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DOCKET NO. 52002

**APPLICANT'S RESPONSE TO COMMISSION STAFF'S FIRST REQUEST
FOR INFORMATION TO CPR WATER SUPPLY COMPANY, LLC
QUESTION NO. STAFF 1-1 THROUGH STAFF 1-1**

Staff 1-1 **Please provide evidence that CPR Water has submitted plans and specifications to the Texas Commission on Environmental Quality for the proposed distribution system necessary to provide service to the requested area.**

Answer: See Attached letter dated September 30, 2020 from the TCEQ regarding the submittal of plans and specifications to the TCEQ for review. In addition, please see the attached response letter for the engineer regarding the TCEQ approval process for this system.

Witness: Bret W. Fenner, P.E. President B & D Environmental, Inc.

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



PWS CG_Smith_CO_20201106_Plan Ltr

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

November 6, 2020

Jerry F. Fontaine, P.E.
J.F. Fontaine & Associates, Inc.
P.O. Box 4187
Palestine, Texas 75802

Re: CPR Water System - Public Water System ID No. *Not Yet Assigned*
Proposed Groundwater Public Water System
Engineer Contact Telephone: (903) 729-6005
Smith County, Texas

Dear Mr. Fontaine:

On October 28, 2020, the Texas Commission on Environmental Quality (TCEQ) received your letter dated September 30, 2020 submitting planning material for the proposed CPR Water System. Based on our preliminary review of the information submitted, this project cannot be reviewed further at this time because it is considered incomplete. Please provide the following additional information on or before 30 days from the date of this letter. Once this information is received, then your project will be considered complete, logged in on that date, and assigned to an engineer for review. If we do not receive the requested information within 30 days, the project will be closed without review and you will be required to resubmit all of the necessary planning materials.

To complete the review, please provide two complete copies for the following:

- **Engineering Report** on your letterhead describing this project. It must be signed, sealed and dated by a Texas registered professional engineer, also clearly indicate the engineering firm name and registration number. This is required for proposed new water systems, surface water treatment plants, existing systems with design or capacity deficiencies and "As Built" submittals and it must include the information in Title 30 Texas Administrative Code (TAC) Chapter 290.39(e)(1). Documentation that assists us in completing the review in a more timely fashion is recommended for all submittals.
- **TCEQ Core Data Form (Form No. 10400)**. The Core Data Form (TCEQ-10400) is part of the TCEQ Central Registry to consolidate information for companies and individuals and their notifications, registrations, licenses, and permits including Public Water Systems (PWS). The completed Core Data form must be reviewed by the Public Drinking Water program before registering a PWS (with the assignment of a PWS identification number) and transferring the registration data to Central Registry. At that time, an individual owner (verified by county appraisal districts at a minimum) or legal entity (must be in Secretary of State) will receive a Customer Number (CN), if it doesn't already have one, and the PWS site will receive a Regulated Entity Number (RN), if it does not already have one. For your convenience, we have included a copy of this form.

P.O. Box 13087 • Austin, Texas 78711-3087 • 512-239-1000 • tceq.texas.gov

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- **Business plan** is required for a proposed new public water system (PWS) unless the owner of the PWS is a county, political subdivision of the state (district), municipality, non-profit water supply corporation incorporated under Chapter 67 of the Texas Water Code or meets one of the other exceptions listed in 30 TAC Section 290.39(g). **This appears to be a community public water system. A business plan meeting the requirements of 30 TAC Section 290.39(f) must be submitted.**
- **Certificate of Convenience and Necessity (CCN)** is required because the submittal indicates that the project is for an investor owned utility and is intended to provide retail water service to its customers. Please provide documentary evidence that the CCN application to obtain/amend a CCN has been filed with the Public Utility Commission of Texas. You may include a copy of the acceptance letter or an application number with the filing date.
- All new Public Water System (PWS) must evaluate the feasibility of regionalization before submitting plans, specifications, and a business plan to the TCEQ. The TCEQ's policy is that regionalization is feasible unless one of these three cases applies. **The area on the drawings indicate there are five retail public utilities within two miles: Liberty Utilities-CCN No. 13131, Southern Utilities-CCN No. 10762, Monarch Utilities-CCN No. 12983, Emerald Bay MUD-CCN No. 13047, Aqua Texas-CCN No. 13201. CPR must request service from these entities and provide documentation supporting either case B or case C below.**
 - a) Case A: There are no PWS's within two miles for a community public water system. If there are no PWS's within two miles of your service area and you do not need a new Certificate of Convenience and Necessity (CCN) you may proceed to submit your plans, specifications, and business plan for a stand-alone system. If there are existing PWSs within two miles of your service area, go to Case B below.
 - b) Case B: You have requested service, and your request has been denied. You must apply for service from the existing system by submitting a formal "request for service" application and by paying any associated fees. If all the nearby systems reject your request for service, you may proceed to submit plans, specifications and business plan. If the nearby system approved your request for service, see Case C below.
 - c) Case C: A nearby system approved your request for service but you can successfully demonstrate that an exception based on costs, affordable rates, and financial, managerial, and technical capabilities of the existing system should be granted. You must submit and receive an exception request before submitting plans, specifications and business plan.

