADDITIONAL ISSUES

#### Description

Is the regulated entity compliant with the self-monitored effluent limitations?

#### Additional Comments

The permit holder has an active Agreed Order Docket No. 2014-0193-MWD-E for effluent exceedances between 01/2013-08/2013. According to enforcement procedures, self-reported violations that occurred after 08/2013 cannot be included in enforcement action while the technical requirements of the active Agreed Order are still open and compliance has not been certified. The current on-site investigation noted 8 instances of noncompliance with the permit parameters during the review period of December 2013 - January 2015:  
TSS Daily Average exceeded for Feb., March, Aug., and Nov. 2014  
BOD5-day Daily Average exceeded for June and Aug. 2014  
Total Phosphorus Daily Average exceeded for March 2014  
Chlorine residual minimum level was not met for April 2014  
The permittee is reminded that self-reported effluent violations are subject to enforcement, including penalties, upon review by the Enforcement Division.

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 24, 2016

**CERTIFIED MAIL #91 7199 9991 7033 2846 0067**  
**RETURN RECEIPT REQUESTED**

Mr. Scott Foltz, Manager  
Aqua Utilities  
1106 Clayton Ln., Ste. 400  
Austin, TX 78723

RECEIVED

JUN 27 2016

TX ADMIN-AUSTIN

**Re: Notice of Violation for Compliance Evaluation Investigation at:**  
**B&W Gatherings WWTF, Highcrest Dr., Granite Shoals (Burnet County), Texas**  
**TCEQ Additional ID:WQ0011332001, EPA ID No:TX0062014, Investigation No. 1337746**

Dear Mr. Foltz:

On June 8, 2016, Michael Daniels of the Texas Commission on Environmental Quality (TCEQ) Austin Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for wastewater treatment. Enclosed is a summary which lists the investigation findings. During the investigation, an alleged violation was identified for which compliance documentation was required. Based on the information you have provided, the TCEQ has adequate documentation to resolve the alleged violation. Therefore, no further action is required. Self-reported effluent violations may be subject to enforcement, including penalties, upon review by the Enforcement Division.

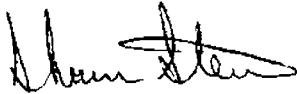
In the listing of the alleged violation, we have cited applicable requirements, including TCEQ rules. Please note that both the rules themselves and the agency brochure entitled *Obtaining TCEQ Rules* (GI 032) are located on our agency website at <http://www.tceq.state.tx.us> for your reference. If you would like a hard copy of this brochure mailed to you, you may call and request one from either the Austin Region Office at 512-339-2929 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. 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 Austin Region Office within 10 days from the date of this letter. At that time, Ms. Carolyn Runyon 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 enclosed Summary of Investigation Findings until an official decision is made regarding the status of any or all of the contested violations.

Mr. Scott Foltz  
Page 2  
June 24, 2016

If you or members of your staff have any questions, please feel free to contact Mr. Michael Daniels in the Austin Region Office at 512-339-2929.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn Stewart". The signature is fluid and cursive, with a long horizontal stroke at the end.

Shawn Stewart  
Water Program Work Leader  
Austin Region Office

SS/mjd

cc: Mr. Abel Bautista, Compliance Coordinator, Aqua Texas, 2211 Louetta Rd., Spring, TX 77388 (include Summary of Investigation Findings)  
Mr. Michael Merka, Supervisor, Aqua Texas, 3209 Hillbilly Ln., Austin, TX 78746 (include Summary of Investigation Findings)

# Summary of Investigation Findings

B & W GATHERING WWTP	Investigation # 1337746
, BURNET COUNTY,	Investigation Date: 06/08/2016
Additional ID(s): TX0062014 WQ0011332001	

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

Track No: 608358

2D TWC Chapter 26.121(a)(1)

### Alleged Violation:

Investigation: 1337746

Comment Date: 06/21/2016

Failed to prevent an unauthorized discharge. On March 23, 2016, an estimated 2,000 to 3,000 gallons of wastewater were discharged from the collection system at 1902 Lake Crest Drive into the ditch when a contractor hit the low pressure force main. A portion of the discharge reached Lake LBJ. A fish kill was not observed.

**Recommended Corrective Action:** Take actions to stop the discharge, repair the leak, clean up the affected area, and report the discharge to the TCEQ.

**Resolution:** The flow in the low pressure force main was stopped. A dam was built to stop the flow of wastewater into the lake. A vacuum truck recovered approximately 2,000 gallons of wastewater. HTH was spread on the ground to disinfect the affected area. The broken service line was replaced. The TCEQ was notified by telephone and by written report.

## ADDITIONAL ISSUES

### Description

Is the regulated entity compliant with the self-monitored effluent limitations?

### Additional Comments

The TSS daily average limit of 5 mg/L was exceeded in March 2016 (8.63 mg/L) and April 2016 (15 mg/L). The TSS daily average limit of 1.3 lb/day was exceeded in April 2016 (2.26 mg/L). Self-reported effluent violations may be subject to enforcement, including penalties, upon review by the Enforcement Division.

Gavan W. Shaw, Ph.D., *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 27, 2016

Mr. Robert Laughman  
President  
Aqua Development, Inc.  
2211 Louetta Road  
Spring, Texas 77388

Re: TCEQ Enforcement Action  
Aqua Development, Inc.  
Docket No. 2015-1225-MWD-E

Dear Mr. Laughman:

Enclosed for your records is a fully-executed copy of the Agreed Order for the above-referenced matter.

Please review the enclosed Agreed Order, particularly the "Ordering Provisions" section, to determine if further action will be required of you, such as the completion of technical requirements to achieve compliance. When technical requirements are listed (usually Ordering Provision No. 2 or 3), a deadline will be provided based on a specific number of days after the effective date. The effective date is as stated in the enclosed Agreed Order.

Should you have any questions, please contact Christopher Bost, the Enforcement Coordinator assigned to this matter, at (512) 239-4575.

Sincerely,

*Melissa Cordell*

Melissa Cordell  
Assistant Division Director  
Enforcement Division

Enclosure

cc: Christopher Bost, Enforcement Division  
Water Section Manager, Region 11

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
AQUA DEVELOPMENT, INC.  
RN102343035

§ BEFORE THE  
§  
§ TEXAS COMMISSION ON  
§  
§ ENVIRONMENTAL QUALITY

AGREED ORDER  
DOCKET NO. 2015-1225-MWD-1

I. JURISDICTION AND STIPULATIONS

On MAY 24 2016, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Aqua Development, Inc. ("Respondent") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent owns and operates a wastewater treatment facility located approximately two miles east of the intersection of Farm-to-Market Road 973 and Blake Manor Road in Travis County, Texas (the "Facility").
2. The Respondent has discharged sewage into or adjacent to any water in the state under TEX. WATER CODE ch. 26.
3. The Executive Director and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about July 11, 2015.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.

1. An administrative penalty in the amount of Three Thousand Five Hundred One Dollars (\$3,501) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Two Thousand Eight Hundred One Dollars (\$2,801) of the administrative penalty and Seven Hundred Dollars (\$700) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty.
2. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
3. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a).
4. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Facility:
  - a. By February 9, 2015:
    - i. Ceased the discharge of wastewater from the Facility's influent lift station;
    - ii. Collected and properly disposed of the discharged wastewater;
    - iii. Remediated the affected areas; and
    - iv. Replaced the defective electrical component in the control panel
  - b. By June 8, 2015, began ensuring that an operator with a Category B wastewater license operates the Facility in the absence of the Facility's lead operator
5. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
6. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
7. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.



## II. ALLEGATIONS

As owner and operator of the Facility, the Respondent is alleged to have:

Failed to employ or contract with one or more licensed wastewater treatment facility operators holding the appropriate level of license or a wastewater system operations company holding a valid registration and employing licensed wastewater treatment facility operators holding the appropriate level of license for the Facility, in violation of TEX. WATER CODE § 26.0351(a), 30 TEX. ADMIN. CODE §§ 30.350(d) and 305.125(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0014061001, Other Requirements No. 1, as documented during an investigation conducted on May 14, 2015. Specifically, an operator with a Category C wastewater license operated the Facility from November 19, 2014 to November 23, 2014; December 14, 2014 to December 16, 2014; December 24, 2014 to December 27, 2014; and February 11, 2015 to February 13, 2015.

2. Failed to prevent an unauthorized discharge of sewage into or adjacent to water in the state, in violation of TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1) and (5), and TPDES Permit No. WQ0014061001, Permit Conditions No. 2.g and Operational Requirements No. 1, as documented during an investigation conducted on May 14, 2015. Specifically, on February 9, 2015, 500 gallons of wastewater discharged from the influent lift station located at the Facility because of an electrical component failure in the control panel.

## III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

## IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Aqua Development, Inc., Docket No. 2015-1225-MWD-E" to:

Financial Administration Division, Revenue Operations Section  
Attention: Cashier's Office, MC 214  
Texas Commission on Environmental Quality  
P.O. Box 13088  
Austin, Texas 78711-3088

The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.

This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.

4. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing" and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
5. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

## SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Date

  
For the Executive Director

5/24/16  
Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

  
Signature

1/4/16  
Date

ROBERT LAUSHMAN  
Name (Printed or typed)  
Authorized Representative of  
Aqua Development, Inc.

PRESIDENT  
Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Section IV, Paragraph 1 of this Agreed Order.