Please submit **two sets** of the items listed above as soon as possible so that we may complete the review of your project. **These items must be submitted to Plan Review Team (MC-159) within 30 days or the entire package must be resubmitted for review. We are unable to store incomplete submittals beyond 30 days after the original date of receipt.**

For future reference, you can review part of the Plan Review Team's database to see if we have received your project. This is available on the TCEQ's homepage at the following address:

<https://www.tceq.texas.gov/drinkingwater/planrev.html#status>

Jerry F. Fontaine, P.E.
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You can download completion data checklists and the latest revision of Chapter 290 "Rules and Regulations for Public Water Systems" from this site:

<https://www.tceq.texas.gov/drinkingwater/planrev.html>

You can see information on the TCEQ Central Registry Program, download of core data form, instructions and guidance on completing the TCEQ Core Data Form. From this site:

https://www.tceq.texas.gov/permitting/central_registry

You can see the full text of the Texas Board of Professional Engineers rules regarding the firm name and registration number here: (Specifically Section 137.33(n) & Section 137.77(h))

<https://engineers.texas.gov/downloads.htm>

If you have any questions regarding this letter, please contact me at (512)239-6988 or by email at "vera.poe@tceq.texas.gov" or if by correspondence at the following address:

Plan Review Team, MC-159
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Sincerely,



Vera Poe, P.E., Team Leader
Plan Review Team
Plan and Technical Review Section
Water Supply Division
Texas Commission on Environmental Quality

cc: CPR Water System - Attn.: Kim Cole, Manager, Cole, Prewitt & Rudisill, LLC, P.O. Box 1582, Palestine, Texas 75802

J.F. FONTAINE & ASSOCIATES, INC.

Consulting Engineers

700 N. Sycamore - Ph. AC/903 - 729-6005

Fax AC/903 - 729-7310

P.O. Box 4187

Palestine, Texas 75802

May 25, 2021

Ms. Vera Poe, P.E., Team Leader
Plan Review Team, MC 159
Plan and Technical Review Section
Water Supply Division
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Re: CPR Water System - Public Water System ID No. *Not Yet Assigned*
Proposed Groundwater Public Water System
Engineer Contact Telephone: (903) 729-6005
Smith County, Texas

Dear Ms Poe:

Please review the attached information in this letter for the approval of the CPR Public Water System.

Enclosed are the construction information for the above referenced projects for the new CPR Public Water System.

The improvements will include a test well to a depth of 1,000 feet, pumping test, chemical analysis, completed well to a depth of 1,000 feet, 900 feet of 10 5/8" casing and 100 feet of 6" screen, to produce 250 GPM.

Enclosed are construction plans, specifications and contract documents, the previously submitted TCEQ Public Water System Plan Review Submittal Form, a copy of the 1/4 mile survey, a copy of the General Warranty Deed with survey, a copy of the metes and bounds description, a property map with well location and sanitary control easement, location map and a U.S. coast map showing the location of the well.

Enclosed are construction plans, specifications and contract documents for the Plant No. 1 to include 100,000 gallon ground storage tank, 10,000 gallon pressure tank, 2-500 GPM + 1-1,000 GPM @ 185' TDH booster pumps with VFD, 20' X 25' pump building, electrical, valves, fittings, controls, chlorination facilities, driveway, fencing, culvert and well head.

CPR PWS is being formed for mixed development including commercial development and recreational vehicle park. Land use will be developed as the applicant provides water service to the requested area. The proposed water system has a designed well capacity for up to 416 connections. The booster pumps, pressure tank and storage tank are designed for up to 500 connections. The proposed 151 acre development (CCN area) will be mixed development.

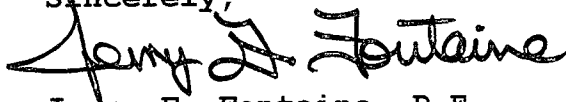
As per your letter of November 6, 2020, please accept the information submitted in this letter as the Engineer's Report along with the business/financial plan, the core data form and additional documents.

The CCN is currently being created through the PUC Docket No. 52002. Case B - service was requested and unfeasible and the applicant was released from existing CCN, Docket No. 50581. Docket No. 50581 approves the Release of the requested Area from Southern Utilities Company's water certificate of convenience and necessity.

Also attached for your review is a copy of the Certificate of Account Status, Request & Responses for Service (Docket No. 50581), Water Tariff and Financial Information.

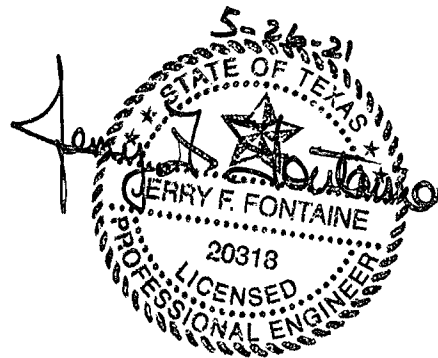
Let me know if you have any questions or need additional information. Thank you!

Sincerely,



Jerry F. Fontaine, P.E.
JFF/ela

CC: CPR Development



TBPE FIRM REGISTRATION # 3223