Bryan W. Shaw, Ph.D., P.E., *Chairman*  
Toby Baker, *Commissioner*  
Jon Niemann, *Commissioner*  
Richard A. Hyde, P.E., *Executive Director*



20160614-2

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

June 14, 2016

Mr. Robert Laughman, President  
Aqua Development, Inc.  
2211 Louetta Road  
Spring, Texas 77388

Re: Notice of Compliance with Commission Order  
Aqua Development, Inc.; RNR02343035; TPDES Permit No. WQ0014061001  
Docket No. 2015-1225-MWD-E; Enforcement Case No. 51092

Dear Mr. Laughman:

This letter is to inform you that a review of Texas Commission on Environmental Quality records concerning the above-referenced enforcement matter indicates that Aqua Development, Inc. has fulfilled the requirements of the Commission Order ("Order") effective on May 24, 2016. Specifically, Aqua Development, Inc. has paid the administrative penalty assessed in the Order. Based upon this, we conclude that your response has been satisfactory and no further action is necessary at this time with respect to this enforcement matter. The Order will remain on the compliance history for this regulated entity for five years from the effective date of the Order.

We appreciate your cooperation, and if we can be of any further assistance, please contact Mr. Christopher Bost of my staff at (512) 239-4575.

Sincerely,

A handwritten signature in black ink, reading "Sandy Van Cleave", is positioned above the typed name.

Sandy Van Cleave, Manager  
Enforcement Division

cc: Mr. Abel Bautista, Wastewater Compliance Coordinator, Aqua Development, Inc., 2211 Louetta Road, Spring, Texas 77388  
Mr. Scot W. Foltz, Environmental Compliance Manager, Aqua Utilities, 1106 Clayton Lane, Suite 400W, Austin, Texas 78723

COPY

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*

March 10, 2017

RECEIVED

MAR 16 2017

Mr. Robert L. Laughman, President  
Aqua Development, Inc.  
2211 Louetta Road  
Spring, Texas, 77388

TX ADMIN-AUSTIN

Re: Notice of Compliance with Notice of Violation (NOV) dated August 31, 2016:  
Briar Creek Wastewater Treatment Facility  
Located approximately 2.0 miles east of the intersection of Farin-to-Market Road 973  
and Blake Manor Road in Travis County, Texas  
RN102343035, TCEQ Additional ID: WQ0014061001, Investigation No. 1356550

Dear Laughman:

This letter is to inform you that the Texas Commission on Environmental Quality (TCEQ) Austin Regional Office has received adequate compliance documentation on September 30, 2016 and October 7, 2016 to resolve the alleged violation documented during the investigation of the above-referenced regulated entity conducted on August 3, 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 Mr. Christopher Bost at the Austin Regional Office at (512) 239-7021.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn Stewart".

Shawn Stewart  
Water Section Manager  
Austin Regional Office

SS/CB

cc: Mr. Mike Merka, Field Supervisor, Aqua Development, Inc., 3209 Hillbilly Lane, Austin, Texas, 78746-1707  
Mr. Scot W. Foltz, Environmental Compliance Manager, Aqua Development, Inc., 1106 Clayton Lane, Suite 400W, Austin, Texas 78723  
Mr. David Ripley, Operator, Aqua Development, Inc., 3209 Hillbilly Lane, Austin, Texas, 78746-1707  
Mr. Abel Bautista, Wastewater Compliance Coordinator, Aqua Development, Inc., 2211 Louetta Road, Spring, Texas, 77388



COPY

mike

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*

August 31, 2016

**CERTIFIED MAIL {Certified #91 7199 9991 7033 2858 2066}  
RETURN RECEIPT REQUESTED**

RECEIVED

SEP 1 2016

TX ADMIN-AUSTIN

Mr. Robert L. Laughman, President  
Aqua Development, Inc.  
2211 Louetta Road  
Spring, Texas, 77388

Re: Notice of Violation for Compliance Evaluation Investigation at:  
Briar Creek Wastewater Treatment Facility  
Located approximately 2.0 miles east of the intersection of Farm-to-Market Road 973  
and Blake Manor Road in Travis County  
Regulated Entity No.: RN102343035, TCEQ ID No.: WQ0014061001  
EPA ID No.: TX0117315, Investigation No. 1356550

Dear Mr. Laughman:

On August 3, 2016, Mr. Christopher Bost and Mr. Michael Daniels of the Texas Commission on Environmental Quality (TCEQ) Austin Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for wastewater treatment. 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 a resolved violation based on subsequent corrective action. In addition, a certain outstanding alleged violation was identified for which compliance documentation is required. Please submit to this office by September 30, 2016 a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for the outstanding alleged violation. Also, several Additional Issues were identified. Self-reported effluent violations may be subject to enforcement, including penalties, upon review by the Enforcement Division.

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 Austin Region Office at 512-339-2929 or the Central Office Publications Ordering Team at 512-239-0028.

COPY

Mr. Robert L. Laughman  
Page 2  
August 31, 2016

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 violations documented in this notice. Should you choose to do so, you must notify the Austin Region Office within 10 days from the date of this letter. At that time, Ms. Carolyn Runyon 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 enclosed Summary of Investigation Findings until an official decision is made regarding the status of any or all of the contested violations.

If you or members of your staff have any questions, please feel free to contact Mr. Christopher Bost in the Austin Region Office at (512) 239-7021.

Sincerely,



Shawn Stewart, Team Leader  
Austin Region Office  
Texas Commission on Environmental Quality

SS/CB

cc: Mr. Mike Merka, Field Supervisor, Aqua Development, Inc., 3209 Hillbilly Lane, Austin, Texas, 78746-1707 (Enclose a copy of the Summary of Investigation Findings)  
Mr. Scot W. Foltz, Environmental Compliance Manager, Aqua Development, Inc., 1106 Clayton Lane, Suite 400W, Austin, Texas 78723 (Enclose a copy of the Summary of Investigation Findings)  
Mr. David Ripley, Operator, Aqua Development, Inc., 3209 Hillbilly Lane, Austin, Texas, 78746-1707 (Enclose a copy of the Summary of Investigation Findings)  
Mr. Abel Bautista, Wastewater Compliance Coordinator, Aqua Development, Inc., 2211 Louetta Road, Spring, Texas, 77388 (Enclose a copy of the Summary of Investigation Findings)

Enclosure: Summary of Investigation Findings

**Summary of Investigation Findings**

BRIAR CREEK WWTP

Investigation #

1356550  
Investigation Date: 08/03/2016

, TRAVIS COUNTY,

Additional ID(s): TX0117315  
WQ0014061001**OUTSTANDING ALLEGED VIOLATION(S)  
ASSOCIATED TO A NOTICE OF VIOLATION**

Track No: 616078 Compliance Due Date: 09/30/2016

30 TAC Chapter 305.125(1)

30 TAC Chapter 305.125(5)

30 TAC Chapter 317.1(a)

PERMIT WQ0014061001, Operational Requirements No. 1

Operational Requirements No. 1

**Alleged Violation:**

Investigation: 1356550

Comment Date: 08/24/2016

Failed to ensure that the Facility and all of its systems of collection, treatment, and disposal are properly operated and maintained. Specifically, the third lift station pump for the on-site lift station was out for repairs at the time of the investigation. According to the operator records, the lift station pump had been out for repairs since June 2, 2016

**Recommended Corrective Action:** The Facility and all of its systems of collection, treatment, and disposal shall be properly operated and maintained

On August 23, 2016, an e-mail was received from Mr. Mike Merka, Field Supervisor with Aqua Development, Inc., stating that the third lift station pump has been replaced and that a copy of the invoice for the pump replacement would be sent once it becomes available.

Submit a copy of the invoice reflecting that the third lift station pump has been replaced.

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

Track No: 616079

2D TWC Chapter 26.121(a)(1)

30 TAC Chapter 305.125(1)

PERMIT WQ0014061001, Permit Conditions No. 2.g

Permit Conditions No. 2.g

**Alleged Violation:**

Investigation: 1356550

Comment Date: 08/24/2016

Failed to prevent the unauthorized discharge of wastewater into or adjacent to water in the state. Specifically, on June 3, 2015, the No. 1 discharge check valve at the on-site lift station located at the wastewater treatment facility ("WWTF") hung open due to trash in the valve. The raw wastewater flow circulated back into the wet well when the other pump ran due to the open check valve, causing an overflow from the wet well. Approximately 500 gallons of wastewater spilled and the spill was contained within the confines of the WWTF.

**Recommended Corrective Action:** There shall be no unauthorized discharge of wastewater.

Submit documentation demonstrating the steps taken to prevent the recurrence of unauthorized discharges of wastewater from the on-site lift station. Submit documentation demonstrating that the affected areas have been properly remediated.

**Resolution:** According to the non-compliance notification form submitted on June 4, 2015, the



**BRIAR CREEK WWTP****Investigation # 1356550**

Were the samples collected by the region compliant with the permit limits?

During the investigation, an ammonia-nitrogen grab sample was collected and analyzed. The reported grab sample concentration was 10.5 mg/L. The permitted concentration limit for ammonia-nitrogen single grab samples is 15 mg/L. While the collected ammonia-nitrogen grab sample was compliant with the permitted limit, the grab sample concentration was elevated.

Additionally, during the TCEQ investigator's review of the self-reported effluent data from the wastewater treatment facility ("WWTF"), it was noted that the reported ammonia-nitrogen daily average concentration value of 2.15 mg/L for December 2015 exceeded the permitted effluent limit of 2.0 mg/L.

Was the permittee compliant with the self-monitored effluent limits?

It is recommended that Aqua Development, Inc. take measures at the WWTF to ensure that compliance with all permitted effluent limits, including ammonia-nitrogen, is maintained. There have been two self-reported effluent violations reported in the last 12 months. Specifically, the reported E. coli single grab concentration value of 2,420 CFU/100 mL for August 2015 exceeded the permitted limit of 399 CFU/100 mL and the reported ammonia-nitrogen daily average concentration value of 2.15 mg/L for December 2015 exceeded the permitted effluent limit of 2.0 mg/L.

To be consistent with current effluent violation handling guidelines, these exceedences were addressed as an Additional Issue in this report. However, these exceedences may be subject to formal enforcement action, including penalties, upon review by the Enforcement Division. Compliance with permitted effluent limits must be maintained

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*

May 29, 2015

**CERTIFIED MAIL 91 7199 9991 7033 2858 9119**  
**RETURN RECEIPT REQUESTED**

RECEIVED

JUN 03 2015

TX ADMIN-AUSTIN

Mr. Scot Foltz, Environmental Compliance Manager  
Aqua Texas, Inc.  
1106 Clayton Ln., Ste 400W  
Austin, TX 78723

Re: Notice of Violation for Compliance Evaluation Investigation at:  
Goforth Wastewater Treatment Plant, 5271 Goforth Rd., Kyle, Hays County, Texas  
Regulated Entity No.: RN101513729, TCEQ ID No.: WQ0013293001, EPA ID No.:  
TX0100684

Dear Mr. Foltz;

On March 31 and April 01, 2015, Ms. Patricia Phillips of the Texas Commission on Environmental Quality (TCEQ Austin Region Office) conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for wastewater treatment. Enclosed is a summary which lists the investigation findings. In addition, an outstanding alleged violation was identified for which compliance documentation is required. Please submit to this office by June 29, 2015 a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for the outstanding alleged violation.

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 Austin Region Office at (512) 339-2929 or the Central Office Publications Ordering Team at 512-239-0028. Copies of applicable federal regulations may be obtained by calling Environmental Protection Agency's Publications at 800-490-9198.

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. Self-reported violations may be subject to enforcement, including penalties, upon review by the Enforcement Division. 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 Austin Region Office within 10 days from the date of this letter. At that time, Ms. Carolyn Runyon,

Mr. Scot Foltz  
Page 2  
May 29, 2015

Water Section Manager, 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 enclosed Summary of Investigation Findings until an official decision is made regarding the status of any or all of the contested violations.

If you or members of your staff have any questions regarding these matters, please feel free to contact Ms. Patricia Phillips in the Austin Region Office at (512) 339-2929.

Sincerely,

A handwritten signature in cursive script, appearing to read "Shawn Stewart".

Shawn Stewart  
Water Section Work Leader  
Austin Region Office

SS/pjp

cc: Mr. Abel Bautista, Aqua Texas, Inc., 2211 Louetta Rd., Spring, TX 77388 (Include Enclosure)  
Mr. Robert "Brian" Robinson, Field Supervisor, Wimberley Area, Aqua Texas, Inc.,  
2611 FM 2325, Wimberley, TX 78676 (Include Enclosure)

Enclosure: Summary of Investigation Findings

## Summary of Investigation Findings

GOFORTH WWTP  
5271 GOFORTH RD  
KYLE, HAYS COUNTY, TX 78640

Investigation #  
**1245661**  
Investigation Date: 03/31/2015

Additional ID(s): WQ0013293001  
TX0100684

### OUTSTANDING ALLEGED VIOLATION(S) ASSOCIATED TO A NOTICE OF VIOLATION

Track No: 571234 Compliance Due Date: 06/29/2015  
30 TAC Chapter 305.125(1)

PERMIT WQ0013293001, Effluent Limit  
pg. 2 of permit

#### Alleged Violation:

Investigation: 1245661

Comment Date: 05/22/2015

Failed to maintain compliance with the permitted effluent limit for E. Coli. Specifically, the grab sample collected during the investigation was not compliant with the single grab limit of 126 MPN/100 mL for E. Coli. The lab analysis result for the E. Coli sample was 727 MPN/100 mL. The permittee was notified by email of the exceedance on 04/16/2015. The lab analysis and emailed notification of the exceedance are attached to this report.

**Recommended Corrective Action:** Compliance with the permitted effluent limits must be maintained. Submit documentation describing the action taken to prevent the recurrence of E. Coli violations by the compliance due date

### ADDITIONAL ISSUES

#### Description

Is the regulated entity compliant with the self-monitored effluent limitations?

#### Additional Comments

Failed to maintain the effluent within the permitted limit for E. coli. On 12/17/2014, the E. coli was reported as 1,011 MPN/100 mL. The permitted limit for a single grab is 394 MPN/100 mL. Proper notification was received by TCEQ for this exceedance. Self-reported effluent violations may be subject to enforcement, including penalties, upon review by the Enforcement Division.

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* **RECEIVED**

December 13, 2016

DEC 15 111  
TX ADMIN-AUSTIN

**FIRST CLASS MAIL**

Robert Laughman, President  
Aqua Utilities, Inc.  
1106 Clayton Lane, Suite 400W  
Austin, Texas 78723-2476

RE: Aqua Utilities, Inc.  
TCEQ Docket No. 2015-1474-MWD-E; Permit No. WQ0013293001  
Agreed Order Assessing Administrative Penalties and Requiring Certain Actions

Enclosed is a copy of an order issued by the Commission.

Questions regarding the order should be directed to the Texas Commission on Environmental Quality's Enforcement Division at (512) 239-2545 or the Litigation Division at (512) 239-3400. If there are questions pertaining to the mailing of the order, then please contact Leslie Gann of the Office of the Chief Clerk at (512) 239-3319.

Sincerely,

A handwritten signature in cursive script that reads "Bridget C. Bohac".

Bridget C. Bohac  
Chief Clerk

BCB/lg

Enclosure

cc: Farhaud Abbaszadeh, Enforcement Coordinator, TCEQ Enforcement Division

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

DEC 13 2016



OF THE COMMISSION GIVEN UNDER MY HAND AND THE  
SEAL OF OFFICE ON

*Bridget C. Bohan*  
BRIDGET C. BOHAN, CHIEF CLERK  
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
AQUA UTILITIES, INC.  
RN101513729

§ BEFORE THE  
§  
§ TEXAS COMMISSION ON  
§  
§ ENVIRONMENTAL QUALITY

AGREED ORDER  
DOCKET NO. 2015-1474-MWD-E

At its DEC 07 2016 agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Aqua Utilities, Inc. ("Respondent") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent presented this agreement to the Commission.

The Respondent understands that they have certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, the Respondent agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated settlement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Agreed Order are binding upon the Respondent.

The Commission makes the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. The Respondent owns a wastewater treatment facility located approximately four miles southeast of the intersection of Interstate Highway 35 and Farm-to-Market Road 2001

and five miles north of the intersection of State Highway 21 and Farm-to-Market Road 272 in Hays County, Texas (the "Facility").

2. The Respondent has discharged municipal waste into or adjacent to any water in the state under TEX. WATER CODE ch. 26.
3. During a record review conducted on August 13, 2015, TCEQ staff documented the following from self-reported discharge monitoring reports ("DMRs"):

<b>Effluent Violation Table</b>						
Monitoring Period	Chlorine Residual Maximum Limit = 4.0 mg/L	Total Suspended Solids Daily Avg. Concentration Limit = 15 mg/L	<i>Escherichia coli</i> Single Grab Concentration Limit = 394 CFU/100 mL	Ammonia Nitrogen Daily Avg. Concentration Limit = 3 mg/L	Ammonia Nitrogen Daily Avg. Loading Limit = 1.1 lbs/day	Flow Daily Avg. Limit = 0.0424 MGD
December 2014	c	c	1011	c	c	c
March 2015	c	c	c	5.11	22.1	c
April 2015	4.3	19.5	1040	4.65	16.6	c
May 2015	c	c	1986	c	c	0.054

CFU/100 mL = colony forming units per 100 milliliters  
 Avg. = average  
 mg/L = milligrams per liter

MGD = million gallons per day  
 lbs/day = pounds per day  
 c = compliant

4. The Respondent received notice of the violations on September 14, 2015.

## II. CONCLUSIONS OF LAW

1. The Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. WATER CODE chs. 7 and 26 and the rules of the Commission.
2. As evidenced by Findings of Fact No. 3, the Respondent failed to comply with permitted effluent limits, in violation of TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0013293001, Effluent Limitations and Monitoring Requirements Nos. 1 and 2.
3. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against the Respondent for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.

4. An administrative penalty in the amount of Ten Thousand Three Hundred Twelve Dollars (\$10,312) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. The Respondent has paid the Ten Thousand Three Hundred Twelve Dollar (\$10,312) administrative penalty.

### III. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed an administrative penalty in the amount of Ten Thousand Three Hundred Twelve Dollars (\$10,312) as set forth in Section II, Paragraph 4 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Aqua Utilities, Inc., Docket No. 2015-1474-MWD-E" to:

Financial Administration Division, Revenue Operations Section  
Attention: Cashier's Office, MC 214  
Texas Commission on Environmental Quality  
P.O. Box 13088  
Austin, Texas 78711-3088

2. It is further ordered that, within 90 days after the effective date of this Agreed Order, the Respondent shall submit written certification of compliance with the permitted effluent limitations of TPDES Permit No. WQ0013293001, including specific corrective actions that were implemented at the Facility to achieve compliance and copies of the most current self-reported DMRs, demonstrating at least three consecutive months of compliance with all permitted effluent limitations. The certification shall include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with the permitted effluent limitations. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."



The certification shall be submitted to:

Order Compliance Team  
Enforcement Division, MC 149A  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

with a copy to:

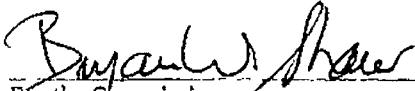
Water Section Manager  
Austin Regional Office  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
4. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
6. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the Respondent if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
7. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.

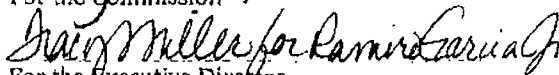
8. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
9. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
10. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

**SIGNATURE PAGE**

**TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**

  
For the Commission

12-9-16  
Date

  
For the Executive Director

10-14-16  
Date

I, the undersigned, have read and understand the attached Agreed Order in the matter of Aqua Utilities, Inc. I am authorized to agree to the attached Agreed Order on behalf of Aqua Utilities, Inc., and do agree to the specified terms and conditions. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I understand that by entering into this Agreed Order, Aqua Utilities, Inc. waives certain procedural rights, including, but not limited to, the right to formal notice of violations addressed by this Agreed Order, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal. I agree to the terms of the Agreed Order in lieu of an evidentiary hearing. This Agreed Order constitutes full and final adjudication by the Commission of the violations set forth in this Agreed Order.

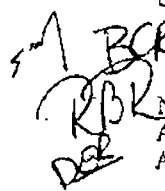
I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

  
Signature

12/8/15  
Date

  
Robert F. Laughman  
Name (Printed or typed)  
Authorized Representative of  
Aqua Utilities, Inc.

President  
Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Section III, Paragraph 1 of this Agreed Order.

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*

December 10, 2015

RECEIVED

DEC 14 2015

TX ADMIN-AUSTIN

Mr. Scot Foltz, Environmental Compliance Manager  
Aqua Texas, Inc.  
1106 Clayton Ln., Ste 400W  
Austin, TX 78723

Re: Notice of Compliance with Notice of Violation (NOV) dated May 29, 2015  
Goforth Wastewater Treatment Plant,  
5271 Goforth Rd., Kyle, Hays County  
Regulated Entity No.: RN101513729, TCEQ Additional ID No.: WQ0013293001,  
Investigation No. 1245661

Dear Mr. Foltz:

This letter is to inform you that the Texas Commission on Environmental Quality (TCEQ) Austin Regional Office has received adequate compliance documentation on November 19, 2015 to resolve the alleged violation documented during the investigation of the above-referenced regulated entity conducted on March 31 and April 01, 2015. 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. Patricia Phillips in the Austin Region Office at (512) 339-2929.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn Stewart".

Shawn Stewart  
Water Section Work Leader  
Austin Region Office

SS/pjp

cc: Mr. Abel Bautista, Aqua Texas, Inc., 2211 Louetta Rd., Spring, TX 77388 (Include Enclosure)  
Mr. Robert "Brian" Robinson, Field Supervisor, Wimberley Area, Aqua Texas, Inc., 2611 FM 2325, Wimberley, TX 78676 (Include Enclosure)

Enclosure: Summary of Investigation Findings

## Summary of Investigation Findings

GOFORTH WWTP

5271 GOFORTH RD

KYLE, HAYS COUNTY, TX 78640

Investigation #

1295845

Investigation Date: 12/04/2015

Additional ID(s): WQ0013293001  
TX0100684

### ALLEGED VIOLATION(S) NOTED AND RESOLVED

Track No: 571234

30 TAC Chapter 305.125(1)

PERMIT WQ0013293001, Effluent Limit

pg. 2 of permit

#### Alleged Violation:

Investigation: 1245661

Comment Date: 05/22/2015

Failed to maintain compliance with the permitted effluent limit for E. Coli. Specifically, the grab sample collected during the investigation was not compliant with the single grab limit of 126 MPN/100 mL for E. Coli. The lab analysis result for the E. Coli sample was 727 MPN/100 mL. The permittee was notified by email of the exceedance on 04/16/2015. The lab analysis and emailed notification of the exceedance are attached to this report.

Investigation: 1275174

Comment Date: 10/27/2015

A follow-up investigation was conducted on 08/27/2015 to determine the compliance status of this alleged violation. On 07/02/2015, TCEQ Region 11 received a response from the permit holder which indicated that a vertical pipe would be installed with a line inside the pipe that dispenses chlorine into the water as it flows into the chlorine contact chamber from the clarifier to maximize the contact with the chlorine. However, there has been no indication of whether this action was done or not. Since no documentation has been received to demonstrate that compliance has been achieved, the RE has been issued a Compliance Documentation Deficiency letter. Please submit to the Region 11 office a written description of corrective action taken and any documentation supporting such actions by 11/13/2015.

Investigation: 1295845

Comment Date: 12/04/2015

A follow-up investigation was conducted on 12/04/2015 to determine the compliance status of this alleged violation.

**Recommended Corrective Action:** Compliance with the permitted effluent limits must be maintained. Submit documentation describing the action taken to prevent the recurrence of E. Coli violations by the compliance due date.

**Resolution:** The documentation submitted on 11/19/2015 stated that a vertical pipe has been installed with a line inside the pipe that dispenses chlorine into the water as it flows into the chlorine contact chamber from the clarifier to maximize the contact with the chlorine. The RE provided a photograph of the installed pipe and an invoice showing purchase and installation charges (see Attachment). The actions are sufficient to resolve the violation.

Bryan W. Shaw, Ph.D., P.E., *Chairman*  
Toby Baker, *Commissioner*  
Jon Niermann, *Commissioner*  
Richard A. Hyde, P.E., *Executive Director*

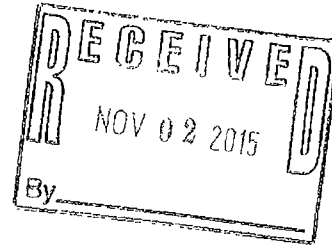


## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

October 29, 2015

**CERTIFIED MAIL 91 7199 9991 7033 2858 9423  
RETURN RECEIPT REQUESTED**



Mr. Scot Foltz, Environmental Compliance Manager  
Aqua Texas, Inc.  
1106 Clayton Ln., Ste 400W  
Austin, TX 78723

Re: Additional Compliance Documentation Needed for:  
Notice of Violation for Compliance Evaluation Investigation at:  
Goforth Wastewater Treatment Plant, 5271 Goforth Rd., Kyle, Hays County, Texas  
Regulated Entity No.: RN101513729, TCEQ ID No.: WQ0013293001, EPA ID No.:  
TX0100684

Dear Mr. Foltz;


The Texas Commission on Environmental Quality (TCEQ) Austin Region Office has received the compliance documentation that you submitted on July 02, 2015, for the alleged violations noted during the investigation of the above-referenced facility conducted on March 31, 2015. The compliance documentation contained in your response indicated that a vertical pipe would be installed with a line inside the pipe that dispenses chlorine into the water as it flows into the chlorine contact chamber from the clarifier to maximize the contact with the chlorine. There was no indication that this action had been taken or that it resolved the noncompliance issue. Therefore, information is still needed for the alleged violation listed in the enclosed summary. Please submit to our office by November 13, 2015, a written description of corrective action taken and the required compliance documentation demonstrating that the alleged violation has been resolved.

The Texas Commission on Environmental Quality appreciates your assistance in this matter and your compliance efforts to protect the State's environment. We look forward to receiving your response for the remaining alleged violation. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements.

Mr. Scot Foltz  
Page 2  
October 29, 2015

If you or members of your staff have any questions, please feel free to contact Ms. Patricia Phillips in the Austin Region Office at (512) 339-2929.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn Stewart". The signature is fluid and cursive, with a large loop at the end.

Shawn Stewart  
Water Section Work Leader  
Austin Region Office

SS/pjp

cc: Mr. Abel Bautista, Aqua Texas, Inc., 2211 Louetta Rd., Spring, TX 77388 (Include Enclosure)  
Mr. Robert "Brian" Robinson, Field Supervisor, Wimberley Area, Aqua Texas, Inc., 2611 FM 2325, Wimberley, TX 78676 (Include Enclosure)

Enclosure: Summary of Investigation Findings

## Summary of Investigation Findings

GOFORTH WWTP

5271 GOFORTH RD  
KYLE, HAYS COUNTY, TX 78640

Additional ID(s): WQ0013293001  
TX0100684

Investigation #

1275174

Investigation Date: 10/27/2015

### OUTSTANDING ALLEGED VIOLATION(S)

Track No: 571234 Compliance Due Date: 11/13/2015

30 TAC Chapter 305.125(1)

PERMIT WQ0013293001, Effluent Limit

pg. 2 of permit

#### Alleged Violation:

Investigation: 1245661

Comment Date: 05/22/2015

Failed to maintain compliance with the permitted effluent limit for E. Coli. Specifically, the grab sample collected during the investigation was not compliant with the single grab limit of 126 MPN/100 mL for E. Coli. The lab analysis result for the E. Coli sample was 727 MPN/100 mL. The permittee was notified by email of the exceedance on 04/16/2015. The lab analysis and emailed notification of the exceedance are attached to this report.

Investigation: 1275174

Comment Date: 10/27/2015

A follow-up investigation was conducted on 08/27/2015 to determine the compliance status of this alleged violation. On 07/02/2015, TCEQ Region 11 received a response from the permit holder which indicated that a vertical pipe would be installed with a line inside the pipe that dispenses chlorine into the water as it flows into the chlorine contact chamber from the clarifier to maximize the contact with the chlorine. However, there has been no indication of whether this action was done or not. Since no documentation has been received to demonstrate that compliance has been achieved, the RE has been issued a Compliance Documentation Deficiency letter. Please submit to the Region 11 office a written description of corrective action taken and any documentation supporting such actions by 11/13/2015.

**Recommended Corrective Action:** Compliance with the permitted effluent limits must be maintained. Submit documentation describing the action taken to prevent the recurrence of E. Coli violations by the compliance due date.



Shaw 12/16/16 WWT P

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*

December 16, 2016

RECEIVED

DEC 21 2016

TX ADMIN-AUSTIN

Mr. Robert Laughman, President  
Aqua Utilities, Inc.  
1106 Clayton Lane, Suite 400 W  
Austin, Texas 78723

Re: Notice of Compliance with Agreed Order  
Aqua Utilities, Inc.; RN102956448  
Docket No. 2012-0858-MWD-E; Enforcement Case No. 44025

Dear Mr. Laughman:

This letter is to inform you that a review of Texas Commission on Environmental Quality (TCEQ) records concerning the above-referenced enforcement matter indicates that Aqua Utilities, Inc. has fulfilled the requirements of the Agreed Order effective on March 9, 2013. Specifically, Aqua Utilities, Inc. has fulfilled the technical requirements and has paid the administrative penalty assessed in the Agreed Order. Based upon this, we conclude that your response has been satisfactory and no further action is necessary at this time with respect to this enforcement matter. The Order will remain on the compliance history for this regulated entity for five years from the effective date of the Order.

We appreciate your cooperation, and if we can be of any further assistance, please contact Mr. Michael Tucker at (512) 239-6924.

Sincerely,

A handwritten signature in purple ink that reads "Lynley Doyen".

Lynley Doyen, Manager  
Enforcement Division

cc: Mr. Scot Foltz, Environmental Compliance Manager, Aqua Utilities, Inc., 1106 Clayton Lane, Suite 400 W, Austin, Texas 78723

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*

October 31, 2016

RECEIVED

**CERTIFIED MAIL Certified # 91 7199 9991 7033 2764 4222**  
**RETURN RECEIPT REQUESTED**

NOV 02 2016

TX ADMIN-AUSTIN

**Mr. Scot Foltz, Environmental Compliance Manager**  
**Aqua Utilities**  
**1106 Clayton Lane, Suite 400**  
**Austin, TX 78723**

**Re: Notice of Enforcement for TCEQ Wastewater Compliance Evaluation Investigation at:**  
**Woodcreek WWTP, S/SE of FM 2325 and Jacob's Well Road, 4 miles north of**  
**Wimberley (Hays County), Texas**  
**TCEQ Permit #WQ0013989001, Investigation #1364693**

Dear Mr. Foltz:

On August 22 and September 2, 2016, Ms. Julie White of the Texas Commission on Environmental Quality (TCEQ) Austin Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for wastewater treatment. During this investigation, certain outstanding alleged violations were documented. Enclosed is a summary which lists the investigation findings and recommended corrective actions. Additional recommended corrective actions may be provided by the Enforcement Division.

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 Austin Region Office at Phone #(512)-339-2929 or the Central Office Publications Ordering Team at 512-239-0028. Copies of applicable federal regulations may be obtained by calling Environmental Protection Agency's Publications at 800-490-9198.

Also, please be advised that the Legislature has granted enforcement powers to the TCEQ to carry out its mission to protect human health and the environment. Due to the apparent seriousness of the alleged violations, formal enforcement action has been initiated, and additional violations may be cited upon further review. We encourage you to immediately begin taking actions to address the outstanding alleged violations.

**In responding with prompt corrective action, the administrative penalty to be assessed may be limited.**

Mr. Foltz  
Page 2  
October 31, 2016


The Commission recognizes that the great majority of the regulated community wants to prevent pollution and to comply with environmental laws. We dedicate considerable resources toward making voluntary compliance achievable. But where compliance has not been met it is our duty to protect the public and the environment by enforcing the state's environmental laws, regulations, and permits.

Also, if you believe the violations documented in this notice have been cited in error, and you have additional information that we are unaware of, you may request a meeting to discuss this enforcement matter. To request a meeting, send a letter describing the additional information to the address shown below.

Manager, Water Section  
Enforcement Division, MC 219  
Re: Enforcement Meeting Request  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

If you or members of your staff have any questions, please feel free to contact Ms. White in the Austin Region Office at (512) 339-2929.

Sincerely,



Shawn Stewart  
Water Section Team Leader  
Austin Region Office  
Texas Commission on Environmental Quality

SS/jkpw

Attachment: Summary of Investigation Findings

Cc: Mr. Brian Robinson, 2611 FM 2325, Wimberley, TX 78676

## Summary of Investigation Findings

WOODCREEK WWTP

Investigation #

1364693

Investigation Date: 08/22/2016

, HAYS COUNTY,

Additional ID(s): WQ0013989001

### OUTSTANDING ALLEGED VIOLATION(S) ASSOCIATED TO A NOTICE OF ENFORCEMENT

Track No: 621058 Compliance Due Date: To Be Determined

2D TWC Chapter 26.121(a)(1)

30 TAC Chapter 305.125(1)

30 TAC Chapter 305.125(4)

PERMIT WQ0013989001, Permit Conditions

Page 9, Item 2.g

#### Alleged Violation:

Investigation: 1364693

Comment Date: 10/26/2016

Failed to prevent the unauthorized discharge of wastewater. Specifically, since the last investigation on January 27, 2015, twelve unauthorized discharges were reported.

1/30/2015 Unknown amount from electrical failure at Pro Lane Lift Station

2/11/2015 Approximately 1000 gallons from a line break at Ranchview Lift Station

3/31/2015 Approximately 3000 gallons from a line break on Dolittle Drive

5/03/2015 Approximately 200 gallons from a line break at 10 Woodglen

9/04/2015 Approximately 200 gallons from a pump failure at Brookshire Lift Station

10/30/2015 Approximately 40,000 from a power outage at Pro Lane Lift Station

11/19/2015 Approximately 300 gallons from a line break 300' east of FM2325

11/22/2015 Approximately 2000 gallons from a pump failure at Pro Lane Lift Station

12/31/2015 Approximately 3000 gallons from a line break at Pro Lane Lift Station

1/20/2016 Approximately 16,000 gallons from a line break on Camp Young Judea property

2/08/2016 Approximately 1000 gallons from a pump failure at Emergency Lane Lift Station

7/15/2016 Approximately 500 gallons from a pump failure at High School Lift Station (Carney Lane & FM2325)

Among the unauthorized discharges cited during the January 27, 2015 investigation, there were four discharges at the High School Lift Station (Carney Lane and FM 2325) and two on Dolittle Drive. During the current investigation, there was one unauthorized discharge at the High School Lift Station and one on Dolittle Drive. The High School Lift Station violations were repeat occurrences at the same location within consecutive investigations within the most recent 5-year period. The Dolittle Drive violations were at the same location and similar root cause within consecutive investigations within the most recent 5-year period.

**Recommended Corrective Action:** There shall be no unauthorized discharge of wastewater.

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

Track No: 621076

30 TAC Chapter 305.125(1)

30 TAC Chapter 317.3(e)(5)

#### Alleged Violation:

Investigation: 1364693

Comment Date: 10/17/2016

Failed to properly maintain the lift station. The SCADA system did not function during the July 16, 2016 discharge event. The system was still out for repairs at the time of the September 2, 2016 investigation; therefore, a telemetry system was not in operation.

**Recommended Corrective Action:** Submit documentation indicating that the SCADA system has been repaired.

**Resolution:** On October 25, 2016, the TCEQ Austin Region received documentation indicating that a new SCADA system was installed at the lift station.

### ADDITIONAL ISSUES

Description	Additional Comments
Item 3	During the investigation of the wet well, one of the floats was caught causing the pump to run continuously. Mr. Robinson fixed the line during the investigation. There was a thick layer of foam on the top of the water within the wet well. Mr. Robinson informed the investigator that the wet well has to be pumped once a week due to the foam. The foam causes a crust to form on top of the water causing issues with the floats. Mr. Robinson stated that the source of the foam is being investigated.

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*

March 23, 2015

RECEIVED

MAR 25 2015

**CERTIFIED MAIL 91 7199 9991 7033 2858 9461**  
**RETURN RECEIPT REQUESTED**

TX ADMIN-AUSTIN

Mr. Scot Foltz, Environmental Compliance Manager  
Aqua Utilities  
1106 Clayton Ln., Ste. 400  
Austin, TX 78723

Re: Notice of Violation for Compliance Evaluation Investigation at:  
Woodcreek Wastewater Treatment Facility, located S/SE of FM 2325 and Jacob's Well  
Road, approximately 4 miles N of Wimberley, Hays County  
Regulated Entity No. RN102956448, TCEQ ID No. WQ0013989001

Dear Mr. Foltz;

On January 27, 2015, Ms. Patricia Phillips of the Texas Commission on Environmental Quality (TCEQ) Austin Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for wastewater treatment. Enclosed is a summary which lists the investigation findings. The TCEQ Austin Regional Office has received adequate compliance documentation on January 27, 2015, to resolve the alleged violation.

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 Austin Region Office at (512) 339-2929 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. 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 Austin Region Office within 10 days from the date of this letter. At that time, Program Manager Ms. Carolyn Runyon will schedule a violation review

TCEQ Region 11 • P.O. Box 13087 • Austin, Texas 78711-3087 • 512-339-2929 • Fax 512-339-3795

Austin Headquarters: 512-239-1000 • [tceq.texas.gov](http://tceq.texas.gov) • How is our customer service? [tceq.texas.gov/customer/survey](http://tceq.texas.gov/customer/survey)

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Mr. Foltz  
Page 2  
March 23, 2015

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.

If you or members of your staff have any questions, please feel free to contact Ms. Patricia Phillips in the Austin Region Office at (512) 339-2929.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn Stewart", with a stylized flourish at the end.

Shawn Stewart  
Water Section Work Leader  
Austin Region Office

SS/pjp

cc: Abel Bautista, Wastewater Compliance Coordinator, Aqua Texas, Inc., 2211 Louetta Rd.,  
Spring, TX 77388 (include Attachment)

Attachment: Summary of Investigation Findings

## Summary of Investigation Findings

WOODCREEK WWTP

Investigation #

1224085

Investigation Date: 01/27/2015

, HAYS COUNTY,

Additional ID(s): WQ0013989001

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

Track No: 564577

2D TWC Chapter 26.121(a)

2D TWC Chapter 26.121(a)(1)

2D TWC Chapter 26.121(a)(3)

2D TWC Chapter 26.121(b)

2D TWC Chapter 26.121(c)

2D TWC Chapter 26.121(d)

2D TWC Chapter 26.121(e)

30 TAC Chapter 305.125(4)

30 TAC Chapter 305.125(5)

TWC Chapter 26.121

TWC Chapter 26.121(a)(2)

PERMIT WQ0013989001, Permit Conditions, Pg. 9, No. 2(g)

**Alleged Violation:**

Investigation: 1224085

Comment Date: 03/16/2015

Failed to prevent the unauthorized discharge of wastewater. Specifically, during the 18 months preceding the investigation, 13 unauthorized discharges were reported.

09/21/2013 Approximately 3,000 gallons at Camp Young Judea

09/21/2013 Approximately 500 gallons at Lift Station on Cashes Lane

10/13/2013 Approximately 2,000 gallons Lift Station at Woodacre and Pleasant Valley

11/23/2013 Approximately 5,000 gallons at Doolittle Drive

12/13/2013 Approximately 1,000 gallons at Doolittle Drive

01/14/2014 Approximately 500 gallons at 10 Elmwood

02/05/2014 Approximately 5,000 gallons manhole at Woodacre and Pleasant Valley

03/19/2014 Approximately 5,000 gallons at Camp Young Judea

06/08/2014 Approximately 1,500 gallons manhole at Woodacre and Pleasant Valley

07/07/2014 Approximately 200 gallons manhole at Woodacre and Pleasant Valley

07/25/2014 Approximately 1,000 gallons manhole near FM 2325 and Carney Lane

07/26/2014 Approximately 1,000 gallons manhole near FM 2325 and Carney Lane

07/31/2014 Approximately 1,000 gallons manhole near FM 2325 and Carney Lane

In each instance, the proper notification was submitted to TCEQ indicating appropriate actions were taken to remedy each unauthorized discharge. The permit holder discussed the maintenance that has been on-going within the collection system. Numerous issues have been the focus of the permittee's efforts including conducting a manhole survey and outreach projects aimed at getting grinder pumps owned by homeowners properly maintained. The permittee has had no incidents since August 2014.

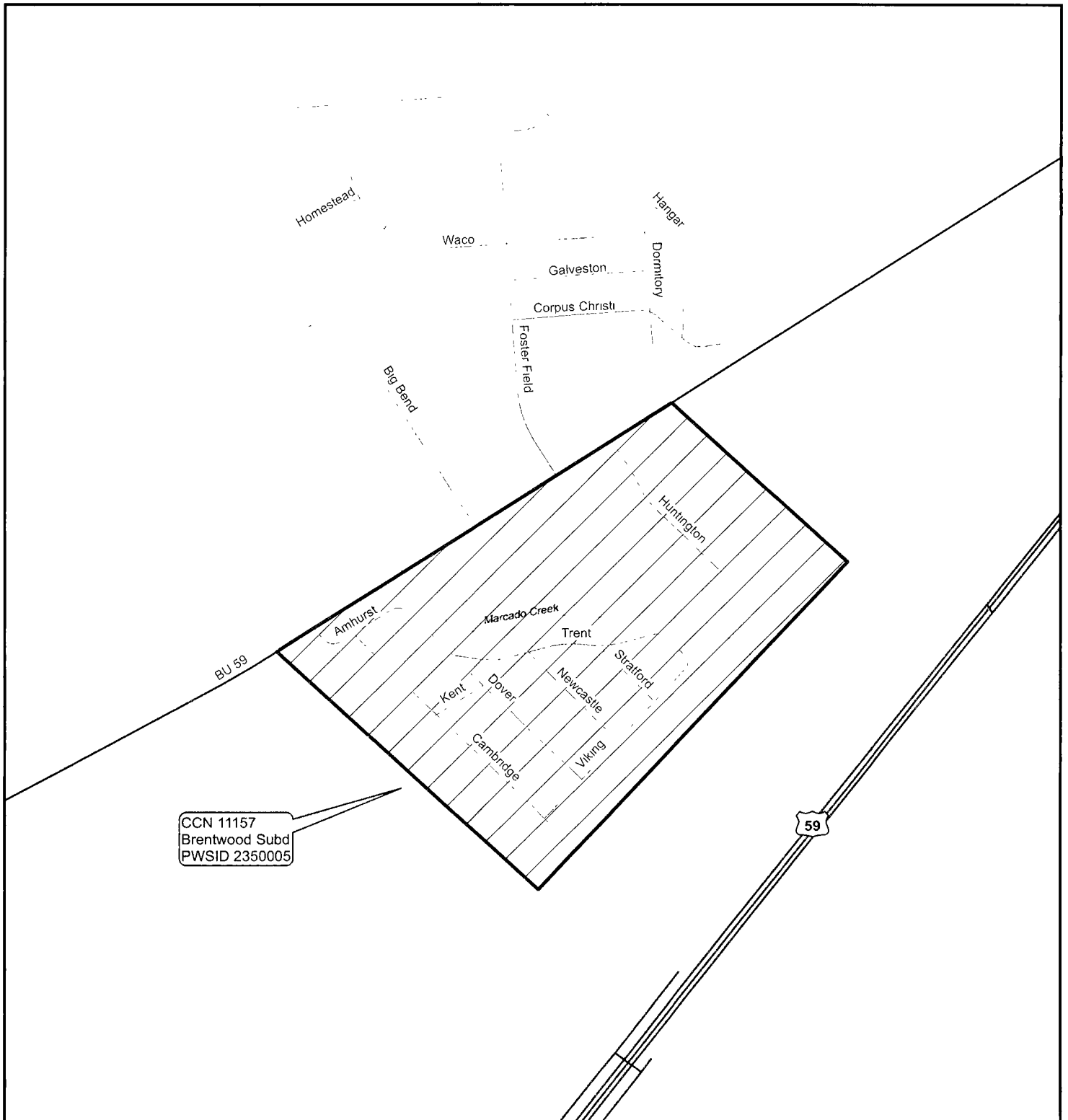
**Recommended Corrective Action:** There shall be no unauthorized discharge of wastewater or any other waste into or adjacent to waters of the state. In each case, the permittee has submitted documentation showing that the discharges were properly addressed.

**Resolution:** The permittee reportedly replaced numerous sections of line and repaired/replaced the electrical parts that caused issues. Since there have been no further incidents within the collections system since August, the violation is resolved.



**Brentwood Transfer to SE Region (water & sewer)**

Notice/Entity Within 2-miles	CCN#	Street	City	State	Zip
City of Victoria	10722	PO Box 1758	Victoria	TX	77902
City of Victoria	20297	PO Box 1758	Victoria	TX	77902
Guadalupe-Blanco River Authority		933 E. Court St	Seguin	TX	78155
Victoria County Drainage District 3		PO Box 680	Teller ner	TX	77988
Victoria County Navigation District		1934 FM 1432	Victoria	TX	77905
Victoria County GCD		2805 N Navarro St Ste 210	Victoria	TX	77901
Victoria County Judge Ben Zeller		101 N Bridge St	Victoria	TX	77901



### Detail Map - Water

Existing Water CCN Proposed for Transfer to Aqua Texas, Inc., CCN No. 13203  
in Victoria County



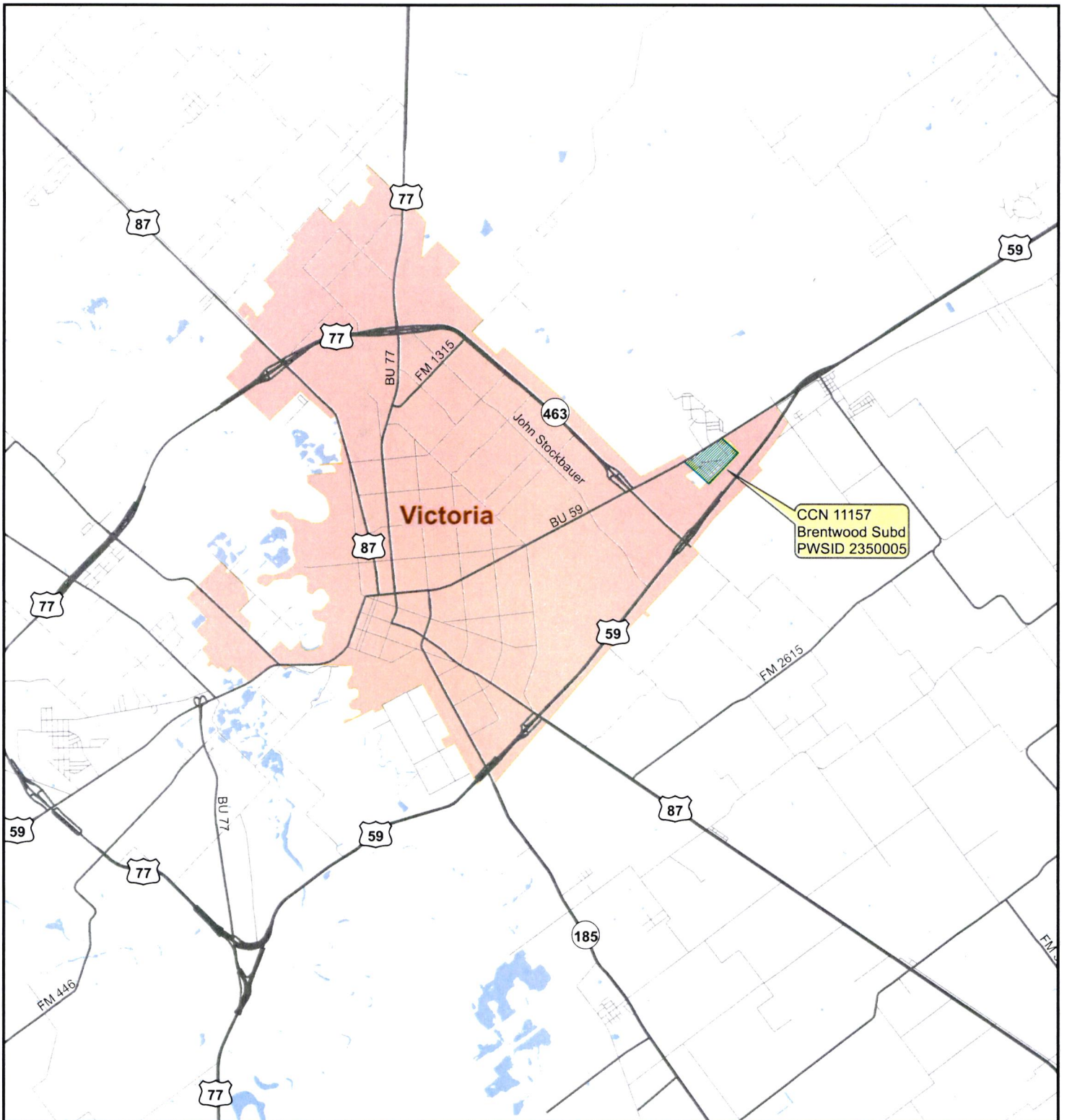
0 500 1,000  
Feet

**Existing CCN Proposed for Transfer**



CCN 11157 - Aqua Utilities, Inc. dba Aqua Texas

Map by S. Burt, ASBGI  
Date October 17, 2018  
Base TxDOT Roadways 2015  
Project Brentwood Water Detail



### General Location Map - Water

Existing Water CCN Proposed for Transfer to Aqua Texas, Inc., CCN No. 13203  
in Victoria County



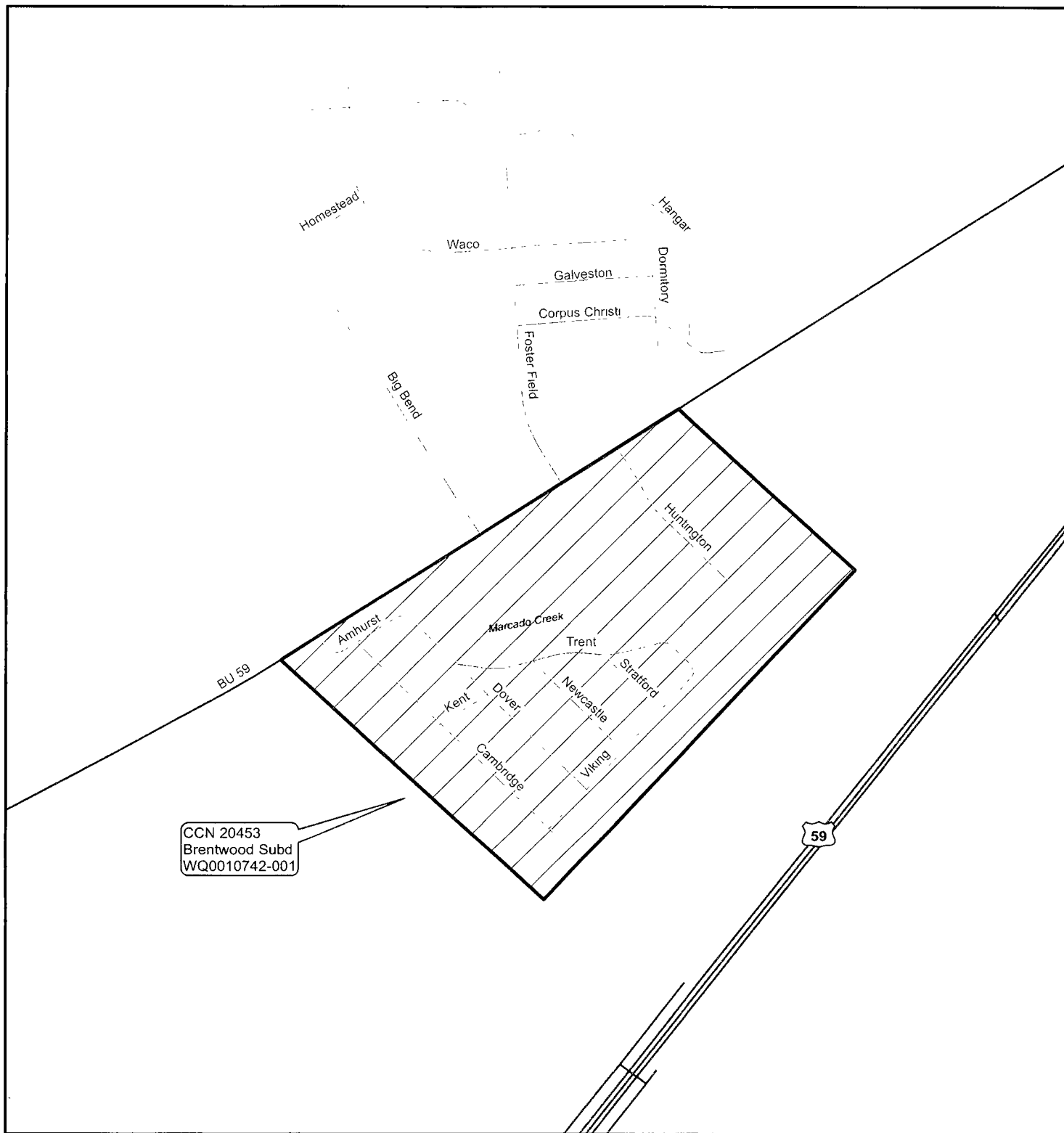
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Miles

#### Existing CCN Proposed for Transfer



CCN 11157 - Aqua Utilities, Inc. dba Aqua Texas

Map by: S. Burt, ASBGI  
Date: October 17, 2018  
Base: TxDOT Roadways 2015  
Project: Brentwood Water General Location



CCN 20453  
Brentwood Subd  
WQ0010742-001

### Detail Map - Sewer

Existing Sewer CCN Proposed for Transfer to Aqua Texas, Inc., CCN No. 21065  
in Victoria County



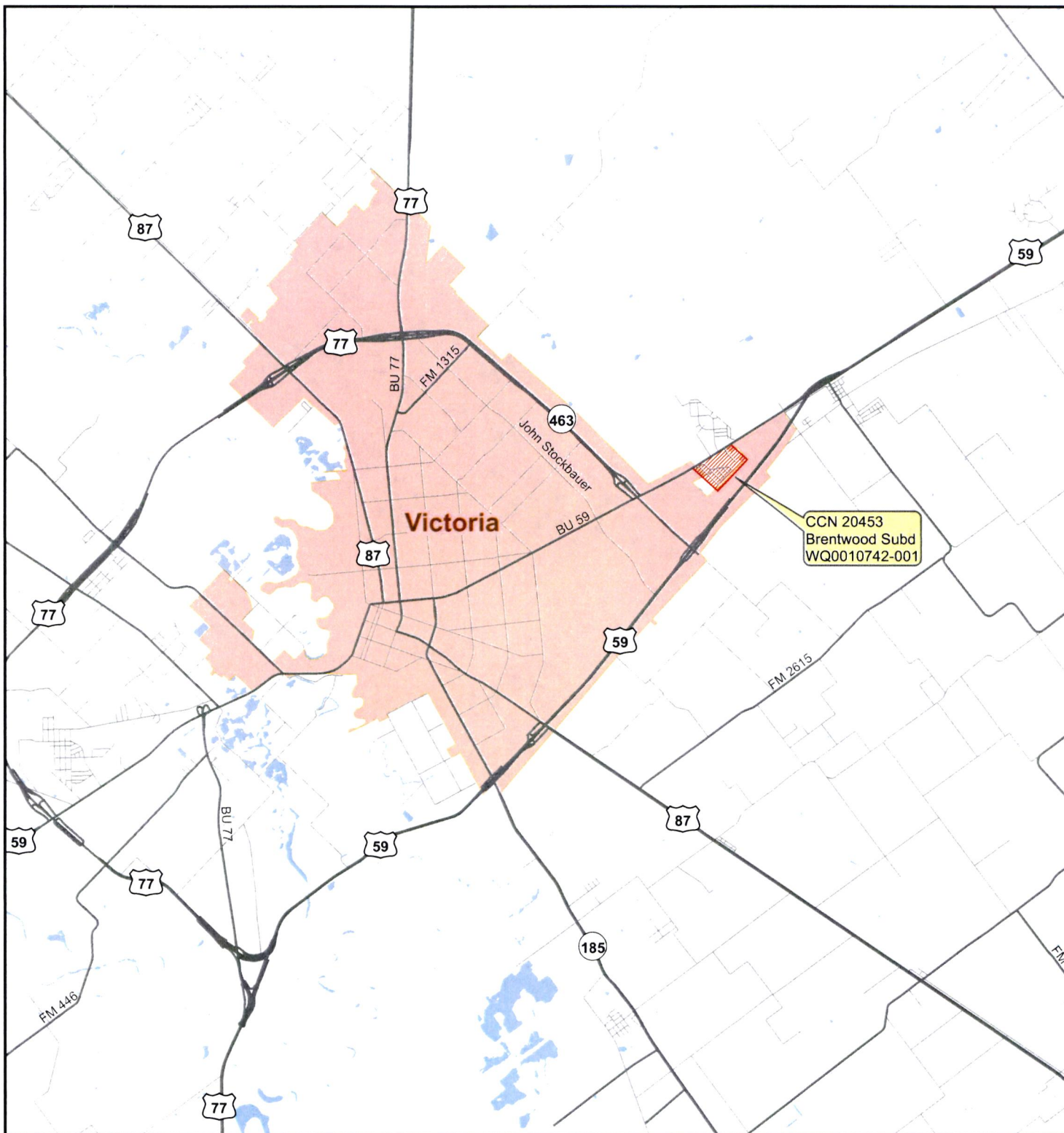
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#### Existing CCN Proposed for Transfer



CCN 20453 - Aqua Utilities, Inc. dba Aqua Texas

Map by S. Burt, ASBGI  
Date, October 17, 2018  
Base TxDOT Roadways 2015  
Project Brentwood Sewer Detail



### General Location Map - Sewer

Existing Sewer CCN Proposed for Transfer to Aqua Texas, Inc., CCN No. 21065  
in Victoria County

#### Existing CCN Proposed for Transfer



CCN 20453 - Aqua Utilities, Inc. dba Aqua Texas



0 1 2  
Miles

Map by: S. Burt, ASBGI  
Date: October 17, 2018  
Base: TxDOT Roadways 2015  
Project: Brentwood Sewer General Location



Region	Supervisor	Name	Certifications	Water Certification Number	Wastewater Certification Number	Other
ETX	Francis	Benito Guajardo	Wastewater Collections - I - Texas Commission on Environmental Quality Water Distribution - C - Texas Commission on Environmental Quality	WD0009792	WW0043390	
ETX	Francis	Blas Luna	Wastewater Collections - I - Texas Commission on Environmental Quality Water Distribution C - Texas Commission on Environmental	WD0010458	WW0043742	
ETX	Francis	Carlos Jimenez Martinez	Wastewater Operator - Class B - Texas Commission on Environmental Quality		WW0050406	
ETX	Francis	Domingo Flores	Wastewater Collections - II - Texas Commission on Environmental Quality Ground Water Treatment C Texas Commission on Environmental Water Distribution C Texas Commission on Environmental	WG0018109WD0010124	WW0048871	
ETX	Francis	Jose Hernandez	Wastewater Collections - I - Texas Commission on Environmental Quality Water Distribution - C - Texas Commission on Environmental Quality Ground Water Treatment - Class C - Texas Commission on Environmental Quality	WD0010457WG0018034	WW0061277	
ETX	Francis	Margarito Rueda	Wastewater Collections - I - Texas Commission on Environmental Quality Wastewater Operator - Class C - Texas Commission on Environmental Quality Water Distribution - C - Texas Commission on Environmental Quality Water Operator - Class C - Texas Commission on Environmental Quality	WD0014539WG0018033	WW0061224WW0063829	
ETX	Francis	Randall Cox	Wastewater Operator - Class C - Texas Commission on Environmental Quality Water Distribution - C - Texas Commission on Environmental Quality	WG0016599	WW0060032	
ETX	Francis	Robert Naranjo	Water Operator - Class C - Texas Commission on Environmental Quality Wastewater Operator - Class C - Texas Commission on Environmental Quality	WG0016134	WW0055759	

Region	Supervisor	Name	Certifications	Water Certification Number	Wastewater Certification Number	Other
ETX	Francis	Thomas Shepard	Water Operator - Class B - Texas Commission on Environmental Quality  Wastewater Operator - Class C - Texas Commission on Environmental Quality	WG0008221	WW0030481	
ETX	Francis	Thomas Shepard	Wastewater Operator - Class B - Texas Commission on Environmental Quality  Water Operator - Class B - Texas Commission on Environmental Quality	WG0015775	W0054067	
ETX	Francis	Travis Tarpley	Water Operator - Class C - Texas Commission on Environmental Quality	WG0017192		
ETX	Garcia	Adrian Wade	Wastewater Operator - Class B- Texas Commission on Environmental Quality  Water Operator - Class B - Texas Commission on Environmental Quality	WG0013666	WW0018612	
ETX	Garcia	Donald Francis	Wastewater Operator - Class A - Texas Commission on Environmental Quality  Water Operator - Class B - Texas Commission on Environmental Quality	WG0013170	WW0061557	
ETX	Garcia	Gregory Smith	Wastewater Operator - Class B - Texas Commission on Environmental Quality  Water Operator - Class B - Texas Commission on Environmental Quality	WG-0018142	WW-0061763	
ETX	Garcia	Jason McLain	Wastewater Collections - I - Texas Commission on Environmental Quality  Water Distribution - C - Texas Commission on Environmental Quality  Water Operator - Class C - Texas Commission on Environmental Quality  Water Operator - Class C - Texas Commission on Environmental Quality	WG-0015922 WD-0012066	WW-0049896 - Expired	
ETX	Rimann	Chris Garcia	Water Operator - Class A - Texas Commission on Environmental Quality			

Region	Supervisor	Name	Certifications	Water Certification Number	Wastewater Certification Number	Other
ETX	Smith	Erick Paz	Wastewater Operator - Class B - Texas Commission on Environmental Quality  Water Operator - Class B - Texas Commission on Environmental Quality  Water Operator - Class C - Texas Commission on Environmental Quality	WG0017464	WW0056387	
ETX	Smith	Gilberto Lara	Wastewater Operator - Class B - Texas Commission on Environmental Quality  Water Operator - Class B - Texas Commission on Environmental Quality  Water Operator - Class C - Texas Commission on Environmental Quality	WG0016537	WW0056157	
ETX	Smith	Marshal Keng	Wastewater Operator - Class C - Texas Commission on Environmental Quality  Water Operator - Class C - Texas Commission on Environmental Quality	WG0009405	WW0044407	
ETX	Smith	Richard Lira	Wastewater Operator - Class B - Texas Commission on Environmental Quality  Water Operator - Class B - Texas Commission on Environmental Quality	WG0014848	WW0049512	
ETX	Wade	Antonio Garcia	Water Operator - Class C - Texas Commission on Environmental Quality	WG-0001361	WW-0017479	
ETX	Wade	Charles Larpenteur	Water Operator - Class B - Texas Commission on Environmental Quality	WG-0001542	WW-0000459	
ETX	Wade	Euris Hunt	Wastewater Operator - Class C - Texas Commission on Environmental Quality  Water Operator - Class C - Texas Commission on Environmental Quality  Water Operator - Class C - Texas Commission on Environmental Quality	WG-001599935	WW-0061324	
ETX	Wade	Gretchen Leicher	Wastewater Operator - Class C - Texas Commission on Environmental Quality  Water Operator - Class C - Texas Commission on Environmental Quality	WG-0013059	WW-0043155	
ETX	Wade	Jeffrey Schulz	Wastewater Operator - Class C - Texas Commission on Environmental Quality		WW-0051387	
ETX	Wade	Kevin Lee	Wastewater Operator - Class C - Texas Commission on Environmental Quality  Water Operator - Class C - Texas Commission on Environmental Quality	WG-0013697	WW-0054039	



Region	Supervisor	Name	Certifications	Water Certification Number	Wastewater Certification Number	Other
ETX	Wade	Richard Ochoa	Wastewater Operator - Class C - Texas Commission on Environmental Quality  Water Operator - Class C - Texas Commission on Environmental Quality	WG-0015437	WW-0061249	
ETX	Wade	Virgil Puckett	Wastewater Operator - Class B - Texas Commission on Environmental Quality  Wastewater Operator - Class C - Texas Commission on Environmental Quality  Water Operator - Class B - Texas Commission on Environmental Quality	WG-0014911	WW-0063924	
TX	Foltz	Abel Bautista	Wastewater Operator - Class C - Texas Commission on Environmental Quality  Water Operator - Class C - Texas Commission on Environmental Quality	WG-0001385	WW-0017594	